

1.1 A bill for an act

1.2 relating to motor vehicles; prohibiting leaving child under age of nine unattended  
1.3 in passenger vehicle; imposing a penalty; amending Minnesota Statutes 2006,  
1.4 section 171.13, subdivision 1, by adding a subdivision; proposing coding for new  
1.5 law in Minnesota Statutes, chapter 169.

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

1.7 Section 1. [169.355] LEAVING UNATTENDED CHILD IN MOTOR VEHICLE.

1.8 Subdivision 1. Requirement of supervision of young child. A parent, legal  
1.9 guardian, or other person responsible for a child who is less than nine years of age may  
1.10 not leave the child inside a motor vehicle if the child is not subject to the supervision  
1.11 of a person 14 years old or older, when:

1.12 (1) conditions present a significant risk to the child's health or safety; or

1.13 (2) the vehicle's engine is running or the vehicle's keys are in the ignition, or both.

1.14 Subd. 2. Violation. A violation of subdivision 1 is punishable by a fine of not less  
1.15 than \$150 for a first offense and not less than \$300 for a subsequent offense. The court  
1.16 may reduce or waive the fine if the violator is economically disadvantaged and attends a  
1.17 community education program that includes education on the dangers of leaving young  
1.18 children unattended in motor vehicles, and certifies completion of the program. The  
1.19 violator shall submit the certification to the court. The court may require any violator  
1.20 described in this section to attend an education program on the dangers of leaving young  
1.21 children unattended in motor vehicles. Nothing in this section precludes prosecution  
1.22 under both this section or any other law.

1.23 Subd. 3. Allocation of fines. Notwithstanding any other law, the fines collected for  
1.24 a violation of this section must be paid by the person collecting the fines to the treasurer of  
1.25 the county where the violation occurred and allocated by the county treasurer, as follows:

**S.F. No. 1995, as introduced - 85th Legislative Session (2007-2008)**

2.1           (a) Seventy percent must be allocated to the county or city health department where  
2.2 the violation occurred, to be used by the health department or by a person or organization  
2.3 under contract with the health department for the development and implementation of  
2.4 community education programs on the dangers of leaving young children unattended  
2.5 in motor vehicles. Each county and city health department shall prepare and annually  
2.6 update a list of community education programs that provide information on the dangers of  
2.7 leaving young children unattended in motor vehicles and ways to avoid that danger. The  
2.8 county or city health department shall forward the list to the courts and shall make the  
2.9 list available to the public.

2.10           (b) Fifteen percent must be allocated to the county or city for the administration of  
2.11 the program and for the county's costs to account for and disburse fine revenues.

2.12           (c) Fifteen percent must be allocated to the city to be deposited in its general fund,  
2.13 except that if the violation occurred in an unincorporated area, this amount must be  
2.14 deposited in the county's general fund.

2.15           Sec. 2. Minnesota Statutes 2006, section 171.13, subdivision 1, is amended to read:

2.16           Subdivision 1. **Examination subjects and locations; provisions for color**  
2.17 **blindness, disabled veterans.** Except as otherwise provided in this section, the  
2.18 commissioner shall examine each applicant for a driver's license by such agency as the  
2.19 commissioner directs. This examination must include a test of applicant's eyesight;  
2.20 ability to read and understand highway signs regulating, warning, and directing traffic;  
2.21 knowledge of traffic laws; knowledge of the effects of alcohol and drugs on a driver's  
2.22 ability to operate a motor vehicle safely and legally, and of the legal penalties and  
2.23 financial consequences resulting from violations of laws prohibiting the operation of  
2.24 a motor vehicle while under the influence of alcohol or drugs; knowledge of railroad  
2.25 grade crossing safety; knowledge of slow-moving vehicle safety; knowledge of traffic  
2.26 laws related to bicycles; knowledge of dangers of, and penalties for, leaving children  
2.27 unattended in motor vehicles; an actual demonstration of ability to exercise ordinary and  
2.28 reasonable control in the operation of a motor vehicle; and other physical and mental  
2.29 examinations as the commissioner finds necessary to determine the applicant's fitness  
2.30 to operate a motor vehicle safely upon the highways, provided, further however, no  
2.31 driver's license shall be denied an applicant on the exclusive grounds that the applicant's  
2.32 eyesight is deficient in color perception. Provided, however, that war veterans operating  
2.33 motor vehicles especially equipped for disabled persons, shall, if otherwise entitled to a  
2.34 license, be granted such license. The commissioner shall make provision for giving these

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3.1 examinations either in the county where the applicant resides or at a place adjacent thereto  
3.2 reasonably convenient to the applicant.

3.3 Sec. 3. Minnesota Statutes 2006, section 171.13, is amended by adding a subdivision  
3.4 to read:

3.5 Subd. 1i. **Driver's manual; unattended children.** The commissioner shall include  
3.6 in each edition of the driver's manual published after August 1, 2007, information  
3.7 concerning the dangers of, and penalties for, leaving children unattended in motor  
3.8 vehicles, including the effect of solar heat on vehicle interior temperature.