

132.1

ARTICLE 8

132.2

VEHICLE OPERATIONS

132.3 Section 1. Minnesota Statutes 2018, section 168.1294, subdivision 6, is amended to read:

132.4 Subd. 6. **Contributions; memorial account; appropriation.** Contributions collected
132.5 under subdivision 1, clause (4), must be deposited in the Minnesota law enforcement
132.6 memorial account, which is established in the special revenue fund. Money in the account
132.7 is appropriated to the commissioner of public safety. This appropriation is first for the annual
132.8 cost of administering the account funds, and the remaining funds are for distribution to the
132.9 Minnesota Law Enforcement Memorial Association, ~~to be used.~~ By August 1 of each year,
132.10 the commissioner must distribute all funds remaining to the association. The association
132.11 must use the funds to further the mission of the association in assisting the families and
132.12 home agencies of Minnesota law enforcement officers who have died in the line of duty.
132.13 By August 15 of each year, the association must report to the commissioner of public safety
132.14 and to the chairs and ranking minority members of the legislative committees with jurisdiction
132.15 over transportation policy and finance. The report must include an itemized list of each
132.16 expenditure the association made with the funds received under this section.

132.17 **EFFECTIVE DATE.** This section is effective July 1, 2019.

132.18 Sec. 2. Minnesota Statutes 2018, section 169.92, subdivision 4, is amended to read:

132.19 Subd. 4. **Suspension of driver's license.** (a) Upon receiving a report from the court, or
132.20 from the driver licensing authority of a state, district, territory, or possession of the United
132.21 States or a province of a foreign country which has an agreement in effect with this state
132.22 pursuant to section 169.91, that a resident of this state or a person licensed as a driver in
132.23 this state did not appear in court in compliance with the terms of a citation, the commissioner
132.24 of public safety shall notify the driver that the driver's license will be suspended unless the
132.25 commissioner receives notice within 30 days that the driver has appeared in the appropriate
132.26 court ~~or, if the offense is a petty misdemeanor for which a guilty plea was entered under~~
132.27 ~~section 609.491, that the person has paid any fine imposed by the court.~~ If the commissioner
132.28 does not receive notice of the appearance in the appropriate court or payment of the fine
132.29 within 30 days of the date of the commissioner's notice to the driver, the commissioner may
132.30 suspend the driver's license, subject to the notice requirements of section 171.18, subdivision
132.31 2. Notwithstanding the requirements in this section, the commissioner is prohibited from
132.32 suspending the driver's license of a person based solely on the fact that the person did not
132.33 appear in court (1) in compliance with the terms of a citation for a petty misdemeanor, or
132.34 (2) for a violation of section 171.24, subdivision 1.

133.1 (b) The order of suspension shall indicate the reason for the order and shall notify the
133.2 driver that the driver's license ~~shall remain~~ remains suspended until the driver has furnished
133.3 evidence, satisfactory to the commissioner, of compliance with any order entered by the
133.4 court.

133.5 (c) Suspension shall be ordered under this subdivision only when the report clearly
 133.6 identifies the person arrested; describes the violation, specifying the section of the traffic
 133.7 law, ordinance or rule violated; indicates the location and date of the offense; and describes
 133.8 the vehicle involved and its registration number.

133.9 Sec. 3. Minnesota Statutes 2018, section 171.16, subdivision 2, is amended to read:

133.10 Subd. 2. **Commissioner shall suspend.** (a) The court may recommend the suspension
 133.11 of the driver's license of the person so convicted, and the commissioner shall suspend such
 133.12 license as recommended by the court, without a hearing ~~as provided herein.~~

133.13 (b) The commissioner is prohibited from suspending a person's driver's license if the
 133.14 person was convicted only under section 171.24, subdivision 1 or 2.

133.15 Sec. 4. Minnesota Statutes 2018, section 171.16, subdivision 3, is amended to read:

133.16 Subd. 3. ~~Suspension for Failure to pay fine. When any court reports to~~ The
 133.17 commissioner ~~must not suspend a person's driver's license based solely on the fact that a~~
 133.18 ~~person: (1) has been convicted of violating a law of this state or an ordinance of a political~~
 133.19 ~~subdivision which regulates the operation or parking of motor vehicles, (2) has been~~
 133.20 ~~sentenced to the payment of a fine or had a surcharge levied against that person, or sentenced~~
 133.21 ~~to a fine upon which a surcharge was levied, and (3) has refused or failed to comply with~~
 133.22 ~~that sentence or to pay the surcharge, notwithstanding the fact that the court has determined~~
 133.23 ~~that the person has the ability to pay the fine or surcharge, the commissioner shall suspend~~
 133.24 ~~the driver's license of such person for 30 days for a refusal or failure to pay or until notified~~
 133.25 ~~by the court that the fine or surcharge, or both if a fine and surcharge were not paid, has~~
 133.26 ~~been paid.~~

133.27 Sec. 5. Minnesota Statutes 2018, section 171.18, subdivision 1, is amended to read:

133.28 Subdivision 1. **Offenses.** (a) The commissioner may suspend the license of a driver
 133.29 without preliminary hearing upon a showing by department records or other sufficient
 133.30 evidence that the licensee:

133.31 (1) has committed an offense for which mandatory revocation of license is required upon
 133.32 conviction;

134.1 (2) has been convicted by a court for violating a provision of chapter 169 or an ordinance
 134.2 regulating traffic, other than a conviction for a petty misdemeanor, and department records
 134.3 show that the violation contributed in causing an accident resulting in the death or personal
 134.4 injury of another, or serious property damage;

