

1.1 A bill for an act

1.2 relating to traffic regulations; limiting local authorities from enforcing traffic
1.3 regulations with administrative penalties; amending Minnesota Statutes 2006,
1.4 sections 169.022; 169.985; 169.99, subdivision 3; proposing coding for new
1.5 law in Minnesota Statutes, chapter 471.

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

1.7 Section 1. Minnesota Statutes 2006, section 169.022, is amended to read:

1.8 **169.022 UNIFORM APPLICATION.**

1.9 The provisions of this chapter shall be applicable and uniform throughout this state
1.10 and in all political subdivisions and municipalities therein, and no local authority shall
1.11 enact or enforce any rule or regulation in conflict with the provisions of this chapter unless
1.12 expressly authorized herein. Local authorities may adopt traffic regulations which are not
1.13 in conflict with the provisions of this chapter; provided, that when any local ordinance
1.14 regulating traffic covers the same subject for which a penalty is provided for in this
1.15 chapter, then the penalty provided for violation of said local ordinance shall be identical
1.16 with the penalty provided for in this chapter for the same offense, except as provided
1.17 in section 471.984.

1.18 Sec. 2. Minnesota Statutes 2006, section 169.985, is amended to read:

1.19 **169.985 TRAFFIC CITATION QUOTA PROHIBITED.**

1.20 A law enforcement agency may not order, mandate, require, or suggest to a peace
1.21 officer a quota for the issuance of traffic citations or administrative penalties under section
1.22 471.984 on a daily, weekly, monthly, quarterly, or yearly basis.

2.1 Sec. 3. Minnesota Statutes 2006, section 169.99, subdivision 3, is amended to read:

2.2 Subd. 3. **Alteration by local government.** (a) Any city of the first class, through
2.3 its governing body, may alter by deletion or addition the uniform traffic ticket in such
2.4 manner as it deems advisable for use in such city, provided that it includes the notice
2.5 required by subdivision 1, paragraph (b).

2.6 (b) In respect to any public corporation organized and existing pursuant to sections
2.7 473.601 to 473.679, whose ordinances and regulations for the control of traffic are
2.8 enforced through prosecution in the district court having jurisdiction in one or the other
2.9 of the cities of the first class included within such public corporation, the traffic ticket
2.10 used in such enforcement shall conform to that used by the city of the first class in the
2.11 district court having jurisdiction where its ordinances and regulations are enforced, except
2.12 as to color and as to information uniquely applying to such public corporation and to its
2.13 ordinances and regulations.

2.14 (c) Any county or home rule charter or statutory city that has adopted an ordinance
2.15 under section 471.984 shall alter by deletion or addition the uniform traffic ticket as it
2.16 deems advisable, including, but not limited to, incorporating information concerning the
2.17 administrative penalty, response by the alleged violator, and consequence of failure to
2.18 respond.

2.19 Sec. 4. **[471.984] IMPOSITION OF PENALTY FOR MINOR TRAFFIC**
2.20 **OFFENSE.**

2.21 Subdivision 1. **Authority.** Notwithstanding section 169.02, the county board of any
2.22 county or the city council of any home rule charter or statutory city may adopt ordinances
2.23 to establish administrative penalties that may be imposed on a vehicle operator who:

2.24 (1) violates section 169.14, and the violation consists of a speed no more than ten
2.25 miles per hour in excess of the lawful speed limit;

2.26 (2) fails to obey a traffic control device in violation of section 169.06 or a stop line
2.27 in violation of section 169.30; or

2.28 (3) operates a vehicle that is not equipped with or does not display vehicle lighting
2.29 required by chapter 169.

2.30 Subd. 2. **Officer's authority.** An officer may not be required by ordinance to issue a
2.31 citation under this section instead of a citation under state law.

2.32 Subd. 3. **Right to contest penalty.** An ordinance adopted under this subdivision
2.33 must allow the alleged violator to contest the administrative penalty and elect to be
2.34 charged under state law with adjudication of the charge in district court.

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3.1 Subd. 4. **Penalties.** (a) An ordinance may provide that penalties collected must be
3.2 transferred to the treasurer of the government unit and deposited in the city or county's
3.3 general fund.

3.4 (b) An administrative penalty may not exceed the maximum state fine for the offense.

3.5 Subd. 5. **Exception.** A holder of a commercial driver's license may not be issued a
3.6 citation under this section or under an ordinance adopted under this section.