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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 4242

03/14/2022 Authored by Long, Hornstein, Richardson, Koegel, Bernardy and others
The bill was read for the first time and referred to the Committee on Transportation Finance and Policy

1.1 A bill for an act
1.2 relating to transportation; establishing a speed safety camera pilot program;
1.3 imposing a petty misdemeanor penalty; requiring reports; appropriating money;
1.4 amending Minnesota Statutes 2020, sections 13.6905, by adding a subdivision;
1.5 134A.09, subdivision 1; 134A.10, subdivision 1; 169.011, by adding a subdivision;
1.6 169.04; 169.14, subdivision 10, by adding subdivisions; 169.99, subdivision 1;
1.7 171.16, subdivision 3; 357.021, subdivision 6; proposing coding for new law in
1.8 Minnesota Statutes, chapter 169.

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

1.10 Section 1. Minnesota Statutes 2020, section 13.6905, is amended by adding a subdivision
1.11 to read:

1.12 Subd. 36. Speed safety camera data. Data related to speed safety cameras are governed
1.13 by section 169.147, subdivisions 13 and 14.

1.14 Sec. 2. Minnesota Statutes 2020, section 134A.09, subdivision 1, is amended to read:

1.15 Subdivision 1. Civil actions. (a) In Hennepin and Ramsey Counties, the district
1.16 administrator or a designee shall collect in each civil suit, action or proceeding filed in the
1.17 district, municipal and conciliation courts of the district, in the manner in which other fees
1.18 are collected, a law library fee from:

1.19 (a) (1) the plaintiff, petitioner or other person instituting the suit, action or proceeding,
1.20 at the time of the filing of the first paper; and

1.21 (b) (2) each defendant, respondent, intervenor or other party who appears, either
1.22 separately or jointly, to be collected at the time of the filing of the first paper by the defendant,

2.1 respondent, intervenor or other party, or at the time when the party's appearance is entered
 2.2 in the case.

2.3 (b) The law library fee does not apply to a citation issued pursuant to section 169.14,
 2.4 subdivision 13.

2.5 **EFFECTIVE DATE.** This section is effective June 1, 2023.

2.6 Sec. 3. Minnesota Statutes 2020, section 134A.10, subdivision 1, is amended to read:

2.7 Subdivision 1. **Civil fee assessment.** (a) In counties other than Hennepin and Ramsey,
 2.8 the court administrator shall collect in each civil suit, action or proceeding filed in the
 2.9 district, county or county municipal and conciliation courts of the county, in the manner in
 2.10 which other fees are collected, a law library fee from:

2.11 ~~(a)~~ (1) the plaintiff, petitioner or other person instituting the suit, action or proceeding,
 2.12 at the time of the filing of the first paper; and

2.13 ~~(b)~~ (2) each defendant, respondent, intervenor or other party who appears, either
 2.14 separately or jointly, to be collected at the time of the filing of the first paper by the defendant,
 2.15 respondent, intervenor or other party, or at the time when the party's appearance is entered
 2.16 in the case.

2.17 (b) The law library fee does not apply to citations issued pursuant to section 169.14,
 2.18 subdivision 13.

2.19 **EFFECTIVE DATE.** This section is effective June 1, 2023.

2.20 Sec. 4. Minnesota Statutes 2020, section 169.011, is amended by adding a subdivision to
 2.21 read:

2.22 Subd. 77a. **Speed safety camera system.** "Speed safety camera system" means an
 2.23 electronic system of one or more cameras or other motor vehicle sensors that is capable of
 2.24 automatically producing recorded images of a motor vehicle operated in violation of the
 2.25 speed limit, including related information technology for recorded image storage, retrieval,
 2.26 and transmission.

