

(c) Where the homestead *passes by descent or will* to the spouse or children or issue of deceased children, it shall be exempt from all debts which were not valid charges thereon at the time of decedent's death; in all other cases it shall be subject to the payment of the items mentioned in Section 29. No lien or other charge against any homestead which is so exempted shall be enforced in the probate court, but the claimant may enforce such lien or charge by an appropriate action in the district court.

Approved April 7, 1943.

CHAPTER 330—S. F. No. 595.

(AMENDING SECTION 387.03 MINNESOTA STATUTES 1941.)

An act relating to the powers and duties of sheriffs, amending Mason's Minnesota Statutes, 1927, Section 907.

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

Section 1. **Law amended—powers and duties.**—Mason's Minnesota Statutes, 1927, Section 907, is hereby amended to read as follows:

“The sheriff shall keep and preserve the peace of his county, for which purpose he may call to his aid such persons or power of his county as he deems necessary. He shall also pursue and apprehend all felons, execute all processes, writs, precepts, and orders issued or made by lawful authority and to him delivered, attend upon the terms of the district court, and perform all of the duties pertaining to his office, *including searching and dragging for drowned bodies and searching and looking for lost persons.*”

Approved April 7, 1943.

CHAPTER 331—S. F. No. 598.

(AMENDING SECTIONS 168.44; 171.03 AND 171.24 MINNESOTA STATUTES 1941.)

An act relating to licenses to operate motor vehicles upon the streets and highways of this state, amending Mason's Supplement

1940, Section 2712-6 as amended, and Mason's Supplement 1940, Sections 2720-144 and 2720-145h.

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

Sections 1. **Law amended.**—Mason's Supplement 1940, Section 2712-6, as amended by Laws 1941, Chapter 427, Section 2, is amended to read as follows:

"2712-6. **Revocation of licenses.**—For sufficient cause upon complaint and after hearing, or upon report of conviction by any court in this state of violation of any provision of the Highway Traffic Regulation Act, or a municipal traffic ordinance, or upon report of conviction of any offense in any Province of the Dominion of Canada, which, if committed in this State, would be cause for revocation, the Secretary of State may revoke the license of any chauffeur who, in the judgment of the secretary of state, should not be permitted to continue as a licensed chauffeur, provided, however, that if a licensed chauffeur is convicted in this state of a major offense, revocation by the secretary of state of his chauffeur's license shall be mandatory. For the purposes of this section, the term "major offense" shall be used to refer to any of the following offenses:

(a) Manslaughter resulting from the operation of a motor vehicle;

(b) Driving a motor vehicle, the operation of which requires a chauffeur's license, while under the influence of intoxicating liquor or narcotic drug;

(c) Any crime punishable as a felony under the motor vehicle laws of this state or any other felony in the commission of which a motor vehicle is used;

(d) Forfeiture of bail upon three charges of reckless driving all within the preceding 12 months;

(e) Failure of a driver of a motor vehicle involved in an accident to stop and disclose his identity at the scene of an accident resulting in the death or injury of a person.

Whenever a person is brought before any court charged with a "major offense," whether the charge be under state law or municipal ordinance, the court shall, before accepting a plea of guilty or entertaining a judgment of conviction pursuant thereto, inform the defendant that upon conviction not only will he be liable to a penalty, but the chauffeur's license that he may have must be revoked. Whenever in any court a licensed chauffeur is convicted of any violation of the Highway Traffic Regulation Act, or a municipi-

pal traffic ordinance, the court shall promptly report such conviction to the secretary of state together with any recommendations that the court may wish to make with reference to the chauffeur's license. Whenever the offense of which the licensed chauffeur is convicted is a "major offense" the court shall, as a part of the penalty, order the convicted chauffeur to return his chauffeur's badge promptly to the secretary of state. Failure on the part of a chauffeur to return the badge promptly to the secretary of state as ordered by the court shall constitute "contempt of court." The revocation of a chauffeur's license upon his conviction of a "major offense" shall be for a period of three, six, nine, or twelve months, the length of the period to be in each particular case as recommended by the court on the basis of the seriousness of the offense and the interest of public safety and welfare.

When at least three months of a period for which a chauffeur's license has been revoked have elapsed, and if the chauffeur's livelihood depends upon his employment as a licensed chauffeur, the secretary of state may, upon recommendation by the court in which the chauffeur was convicted, issue a limited license to such chauffeur on condition that proof of financial responsibility covering the vehicle or vehicles to be operated shall be filed in accordance with the provisions of the financial responsibility act. The secretary of state in issuing such limited license may impose such conditions and limitations as in his judgment are necessary in the interest of public safety and welfare, including re-examination as to the chauffeur's qualifications. Such license may be limited to the operation of particular vehicles, to particular classes of operation, and to particular conditions of traffic.

The badge, issued as evidence of a limited chauffeur's license, shall be of a special design to distinguish it from the regular unlimited chauffeur's license and, for the information of enforcement officers, the chauffeurs operating under such license shall carry on his person at all times when operating a motor vehicle, a certificate issued by the secretary of state indicating the limitations of such license. Such a limited chauffeur's license may also be issued by the secretary of state when in his judgment the privileges of a chauffeur should be limited in that manner because of convictions of other than major offenses against the traffic laws or ordinances or other conditions pertaining to the chauffeur's qualifications."

Sec. 2. **Law amended.**—Mason's Supplement 1940, Section 2720-144, is amended to read as follows:

"2720-144. **Who are exempt.**—The following persons are exempt from licenses hereunder:

(1) Persons licensed as chauffeurs under the laws of the state of Minnesota *while operating motor vehicles in the performance of their duties as such chauffeurs*;

(2) Any person while driving or operating a motor vehicle in the service of the Army, Navy, or Marine Corps of the United States;

(3) Any person while driving or operating any farm tractor, or implement of husbandry temporarily operated or moved on a highway;

(4) A non-resident who is at least 15 years of age and who has in his immediate possession a valid driver's license issued to him in his home state or country may operate a motor vehicle in this state only as a driver;

(5) Any non-resident who is at least 18 years of age, whose home state or country does not require the licensing of drivers may operate a motor vehicle as a driver only, for a period of not more than 90 days in any calendar year if the motor vehicle so operated is duly registered for the current calendar year in the home state or country of such non-resident."

Sec. 3. **Law amended.**—Mason's Supplement 1940, Section 2720-145h, is amended to read as follows:

"2720-145h. **Violations a misdemeanor—exceptions.**—Any person whose driver's license or driving privilege has been canceled, suspended or revoked as provided in this act, and who shall operate any motor vehicle, *the operation of which requires a driver's license*, upon the streets or highways in this state while such license or privilege is canceled, suspended or revoked shall be guilty of a misdemeanor."

Approved April 7, 1943.

CHAPTER 332—S. F. No. 834.

An act to validate certain conveyances by the state auditor pursuant to Mason's Supplement 1940, Section 2139-27b to 2139-27k.

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

Section 1. **Conveyances by state auditor validated.**—All conveyances heretofore executed by the state auditor pursuant to Ma-