

Bills seek to reform Minnesota's DWI laws after tragic Park Tavern crash

Lawmakers focus on ways to discourage repeat offenders from driving.

By Janet Moore | The Minnesota Star Tribune

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Denzel Flowers touches a sign at a memorial for his partner, Gabriel Quinn Harvey, who was killed by a drunken driver at Park Tavern in St. Louis Park last year. (Richard Tsong-Taata/iii/The Minnesota Star Tribune)

Two west-metro lawmakers have introduced legislation at the Capitol that they say will reform Minnesota's drunken-driving laws in response to last year's deadly crash at Park Tavern in St. Louis Park.

A drunken driver with five previous DWI offenses in Minnesota drove his SUV into the restaurant's busy outdoor patio on Labor Day weekend, killing two people and injuring nine others.

Standing just feet away from the community gathering spot's outdoor space on Friday, Rep. Larry Kraft and Sen. Ron Latz, both Democrats from St. Louis Park, say their respective bills have attracted bipartisan support despite the Legislature's deep divisions along party lines.

"This tragedy underscores the urgent need for stronger laws to prevent repeat DWI offenders from driving while impaired," Kraft said.

The driver of the vehicle, Steven Frane Bailey, 56, of St. Louis Park had a [blood alcohol level](#) four times Minnesota's legal limit, according to court records. Despite previous DWI convictions, Bailey had a valid Minnesota driver's license at the time of the Park Tavern crash.

"His horrific decision [to drive] has left a gaping hole in our community, in the lives of so many people and especially in the lives of the families impacted," Kraft said. "What makes this so much harder is how random it was. If you live in St. Louis Park, then you have memories here at Park Tavern and likely have spent time on that patio."



Flowers are left on Sept. 4 for the two people killed by a drunken driver at Park Tavern in St. Louis Park. (Richard Tsong-Taata/iii/The Minnesota Star Tribune)

The legislation significantly increases the required amount of time repeat DWI offenders like Bailey would be required to have ignition interlocks installed in their vehicles. The so-called “car Breathalyzer” device prevents people from driving if they’ve been drinking.

The bill calls for offenders with one DWI over a 20-year period to use the interlock device for two years; to use one for six years for two lifetime drunken-driving offenses; and to use the device for 10 years for three or more lifetime offenses.

Under current Minnesota law, repeat drunken-driving offenders are required to install an ignition interlock device for a maximum of six years for four or more offenses.

Kraft said he and Latz focused on the interlock device because “it’s more effective than license suspension alone.” He said a [study](#) by the federal Centers for Disease Control and Prevention found ignition interlock devices can reduce repeat DWI offenses by about 70%.

Without such a device to prevent a car from starting, “drunk drivers continue to drive on a suspended license,” Kraft said.

In addition, the bills seek to change the fee requirement for driving with an interlock device. Currently, offenders are required to pay \$680 in fees and surcharges before they can be issued a restricted license to drive with an interlock.

The [legislation](#) seeks to spread out the fees, since the upfront amount can be a deterrent, Kraft said. The [bills](#) also require repeat offenders to attend alcohol-treatment programs.

Jennifer Myster, president of Methodist Hospital, said she hopes the bills can spare others from “the pain and grief caused by preventable tragedies such as the one that took place last September.”

Park Tavern employee Kristina Folkerts, 30, of St. Louis Park, and customer Gabriel Quinn Harvey, 30, of Rosemount died in the crash. Harvey was a Methodist Hospital employee. Four of the people injured in the crash worked at Methodist as well.

“Our hearts broke with the losses of Gabe and Kristina and injuries to others, including our Methodist Hospital colleagues,” Myster said.

Bailey, who has been [released on bail](#), is set to [stand trial](#) in Hennepin County District Court on May 15 for two counts of third-degree murder, two counts of criminal vehicular homicide and nine counts of criminal vehicular operation.

Kraft said the proposed reforms likely would have prevented the Park Tavern crash.

Bailey “would have been on interlock and not able to get behind the wheel of that vehicle.”
Had he been required to seek alcohol counseling “maybe he would have gotten the help he needed to conquer the disease.”



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Chairs Koegel and Koznick, Vice Chairs Myers and Rehm, and members of the House Transportation Finance and Policy Committee:

On behalf of our organizations, we urge your support and swift passage HF 2130 to increase the safety of Minnesota's roads. By increasing the amount of time required on the interlock for repeat offenders, recidivism is further disincentivized. The extension of the lookback period for repeat offenders also increases opportunities for accountability, as does the elimination of the lookback period for repeat offenders of criminal vehicular operation. Increasing the time period in which the license reinstatement fee and surcharge can be paid will enable further participation in the interlock program.

Ignition interlocks are currently utilized in Minnesota for repeat offenders, and those who have a high blood alcohol content (BAC) first offense. This bill would not expand the population of people on the interlock, but ensures increased accountability for those with demonstrated histories of repeat drunk driving offenses. Given last year's tragedy at Park Tavern, the dangers of repeat offenders can be clearly seen. Ignition interlocks are a proven, effective countermeasure against drunk driving:

- [Studies](#) show that ignition interlocks reduce recidivism—[by up to 70%](#)— among first-time, repeat, and high-risk offenders while they are installed.
- An Insurance Institute for Highway Safety [study](#) concluded “laws mandating alcohol ignition interlocks...are an effective impaired driving countermeasure that reduces the number of impaired drivers in fatal crashes.”
- A [study](#) from the University of Pennsylvania showed that ignition interlocks reduced instances of alcohol involved fatal crashes, and stated that ignition interlocks “are a lifesaving technology that merit wider use.”

Ignition interlocks are an effective and valuable tool to provide accountability for program participants, and incentivize behavior change. Ignition interlocks allow offenders to participate fully in their daily lives, support their families, and participate in their communities while ensuring sober driving. We strongly urge you to pass this bill for safer roads and to save lives.

Sincerely,

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