

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1953, Section 98.47, is amended by adding a subdivision to read:

[Subd. 12.] *Any inmate of a state mental or penal institution may be permitted to fish in waters contiguous to the lands of the mental or penal institution during the open season so long as they are inmates without obtaining a license but subject to the written consent of the superintendent of such institution.*

Approved April 26, 1957.

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CHAPTER 714—H. F. No. 601

*An act relating to registration, re-registration, and taxation of motor vehicles; amending Minnesota Statutes 1953, Sections 168.09, 168.10, Subdivision 1, as amended, and 168.31.*

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1953, Section 168.09, is amended to read:

**168.09 Registration; re-registration.** Subdivision 1. No motor vehicle, except as is exempted by section 168.012, shall use or be operated upon the public streets or highways of the state in any calendar year until it shall have been registered, as hereinafter required, and the motor vehicle tax and fees herein provided shall have been duly paid and the number plates issued therefor shall be duly displayed on such vehicle. No motor vehicle, except as provided by section 168.012, which shall for any reason not be subject to taxation as herein provided, shall use or be operated upon the public streets or highways of this state until it shall have been duly registered, as herein provided, and shall duly display number plates as required by the provisions of this chapter, except that the purchaser of a new motor vehicle may operate his motor vehicle without plates, provided that:

(1) Such purchaser shall secure from a person appointed by the registrar for that purpose a permit so to operate his motor vehicle, of which permit such person shall keep a record, on a blank provided by the registrar for that purpose;

(2) The person granting such permit shall forward a copy thereof to the registrar, together with the purchaser's application for registration of the motor vehicle and his payment of the tax;

(3) The purchaser shall display upon the windshield of the motor vehicle the permit issued to him by the officer;

(4) After the fifteenth day after it was first issued, or immediately on such day before that time as the purchaser shall receive his regular plates from the registrar, the permit shall be void.

Subd. 2. When a motor vehicle registered in Minnesota, has during the calendar year for which it is so registered, been re-registered for the following year, the display on such motor vehicle of the plates issued for such motor vehicle on its re-registration for the following year shall on and after November 15 of the calendar year in which it was so re-registered constitute compliance with subdivision 1 requiring display of plates.

Sec. 2. Minnesota Statutes 1953, Section 168.10, Subdivision 1, as amended, Laws 1955, Chapter 59, Section 1, is amended to read:

168.10 **Listing for taxation registration.** Subdivision 1. **Application.** (1) Except as provided in clause (2) of this subdivision, every owner of any motor vehicle in this state, not exempted by section 168.012 or section 168.26, shall as soon as he shall become the owner thereof and *annually* thereafter during the period *November 15 to March 1 following*, both dates inclusive, file with the registrar on a blank provided by him, a listing for taxation and application for the registration of such vehicle, stating the name and address of the owner, the name and address of the person from whom purchased, make of motor vehicle, year and number of the model, manufacturer's identification number and serial number, type of body, the weight of the vehicle in pounds, for trailers only, its rated load carrying capacity and for buses only, its seating capacity, and such other information as the registrar may require. The owner shall make an oath or affirmation before some officer authorized by law to administer oaths or affirmations that the statements made are correct and true; and any false statement wilfully and knowingly made in regard thereto shall be deemed perjury and punished accordingly. Such listing for taxation and application for registration need not be sworn to when the applicant is listing the same vehicle for taxation and registration for the second or any succeeding time, unless he elects to pay registration tax thereon for a different gross weight or carrying capacity than for the previous registration. The listing and application for registration by dealers or manufacturers' agents within the state, of motor vehicles received for sale or use within the state shall be

accepted as compliance with the requirements of this chapter, imposed upon the manufacturer.

Registration shall be refused a motor vehicle if the original identification or serial number has been destroyed, removed, altered, covered or defaced. However, if the registrar is satisfied on the sworn statements of the owner or such other persons as he may deem advisable that the applicant is the legal owner, a special identification number in a form prescribed by the registrar shall be assigned such motor vehicle. When it has been determined that the number has been affixed to such vehicle in a manner prescribed by the registrar, the vehicle may thereafter be registered in the same manner as other motor vehicles. In the case of a new or rebuilt motor vehicle manufactured or assembled without an identification or serial number, the registrar may assign an identification number to such motor vehicle in the same manner as prescribed heretofore.

(2) Any motor vehicle manufactured prior to 1926 and owned and operated solely as a collector's item shall be listed for taxation and registration as follows: an affidavit shall be executed stating the name and address of the owner, the name and address of the person from whom purchased, the make of the motor vehicle, year and number of the model, the manufacturer's identification number and that the vehicle is owned and operated solely as a collector's item and not for general transportation purposes. If the registrar is satisfied that the affidavit is true and correct and the owner pays a \$6 tax, the registrar shall list such vehicle for taxation and registration and shall issue number plates.

The number plates so issued shall bear the inscription "Pioneer," "Minnesota" and the registration number but no date. The number plates are valid without renewal as long as the vehicle is in existence and shall be issued for the applicant's use only for such vehicle. The registrar has the power to revoke said plates for failure to comply with this subdivision.

In the event of the defacement, loss or destruction of such number plates, the registrar, upon receiving and filing a sworn statement of the vehicle owner, setting forth the circumstances, together with any defaced plates and the payment of a \$1 fee, shall issue duplicate plates specially designed for that purpose. The registrar shall then note on his records the issue of such new number plates and shall proceed in such manner as he may deem advisable to cancel and call in the original plates.

