

1.1 ..... moves to amend H.F. No. 3369, the delete everything amendment  
1.2 (H3369DE1), as follows:

1.3 Page 3, after line 22, insert:

1.4 "Sec. 6. Minnesota Statutes 2016, section 169.06, subdivision 4a, is amended to read:

1.5 Subd. 4a. **Obedience to work zone flagger; violation, penalty.** (a) A flagger in a work  
1.6 zone may stop vehicles and hold vehicles in place until it is safe for the vehicles to proceed.  
1.7 A person operating a motor vehicle that has been stopped by a flagger in a work zone may  
1.8 proceed after stopping only on instruction by the flagger or a police officer. A violation  
1.9 under this paragraph is a petty misdemeanor, provided that notwithstanding section 609.0331,  
1.10 a person who is convicted of a violation under this paragraph must pay a fine of \$500.

1.11 (b) A person convicted of operating a motor vehicle in violation of a speed limit in a  
1.12 work zone, or any other provision of this section while in a work zone, ~~shall be required to~~  
1.13 except as provided in paragraph (a), must pay a fine of \$300. This fine is in addition to the  
1.14 surcharge under section 357.021, subdivision 6.

1.15 (c) If a motor vehicle is operated in violation of paragraph (a), the owner of the vehicle,  
1.16 or for a leased motor vehicle the lessee of the vehicle, is guilty of a petty misdemeanor and  
1.17 is subject to a fine as provided in paragraph (b). The owner or lessee may not be fined under  
1.18 this paragraph if (1) another person is convicted for that violation, or (2) the motor vehicle  
1.19 was stolen at the time of the violation. This paragraph does not apply to a lessor of a motor  
1.20 vehicle if the lessor keeps a record of the name and address of the lessee.

1.21 (d) Paragraph (c) does not prohibit or limit the prosecution of a motor vehicle operator  
1.22 for violating paragraph (a).

1.23 (e) A violation under paragraph (c) does not constitute grounds for revocation or  
1.24 suspension of a driver's license.

2.1 (f) A road authority or its agent must place at the site of a work zone a temporary sign  
 2.2 that meets the requirements for uniform traffic-control devices under subdivision 1. At a  
 2.3 minimum, the sign must warn motorists of fines for a violation of this subdivision and  
 2.4 identify the fine amount established in paragraph (a).

2.5 **EFFECTIVE DATE.** This section is effective August 1, 2018, and applies to violations  
 2.6 that occur on or after that date."

2.7 Page 7, after line 8, insert:

2.8 "Sec. 11. Minnesota Statutes 2016, section 169.475, subdivision 2, is amended to read:

2.9 Subd. 2. ~~Prohibition~~ Prohibitions on use; penalty. (a) ~~Ne~~ When a motor vehicle is in  
 2.10 motion or a part of traffic, the person may operate a motor operating the vehicle while is  
 2.11 prohibited from using a wireless communications device to compose, read, or send an  
 2.12 electronic message, ~~when the vehicle is in motion or a part of traffic.~~

2.13 (b) When a motor vehicle is in motion or a part of traffic while in a work zone, the person  
 2.14 operating the vehicle is prohibited from using a wireless communications device for any  
 2.15 purpose, including but not limited to making a cellular phone call.

2.16 (c) A person who violates ~~paragraph (a)~~ this subdivision a second or subsequent time  
 2.17 must pay a fine of \$225, plus the amount specified in the uniform fine schedule established  
 2.18 by the Judicial Council.

2.19 **EFFECTIVE DATE.** This section is effective August 1, 2018, and applies to violations  
 2.20 that occur on or after that date.

2.21 Sec. 12. Minnesota Statutes 2016, section 169.475, subdivision 3, is amended to read:

2.22 Subd. 3. **Exceptions.** (a) This section does not apply if a wireless communications device  
 2.23 is used:

2.24 (1) solely in a voice-activated or other hands-free mode;

2.25 (2) ~~for making~~ to make a cellular phone call;

2.26 (3) ~~for obtaining~~ to obtain emergency assistance to (i) report a traffic accident, medical  
 2.27 emergency, or serious traffic hazard, or (ii) prevent a crime about to be committed;

2.28 (4) in the reasonable belief that a person's life or safety is in immediate danger; or

2.29 (5) in an authorized emergency vehicle while in the performance of official duties.

2.30 (b) The exception in paragraph (a), clause (2), does not apply to the prohibition in  
 2.31 subdivision 2, paragraph (b).

- 3.1 **EFFECTIVE DATE.** This section is effective August 1, 2018, and applies to violations
- 3.2 that occur on or after that date."
- 3.3 Renumber the sections in sequence and correct the internal references
- 3.4 Amend the title accordingly