

tion at the institution. This statement must indicate the month and year of each immunization given. Instead of submitting a statement, a student may provide an immunization record maintained by a school according to section 123.70, subdivision 7, or a school in another state if the required information is contained in the record.

Subd. 3. EXEMPTIONS FROM IMMUNIZATION. (a) An immunization listed in subdivision 2 is not required if the student submits to the administrator a statement signed by a physician that shows:

(1) that, for medical reasons, the student did not receive an immunization;

(2) that the student has experienced the natural disease against which the immunization protects; or

(3) that a laboratory has confirmed the presence of adequate immunity.

(b) If the student submits a notarized statement that the student has not been immunized as required in subdivision 2 because of the student's conscientiously held beliefs, the immunizations described in subdivision 2 are not required. The institution shall forward this statement to the commissioner of health.

Subd. 4. IMMUNIZATION FILES REQUIRED. The institution must maintain an immunization record within the student's file for all students governed by this section. The immunization records may be inspected by the department of health and the local board of health in whose jurisdiction the institution is located.

Subd. 5. DEADLINE FOR SUBMITTING STATEMENT. The institution shall require that the statement from the student, as required within subdivision 2 or 3, be submitted within 45 days of commencement of the academic term for which the student has registered.

Sec. 9. EFFECTIVE DATE.

Sections 1 to 3 and 5 are effective July 1, 1989. Sections 4, 6, and 8 are effective July 1, 1990. Section 7 is effective January 1, 1990.

Presented to the governor May 19, 1989

Signed by the governor May 19, 1989, 11:40 p.m.

CHAPTER 216—H.F.No. 949

An act relating to traffic safety; increasing penalties for persons convicted of DWI after a previous conviction for criminal vehicular operation; amending Minnesota Statutes 1988, section 169.121, subdivision 3.

New language is indicated by underline, deletions by ~~strikeout~~.

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

Section 1. Minnesota Statutes 1988, section 169.121, subdivision 3, is amended to read:

Subd. 3. **CRIMINAL PENALTIES.** (a) A person who violates this section or an ordinance in conformity with it is guilty of a misdemeanor.

The following persons are guilty of a gross misdemeanor:

(a) ~~(b)~~ A person is guilty of a gross misdemeanor who violates this section or an ordinance in conformity with it within five years of a prior impaired driving conviction under this section; section 169.129; an ordinance in conformity with either of them; or a statute or ordinance from another state in conformity with either of them; and

~~(b)~~ A person who violates this section or an ordinance in conformity with it, or within ten years of two or more prior impaired driving convictions under this section; section 169.129; an ordinance in conformity with either of them; or a statute or ordinance from another state in conformity with either of them.

For purposes of this subdivision paragraph, a prior impaired driving conviction is a prior conviction under this section, section 169.129, or an ordinance in conformity with one of those two provisions; section 84.91, subdivision 1, paragraph (a); 361.12, subdivision 1, paragraph (a); 609.21, subdivision 1, clause (2) or (3); 609.21, subdivision 2, clause (2) or (3); 609.21, subdivision 3, clause (2) or (3); 609.21, subdivision 4, clause (2) or (3); or a statute or ordinance from another state in conformity with any of them. A prior impaired driving conviction also includes a prior juvenile adjudication under this section; section 169.129; an ordinance in conformity with either of them; or a statute or ordinance from another state in conformity with either of them is a prior conviction that would have been a prior impaired driving conviction if committed by an adult.

(c) The attorney in the jurisdiction in which the violation occurred who is responsible for prosecution of misdemeanor violations of this section shall also be responsible for prosecution of gross misdemeanor violations of this section.

When an attorney responsible for prosecuting gross misdemeanors under this section requests criminal history information relating to previous prior impaired driving convictions under this section from a court, the court must furnish the information without charge.

Sec. 2. EFFECTIVE DATE.

Section 1 is effective August 1, 1989, and applies to crimes committed on or after that date.

Presented to the governor May 19, 1989

Signed by the governor May 19, 1989, 11:42 p.m.

New language is indicated by underline, deletions by ~~strikeout~~.