2.27 Sec. 5. Minnesota Statutes 2020, section 169.04, is amended to read:

2.28 **169.04 LOCAL AUTHORITY.**

2.29 (a) The provisions of this chapter shall not be deemed to prevent local authorities, with
 2.30 respect to streets and highways under their jurisdiction, and with the consent of the

3.1 commissioner, with respect to state trunk highways, within the corporate limits of a
3.2 municipality, or within the limits of a town in a county in this state now having or which
3.3 may hereafter have, a population of 500,000 or more, and a land area of not more than 600
3.4 square miles, and within the reasonable exercise of the police power from:

3.5 (1) regulating the standing or parking of vehicles;

3.6 (2) regulating traffic by means of police officers or traffic-control signals;

3.7 (3) regulating or prohibiting processions or assemblages on the highways;

3.8 (4) designating particular highways as one-way roadways and requiring that all vehicles,
3.9 except emergency vehicles, when on an emergency run, thereon be moved in one specific
3.10 direction;

3.11 (5) designating any highway as a through highway and requiring that all vehicles stop
3.12 before entering or crossing the same, or designating any intersection as a stop intersection,
3.13 and requiring all vehicles to stop at one or more entrances to such intersections;

3.14 (6) restricting the use of highways as authorized in sections 169.80 to 169.88; and

3.15 (7) regulating speed limits under the speed safety camera pilot program as provided in
3.16 section 169.147.

3.17 (b) No ordinance or regulation enacted under paragraph (a), clause (4), (5), or (6), shall
3.18 be effective until signs giving notice of such local traffic regulations are posted upon and
3.19 kept posted upon or at the entrance to the highway or part thereof affected as may be most
3.20 appropriate.

3.21 (c) No ordinance or regulation enacted under paragraph (a), clause (3), or any other
3.22 provision of law shall prohibit:

3.23 (1) the use of motorcycles or vehicles utilizing flashing red lights for the purpose of
3.24 escorting funeral processions, oversize buildings, heavy equipment, parades or similar
3.25 processions or assemblages on the highways; or

3.26 (2) the use of motorcycles or vehicles that are owned by the funeral home and that utilize
3.27 flashing red lights for the purpose of escorting funeral processions.

3.28 **EFFECTIVE DATE.** This section is effective June 1, 2023.

3.29 Sec. 6. Minnesota Statutes 2020, section 169.14, subdivision 10, is amended to read:

3.30 Subd. 10. **Radar; speed-measuring device; standards of evidence.** (a) In any
3.31 prosecution in which the rate of speed of a motor vehicle is relevant, evidence of the speed

4.1 as indicated on radar or other speed-measuring device, including a speed safety camera
4.2 system, is admissible in evidence, subject to the following conditions:

4.3 (1) the officer or speed enforcement agent under section 169.147 operating the device
4.4 has sufficient training to properly operate the equipment;

4.5 (2) the officer or speed enforcement agent testifies as to the manner in which the device
4.6 was set up and operated;

4.7 (3) the device was operated with minimal distortion or interference from outside sources;
4.8 and

4.9 (4) the device was tested by an accurate and reliable external mechanism, method, or
4.10 system at the time it was set up.

4.11 (b) Records of tests made of such devices and kept in the regular course of operations
4.12 of any law enforcement agency are admissible in evidence without further foundation as to
4.13 the results of the tests. The records shall be available to a defendant upon demand. Nothing
4.14 in this subdivision shall be construed to preclude or interfere with cross examination or
4.15 impeachment of evidence of the rate of speed as indicated on the radar or speed-measuring
4.16 device.

4.17 (c) Evidence from a speed safety camera system may solely be used for a citation or
4.18 prosecution for a violation under subdivision 13.

4.19 **EFFECTIVE DATE.** This section is effective June 1, 2023.

4.20 Sec. 7. Minnesota Statutes 2020, section 169.14, is amended by adding a subdivision to
4.21 read:

4.22 **Subd. 13. Speed safety camera; penalty.** (a) Subject to subdivision 14, if a motor
4.23 vehicle is operated in violation of a speed limit and the violation is identified through the
4.24 use of a speed safety camera system under the pilot program established in section 169.147,
4.25 the owner of the vehicle or the lessee of the vehicle is guilty of a petty misdemeanor and
4.26 must pay a fine of:

4.27 (1) \$40; or

4.28 (2) \$80, if the violation is at least 20 miles per hour in excess of the applicable speed
4.29 limit.

4.30 (b) A person who commits a first-time offense under paragraph (a) is eligible for
4.31 diversion, which must include a traffic safety course established under section 169.147,

5.1 subdivision 11. A person who enters diversion and completes the traffic safety course is
5.2 not subject to a fine or conviction under paragraph (a).

5.3 **EFFECTIVE DATE.** This section is effective June 1, 2023, and applies to violations
5.4 committed on or after that date.

