

162.10 STATE-AID SYSTEM

162.10 Limitation on payment of contract prices.

Whenever the construction or improvement of any municipal state-aid street is to be done by contract, and the construction or improvement is not financed in whole or in part by federal aid highway money, the governing body of the city shall agree in the contract to pay the contractor an amount not exceeding 90 percent of the value of the work from time to time actually completed, as shown by monthly estimates thereof made by the engineer of the city on the basis of the contract prices, and shall further agree that when the work is 90 percent or more completed upon the recommendation of the city engineer such portions of the retained price shall be released as the governing body of the city determines are not required to be retained to protect the city's interest in completion of the contract. In such case it shall be lawful for the appropriate disbursing officers of the city to pay the contractor an amount consistent with the above prescribed limitations of the value of the work so completed and specified in the engineer's monthly estimate without allowance of a claim therefor by the governing body of the city. Failure to pay any amount due and payable under the terms of the contract within 30 days of a monthly estimate or 90 days after the final estimate of the value of the work completed shall obligate the city to pay to the contractor simple interest on the past due amount at an annual rate equal to the monthly index of long term United States bond yields for the month prior to the month in which this obligation is incurred plus an additional one percent per annum. Interest shall not be imposed with respect to any amount which a city may legally withhold as a result of breach of contract or other contractual claim.

[1977 c 144 s 2]

CHAPTER 168. MOTOR VEHICLES; REGISTRATION; TAXATION; SALES; DEALERS

Sec.	Definitions.	Sec.	Motor vehicle dealers; violations, penalties.
168.011	Rate of tax.	168.27	Informational labels on pickup trucks; penalty. [New]
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168.011 Definitions.

[For text of subds 1 to 25, see M.S.1976]

Subd. 26. **Motorcycle.** "Motorcycle" means every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, including motor scooters and bicycles with motor attached, other than those vehicles defined as motorized bicycles in subdivision 27, but excluding a tractor.

Subd. 27. **Motorized bicycle.** "Motorized bicycle" means a bicycle with fully operatable pedals which may be propelled by human power or a motor, or by both, with a motor of a capacity of less than 50 cubic centimeters piston displacement, and a maximum of two brake horsepower, which is capable of a maximum speed of not more than 30 miles per hour on a flat surface with not more than one percent grade in any direction when the motor is engaged.

[1977 c 214 s 1,2]

168.013 Rate of tax.

[For text of subds 1 to 1b, see M.S.1976]

Subd. 1c. **Farm trucks.** On farm trucks, the tax shall be based on total gross weight and shall be 30 percent of the Minnesota base rate prescribed by subdivi-

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sion 1e under Schedule I during each of the first six years of vehicle life, but in no event less than \$19, and during the seventh and succeeding years of vehicle life as taken from Schedule II, but in no event less than \$11. In addition to such gross weight tax imposed on a truck-tractor or truck used as a truck-tractor, each semi-trailer shall be taxed a fee of \$10 for a one year period or \$50 for a five year period whichever the applicant elects.

Subd. 1d. **Trailers.** On trailers the annual tax shall be based on total gross weight and shall be 30 percent of the Minnesota base rate prescribed in subdivision 1e, Schedule I, but in no event less than \$2, provided, that the tax on trailers with a total gross weight of 3,000 pounds or less shall be payable biennially.

Subd. 1e. **Trucks; tractors; combinations; exceptions.** On all trucks and tractors except those in this chapter defined as farm trucks, and urban trucks, and on all truck-tractor and semi-trailer combinations except those defined as farm combinations and urban combinations, the tax based on total gross weight during the first six years of vehicle life shall be graduated according to Schedule I of the Minnesota base rate prescribed in this subdivision, but in no event less than \$28, and during the seventh and succeeding years of vehicle life the tax shall be graduated according to Schedule II of this subdivision, but in no event less than \$17.

MINNESOTA BASE RATE		
Scheduled taxes include five percent surtax provided for in subdivision 14		
TOTAL GROSS WEIGHT IN POUNDS	SCHEDULE I Tax	SCHEDULE II Tax
A 0 - 1,500	\$ 5.00	\$
B 1,501 - 3,000	9.00
C 3,001 - 4,500	14.00	8.00
D 4,501 - 6,000	19.00	11.00
E 6,001 - 9,000	28.00	17.00
F 9,001 - 12,000	39.00	23.00
G 12,001 - 15,000	62.00	37.00
H 15,001 - 18,000	86.00	52.00
I 18,001 - 21,000	114.00	68.00
J 21,001 - 27,000	158.00	95.00
K 27,001 - 33,000	230.00	138.00
L 33,001 - 39,000	320.00	192.00
M 39,001 - 45,000	420.00	252.00
N 45,001 - 51,000	540.00	324.00
O 51,001 - 57,000	690.00	414.00
P 57,001 - 63,000	830.00	498.00
Q 63,001 - 69,000	970.00	582.00
R 69,001 - 73,280	1,050.00	630.00
S 73,281 - 77,000	1,155.00	693.00
T 77,001 - 81,000	1,260.00	746.00

