

(9) a chair selected by the other members of the commission who is not an elected official or public employee and who is not one of the above members of the commission.

The commission shall be assisted by a staff committee whose members shall consist of the city managers and chief of staff from the communities within Ramsey county, the Ramsey county executive director, and professional staff of these governmental units. This committee shall provide technical assistance to the commission. The committee may request the assistance of any other public or private agency or entity.

Members of the commission and the committee shall serve without compensation other than expenses that would be reimbursed to them by the units of government which they represent. The commission may accept gifts, grants, or donations from public and private entities to assist with the costs of its work. A gift, grant, or donation is not subject to Minnesota Statutes, chapter 10A, or other law or rule regulating lobbying expenses.

Sec. 2. COOPERATION.

The commission must solicit recommendations from the Ramsey county league of local governments and the Ramsey county charter commission. By September 1, 1991, the commission must receive any recommendations from the league or charter commission. In its final report, the commission must state its conclusions with respect to the recommendations of the league and the charter commission.

Sec. 3. EFFECTIVE DATE.

This act takes effect the day after final enactment.

Presented to the governor May 30, 1991

Signed by the governor June 3, 1991, 9:40 a.m.

CHAPTER 301—S.F.No. 765

An act relating to transportation; clarifying parking provisions for physically disabled persons; authorizing special license plates for motorcycles; authorizing tinted windshields for medical reasons; abolishing requirement to impound vehicle registration certificates; making technical changes; amending Minnesota Statutes 1990, sections 168.021, subdivision 1; 168.041; 169.123, subdivision 5b; 169.345, subdivision 1; 169.346, subdivisions 1 and 2; 169.71, subdivision 4; 169.795; and 171.29, subdivision 3.

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

Section 1. Minnesota Statutes 1990, section 168.021, subdivision 1, is amended to read:

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

Subdivision 1. **SPECIAL PLATES; APPLICATION FOR ISSUANCE.** (a) When a motor vehicle registered under section 168.017, a motorcycle, or a self-propelled recreational vehicle, is owned or primarily operated by a permanently physically disabled person or a custodial parent or guardian of a permanently physically disabled minor, the owner may apply for and secure from the registrar of motor vehicles two license plates with attached emblems, one plate to be attached to the front, and one to the rear of the vehicle. Application for the plates must be made at the time of renewal or first application for registration. When the owner first applies for the plates, the owner must submit a physician's statement on a form developed by the commissioner under section 169.345, or proof of physical disability provided for in that section.

(b) The owner of a motor vehicle may apply for and secure a set of special plates for a motor vehicle if:

(1) the owner employs a permanently physically disabled person who would qualify for special plates under this section; and

(2) the owner furnishes the motor vehicle to the physically disabled person for the exclusive use of that person in the course of employment.

Sec. 2. Minnesota Statutes 1990, section 168.041, is amended to read:

168.041 IMPOUNDING REGISTRATION PLATES AND CERTIFICATES.

Subdivision 1. **DRIVING AFTER LICENSE INVALIDATED.** When a person is convicted of driving a motor vehicle after the suspension, revocation, or cancellation of the person's driver's license or driving privileges, the court shall require the registration plates ~~and registration certificate~~ of the motor vehicle involved in the violation owned by the person or registered in the person's name to be surrendered to the court. The court shall issue a receipt for the surrendered registration plates ~~and registration certificate~~.

If the violator is not the owner of the motor vehicle, the court shall require the registration plates ~~and registration certificate~~ of the motor vehicle to be surrendered to the court if the vehicle was used by the violator with the permission of the owner and the owner had knowledge of the fact that the violator's driver's license had been revoked or suspended prior to the commission of the offense.

Subd. 1a. **FAILURE TO PRODUCE PROOF OF INSURANCE.** When an owner is convicted under section 169.791, the court shall require the registration plates of the motor vehicle or motorcycle involved in the violation owned by the person to be surrendered to the court for the longer of the following:

(1) the remainder of the period of revocation to be served under section 169.792; or

(2) until the owner obtains proof of insurance referred to in section 169.792, subdivision 10, satisfactory to the commissioner of public safety.