5.5 Sec. 8. Minnesota Statutes 2020, section 169.14, is amended by adding a subdivision to
5.6 read:

5.7 Subd. 14. **Speed safety camera; limitations.** (a) An owner or lessee of a motor vehicle
5.8 is not subject to a fine or conviction under subdivision 13 if:

5.9 (1) the vehicle was stolen at the time of the violation;

5.10 (2) a transfer of interest in the vehicle in compliance with section 168A.10 was made
5.11 before the time of the violation;

5.12 (3) the vehicle owner is a lessor of the motor vehicle, and the lessor identifies the name
5.13 and address of the lessee;

5.14 (4) the vehicle is an authorized emergency vehicle being operated in the performance
5.15 of official duties; or

5.16 (5) another person is convicted, within the meaning under section 171.01, subdivision
5.17 29, for the same violation.

5.18 (b) The owner or lessee of a motor vehicle may not be issued a citation under subdivision
5.19 13 and under another subdivision in this section for the same conduct.

5.20 **EFFECTIVE DATE.** This section is effective June 1, 2023, and applies to violations
5.21 committed on or after that date.

5.22 Sec. 9. Minnesota Statutes 2020, section 169.14, is amended by adding a subdivision to
5.23 read:

5.24 Subd. 15. **Speed safety camera; expiration.** Subdivisions 13 and 14 expire on June 30,
5.25 2028.

5.26 Sec. 10. **[169.147] SPEED SAFETY CAMERA PILOT PROGRAM.**

5.27 Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have
5.28 the meanings given.

5.29 (b) "Commissioner" means the commissioner of transportation.

6.1 (c) "Commissioners" means the commissioner of transportation as the lead in coordination
6.2 with the commissioner of public safety.

6.3 (d) "Participating authority" means the commissioners, with respect to trunk highways,
6.4 and any local authority that implements camera-based speed enforcement under the pilot
6.5 program.

6.6 (e) "Pilot program" means the speed safety camera pilot program established in this
6.7 section.

6.8 (f) "Pilot program site" means a location at which a speed safety camera system is placed
6.9 and operated under the pilot program.

6.10 (g) "Speed enforcement agent" means a licensed peace officer or an employee of a local
6.11 authority who is designated as provided in this section.

6.12 Subd. 2. **Pilot program established; implementation authority.** (a) The commissioner
6.13 of transportation, in coordination with the commissioner of public safety, must implement
6.14 a speed safety camera pilot program that provides for education and enforcement of speeding
6.15 violations in conjunction with use of speed safety camera systems.

6.16 (b) The commissioner must implement camera-based speed enforcement as provided
6.17 under the pilot program.

6.18 (c) A local authority may implement camera-based speed enforcement as provided under
6.19 the pilot program. Prior to implementation, a local authority must:

6.20 (1) notify the commissioner of participation in the pilot program; and

6.21 (2) review and ensure compliance with pilot program requirements.

6.22 Subd. 3. **Implementation schedule.** The commissioners must create an implementation
6.23 schedule that includes the following:

6.24 (1) by May 31, 2023, the commissioners must complete pilot program development,
6.25 including but not limited to establishment of:

6.26 (i) speed safety camera system standards as provided in subdivision 5;

6.27 (ii) the uniform speed safety camera citation as provided in subdivision 10;

6.28 (iii) traffic safety course curriculum as provided in subdivision 11; and

6.29 (iv) a pilot program evaluation methodology as provided in subdivision 15;

6.30 (2) from June 1, 2023, to October 31, 2027, any participating authority may perform
6.31 camera-based speed enforcement as provided in this section, including issuance of citations;

7.1 (3) by September 1, 2023, the commissioner must commence camera-based speed
7.2 enforcement in trunk highway work zones;

7.3 (4) by January 15, 2027, the commissioners must submit a preliminary pilot program
7.4 evaluation as provided in subdivision 16 and by December 31, 2027, the commissioners
7.5 must submit the final evaluation;

7.6 (5) by January 15, 2028, the commissioner must submit the legislative report required
7.7 in subdivision 17; and

7.8 (6) the pilot program expires as provided in subdivision 19.