For each vehicle with a gross weight in excess of 81,000 pounds an additional tax of \$36 is imposed for each ton or fraction thereof in excess of 81,000 pounds, subject to provisions of subdivision 12.

Provided however, that on all trucks, except those in this chapter defined as farm trucks and urban trucks, having a gross weight in excess of 18,000 pounds but less than 27,001 pounds, the tax shall be:

(a) For the registration year 1976, 70 percent of the applicable Schedule I or Schedule II of this subdivision;

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(b) For the registration year 1977, 80 percent of the applicable Schedule I or Schedule II of this subdivision;

(c) For the registration year 1978, 90 percent of the applicable Schedule I or Schedule II of this subdivision;

(d) For the registration year 1979 and thereafter, 100 percent of the applicable Schedule I or Schedule II of this subdivision.

On vehicles having a gross weight in excess of 27,000 pounds, and used for the transportation of livestock or unprocessed and raw farm products shall be taxed at 90 percent of the Minnesota base rate prescribed by this subdivision under Schedule I during each of the first six years of vehicle life and during the seventh and succeeding years of vehicle life as taken from Schedule II, provided the gross receipts derived from such use equal or exceed 60 percent of the owner's total gross receipts from the operation of such vehicle during the 12 month period immediately preceding the date set by law for the reregistration of such vehicle. The owner shall furnish such information as the commissioner of public safety may require, including sworn statements of fact, and the commissioner of public safety shall thereupon determine whether such owner comes within the provisions of this paragraph.

If an owner has not used such vehicle for the transportation of livestock or unprocessed and raw farm products so as to be able to report gross receipts for the 12 month period as herein set forth, he may, nevertheless, apply for registration hereunder and pay the reduced tax and the commissioner of public safety shall, after consideration of the established facts, determine whether such owner is entitled to have such registration approved.

If an owner fails to operate under the conditions and limitations herein set forth, he shall immediately notify the commissioner of public safety of such fact and pay the difference between the scheduled gross weight tax and the reduced tax proportionate to the number of months remaining in the year, 1/12 of the difference for each month or fraction thereof, beginning with the month in which such operations were discontinued or changed.

If an owner first uses such vehicle for the transportation of livestock and unprocessed and raw farm products after the tax becomes due without reduction, no adjustment of refund of tax shall be made during that calendar year for reasons of transporting livestock and unprocessed and raw farm products.

All truck-tractors except those herein defined as farm and urban truck-tractors shall be taxed in accord with the foregoing gross weight tax schedule on the basis of the combined gross weight of such truck-tractor and any semi-trailer or semitrailers which the applicant proposes to combine with the truck-tractor: In addition, to such gross weight tax imposed on the truck-tractor, each semi-trailer shall be taxed a fee of \$10 for a one year period or \$50 for a five year period whichever the applicant elects.

Urban trucks include only all trucks and all truck-tractors and semi-trailers used exclusively in transporting property within the metropolitan area consisting of Hennepin, Ramsey, Scott, Dakota, Anoka, Washington and Carver counties, or within the corporate limits of any city or contiguous cities or within one mile of cities of the first and second class. For the purposes of this clause a land area ceded to the United States of America under General Laws 1889, Chapter 57, is a statutory city. The vehicle shall not be operated outside the metropolitan area or corporate limits of such city or contiguous cities, or beyond one mile of cities of the first and second class; except that the commissioner of public safety may, by special permit, authorize the permanent removal of such vehicle from any registration area

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to another. The license plates issued therefor shall be plainly marked. On urban trucks and combinations the tax shall be based on total gross weight and shall be 30 percent of the Minnesota base rate prescribed in this subdivision under Schedule I during each of the first six years of vehicle life, but in no event less than \$19, and during the seventh and succeeding years of vehicle life as taken from Schedule II, but in no event less than \$11. In addition to such gross weight tax imposed on the truck-tractor, each semitrailer shall be taxed a fee of \$10 for a one year period or \$50 for a five year period whichever the applicant elects. Provided that on vehicles used by an authorized local cartage carrier operating under a permit issued pursuant to section 221.296 and whose gross transportation revenue consist of at least 60 percent obtained solely from local cartage carriage, shall be taxed at 90 percent of the prescribed urban truck and combination rates for the life of the vehicle during each year such vehicle is used, provided that the gross revenues obtained from transportation services is obtained from local cartage carriage is at least 60 percent of all revenue obtained from transportation services by said person; and provided further, that said tax shall in no event be less than \$10.

