

1.1 moves to amend H.F. No. 1078, the first engrossment, as follows:

1.2 Page 27, after line 2, insert:

1.3 "Sec. 3. **[169.984] VEHICLE EQUIPMENT SECONDARY OFFENSES.**

1.4 Subdivision 1. **Definitions.** (a) As used in this section, the following terms have the
1.5 meanings provided.

1.6 (b) "Dangerous condition" means a situation where an improper or malfunctioning piece
1.7 of motor vehicle equipment creates a substantial, identifiable risk to human life.

1.8 (c) "Mandatory secondary offense" means a violation of section 168.09, subdivision 1
1.9 (vehicle registration); 169.69 (muffler required); 169.693 (exceed motor vehicle noise
1.10 limits); 169.71, subdivision 1, paragraph (a), clause (2) (windshield prohibitions); 169.71,
1.11 subdivision 4, clauses (1) to (4) (restrictions on mirrored/glazed windows); or 169.79,
1.12 subdivision 8 (license plate validation stickers).

1.13 (d) "Presumptive secondary offense" means a violation of section 169.47, subdivision
1.14 1, paragraph (a) (unsafe equipment); 169.49 (headlamps); 169.50, subdivision 2 (license
1.15 plate illumination); 169.55, subdivision 1 (lamps required); 169.50, subdivision 1, paragraph
1.16 (b), (rear lamps); 169.57, subdivision 1, paragraph (a) (stop lamps); 169.63, paragraph (a)
1.17 (use of headlamps); or 169.71, subdivision 1, paragraph (a), clause (1) (certain windshield
1.18 prohibitions).

1.19 Subd. 2. **Secondary offenses.** (a) A peace officer may not stop or detain the operator of
1.20 a motor vehicle for a mandatory secondary offense, and may not issue a citation for a
1.21 mandatory secondary offense, unless:

1.22 (1) the officer stopped or detained the operator of the motor vehicle for an otherwise
1.23 lawful reason; or

2.1 (2) the motor vehicle was unoccupied.

2.2 (b) This subdivision does not apply to vehicles that are required to comply with the
2.3 equipment standards in chapter 221.

2.4 Subd. 3. **Presumptive secondary offenses.** (a) A peace officer may not stop or detain
2.5 the operator of a motor vehicle for a presumptive secondary offense, and may not issue a
2.6 citation for a presumptive secondary offense, unless:

2.7 (1) the officer stopped or detained the operator of the motor vehicle for an otherwise
2.8 lawful reason;

2.9 (2) the motor vehicle was unoccupied; or

2.10 (3) as otherwise provided for in this subdivision.

2.11 (b) A peace officer may stop or detain an operator of a motor vehicle for a presumptive
2.12 secondary offense when the officer has reasonable and articulable suspicion that the operator
2.13 has committed a presumptive secondary offense and any of the following circumstances
2.14 exist:

2.15 (1) the operator is in violation of section 169.47, subdivision 1, paragraph (a) (unsafe
2.16 equipment), in a manner that creates a dangerous condition;

2.17 (2) the operator is in violation of section 169.49 (headlamps), section 169.50, subdivision
2.18 1, paragraph (b) (tail lamps), section 169.55, subdivision 1 (lamps required), or section
2.19 169.63, paragraph (a) (use of headlamps), and none of the headlamps are functioning or
2.20 none of the tail lamps are functioning;

2.21 (3) the operator is in violation of section 169.50, subdivision 2 (license plate illumination),
2.22 and the license plate is not legible from a distance of 50 feet to the rear;

2.23 (4) the operator is in violation of section 169.57, subdivision 1, paragraph (a) (stop
2.24 lamps), and none of the vehicle's stop lamps are functioning; or

2.25 (5) the operator is in violation of section 169.71, subdivision 1, paragraph (a), clause
2.26 (1) (certain windshield prohibitions), and the violation creates an imminent threat to human
2.27 life.

2.28 (c) This subdivision does not apply to vehicles that are required to comply with the
2.29 equipment standards in chapter 221.

2.30 Subd. 4. **Warning letter.** If an officer does not have grounds to stop a vehicle or detain
2.31 the operator of a motor vehicle for a mandatory secondary offense or presumptive secondary
2.32 offense and the officer can identify the owner of the vehicle, the officer's agency is

- 3.1 encouraged to send a letter to the owner of the vehicle identifying the violation and instructing
- 3.2 the owner to correct the defect or otherwise remedy the violation."
- 3.3 Renumber the sections in sequence and correct the internal references
- 3.4 Amend the title accordingly