

1.1 Senator moves to amend S.F. No. 1179 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "Section 1. Minnesota Statutes 2024, section 169.791, subdivision 6, is amended to read:

1.4 Subd. 6. **Penalty.** (a) In addition to any sentence of imprisonment that the court may
1.5 impose, the court shall impose a fine of:

1.6 (1) not less than \$200 nor more than the maximum fine applicable to misdemeanors
1.7 upon conviction under this section \$250;

1.8 (2) not less than \$400 for a conviction occurring within ten years of a prior conviction;
1.9 and

1.10 (3) not less than \$600 for a violation occurring within ten years of two or more prior
1.11 violations.

1.12 (b) The court may allow community service in lieu of any fine imposed if the defendant
1.13 is indigent. In addition to criminal penalties, a person convicted under this section is subject
1.14 to revocation of a driver's license or permit to drive under section 169.792, subdivision 7,
1.15 and to revocation of motor vehicle registration under section 169.792, subdivision 12.

1.16 (c) The imposition of a fine under paragraph (a) for a misdemeanor may be stayed if the
1.17 individual convicted under this section obtains subsequent proof of insurance for the vehicle
1.18 that was being operated at the time of demand. The proof of insurance must be presented
1.19 to the court administrator and the commissioner. To obtain a stay, the person must meet the
1.20 requirements of paragraph (d) and have coverage verified by the commissioner in paragraph
1.21 (e), otherwise, upon notification by the commissioner of public safety, the court shall impose
1.22 the fine authorized in paragraph (a).

1.23 (d) An individual submitting subsequent proof of insurance to stay the fine imposed
1.24 under this section must submit verification of continued coverage by security for the vehicle
1.25 by the individual's final court appearance as well as six months after the date the fine was
1.26 initially stayed in paragraph (c). The policy submitted by an individual must show no
1.27 interruption in security for the vehicle after the date the fine was initially stayed under
1.28 paragraph (c), except:

1.29 (1) for a change in insurance carrier that necessitated a new policy being issued for the
1.30 vehicle; or

1.31 (2) if the individual no longer owns the vehicle for which a citation was issued.

(e) An individual seeking a stay of fines imposed under this section must maintain continued coverage by security for:

(1) any vehicle purchased subsequent to the date of the original citation; or

(2) any vehicle transferred to a spouse or family member.

If an individual's coverage for the vehicle that was being operated at the time of demand is interrupted as described in this paragraph or in paragraph (d), clauses (1) and (2), the individual must immediately notify the commissioner of public safety.

(f) The commissioner of public safety is responsible for verification of coverage by an individual seeking a stay of a fine under paragraphs (c) and (d). The commissioner must continue to periodically verify the person's insured status by:

(1) verifying the individual's submission under paragraph (d) for continuous coverage of the vehicle for six months after the date of citation;

(2) continuing verification as follows:

(i) for a person's first misdemeanor conviction of this section or section 169.791, the commissioner must verify coverage at least once every six months for 13 months from the date of the submitted coverage under paragraph (d);

(ii) for a person's second misdemeanor conviction of this section or section 169.791, the commissioner must verify coverage at least once every six months for 19 months from the date of the submitted coverage under paragraph (d); or

(iii) for a person's third or subsequent misdemeanor conviction under this section or section 169.791, the commissioner must verify coverage once every six months for at least 25 months from the date of submitted coverage under paragraph (d).

(g) Upon verification of a person's required and continued proof of insurance under paragraph (f), clauses (1) and (2), item (i), for a first offense or clause (2), item (ii) or (iii), for second or subsequent offenses, the commissioner must notify the court administrator and the person must not be imposed a fine for a violation of this section or section 169.791.

(h) A person seeking to stay the imposition of a fine under this section must comply with all requirements for verification of subsequent proof of insurance. If the commissioner determines the person did not comply with the conditions of verification, the commissioner must notify the court administrator and the court shall impose the following:

(1) for fines imposed, a 50 percent increase of the amount specified in paragraph (b); or

(2) for community service imposed in lieu of a fine, a 25 percent increase of hours of community service required.

EFFECTIVE DATE. This section is effective August 1, 2025, for citations issued on or after that date.

Sec. 2. Minnesota Statutes 2024, section 169.797, subdivision 4, is amended to read:

Subd. 4. **Penalty.** (a) A person who violates this section is guilty of a misdemeanor. A person is guilty of a gross misdemeanor who violates this section within ten years of the first of two prior convictions under this section, section 169.791, or a statute or ordinance in conformity with one of those sections. The operator of a vehicle who violates subdivision 3 and who causes or contributes to causing a vehicle accident that results in the death of any person or in substantial bodily harm to any person, as defined in section 609.02, subdivision 7a, is guilty of a gross misdemeanor. The same prosecuting authority who is responsible for prosecuting misdemeanor violations of this section is responsible for prosecuting gross misdemeanor violations of this section.

(b) In addition to any sentence of imprisonment that the court may impose on a person convicted of violating this section, the court shall impose a fine of:

(1) not less than \$200 nor more than the maximum amount authorized by law \$250;

(2) not less than \$400 for a violation occurring within ten years of a prior conviction; and

(3) not less than \$600 for a violation occurring within ten years of two or more prior convictions.

