

SENATE
STATE OF MINNESOTA
NINETIETH SESSION

S.F. No. 413

(SENATE AUTHORS: LATZ, Newman, Hall and Ingebrigtsen)

DATE	D-PG	OFFICIAL STATUS
01/26/2017	402	Introduction and first reading Referred to Judiciary and Public Safety Finance and Policy
03/08/2017	1171a 1180	Comm report: To pass as amended Second reading
02/20/2018	6107	Rule 47, returned to Judiciary and Public Safety Finance and Policy
03/01/2018	6138	Author stricken Schoen Comm report: To pass as amended Second reading

1.1 A bill for an act

1.2 relating to public safety; prohibiting the application of the DWI Forfeiture Law to

1.3 motor vehicles operated by persons who enter the ignition interlock program;

1.4 amending Minnesota Statutes 2016, section 169A.63, by adding a subdivision.

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

1.6 Section 1. Minnesota Statutes 2016, section 169A.63, is amended by adding a subdivision

1.7 to read:

1.8 Subd. 13. **Exception.** (a) This section does not apply if the driver who committed the

1.9 designated offense or whose conduct resulted in the designated license revocation becomes

1.10 a program participant in the ignition interlock program under section 171.306 within 60

1.11 days following service of the Notice of Seizure and Intent to Forfeit under this section.

1.12 (b) Notwithstanding paragraph (a), if the program participant described in paragraph (a)

1.13 subsequently operates the motor vehicle to commit a designated offense or in a manner that

1.14 results in a designated license revocation, the vehicle must be seized and summarily forfeited.

1.15 (c) Paragraph (b) applies only if the described subsequent vehicle operation occurs before

1.16 the participant has been restored to full driving privileges or within three years of the original

1.17 designated offense or designated license revocation, whichever occurs latest.

1.18 (d) The driver who becomes a participant in the ignition interlock device program may

1.19 only utilize the process in this subdivision if the device is installed at the site of storage of

1.20 the vehicle or another site approved by the appropriate agency. The appropriate agency or

1.21 other party controlling access to the storage location of a motor vehicle subject to forfeiture

1.22 under this section shall allow an ignition interlock provider access to the vehicle to install

1.23 an ignition interlock device upon satisfactory evidence that the driver seeks return of the

2.1 vehicle under the provisions of this subdivision and section 171.306, and agrees to comply
2.2 with these provisions. The provider must certify to the appropriate agency that the device
2.3 has been successfully installed.

2.4 (e) Nothing in this subdivision precludes the appropriate agency or an impound lot from
2.5 requiring the person seeking release of a motor vehicle under this subdivision to pay the
2.6 costs of the vehicle's seizure, tow, and storage costs before release.

2.7 **EFFECTIVE DATE.** This section is effective August 1, 2018.