

CHAPTER 598 — H.F.No. 1553

An act relating to drivers licenses; requiring the suspension of licenses of certain uninsured persons; providing a penalty; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 171.

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

Section 1. [171.182] SUSPENSION; UNINSURED VEHICLES.

Subdivision 1. DEFINITION. For the purposes of sections 1 to 3, the term "judgment" means a judgment which has become final by expiration without appeal within the time which an appeal might have been perfected, or by final affirmation on appeal, rendered by a court of competent jurisdiction, including county, municipal, or conciliation court, of any state of the United States, upon a claim for relief arising out of ownership, maintenance, or use of a motor vehicle, for damages, including damages for care and loss of services, because of bodily injury to or death of a person, or for damages because of injury to or destruction of property, including the loss of use thereof, or upon a claim for relief on an agreement of settlement for the damages.

Subd. 2. COPY OF JUDGMENT TO COMMISSIONER. If a person fails within 30 days to satisfy a judgment, the clerk of court, upon affidavit of the judgment creditor that the judgment has not been satisfied, shall immediately forward to the commissioner a certified copy of the judgment and affidavit of identification.

If the judgment debtor named in a certified copy of a judgment reported to the commissioner is a nonresident, the commissioner shall transmit a certified copy of the judgment to the official in charge of the issuance of drivers licenses of the state of which the judgment debtor is a resident.

Subd. 3. CONDITIONS. The commissioner, upon receipt of a certified copy of a judgment, shall forthwith suspend the license or the nonresident's operating privilege, of the person against whom judgment was rendered if:

(a) At the time of the accident the person did not maintain the reparation security required by section 65B.48, and

(b) The judgment has not been satisfied.

Subd. 4. DURATION. A license or nonresident's operating privilege shall remain suspended and shall not be renewed, nor shall a license be thereafter issued to the person until every judgment is satisfied in full, or has expired, or to the extent hereinafter provided.

Subd. 5. STATEMENTS. A person whose license or nonresident's operating privileges has been suspended or has become subject to suspension because

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of an unsatisfied judgment may be relieved of the suspension by filing with the commissioner an affidavit stating that at the time of the accident giving rise to the judgment he was insured, that the insurer is liable for the judgment, and the reason, if known, why the judgment has not been paid. The affidavit shall be accompanied by a copy of the insurance policy and other documents the commissioner requires to show that the loss, injury or damage giving rise to the judgment was covered by the policy. If the commissioner is satisfied that the insurer was authorized to issue the policy and is liable for the judgment, at least to the extent and for the amounts required in this chapter, he shall not suspend the license, or reinstate the license if already suspended.

Sec. 2. [171.183] SATISFACTION OF JUDGMENT.

Subdivision 1. REQUIREMENTS. For the purposes of sections 1 to 3, a judgment is satisfied if:

(1) \$25,000 has been credited upon any judgment or judgments rendered in excess of that amount because of bodily injury to or death of one person as the result of any one accident;

(2) Subject to the limit of \$25,000 because of bodily injury to or death of one person, the sum of \$50,000 has been credited upon any judgment or judgments rendered in excess of that amount because of bodily injury to or death of two or more persons as the result of any one accident; or

(3) \$10,000 has been credited upon any judgment or judgments rendered in excess of that amount because of damage to or destruction of property of others as a result of any one accident.

Subd. 2. OTHER PAYMENTS CREDITED. Payments made in settlement of claims because of bodily injury, death or property damage arising from a motor vehicle accident shall be credited in reduction of the amounts provided for in this section.

Sec. 3. [171.184] INSTALLMENT PAYMENTS.

Subdivision 1. AUTHORIZATION. A judgment debtor upon due notice to the judgment creditor may apply to the court in which the judgment was rendered for the privilege of paying the judgment in installments. The court, in its discretion and without prejudice to any other legal remedies which the judgment creditor may have, may so order and fix the amounts and times of payments of the installments.

Subd. 2. STAY OF SUSPENSION. The commissioner shall not suspend a license or a nonresident's operating privilege if the judgment debtor gives proof of maintaining the reparation security required by section 65B.48, obtains an order or enters into a written agreement with the judgment creditor permitting the payment of the judgment in installments, and does not default on the payment of any installment.

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Subd. 3. TERMINATION OF STAY. If the judgment debtor fails to pay any installment as specified by an order or agreement, then upon notice of default, the commissioner shall forthwith suspend the license, or nonresident's operating privilege, of the judgment debtor until the judgment is satisfied.

Sec. 4. [171.185] COSTS PAID FROM TRUNK HIGHWAY FUND.

All costs incurred by the commissioner in carrying out the provisions of sections 1 to 3 shall be paid from the trunk highway fund.

Sec. 5. APPROPRIATION.

There is appropriated from the trunk highway fund to the commissioner of public safety the sum of \$20,834 to carry out the purposes of sections 1 to 3, to be available until June 30, 1983.

Sec. 6. EFFECTIVE DATE.

This act is effective the day following final enactment.

Approved March 22, 1982

CHAPTER 599 — H.F.No. 1573

An act relating to crimes; prohibiting the manufacture, sale, transfer and delivery of simulated controlled substances; prohibiting their manufacture, sale, transfer and delivery; providing penalties; amending Minnesota Statutes 1980, Sections 152.09, Subdivision 1; 152.15, by adding a subdivision; proposing new law coded in Minnesota Statutes, Chapter 152.

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

Section 1. [152.097] SIMULATED CONTROLLED SUBSTANCES.

Subdivision 1. PROHIBITION. It is unlawful for any person knowingly to manufacture, sell, transfer or deliver or attempt to sell, transfer or deliver a noncontrolled substance upon:

(a) The express representation that the noncontrolled substance is a narcotic or non-narcotic controlled substance; or

(b) The express representation that the substance is of such nature or appearance that the recipient of the delivery will be able to sell, transfer or deliver the substance as a controlled substance; or

(c) Under circumstances which would lead a reasonable person to believe that the substance was a controlled substance. Any of the following factors shall constitute relevant evidence:

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