

or failure of installation of seat belts or a child passenger restraint system as described in section 2 shall not be admissible in evidence in any litigation involving personal injuries or property damage resulting from the use or operation of any motor vehicle.

Sec. 2. Minnesota Statutes 1980, Section 169.685, is amended by adding a subdivision to read:

Subd. 5. Every parent or legal guardian of a child under the age of four years residing in this state, when transporting the child on the streets and highways of this state in a motor vehicle owned by the parent or guardian, shall equip and install for use in the motor vehicle, according to the manufacturer's instructions, a child passenger restraint system meeting federal motor vehicle safety standards. A parent or guardian who violates this subdivision shall be given a hazard warning by the state highway patrol or local law enforcement officer as to the possible danger to children due to the failure to equip and install for use in the motor vehicle a child passenger restraint system as described in this section. The warning shall also advise and urge that parent or guardian to utilize the child passenger restraint systems that are available in the vehicle. No other penalty shall be assessed against a parent or guardian for a violation of this section.

Sec. 3. **EFFECTIVE DATE.**

Sections 1 and 2 are effective January 1, 1982.

Approved April 28, 1981

CHAPTER 57 — S.F.No. 642

An act relating to financial institutions; authorizing establishment of detached facilities resulting from mergers and consolidations; amending Minnesota Statutes 1980, Sections 49.34; 49.36; and 49.45.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1980, Section 49.34, is amended to read:

49.34 CONSOLIDATION OF STATE BANKS OR TRUST COMPANIES, PROCEDURE.

Subdivision 1. GENERALLY. Any two or more state banks, operating in the same city, may be consolidated into a consolidated state bank, and any two or more trust companies, operating in the same city, may be consolidated into a consolidated trust company, and any state bank or state banks and any trust company or trust companies, operating in the same city, may be

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consolidated into a consolidated state bank or consolidated trust company, as the respective boards of directors thereof may determine. All such consolidation shall be effected in the manner provided in sections 49.35 to 49.41 and when so organized, the consolidated corporation shall be governed and conducted in all other respects as provided by the statutes relating to the respective classes of financial corporations.

Subd. 2. ACQUISITION OF BANK FOR OPERATION AS DETACHED FACILITY. Notwithstanding the geographic limitations of subdivision 1, a state bank may apply to the commissioner, pursuant to the procedures contained in sections 47.51 to 47.56 and 49.35 to 49.41, to acquire another state bank or national banking association through merger, consolidation or purchase of assets and assumption of liabilities and operate such as a detached facility provided the detached facility of the successor bank which results from such acquisition conforms to the limitations of section 47.52. Where the commissioner has determined that a merger, consolidation or purchase of assets and assumption of liabilities is necessary and in the public interest to prevent the probable failure of a state bank or national banking association, the limitations on location and number of detached facilities in section 47.52 shall not apply to the establishment of a detached facility directly resulting from such acquisition. The establishment of a detached facility in order to prevent the probable failure of a bank as provided in this subdivision shall not require the written consent of banks having a principal office in the municipality in which the resulting detached facility will be located, notwithstanding the provisions of section 47.52.

Sec. 2. Minnesota Statutes 1980, Section 49.36, is amended to read:

49.36 APPROVAL BY COMMISSIONER.

Subdivision 1. REQUIREMENTS. This consolidation agreement and certified copy of the proceedings of the meetings of the respective boards of directors, at which the making of the agreement was authorized, shall be submitted to the commissioner of banks for his approval, and it shall not be effective until so approved by him the commissioner. ~~He~~ The commissioner shall take action ~~thereon~~ within 20 days after the documents are submitted to him, and ~~he~~ shall be entitled to ~~such~~ further information from the consolidated corporation as he may request be requested, or as he may obtain be obtained upon a hearing directed by ~~him~~ the commissioner.

Subd. 2. PROCEDURES. The procedures contained in section 47.54 must also be adhered to when a merger, consolidation, or purchase of assets and assumption of liabilities is effected pursuant to section 49.34, subdivision 2. In the event the commissioner has determined that it is necessary and in the public interest to act immediately on a merger, consolidation or purchase of assets and assumption of liabilities to prevent the probable failure of a bank, the commissioner may waive the requirements of section 47.54.

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Subd. 3. APPLICATION DECISIONS. In all applications filed under this section the commissioner in determining whether to approve or disapprove the application shall consider (a) the effects of the proposed merger transaction on competition, (b) the convenience and needs of the community to be served, and (c) the financial and managerial resources and future prospects of the existing and successor banks.

Subd. 4. NOTICE OF ACQUISITION. The successor bank shall give reasonable notice of the acquisition to each of the depositors and creditors of an acquired bank within 30 days after the order is activated. If detached facilities are to be closed as a result of transactions authorized by this section, adequate notice shall be provided by the bank prior to closing, unless the commissioner has acted to prevent the probable failure of the bank.

Sec. 3. Minnesota Statutes 1980, Section 49.45, is amended to read:

49.45 MERGER OR CONSOLIDATION.

One or more national banking associations which are located in this state and which have taken the corporate action required therefor by the laws of the United States may merge or consolidate with a state bank or banks. ~~Such~~ The merger or consolidation shall be effected in the manner provided in sections ~~49.35~~ 49.34 to 49.41, and governed by the provisions thereof except that the name of the consolidated corporation shall not contain the word "national" and except that the rights of dissenting stockholders of the national banking associations shall be those prescribed in ~~such~~ cases by the laws of the United States.

Sec. 4. EFFECTIVE DATE.

Sections 1 to 3 are effective the day following final enactment.

Approved April 29, 1981

CHAPTER 58 — S.F.No. 718

An act relating to marriage; making the age of consent requirements for boys the same as for girls; amending Minnesota Statutes 1980, Section 517.02.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1980, Section 517.02, is amended to read:

Changes or additions are indicated by underline, deletions by ~~strikeout~~.