

distribution by organizations for business purposes including surveys, marketing, and solicitation. The commissioner shall implement methods and procedures that enable the registered owner to request that bulk surveys, marketing, or solicitation not be directed to the owner. If the registered owner so requests, the commissioner shall implement the request in a timely manner and the personal information may not be so used.

(d) The commissioner shall disclose personal information when the use is related to the operation of a motor vehicle or public safety. The use of personal information is related to public safety if it concerns the physical safety or security of drivers, vehicles, pedestrians, or property. The commissioner may refuse to disclose data under this paragraph when the commissioner concludes that the requester is likely to use the data for illegal, improper, or noninvestigative purposes.

(e) To the extent permitted by United States Code, title 18, section 2721, data on individuals provided to register a motor vehicle is public data on individuals and shall be disclosed as permitted by United States Code, title 18, section 2721, subsection (b).

Sec. 2. Minnesota Statutes 2000, section 171.12, subdivision 7a, is amended to read:

Subd. 7a. **DISCLOSURE OF PERSONAL INFORMATION.** The commissioner shall disclose personal information where the use is related to the operation of a motor vehicle or to public safety, ~~including public dissemination.~~ The use of personal information is related to public safety if it concerns the physical safety or security of drivers, vehicles, pedestrians, or property. The commissioner may refuse to disclose data under this subdivision when the commissioner concludes that the requester is likely to use the data for illegal, improper, or noninvestigative purposes.

Presented to the governor May 13, 2002

Signed by the governor May 15, 2002, 1:21 p.m.

CHAPTER 369—S.F.No. 3463

An act relating to agriculture; clarifying the prohibition on certain application of pesticides; amending Minnesota Statutes 2000, section 18B.07, subdivision 2.

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

Section 1. Minnesota Statutes 2000, section 18B.07, subdivision 2, is amended to read:

Subd. 2. **PROHIBITED PESTICIDE USE.** (a) A person may not use, store, handle, distribute, or dispose of a pesticide, rinsate, pesticide container, or pesticide application equipment in a manner:

(1) that is inconsistent with a label or labeling as defined by FIFRA;

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

(2) that endangers humans, damages agricultural products, food, livestock, fish, or wildlife; or

(3) that will cause unreasonable adverse effects on the environment.

(b) A person may not direct a pesticide onto property beyond the boundaries of the target site. A person may not apply a pesticide resulting in damage to adjacent property.

(c) A person may not directly apply a pesticide on a human by overspray or target site spray, except when:

(1) the pesticide is intended for use on a human;

(2) the pesticide application is for mosquito control operations conducted before June 30, 2003, in compliance with paragraph (d), clauses (1) and (2);

(3) the pesticide application is for control of gypsy moth, forest tent caterpillar, or other pest species, as determined by the commissioner, and the pesticide used is a biological agent; or

(4) the pesticide application is for a public health risk, as determined by the commissioner of health, and the commissioner of health, in consultation with the commissioner of agriculture, determines that the application is warranted based on the commissioner's balancing of the public health risk with the risk that the pesticide application poses to the health of the general population, with special attention to the health of children.

(d) For pesticide applications under paragraph (c), clauses (3) and (4), the following conditions apply:

(1) no practicable and effective alternative method of control exists;

(2) the pesticide is among the least toxic available for control of the target pest;
and

(3) notification of residents in the area to be treated is provided by direct notification and through publication in a newspaper of general circulation within the affected area.

(e) For purposes of this subdivision, "direct notification" may include mailings, public meetings, posted placards, neighborhood newsletters, or other means of contact designed to reach as many residents as possible.

(f) A person may not apply a pesticide in a manner so as to expose a worker in an immediately adjacent, open field.

Sec. 2. **EFFECTIVE DATE.**

Section 1 is effective the day following final enactment.

Presented to the governor May 9, 2002

Signed by the governor May 10, 2002, 8:30 a.m.

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