

## HOUSE OF REPRESENTATIVES

EIGHTY-SEVENTH SESSION

H. F. No. 2239

02/13/2012 Authored by Benson, M.; Kahn; Beard; Urdahl; Hancock and others

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

02/29/2012 Adoption of Report: Pass as Amended and Read Second Time

1.1 A bill for an act  
 1.2 relating to motor vehicles; amending and clarifying requirements governing  
 1.3 titling and license plates for pioneer vehicles; amending Minnesota Statutes  
 1.4 2010, sections 168.10, subdivision 1a; 168A.01, subdivision 16, by adding  
 1.5 a subdivision; 168A.04, subdivision 5, by adding a subdivision; 168A.05,  
 1.6 subdivision 3; 168A.09, by adding a subdivision; 168A.15, subdivision 2.

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

1.8 Section 1. Minnesota Statutes 2010, section 168.10, subdivision 1a, is amended to read:

1.9 Subd. 1a. **Collector's vehicle, pioneer plate.** (a) Any motor vehicle that: (1) was  
 1.10 manufactured prior to 1936 and is totally original, or is a restored pioneer vehicle, as  
 1.11 defined in section 168A.01, subdivision 16a; and (2) is owned and operated solely as a  
 1.12 collector's item, shall be listed for taxation and registration ~~as follows:~~ as provided by  
 1.13 paragraph (b).

1.14 (b) An affidavit shall be executed stating the name and address of the owner, the  
 1.15 name and address of the person from whom purchased, the make of the motor vehicle, year  
 1.16 and ~~number of the~~ model designation, the manufacturer's identification number and that the  
 1.17 vehicle is owned and operated solely as a collector's item and not for general transportation  
 1.18 purposes. If the commissioner is satisfied that the affidavit is true and correct and the  
 1.19 owner pays a \$25 tax and the plate fee authorized under section 168.12, the commissioner  
 1.20 shall list such vehicle for taxation and registration and shall issue a single number plate.

1.21 ~~(b)~~ (c) The number plate so issued shall bear the inscription "Pioneer," "Minnesota"  
 1.22 and the registration number or other combination of characters authorized under section  
 1.23 168.12, subdivision 2a, but no date. The number plate is valid without renewal as long as  
 1.24 the vehicle is in existence in Minnesota. The commissioner has the power to revoke said  
 1.25 plate for failure to comply with this subdivision.

2.1 Sec. 2. Minnesota Statutes 2010, section 168A.01, subdivision 16, is amended to read:

2.2 Subd. 16. **Reconstructed vehicle.** (a) "Reconstructed vehicle" means a vehicle of a  
 2.3 type for which a certificate of title is required hereunder materially altered from its original  
 2.4 construction by the removal, addition, or substitution of essential parts, new or used.

2.5 (b) Reconstructed vehicle does not include a restored pioneer vehicle.

2.6 Sec. 3. Minnesota Statutes 2010, section 168A.01, is amended by adding a subdivision  
 2.7 to read:

2.8 Subd. 16a. **Restored pioneer vehicle.** (a) "Restored pioneer vehicle" means  
 2.9 a vehicle:

2.10 (1) for which a certificate of title is required under this chapter;

2.11 (2) originally manufactured prior to 1936;

2.12 (3) for which one or more essential parts, whether new or used, are replaced; and

2.13 (4) for which each essential part under clause (3) is replaced:

2.14 (i) only as necessary in order to restore or retain the character and appearance of the  
 2.15 vehicle as originally manufactured;

2.16 (ii) in a manner which reasonably restores or retains the character and appearance of  
 2.17 the vehicle as originally manufactured; and

2.18 (iii) in a manner which substantially conforms to the fit, form, and function of the  
 2.19 original essential part.

2.20 (b) A vehicle meeting both the requirements under paragraph (a) and subdivision 16  
 2.21 for a reconstructed vehicle is a restored pioneer vehicle.

2.22 (c) For purposes of this subdivision, replacement of an essential part includes, but is  
 2.23 not limited to, removal, addition, modification, or substitution of the essential part.

2.24 Sec. 4. Minnesota Statutes 2010, section 168A.04, subdivision 5, is amended to read:

2.25 Subd. 5. ~~Specially constructed or reconstructed vehicle~~ **Certain unconventional**  
 2.26 **vehicles; additional information; identifying number.** (a) Except as provided in  
 2.27 subdivision 6, if the application refers to a specially constructed vehicle ~~or~~ a reconstructed  
 2.28 vehicle, ~~or a restored pioneer vehicle~~, the application shall so state and shall contain or  
 2.29 be accompanied by:

2.30 (1) any information and documents the department reasonably requires to establish  
 2.31 the ownership of the vehicle and the existence or nonexistence and priority of security  
 2.32 interests in it;

2.33 (2) the certificate of a person authorized by the department that the identifying  
 2.34 number of the vehicle has been inspected and found to conform to the description given in

3.1 the application, or any other proof of the identity of the vehicle the department reasonably  
 3.2 requires; and

3.3 (3) at the time of application, a written certification to the department that the vehicle  
 3.4 to be titled meets the requirements of chapter 169 for vehicles in its class regarding safety  
 3.5 and acceptability to operate on public roads and highways.

