

Sec. 6. STUDY OF THE SOCIAL WORKER LICENSE EXAMINATION.

(a) The board of social work shall, upon receipt of funding from federal or private sources, commission a study by an independent researcher to determine the extent to which the social work licensure examination failure rate for applicants who were born in a foreign country and for whom English is not their first language is greater than the failure rate for applicants from other populations taking the licensure examination, and the underlying cause of any such disparity. The study shall include consultations with and the collection of data from Minnesota social work educators; representatives of culturally based community organizations, including, but not limited to, the Asian-Pacific, Chicano/Latino, and Somali populations; and the national organization that develops, owns, and maintains the social work examinations used by the board. The study shall also include the collection and review of relevant data from other health-related boards in Minnesota, as well as relevant data from social work and health-related boards in other states. The results of the study shall be reported directly to the board.

(b) Provided funding is received to conduct the study, the board shall submit a report to the legislature by September 1, 2003. The report shall include the results of the study as well as recommendations on possible remedies to address any disparity in examination failure rates among different populations.

Presented to the governor May 8, 2001

Signed by the governor May 10, 2001, 2:56 p.m.

CHAPTER 91—S.F.No. 2006

An act relating to government data; authorizing certain accident data to be made public; amending Minnesota Statutes 2000, section 169.09, subdivision 13.

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

Section 1. Minnesota Statutes 2000, section 169.09, subdivision 13, is amended to read:

Subd. 13. REPORTS CONFIDENTIAL; EVIDENCE, FEE, PENALTY, APPROPRIATION. (a) All written reports and supplemental reports required under this section shall be for the use of the commissioner of public safety and other appropriate state, federal, county, and municipal governmental agencies for accident analysis purposes, except:

(1) the commissioner of public safety or any law enforcement agency shall, upon written request of any person involved in an accident or upon written request of the representative of the person's estate, surviving spouse, or one or more surviving next of kin, or a trustee appointed pursuant to section 573.02, disclose to the requester, the requester's legal counsel, or a representative of the requester's insurer the report required under subdivision 8;

New language is indicated by underline, deletions by strikeout.

(2) the commissioner of public safety shall, upon written request, provide the driver filing a report under subdivision 7 with a copy of the report filed by the driver;

(3) the commissioner of public safety may verify with insurance companies vehicle insurance information to enforce sections 65B.48, 169.792, 169.793, 169.796, and 169.797;

(4) the commissioner of public safety shall provide the commissioner of transportation the information obtained for each traffic accident involving a commercial motor vehicle, for purposes of administering commercial vehicle safety regulations; and

(5) the commissioner of public safety may give to the United States Department of Transportation commercial vehicle accident information in connection with federal grant programs relating to safety.

(b) Accident reports and data contained in the reports shall not be discoverable under any provision of law or rule of court. No report shall be used as evidence in any trial, civil or criminal, arising out of an accident, except that the commissioner of public safety shall furnish upon the demand of any person who has, or claims to have, made a report, or, upon demand of any court, a certificate showing that a specified accident report has or has not been made to the commissioner solely to prove compliance or failure to comply with the requirements that the report be made to the commissioner.

(c) Nothing in this subdivision prevents any person who has made a report pursuant to this section from providing information to any persons involved in an accident or their representatives or from testifying in any trial, civil or criminal, arising out of an accident, as to facts within the person's knowledge. It is intended by this subdivision to render privileged the reports required, but it is not intended to prohibit proof of the facts to which the reports relate.

(d) Disclosing any information contained in any accident report, except as provided in this subdivision, section 13.82, subdivision 3 or 4, or other statutes, is a misdemeanor.

(e) The commissioner of public safety may charge authorized persons a \$5 fee for a copy of an accident report. The commissioner may also furnish copies of the modified accident records database to private agencies as provided in paragraph (g), for not less than the cost of preparing the copies on a bulk basis.

(f) The commissioner and law enforcement agencies may charge commercial users who request access to response or incident data relating to accidents a fee not to exceed 50 cents per report. "Commercial user" is a user who in one location requests access to data in more than five accident reports per month, unless the user establishes that access is not for a commercial purpose. Money collected by the commissioner under this paragraph is appropriated to the commissioner.

(g) The commissioner may provide a modified copy of the accident records database that does not contain names, driver's license numbers, vehicle license plate

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

numbers, addresses, or other identifying data to the public upon request. However, unless the accident records data base includes the motor vehicle identification number, the commissioner shall include the vehicle license plate number if a private agency certifies and agrees that the agency:

- (1) is in the business of collecting accident and damage information on vehicles;
- (2) will use the vehicle license plate number only for the purpose of identifying vehicles that have been involved in accidents or damaged in order to provide this information to persons seeking access to a vehicle's history and not for the purpose of identifying individuals or for any other purpose; and
- (3) will be subject to the penalties and remedies under sections 13.08 and 13.09.

Presented to the governor May 8, 2001

Signed by the governor May 10, 2001, 3:05 p.m.

CHAPTER 92—S.F.No. 1008

An act relating to horse racing; card clubs; authorizing licensee of commission to detain persons suspected of cheating; proposing coding for new law in Minnesota Statutes, chapter 240.

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

Section 1. **[240.35] DETENTION OF SUSPECTS.**

Subdivision 1. **GENERALLY.** A licensee of the commission may detain a person if the licensee has probable cause to believe that the person detained has violated section 609.76 while at a card club authorized by section 240.30. For purposes of this section, "licensee" means the commission's director of racing security or a security officer licensed under Minnesota Rules, chapter 7878.

Subd. 2. **CIRCUMSTANCES JUSTIFYING DETENTION.** (a) A licensee may detain a person to:

- (1) require the person to provide identification or to verify identification;
- (2) inquire as to whether the person possesses any contraband as provided by section 609.762, subdivision 1;
- (3) notify a peace officer of the alleged violation; or
- (4) institute criminal proceedings against the person.

(b) The person detained must be promptly informed of the purpose of the detention and may not be subjected to unnecessary or unreasonable force, nor to interrogation against the person's will. If at any time the person detained requests the licensee to summon a peace officer, the licensee must notify a peace officer immediately. A licensee of the Minnesota racing commission must not detain a person

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