134.5 (3) is an habitually reckless or negligent driver of a motor vehicle;

134.6 (4) is an habitual violator of the traffic laws;

134.7 (5) is incompetent to drive a motor vehicle as determined in a judicial proceeding;

134.8 (6) has permitted an unlawful or fraudulent use of the license;

- 134.9 (7) has committed an offense in another state that, if committed in this state, would be
 134.10 grounds for suspension;
- 134.11 (8) has committed a violation of section 169.444, subdivision 2, paragraph (a), within
 134.12 five years of a prior conviction under that section;
- 134.13 (9) has committed a violation of section 171.22, except that the commissioner may not
 134.14 suspend a person's driver's license based solely on the fact that the person possessed a
 134.15 fictitious or fraudulently altered Minnesota identification card;
- 134.16 (10) has failed to appear in court as provided in section 169.92, subdivision 4;
- 134.17 (11) has failed to report a medical condition that, if reported, would have resulted in
 134.18 cancellation of driving privileges;
- 134.19 (12) has been found to have committed an offense under section 169A.33; or
- 134.20 (13) has paid or attempted to pay a fee required under this chapter for a license or permit
 134.21 by means of a dishonored check issued to the state or a driver's license agent, which must
 134.22 be continued until the registrar determines or is informed by the agent that the dishonored
 134.23 check has been paid in full.

134.24 However, an action taken by the commissioner under clause (2) or (5) must conform to the
 134.25 recommendation of the court when made in connection with the prosecution of the licensee.

134.26 (b) The commissioner ~~may not suspend~~ is prohibited from suspending the driver's license
 134.27 of an individual under paragraph (a) who was convicted of a violation of section 171.24,
 134.28 subdivision 1, ~~whose license was under suspension at the time solely because of the~~
 134.29 ~~individual's failure to appear in court or failure to pay a fine or 2.~~

135.1 Sec. 6. **[171.2405] LICENSE REINSTATEMENT DIVERSION PROGRAM.**

135.2 Subdivision 1. **Establishment.** (a) A city or county may establish a license reinstatement
 135.3 diversion program for holders of class D drivers' licenses who have been charged with
 135.4 violating section 171.24, subdivision 1 or 2. An individual charged with driving after
 135.5 revocation under section 171.24, subdivision 2, is eligible for diversion only if the revocation
 135.6 was due to a violation of section 169.791; 169.797; 169A.52; 169A.54; 171.17, subdivision
 135.7 1, paragraph (a), clause (6); or 171.177. An individual who is a holder of a commercial
 135.8 driver's license or who has committed an offense in a commercial motor vehicle is not
 135.9 eligible to participate in the diversion program. Nothing in this section authorizes the issuance
 135.10 of a driver's license to a diversion program participant during the underlying suspension or
 135.11 revocation period at issue in the violation of section 171.24, subdivision 1 or 2.

135.12 (b) Notwithstanding any law or ordinance to the contrary, a city or county may contract
 135.13 with a third party to create and administer the diversion program under this section. Any
 135.14 participating city or county, at its own expense, may request an audit of the administrator.

135.15 (c) For purposes of this section, "administrator" means the city, county, or administrator
135.16 of the program.

135.17 Subd. 2. **Diversion of an individual.** (a) A prosecutor for a participating city or county
135.18 may determine whether to accept an individual for diversion. When making the determination,
135.19 the prosecutor must consider:

135.20 (1) whether the individual has a record of driving without a valid license or other criminal
135.21 record, or has previously participated in a diversion program;

135.22 (2) the strength of the evidence against the individual, along with any mitigating factors;
135.23 and

135.24 (3) the apparent ability and willingness of the individual to participate in the diversion
135.25 program and comply with program requirements.

135.26 (b) A city or county attorney may request that an individual be reviewed for a diversion
135.27 program without a formal city or county diversion program being established. The city or
135.28 county attorney must follow the requirements of subdivisions 1 and 2 and may submit the
135.29 individual's application to an administrator for processing in collaboration with DVS to
135.30 determine if an individual is eligible for approval into the diversion program. The participant
135.31 must meet the requirements in subdivision 4.

136.1 (c) A judge may submit a request for an individual to apply for entry into a diversion
136.2 program under subdivisions 1 and 2. The participant must meet the requirements in
136.3 subdivision 4.

136.4 Subd. 3. **Diversion driver's license.** (a) Notwithstanding any law to the contrary, the
136.5 commissioner may issue a diversion driver's license to a person who is a participant in a
136.6 diversion program, after receiving an application and payment of:

136.7 (1) the reinstatement fee under section 171.20, subdivision 4, by a participant whose
136.8 driver's license has been suspended;

136.9 (2) the reinstatement fee under section 171.29, subdivision 2, paragraph (a), by a
136.10 participant whose driver's license has been revoked under section 169.791; 169.797; or
136.11 171.17, subdivision 1, paragraph (a), clause (6); or

136.12 (3) the reinstatement fee under section 171.29, subdivision 2, paragraph (a), by a
136.13 participant whose driver's license has been revoked under section 169A.52, 169A.54, or
136.14 171.177. The reinstatement fee and surcharge under section 171.29, subdivision 2, paragraph
136.15 (b), must also be paid during the course of and as a condition of the diversion program.

