

**169.7961 SUSPENSION OF PROGRAM TO VERIFY INSURANCE COVERAGE THROUGH SAMPLING.**

Subdivision 1. **Suspension.** The commissioner of public safety shall take no action under section 169.796, subdivision 3, and shall discontinue all activities related to the program to verify insurance coverage through sampling, except as provided in this section.

Subd. 2. **Reinstatement of suspended licenses.** The commissioner, without requiring proof of insurance or payment of a reinstatement fee, shall reinstate the driver's license of every vehicle owner whose license is suspended under section 169.796, subdivision 3, retroactive to the date of the suspension. The commissioner shall promptly refund any such reinstatement fees previously paid.

Subd. 3. **Dismissal of charges.** All charges, complaints, and citations issued for a violation of section 169.796, subdivision 3, or a related violation, including driving after a license suspension imposed for failure to comply with the provisions of section 169.796, subdivision 3, are void and must be dismissed.

Subd. 4. **Removal of previous violations from driving record.** The commissioner shall purge from a person's driving record any notation of a violation of section 169.796, subdivision 3, and any notation of a related suspension or violation, including driving after a license suspension imposed for failure to comply with the provisions of section 169.796, subdivision 3. An insurer may not increase a premium for a policy of vehicle insurance on the basis of a violation described in this subdivision by a named insured if the violation occurred before July 15, 2005, and any such increase previously imposed must be rescinded and any related premium increase promptly refunded.

Subd. 5. **Remediation for convictions.** A court in which a conviction for an offense referred to in subdivision 3 occurred, must vacate the conviction, on its own motion, without cost to the person convicted, and must immediately notify the commissioner of public safety. The commissioner must then notify the person convicted that the conviction has been vacated and that the person's driving record has been purged of a violation of section 169.796, subdivision 3, or any other related suspension or violation, including driving after license suspension, for failure to comply with that subdivision.

Subd. 6. **Remediation by insurers.** (a) Insurers that issue or renew motor vehicle insurance in this state shall, within 60 days after July 15, 2005, inform the commissioner of commerce as to whether it has canceled, failed to renew, denied an application for coverage, or imposed a surcharge on any motor vehicle insurance due to a suspension or conviction as a result of the law referenced in subdivision 1, provide a list of any such persons, and indicate for each person the remediation the insurer intends to provide.

(b) Remediation under paragraph (a) must compensate the victim by providing refunds and reinstatements of coverage.

(c) Insurers shall provide the remediation without requiring that the person make a request for remediation.

(d) The commissioner of commerce shall enforce this subdivision under its general enforcement powers under chapter 45.

**History:** *1Sp2005 c 6 art 3 s 91-96, 109; 2006 c 192 s 2; 2006 c 212 art 3 s 43*