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HOUSE FILE NO. 693

SECOND COMMITTEE ENGROSSMENT

February 8, 2007

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The bill was read for the first time and referred to the Committee on Finance

Referred by Chair to Public Safety Finance Division.

March 14, 2007

Returned to the Committee on Finance as Amended.

1.1 A bill for an act
1.2 relating to drivers' licenses; authorizing payment of driver's license reinstatement
1.3 fee and surcharge in installment payments; removing obsolete language;
1.4 amending Minnesota Statutes 2006, section 171.29, subdivision 2.

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

1.6 Section 1. Minnesota Statutes 2006, section 171.29, subdivision 2, is amended to read:

1.7 Subd. 2. **Reinstatement fees and surcharges allocated and appropriated.** (a)

1.8 An individual whose driver's license has been revoked as provided in subdivision 1,
1.9 except under section 169A.52, 169A.54, or 609.21, must pay a \$30 fee before the driver's
1.10 license is reinstated.

1.11 (b) A person whose driver's license has been revoked as provided in subdivision
1.12 1 under section 169A.52, 169A.54, or 609.21, must pay a \$250 fee plus a ~~\$40~~ \$430
1.13 surcharge before the driver's license is reinstated, except as provided in paragraph (f).

1.14 ~~Beginning July 1, 2002, the surcharge is \$145. Beginning July 1, 2003, the surcharge is~~
1.15 ~~\$430.~~ The \$250 fee is to be credited as follows:

1.16 (1) Twenty percent must be credited to the driver services operating account in the
1.17 special revenue fund as specified in section 299A.705.

1.18 (2) Sixty-seven percent must be credited to the general fund.

1.19 (3) Eight percent must be credited to a separate account to be known as the Bureau
1.20 of Criminal Apprehension account. Money in this account may be appropriated to the
1.21 commissioner of public safety and the appropriated amount must be apportioned 80 percent
1.22 for laboratory costs and 20 percent for carrying out the provisions of section 299C.065.

2.1 (4) Five percent must be credited to a separate account to be known as the vehicle
2.2 forfeiture account, which is created in the special revenue fund. The money in the account
2.3 is annually appropriated to the commissioner for costs of handling vehicle forfeitures.

2.4 (c) The revenue from \$50 of ~~each~~ the surcharge, or \$25 for each year of
2.5 reinstatement under paragraph (f), must be credited to a separate account to be known as
2.6 the traumatic brain injury and spinal cord injury account. The money in the account is
2.7 annually appropriated to the commissioner of health to be used as follows: 83 percent
2.8 for contracts with a qualified community-based organization to provide information,
2.9 resources, and support to assist persons with traumatic brain injury and their families to
2.10 access services, and 17 percent to maintain the traumatic brain injury and spinal cord
2.11 injury registry created in section 144.662. For the purposes of this paragraph, a "qualified
2.12 community-based organization" is a private, not-for-profit organization of consumers of
2.13 traumatic brain injury services and their family members. The organization must be
2.14 registered with the United States Internal Revenue Service under section 501(c)(3) as a
2.15 tax-exempt organization and must have as its purposes:

2.16 (1) the promotion of public, family, survivor, and professional awareness of the
2.17 incidence and consequences of traumatic brain injury;

2.18 (2) the provision of a network of support for persons with traumatic brain injury,
2.19 their families, and friends;

2.20 (3) the development and support of programs and services to prevent traumatic
2.21 brain injury;

2.22 (4) the establishment of education programs for persons with traumatic brain injury;
2.23 and

2.24 (5) the empowerment of persons with traumatic brain injury through participation
2.25 in its governance.

2.26 A patient's name, identifying information, or identifiable medical data must not be
2.27 disclosed to the organization without the informed voluntary written consent of the patient
2.28 or patient's guardian or, if the patient is a minor, of the parent or guardian of the patient.

2.29 (d) The remainder of the surcharge must be credited to a separate account to be
2.30 known as the remote electronic alcohol-monitoring program account. The commissioner
2.31 shall transfer the balance of this account to the commissioner of finance on a monthly
2.32 basis for deposit in the general fund.

2.33 (e) When these fees are collected by a licensing agent, appointed under section
2.34 171.061, a handling charge is imposed in the amount specified under section 171.061,
2.35 subdivision 4. The reinstatement fees and surcharge must be deposited in an approved
2.36 depository as directed under section 171.061, subdivision 4.

3.1 (f) A person whose driver's license has been revoked as provided in subdivision 1
3.2 under section 169A.52 or 169A.54 and who the court certifies as being financially eligible
3.3 for a public defender under section 611.17, may choose to pay 50 percent of the total
3.4 amount of the surcharge and fee required under paragraph (b) to reinstate the person's
3.5 driver's license, provided the person meets all other requirements of reinstatement. If a
3.6 person chooses to pay 50 percent of the total, the driver's license must expire after two
3.7 years. The person must pay an additional 50 percent of the total to extend the license for
3.8 an additional two years, provided the person is otherwise still eligible for the license. After
3.9 this final payment of the surcharge and fee, the license may be renewed on a standard
3.10 schedule, as provided under section 171.27. A handling charge may be imposed for each
3.11 installment payment.

3.12 (g) Any person making installment payments under paragraph (f), whose driver's
3.13 license subsequently expires, or is canceled, revoked, or suspended before payment of
3.14 100 percent of the surcharge and fee, must pay the outstanding balance due for the initial
3.15 reinstatement before the driver's license is subsequently reinstated. Upon payment of
3.16 the outstanding balance due for the initial reinstatement, the person may pay any new
3.17 surcharge and fee imposed under paragraph (b) in installment payments as provided
3.18 under paragraph (f).

3.19 **EFFECTIVE DATE.** This section is effective July 1, 2007.