136.16 (b) The commissioner may impose restrictions on a diversion driver's license that are
136.17 suitable to the licensee's driving ability or applicable to the licensee as the commissioner
136.18 deems appropriate to ensure the safe operation of a motor vehicle by the licensee. The

- 136.19 participant must follow all requirements of this section, the requirements set out by DVS
136.20 and court restrictions.
- 136.21 (c) Payments made by participants in the diversion program of the reinstatement fee and
136.22 surcharge under section 171.29, subdivision 2, paragraph (b), must be applied first toward
136.23 payment of the reinstatement fee and, after the reinstatement fee has been fully paid, toward
136.24 payment of the surcharge. Each payment that is applied toward the reinstatement fee must
136.25 be credited as provided in section 171.29, subdivision 2, paragraph (b), and each payment
136.26 that is applied toward the surcharge must be credited as provided in section 171.29,
136.27 subdivision 2, paragraphs (c) and (d). After the reinstatement fee and surcharge are satisfied,
136.28 the participant must pay the program participation fee.
- 136.29 (d) Notwithstanding any law to the contrary, a diversion driver's license issued to a
136.30 participant in the program must not be revoked or suspended for convictions entered due
136.31 to payments made under subdivision 4.
- 136.32 Subd. 4. **Program components.** (a) At a minimum, the diversion program must require
136.33 individuals to:
- 137.1 (1) successfully attend and complete, at the individual's expense, educational classes
137.2 that provide, among other things, information on driver's licensure;
- 137.3 (2) pay to the administrator, under a schedule approved by the prosecutor, all required
137.4 related fees, fines, and charges, including applicable statutory license reinstatement fees
137.5 and costs of participation in the program;
- 137.6 (3) comply with all traffic laws; and
- 137.7 (4) demonstrate compliance with motor vehicle insurance requirements.
- 137.8 (b) Individuals whose underlying citations cost less than \$250 shall receive a 60 percent
137.9 discount on the diversion program fee. Individuals whose underlying citations cost \$250 to
137.10 \$500 shall receive a 40 percent discount on the diversion program fee.
- 137.11 Subd. 5. **Termination of participation; reinstatement of driver's license.** (a) An
137.12 individual's participation in the diversion program must be terminated if:
- 137.13 (1) the individual is found guilty of a moving traffic violation;
- 137.14 (2) the individual fails to provide proof of vehicle insurance; or
- 137.15 (3) the administrator of the diversion program informs the commissioner that the
137.16 individual is no longer satisfying the conditions of the diversion program.
- 137.17 (b) The commissioner must cancel an individual's diversion driver's license upon receiving
137.18 notice from the administrator that the individual is not complying with the requirements of
137.19 the program.

- 137.20 (c) The original charge against the individual of a violation of section 171.24 may be
137.21 reinstated against an individual whose participation in the diversion program terminates
137.22 under paragraph (a), clause (1) or (2).
- 137.23 (d) If an individual satisfies all requirements of the diversion program, including, at a
137.24 minimum, satisfactory fulfillment of the components under subdivision 4, the administrator
137.25 must inform the court, the prosecutor, and the commissioner of the individual's satisfactory
137.26 completion of the diversion program.
- 137.27 (e) Upon receiving notice under paragraph (d), the commissioner must reinstate the
137.28 individual's driver's license.
- 137.29 (f) Upon receiving notice under paragraph (d), the court must dismiss the charge or the
137.30 prosecutor must decline to prosecute the individual.
- 138.1 **Subd. 6. Fees held on termination of participant.** (a) Upon termination of the participant
138.2 in the program under subdivision 5, where there are any held funds and only after the
138.3 administrator has made payouts on citations and fees, the third-party administrator shall
138.4 hold remaining participant fees for 12 months from the date of termination under subdivision
138.5 5, paragraph (a), clause (1) or (2).
- 138.6 (b) A participant who meets DVS requirements to re-enter the diversion program may
138.7 use held funds to pay fees to be reinstated into the program.
- 138.8 (c) After 12 months, the administrator shall retain the funds for the work performed
138.9 during the participant's enrollment period, prior to the participant's termination date in the
138.10 diversion program.
- 138.11 **Subd. 7. Biennial report.** (a) By February 1 of each even-numbered year, the
138.12 administrator must report on each city and county that participated in the diversion program
138.13 and provide a report to each participating city and county, the commissioner, and the
138.14 legislative committees with jurisdiction over transportation and the judiciary concerning
138.15 the results of the program. The report must be made available electronically and, upon
138.16 request, in print. The report must include, without limitation, the effect of the program on:
- 138.17 (1) recidivism rates for participants in the diversion program;
- 138.18 (2) the number of participants who successfully completed the program;
- 138.19 (3) the amount charged to individuals for program fees;
- 138.20 (4) payment of the fees and fines collected in the diversion program to cities, counties,
138.21 and the state;
- 138.22 (5) the total amount of money collected from participants in the program;
- 138.23 (6) the total amount of money, by category, paid or applied to reinstatement;

