



## Legislative Bulletin 2018

---

June 2018

This bulletin summarizes laws enacted during the 2018 legislative session that impact and are of interest to DVS and its partners. Procedural information will be provided by your supervisor or manager.

Procedural information for deputy registrars and driver's license agents will be provided in July 2018 on Info Hub and in future bulletins.

- [Driver Services](#)
- [Support Services](#)
- [Vehicle Services](#)

### ■ Driver Services

---

#### Recreational Vehicles DWIs

Reference: Laws of Minnesota 2018, Chapter 183, SF 3638; Amends Minn. Stat. §§ 84.91, subdivision 1; 86B.331, subdivision 1; repealing Minn. Stat. §§ 169A.33, subdivision 1 and 169A.07

Effective: August 1, 2018 and applies to crimes committed on or after that date

#### What you need to know:

- A person convicted of a DWI in any type of vehicle or who refuses any DWI-related blood, breath, or urine testing will lose the person's operating privileges for snowmobiles, ATVs, and motorboats.
- Court duty to provide DWI-related records expanded
- Changes the administrative and judicial review process for the snowmobiles, ATVs, and motorboat operating privilege prohibition to that applicable to non-recreational vehicle DWIs.
- Repeals the provision in the DWI law that treats certain first time recreational vehicle DWIs differently than those in non-recreational vehicles.

- Repeals the limited definition in the underage drinking and driving offense (i.e., the “not a drop” law). This repeal has the effect of expanding that law to motorboats (in operation) and all off-road recreational vehicles.
- The Commissioner of the Department of Natural Resources must work with fish house and ice shelter manufacturers to increase awareness of carbon monoxide dangers in fish houses.

### **Two-Wheeled Vehicle Instruction Permit**

Reference: Laws of Minnesota 2018, Chapter 159, HF 3249; Amends Minn. Stat. § 169.974, subdivision 2

Effective: August 1, 2018

#### **What you need to know:**

- Allows a person with a two-wheeled vehicle instruction permit to operate a motorcycle on the interstate.

### **Slowing for Vehicles with Warning Lights Activated on Single Lane Streets or Highways**

Reference: Laws of Minnesota 2018, Chapter 122, SF 3466; Amends Minn. Stat. § 169.18, subdivisions 11 and 12

Effective: August 1, 2018 and applies to crimes committed on or after that date

#### **What you need to know:**

- Requires a driver to slow down when passing a stopped or otherwise parked authorized emergency vehicle, freeway service patrol vehicle, road maintenance vehicle, utility company vehicle, or construction vehicle with its warning lights activated on a street or highway that only has one lane in the motorist’s direction of travel.

### **Controlled Substance Schedules and DWI Law Modification**

Reference: Laws of Minnesota 2018, Chapter 195, SF 2578; Amends Minn. Stat. §§ 97B.065, subdivision 1; 152.02, subdivision 5; 152.027, by adding a subdivision; 169A.03, by adding a subdivision; 169A.20, subdivisions 1, 1a, 1b, 1c; 169A.45, subdivision 1; 169A.51, subdivisions 1, 7; 169A.52, subdivision 2; 169A.76; 360.0752, subdivisions 1, 2, 5, 7; 360.0753, subdivision 6; 609.2111; 609.2112, subdivision 1; 609.2113, subdivisions 1, 2, 3; 609.2114, subdivisions 1, 2; 624.7142, subdivision 1; Minn. Stat. 2017 Supplement §§ 152.02, subdivision 2; 169A.51, subdivision 4; 360.0753, subdivisions 2, 3; repealing Minn. Stat. § 169A.03, subdivision 9

Effective: August 1, 2018 and applies to crimes committed on or after that date

### What you need to know:

- Added 4-(4-bromophenyl)-4-dimethylamino-1-phenethylcyclohexanol (bromadoltol) and 1-(3-chlorophenyl) piperazine (meta-chlorophenylpiperazine or mCPP) to Schedule I of the controlled substances law.
- Aligns the statutory Schedule IV of the controlled substances law with the Board of Pharmacy’s rules by adding the following opiate drugs:
  - Pentazocin; and
  - butorphanol (including its optical isomers)
- Prohibits the sale of kratom to anyone under the age 18 or possession of kratom by anyone under the age of 18.
- Created Minn. Stat. § 169A.03 subdivision 11a, defining “intoxicating substance” in the DWI law to mean drugs or chemicals (as those terms are defined in Minnesota Statutes, chapter 151) that produce impairment. Clarifies that the term does not include controlled substances or alcohol (these items are already covered under current DWI law).
- Removes “knowingly” as the standard for DWI and replaces it with “the person knows or has reason to know...”
- Removes “hazardous” and replaces it with “intoxicating” to describe the substance that has the capacity to cause impairment.
- Repeals the current definition of “hazardous substance” in Minn. Stat. § 609.2111 and adds “intoxicating substance”

Amends all other DWI laws to conform to the changes listed above.

## ■ Support Services

---

### Trade Association Access to Vehicle Registration Data in Certain Circumstances

Reference: Laws of Minnesota 2018, Chapter 135, HF 1876; Amends Minn. Stat. §§ 13.6905, subdivision 3 and 168.345, subdivision 2.

Effective: August 1, 2018

### What you need to know:

- Amends the “public safety data coded elsewhere” section of the Data Practices Act to clarify that the use of vehicle registration data is governed by Minn. Stat. § 168.345.
- Allows the Department of Public Safety (DPS) to provide information about vehicle lessees to trade associations for motor fuel retainers, if the association is acting on behalf of a retailer who had fuel taken without payment.

## ■ Vehicle Services

---

### **MNLARS Emergency Funding**

Reference: Laws of Minnesota 2018, Chapter 101, SF 3133

Effective: Sections 1-5, and 7 are effective March 23, 2018; Section 6 is effective July 1, 2018

#### **What you need to know:**

- \$9,650,000 in FY18 was appropriated for the continued development, improvement, operations and deployment of MNLARS.
- Establishes the MNLRS Steering Committee and defines its composition, meeting requirements, and duties.
- Funds appropriated in FY19 are divided into four equal quarters. Receipt of funding is directed by the MNLARS Steering Committee.
- Requires the Commissioner of DPS to seek extensions from REAL ID enforcement.