[For text of subds 1f and 1g, see M.S.1976]

Subd. 1h. **Motorized bicycles.** On motorized bicycles the tax is \$3, which includes the surtax provided for in subdivision 14.

[For text of subds 2 to 9, see M.S.1976]

Subd. 12. **Gross weight, additional tax for excessive.** Whenever an owner has registered a vehicle and paid the tax as provided in subdivisions 1 to 1g, on the basis of a selected gross weight of the vehicle and thereafter such owner desires to operate such vehicle with a greater gross weight than that for which the tax has been paid, such owner shall be permitted to re-register such vehicle by paying the additional tax due thereon for the remainder of the calendar year for which such vehicle has been re-registered, the additional tax computed pro rata by the month, one-twelfth of the annual tax due for each month of the year remaining in the calendar year, beginning with the first day of the month in which such owner desires to operate the vehicle with the greater weight. In computing the additional tax as aforesaid, the owner shall be given credit for the unused portion of the tax previously paid computed pro rata by the month, one-twelfth of the annual tax paid for each month of the year remaining in the calendar year beginning with the first day of the month in which such owner desires to operate the vehicle with the greater weight. An owner will be permitted one reduction of gross weight or change of registration per year, which will result in a refund. This refund will be pro-rated monthly beginning with the first day of the month after such owner applies to amend his registration. The application for amendment shall be accompanied by a fee of \$3, and all fees shall be deposited in the highway user tax distribution fund. Provided, however, the owner of a vehicle may re-register the vehicle for a weight of more than 81,000 pounds for one or more 30-day periods. For each 30-day period, the additional tax shall be equal to one-twelfth of the difference between the annual tax for the weight at which the vehicle is registered and re-registered. When a vehicle is re-registered in accordance with this provision, a distinctive windshield sticker provided by the commissioner of public safety shall be permanently displayed.

[For text of subds 14 to 16, see M.S.1976]

Subd. 17. **Station wagons.** The annual tax on a station wagon as defined in section 168.011, subdivision 23 shall be as provided for passenger automobiles in subdivision 1a unless the owner elects to register such station wagon as a truck. If the owner elects to register such station wagon as a truck, the annual tax shall be

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either the tax imposed for passenger automobiles in subdivision 1a or the tax imposed for trucks on the basis of gross weight in subdivision 1e whichever is higher.

[For text of subds 18 and 19, see M.S.1976]

[1977 c 108 s 1; 1977 c 214 s 3; 1977 c 248 s 1-3; 1977 c 347 s 26]

NOTE: Laws 1977, Chapter 108 is effective November 15, 1980, for the year 1981 and subsequent years, pursuant to Laws 1977, Chapter 108, Section 3.

The optional five year semitrailer fee provided in subdivisions 1c and 1e are effective November 15, 1978, for the registration year 1979, and subsequent years, provided that the commissioner of public safety may issue the first five year semitrailer license plates at a later date and permit registration for the duration of the period preceding issuance of those plates upon payment of a prorated portion of the \$50 fee, pursuant to Laws 1977, Chapter 248, Section 12.

168.021 License plates for physically handicapped persons.

Subdivision 1. **Special plates; application for issuance.** Where a motor vehicle with a gross weight of 9,000 pounds or less is owned or primarily operated by a physically handicapped person, the owner may apply for and secure from the registrar of motor vehicles two license number plates with attached emblems, one plate to be attached to the front, and one to the rear of the vehicle. Application for issuance of these plates shall be made upon renewal for registration year 1977 and subsequent years, or where the person acquires the vehicle on or after March 1, 1976, when he first applies for its registration.

