

SENATE
STATE OF MINNESOTA
NINETY-SECOND SESSION

S.F. No. 3139

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DATE	D-PG	OFFICIAL STATUS
02/14/2022	4995	Introduction and first reading Referred to Transportation Finance and Policy
02/17/2022	5060	Author added Duckworth

- 1.1 A bill for an act
- 1.2 relating to motor vehicles; modifying various provisions governing driver and
- 1.3 vehicle services, including authorizing the use of school buses to respond to an
- 1.4 emergency or disaster, adding conditions for denial of a motor vehicle dealer
- 1.5 license application, clarifying requirements for certain veterans' license plates, and
- 1.6 defining Internet service as a home utility service for purposes of providing proof
- 1.7 of residence for a driver's license; amending Minnesota Statutes 2020, sections
- 1.8 168.1235, subdivision 1; 168.1253, subdivision 3; 168.27, subdivision 11; 168A.11,
- 1.9 subdivision 3; 221.025; Minnesota Statutes 2021 Supplement, section 171.0605,
- 1.10 subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 169.
- 1.11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.12 Section 1. Minnesota Statutes 2020, section 168.1235, subdivision 1, is amended to read:
- 1.13 Subdivision 1. **General requirements; fees.** (a) The commissioner shall issue a special
- 1.14 plate emblem for each plate to an applicant who:
- 1.15 (1) is a member of a congressionally chartered veterans service organization and is a
- 1.16 registered owner of a passenger automobile, pickup truck, van, or self-propelled recreational
- 1.17 vehicle;
- 1.18 (2) pays the registration tax required by law;
- 1.19 (3) pays a fee in the amount specified for special plates under section 168.12, subdivision
- 1.20 5, for each set of two plates, and any other fees required by this chapter; and
- 1.21 (4) complies with this chapter and rules governing the registration of motor vehicles and
- 1.22 licensing of drivers.
- 1.23 (b) The additional fee is payable at the time of initial application for the special plate
- 1.24 emblem and when the plates must be replaced or renewed. An applicant must not be issued

2.1 more than two sets of special plate emblems for motor vehicles listed in paragraph (a) and
2.2 registered to the applicant.

2.3 (c) The applicant must present a valid card indicating membership in the American
2.4 Legion ~~or~~, Veterans of Foreign Wars, or Disabled American Veterans.

2.5 Sec. 2. Minnesota Statutes 2020, section 168.1253, subdivision 3, is amended to read:

2.6 Subd. 3. **No fee.** The commissioner shall issue a set of Gold Star plates, or a single plate
2.7 for a motorcycle, to an eligible person free of charge, and shall replace the plate or plates
2.8 without charge if they become damaged. If the eligible person requests personalized Gold
2.9 Star plates, the commissioner must not charge the fees listed in section 168.12, subdivision
2.10 2a.

2.11 Sec. 3. Minnesota Statutes 2020, section 168.27, subdivision 11, is amended to read:

2.12 Subd. 11. **Dealers' licenses; location change notice; fee.** (a) Application for a dealer's
2.13 license or notification of a change of location of the place of business on a dealer's license
2.14 must include a street address, not a post office box, and is subject to the commissioner's
2.15 approval.

2.16 (b) Upon the filing of an application for a dealer's license and the proper fee, unless the
2.17 application on its face appears to be invalid, the commissioner shall grant a 90-day temporary
2.18 license. During the 90-day period following issuance of the temporary license, the
2.19 commissioner shall inspect the place of business site and insure compliance with this section
2.20 and rules adopted under this section.

2.21 (c) The commissioner may extend the temporary license 30 days to allow the temporarily
2.22 licensed dealer to come into full compliance with this section and rules adopted under this
2.23 section.

2.24 (d) In no more than 120 days following issuance of the temporary license, the dealer
2.25 license must either be granted or denied.

