

# HOUSE RESEARCH

## Bill Summary

**FILE NUMBER:** H.F. 2097

**DATE:** April 6, 2005

**Version:** As introduced

**Authors:** Holberg

**Subject:** Motor vehicle registration

**Analyst:** John Williams, 651-296-5045

This publication can be made available in alternative formats upon request. Please call 651-296-6753 (voice); or the Minnesota State Relay Service at 1-800-627-3529 (TTY) for assistance. Summaries are also available on our website at: [www.house.mn/hrd](http://www.house.mn/hrd).

### Overview

This bill makes numerous, primarily technical, changes to vehicle registration law.

#### Section

- 1**     **Commissioner definition.** Defines "commissioner" in motor vehicle registration law as the commissioner of public safety.
- 2**     **Highway definition.** Adopts the definition of "highway" for motor vehicle law that is now in traffic law ("the entire width between boundary lines of any way or place when any part thereof is open to the use of the public, as a matter of right, for the purposes of vehicular traffic")
- 3**     **Motor vehicle definition.** Makes technical corrections in the definition of "motor vehicle" in vehicle registration law.
- 4**     **Owner definition.** Amends the definition of "owner" in vehicle registration law to replace a reference to renting for more than 30 days with a reference to leasing for more than 30 days.
- 5**     **Registered owner definition.** Amends the definition of "registered owner" in vehicle registration law by specifying that an owner is a person.
- 6**     **Tax definition.** Amends the definition of "tax" in vehicle registration law by removing reference that gives "fee" the same definition as "tax."
- 7**     **Passenger automobile definition.** Amends the definition of "passenger automobile" to exclude all school buses.
- 8**     **All-terrain vehicle definition.** Defines "all-terrain vehicle" in vehicle registration law by adopting definition in ATV registration law ("a motorized flotation-tired vehicle of not less

## Section

than three low pressure tires, but not more than six tires, that is limited in engine displacement of less than 800 cubic centimeters and total dry weight less than 900 pounds").

**9 Person definition.** Defines "person" in vehicle registration law by adopting definition in vehicle titling law ("an individual, firm, copartnership, association, corporation, or governmental organization).

**10 Vehicle definition.** Defines "vehicle" in vehicle registration law by adopting definition in titling law (every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, including motorized bicycles but excluding human-powered vehicles, rail vehicles, and vehicles not originally constructed primarily for use on public roads and highways).

**11 Transfers of ownership.** Deletes the requirement that a person who transfers a vehicle to another Minnesotan who is required to register the vehicle in Minnesota must surrender the license plates. Requires the transferor to assign to the transferee registration tax paid unless the license plate tabs are surrendered to the department before the start of the new registration period.

Requires a person who loses a certificate of registration or certificate of title, other than for a vehicle not subject to the mileage disclosure law, to apply to the department with proof of loss, and to assign a notice of sale of the vehicle on the application for title.

**12 Refund.** Deletes obsolete language relating to reporting of refunds of vehicle license taxes paid in error.

Provides that transferors of vehicles must assign tax paid on the vehicle to the transferee unless the tabs are surrendered to the department before the beginning of the new registration period.

Deletes the law that allows refund of remaining registration tax if a vehicle is declared a total loss by an insurer because of tornado or flood, and substitutes a provision that allows such a refund if the vehicle is declared by an insurer to be permanently destroyed by accident, fire, or Act of God as defined in environmental response law ("unanticipated grave natural disaster or other natural phenomenon of an exceptional, inevitable, and irresistible character, the effects of which could not have been prevented or avoided by the exercise of due care or foresight").

Deletes provision allowing refund to be calculated on basis of 1/12 the tax for each month remaining in the registration period, and makes the refund equal to the registration tax for the months remaining after the month in which the plates and title are returned to the department.

**13 Refund.** Deletes the law that allows full refund if a vehicle is permanently destroyed or removed from the state, and substitutes provision that allows full refund if the tabs are surrendered before the beginning of the new registration period.

**14 Repealer.** Repeals statutory definition of "sworn statement." Repeals law requiring a person who transfers an automobile engine to report the transfer to the Department of Public Safety.