[For text of subds 2 to 7, see M.S.1976]

[1977 c 205 s 2]

168.10 Registration; classic cars.

Subdivision 1. **Application.** Except as provided in subdivisions 1a, 1b, and 1c, every owner of any motor vehicle in this state, not exempted by section 168.012 or 168.26, shall as soon as ownership of a motor vehicle is acquired and annually thereafter during the period November 15 to March 1 following, both dates inclusive, file with the commissioner of public safety on a blank provided by him a listing for taxation and application for the registration of such vehicle, stating the first, middle and last names, the dates of birth, and addresses of all owners thereof who are natural persons, the full names and addresses of all other owners, the name and address of the person from whom purchased, make of motor vehicle, year and number of the model, manufacturer's identification number or serial number, type of body, the weight of the vehicle in pounds, for trailers only, its rated load carrying capacity and for buses only, its seating capacity, and such other information as the commissioner may require. Any false statement wilfully and knowingly made in regard thereto shall be deemed perjury and punished accordingly. The listing and application for registration by dealers or manufacturers' agents within the state, of motor vehicles received for sale or use within the state shall be accepted as compliance with the requirements of this chapter, imposed upon the manufacturer.

Registration shall be refused a motor vehicle if the original identification or serial number has been destroyed, removed, altered, covered or defaced. However, if the commissioner is satisfied on the sworn statements of the owner or owners or such other persons as he may deem advisable that the applicant is the legal owner, a special identification number in the form prescribed by the commissioner shall be assigned to the motor vehicle. When it has been determined that the number had been affixed to such vehicle in a manner prescribed by the commissioner, the vehicle may thereafter be registered in the same manner as other motor vehicles. In the case of a new or rebuilt motor vehicle manufactured or assembled without an identification or serial number, the commissioner may assign an identification number to the motor vehicle in the same manner as prescribed heretofore.

[For text of subds 1a to 4, see M.S.1976]

[1977 c 370 s 1]

NOTE: Subdivision 1, as amended by Laws 1977, Chapter 370, Section 1, is effective July 1, 1978, pursuant to Laws 1977, Chapter 370, Section 5.

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168.12 License plates.

Subdivision 1. **Number plates; visibility, periods of issuance.** The registrar, upon the approval and payment, shall issue to the applicant the number plates required by law, bearing an abbreviation of the state name and the number assigned. The number assigned may be a combination of a letter or sign with figures. The color of the plates and the color of the abbreviation of the state name and the number assigned shall be in marked contrast. The plates shall be lettered, spaced, or distinguished to suitably indicate the registration of the vehicle according to the rules of the registrar, and when a vehicle is registered on the basis of total gross weight, the plates issued shall clearly indicate by letters or other suitable insignia the maximum gross weight for which the tax has been paid. These number plates shall be so treated as to be at least 100 times brighter than the conventional painted number plates. When properly mounted on an unlighted vehicle, these number plates, when viewed from a vehicle equipped with standard headlights, shall be visible for a distance of not less than 1,500 feet and readable for a distance of not less than 110 feet. The registrar shall issue these number plates for the following periods:

(1) Number plates issued pursuant to sections 168.27, subdivisions 16 and 17, and 168.053 shall be for a one year period;

(2) New number plates issued pursuant to section 168.012, subdivision 1, shall be issued to a vehicle for as long as it is owned by the exempt agency and shall not be transferable from one vehicle to another but may be transferred with the vehicle from one tax exempt agency to another; and

(3) Plates for any vehicle not specified in clauses (1) and (2), except for trailers as hereafter provided, shall be issued for a five year period. Beginning with number plates issued for the year 1981, plates issued for trailers with a total gross weight of 3,000 pounds or less shall be issued for a four year period and shall be not more than seven inches in length and four inches in width.

In any year during which these number plates are not issued the registrar shall issue for each registration a reflectorized year plate, tab, or sticker to designate the year of registration. This plate, tab, or sticker shall show the calendar year or years for which issued, and is valid only for that period. Unless the motor vehicle for which a number plate, number, tab, or sticker is issued, is permanently lost, is destroyed, or is removed from the state, no number plate, number, tab, or sticker may be transferred to another motor vehicle during the period for which it is issued.

Notwithstanding any other provision of this subdivision, number plates issued to a vehicle which is used for behind-the-wheel instruction in a driver education course in a public school may be transferred to another vehicle used for the same purpose without payment of any additional fee. The registrar shall be notified of each transfer of number plates under this paragraph, and may prescribe a form for such notification.

[For text of subs 2 to 5, see M.S.1976]

[1977 c 108 s 2; 1977 c 347 s 27]

NOTE: Laws 1977, Chapter 108 is effective November 15, 1980, for the year 1981 and subsequent years, pursuant to Laws 1977, Chapter 108, Section 3.

168.27 Motor vehicle dealers; violations, penalties.

Subdivision 1. **Definitions.** For the purposes of this section, the following terms have the meanings given them:

(1) "Leasing motor vehicles" means furnishing a motor vehicle for a fee under a bailor-bailee relationship where no incidences of ownership are intended to be transferred other than the right to use the vehicle for a stated period of time.