2.26 (e) A license must be denied under the following conditions:

2.27 (1) ~~The license must be denied~~ if within the previous ten years the applicant was enjoined
2.28 due to a violation of section 325F.69 or convicted of violating section 325E.14, 325E.15,
2.29 325E.16, or 325F.69, or convicted under section 609.53 of receiving or selling stolen
2.30 vehicles, or convicted of violating United States Code, title 15, ~~sections 1981 to 1991~~ 49,
2.31 sections 32701 to 32711, or pleaded guilty, entered a plea of nolo contendere or no contest,
2.32 or has been found guilty in a court of competent jurisdiction of any charge of failure to pay

3.1 state or federal income or sales taxes or felony charge of forgery, embezzlement, obtaining
 3.2 money under false pretenses, theft by swindle, extortion, conspiracy to defraud, or bribery;

3.3 (2) ~~A license must be denied~~ if the applicant has had a dealer license revoked within the
 3.4 previous ten years; or

3.5 (3) if, at the time of inspection, the applicant is not in compliance with location
 3.6 requirements or has misrepresented any information on the application that would be grounds
 3.7 for suspension or revocation under subdivision 12.

3.8 (f) If the application is approved, the commissioner shall license the applicant as a dealer
 3.9 for one year from the date the temporary license is granted and issue a certificate of license
 3.10 that must include a distinguishing number of identification of the dealer. The license must
 3.11 be displayed in a prominent place in the dealer's licensed place of business.

3.12 (g) Each initial application for a license must be accompanied by a fee of \$100 in addition
 3.13 to the annual fee. The annual fee is \$150. The initial fees and annual fees must be paid into
 3.14 the state treasury and credited to the general fund except that \$50 of each initial and annual
 3.15 fee must be paid into the vehicle services operating account in the special revenue fund
 3.16 under section 299A.705.

3.17 Sec. 4. Minnesota Statutes 2020, section 168A.11, subdivision 3, is amended to read:

3.18 Subd. 3. **Records.** Every dealer shall maintain for three years at an established place of
 3.19 business a record in the form the department prescribes of every vehicle bought, sold, or
 3.20 exchanged, or received for sale or exchange, which shall be open to inspection by a
 3.21 representative of the department or peace officer during ~~reasonable business hours~~ inspection
 3.22 hours as listed on the initial dealer license application or as noted on the dealer record. With
 3.23 respect to motor vehicles subject to the provisions of section 325E.15, the record shall
 3.24 include either the true mileage as stated by the previous owner or the fact that the previous
 3.25 owner stated the actual cumulative mileage was unknown; the record also shall include
 3.26 either the true mileage the dealer stated upon transferring the vehicle or the fact the dealer
 3.27 stated the mileage was unknown.

3.28 Sec. 5. [169.4476] EMERGENCY RESPONSE SCHOOL BUS USE.

3.29 Subdivision 1. Emergency school bus use authority. A school bus, when operated by
 3.30 a school district or by an operator under an agreement with a school district, may be used
 3.31 to assist in the response to an emergency or disaster as defined in section 12.03 for the
 3.32 purpose of evacuating a region or community.

4.1 Subd. 2. **Requirements.** (a) A school district or operator may operate a school bus under
 4.2 this section if:

4.3 (1) an emergency or disaster has been declared by the chief fire or law enforcement
 4.4 officer overseeing the response;

4.5 (2) immediate emergency evacuation or relocation is required to remove individuals
 4.6 from an imminent threat to health or safety;

4.7 (3) the school district or operator does not receive compensation for the emergency use;
 4.8 and

4.9 (4) the transportation of individuals takes place only within the state of Minnesota.

4.10 (b) Nothing in this section exempts the school bus driver from the licensing requirements
 4.11 under section 171.02.

4.12 Subd. 3. **Registration exemption.** A school bus operated under this section and displaying
 4.13 registration in accordance with section 168.012, subdivision 1, paragraph (a), clause (2), or
 4.14 168.013, subdivision 18, may be operated without reregistration of the bus, issuance of new
 4.15 plates, or payment of additional taxes and fees, as may be required under chapter 168.