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

Subd. 2. MOVING VIOLATION FOLLOWING PREVIOUS CONVICTION. If a person is convicted of violating a law or municipal ordinance, except a parking law or ordinance, regulating the operation of motor vehicles on the streets or highways, and the record of the person so convicted shows a previous conviction for driving after suspension or revocation of the person's driver's license or driving privileges, the court may direct the commissioner of public safety to suspend the driver's license of the person for a period not exceeding one year. The court may also require the registration plates ~~and registration certificate~~ of any motor vehicle owned by the violator or registered in the violator's name to be surrendered to the court.

Subd. 3. OTHER CONVICTIONS. Except as otherwise provided in section 168.042, if a person is convicted of an offense that makes mandatory the revocation of the person's driver's license, or is convicted of driving a motor vehicle without having a valid driver's license in force, the court may require the registration plates ~~and registration certificate~~ of any motor vehicle owned by the person or any motor vehicle registered in the person's name to be surrendered to the court.

Subd. 4. IMPOUNDMENT ORDER; PLATES SURRENDERED. If the court issues an impoundment order, the registration plates ~~and certificates~~ must be surrendered to the court either three days after the order is issued or on the date specified by the court, whichever date is later. ~~The court shall forward surrendered registration certificates to the registrar of motor vehicles within seven days after their surrender.~~ The court may destroy the surrendered registration plates. Except as provided in subdivision 1a, 6, or 7, no new registration plates may be issued to the violator or owner until the driver's license of the violator has been reissued or reinstated. The court shall notify the commissioner of public safety within ten days after issuing an impoundment order.

Subd. 5. REVOCATION RESCINDED. If the driver's license revocation that is the basis for an impoundment order is rescinded, the registrar of motor vehicles shall issue new registration plates ~~and a registration certificate~~ for the vehicle at no cost, when the registrar receives an application that includes a copy of the order rescinding the driver's license revocation.

Subd. 6. SPECIAL SERIES NUMBER PLATES. (a) A violator or owner may apply to the commissioner for new registration plates, which must bear a special series of numbers or letters so as to be readily identified by traffic law enforcement officers. The commissioner may authorize the issuance of special plates if a member of the violator's household has a valid driver's license, the violator or owner has a limited license issued under section 171.30, or the owner is not the violator and the owner has a valid or limited license or a member of the owner's household has a valid driver's license. The commissioner may issue the special plates on payment of a \$25 fee for each vehicle for which special plates are requested. The commissioner may not authorize the issuance of special plates unless the court that impounded the vehicle's plates gives written approval for the issuance of the special plates.

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(b) Until the driver's license of the violator is reinstated or reissued, the violator shall inform the commissioner that an impoundment order is in effect when requesting any new registration plates.

Subd. 7. **TRANSFERRING VEHICLE WHEN PLATES IMPOUNDED.** A registered owner may not sell a motor vehicle during the time its registration plates ~~and registration certificate~~ have been ordered surrendered or during the time its registration plates bear a special series number, unless the registered owner applies to the court that impounded the plates ~~and certificate~~, for consent to transfer title to the motor vehicle. If the court is satisfied that the proposed sale is in good faith and for a valid consideration, that the registered owner will be deprived of the custody and control of the motor vehicle, and that the sale is not for the purpose of circumventing the provisions of this section, it may certify its consent to the registrar of motor vehicles. The registrar shall then transfer the ~~registration certificate~~ of title to the new owner upon proper application and issue new registration plates. After the registration plates ~~and registration certificate~~ have been ordered surrendered to the court under this section, if the title to the motor vehicle is transferred by the foreclosure of a chattel mortgage, the cancellation of a conditional sales contract, a sale upon execution, or by decree or order of a court of competent jurisdiction, ~~the court shall order the registration certificate surrendered to the new registered owner.~~ the registrar of motor vehicles shall then transfer the ~~registration certificate~~ of title and issue new registration plates to the new registered owner.

Subd. 8. **APPLICATION TO REGISTRATION TAX.** Nothing contained in this section or section 168.042 is intended to change or modify any provision of this chapter, with respect to the taxation of motor vehicles or the time within which motor vehicle taxes must be paid.

Subd. 9. **PENALTY.** A person who fails to surrender any registration plates ~~or a registration certificate~~ to the court upon demand under this section, who operates a motor vehicle on a street or highway at a time when a court has ordered the surrender of its registration plates ~~and registration certificate~~, or who fails to comply with subdivision 6, paragraph (b), is guilty of a misdemeanor.

