

DUI Uniformity



Why is this bill needed?

The passage of “Little Alan’s Law” that furthered the concept that recreational vehicle Driving Under the Influence (DUI) is treated just like “traditional” motor vehicle DUI. This proposal provides clarification and conformity language updates to DUI statutes.

Major program elements

Motorboat and recreational vehicle DUI provisions are found in separate subdivisions of the same section of law as highway licensed vehicles. The differences between recreational vehicle provisions and highway licensed DUI laws are very fine details and this can be confusing and difficult to interpret for the offenders, their attorneys, officers, the courts, and prosecutors. Updates to the DUI law include:

- Revokes an individual’s license to operate a recreational vehicle if they are revoked for impairment in a motor vehicle and vice versa. (Little Alan’s law intent).
- Updates the law so that an impaired driving incident in a recreational vehicle (motorboat, ATV, side-by-side, etc.) would be processed the same as a highway licensed motor vehicle.
- This bill does not change any criminal penalties.
- There is no change to motor vehicle impaired driving arrests (lawn mowers, Zambonis, cars, trucks, etc.).
- Ignition interlock program provisions would continue as currently operating.
- Fine disposition splits from off-road recreational vehicles/motorboats would be applied in the same manner as other DUI’s.

Statute proposal

Recreational Vehicle Driving Under the Influence

Secs 1, 4, and 13. Provides new sections M.S. 84.765 and 86B.33 for definitions, prohibited acts, and penalties for motorboats and off-road vehicles, much of which are currently located in

sections 84.91.1 and 86B.331.1. Repeals similar provisions currently located in sections 84.91 and 86B.331 (see repealer).

Sec 2. Amends M.S. 84.795 for a technical change clarifying conservation officers for DUI provisions, conforming with the 2020 legislative change to M.S. 169A.03.

Secs 3, 5, and 6. Amends M.S. 84.83, 86B.705, and 97A.065 specifying which accounts off-road vehicle and motorboat DUI fines and forfeited bail are deposited to, and provides technical changes consistent with the establishment of state courts (from county court administration, several years ago) as far as fine splits and distribution.

Secs 7 and 13. Amends M.S. 169A.20 for a technical change by combining all DUI violations for all vehicle types (also see repealer). This change will clearly provide one DUI e-charging system to be utilized for off-road recreational vehicles and motorboats (currently a manual/paper system) as well as highway vehicles.

Sec 8. Amends M.S. 169A.52 to include DUI test refusal/test failure revocation provisions for suspension off-road vehicles and motorboats privileges with driver's license suspensions. The revocation/suspension periods for all vehicle types would run concurrently.

Sec 9. Amends M.S. 169A.54 to include DUI conviction and adjudication suspension of off-road vehicles and motorboats privileges with driver's license suspensions. The revocation/suspension periods for all vehicle types would run concurrently.

Sec 10. Adds M.S. 171.188 clarifying DUI revocation/suspension of driver's license privileges applies to off-road vehicles and motorboats as well, including the specified CVO related suspensions.

Sec 11. Amends M.S. 171.306 to clarify the ignition interlock program provisions include operation of motorboats and off-road vehicles.

Sec 12. Directs and provides that the Revisor is able make necessary statute cross reference conforming changes relating to DUI and fine distribution provisions contained in this legislation.

Sec 13. Repeals sections 169A.20, subdivisions 1a, 1b, and 1c; 84.91, subdivision 1; and 86B.331, subdivision 1.

For more information contact:

Bob Meier, Assistant Commissioner
Minnesota Department of Natural Resources
500 Lafayette Rd, St. Paul, MN 55155-4047
Phone: 651-259-5024
Email: bob.meier@state.mn.us



This information can be made available in alternative formats such as large print, braille or audio tape by emailing info.dnr@state.mn.us or calling 651-259-5016.