

SENATE
STATE OF MINNESOTA
NINETY-FOURTH SESSION

S.F. No. 1179

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DATE
02/10/2025

D-PG
330 Introduction and first reading
Referred to Transportation

OFFICIAL STATUS

1.1 A bill for an act
1.2 relating to transportation; increasing fines for failure to provide vehicle insurance;
1.3 amending Minnesota Statutes 2024, section 169.797, subdivision 4.

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

1.5 Section 1. Minnesota Statutes 2024, section 169.797, subdivision 4, is amended to read:

1.6 Subd. 4. **Penalty.** (a) A person who violates this section is guilty of a misdemeanor. A
1.7 person is guilty of a gross misdemeanor who violates this section within ten years of the
1.8 first of two prior convictions under this section, section 169.791, or a statute or ordinance
1.9 in conformity with one of those sections. The operator of a vehicle who violates subdivision
1.10 3 and who causes or contributes to causing a vehicle accident that results in the death of
1.11 any person or in substantial bodily harm to any person, as defined in section 609.02,
1.12 subdivision 7a, is guilty of a gross misdemeanor. The same prosecuting authority who is
1.13 responsible for prosecuting misdemeanor violations of this section is responsible for
1.14 prosecuting gross misdemeanor violations of this section. In addition to any sentence of
1.15 imprisonment that the court may impose on a person convicted of violating this section, the
1.16 court shall impose a fine of: (1) not less than \$200 nor more than the maximum amount
1.17 authorized by law \$300; (2) not less than \$550 for a violation occurring within ten years of
1.18 a prior violation; and (3) not less than \$850 for a violation occurring within ten years of
1.19 two or more prior violations. The court may allow community service in lieu of any fine
1.20 imposed for a first-time violation if the defendant is indigent.

1.21 (b) A driver who is the owner of the vehicle may, no later than the date and time specified
1.22 in the citation for the driver's first court appearance, produce proof of insurance stating that
1.23 security had been provided for the vehicle that was being operated at the time of demand

to the court administrator. The required proof of insurance may be sent by mail by the driver as long as it is received no later than the date and time specified in the citation for the driver's first court appearance. If a citation is issued, no person shall be convicted of violating this section if the court administrator receives the required proof of insurance no later than the date and time specified in the citation for the driver's first court appearance. If the charge is made other than by citation, no person shall be convicted of violating this section if the person presents the required proof of insurance at the person's first court appearance after the charge is made.

(c) If the driver is not the owner of the vehicle, the driver shall, no later than the date and time specified in the citation for the driver's first court appearance, provide the district court administrator with proof of insurance or the name and address of the owner. Upon receipt of the name and address of the owner, the district court administrator shall communicate the information to the law enforcement agency.

(d) If the driver is not the owner of the vehicle, the officer may send or provide a notice to the owner of the vehicle requiring the owner to produce proof of insurance for the vehicle that was being operated at the time of the demand. Notice by mail is presumed to be received five days after mailing and shall be sent to the owner's current address or the address listed on the owner's driver's license. Within ten days after receipt of the notice, the owner shall produce the required proof of insurance to the place stated in the notice received by the owner. The required proof of insurance may be sent by mail by the owner as long as it is received within ten days. Any owner who fails to produce proof of insurance within ten days of an officer's request under this subdivision is guilty of a misdemeanor. The peace officer may mail the citation to the owner's current address or address stated on the owner's driver's license. It is an affirmative defense to a charge against the owner that the driver used the owner's vehicle without consent, if insurance would not have been required in the absence of the unauthorized use by the driver. It is not a defense that a person failed to notify the Department of Public Safety of a change of name or address as required under section 171.11. The citation may be sent after the ten-day period.

(e) The court may impose consecutive sentences for offenses arising out of a single course of conduct as permitted in section 609.035, subdivision 2.

(f) In addition to the criminal penalty, the driver's license of an operator convicted under this section shall be revoked for not more than 12 months. If the operator is also an owner of the vehicle, the registration of the vehicle shall also be revoked for not more than 12 months. Before reinstatement of a driver's license or registration, the operator shall file with the commissioner of public safety the written certificate of an insurance carrier authorized

3.1 to do business in this state stating that security has been provided by the operator as required
3.2 by section 65B.48.

3.3 (g) The commissioner shall include a notice of the penalties contained in this section on
3.4 all forms for registration of vehicles required to maintain a plan of reparation security.

3.5 **EFFECTIVE DATE.** This section is effective August 1, 2025, and applies to violations
3.6 occurring on or after that date.