- 138.24 (7) educational support provided to participants in the diversion program;
- 138.25 (8) the total number of participants in the diversion program;
- 138.26 (9) the total number of participants terminated from the program under subdivision 5,
- 138.27 paragraph (a), clauses (1) to (3);
- 138.28 (10) the reimbursement policy for all payments listed under clause (4); and
- 138.29 (11) the amount of all payments listed under clause (4) retained from participants who
- 138.30 were terminated from the program.
- 139.1 (b) The report must include all recommendations made by cities or counties regarding
- 139.2 the future of the program and any necessary or suggested legislative changes.
- 139.3 **EFFECTIVE DATE.** This section is effective July 1, 2019. A city or county participating
- 139.4 in the diversion program may accept an individual into the program until June 30, 2019.
- 139.5 The third party administering the diversion program may collect and disperse fees collected
- 139.6 pursuant to Minnesota Statutes, section 171.2405, subdivision 6, paragraph (a), clause (2),
- 139.7 through June 30, 2019.
- 139.8 Sec. 7. **[171.325] DRIVER'S LICENSE SUSPENSIONS AND REVOCATIONS;**
- 139.9 **REPORTS.**
- 139.10 Subdivision 1. **Issuance, suspensions, and revocations.** (a) Annually by February 15,
- 139.11 the commissioner of public safety must report to the chairs and ranking minority members
- 139.12 of the house of representatives and senate committees and divisions with jurisdiction over
- 139.13 public safety and transportation on the status of driver's licenses issued, suspended, and
- 139.14 revoked. The commissioner must make the report available on the department's website.
- 139.15 (b) At a minimum, the report must include:
- 139.16 (1) the total number of driver's licenses issued, suspended, and revoked as of January 1
- 139.17 the year the report is submitted, broken down by county;
- 139.18 (2) for each of the previous eight calendar years, the total number of driver's licenses
- 139.19 suspended and the number of suspended licenses reinstated; and
- 139.20 (3) for each of the previous eight calendar years, the total number of driver's licenses
- 139.21 revoked and the number of revoked licenses reinstated.
- 139.22 (c) For purposes of paragraph (b), clauses (1), (2), and (3), the report must identify each
- 139.23 type of suspension or revocation authorized by statute or rule and include the number of
- 139.24 licenses suspended or revoked for each type.
- 139.25 Subd. 2. **Charges, convictions, and fines.** (a) Annually by February 15, the state court
- 139.26 administrator must report to the chairs and ranking minority members of the house of
- 139.27 representatives and senate committees and divisions with jurisdiction over public safety
- 139.28 and transportation on (1) charges and convictions for driving after suspension or revocation,

- 139.29 and (2) payment of fines for violations related to operation of a motor vehicle. The
139.30 administrator must make the report available on the state court's website.
- 139.31 (b) At a minimum, the report must include:
- 140.1 (1) for each of the previous eight calendar years, the number of charges under section
140.2 171.24, subdivisions 1 and 2, broken down by the charges for each subdivision and indicating
140.3 whether the court appointed the public defender to represent the defendant;
- 140.4 (2) for each of the previous eight calendar years, the number of convictions under section
140.5 171.24, subdivisions 1 and 2, broken down by the convictions for each subdivision and
140.6 indicating whether the court appointed the public defender to represent the defendant; and
- 140.7 (3) for the past calendar year, for all charges on violations related to the operation of a
140.8 motor vehicle and included on the uniform fine schedule authorized under section 609.101,
140.9 subdivision 4, the percentage of fines, broken down by whether the court appointed the
140.10 public defender to represent the defendant, which:
- 140.11 (i) were paid in full by the due date on the citation;
- 140.12 (ii) were paid in full through a payment plan;
- 140.13 (iii) accrued late charges;
- 140.14 (iv) were sent to court collections; and
- 140.15 (v) were sent to the Department of Revenue for collection.
- 140.16 Sec. 8. Minnesota Statutes 2018, section 299A.12, subdivision 1, is amended to read:
- 140.17 Subdivision 1. **General requirements.** ~~Except as provided in subdivision 4,~~ Any vehicle
140.18 used by an operator to provide transportation service ~~shall~~ must be equipped with wheelchair
140.19 securement devices ~~which are approved by the commissioner of public safety as meeting~~
140.20 that meet the specifications of subdivisions 1 and 2. Only securement devices that meet the
140.21 requirements of the Americans with Disabilities Act may be used. A wheelchair securement
140.22 device shall prevent any forward, backward, or lateral movement of an occupied wheelchair
140.23 when the device is engaged and the vehicle is in motion, accelerating or braking, and shall
140.24 attach to the frame of the wheelchair without damaging it must be installed and used
140.25 according to the manufacturer's instructions and Code of Federal Regulations, title 49,
140.26 section 38.23. Wheelchair securement devices installed in any vehicle shall must be
140.27 maintained in working order and according to the manufacturer's recommendations.
- 140.28 Sec. 9. Minnesota Statutes 2018, section 299A.12, subdivision 2, is amended to read:
- 140.29 Subd. 2. **Strength Design requirements.** ~~The strength design requirements for securing~~
140.30 ~~the part of a wheelchair that is forward in the vehicle shall be one-half of those required for~~
140.31 ~~the rear. Where the wheelchair securement device and the seat belt are combined in a~~
141.1 ~~common system, those parts which provide the combined restraining force shall have a~~
141.2 ~~combined strength of both according to the strength requirements of each as adopted by the~~

141.3 ~~commissioner of public safety~~ securement devices must meet the specifications in Code of
141.4 Federal Regulations, title 49, section 38.23.

141.5 Sec. 10. Minnesota Statutes 2018, section 299A.12, subdivision 3, is amended to read:

141.6 Subd. 3. **Maximum number of persons transported.** A vehicle used to provide
141.7 transportation service ~~shall~~ must carry only as many persons seated in wheelchairs as the
141.8 number of securement devices approved by the commissioner of public safety as meeting
141.9 the specifications of subdivisions 1 and 2 with which the vehicle is equipped, and each
141.10 occupied wheelchair ~~shall~~ must be secured by such a securement device before the vehicle
141.11 is set in motion.

