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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH
SESSION

HOUSE FILE NO. 268

January 22, 2007

Authored by Howes

The bill was read for the first time and referred to the Committee on Public Safety and Civil Justice

1.1 A bill for an act
1.2 relating to public safety; imposing license reinstatement fee and surcharge for
1.3 certain driving offenses; appropriating money; amending Minnesota Statutes
1.4 2006, sections 171.20, subdivision 4; 171.26, subdivision 1; 171.29, subdivisions
1.5 1, 2.

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

1.7 Section 1. Minnesota Statutes 2006, section 171.20, subdivision 4, is amended to read:

1.8 Subd. 4. **Reinstatement fee.** (a) Before the license is reinstated, (1) an individual
1.9 whose driver's license has been suspended under section 171.16, subdivisions 2 and 3;
1.10 171.18; or 171.182, or who has been disqualified from holding a commercial driver's
1.11 license under section 171.165, and (2) an individual whose driver's license has been
1.12 suspended under section 171.186 and who is not exempt from such a fee, must pay a
1.13 fee of \$20 plus a \$100 surcharge.

1.14 (b) Before the license is reinstated, an individual whose license has been suspended
1.15 under sections 169.791 to 169.798 must pay a \$20 reinstatement fee plus a \$100 surcharge.

1.16 (c) Before the license is reinstated, an individual whose license was suspended under
1.17 section 171.24 must pay a \$20 reinstatement fee plus a \$200 surcharge.

1.18 (d) All surcharges collected under this subdivision must be deposited in the
1.19 trunk highway fund for funding the State Patrol. The revenue deposited in the trunk
1.20 highway fund under this provision must annually be appropriated to the commissioner
1.21 of public safety and the appropriated amount must be appropriated 80 percent for filling
1.22 vacancies, hiring and retaining additional state troopers, and paying overtime, and 20
1.23 percent for purchasing and implementing information technology that increases the
1.24 efficiency of troopers. For purposes of this section, "information technology" includes,

2.1 but is not limited to, digital squad car cameras, cell phones, computers, and other
 2.2 telecommunications, electronics, and computer-related equipment.

2.3 (e) When fees are collected by a licensing agent appointed under section 171.061, a
 2.4 handling charge is imposed in the amount specified under section 171.061, subdivision 4.
 2.5 The reinstatement fee and surcharge must be deposited in an approved state depository as
 2.6 directed under section 171.061, subdivision 4.

2.7 ~~(d)~~ (f) Reinstatement fees collected under paragraph (a) for suspensions under
 2.8 sections 171.16, subdivision 3, and 171.18, subdivision 1, clause (10), must be deposited
 2.9 in the special revenue fund and are appropriated to the Peace Officer Standards and
 2.10 Training Board for peace officer training reimbursement to local units of government.

2.11 ~~(e)~~ (g) A suspension may be rescinded without fee for good cause.

2.12 Sec. 2. Minnesota Statutes 2006, section 171.26, subdivision 1, is amended to read:

2.13 Subdivision 1. **Driver services operating account.** All money received under this
 2.14 chapter must be paid into the state treasury and credited to the driver services operating
 2.15 account in the special revenue fund specified under sections 299A.705, except as provided
 2.16 in subdivision 2; 171.06, subdivision 2a; 171.07, subdivision 11, paragraph (g); 171.20,
 2.17 subdivision 4, ~~paragraph paragraphs (d) and (e);~~ and 171.29, subdivision 2, ~~paragraph~~
 2.18 paragraphs (b) and (c).

2.19 Sec. 3. Minnesota Statutes 2006, section 171.29, subdivision 1, is amended to read:

2.20 Subdivision 1. **Examination required.** No person whose driver's license has been
 2.21 revoked by reason of conviction, plea of guilty, or forfeiture of bail not vacated, under
 2.22 section 169.791, 169.797, ~~or 171.17, or 171.174,~~ or revoked under section 169.792
 2.23 or 169A.52 shall be issued another license unless and until that person shall have
 2.24 successfully passed an examination as required by the commissioner of public safety.
 2.25 This subdivision does not apply to an applicant for early reinstatement under section
 2.26 169.792, subdivision 7a.

2.27 Sec. 4. Minnesota Statutes 2006, section 171.29, subdivision 2, is amended to read:

2.28 Subd. 2. **Reinstatement fees and surcharges allocated and appropriated.** (a)
 2.29 An individual whose driver's license has been revoked as provided in subdivision 1,
 2.30 except under section 169A.52, 169A.54, or 609.21, must pay a \$30 fee before the driver's
 2.31 license is reinstated.

2.32 (b) A person whose driver's license has been revoked as provided in subdivision 1
 2.33 under section 169A.52, 169A.54, or 609.21, must pay a \$250 fee plus a \$40 surcharge

3.1 before the driver's license is reinstated. Beginning July 1, 2002, the surcharge is \$145.
3.2 Beginning July 1, 2003, the surcharge is \$430. The \$250 fee is to be credited as follows:

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

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

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

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

3.13 (c) A person whose driver's license has been revoked as provided in subdivision 1
3.14 under section 171.17, subdivision 1, paragraph (a), clause (3), or section 171.174, must pay
3.15 a \$400 fee before the driver's license is reinstated. The fee must be deposited in the trunk
3.16 highway fund for funding the State Patrol. The revenue deposited in the trunk highway
3.17 fund under this provision is annually appropriated to the commissioner of public safety
3.18 and the appropriated amount must be appropriated 80 percent for filling vacancies, hiring
3.19 and retaining additional state troopers, and paying overtime, and 20 percent for purchasing
3.20 and implementing information technology that increases the efficiency of troopers. For
3.21 purposes of this section, "information technology" includes, but is not limited to, digital
3.22 squad car cameras, cell phones, computers, and other telecommunications, electronics,
3.23 and computer-related equipment.

3.24 (d) The revenue from \$50 of each surcharge must be credited to a separate account
3.25 to be known as the traumatic brain injury and spinal cord injury account. The money in
3.26 the account is annually appropriated to the commissioner of health to be used as follows:
3.27 83 percent for contracts with a qualified community-based organization to provide
3.28 information, resources, and support to assist persons with traumatic brain injury and their
3.29 families to access services, and 17 percent to maintain the traumatic brain injury and
3.30 spinal cord injury registry created in section 144.662. For the purposes of this paragraph,
3.31 a "qualified community-based organization" is a private, not-for-profit organization of
3.32 consumers of traumatic brain injury services and their family members. The organization
3.33 must be registered with the United States Internal Revenue Service under section 501(c)(3)
3.34 as a tax-exempt organization and must have as its purposes:

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

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

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

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

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

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

4.12 ~~(d)~~ (e) The remainder of the surcharge must be credited to a separate account to be
4.13 known as the remote electronic alcohol-monitoring program account. The commissioner
4.14 shall transfer the balance of this account to the commissioner of finance on a monthly
4.15 basis for deposit in the general fund.

4.16 ~~(e)~~ (f) When these fees are collected by a licensing agent, appointed under section
4.17 171.061, a handling charge is imposed in the amount specified under section 171.061,
4.18 subdivision 4. The reinstatement fees and surcharge must be deposited in an approved
4.19 depository as directed under section 171.061, subdivision 4.