

## CHAPTER 170

### SAFETY RESPONSIBILITY

170.23 Abstracts; fee; admissible in evidence.  
 170.24 Suspension of license for neglect to report  
 accident.

170.54 Driver deemed agent of owner.  
 170.55 Service of process; residents; nonresidents;  
 commissioner of public safety as agent.

**170.01-170.19** [Superseded by Laws 1945, Chapter 285]

**170.21** [Repealed, 1974 c 408 s 33]

**170.22** [Repealed, 1974 c 408 s 33]

#### **170.23 ABSTRACTS; FEE; ADMISSIBLE IN EVIDENCE.**

The commissioner shall upon request furnish any person a certified abstract of the operating record of any person subject to the provisions of this chapter, and, if there shall be no record of any conviction of such person of violating any law relating to the operation of a motor vehicle or of any injury or damage caused by such person, the commissioner shall so certify. Such abstracts shall not be admissible as evidence in any action for damages or criminal proceedings arising out of a motor vehicle accident. A fee of \$2.50 shall be paid for each such abstract.

**History:** 1945 c 285 s 3; 1973 c 35 s 37

**170.231** [Repealed, 1973 c 35 s 38]

#### **170.24 SUSPENSION OF LICENSE FOR NEGLECT TO REPORT ACCIDENT.**

The commissioner may suspend the license, or any non-resident's operating privilege, of any person who wilfully fails, refuses or neglects to make report of a traffic accident as required by the laws of this state.

**History:** 1945 c 285 s 4

**170.25** [Repealed, 1974 c 408 s 33]

**170.26** [Repealed, 1974 c 408 s 33]

**170.27** [Repealed, 1974 c 408 s 33]

**170.28** [Repealed, 1974 c 408 s 33]

**170.29** [Repealed, 1974 c 408 s 33]

**170.30** [Repealed, 1974 c 408 s 33]

**170.31** [Repealed, 1974 c 408 s 33]

**170.32** [Repealed, 1974 c 408 s 33]

**170.33** Subdivision 1. [Repealed, 1974 c 408 s 33]

Subd. 2. [Repealed, 1974 c 408 s 33]

Subd. 3. [Repealed, 1974 c 408 s 33]

Subd. 4. [Repealed, 1974 c 408 s 33]

Subd. 5. [Repealed, 1974 c 22 s 6; 1974 c 408 s 33]

**170.34** [Repealed, 1974 c 408 s 33]

**170.35** [Repealed, 1974 c 408 s 33]

**170.36** [Repealed, 1974 c 408 s 33]

**170.37** [Repealed, 1974 c 408 s 33]

- 170.38 [Repealed, 1974 c 408 s 33]
- 170.39 [Repealed, 1974 c 408 s 33]
- 170.40 [Repealed, 1974 c 408 s 33]
- 170.41 [Repealed, 1974 c 408 s 33]
- 170.42 [Repealed, 1974 c 408 s 33]
- 170.43 [Repealed, 1974 c 408 s 33]
- 170.44 [Repealed, 1974 c 408 s 33]
- 170.45 [Repealed, 1974 c 408 s 33]
- 170.46 [Repealed, 1974 c 408 s 33]
- 170.47 [Repealed, 1974 c 408 s 33]
- 170.48 [Repealed, 1974 c 408 s 33]
- 170.49 [Repealed, 1974 c 408 s 33]
- 170.50 [Repealed, 1974 c 408 s 33]
- 170.51 [Repealed, 1974 c 408 s 33]
- 170.52 [Repealed, 1974 c 408 s 33]
- 170.53 [Repealed, 1974 c 408 s 33]

**170.54 DRIVER DEEMED AGENT OF OWNER.**

Whenever any motor vehicle shall be operated within this state, by any person other than the owner, with the consent of the owner, express or implied, the operator thereof shall in case of accident, be deemed the agent of the owner of such motor vehicle in the operation thereof.

*History: 1945 c 285 s 34; 1967 c 397 s 1*

**170.55 SERVICE OF PROCESS; RESIDENTS; NONRESIDENTS; COMMISSIONER OF PUBLIC SAFETY AS AGENT.**

Subdivision 1. The use and operation by a resident of this state or his agent, or by a nonresident or his agent of a motor vehicle within the state of Minnesota, shall be deemed an irrevocable appointment by such resident when he has been absent from this state continuously for six months or more following an accident, or by such nonresident at any time, of the commissioner of public safety to be his true and lawful attorney upon whom may be served all legal process in any action or proceeding against him or his executor, administrator, or personal representative growing out of such use and operation of a motor vehicle within this state, resulting in damages or loss to person or property, whether the damage or loss occurs on a highway or on abutting public or private property. Such appointment is binding upon the nonresident's executor, administrator, or personal representative. Such use or operation of a motor vehicle by such resident or nonresident is a signification of his agreement that any such process in any action against him or his executor, administrator, or personal representative which is so served, shall be of the same legal force and validity as if served upon him personally or on his executor, administrator, or personal representative. Service of such process shall be made by serving a copy thereof upon the commissioner or by filing such copy in his office, together with payment of a fee of \$2, and such service shall be sufficient service upon the absent resident or the nonresident or his executor, administrator, or personal representative; provided that notice of such service and a copy of the process are within ten days thereafter sent by mail by the plaintiff to the defendant at his last known address and that the plaintiff's affidavit of compliance with the provisions of this chapter is attached to the summons.

Subd. 2. The court in which the action is pending may order such continuance as may be necessary to afford the defendant reasonable opportunity to

# MINNESOTA STATUTES 1982

3735

SAFETY RESPONSIBILITY 170.55

defend any such action, not exceeding 90 days from the date of filing of the action in such court. The fee of \$2 paid by the plaintiff to the commissioner at the time of service of such proceedings shall be taxed in his cost if he prevails in the suit. The said commissioner shall keep a record of all such processes so served which shall show the day and hour of such service.

**History:** 1945 c 285 s 35; 1949 c 582 s 1; 1953 c 395 s 1; 1959 c 617 s 1; 1969 c 1129 art 1 s 18

**170.56** [Repealed, 1974 c 408 s 33]

**170.57** [Repealed, 1974 c 408 s 33]

**170.58** [Repealed, 1974 c 408 s 33]