

Chapter: 183

Session: 2018 Regular Session

Topic: Expanding DWI administrative penalties to fully include off-road vehicles

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Overview

This bill expands the prohibition on operating off-road vehicles following a DWI conviction and eliminates the driver's license revocation exemption for off-road DWI offenses.

Section

- 1** **Acts prohibited.** Prohibits a person who commits a DWI offense in any vehicle from operating a snowmobile or all-terrain vehicle for one year. Establishes that administrative and judicial review of the operating privilege prohibition is governed by the sections addressing driver's license revocations for a DWI. Requires the courts to send notice of all DWI convictions to the Department of Public Safety.

Under prior law, a person who operated a snowmobile or all-terrain vehicle while under the influence, in violation of section 169A.20, was prohibited from operating those off-road vehicles for one year. This act expands the prohibition so that it applies to a person who commits a DWI offense in any vehicle.
- 2** **Acts prohibited.** Prohibits a person who commits a DWI offense in any vehicle from operating a motorboat for a 90 day period between May 1 and October 31. Establishes that administrative and judicial review of the operating privilege prohibition is governed by the sections addressing driver's license revocations for a DWI. Requires the courts to send notice of all DWI convictions to the Department of Public Safety.
- 3** **Carbon monoxide exposure; fish houses and ice shelters' report.** Directs the commissioner of natural resources to work with fish house and ice shelter manufacturers and other interested parties to identify best practices to reduce fish house and ice shelter user exposure to carbon monoxide; requires an increase in outreach efforts regarding the risks of

Section

carbon monoxide; and requires a report to the appropriate house and senate committees by January 15, 2019.

4 Citation. States that section 3 may be known as the “Sam Schooley Act” after a man who died in a fish house from carbon monoxide poisoning.

5 Short title and citation. States that sections 1, 2, and 6 may be known as “Little Allen’s Law” after an 8 year-old boy who was struck and killed by a man operating a snowmobile while intoxicated at the time his driver’s license was revoked for a prior DWI.

6 Repealer. Repeals sections 169A.07 and 169A.33, subdivision 1.

Section 169A.07 included provisions exempting a person from several administrative sanctions, including driver’s license revocation, if the person’s first DWI offense took place while using an off-road recreational vehicle or motorboat.

Section 169A.33 is Minnesota’s “not a drop” law which prohibits a person under age 21 from operating a motor vehicle after consuming any amount of alcohol. Subdivision 1 excluded motorboats and off-road recreational vehicles from the definition of “motor vehicle.”