

1.1 Senator moves to amend S.F. No. 2068 as follows:

1.2 Page 7, after line 3, insert:

1.3 "Sec. 9. Minnesota Statutes 2024, section 169A.63, subdivision 13, is amended to read:

1.4 Subd. 13. **Exception.** (a) A forfeiture proceeding is stayed and the vehicle must be
1.5 returned if the driver becomes a program participant in the ignition interlock program under
1.6 section 171.306, in any motor vehicle eligible to be equipped with the ignition interlock
1.7 device, at any time before the seized motor vehicle is forfeited and any of the following
1.8 apply:

1.9 (1) the ~~driver committed~~ motor vehicle has been seized for a designated offense other
1.10 than a violation of section 169A.20 under the circumstances described in section 169A.24;
1.11 or

1.12 (2) the driver is accepted into a treatment court dedicated to changing the behavior of
1.13 alcohol- and other drug-dependent offenders arrested for driving while impaired.

1.14 (b) Notwithstanding paragraph (a), the vehicle whose forfeiture was stayed in paragraph
1.15 (a) may be seized and the forfeiture action may proceed under this section if the program
1.16 participant described in paragraph (a):

1.17 (1) subsequently operates a motor vehicle:

1.18 (i) to commit a violation of section 169A.20 (driving while impaired);

1.19 (ii) in a manner that results in a license revocation under section 169A.52 (license
1.20 revocation for test failure or refusal) or 171.177 (revocation; search warrant) or a license
1.21 disqualification under section 171.165 (commercial driver's license disqualification) resulting
1.22 from a violation of section 169A.52 or 171.177;

1.23 (iii) after tampering with, circumventing, or bypassing an ignition interlock device; or

1.24 (iv) without an ignition interlock device at any time when the driver's license requires
1.25 such device;

1.26 (2) either voluntarily or involuntarily ceases to participate in the program for more than
1.27 30 days, or fails to successfully complete it as required by the Department of Public Safety
1.28 due to:

1.29 (i) two or more occasions of the participant's driving privileges being withdrawn for
1.30 violating the terms of the program, unless the withdrawal is determined to be caused by an
1.31 error of the department or the interlock provider; or

2.1 (ii) violating the terms of the contract with the provider as determined by the provider;
2.2 or

2.3 (3) was the driver, forfeiture was stayed after the driver entered a treatment court, and
2.4 the driver ceases to be a participant in the treatment court for any reason.

2.5 (c) Paragraph (b) applies only if the described conduct occurs before the participant has
2.6 been restored to full driving privileges or within three years of the original designated offense
2.7 or designated license revocation, whichever occurs latest.

2.8 (d) The requirement in subdivision 2, paragraph (b), that device manufacturers provide
2.9 a discounted rate to indigent program participants applies also to device installation under
2.10 this subdivision.

2.11 (e) An impound or law enforcement storage lot operator must allow an ignition interlock
2.12 manufacturer sufficient access to the lot to install an ignition interlock device under this
2.13 subdivision.

2.14 (f) Notwithstanding paragraph (a), an entity in possession of the vehicle is not required
2.15 to release it until the reasonable costs of the towing, seizure, and storage of the vehicle have
2.16 been paid by the vehicle owner.

2.17 (g) At any time prior to the vehicle being forfeited, the appropriate agency may require
2.18 that the owner or driver of the vehicle surrender the title of the seized vehicle.

2.19 (h) If an event described in paragraph (b) occurs in a jurisdiction other than the one in
2.20 which the original forfeitable event occurred, and the vehicle is subsequently forfeited, the
2.21 proceeds shall be divided equally, after payment of seizure, towing, storage, forfeiture, and
2.22 sale expenses and satisfaction of valid liens against the vehicle, among the appropriate
2.23 agencies and prosecuting authorities in each jurisdiction.

2.24 (i) Upon successful completion of the program, the stayed forfeiture proceeding is
2.25 terminated or dismissed and any vehicle, security, or bond held by an agency must be
2.26 returned to the owner of the vehicle.

2.27 (j) A claimant of a vehicle for which a forfeiture action was stayed under paragraph (a)
2.28 but which later proceeds under paragraph (b), may file a demand for judicial forfeiture as
2.29 provided in subdivision 8, in which case the forfeiture proceedings must be conducted as
2.30 provided in subdivision 9."

2.31 Page 14, line 15, after "revocation" insert ", suspension, or cancellation"

- 3.1 Page 14, line 23, delete the new language and before "and" insert "or whether the
- 3.2 commissioner's extension determination is valid or should be modified,"
- 3.3 Page 14, line 25, delete the new language
- 3.4 Page 14, line 26, after "license" insert ", or of the commissioner's extension
- 3.5 determination,"
- 3.6 Renumber the sections in sequence and correct the internal references
- 3.7 Amend the title accordingly