

**SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION**

S.F. No. 3817

(SENATE AUTHORS: CARLSON and Dibble)

DATE
02/19/2024

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Introduction and first reading
Referred to Transportation

OFFICIAL STATUS

1.1 A bill for an act
1.2 relating to public safety; modifying crash reporting requirements; amending
1.3 Minnesota Statutes 2022, section 169.09, subdivisions 5, 14a, 19; Minnesota
1.4 Statutes 2023 Supplement, section 169.09, subdivision 8.

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

1.6 Section 1. Minnesota Statutes 2022, section 169.09, subdivision 5, is amended to read:

1.7 Subd. 5. **Notify owner of damaged property.** If the driver of any vehicle involved in
1.8 a collision knows or has reason to know the collision resulted only in damage to fixtures
1.9 legally upon or adjacent to a highway, the driver shall take reasonable steps to locate and
1.10 notify the owner or person in charge of the property of that fact, of the driver's name and
1.11 address, and of the registration plate number of the vehicle being driven and shall, upon
1.12 request and if available, exhibit the driver's license, and make an accident report in every
1.13 case and report this same information to a peace officer.

1.14 Sec. 2. Minnesota Statutes 2023 Supplement, section 169.09, subdivision 8, is amended
1.15 to read:

1.16 Subd. 8. **Officer to report accident to commissioner.** A peace officer who, in the
1.17 regular course of duty, investigates an accident that must be reported under this section
1.18 shall, within ten days after the date of the accident, forward an electronic or written report
1.19 of the accident as prescribed by the commissioner of public safety. Within two business
1.20 days after identification of a fatality that resulted from an accident, the reporting agency
1.21 must notify the commissioner of the basic circumstances of the accident using an electronic
1.22 format as prescribed by the commissioner. Accidents involving the following occurrences

2.1 must be reported under this section if they occur on a trafficway, a traffic right-of-way,
2.2 public lands, or trail systems:

2.3 (1) a fatality;

2.4 (2) bodily injury to a person who, as a result of the injury, immediately receives medical
2.5 treatment away from the scene of the accident;

2.6 (3) one or more motor vehicles incurs disabling damage as a result of the accident,
2.7 requiring the motor vehicle to be transported away from the scene of the accident by a tow
2.8 truck or other motor vehicle;

2.9 (4) property damage to state-owned highway infrastructure; or

2.10 (5) any accident involving a school bus or commercial motor vehicle that must be reported
2.11 under sections 169.4511 and 169.783.

2.12 Sec. 3. Minnesota Statutes 2022, section 169.09, subdivision 14a, is amended to read:

2.13 Subd. 14a. **Suspension of license for failure to report accident.** The commissioner
2.14 may suspend the license, or any nonresident's operating privilege, of any ~~person~~ driver who
2.15 willfully fails, refuses, or neglects to make report of a traffic accident as required by the
2.16 laws of this state. A license suspension under this section is subject to the notice requirements
2.17 of section 171.18, subdivision 2.

2.18 Sec. 4. Minnesota Statutes 2022, section 169.09, subdivision 19, is amended to read:

2.19 Subd. 19. **Terminology.** (a) The provisions of this section apply equally whether the
2.20 term "accident" or "collision" is used. The term "accident" or "collision" does not include:

2.21 (1) an occurrence involving only boarding and alighting from a stationary motor vehicle;

2.22 (2) an occurrence involving only the loading or unloading of cargo; or

2.23 (3) intentional vehicle-to-vehicle contact when initiated by a peace officer:

2.24 (i) to stop a perpetrator from fleeing in a motor vehicle, as defined in section 609.487,
2.25 subdivision 3; or

2.26 (ii) as an authorized use of force, as defined in section 609.06, subdivision 1; 609.065;
2.27 or 609.066.

2.28 (b) For purposes of this section, "disabling damage" means damage that prevents a motor
2.29 vehicle from departing the scene of the accident in its usual manner in daylight after simple
2.30 repairs. Disabling damage includes damage to a motor vehicle that could be driven from

- 3.1 the scene of the accident but would be further damaged if so driven. Disabling damage does
- 3.2 not include:
- 3.3 (1) damage that can be remedied temporarily at the scene of the accident without special
- 3.4 tools or parts;
- 3.5 (2) tire disablement without other damage, even if no spare tire is available;
- 3.6 (3) headlamp or taillight damage; or
- 3.7 (4) damage that makes the turn signals, horn, or windshield wipers inoperable.
- 3.8 (c) For purposes of this section, motor vehicle includes off-road vehicles, as defined in
- 3.9 section 84.771, 84.787, 84.797, 84.81, or 84.92.