(2) "Brokering motor vehicles" means arranging sales between willing buyers and sellers of motor vehicles and receiving a fee for said service.

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(3) "Wholesaling motor vehicles" means selling new or used motor vehicles to dealers for resale to the public.

(4) "Auctioning motor vehicles" means arranging for and handling the sale of motor vehicles, not the property of the auctioneer, to the highest bidder.

(5) "Dealer" includes new motor vehicle dealers, used motor vehicle dealers, brokers, wholesalers, auctioneers and lessors of new or used motor vehicles.

(6) "Commercial building" means a building adapted to commercial use and located in an area zoned for commercial or other less restrictive nonresidential use by the governmental unit in which it is located.

Subd. 2. New motor vehicle dealer. No person shall engage in the business of selling new motor vehicles or shall offer to sell, solicit or advertise the sale of new motor vehicles without first acquiring a new motor vehicle dealer license. A new motor vehicle dealer licensee shall be entitled thereunder to sell, broker, wholesale or auction and to solicit and advertise the sale, broker, wholesale or auction of new motor vehicles covered by his franchise and any used motor vehicles or to lease and to solicit and advertise the lease of new motor vehicles and any used motor vehicles and such sales or leases may be either for consumer use at retail or for resale to a dealer.

[For text of subd 3, see M.S.1976]

Subd. 4. Motor vehicle lessor. No person shall engage in the business of leasing motor vehicles or shall offer to lease, solicit or advertise to lease motor vehicles without first acquiring a motor vehicle lessor license. A motor vehicle lessor licensee shall be entitled thereunder to lease or rent either by the hour, day or longer period for a fee and to solicit and advertise the lease or rental of motor vehicles. A motor vehicle lessor having leased motor vehicles, may sell the vehicles upon their return to the lessor after termination or expiration of the lease without obtaining a used motor vehicle dealer license.

Subd. 5. Motor vehicle broker. No person shall engage in the business of brokering motor vehicles by finding, offering to find, soliciting or advertising for prospective buyers of used motor vehicles and charging the seller or buyer a fee for his service without first acquiring a motor vehicle broker license. A motor vehicle broker licensee shall be entitled thereunder to broker and to solicit and advertise the brokerage of used motor vehicles only. Brokerage sales shall include sales by consignment and referral. Except as provided in subdivision 2, brokerage sales of new motor vehicles are prohibited.

[For text of subs 6 and 7, see M.S.1976]

Subd. 8. Exemptions. (1) Salesmen and other employees of licensed dealers under this section shall not be required to obtain individual licenses.

(2) Isolated or occasional sales or leases of new or used motor vehicles shall be exempt from the provisions of this section.

[For text of subd 9, see M.S.1976]

Subd. 10. Place of doing business. All licensees under this section shall have an established place of business which shall include as a minimum,

(1) For a new motor vehicle dealer, the following:

(a) a permanent enclosed commercial building on a permanent foundation, owned or under lease by the licensee. The lease shall be for a minimum term of one year. The building shall contain office space where the books, records and files necessary to conduct the business are kept and maintained with personnel available during normal business hours;

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(b) a bona fide contract or franchise in effect with a manufacturer or distributor of the new motor vehicles he proposes to sell, broker, wholesale or auction;

(c) a facility for the repair and servicing of motor vehicles and the storage of parts and accessories, not to exceed ten miles distance from the principal place of business. Such service may be provided through contract with bona fide operators actually engaged in such services.

(2) For a used motor vehicle dealer the following: a permanent enclosed commercial building on a permanent foundation, owned or under lease by the licensee. The lease shall be for a minimum term of one year. The building shall contain office space for the books, records and files necessary to conduct the business and maintained with personnel available during normal business hours or automatic telephone answering service during normal working hours.

(3) For a motor vehicle lessor, the following: a commercial office space where the books, records and files necessary to conduct the business are kept and maintained with personnel available during normal business hours or an automatic telephone answering service during normal business hours.

(4) For a motor vehicle broker, the following: a commercial office space where the books, records and files necessary to conduct the business are kept and maintained with personnel available during normal business hours or an automatic telephone answering service during normal business hours.

(5) For a motor vehicle wholesaler, the following: a commercial office space where the books, records and files necessary to conduct the business are kept and maintained with personnel available during normal business hours or an automatic telephone answering service during normal business hours.

(6) For a motor vehicle auctioneer, the following: a permanent enclosed commercial building, within or without the state, on a permanent foundation, owned or under lease by the licensee. The lease shall be for a minimum term of one year. The building shall contain office space where the books, records and files necessary to conduct the business are kept and maintained with personnel available during normal business hours or an automatic telephone answering service during normal business hours.

