

SENATE
STATE OF MINNESOTA
EIGHTY-SEVENTH LEGISLATURE

S.F. No. 201

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DATE	D-PG	OFFICIAL STATUS
02/02/2011	158	Introduction and first reading Referred to Judiciary and Public Safety
03/23/2012	5049a	Comm report: To pass as amended
	5140	Second reading
03/28/2012	5253	Special Order
	5253	Third reading Passed

1.1 A bill for an act
1.2 relating to crimes; defining gross negligence in the criminal vehicular operation
1.3 law; amending Minnesota Statutes 2010, section 609.21, subdivision 5, by
1.4 adding a subdivision.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2010, section 609.21, subdivision 5, is amended to read:

1.7 Subd. 5. **Definitions.** For purposes of this section, the terms defined in this
1.8 subdivision have the meanings given them.

1.9 (a) "Motor vehicle" has the meaning given in section 609.52, subdivision 1, and
1.10 includes attached trailers.

1.11 (b) "Controlled substance" has the meaning given in section 152.01, subdivision 4.

1.12 (c) "Hazardous substance" means any chemical or chemical compound that is listed
1.13 as a hazardous substance in rules adopted under chapter 182.

1.14 (d) "In a grossly negligent manner" means with very great negligence or without
1.15 even slight care.

1.16 **EFFECTIVE DATE.** This section is effective August 1, 2012, and applies to crimes
1.17 committed on or after that date.

1.18 Sec. 2. Minnesota Statutes 2010, section 609.21, is amended by adding a subdivision
1.19 to read:

1.20 Subd. 6. **Gross negligence determination.** In determining whether a person has
1.21 operated a motor vehicle in a grossly negligent manner under this section, the fact finder
1.22 may take into consideration factors, including, but not limited to:

1.23 (1) lack of sleep;

2.1 (2) length of time operating the vehicle;

2.2 (3) presence of sure warning signs;

2.3 (4) influence of drugs or alcohol; and

2.4 (5) strenuous activities before operation.

2.5 **EFFECTIVE DATE.** This section is effective August 1, 2012, and applies to crimes
2.6 committed on or after that date.