4.16 Subd. 4. **Annual inspection requirement.** For purposes of this section, a school bus
 4.17 displaying a current inspection certificate issued in accordance with section 169.451,
 4.18 subdivision 2, is exempt from the inspection requirements under section 169.781, subdivision
 4.19 2.

4.20 Subd. 5. **School bus equipment.** (a) Notwithstanding section 169.441, subdivision 3,
 4.21 paragraph (b), or 169.448, subdivision 1, a school bus operated under this section may be:

4.22 (1) painted national school bus glossy yellow; and

4.23 (2) equipped with school bus-related equipment and printing.

4.24 (b) The use of the school bus stop-signal arm and school bus lights is prohibited.

4.25 Sec. 6. Minnesota Statutes 2021 Supplement, section 171.0605, subdivision 5, is amended
 4.26 to read:

4.27 Subd. 5. **Evidence; residence in Minnesota.** (a) Submission of two forms of
 4.28 documentation from the following is satisfactory evidence of an applicant's principal
 4.29 residence address in Minnesota under section 171.06, subdivision 3, paragraph (b):

4.30 (1) a home utility services bill issued no more than 12 months before the application;

- 5.1 (2) a home utility services hook-up work order issued no more than 12 months before
5.2 the application;
- 5.3 (3) United States bank or financial information issued no more than 12 months before
5.4 the application, with account numbers redacted, including:
- 5.5 (i) a bank account statement;
- 5.6 (ii) a credit card or debit card statement;
- 5.7 (iii) a brokerage account statement; or
- 5.8 (iv) a money market account statement;
- 5.9 (4) a certified transcript from a United States high school, if issued no more than 180
5.10 days before the application;
- 5.11 (5) a certified transcript from a Minnesota college or university, if issued no more than
5.12 180 days before the application;
- 5.13 (6) an employment pay stub issued no more than 12 months before the application that
5.14 lists the employer's name and address;
- 5.15 (7) a Minnesota unemployment insurance benefit statement issued no more than 12
5.16 months before the application;
- 5.17 (8) a statement from an assisted living facility licensed under chapter 144G, nursing
5.18 home licensed under chapter 144A, or a boarding care facility licensed under sections 144.50
5.19 to 144.56, that was issued no more than 12 months before the application;
- 5.20 (9) a current policy or card for health, automobile, homeowner's, or renter's insurance;
- 5.21 (10) a federal or state income tax return for the most recent tax filing year;
- 5.22 (11) a Minnesota property tax statement for the current or prior calendar year or a
5.23 proposed Minnesota property tax notice for the current year that shows the applicant's
5.24 principal residential address both on the mailing portion and the portion stating what property
5.25 is being taxed;
- 5.26 (12) a Minnesota vehicle certificate of title;
- 5.27 (13) a filed property deed or title for current residence;
- 5.28 (14) a Supplemental Security Income award statement issued no more than 12 months
5.29 before the application;
- 5.30 (15) mortgage documents for the applicant's principal residence;

6.1 (16) a residential lease agreement for the applicant's principal residence issued no more
6.2 than 12 months before the application;

6.3 (17) a valid driver's license, including an instruction permit, issued under this chapter;

6.4 (18) a valid Minnesota identification card;

6.5 (19) an unexpired Minnesota professional license;

6.6 (20) an unexpired Selective Service card;

6.7 (21) military orders that are still in effect at the time of application;

6.8 (22) a cellular phone bill issued no more than 12 months before the application; or

6.9 (23) a valid license issued pursuant to the game and fish laws.

6.10 (b) In lieu of one of the two documents required by paragraph (a), an applicant under
6.11 the age of 18 may use a parent or guardian's proof of principal residence as provided in this
6.12 paragraph. The parent or guardian of the applicant must provide a document listed under
6.13 paragraph (a) that includes the parent or guardian's name and the same address as the address
6.14 on the document provided by the applicant. The parent or guardian must also certify that
6.15 the applicant is the child of the parent or guardian and lives at that address.