7.9 Subd. 4. **Locations.** (a) A speed safety camera system may only be placed:

7.10 (1) in a trunk highway work zone; or

7.11 (2) at a location that:

7.12 (i) is within 2,000 feet of (A) a public or nonpublic school, (B) a school zone established
7.13 under section 169.14, subdivision 5a, or (C) a public or private postsecondary institution;
7.14 and

7.15 (ii) has an identified traffic safety concern, as indicated by crash or law enforcement
7.16 data, safety plans, or other documentation.

7.17 (b) The commissioner must establish pilot program sites on at least two trunk highway
7.18 work zone segments.

7.19 (c) A participating authority may place a speed safety camera system on a street or
7.20 highway that is not under its jurisdiction only upon approval by the road authority that has
7.21 jurisdiction over the street or highway.

7.22 Subd. 5. **Speed safety camera system requirements and standards.** (a) A speed safety
7.23 camera system:

7.24 (1) is limited to collection of the following data:

7.25 (i) the rear license plate of a motor vehicle;

7.26 (ii) motor vehicles and areas surrounding the vehicles to the extent necessary to calculate
7.27 vehicle speeds; and

7.28 (iii) date, time, and vehicle location;

7.29 (2) must not record the motor vehicle operator or occupants in a manner that makes an
7.30 individual personally identifiable; and

8.1 (3) may only record or retain the data specified in clause (1) if the speed safety camera
8.2 system identifies a potential speeding violation for review by a speed enforcement agent.

8.3 (b) The commissioners must establish speed safety camera system standards that include:

8.4 (1) requirements as specified in paragraph (a);

8.5 (2) procedures for speed safety camera system placement;

8.6 (3) training and qualification of individuals to inspect and calibrate a speed safety camera
8.7 system;

8.8 (4) procedures for initial calibration of the speed safety camera system prior to
8.9 deployment; and

8.10 (5) requirements for regular speed safety camera system inspection and maintenance by
8.11 a qualified individual.

8.12 (c) A participating authority must follow the standards established under paragraph (b).

8.13 Subd. 6. **Third-party agreements.** A participating authority may enter into agreements
8.14 with a private entity for operations, services, or equipment under the pilot program. Payment
8.15 under a contract with a private entity must not be based on the number of violations, citations
8.16 issued, or other similar means.

8.17 Subd. 7. **Public notification; warnings.** (a) The commissioner must maintain information
8.18 on a website that, at a minimum, summarizes the pilot program and identifies current
8.19 geographic locations and dates of camera-based speed enforcement.

8.20 (b) Each participating authority must:

8.21 (1) implement a public information campaign on the pilot program prior to
8.22 commencement of camera-based speed enforcement;

8.23 (2) place conspicuous signage prior to motorist arrival at each pilot program site, which
8.24 must notify motor vehicle operators of speed safety camera system use to detect speeding
8.25 violations; and

8.26 (3) provide a warning in lieu of a citation for a speeding violation for the period from
8.27 commencement of camera-based speed enforcement by that participating authority to when
8.28 citations are authorized as provided under subdivision 9, paragraph (b), clause (2).

8.29 Subd. 8. **Speed enforcement agents.** (a) A participating authority may designate one
8.30 or more permanent employees of the authority, who is not a licensed peace officer, as a

9.1 speed enforcement agent. A licensed peace officer is a speed enforcement agent and is not
9.2 required to be designated under this subdivision.

9.3 (b) A participating authority must ensure that a speed enforcement agent is properly
9.4 trained in the use of equipment and the requirements governing the pilot program.

9.5 (c) A speed enforcement agent designated under this subdivision has the authority to
9.6 issue citations under the pilot program while actually engaged in job duties and otherwise
9.7 has none of the other powers and privileges reserved to peace officers, including the power
9.8 to enforce traffic laws and regulations.

9.9 (d) An employee of a private entity may not be designated as a speed enforcement agent.

9.10 Subd. 9. Citations. (a) A speed enforcement agent under the pilot program has the
9.11 exclusive authority to issue a citation to the owner or lessee of a motor vehicle for a violation
9.12 under section 169.14, subdivision 13.

9.13 (b) A citation may only be issued if:

9.14 (1) it is during the implementation dates specified under subdivision 3, clause (2);

9.15 (2) the violation is committed at least 30 days after the appropriate participating authority
9.16 has commenced camera-based speed enforcement;

9.17 (3) the speeding violation is at least ten miles per hour in excess of the speed limit; and

9.18 (4) a speed enforcement agent has inspected and verified recorded images provided by
9.19 the speed safety camera system.