141.12 Sec. 11. Minnesota Statutes 2018, section 299A.13, is amended to read:

141.13 **299A.13 ADDITIONAL SAFETY REQUIREMENTS.**

141.14 Subdivision 1. **Seat belt.** Any vehicle used to provide transportation service ~~shall~~ must
141.15 be equipped with seat belts ~~which~~ that are approved by the commissioner of public safety.
141.16 The seat belts required by this subdivision ~~shall~~ must be adequate to secure the occupant
141.17 of a wheelchair who is being transported by the vehicle. ~~These~~ The seat belts ~~shall~~ must be
141.18 used only to secure the person and ~~shall~~ must not be used to secure the wheelchair unless
141.19 the wheelchair securement force is not cumulative to the seat belt. The seat belts ~~shall~~ must
141.20 meet all other applicable state and federal requirements for safety.

141.21 Subd. 2. **Electric wheelchair.** When transportation service is provided to an individual
141.22 in an electrically powered wheelchair, the main power switch of the wheelchair ~~shall~~ must
141.23 be placed in the "off" position at all times while the vehicle is in motion.

141.24 Subd. 3. **Mobility aid accessibility.** (a) Vehicles equipped with wheelchair securement
141.25 devices must provide a level-change mechanism or boarding device such as a lift or ramp
141.26 that complies with Code of Federal Regulations, title 49, section 38.23.

141.27 (b) Wheelchair lifts must comply with the National Highway Traffic Safety
141.28 Administration's Federal Motor Vehicle Safety Standards for public use lifts as outlined in
141.29 Code of Federal Regulations, title 49, sections 571.403 and 571.404.

141.30 Subd. 4. **Driver's responsibility.** (a) The driver of a vehicle equipped with a wheelchair
141.31 seurement device has the duties outlined in this subdivision.

142.1 (b) The driver or a person designated by the driver shall ensure that an occupied
142.2 wheelchair is properly secured before the driver sets the vehicle in motion.

142.3 (c) The driver or a person designated by the driver shall ensure that the seat belt assembly
142.4 is properly adjusted and fastened around the wheelchair user in a manner consistent with
142.5 the manufacturer's recommendations before the driver sets the vehicle in motion when:

142.6 (1) requested by the wheelchair user;

- 142.7 (2) the wheelchair user is unable to communicate;
- 142.8 (3) seat belt usage is required of all passengers in the vehicle; or
- 142.9 (4) the vehicle is a school bus.
- 142.10 The seat belt assembly must not be fastened if the wheelchair user or other responsible
142.11 person advises the driver that to do so would aggravate a physical condition of the wheelchair
142.12 user. If a restraint device is available that would not aggravate the physical condition of the
142.13 user, it must be fastened in the required manner.
- 142.14 (d) The driver or a person designated by the driver shall ensure that securement devices
142.15 and seat belt assemblies are retracted, removed, or otherwise stored when not in use to
142.16 prevent tripping of persons and damage to devices.
- 142.17 Sec. 12. Minnesota Statutes 2018, section 299A.14, subdivision 3, is amended to read:
- 142.18 Subd. 3. **Standards.** The inspection shall be made to determine that the vehicle complies
142.19 with the provisions of sections 299A.12, ~~subdivisions 1 and 4,~~ and 299A.13, ~~subdivision~~
142.20 4; and that the securement device is and level-change mechanism or boarding device such
142.21 as a lift or ramp are in working order; and that the securement device is not in need of
142.22 obvious repair. The inspection may include testing the use of a securement device while
142.23 the vehicle is in motion.
- 142.24 Sec. 13. Minnesota Statutes 2018, section 480.15, is amended by adding a subdivision to
142.25 read:
- 142.26 Subd. 8a. **Motor vehicle charges and conviction data; report.** The court administrator
142.27 shall collect, compile, and report the data on (1) charges and convictions for driving after
142.28 suspension or revocation, and (2) payment of fines for violations related to operation of a
142.29 motor vehicle, as required under section 171.325.
- 143.1 Sec. 14. Minnesota Statutes 2018, section 609.2112, subdivision 1, is amended to read:
- 143.2 Subdivision 1. **Criminal vehicular homicide.** (a) Except as provided in paragraph (b),
143.3 a person is guilty of criminal vehicular homicide and may be sentenced to imprisonment
143.4 for not more than ten years or to payment of a fine of not more than \$20,000, or both, if the
143.5 person causes the death of a human being not constituting murder or manslaughter as a
143.6 result of operating a motor vehicle:
- 143.7 (1) in a grossly negligent manner;
- 143.8 (2) in a negligent manner while under the influence of:
- 143.9 (i) alcohol;
- 143.10 (ii) a controlled substance; or
- 143.11 (iii) any combination of those elements;