Sec. 3. Minnesota Statutes 1953, Section 168.31, is amended to read:

**168.31 Tax, when due and payable.** Subdivision 1. The tax required under this chapter to be paid upon a motor vehicle for each calendar year becomes due when the vehicle first uses the public streets or highways in the state, and upon January 1 each year *thereafter*. Taxes due upon January 1 become payable upon *November 15* preceding the calendar year for which they are assessed except those upon motor vehicles which shall first use the public streets and highways of this state between *November 15* and the next following December 31. The tax that becomes due January 1 next following upon such motor vehicles becomes payable at the time the tax for the current year becomes payable. *Taxes due upon January 1 become delinquent after January 10 unless paid. Taxes due when the vehicle first uses the public streets or highways in the state shall become delinquent upon the expiration of seven days after the same became due unless paid.*

Subd. 2. *Every owner or person charged with the duty to re-register a motor vehicle and pay any taxes hereunder who fails to re-register the same and pay such taxes as herein provided before January 11, shall, before he shall be entitled to complete his re-registration as herein provided, pay a penalty to the registrar according to the following schedule:*

*On January 11 the sum of \$1*

*On January 21 an additional sum of \$1*

*On February 1 an additional sum of 50 cents*

*provided that if any owner or person does not file his application for re-registration until after March 31 and establishes by verified statements satisfactory to the registrar that such vehicle has not been operated during the calendar year to the date of application, the registrar shall waive the penalty assessed hereunder for failure to re-register before January 11.*

Every owner or person charged with the duty to register a motor vehicle *first using the public streets or highways in the state* and pay any taxes hereunder who fails to register the same and pay such taxes as herein provided before the tax becomes delinquent, shall, before he shall be entitled to complete his registration as herein provided, pay to the registrar a fee of 25 cents a day for each of the first two days that he delays, and if the delay continues so that there is a total delay in excess of 30 days, he shall pay to the registrar for the delay in excess of 30 days an additional fee of 50 cents per month or fraction thereof for not exceeding two months.

Subd. 3. The *penalty* for failure or delay in registering or re-registering and paying the registration tax shall not

be more than one-half the annual tax and in no event more than a total of \$2.50.

A filing with, or delivery to the registrar of any application, notice, certificate or plates as required by this section shall be construed to be within the requirements of this section if made to the registrar or his deputy at an office maintained therefor, or if deposited in the mail or with a carrier by express with postage or carriage charge prepaid, and properly addressed to the registrar within seven day after the transfer of ownership or other occurrence upon which this section provides for such filing or delivery.

Subd. 4. If the tax assessed under section 168.013, subdivision 1, amounts to more than \$200, the amount thereof in excess of \$200 may be paid in two equal installments in the year for which such vehicle is licensed, the due date of the first installment shall be on the 1st day of April of the year for which the tax is assessed and of the second installment shall be on the 1st day of July of the year for which the tax is assessed. The registrar shall issue no registration certificate until the full amount of the tax has been paid. In lieu of such registration certificate, the registrar shall issue to the owner a receipt for installments paid, which receipt shall be displayed upon the windshield of the vehicle as evidence that under the provisions of this section the vehicle may be operated on the streets and highways of this state. If an owner of a vehicle fails to pay an installment within seven days after the due date thereof, the vehicle shall not use the public streets or highways in this state until the installment or installments of the tax remaining due on such vehicle shall have been paid in full for the licensed year together with penalties as hereinafter provided. If the balance of the tax due on the vehicle is not paid within seven days after the due date thereof, the owner, in addition to the balance of the tax, shall pay a penalty at the rate of 50 cents per day for the remainder of the month in which the balance of the tax becomes due and \$2 a month for each succeeding month or fraction thereof in which the balance of the tax remains unpaid. Upon the payment of the balance of the tax and the penalties, the registrar shall issue a registration certificate to the owner of the vehicle in the manner provided by law.

Subd. 5. For the annual tax paid on any vehicle before the calendar year for which that tax was assessed, the owner of the vehicle who paid the tax shall be entitled to full refund if such vehicle is permanently destroyed or removed from the state before the calendar year for which the tax was paid or if it is not used at all during the calendar year for

which the tax was paid, and the owner makes affidavit concerning the non-use as provided by section 168.012.

Subd. 6. All taxes imposed under the provisions of this chapter shall be deemed the personal obligation of the registered owner and the amount of such tax, including added penalties for the non-payment thereof, shall be a first lien upon the vehicle taxed, paramount and superior to all other liens thereon whether previously or subsequently accruing thereon; and, in addition to any other remedy herein prescribed, the state shall have a right of action against the owner for the recovery of the amount of any delinquent tax thereon, including the penalties accruing because of the non-payment thereof, or for the enforcement of the tax lien thereon hereby declared, or both, in any court of competent jurisdiction. The county attorney of the county in which such motor vehicle is owned shall perform such service in the matter of the commencement and prosecution of such suit or in the prosecution of any other remedy for the enforcement of such tax as the attorney general may require.

Sec. 4. *This act becomes effective November 15, 1957 for the year 1958 and subsequent years.*

Approved April 26, 1957.

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## CHAPTER 715—H. F. No. 603

[Coded]

*An act relating to offenders sentenced for one year or less, authorizing their employment at their customary work, and defining the powers and duties of sheriffs in relation thereto.*

Be it enacted by the Legislature of the State of Minnesota:

Section 1. [631.425] **Employment of offenders at their customary work.** [Subdivision 1.] **Definitions.** For the purposes of this section "court" means any court having criminal jurisdiction; "sheriff" includes chief of police and workhouse superintendent; and "jail" includes county jail, workhouse, and lockup.

[Subd. 2.] **Court may impose sentence under this act.** Any convicted prisoner sentenced to jail may in the discretion of the sentencing court be committed under this act. If so committed, the sentence shall so provide.