The court may allow community service in lieu of any fine imposed if the defendant is indigent.

(c) The imposition of a fine under paragraph (b) for a misdemeanor may be stayed if the individual convicted under this section obtains subsequent proof of insurance for the vehicle that was being operated at the time of demand. The subsequent proof of insurance must be presented to the court administrator and the commissioner of public safety. To obtain a stay, the person must meet the requirements of paragraph (d) and have coverage verified by the commissioner in paragraph (e), otherwise, upon notification by the commissioner of public safety, the court shall impose the fine authorized in paragraph (b).

(d) An individual submitting subsequent proof of insurance to stay the fine imposed under this section must submit verification of continued coverage by security for the vehicle

by the individual's final court appearance as well as six months after the date the fine was initially stayed in paragraph (c). The policy submitted by an individual must show no interruption in security for the vehicle after the date the fine was initially stayed under paragraph (c), except:

(1) for a change in insurance carrier that necessitated a new policy being issued for the vehicle; or

(2) if the individual no longer owns the vehicle for which a citation was issued.

(e) An individual seeking a stay of fines imposed under this section must maintain continued coverage by security for:

(1) any vehicle purchased subsequent to the date of the original citation; or

(2) any vehicle transferred to a spouse or family member.

If an individual's coverage for the vehicle that was being operated at the time of demand is interrupted as described in this paragraph or in paragraph (d), clauses (1) and (2), the individual must immediately notify the commissioner of public safety.

(f) The commissioner of public safety is responsible for verification of coverage by an individual seeking a stay of a fine under paragraphs (c) and (d). The commissioner must continue to periodically verify the person's insured status by:

(1) verifying the individual's initial submission for continuous coverage of the vehicle for six months after the fine was initially stayed;

(2) continuing verification as follows:

(i) for a person's first misdemeanor conviction of this section or section 169.791, the commissioner must verify coverage at least once every six months for 13 months from the date of the submitted coverage under paragraph (d);

(ii) for a person's second misdemeanor conviction of this section or section 169.791, the commissioner must verify coverage at least once every six months for 19 months from the date of the submitted coverage under paragraph (d); or

(iii) for a person's third or subsequent misdemeanor conviction under this section or section 169.791, the commissioner must verify coverage once every six months for at least 25 months from the date of submitted coverage under paragraph (d).

(g) Upon verification of a person's required and continued proof of insurance under paragraph (f), clauses (1) and (2), item (i), for a first offense or clause (2), item (ii) or (iii),

for second or subsequent offenses, the commissioner must notify the court administrator and the person must not be imposed a fine for a violation of this section or section 169.791.

(h) A person seeking to stay the imposition of a fine under this section must comply with all requirements for verification of subsequent proof of insurance. If the commissioner determines the person did not comply with the conditions of verification, the commissioner must notify the court administrator and the court shall impose the following:

(1) for fines imposed, a 50 percent increase of the amount specified in paragraph (b); or

(2) for community service imposed in lieu of a fine, a 25 percent increase of hours of community service required.

~~(b)~~ (i) A driver who is the owner of the vehicle may, no later than the date and time specified in the citation for the driver's first court appearance, produce proof of insurance stating that 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.

~~(e)~~ (j) 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)~~ (k) 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)~~ (l) 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)~~ (m) 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 to do business in this state stating that security has been provided by the operator as required by section 65B.48.

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

EFFECTIVE DATE. This section is effective August 1, 2025, for citations issued on or after that date.

Sec. 3. REPORT; FAILURE TO PROVIDE INSURANCE; PURCHASE OF INSURANCE TO STAY FINES.

(a) By February 1 of each year, the commissioner of public safety, in consultation with the judicial branch, must submit a report to the chairs and ranking minority members of the legislative committees with jurisdiction over transportation and public safety finance and policy. The report must include information on the number of individuals charged with a violation of Minnesota Statutes, section 169.791 or 169.797, and also meet the requirements of paragraph (b).

(b) The report under paragraph (a) must include:

(1) how many individuals were charged with first, second, or third or subsequent violations of Minnesota Statutes, sections 169.791 and 169.797, in the previous year;

(2) how many individuals were sentenced to community service in lieu of a fine or opted for an imposition of stay of their fines under Minnesota Statutes, section 169.791, subdivision 6, paragraph (c), or section 169.797, subdivision 4, paragraph (c), in the previous year;

- 7.1 (3) the percentage of individuals verified to have maintained continuous automobile
7.2 insurance coverage as a condition of their stay and particularized information on:
- 7.3 (i) the number of individuals determined by the commissioner of public safety to not
7.4 meet community service requirements or the conditions of an imposed the stay in the previous
7.5 year;
- 7.6 (ii) the number of individuals under item (i) of which their violation was a second or
7.7 subsequent violation of either Minnesota Statutes, section 169.791 or 169.797; and
- 7.8 (iii) the methods by which the commissioner verifies compliance with the terms of an
7.9 imposed stay or community service requirement in lieu of a fine; and
- 7.10 (4) verified instances of noncompliance or misrepresentation by an individual under the
7.11 terms of a imposed stay or community service in lieu of fine in the previous year.
- 7.12 **EFFECTIVE DATE.** This section is effective the day following final enactment."
- 7.13 Amend the title accordingly