- 143.12 (3) while having an alcohol concentration of 0.08 or more;
- 143.13 (4) while having an alcohol concentration of 0.08 or more, as measured within two hours
143.14 of the time of driving;
- 143.15 (5) in a negligent manner while under the influence of an intoxicating substance and the
143.16 person knows or has reason to know that the substance has the capacity to cause impairment;
- 143.17 (6) in a negligent manner while any amount of a controlled substance listed in Schedule
143.18 I or II, or its metabolite, other than marijuana or tetrahydrocannabinols, is present in the
143.19 person's body;
- 143.20 (7) where the driver who causes the collision leaves the scene of the collision in violation
143.21 of section 169.09, subdivision 1 or 6; ~~or~~
- 143.22 (8) where the driver had actual knowledge that a peace officer had previously issued a
143.23 citation or warning that the motor vehicle was defectively maintained, the driver had actual
143.24 knowledge that remedial action was not taken, the driver had reason to know that the defect
143.25 created a present danger to others, and the death was caused by the defective maintenance;
- 143.26 (9) in a negligent manner while the driver is in violation of section 169.475; or
- 143.27 (10) in a negligent manner while the person's driver's license or driving privilege has
143.28 been suspended, revoked, or canceled or the person has been disqualified from holding a
143.29 commercial driver's license or been denied the privilege to operate a commercial motor
143.30 vehicle pursuant to:
- 144.1 (i) section 169.89, subdivision 5; 169A.52; 169A.54; 171.05, subdivision 2b, paragraph
144.2 (d); 171.13, subdivision 3 or 4; 171.17, subdivision 1, paragraph (a), clause (1) or (10);
144.3 171.177; 171.18, subdivision 1, paragraph (a), clause (2), (3), (4), (5), or (11); 171.32; or
144.4 260B.225, subdivision 9; or a violation of section 169.13; 169.21; 169.444; 609.19,
144.5 subdivision 1, clause (2); or 609.487, subdivisions 3 to 5; or any violation of chapter 169A;
144.6 or
- 144.7 (ii) a law from another state similar to those described in item (i).
- 144.8 (b) If a person is sentenced under paragraph (a) for a violation under paragraph (a),
144.9 clauses (2) to (6), occurring within ten years of a qualified prior driving offense, the statutory
144.10 maximum sentence of imprisonment is 15 years.
- 144.11 **EFFECTIVE DATE.** This section is effective August 1, 2019, and applies to crimes
144.12 committed on or after that date.
- 144.13 Sec. 15. Minnesota Statutes 2018, section 609.2113, subdivision 1, is amended to read:
- 144.14 Subdivision 1. **Great bodily harm.** A person is guilty of criminal vehicular operation
144.15 resulting in great bodily harm and may be sentenced to imprisonment for not more than five
144.16 years or to payment of a fine of not more than \$10,000, or both, if the person causes great

- 144.17 bodily harm to another not constituting attempted murder or assault as a result of operating
144.18 a motor vehicle:
- 144.19 (1) in a grossly negligent manner;
- 144.20 (2) in a negligent manner while under the influence of:
- 144.21 (i) alcohol;
- 144.22 (ii) a controlled substance; or
- 144.23 (iii) any combination of those elements;
- 144.24 (3) while having an alcohol concentration of 0.08 or more;
- 144.25 (4) while having an alcohol concentration of 0.08 or more, as measured within two hours
144.26 of the time of driving;
- 144.27 (5) in a negligent manner while under the influence of an intoxicating substance and the
144.28 person knows or has reason to know that the substance has the capacity to cause impairment;
- 144.29 (6) in a negligent manner while any amount of a controlled substance listed in Schedule
144.30 I or II, or its metabolite, other than marijuana or tetrahydrocannabinols, is present in the
144.31 person's body;
- 145.1 (7) where the driver who causes the accident leaves the scene of the accident in violation
145.2 of section 169.09, subdivision 1 or 6; ~~or~~
- 145.3 (8) where the driver had actual knowledge that a peace officer had previously issued a
145.4 citation or warning that the motor vehicle was defectively maintained, the driver had actual
145.5 knowledge that remedial action was not taken, the driver had reason to know that the defect
145.6 created a present danger to others, and the injury was caused by the defective maintenance;
- 145.7 (9) in a negligent manner while the driver is in violation of section 169.475; or
- 145.8 (10) in a negligent manner while the person's driver's license or driving privilege has
145.9 been suspended, revoked, or canceled or the person has been disqualified from holding a
145.10 commercial driver's license or been denied the privilege to operate a commercial motor
145.11 vehicle pursuant to:
- 145.12 (i) section 169.89, subdivision 5; 169A.52; 169A.54; 171.05, subdivision 2b, paragraph
145.13 (d); 171.13, subdivision 3 or 4; 171.17, subdivision 1, paragraph (a), clause (1) or (10);
145.14 171.177; 171.18, subdivision 1, paragraph (a), clause (2), (3), (4), (5), or (11); 171.32; or
145.15 260B.225, subdivision 9; or a violation of section 169.13; 169.21; 169.444; 609.19,
145.16 subdivision 1, clause (2); or 609.487, subdivisions 3 to 5; or any violation of chapter 169A;
145.17 or
- 145.18 (ii) a law from another state similar to those described in item (i).