(7) If a new or used motor vehicle dealer maintains more than one place of doing business in a county, the separate places shall be listed on the application. If additional places of business are maintained outside of one county, separate licenses shall be obtained for each county.

(8) If a motor vehicle lessor, broker or auctioneer maintains more than one permanent place of doing business, either in one or more counties, the separate places shall be listed in the application, but only one license shall be required.

[For text of subds 11 and 12, see M.S.1976]

Subd. 13. **Suspension and revocation; hearing.** The registrar of motor vehicles, upon his own motion or upon the complaint of another, shall prepare and cause to be served upon the licensee complained of, a written notice or complaint setting forth, in substance, the violations charged, a statement of the deficiencies which exist and any corrective action deemed appropriate. Said notice shall include a statement that in the event corrective action is deemed appropriate and corrective action is not taken, the dealer's license may be suspended or revoked. The notice shall require the licensee to appear at the time and place fixed therein before the

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registrar or inspector, and show cause why his license should not be suspended or revoked.

The registrar shall, at the time and place fixed in the notice, proceed to hear and determine the matter on its merits. All hearings shall be conducted in accordance with the provisions of chapter 15, except that the provisions of section 15.052, subdivision 3, shall not apply. The registrar is authorized to subpoena witnesses and administer oaths. If the registrar shall find the existence of any of the causes for suspension or revocation as set forth in subdivision 12 and determine that corrective action has not been taken or that corrective action will not prevent repetition of the violations charged or that the public interest will not be served by corrective action and the licensee's license should be suspended or revoked, the registrar shall issue a written order setting out his decision, and a copy of such order shall be served upon such licensee in the manner provided by law for the service of summons in a civil action. If the registrar finds the dealer has violated any of the provisions of this section but that the nature of said violation or the circumstances thereof are such that a suspension of the license would be adequate, he may, instead of revoking the license suspend it for a period not exceeding 90 days. If he finds the violation does not justify a suspension only, he shall revoke the license. Upon a suspension or revocation, if it be a new or used motor vehicle dealer, said licensee shall immediately return to the registrar all number plates, including any "in transit" plates, in its possession and its dealer's license certificate.

[For text of subds 14 and 15, see M.S.1976]

Subd. 16. Plates, distinguishing numbers. (a) The registrar shall issue to every motor vehicle dealer, upon a request from such motor vehicle dealer licensed as provided in subdivisions 2 or 3, one or more pair of number plates displaying a general distinguishing number upon the payment of \$10 to the registrar. In addition the dealer shall pay a motor vehicle excise tax of \$15 annually for each pair of dealer plates purchased as required by section 297B.035. The registrar shall deposit the tax in the state treasury and it shall be credited to the general fund. Motor vehicles, new or used, owned by such motor vehicle dealer and bearing such number plates, except vehicles leased to the user who is not an employee of the dealer during the term of the lease, held for hire, or customarily used by the dealer as a tow truck, service truck, or parts pickup truck, may be driven upon the streets and highways of this state by such motor vehicle dealer, or any employee of such motor vehicle dealer or by any member of the immediate family of such dealer or employee for either private or business purposes; or may be driven upon the streets and highways for demonstration purposes by any prospective buyer thereof for a period of 48 hours or in the case of a truck, truck-tractor, or semi-trailer, for a period of seven days.

(b) A new or used motor vehicle sold by such motor vehicle dealer and bearing the motor vehicle dealer's number plates may be driven upon the public streets and highways for a period of 72 hours by the buyer for either of the following purposes: (1) Removing the vehicle from this state for registration in another state, or (2) permitting the buyer to use the motor vehicle before he receives number plates pursuant to his own registration. Use of a motor vehicle by the buyer under the provisions of clause (2) of the preceding sentence before he receives number plates pursuant to his own registration constitutes a use of the public streets or highways for the purpose of the time requirements for registration of motor vehicles.

[For text of subds 17 to 19, see M.S.1976]

Subd. 20. Application. This section shall not apply to any person, copartnership, or corporation engaged in the business of selling vehicles designed to operate exclusively over snow, motorized bicycles, motor scooters, motorized wheel chairs, utility trailers, farm wagons, farm trailers, farm tractors or other farm implements whether self-propelled or not, even though such wagons, trailers, tractors or imple-

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ments may be equipped with a trailer hitch, or to any person licensed as a real estate broker or salesman pursuant to chapter 82, who engages in the business of selling, or who offers to sell, solicits or advertises the sale of mobile homes affixed to land, unless such person, copartnership or corporation shall also be engaged in the business of selling other motor vehicles or mobile homes within the provisions of this section. As used in this subdivision the terms "motorized bicycle" and "utility trailer" shall have the following meaning:

"Motorized bicycle" shall have the meaning given it in section 168.011, subdivision 27.