6.16 (c) A document under paragraph (a) must include the applicant's name and principal
6.17 residence address in Minnesota.

6.18 (d) For purposes of this section and Minnesota Rules, part 7410.0410, Internet service
6.19 is a home utility service.

6.20 Sec. 7. Minnesota Statutes 2020, section 221.025, is amended to read:

6.21 **221.025 EXEMPTIONS.**

6.22 The provisions of this chapter requiring a certificate or permit to operate as a motor
6.23 carrier do not apply to the intrastate transportation described below:

6.24 (1) the transportation of students to or from school or school activities in a school bus
6.25 inspected and certified under section 169.451 ~~and~~ the transportation of children or parents
6.26 to or from a Head Start facility or Head Start activity in a Head Start bus inspected and
6.27 certified under section 169.451, and the use of a school bus while operating in accordance
6.28 with section 169.4476;

6.29 (2) the transportation of solid waste, as defined in section 116.06, subdivision 22,
6.30 including recyclable materials and waste tires, except that the term "hazardous waste" has
6.31 the meaning given it in section 221.012, subdivision 18;

- 7.1 (3) a commuter van as defined in section 221.012, subdivision 9;
- 7.2 (4) authorized emergency vehicles as defined in section 169.011, subdivision 3, including
7.3 ambulances; and tow trucks equipped with proper and legal warning devices when picking
7.4 up and transporting (i) disabled or wrecked motor vehicles or (ii) vehicles towed or
7.5 transported under a towing order issued by a public employee authorized to issue a towing
7.6 order;
- 7.7 (5) the transportation of grain samples under conditions prescribed by the commissioner;
- 7.8 (6) the delivery of agricultural lime;
- 7.9 (7) the transportation of dirt and sod within an area having a 50-mile radius from the
7.10 home post office of the person performing the transportation;
- 7.11 (8) the transportation of sand, gravel, bituminous asphalt mix, concrete ready mix,
7.12 concrete blocks or tile and the mortar mix to be used with the concrete blocks or tile, or
7.13 crushed rock to or from the point of loading or a place of gathering within an area having
7.14 a 50-mile radius from that person's home post office or a 50-mile radius from the site of
7.15 construction or maintenance of public roads and streets;
- 7.16 (9) the transportation of pulpwood, cordwood, mining timber, poles, posts, decorator
7.17 evergreens, wood chips, sawdust, shavings, and bark from the place where the products are
7.18 produced to the point where they are to be used or shipped;
- 7.19 (10) the transportation of fresh vegetables from farms to canneries or viner stations,
7.20 from viner stations to canneries, or from canneries to canneries during the harvesting,
7.21 canning, or packing season, or transporting sugar beets, wild rice, or rutabagas from the
7.22 field of production to the first place of delivery or unloading, including a processing plant,
7.23 warehouse, or railroad siding;
- 7.24 (11) the transportation of unprocessed dairy products in bulk within an area having a
7.25 100-mile radius from the home post office of the person providing the transportation;
- 7.26 (12) the transportation of agricultural, horticultural, dairy, livestock, or other farm
7.27 products within an area having a 100-mile radius from the person's home post office and
7.28 the carrier may transport other commodities within the 100-mile radius if the destination
7.29 of each haul is a farm;
- 7.30 (13) the transportation of newspapers, telephone books, handbills, circulars, or pamphlets
7.31 in a vehicle with a gross vehicle weight of 10,000 pounds or less; and

8.1 (14) transportation of potatoes from the field of production, or a storage site owned or
8.2 otherwise controlled by the producer, to the first place of processing.

8.3 The exemptions provided in this section apply to a person only while the person is
8.4 exclusively engaged in exempt transportation.