- 145.19 **EFFECTIVE DATE.** This section is effective August 1, 2019, and applies to crimes
145.20 committed on or after that date.
- 145.21 Sec. 16. Minnesota Statutes 2018, section 609.2113, subdivision 2, is amended to read:
- 145.22 Subd. 2. **Substantial bodily harm.** A person is guilty of criminal vehicular operation
145.23 resulting in substantial bodily harm and may be sentenced to imprisonment for not more
145.24 than three years or to payment of a fine of not more than \$10,000, or both, if the person
145.25 causes substantial bodily harm to another as a result of operating a motor vehicle:
- 145.26 (1) in a grossly negligent manner;
- 145.27 (2) in a negligent manner while under the influence of:
- 145.28 (i) alcohol;
- 145.29 (ii) a controlled substance; or
- 145.30 (iii) any combination of those elements;
- 145.31 (3) while having an alcohol concentration of 0.08 or more;
- 146.1 (4) while having an alcohol concentration of 0.08 or more, as measured within two hours
146.2 of the time of driving;
- 146.3 (5) in a negligent manner while under the influence of an intoxicating substance and the
146.4 person knows or has reason to know that the substance has the capacity to cause impairment;
- 146.5 (6) in a negligent manner while any amount of a controlled substance listed in Schedule
146.6 I or II, or its metabolite, other than marijuana or tetrahydrocannabinols, is present in the
146.7 person's body;
- 146.8 (7) where the driver who causes the accident leaves the scene of the accident in violation
146.9 of section 169.09, subdivision 1 or 6; ~~or~~
- 146.10 (8) where the driver had actual knowledge that a peace officer had previously issued a
146.11 citation or warning that the motor vehicle was defectively maintained, the driver had actual
146.12 knowledge that remedial action was not taken, the driver had reason to know that the defect
146.13 created a present danger to others, and the injury was caused by the defective maintenance;;
- 146.14 (9) in a negligent manner while the driver is in violation of section 169.475; or
- 146.15 (10) in a negligent manner while the person's driver's license or driving privilege has
146.16 been suspended, revoked, or canceled or the person has been disqualified from holding a
146.17 commercial driver's license or been denied the privilege to operate a commercial motor
146.18 vehicle pursuant to:
- 146.19 (i) section 169.89, subdivision 5; 169A.52; 169A.54; 171.05, subdivision 2b, paragraph
146.20 (d); 171.13, subdivision 3 or 4; 171.17, subdivision 1, paragraph (a), clause (1) or (10);
146.21 171.177; 171.18, subdivision 1, paragraph (a), clause (2), (3), (4), (5), or (11); 171.32; or

- 146.22 260B.225, subdivision 9; or a violation of section 169.13; 169.21; 169.444; 609.19,
146.23 subdivision 1, clause (2); or 609.487, subdivisions 3 to 5; or any violation of chapter 169A;
146.24 or
- 146.25 (ii) a law from another state similar to those described in item (i).
- 146.26 **EFFECTIVE DATE.** This section is effective August 1, 2019, and applies to crimes
146.27 committed on or after that date.
- 146.28 Sec. 17. Minnesota Statutes 2018, section 609.2113, subdivision 3, is amended to read:
- 146.29 Subd. 3. **Bodily harm.** A person is guilty of criminal vehicular operation resulting in
146.30 bodily harm and may be sentenced to imprisonment for not more than one year or to payment
146.31 of a fine of not more than \$3,000, or both, if the person causes bodily harm to another as a
146.32 result of operating a motor vehicle:
- 147.1 (1) in a grossly negligent manner;
- 147.2 (2) in a negligent manner while under the influence of:
- 147.3 (i) alcohol;
- 147.4 (ii) a controlled substance; or
- 147.5 (iii) any combination of those elements;
- 147.6 (3) while having an alcohol concentration of 0.08 or more;
- 147.7 (4) while having an alcohol concentration of 0.08 or more, as measured within two hours
147.8 of the time of driving;
- 147.9 (5) in a negligent manner while under the influence of an intoxicating substance and the
147.10 person knows or has reason to know that the substance has the capacity to cause impairment;
- 147.11 (6) in a negligent manner while any amount of a controlled substance listed in Schedule
147.12 I or II, or its metabolite, other than marijuana or tetrahydrocannabinols, is present in the
147.13 person's body;
- 147.14 (7) where the driver who causes the accident leaves the scene of the accident in violation
147.15 of section 169.09, subdivision 1 or 6; ~~or~~
- 147.16 (8) where the driver had actual knowledge that a peace officer had previously issued a
147.17 citation or warning that the motor vehicle was defectively maintained, the driver had actual
147.18 knowledge that remedial action was not taken, the driver had reason to know that the defect
147.19 created a present danger to others, and the injury was caused by the defective maintenance;
- 147.20 (9) in a negligent manner while the driver is in violation of section 169.475; or
- 147.21 (10) in a negligent manner while the person's driver's license or driving privilege has
147.22 been suspended, revoked, or canceled or the person has been disqualified from holding a

