

1.1 moves to amend H.F. No. 3072 as follows:

1.2 Page 2, line 11, delete "Definition" and insert "Definitions"

1.3 Page 2, line 23, delete "\$100" and insert "\$50" and after the period, insert "The
1.4 Department of Public Safety shall not record a violation of this subdivision on a person's
1.5 driving record."

1.6 Page 2, line 24, delete "Police" and insert "Peace" and delete everything after "A" and
1.7 insert "peace officer may not issue a citation for a violation of this section unless the officer
1.8 lawfully stopped or detained the driver of the passenger vehicle for a moving violation other
1.9 than a violation involving passenger vehicle equipment."

1.10 Page 2, delete lines 25 and 26 and insert:

1.11 "EFFECTIVE DATE. This section is effective August 1, 2020, and applies to violations
1.12 committed on or after that date.

1.13 Sec. 5. Minnesota Statutes 2018, section 171.16, subdivision 3, is amended to read:

1.14 Subd. 3. **Suspension for failure to pay fine.** When any court reports to the commissioner
1.15 that a person: (1) has been convicted of violating a law of this state or an ordinance of a
1.16 political subdivision which regulates the operation or parking of motor vehicles, (2) has
1.17 been sentenced to the payment of a fine or had a surcharge levied against that person, or
1.18 sentenced to a fine upon which a surcharge was levied, and (3) has refused or failed to
1.19 comply with that sentence or to pay the surcharge, notwithstanding the fact that the court
1.20 has determined that the person has the ability to pay the fine or surcharge, the commissioner
1.21 shall suspend the driver's license of such person for 30 days for a refusal or failure to pay
1.22 or until notified by the court that the fine or surcharge, or both if a fine and surcharge were
1.23 not paid, has been paid. This subdivision does not apply to a fine levied for a violation of
1.24 section 169.477.

2.1 Sec. 6. Minnesota Statutes 2018, section 357.021, subdivision 6, is amended to read:

2.2 Subd. 6. **Surcharges on criminal and traffic offenders.** (a) Except as provided in this
2.3 paragraph, the court shall impose and the court administrator shall collect a \$75 surcharge
2.4 on every person convicted of any felony, gross misdemeanor, misdemeanor, or petty
2.5 misdemeanor offense, other than a violation of: (1) a law or ordinance relating to vehicle
2.6 parking, for which there shall be a \$12 surcharge; and (2) section 169.477, subdivision 2,
2.7 for which no surcharge shall be imposed. When a defendant is convicted of more than one
2.8 offense in a case, the surcharge shall be imposed only once in that case. In the Second
2.9 Judicial District, the court shall impose, and the court administrator shall collect, an additional
2.10 \$1 surcharge on every person convicted of any felony, gross misdemeanor, misdemeanor,
2.11 or petty misdemeanor offense, including a violation of a law or ordinance relating to vehicle
2.12 parking, if the Ramsey County Board of Commissioners authorizes the \$1 surcharge. The
2.13 surcharge shall be imposed whether or not the person is sentenced to imprisonment or the
2.14 sentence is stayed. The surcharge shall not be imposed when a person is convicted of a petty
2.15 misdemeanor for which no fine is imposed.

2.16 (b) If the court fails to impose a surcharge as required by this subdivision, the court
2.17 administrator shall show the imposition of the surcharge, collect the surcharge, and correct
2.18 the record.

2.19 (c) The court may not waive payment of the surcharge required under this subdivision.
2.20 Upon a showing of indigency or undue hardship upon the convicted person or the convicted
2.21 person's immediate family, the sentencing court may authorize payment of the surcharge
2.22 in installments.

2.23 (d) The court administrator or other entity collecting a surcharge shall forward it to the
2.24 commissioner of management and budget.

2.25 (e) If the convicted person is sentenced to imprisonment and has not paid the surcharge
2.26 before the term of imprisonment begins, the chief executive officer of the correctional
2.27 facility in which the convicted person is incarcerated shall collect the surcharge from any
2.28 earnings the inmate accrues from work performed in the facility or while on conditional
2.29 release. The chief executive officer shall forward the amount collected to the court
2.30 administrator or other entity collecting the surcharge imposed by the court.

2.31 (f) A person who enters a diversion program, continuance without prosecution,
2.32 continuance for dismissal, or stay of adjudication for a violation of chapter 169 must pay
2.33 the surcharge described in this subdivision. A surcharge imposed under this paragraph shall
2.34 be imposed only once per case.

3.1 (g) The surcharge does not apply to administrative citations issued pursuant to section
3.2 169.999.

3.3 **EFFECTIVE DATE.** This section is effective August 1, 2020, and applies to violations
3.4 committed on or after that date."

3.5 Amend the title accordingly