

**SENATE
STATE OF MINNESOTA
NINETY-FIRST SESSION**

S.F. No. 3235

(SENATE AUTHORS: CLAUSEN and Pappas)

DATE
02/17/2020

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OFFICIAL STATUS
Introduction and first reading
Referred to Judiciary and Public Safety Finance and Policy

1.1 A bill for an act
1.2 relating to public safety; expanding the criminal vehicular operation crime to
1.3 include damage to property; amending Minnesota Statutes 2018, section 609.2113,
1.4 subdivision 3.

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

1.6 Section 1. Minnesota Statutes 2018, section 609.2113, subdivision 3, is amended to read:

1.7 Subd. 3. **Bodily harm or damage to property.** A person is guilty of criminal vehicular
1.8 operation resulting in bodily harm or damage to property and may be sentenced to
1.9 imprisonment for not more than one year or to payment of a fine of not more than \$3,000,
1.10 or both, if the person causes bodily harm to another or damage to the property of another,
1.11 where the damage reduces the value of the property by more than \$1,000 as measured by
1.12 the cost or repair or replacement, as a result of operating a motor vehicle:

1.13 (1) in a grossly negligent manner;

1.14 (2) in a negligent manner while under the influence of:

1.15 (i) alcohol;

1.16 (ii) a controlled substance; or

1.17 (iii) any combination of those elements;

1.18 (3) while having an alcohol concentration of 0.08 or more;

1.19 (4) while having an alcohol concentration of 0.08 or more, as measured within two hours
1.20 of the time of driving;

2.1 (5) in a negligent manner while under the influence of an intoxicating substance and the
2.2 person knows or has reason to know that the substance has the capacity to cause impairment;

2.3 (6) in a negligent manner while any amount of a controlled substance listed in Schedule
2.4 I or II, or its metabolite, other than marijuana or tetrahydrocannabinols, is present in the
2.5 person's body;

2.6 (7) where the driver who causes the accident leaves the scene of the accident in violation
2.7 of section 169.09, subdivision 1 or 6; or

2.8 (8) where the driver had actual knowledge that a peace officer had previously issued a
2.9 citation or warning that the motor vehicle was defectively maintained, the driver had actual
2.10 knowledge that remedial action was not taken, the driver had reason to know that the defect
2.11 created a present danger to others, and the injury was caused by the defective maintenance.

2.12 **EFFECTIVE DATE.** This section is effective August 1, 2020, and applies to crimes
2.13 committed on or after that date.