9.20 (c) Notwithstanding section 169.022, a participating authority may establish a speed in
9.21 excess of the speed limit that is higher than the amounts specified in paragraph (b), clause
9.22 (3), at which to proceed with issuance of a citation.

9.23 (d) A citation may be issued through the United States mail if postmarked within: (1)
9.24 14 days of the violation for a vehicle registered in Minnesota; or (2) 30 days of the violation
9.25 for a vehicle registered outside of Minnesota. Section 168.346, subdivision 2, applies to a
9.26 private entity that provides citation mailing services under the pilot program.

9.27 Subd. 10. Uniform citation. (a) There must be a uniform speed safety camera citation
9.28 issued throughout the state by a speed enforcement agent for a violation as provided under
9.29 the pilot program. The uniform speed safety camera citation is in the form and has the effect
9.30 of a summons and complaint.

9.31 (b) The commissioner of public safety must prescribe the detailed form of the uniform
9.32 speed safety camera citation. As appropriate, the citation design must conform with the

10.1 requirements for a uniform traffic ticket under section 169.99, subdivisions 1 and 1d. The
10.2 citation design must include:

10.3 (1) a brief overview of the pilot program;

10.4 (2) a summary of speed safety camera citation limitations under section 169.14,
10.5 subdivision 14;

10.6 (3) information on the fine and traffic safety course requirements under section 169.14,
10.7 subdivision 13; and

10.8 (4) a notification that the person has the right to contest the citation.

10.9 Subd. 11. **Traffic safety course.** (a) The commissioners must establish a traffic safety
10.10 course that provides at least 30 minutes of instruction on speeding and other traffic safety
10.11 topics. The curriculum must include safety risks associated with speed and speeding in
10.12 school zones and work zones.

10.13 (b) The commissioners must not impose a fee for an individual who is authorized to
10.14 attend the course under section 169.14, subdivision 13.

10.15 Subd. 12. **Driver's license; driving record.** A violation under section 169.14, subdivision
10.16 13, does not constitute grounds for revocation or suspension of the motor vehicle owner's
10.17 or lessee's driver's license and the commissioner of public safety may not record the violation
10.18 on the individual's driving record.

10.19 Subd. 13. **Data practices; general requirements.** (a) All data collected by a speed
10.20 safety camera system are private data on individuals as defined in section 13.02, subdivision
10.21 12, or nonpublic data as defined in section 13.02, subdivision 9, unless the data are public
10.22 under section 13.82, subdivision 2, 3, or 6, or are active criminal investigative data under
10.23 section 13.82, subdivision 7.

10.24 (b) An agreement with a private entity and a participating authority pursuant to
10.25 subdivision 6 is subject to section 13.05, subdivisions 6 and 11.

10.26 (c) A private entity must use the data gathered under the pilot program only for purposes
10.27 of the pilot program and must not share or disseminate the data with an entity other than
10.28 the appropriate participating authority, except pursuant to a court order. Nothing in this
10.29 subdivision prevents a private entity from sharing or disseminating summary data, as defined
10.30 in section 13.02, subdivision 19, about the pilot program.

10.31 Subd. 14. **Data practices; destruction of data.** (a) Notwithstanding section 138.17,
10.32 and except as otherwise provided in this subdivision, speed safety camera system data must

11.1 be destroyed within 60 days of the date of collection unless: (1) as a result of collection of
11.2 the data a citation is issued for a violation of a speed limit; or (2) the data are active
11.3 investigative data under section 13.82, subdivision 7.

11.4 (b) Upon written request from an individual who is the subject of a pending criminal
11.5 charge or complaint, along with the case or complaint number and a statement that the data
11.6 may be used as exculpatory evidence, data otherwise subject to destruction under paragraph
11.7 (a) must be preserved by the law enforcement agency until the criminal charge or complaint
11.8 is resolved or dismissed.

11.9 (c) Upon written request from a program participant under chapter 5B, speed safety
11.10 camera system data related to the program participant must be destroyed at the time of
11.11 collection or upon receipt of the request, whichever occurs later, unless the data are active
11.12 criminal investigative data. The existence of a request submitted under this paragraph is
11.13 private data on individuals.

