

This Document can be made available in alternative formats upon request

State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 1092

01/30/2023 Authored by Nash, Engen, Harder, Altendorf, Pfarr and others
The bill was read for the first time and referred to the Committee on Public Safety Finance and Policy

1.1 A bill for an act
1.2 relating to public safety; modifying the crime of fleeing a peace officer in a motor
1.3 vehicle to add a heightened penalty for fleeing in a culpably negligent manner;
1.4 amending Minnesota Statutes 2022, sections 171.174; 609.487, subdivision 5, by
1.5 adding a subdivision; 609B.205.

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

1.7 Section 1. Minnesota Statutes 2022, section 171.174, is amended to read:

1.8 171.174 REVOCATION; FLEEING PEACE OFFICER OFFENSE.

1.9 The commissioner of public safety shall revoke the license of a person upon receipt of
1.10 a certificate of conviction showing that the person has in a motor vehicle violated section
1.11 609.487, subdivision 3, 3a, or 4, or an ordinance in conformity with those subdivisions. The
1.12 commissioner shall revoke the license as follows:

1.13 (1) for the first offense under section 609.487, subdivision 3, for not less than one year;

1.14 (2) for the second offense or subsequent offenses under section 609.487, subdivision 3,
1.15 for not less than three years;

1.16 (3) for an offense under section 609.487, subdivision 3a, for not less than four years;

1.17 (4) for an offense under section 609.487, subdivision 4, clause (a), for not less than ten
1.18 years;

1.19 (4) (5) for an offense under section 609.487, subdivision 4, clause (b), for not less than
1.20 seven years; and

1.21 (5) (6) for an offense under section 609.487, subdivision 4, clause (c), for not less than
1.22 five years.

2.1 A limited license under section 171.30 may not be issued for one-half of the revocation
 2.2 period specified in clauses (1) to ~~(5)~~ (6) and after that period is over only upon and as
 2.3 recommended by the adjudicating court.

2.4 **EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to crimes
 2.5 committed on or after that date.

2.6 Sec. 2. Minnesota Statutes 2022, section 609.487, is amended by adding a subdivision to
 2.7 read:

2.8 Subd. 3a. **Fleeing an officer; motor vehicle; culpable negligence.** Whoever, by means
 2.9 of a motor vehicle, flees or attempts to flee a peace officer who is acting in the lawful
 2.10 discharge of an official duty, and the perpetrator knows or should reasonably know the same
 2.11 to be a peace officer, and who in the course of fleeing operates the vehicle in a culpably
 2.12 negligent manner whereby the perpetrator creates an unreasonable risk and consciously
 2.13 takes chances of causing death or great bodily harm to another, is guilty of a felony and
 2.14 may be sentenced to imprisonment for not more than four years or to payment of a fine of
 2.15 not more than \$8,000, or both.

2.16 **EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to crimes
 2.17 committed on or after that date.

2.18 Sec. 3. Minnesota Statutes 2022, section 609.487, subdivision 5, is amended to read:

2.19 Subd. 5. **Revocation; fleeing peace officer offense.** When a person is convicted of
 2.20 operating a motor vehicle in violation of subdivision 3, 3a, or 4, or an ordinance in conformity
 2.21 with those subdivisions, the court shall notify the commissioner of public safety and order
 2.22 the commissioner to revoke the driver's license of the person.

2.23 **EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to crimes
 2.24 committed on or after that date.

2.25 Sec. 4. Minnesota Statutes 2022, section 609B.205, is amended to read:

2.26 **609B.205 FLEEING PEACE OFFICER; REVOCATION.**

2.27 A person's driver's license is revoked under section 171.174 if that person is convicted
 2.28 of fleeing a peace officer under section 609.487, subdivision 3, 3a, or 4. The periods of
 2.29 revocation vary depending upon the offense of conviction and whether the offense of
 2.30 conviction is a second or subsequent offense.

- 3.1 **EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to crimes
- 3.2 committed on or after that date.