- 147.23 commercial driver's license or been denied the privilege to operate a commercial motor
 147.24 vehicle pursuant to:
- 147.25 (i) section 169.89, subdivision 5; 169A.52; 169A.54; 171.05, subdivision 2b, paragraph
 147.26 (d); 171.13, subdivision 3 or 4; 171.17, subdivision 1, paragraph (a), clause (1) or (10);
 147.27 171.177; 171.18, subdivision 1, paragraph (a), clause (2), (3), (4), (5), or (11); 171.32; or
 147.28 260B.225, subdivision 9; or a violation of section 169.13; 169.21; 169.444; 609.19,
 147.29 subdivision 1, clause (2); or 609.487, subdivisions 3 to 5; or any violation of chapter 169A;
 147.30 or
- 147.31 (ii) a law from another state similar to those described in item (i).
- 148.1 **EFFECTIVE DATE.** This section is effective August 1, 2019, and applies to crimes
 148.2 committed on or after that date.
- 148.3 Sec. 18. Laws 2009, chapter 59, article 3, section 4, subdivision 9, as amended by Laws
 148.4 2010, chapter 197, section 1, Laws 2011, chapter 87, section 1, subdivision 9, Laws 2013,
 148.5 chapter 127, section 60, and Laws 2017, chapter 95, article 3, section 29, is amended to
 148.6 read:
- 148.7 Subd. 9. **Sunset; transition.** A city or county participating in this pilot program may
 148.8 accept an individual for diversion into the pilot program ~~until June 30, 2019,~~ and the third
 148.9 party administering the diversion program may collect and disburse fees collected pursuant
 148.10 to subdivision 6, paragraph (a), clause (2), ~~through December 31, 2020~~ until the day following
 148.11 the date the permanent diversion program established under Minnesota Statutes, section
 148.12 171.2405, is effective, at which time the pilot program under this section expires. An
 148.13 individual participating in but who has not completed the pilot program on the date the pilot
 148.14 program expires is automatically transferred and enrolled in the permanent diversion program
 148.15 under Minnesota Statutes, section 171.2405, and credited for any fees paid or activities
 148.16 completed under the pilot program.
- 148.17 **EFFECTIVE DATE.** This section is effective the day following final enactment.
- 148.18 **Sec. 19. RETROACTIVE DRIVER'S LICENSE REINSTATEMENT.**
- 148.19 (a) The commissioner of public safety must make an individual's driver's license eligible
 148.20 for reinstatement if the license is solely suspended pursuant to:
- 148.21 (1) Minnesota Statutes 2018, section 169.92, subdivision 4;
- 148.22 (2) Minnesota Statutes 2018, section 171.16, subdivision 2, if the person was convicted
 148.23 only under Minnesota Statutes, section 171.24, subdivision 1 or 2;
- 148.24 (3) Minnesota Statutes 2018, section 171.16, subdivision 3; or
- 148.25 (4) any combination of clauses (1), (2), and (3).

148.26 (b) By December 1, 2019, the commissioner must provide written notice to an individual
148.27 whose license has been made eligible for reinstatement under paragraph (a), addressed to
148.28 the licensee at the licensee's last known address.

148.29 (c) Notwithstanding any law to the contrary, before the license is reinstated, an individual
148.30 whose driver's license is eligible for reinstatement under paragraph (a) must pay a
148.31 reinstatement fee of \$20.

149.1 (d) The following applies for an individual who is eligible for reinstatement under
149.2 paragraph (a), and whose license was suspended, revoked, or canceled under any other
149.3 provision in Minnesota Statutes:

149.4 (1) the suspension, revocation, or cancellation under any other provision in Minnesota
149.5 Statutes remains in effect;

149.6 (2) subject to clause (1), the individual may become eligible for reinstatement under
149.7 paragraph (a); and

149.8 (3) the commissioner is not required to send the notice described in paragraph (b).

149.9 (e) Paragraph (a) applies notwithstanding Minnesota Statutes 2018, sections 169.92,
149.10 subdivision 4; 171.16, subdivision 2 or 3; or any other law to the contrary.

149.11 **EFFECTIVE DATE.** This section is effective August 1, 2019.

149.12 Sec. 20. **TRAFFIC STOP STUDY.**

149.13 Subdivision 1. **Study requirements.** (a) The commissioner of public safety must identify
149.14 a qualified research organization which shall conduct a study to determine what impact, if
149.15 any, changes in traffic laws since 2003 have had on traffic stops in Minnesota including
149.16 whether changes resulted in a disproportionate impact in any geographic area or on any
149.17 demographic group.

149.18 (b) The study shall identify significant changes in traffic law enacted since 2003 including,
149.19 but not limited to:

149.20 (1) the adoption of Minnesota Statutes, section 169.475;

149.21 (2) amendments to Minnesota Statutes, section 169.475, effective August 1, 2019;

149.22 (3) changes to Minnesota Statutes, section 169.686, enacted pursuant to Laws 2009,
149.23 chapter 165, section 2; and

149.24 (4) changes to Minnesota Statutes, section 169A.20, enacted pursuant to Laws 2004,
149.25 chapter 283, section 3.

149.26 (c) The grant recipient shall coordinate with local law enforcement agencies and the
149.27 Minnesota State Patrol to obtain and collect relevant data on traffic stops. Data shall be

149.28 collected as provided by law, rule, or policy of the law enforcement agency. Nothing in this
149.29 section requires any law enforcement agency to collect additional data.

150.1 (d) The grant recipient shall analyze the data obtained or collected based on factors
150.2 including, but not limited to, the geographic area in which the stop took place and
150.3 demographic information of the driver.

150.4 (e) To the extent possible, the study shall compare data obtained and collected under
150.5 paragraph (c) with data collected pursuant to Laws 2001, First Special Session chapter 8,
150.6 article 7, section 6.

150.7 (f) The grant recipient shall coordinate with the commissioner of public safety and law
150.8 enforcement agencies to ensure the confidentiality of data obtained or collected.

150.9 Subd. 2. **Report.** By February 15, 2021, the grant recipient must provide a report to the
150.10 commissioner of public safety and the chairs and ranking minority members of the legislative
150.11 committees and divisions with jurisdiction over transportation and criminal justice policy
150.12 on the results of the study.

150.13 **Sec. 21. REPEALER.**

150.14 Minnesota Statutes 2018, sections 299A.12, subdivision 4; and 299A.18, are repealed.