11.14 (d) Speed safety camera system data that are inactive criminal investigative data are
11.15 subject to destruction according to the retention schedule for the data established under
11.16 section 138.17, provided that the retention schedule must require that the data be destroyed
11.17 within three years of the resolution of a citation issued under the pilot program.

11.18 Subd. 15. **Pilot program evaluation methodology.** (a) The commissioner must establish
11.19 a pilot program evaluation methodology that provides standardized metrics and evaluation
11.20 measures and enables valid statistical comparison across pilot program sites.

11.21 (b) Each participating authority must follow the methodology established under paragraph
11.22 (a) and provide information as necessary for the independent evaluation under subdivision
11.23 16.

11.24 Subd. 16. **Independent evaluation.** (a) The commissioner must arrange for an
11.25 independent evaluation of the pilot program. The evaluation must include each pilot program
11.26 site. The evaluation must be performed outside the Departments of Transportation and
11.27 Public Safety by an entity with qualifying experience in traffic safety research.

11.28 (b) At a minimum, the evaluation must:

11.29 (1) analyze the effectiveness of speed safety camera systems in lowering travel speeds,
11.30 reducing speed differentials, and meeting any other measures identified in the evaluation
11.31 methodology under subdivision 15;

11.32 (2) perform statistical analyses of traffic speeds, crashes, injuries, fatalities, and other
11.33 measurable traffic incidents; and

12.1 (3) identify any changes in traffic congestion attributable to speed safety camera systems.

12.2 (c) The commissioner must submit a copy of the preliminary and the final evaluation to
 12.3 the chairs and ranking minority members of the legislative committees with jurisdiction
 12.4 over transportation policy and finance.

12.5 Subd. 17. **Legislative report.** The commissioners must submit a report on the pilot
 12.6 program to the members of the legislative committees with jurisdiction over transportation
 12.7 policy and finance. At a minimum, the report must:

12.8 (1) provide a review of the pilot program;

12.9 (2) provide data on citations issued under the program broken down by year and location;

12.10 (3) summarize the final results of the independent evaluation under subdivision 16;

12.11 (4) evaluate any disparities in impacts under the pilot program, including by income, by
 12.12 race, and in communities that are historically underrepresented in transportation planning;

12.13 (5) identify fiscal impacts of (i) the pilot program, and (ii) potential continuation of the
 12.14 implementation of speed safety camera systems; and

12.15 (6) make recommendations regarding termination or continuation of the pilot program
 12.16 and, if appropriate, any program modifications, including a draft legislative proposal.

12.17 Subd. 18. **Not rulemaking.** The actions of the commissioners of transportation and
 12.18 public safety to establish standards, curriculum, and requirements under the pilot program
 12.19 are not rulemaking for purposes of chapter 14, are not subject to the Administrative Procedure
 12.20 Act contained in chapter 14, and are not subject to section 14.386.

12.21 Subd. 19. **Expiration.** This section expires June 30, 2028.

12.22 Sec. 11. Minnesota Statutes 2020, section 169.99, subdivision 1, is amended to read:

12.23 Subdivision 1. **Form.** (a) Except as provided in subdivision 3; section 169.147,
 12.24 subdivision 10; and section 169.999, subdivision 3, there shall be a uniform ticket issued
 12.25 throughout the state by the police and peace officers or by any other person for violations
 12.26 of this chapter and ordinances in conformity thereto. Such uniform traffic ticket shall be in
 12.27 the form and have the effect of a summons and complaint. Except as provided in paragraph
 12.28 (b), the uniform ticket shall state that if the defendant fails to appear in court in response to
 12.29 the ticket, an arrest warrant may be issued. The uniform traffic ticket shall consist of four
 12.30 parts, on paper sensitized so that copies may be made without the use of carbon paper, as
 12.31 follows:

13.1 (1) the complaint, with reverse side for officer's notes for testifying in court, driver's
13.2 past record, and court's action, printed on white paper;

13.3 (2) the abstract of court record for the Department of Public Safety, which shall be a
13.4 copy of the complaint with the certificate of conviction on the reverse side, printed on yellow
13.5 paper;

13.6 (3) the police record, which shall be a copy of the complaint and of the reverse side of
13.7 copy (1), printed on pink paper; and

13.8 (4) the summons, with, on the reverse side, such information as the court may wish to
13.9 give concerning the Traffic Violations Bureau, and a plea of guilty and waiver, printed on
13.10 off-white tag stock.

