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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH
SESSION

HOUSE FILE No. **847**

February 12, 2007

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The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs

February 15, 2007

Committee Recommendation and Adoption of Report:

To Pass and re-referred to the Committee on Public Safety and Civil Justice

1.1 A bill for an act
1.2 relating to traffic regulations; authorizing counties and cities to impose
1.3 administrative penalties for certain traffic violations; amending Minnesota
1.4 Statutes 2006, sections 169.022; 169.99, subdivision 3; proposing coding for new
1.5 law in Minnesota Statutes, chapter 471.

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

1.7 Section 1. Minnesota Statutes 2006, section 169.022, is amended to read:

1.8 **169.022 UNIFORM APPLICATION.**

1.9 The provisions of this chapter shall be applicable and uniform throughout this state
1.10 and in all political subdivisions and municipalities therein, and no local authority shall
1.11 enact or enforce any rule or regulation in conflict with the provisions of this chapter unless
1.12 expressly authorized herein. Local authorities may adopt traffic regulations which are not
1.13 in conflict with the provisions of this chapter; provided, that when any local ordinance
1.14 regulating traffic covers the same subject for which a penalty is provided for in this
1.15 chapter, then the penalty provided for violation of said local ordinance shall be identical
1.16 with the penalty provided for in this chapter for the same offense, except as provided
1.17 in section 471.984.

1.18 Sec. 2. Minnesota Statutes 2006, section 169.99, subdivision 3, is amended to read:

1.19 Subd. 3. **Alteration by local government.** (a) Any city of the first class, through
1.20 its governing body, may alter by deletion or addition the uniform traffic ticket in such
1.21 manner as it deems advisable for use in such city, provided that it includes the notice
1.22 required by subdivision 1, paragraph (b).

2.1 (b) In respect to any public corporation organized and existing pursuant to sections
2.2 473.601 to 473.679, whose ordinances and regulations for the control of traffic are
2.3 enforced through prosecution in the district court having jurisdiction in one or the other
2.4 of the cities of the first class included within such public corporation, the traffic ticket
2.5 used in such enforcement shall conform to that used by the city of the first class in the
2.6 district court having jurisdiction where its ordinances and regulations are enforced, except
2.7 as to color and as to information uniquely applying to such public corporation and to its
2.8 ordinances and regulations.

2.9 (c) Any county or home rule charter or statutory city that has adopted an ordinance
2.10 under section 471.984 shall alter by deletion or addition the uniform traffic ticket as it
2.11 deems advisable, including, but not limited to, incorporating information concerning the
2.12 administrative violation, response by the alleged violator, and consequence of failure to
2.13 respond.

2.14 **Sec. 3. [471.984] IMPOSITION OF PENALTY FOR SPEEDING OFFENSE.**

2.15 Subdivision 1. **Authority.** Notwithstanding section 169.022, the county board
2.16 of any county or the city council of any home rule charter or statutory city may adopt
2.17 ordinances to set administrative penalties and impose them when a person:

2.18 (1) violates section 169.14 and the person's speed was no more than ten miles per
2.19 hour greater than the lawful speed limit;

2.20 (2) fails to obey a traffic control device in violation of section 169.06; or

2.21 (3) fails to have properly functioning vehicle lights in violation of any provision of
2.22 chapter 169. The ordinance adopted by a county board does not apply in any city that has
2.23 adopted an ordinance under this subdivision.

2.24 Subd. 2. **Right to contest penalty.** An ordinance adopted under this subdivision
2.25 must allow the alleged violator to contest the administrative penalty and elect to be
2.26 charged under state law with adjudication of the charge in district court.

2.27 Subd. 3. **Disposition of penalties.** The ordinance may provide that penalties
2.28 collected be paid to the treasurer of the government unit and be deposited in the city
2.29 or county's general fund.