

Presented to the governor March 31, 2000

Signed by the governor April 4, 2000, 3:32 p.m.

CHAPTER 324—S.F.No. 3283

An act relating to natural resources; providing for civil enforcement of metal traction device sticker requirements for snowmobiles; amending Minnesota Statutes 1999 Supplement, sections 84.8712, subdivisions 2, 3, 4, and 6; and 84.8713, subdivision 1.

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

Section 1. Minnesota Statutes 1999 Supplement, section 84.8712, subdivision 2, is amended to read:

Subd. 2. **CIVIL CITATION; AUTHORITY TO ISSUE.** Conservation officers and other licensed peace officers may issue civil citations to a person who operates a snowmobile in violation of this section or section 84.8713. The citation must impose a penalty of no more than \$50 for the first offense, no more than \$300 for the second offense, and no more than \$600 for third and subsequent offenses.

Sec. 2. Minnesota Statutes 1999 Supplement, section 84.8712, subdivision 3, is amended to read:

Subd. 3. **APPEALS.** Civil citations for offenses under this section or section 84.8713 may be appealed under the procedures in section 116.072, subdivision 6, if the recipient of the citation requests a hearing by notifying the commissioner in writing within 15 days after receipt of the citation. For the purposes of the enforcement of this section, the terms "commissioner" and "agency" as used in section 116.072 mean the commissioner of natural resources. If a hearing is not requested within the 15-day period, the citation becomes a final order not subject to further review.

Sec. 3. Minnesota Statutes 1999 Supplement, section 84.8712, subdivision 4, is amended to read:

Subd. 4. **ENFORCEMENT.** Civil citations for offenses under this section or section 84.8713 may be enforced under section 116.072, subdivision 9. If a person fails to pay a penalty owed under this section, the person may not operate a snowmobile until the penalty is paid. Penalty amounts must be remitted within 30 days of issuance of the penalty citation.

Sec. 4. Minnesota Statutes 1999 Supplement, section 84.8712, subdivision 6, is amended to read:

Subd. 6. **SELECTION OF REMEDY.** A person operating a snowmobile in violation of this section or section 84.8713 is guilty of a petty misdemeanor punishable by a fine of no more than \$50 for the first offense, no more than \$300 for the second offense, and no more than \$600 for the third and subsequent offenses. A peace officer

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may not seek both civil and petty misdemeanor penalties for a violation of this section or section 84.8713.

Sec. 5. Minnesota Statutes 1999 Supplement, section 84.8713, subdivision 1, is amended to read:

Subdivision 1. **STICKER REQUIRED; FEE.** (a) An owner of a snowmobile registered in the state may not operate the snowmobile with a track equipped with metal traction devices unless a metal traction device sticker is affixed to the snowmobile. The commissioner shall issue a metal traction device sticker upon application and payment of a \$12 fee. The sticker is valid for one year following June 30 in the year it is issued.

(b) The requirements in paragraph (a) do not apply to snowmobiles owned, leased, or operated by the state or a political subdivision, or to snowmobiles used in an organized race, so long as they do not utilize a paved public trail, except as otherwise provided in this chapter.

(c) Fees collected under this section shall be deposited in the state treasury and credited to the snowmobile trails and enforcement account in the natural resources fund. Money deposited under this section is appropriated to the commissioner of natural resources, and must be used for repair of paved public trails, unless a trail is exempted by local authorities under section 84.8712, except that any money not necessary for this purpose may be used for the grant-in-aid snowmobile trail system.

(d) This section shall be enforced under section 84.8712.

Sec. 6. **EFFECTIVE DATE.**

This act is effective the day following final enactment.

Presented to the governor March 31, 2000

Signed by the governor April 4, 2000, 3:18 p.m.

CHAPTER 325—H.F.No. 1590

An act relating to peace officers; clarifying warrant authority of alcohol and gambling agents; amending Minnesota Statutes 1998, section 626.11.

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

Section 1. Minnesota Statutes 1998, section 626.11, is amended to read:

626.11 ISSUANCE OF WARRANT.

If the judge is satisfied of the existence of the grounds of the application, or that there is probable cause to believe their existence, the judge must issue a signed search warrant, naming the judge's judicial office, to a peace officer in the judge's county of

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