"Utility trailer" means a motorless vehicle, other than a boat trailer or snowmobile trailer, equipped with one or two wheels and having a carrying capacity of 2000 pounds or less and used for carrying property on its own structure while being drawn by a motor vehicle.

[For text of subd 21, see M.S.1976]

Subd. 22. Boat and snowmobile trailers. Any person, copartnership or corporation having a permanent enclosed commercial building or structure either owned in fee or leased and engaged in the business, either exclusively or in addition to any other occupation, of selling boat trailers or snowmobile trailers, may apply to the registrar for a dealer's license. Upon payment of a \$10 fee the registrar shall license the applicant as a dealer for the remainder of the calendar year in which the application was received. Thereafter such license may be renewed on or before the second day of January of each year by payment of a fee of \$10. The registrar shall issue to each such dealer, upon his request, dealer plates as provided in subdivision 16 upon payment of \$3 for each such plate, and such plates may be used in the same manner and for the same purposes as is provided in said subdivision 16. The registrar shall also issue to such dealer, upon his request, "in transit" plates as provided in subdivision 17 upon payment of a fee of \$2 for each such plate. This subdivision shall not be construed to abrogate any of the provisions of this section as the same relates to the duties, responsibilities and requirements of persons, copartnerships or corporations engaged in the business, either exclusively or in addition to other occupations, of selling motor vehicles or mobile homes.

[For text of subd 23, see M.S.1976]

Subd. 24. Bonds. All persons licensed hereunder shall keep in full force and effect a bond with a corporate surety to be approved by the registrar of motor vehicles in amounts as herein provided; in the case of boat or snowmobile trailer dealers in the amount of \$1,000; in the case of motorcycle dealers in the amount of \$2,500; and as to all other persons in the amount of \$10,000. The bond shall be conditioned on the faithful performance by the licensee of the obligations imposed by the law, including the conduct required of a licensee by this section, and the payment of all taxes, license fees and penalties. Said bond shall be for the benefit of the state of Minnesota and any purchaser of a motor vehicle for any monetary loss caused by failure of the licensee to meet the obligations enumerated above. Proceedings on the forfeiture of the bonds shall be commenced in the district court of the county wherein the business of the licensed person was carried on, or if in more than one county, the county in which the offense occurred.

Subd. 25. Preemption of local ordinances. It is the intent and purpose of this section to establish a uniform statewide system of bonding motor vehicle dealers and the provisions of this section shall supersede and preempt all bonding requirements imposed by any local government unit.

[1977 c 27 s 1,2; 1977 c 168 s 1-9; 1977 c 214 s 4; 1977 c 347 s 28]

MINNESOTA STATUTES 1977 SUPPLEMENT

168.271 MOTOR VEHICLES; REGISTRATION

168.271 Informational labels on pickup trucks; penalty.

Subdivision 1. Every manufacturer of new trucks having a gross vehicle weight of 9,000 pounds or less which are sold or offered for sale for use upon the public streets or highways within this state shall, prior to the delivery of the new truck to a Minnesota dealer, or at or prior to the introduction date of new models delivered to a Minnesota dealer prior to introduction date, securely affix to the windshield or side window of the truck a label upon which the manufacturer shall endorse clearly, distinctly and legibly true and correct entries disclosing information identical to and in the same manner as required on new automobiles. The label shall remain affixed to the truck until delivery of the truck to the ultimate purchaser. Any manufacturer who shall willfully fail to affix a proper label required by this section or any person who shall willfully remove, alter or mutilate a label prior to delivery of the truck to the ultimate purchaser is guilty of a misdemeanor. This section shall not apply to trucks for which the annual sales in Minnesota of the previous model year were less than 200.

Subd. 2. This section shall apply to new trucks having a gross vehicle weight of 9,000 pounds or less built after December 31, 1978.

[1977 c 385 s 1,2]

168.29 Duplicate plates.

In the event of the defacement, loss or destruction of any number plates, the registrar, upon receiving and filing a sworn statement of the vehicle owner, setting forth the circumstances of the defacement, loss, destruction or theft of the number plates, together with any defaced plates and the payment of the fee of \$3 shall issue a new set of of plates, provided that if the \$3 fee exceeds the annual tax, the fee shall be the same as the annual tax. The registrar shall then note on his records the issue of such new number plates and shall proceed in such manner as he may deem advisable to cancel and call in the original plates so as to insure against their use on another motor vehicle. Duplicate registration certificates plainly marked as duplicates may be issued in like cases upon the payment of a 50 cent fee.

