

shall be disclosed in any manner by any official or clerk or other employee of the state having access thereto, but the same may be used, *except as provided in subdivision 2*, solely to enable the department to offer the benefits of vocational rehabilitation to the persons injured or otherwise disabled.

*Subd. 2. When the employees of the department have knowledge relating to the nature and extent of an injury or disability or have knowledge of other relevant or material facts with respect to any claim made pursuant to Minnesota Statutes, Chapter 176, by an injured employee, the department shall first obtain the written consent of the injured employee to the release of such information and shall then report to any party to the claim before the workmen's compensation commission and to the workmen's compensation commission all such facts within ten days after the department has received written request for such information from the workmen's compensation commission. At a hearing before the workmen's compensation commission, an employee of the department may, upon the written consent of the injured employee, disclose the facts and conclusions upon which the vocational rehabilitation evaluation of the injured employee was made.*

Approved May 23, 1969.

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#### CHAPTER 623—H. F. No. 377

*An act relating to highway traffic regulations; providing standards of evidence for speeding cases; amending Minnesota Statutes 1967, Section 169.14, by adding a subdivision.*

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

Section 1. Minnesota Statutes 1967, Section 169.14, is amended by adding a subdivision to read:

***Subd. 9. Highway traffic regulations; rate of speed; standards of evidence.*** *In any prosecution in which the rate of speed of a motor vehicle is relevant, evidence of the speed of a motor vehicle as indicated on the speedometer thereof shall be admissible on a showing that a vehicle is regularly used in traffic law enforcement and that the speedometer thereon is regularly and routinely tested for accuracy and a record of the results of said tests kept on file by the agency having control of said vehicle. Evidence as to the speed indicated on said speedometer shall be prima facie evidence that the said vehicle was,*

**Changes or additions indicated by italics, deletions by ~~strikeout~~.**

*at the time said reading was observed, traveling at the rate of speed so indicated; subject to correction by the amount of error, if any, shown to exist by the test made closest in time to the time of said reading.*

*Records of speedometer tests kept in the regular course of operations of any law enforcement agency shall be admissible without further foundation, as to the results of said tests. Such records shall be available to the defendant upon demand. Nothing herein shall be construed to preclude or interfere with the cross examination or impeachment of evidence of rate of speed as indicated by speedometer readings, pursuant to the rules of evidence.*

Approved May 23, 1969.

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CHAPTER 624—H. F. No. 380

[Coded]

*An act relating to negligence actions; limiting the defense of contributory negligence in actions for negligence and wrongful death and establishing rules for comparative negligence and for settlements and advance payments.*

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

Section 1. [604.01] **Comparative negligence; contributory negligence; effect.** Subdivision 1. **Scope of application.** Contributory negligence shall not bar recovery in an action by any person or his legal representative to recover damages for negligence resulting in death or in injury to person or property, if such negligence was not as great as the negligence of the person against whom recovery is sought, but any damages allowed shall be diminished in the proportion to the amount of negligence attributable to the person recovering. The court may, and when requested by either party shall, direct the jury to find separate special verdicts determining the amount of damages and the percentage of negligence attributable to each party; and the court shall then reduce the amount of such damages in proportion to the amount of negligence attributable to the person recovering. When there are two or more persons who are jointly liable, contributions to awards shall be in proportion to the percentage of negligence attributable to each, provided, however, that each shall remain jointly and severally liable for the whole award.

Subd. 2. **Personal injury or death; settlement or payment.**

**Changes or additions indicated by italics, deletions by ~~strikeout~~.**