3.6 (b) As part of the application for certificate of title on a restored pioneer vehicle, the  
 3.7 applicant may specify a valid identifying number of the vehicle. An identifying number  
 3.8 is valid under this paragraph if it matches a number permanently affixed, stamped, or  
 3.9 otherwise assigned to at least one essential part of the motor vehicle, including but not  
 3.10 limited to the engine, the engine block, or the vehicle body. The commissioner may  
 3.11 require photographic proof to confirm the identifying number on the vehicle, but may not  
 3.12 establish further restrictions on specification of the identifying number.

3.13 Sec. 5. Minnesota Statutes 2010, section 168A.04, is amended by adding a subdivision  
 3.14 to read:

3.15 Subd. 5a. **Certain unconventional vehicles; incomplete applications.** The  
 3.16 commissioner shall establish procedures to ensure that if clarification, additional  
 3.17 information, or submission of additional materials is required following submission of  
 3.18 an application for certificate of title for a specially constructed vehicle, reconstructed  
 3.19 vehicle, or restored pioneer vehicle:

3.20 (1) the title applicant is promptly notified of the status of the application; and

3.21 (2) all outstanding application requirements are clearly explained to the title  
 3.22 applicant.

3.23 Sec. 6. Minnesota Statutes 2010, section 168A.05, subdivision 3, is amended to read:

3.24 Subd. 3. **Content of certificate.** (a) Each certificate of title issued by the department  
 3.25 shall contain:

3.26 (1) the date issued;

3.27 (2) the first, middle, and last names and the dates of birth of all owners who are  
 3.28 natural persons, and the full names of all other owners;

3.29 (3) the residence address of the owner listed first if that owner is a natural person or  
 3.30 the address if that owner is not a natural person;

3.31 (4) the names of any secured parties, and the address of the first secured party,  
 3.32 listed in the order of priority (i) as shown on the application, or (ii) if the application is  
 3.33 based on a certificate of title, as shown on the certificate, or (iii) as otherwise determined  
 3.34 by the department;

4.1 (5) any liens filed pursuant to a court order or by a public agency responsible for  
4.2 child support enforcement against the owner;

4.3 (6) the title number assigned to the vehicle;

4.4 (7) a description of the vehicle including, so far as the following data exists, its  
4.5 make, model, year, identifying number, type of body, whether new or used, and if a new  
4.6 vehicle, the date of the first sale of the vehicle for use;

4.7 (8) with respect to a motor vehicle subject to section 325E.15 and for which an  
4.8 odometer was affixed by the vehicle manufacturer, (i) the true cumulative mileage  
4.9 registered on the odometer or (ii) that the actual mileage is unknown if the odometer  
4.10 reading is known by the owner to be different from the true mileage;

4.11 (9) with respect to a vehicle subject to sections 325F.6641 and 325F.6642, the  
4.12 appropriate term "flood damaged," "rebuilt," "prior salvage," or "reconstructed";

4.13 (10) with respect to a vehicle contaminated by methamphetamine production, if the  
4.14 registrar has received the certificate of title and notice described in section 152.0275,  
4.15 subdivision 2, paragraph (g), the term "hazardous waste contaminated vehicle";

4.16 (11) with respect to a vehicle subject to section 325F.665, the term "lemon law  
4.17 vehicle"; and

4.18 (12) any other data the department prescribes.

4.19 (b) For a certificate of title on a vehicle that is a restored pioneer vehicle:

4.20 (1) the identifying number must be the valid identifying number as provided under  
4.21 section 168A.04, subdivision 5;

4.22 (2) the year of the vehicle must be the year of original vehicle manufacture and  
4.23 not the year of restoration; and

4.24 (3) the title must not bear a "reconstructed vehicle" brand.

4.25 Sec. 7. Minnesota Statutes 2010, section 168A.09, is amended by adding a subdivision  
4.26 to read:

4.27 Subd. 4. **Restored pioneer vehicle; replacement title.** (a) The owner of a vehicle  
4.28 may apply to the commissioner for a replacement title if:

4.29 (1) a Minnesota title has been issued prior to the effective date of this section; and

4.30 (2) the vehicle meets the requirements for a restored pioneer vehicle under section  
4.31 168A.01, subdivision 16a.

4.32 (b) The commissioner shall establish and make publicly available requirements for  
4.33 an application under this subdivision, and shall make reasonable efforts to minimize  
4.34 burden on the title applicant. Among the application requirements, a person applying for a  
4.35 replacement title shall surrender the original title.

5.1           (c) The commissioner shall impose a fee for a replacement title issued under this  
5.2 subdivision that is equal to the fee for issuing a duplicate certificate of title under section  
5.3 168A.29. Fee proceeds must be allocated in the same manner as the fee for a duplicate  
5.4 certificate of title.

5.5           Sec. 8. Minnesota Statutes 2010, section 168A.15, subdivision 2, is amended to read:

5.6           Subd. 2. **Certain unconventional vehicles; requirements to obtain certificate for**  
5.7 **reconstructed vehicle.** If a vehicle is altered so as to become a reconstructed vehicle or  
5.8 restored pioneer vehicle, the owner shall apply for a certificate of title ~~to the reconstructed~~  
5.9 ~~vehicle~~ in the manner provided in section 168A.04, and any existing certificate of title to  
5.10 the vehicle shall be surrendered for cancellation.