[1977 c 327 s 1]

168.33 Commissioner of public safety to be registrar.

[For text of subd 1, see M.S.1976]

Subd. 2. **Powers.** The registrar shall have the power to appoint, hire and discharge and fix the compensation of the necessary employees, in the manner provided by law, as may be required to enable him to properly carry out the duties imposed upon him by the provisions of this chapter. As of April 14, 1976, the registrar may appoint, and for cause discontinue, a deputy registrar for any city as the public interest and convenience may require, without regard to whether the county auditor of the county in which the city is situated has been appointed as the deputy registrar for the county or has been discontinued as the deputy registrar for the county, and without regard to whether the county in which the city is situated has established a county license bureau which issues motor vehicle licenses as provided in section 373.32.

Effective August 1, 1976, the registrar may appoint, and for cause discontinue, a deputy registrar for any city as the public interest and convenience may require, if the auditor for the county in which the city is situated chooses not to accept appointment as the deputy registrar for the county or is discontinued as a deputy registrar, or if the county in which the city is situated has not established a county license bureau which issues motor vehicle license as provided in section 373.32. Any person appointed as a deputy registrar for any city shall be a resident of the county in which the city is situated.

The registrar may appoint, and for cause discontinue, the county auditor of

CERTIFICATES OF TITLE FOR MOTOR VEHICLES 168A.04

each county as a deputy registrar. The auditor, with the approval of the director of motor vehicles, may appoint, and for cause discontinue, the clerk or equivalent officer of each city or any other person as a deputy registrar as public interest and convenience may require. Notwithstanding any other provision, a person other than a county auditor or a director of a county license bureau, who was appointed by the registrar before August 1, 1976, as a deputy registrar for any city, may continue to serve as deputy registrar and may be discontinued for cause only by the registrar. The county auditor shall be responsible for the acts of deputy registrars appointed by him. Each such deputy, before entering upon the discharge of his duties, shall take and subscribe an oath to faithfully discharge his duties and to uphold the laws of the state. If a deputy registrar appointed hereunder is not an officer or employee of a county or city, such deputy shall in addition give bond to the state in the sum of \$10,000, or such larger sum as may be required by the registrar, conditioned upon the faithful discharge of his duties as deputy registrar. Each deputy registrar appointed hereunder shall keep and maintain, in a convenient public place within the place for which he is appointed, a registration and motor vehicle tax collection bureau, to be approved by the registrar, for the registration of motor vehicles and the collection of motor vehicle taxes thereon. He shall keep such records and make such reports to the registrar as that officer, from time to time, may require. Such records shall be maintained at the facility of the deputy registrar. The records and facilities of the deputy registrar shall at all times be open to the inspection of the registrar or his agents. He shall report daily to the registrar all registrations made and taxes and fees collected by him. The filing fee imposed pursuant to subdivision 7 shall be deposited in the treasury of the place for which he is appointed, or if such deputy is not a public official, he shall retain the filing fee, but the registration tax and any additional fees for delayed registration he has collected he shall deposit each day in an approved state depository to the credit of the state through the state treasurer. The place for which the deputy registrar is appointed through its governing body shall provide the deputy registrar with facilities and personnel to carry out the duties imposed by this subdivision if such deputy is a public official. In all other cases, the deputy shall maintain a suitable facility for serving the public.

[For text of subds 2a to 6, see M.S.1976]

Subd. 7. **Fees.** In addition to all other statutory fees and taxes, a filing fee is imposed on every application. The filing fee shall be \$1.50 effective August 1, 1977, and \$1.75 effective January 1, 1979. The filing fee shall be shown as a separate item on all registration renewal notices sent out by the department of public safety.

[1977 c 327 s 2,3]

CHAPTER 168A. CERTIFICATES OF TITLE FOR MOTOR VEHICLES

<p>Sec. 168A.01 Definitions. 168A.04 Form and content of application.</p>	<p>Sec. 168A.05 Certificate of title. 168A.10 Transfer of interest by owner. 168A.11 Purchase of vehicle by dealer.</p>
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168A.01 Definitions.

[For text of subds 1 to 23, see M.S.1976]

Subd. 24. "Vehicle" means every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, excepting devices moved by human power or used exclusively upon stationary rails or tracks, but including motorized bicycles as defined in section 168.011, subdivision 27.

[1977 c 214 s 5]

168A.04 Form and content of application.