Subd. 10. **DEFINITION OF RENTAL MOTOR VEHICLE.** "Rental motor vehicle" means a passenger vehicle, truck, motorcycle, or motorized bicycle:

- (1) that is leased in the name of the violator, or leased jointly in the name of the violator and the violator's spouse; and
- (2) that is one of a fleet of two or more vehicles rented for periods of 30 days or less.

Sec. 3. Minnesota Statutes 1990, section 169.123, subdivision 5b, is amended to read:

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Subd. 5b. **ADMINISTRATIVE REVIEW.** At any time during a period of revocation imposed under this section or a period of disqualification imposed under section 171.165, a person may request in writing a review of the order of revocation or disqualification by the commissioner of public safety, unless the person is entitled to review under section 171.166. Upon receiving a request the commissioner or the commissioner's designee shall review the order, the evidence upon which the order was based, and any other material information brought to the attention of the commissioner, and determine whether sufficient cause exists to sustain the order. Within 15 days of receiving the request the commissioner shall report in writing the results of the review. The review provided in this subdivision is not subject to the contested case provisions of the administrative procedure act in sections 14.001 to 14.69.

The availability of administrative review for an order of revocation or disqualification has no effect upon the availability of judicial review under this section.

Review under this subdivision shall take place, if possible, at the same time as any administrative review of the person's impoundment order under section ~~168.041, subdivision 4~~ 168.042, subdivision 9.

Sec. 4. Minnesota Statutes 1990, section 169.345, subdivision 1, is amended to read:

Subdivision 1. **SCOPE OF PRIVILEGE.** A vehicle that prominently displays the certificate authorized by this section; or that bears license plates issued under section 168.021, may be parked by or for a physically disabled person:

(1) in a designated parking space for disabled persons, as provided in section 169.346; and

(2) in a metered parking space without obligation to pay the meter fee and without time restrictions unless time restrictions are separately posted on official signs.

For purposes of this subdivision, a certificate is prominently displayed if it is displayed on the dashboard in the left-hand corner of the front windshield of the vehicle with no part of the certificate obscured.

Notwithstanding clauses (1) and (2), this section does not permit parking in areas prohibited by sections 169.32 and 169.34, in designated no parking spaces, or in parking spaces reserved for specified purposes or vehicles. A local governmental unit may, by ordinance, prohibit parking on any street or highway to create a fire lane, or to accommodate heavy traffic during morning and afternoon rush hours and these ordinances also apply to physically disabled persons.

Sec. 5. Minnesota Statutes 1990, section 169.346, subdivision 1, is amended to read:

Subdivision 1. **PARKING CRITERIA.** A person shall not:

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(1) park a motor vehicle in or obstruct access to a parking space designated and reserved for the physically disabled, on either private or public property;

(2) park a motor vehicle in or obstruct access to an area designated by a local governmental unit as a transfer zone for disabled persons; or

(3) exercise the parking privilege provided in section 169.345, unless:

(i) that person is a physically disabled person as defined in section 169.345, subdivision 2, or the person is transporting or parking a vehicle for a physically disabled person; and

(ii) the vehicle visibly displays one of the following: a license plate issued under section 168.021, a certificate issued under section 169.345, or an equivalent certificate, insignia, or license plate issued by another state, a foreign country, or one of its political subdivisions.

Sec. 6. Minnesota Statutes 1990, section 169.346, subdivision 2, is amended to read:

Subd. 2. **SIGNS; PARKING SPACES TO BE FREE OF OBSTRUCTIONS.** (a) Parking spaces reserved for physically disabled persons must be designated and identified by the posting of signs incorporating the international symbol of access in white on blue and indicating that ~~the parking space is reserved for disabled persons with vehicles displaying the required certificate, license plates, or insignia, and indicating that violators are subject to a fine of up to \$200.~~ These parking spaces are reserved for disabled persons with vehicles displaying the required certificate, license plates, or insignia. Signs sold after August 1, 1991, must conform to the design requirements in this paragraph. For purposes of this subdivision, a parking space that is clearly identified as reserved for physically disabled persons by a permanently posted sign that does not meet all design standards, is considered designated and reserved for physically disabled persons. A sign posted for the purpose of this section must be visible from inside a vehicle parked in the space, be kept clear of snow or other obstructions which block its visibility, and be nonmovable or only movable by authorized persons.

