

## CHAPTER 334

## MONEY, RATES OF INTEREST

334.115 Continuity of contract.

334.21 Motor vehicle lease agreements.

**334.115 CONTINUITY OF CONTRACT.**

Subdivision 1. **Definitions.** (a) The definitions in this subdivision apply to this section.

(b) "Euro" means the currency of participating member states of the European Union that adopt a single currency in accordance with the treaty on European Union signed February 7, 1992.

(c) "Introduction of the euro" means the implementation of economic and monetary union in member states of the European Union in accordance with the treaty on European Union signed February 7, 1992.

(d) "ECU" or "European Currency Unit" means the currency basket that is used as the unit of account of the European Community as defined in European Council Regulation No. 3320/94. When the euro first becomes the monetary unit of participating member states of the European Union, references to the ECU in a contract, security, or instrument that also refers to this definition of the ECU will be replaced by references to the euro at a rate of one euro to one ECU. References to the ECU in a contract, security, or instrument without this definition of the ECU are presumed, unless either demonstrated or proven to the contrary by the intention of the parties, to be references to the currency basket that is used as the unit of account of the European Community.

Subd. 2. **Continuity of contract.** (a) If a subject or medium of payment of a contract, security, or instrument is a currency that has been substituted or replaced by the euro, the euro will be a commercially reasonable substitute and substantial equivalent that may be either:

(1) used in determining the value of the currency; or

(2) tendered, in each case at the conversion rate specified in, and otherwise calculated in accordance with, the regulations adopted by the Council of the European Union.

(b) If a subject or medium of payment of a contract, security, or instrument is the ECU, the euro will be a commercially reasonable substitute and substantial equivalent that may be either:

(1) used in determining the value of the ECU; or

(2) tendered, in each case at the conversion rate specified in, and otherwise calculated in accordance with, the regulations adopted by the Council of the European Union.

(c) Performance of any of the obligations described in paragraph (a) or (b) may be made in the currency originally designated in the contract, security, or instrument, so long as that currency remains legal tender, or in euro, but not in any other currency, whether or not the other currency:

(1) has been substituted or replaced by the euro; or

(2) is a currency that is considered a denomination of the euro and has a fixed conversion rate with respect to the euro.

(d) The following do not have the effect of discharging or excusing performance under any contract, security or instrument, or give a party the right to unilaterally alter or terminate any contract, security, or instrument:

(1) the introduction of the euro;

(2) the tendering of euros in connection with any obligation in compliance with paragraph (a) or (b);

(3) the determining of the value of any obligation in compliance with paragraph (a) or (b); or

(4) the calculating or determining of the subject or medium of payment of a contract, security, or instrument with reference to the interest rate or other basis that has been substituted or replaced due to the introduction of the euro and that is a commercially reasonable substitute and substantial equivalent.

Subd. 3. **Effect on agreements.** This section does not alter or impair and is subject to any agreement between parties regarding the introduction of the euro.

Subd. 4. **Application.** (a) This section applies to all contracts, securities, and instruments, including contracts with respect to commercial transactions, and is not displaced by any other law of this state.

(b) In circumstances of currency alteration other than the introduction of the euro, this section does not create a negative inference or negative presumption regarding the validity or enforceability of contracts, securities, or instruments denominated in whole or in part in a currency affected by that alteration.

Subd. 5. **Sunset.** This section expires on December 31, 2002.

**History:** 1999 c 40 s 1

### 334.21 MOTOR VEHICLE LEASE AGREEMENTS.

A motor vehicle lease agreement may include the outstanding balance from a prior motor vehicle loan or lease.

**History:** 1999 c 151 s 47