13.11 (b) If the offense is a petty misdemeanor, the uniform ticket must state that a failure to
13.12 appear will be considered a plea of guilty and waiver of the right to trial, unless the failure
13.13 to appear is due to circumstances beyond the person's control.

13.14 **EFFECTIVE DATE.** This section is effective June 1, 2023.

13.15 Sec. 12. Minnesota Statutes 2021 Supplement, section 171.16, subdivision 3, is amended
13.16 to read:

13.17 Subd. 3. **Failure to pay fine.** The commissioner is prohibited from suspending a person's
13.18 driver's license based solely on the fact that a person:

13.19 (1) has been convicted of (i) violating a law of this state or an ordinance of a political
13.20 subdivision which regulates the operation or parking of motor vehicles, or (ii) a violation
13.21 under section 169.14, subdivision 13;

13.22 (2) has been sentenced to the payment of a fine or had a surcharge levied against that
13.23 person, or sentenced to a fine upon which a surcharge was levied; and

13.24 (3) has refused or failed to comply with that sentence or to pay the surcharge.

13.25 **EFFECTIVE DATE.** This section is effective June 1, 2023.

13.26 Sec. 13. Minnesota Statutes 2021 Supplement, section 357.021, subdivision 6, is amended
13.27 to read:

13.28 Subd. 6. **Surcharges on criminal and traffic offenders.** (a) Except as provided in this
13.29 subdivision, the court shall impose and the court administrator shall collect a \$75 surcharge
13.30 on every person convicted of any felony, gross misdemeanor, misdemeanor, or petty
13.31 misdemeanor offense, other than a violation of a law or ordinance relating to vehicle parking,

14.1 for which there shall be a \$12 surcharge. When a defendant is convicted of more than one
14.2 offense in a case, the surcharge shall be imposed only once in that case. In the Second
14.3 Judicial District, the court shall impose, and the court administrator shall collect, an additional
14.4 \$1 surcharge on every person convicted of any felony, gross misdemeanor, misdemeanor,
14.5 or petty misdemeanor offense, including a violation of a law or ordinance relating to vehicle
14.6 parking, if the Ramsey County Board of Commissioners authorizes the \$1 surcharge. The
14.7 surcharge shall be imposed whether or not the person is sentenced to imprisonment or the
14.8 sentence is stayed. The surcharge shall not be imposed when a person is convicted of a petty
14.9 misdemeanor for which no fine is imposed.

14.10 (b) The court may reduce the amount or waive payment of the surcharge required under
14.11 this subdivision on a showing of indigency or undue hardship upon the convicted person
14.12 or the convicted person's immediate family. Additionally, the court may permit the defendant
14.13 to perform community work service in lieu of a surcharge.

14.14 (c) The court administrator or other entity collecting a surcharge shall forward it to the
14.15 commissioner of management and budget.

14.16 (d) If the convicted person is sentenced to imprisonment and has not paid the surcharge
14.17 before the term of imprisonment begins, the chief executive officer of the correctional
14.18 facility in which the convicted person is incarcerated shall collect the surcharge from any
14.19 earnings the inmate accrues from work performed in the facility or while on conditional
14.20 release. The chief executive officer shall forward the amount collected to the court
14.21 administrator or other entity collecting the surcharge imposed by the court.

14.22 (e) A person who enters a diversion program, continuance without prosecution,
14.23 continuance for dismissal, or stay of adjudication for a violation of chapter 169 must pay
14.24 the surcharge described in this subdivision. A surcharge imposed under this paragraph shall
14.25 be imposed only once per case.

14.26 (f) The surcharge does not apply to (1) administrative citations issued pursuant to section
14.27 169.999, or (2) citations issued pursuant to section 169.14, subdivision 13.

14.28 **EFFECTIVE DATE.** This section is effective June 1, 2023.

14.29 **Sec. 14. SPEED SAFETY CAMERA PILOT PROGRAM; APPROPRIATION.**

14.30 \$..... in fiscal year 2023 is appropriated from the general fund to the commissioner of
14.31 transportation for the speed safety camera pilot program under Minnesota Statutes, section
14.32 169.147. With the approval of the commissioner of transportation, any portion of this

- 15.1 appropriation is available to the commissioner of public safety. This is a onetime
- 15.2 appropriation and is available until June 30, 2028.