

CHAPTER 371—H.F.No. 2143

An act relating to crimes; defining "crime" for purposes of crime victims reparations; amending Minnesota Statutes 1988, section 611A.52, subdivision 6.

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

Section 1. Minnesota Statutes 1988, section 611A.52, subdivision 6, is amended to read:

Subd. 6. **CRIME.** (a) "Crime" means conduct that:

(1) occurs or is attempted anywhere within the geographical boundaries of this state, including Indian reservations and other trust lands;

(2) poses a substantial threat of personal injury or death; and

(3) is included within the definition of "crime" in ~~Minnesota Statutes 1971,~~ section 609.02, subdivision 1, or would be included within that definition but for the fact that the person engaging in the conduct lacked capacity to commit the crime under the laws of this state.

(b) A crime occurs whether or not any person is prosecuted or convicted but the conviction of a person whose acts give rise to the claim is conclusive evidence that a crime was committed unless an application for rehearing, appeal, or petition for certiorari is pending or a new trial or rehearing has been ordered.

(c) "Crime" does not include ~~conduct arising out of the use of a motor vehicle, as defined in section 169.01, subdivision 2, an aircraft or watercraft unless:~~

~~(1) the conduct was intended to cause personal injury or death; or~~

~~(2) the use of the motor vehicle, aircraft or watercraft in the commission of a felony was a proximate cause of the victim's injury or death; or~~

~~(3) the claim arises out of a violation of section 609.21, an act involving the operation of a motor vehicle, aircraft, or watercraft that results in injury or death, except that a crime includes any of the following:~~

~~(1) injury or death intentionally inflicted through the use of a motor vehicle, aircraft, or watercraft;~~

~~(2) injury or death caused by a driver in violation of section 169.09, subdivision 1; 169.121; or 609.21; and~~

~~(3) injury or death caused by a driver of a motor vehicle in the immediate act of fleeing the scene of a crime in which the driver knowingly and willingly participated.~~

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

Presented to the governor March 28, 1990

Signed by the governor March 30, 1990, 7:02 p.m.

CHAPTER 372—H.F.No. 1859

An act relating to transportation; exempting volunteer drivers of private passenger vehicles from certain passenger service rules of the commissioner of transportation; amending Minnesota Statutes 1989 Supplement, section 221.031, subdivision 3a.

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

Section 1. Minnesota Statutes 1989 Supplement, section 221.031, subdivision 3a, is amended to read:

Subd. 3a. **CONTRACTORS OR RECIPIENTS OF TRANSPORTATION ASSISTANCE.** Notwithstanding subdivision 3, providers of passenger transportation service under contract to and with operating assistance from the department must comply with rules of the commissioner for driver qualifications, safe operation of vehicles, equipment, parts and accessories, maximum hours of service of drivers, inspection, repair and maintenance, and accident reporting.

This subdivision does not apply to (1) a local transit commission, (2) a transit authority created by the legislature, or (3) special transportation service certified by the commissioner under section 174.30, or (4) special transportation service defined in section 174.29, subdivision 1, when provided by a volunteer driver operating a private passenger vehicle defined in section 169.01, subdivision 3a.

Sec. 2. **EFFECTIVE DATE.**

Section 1 is effective the day following final enactment.

Presented to the governor March 28, 1990

Signed by the governor March 29, 1990, 9:40 p.m.

CHAPTER 373—H.F.No. 2521

An act relating to health care; increasing the membership of the health care access commission; amending Minnesota Statutes 1989 Supplement, section 62J.02, subdivision 1.

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

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