

## CHAPTER 170

### TRAFFIC ACCIDENT PROVISIONS

170.23	Abstracts; fee; admissible in evidence.	170.54 170.55	Driver deemed agent of owner. Service of process.
170.24	Suspension of license for neglect to report accident.		

**170.01–170.19** [Superseded by Laws 1945, Chapter 285]

**170.21** [Repealed, 1974 c 408 s 33]

**170.22** [Repealed, 1974 c 408 s 33]

#### **170.23 ABSTRACTS; FEE; ADMISSIBLE IN EVIDENCE.**

The commissioner shall upon request furnish any person a certified abstract of the operating record of any person subject to the provisions of this chapter, and, if there shall be no record of any conviction of such person of violating any law relating to the operation of a motor vehicle or of any injury or damage caused by such person, the commissioner shall so certify. Such abstracts shall not be admissible as evidence in any action for damages or criminal proceedings arising out of a motor vehicle accident. A fee of \$5 shall be paid for each such abstract. The commissioner shall permit a person to inquire into the operating record of any person by means of the inquiring person's own computer facilities for a fee to be determined by the commissioner of at least \$2 for each inquiry. The commissioner shall furnish an abstract that is not certified for a fee to be determined by the commissioner in an amount less than the fee for a certified abstract but more than the fee for an inquiry by computer. Fees collected under this section must be paid into the state treasury with 90 percent of the money credited to the trunk highway fund and ten percent credited to the general fund.

*History: 1945 c 285 s 3; 1973 c 35 s 37; 1983 c 293 s 69; 1990 c 565 s 29*

**170.231** [Repealed, 1973 c 35 s 38]

#### **170.24 SUSPENSION OF LICENSE FOR NEGLIGENCE TO REPORT ACCIDENT.**

The commissioner may suspend the license, or any nonresident's operating privilege, of any person who willfully fails, refuses or neglects to make report of a traffic accident as required by the laws of this state. A license suspension under this section is subject to the notice requirements of section 171.18, subdivision 2.

*History: 1945 c 285 s 4; 1996 c 346 s 3*

**170.25** [Repealed, 1974 c 408 s 33]

**170.26** [Repealed, 1974 c 408 s 33]

**170.27** [Repealed, 1974 c 408 s 33]

**170.28** [Repealed, 1974 c 408 s 33]

**170.29** [Repealed, 1974 c 408 s 33]

**170.30** [Repealed, 1974 c 408 s 33]

**170.31** [Repealed, 1974 c 408 s 33]

**170.32** [Repealed, 1974 c 408 s 33]

**170.33** Subdivision 1. [Repealed, 1974 c 408 s 33]

Subd. 2. [Repealed, 1974 c 408 s 33]

Subd. 3. [Repealed, 1974 c 408 s 33]

Subd. 4. [Repealed, 1974 c 408 s 33]

Subd. 5. [Repealed, 1974 c 22 s 6; 1974 c 408 s 33]

- 170.34** [Repealed, 1974 c 408 s 33]  
**170.35** [Repealed, 1974 c 408 s 33]  
**170.36** [Repealed, 1974 c 408 s 33]  
**170.37** [Repealed, 1974 c 408 s 33]  
**170.38** [Repealed, 1974 c 408 s 33]  
**170.39** [Repealed, 1974 c 408 s 33]  
**170.40** [Repealed, 1974 c 408 s 33]  
**170.41** [Repealed, 1974 c 408 s 33]  
**170.42** [Repealed, 1974 c 408 s 33]  
**170.43** [Repealed, 1974 c 408 s 33]  
**170.44** [Repealed, 1974 c 408 s 33]  
**170.45** [Repealed, 1974 c 408 s 33]  
**170.46** [Repealed, 1974 c 408 s 33]  
**170.47** [Repealed, 1974 c 408 s 33]  
**170.48** [Repealed, 1974 c 408 s 33]  
**170.49** [Repealed, 1974 c 408 s 33]  
**170.50** [Repealed, 1974 c 408 s 33]  
**170.51** [Repealed, 1974 c 408 s 33]  
**170.52** [Repealed, 1974 c 408 s 33]  
**170.53** [Repealed, 1974 c 408 s 33]

**170.54 DRIVER DEEMED AGENT OF OWNER.**

Whenever any motor vehicle shall be operated within this state, by any person other than the owner, with the consent of the owner, express or implied, the operator thereof shall in case of accident, be deemed the agent of the owner of such motor vehicle in the operation thereof.

*History: 1945 c 285 s 34; 1967 c 397 s 1*

**170.55 SERVICE OF PROCESS.**

**Subdivision 1. Commissioner as agent for service of process.** The use and operation by a resident of this state or the resident's agent, or by a nonresident or the nonresident's agent of a motor vehicle within the state of Minnesota, shall be deemed an irrevocable appointment by such resident if absent from this state continuously for six months or more following an accident, or by such nonresident at any time, of the commissioner of public safety to be the resident's or nonresident's true and lawful attorney upon whom may be served all legal process in any action or proceeding against the resident or nonresident or the executor, administrator, or personal representative of the resident or nonresident growing out of such use and operation of a motor vehicle within this state, resulting in damages or loss to person or property, whether the damage or loss occurs on a highway or on abutting public or private property. Such appointment is binding upon the nonresident's executor, administrator, or personal representative. Such use or operation of a motor vehicle by such resident or nonresident is a signification of agreement that any such process in any action against the resident or nonresident or executor, administrator, or personal representative of the resident or nonresident which is so served, shall be of the same legal force and validity as if served upon the resident or nonresident personally or on the executor, administrator, or personal representative of the resident or nonresident. Service of such process shall be made by serving a copy thereof upon

the commissioner or by filing such copy in the commissioner's office, together with payment of a fee of \$2, and such service shall be sufficient service upon the absent resident or the non-resident or the executor, administrator, or personal representative of the resident or nonresident; provided that notice of such service and a copy of the process are within ten days thereafter sent by mail by the plaintiff to the defendant at the defendant's last known address and that the plaintiff's affidavit of compliance with the provisions of this chapter is attached to the summons.

**Subd. 2. Continuance of court proceeding; costs.** The court in which the action is pending may order such continuance as may be necessary to afford the defendant reasonable opportunity to defend any such action, not exceeding 90 days from the date of filing of the action in such court. The fee of \$2 paid by the plaintiff to the commissioner at the time of service of such proceedings shall be taxed in the plaintiff's cost if the plaintiff prevails in the suit. The said commissioner shall keep a record of all such processes so served which shall show the day and hour of such service.

**History:** 1945 c 285 s 35; 1949 c 582 s 1; 1953 c 395 s 1; 1959 c 617 s 1; 1969 c 1129 art 1 s 18; 1986 c 444

**170.56** [Repealed, 1974 c 408 s 33]

**170.57** [Repealed, 1974 c 408 s 33]

**170.58** [Repealed, 1974 c 408 s 33]