

SENATE
STATE OF MINNESOTA
NINETIETH SESSION

S.F. No. 2149

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DATE
03/15/2017

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Introduction and first reading
Referred to Transportation Finance and Policy

OFFICIAL STATUS

1.1 A bill for an act
1.2 relating to motor vehicles; authorizing motor vehicle dealers to charge a
1.3 documentary or document administration fee in certain instances; amending
1.4 Minnesota Statutes 2016, sections 53C.01, subdivision 2; 168.27, by adding a
1.5 subdivision.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2016, section 53C.01, subdivision 2, is amended to read:

1.8 Subd. 2. **Cash sale price.** "Cash sale price" means the price at which the seller would
1.9 in good faith sell to the buyer, and the buyer would in good faith buy from the seller, the
1.10 motor vehicle which is the subject matter of the retail installment contract, if such sale were
1.11 a sale for cash, instead of a retail installment sale. The cash sale price may include any taxes,
1.12 charges for delivery, servicing, repairing, or improving the motor vehicle, including
1.13 accessories and their installation, and any other charges agreed upon between the parties.
1.14 The cash price may ~~not~~ include a documentary fee or document administration fee ~~in excess~~
1.15 ~~of \$75 for services actually rendered to, for, or on behalf of, the retail buyer in preparing,~~
1.16 ~~handling, and processing documents relating to the motor vehicle and the closing of the~~
1.17 ~~retail sale authorized under section 168.27, subdivision 31. "Documentary fee" and "document~~
1.18 ~~administration fee" do not include an optional electronic transfer fee as defined under~~
1.19 ~~subdivision 14.~~

1.20 Sec. 2. Minnesota Statutes 2016, section 168.27, is amended by adding a subdivision to
1.21 read:

1.22 Subd. 31. **Documentary fee.** A motor vehicle dealer may not charge a documentary fee
1.23 or document administration fee in excess of \$150 for services actually rendered to, for, or

- 2.1 on behalf of the retail buyer or lessee to prepare, handle, and process documents for the
- 2.2 closing of a motor vehicle retail sale or lease. The fee must be separately stated on the sales
- 2.3 agreement maintained under Minnesota Rules, part 7400.5200, and may be excluded from
- 2.4 the dealer's advertised price. "Documentary fee" and "document administration fee" do not
- 2.5 include an optional electronic transfer fee as defined under section 53C.01, subdivision 14.