(b) The owner or manager of the property on which the designated parking space is located shall ensure that the space is kept free of obstruction. If the owner or manager allows the space to be blocked by snow, merchandise, or similar obstructions for 24 hours after receiving a warning from a peace officer, the owner or manager is guilty of a misdemeanor and subject to a fine of up to \$500.

Sec. 7. Minnesota Statutes 1990, section 169.71, subdivision 4, is amended to read:

Subd. 4. No person shall drive or operate any motor vehicle required to be registered in the state of Minnesota upon any street or highway under the following conditions:

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(a) when the windshield is composed of, covered by, or treated with any material which has the effect of making the windshield more reflective or in any other way reducing light transmittance through the windshield;

(b) when any window on the vehicle is composed of, covered by, or treated with any material that has a highly reflective or mirrored appearance;

(c) when any side window or rear window is composed of or treated with any material so as to obstruct or substantially reduce the driver's clear view through the window or has a light transmittance of less than 50 percent plus or minus three percent in the visible light range or a luminous reflectance of more than 20 percent plus or minus three percent; or

(d) when any material has been applied after August 1, 1985, to any motor vehicle window without an accompanying permanent marking which indicates the percent of transmittance and the percent of reflectance afforded by the material. The marking must be in a manner so as not to obscure vision and be readable when installed on the vehicle.

This subdivision does not apply to glazing materials which:

(a) have not been modified since the original installation, nor to original replacement windows and windshields, that were originally installed or replaced in conformance with Federal Motor Vehicle Safety Standard 205;

(b) are required to satisfy prescription or medical needs of the driver of the vehicle or a passenger if the driver or passenger is in possession of the prescription or a physician's statement of medical need; or

(c) are applied to:

(1) the rear windows of a pickup truck as defined in section 168.011, subdivision 29;

(2) the rear windows or the side windows on either side behind the driver's seat of a van as defined in section 168.011, subdivision 28;

(3) the side and rear windows of a vehicle used to transport human remains by a funeral establishment holding a permit under section 149.08; or

(4) the side and rear windows of a limousine as defined in section 168.011, subdivision 35.

Sec. 8. Minnesota Statutes 1990, section 169.795, is amended to read:

169.795 RULES.

The commissioner of public safety shall adopt rules necessary to implement sections 168.041, subdivisions 1a; and 4; ~~and 4a~~; 169.09, subdivision 14; and 169.791 to 169.796.

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Sec. 9. Minnesota Statutes 1990, section 171.29, subdivision 3, is amended to read:

Subd. 3. A person whose license has been revoked under section 169.121 or 169.123 may not be issued another license at the end of the revocation period unless the person has complied with all applicable registration plate impoundment provisions of ~~section~~ sections 168.041 and 168.042.

Sec. 10. **EFFECTIVE DATE.**

Sections 1, 4, 6, and 7 are effective the day following final enactment.

Presented to the governor May 30, 1991

Signed by the governor June 3, 1991, 4:24 p.m.

CHAPTER 302—S.F.No. 559

An act relating to agriculture; requiring the commissioner of revenue to make certain payments to the commissioner of agriculture for the purpose of promoting ethanol fuel use and providing information to ethanol producers; amending Minnesota Statutes 1990, sections 41A.09, subdivision 3; 239.76, by adding a subdivision; and 296.02, subdivision 8.

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

Section 1. Minnesota Statutes 1990, section 41A.09, subdivision 3, is amended to read:

Subd. 3. **PAYMENTS FROM ACCOUNT.** The commissioner of revenue shall make cash payments from the account to producers of ethanol or wet alcohol located in the state. These payments shall apply only to ethanol or wet alcohol fermented in the state. The amount of the payment for each producer's annual production shall be as follows:

(a) For each gallon of ethanol produced:

(1) ~~For the period beginning July 1, 1986, and ending June 30, 1987, 15 cents per gallon;~~

(2) For the period beginning July 1, 1987, and ending on or before June 30, 2000, 20 cents per gallon.

(b) For each gallon produced of wet alcohol ~~during the period beginning July 1, 1989, and ending on or before June 30, 2000,~~ a payment in cents per gallon calculated by the formula "alcohol purity in percent divided by five," and rounded to the nearest cent per gallon, but not less than 11 cents per gallon. The producer payment for wet alcohol under this section may be paid to either the

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