

**SENATE  
STATE OF MINNESOTA  
NINETY-FIRST SESSION**

**S.F. No. 3610**

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DATE  
02/24/2020

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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 public safety; motor vehicles; repealing provisions that require the  
1.3 commissioner of public safety to suspend a driver's license of a person who is in  
1.4 arrears in child support or maintenance; amending Minnesota Statutes 2018,  
1.5 sections 171.19; 171.30, subdivision 1; 518A.70; 609B.245, subdivision 2;  
1.6 Minnesota Statutes 2019 Supplement, sections 168A.29, subdivision 1; 171.20,  
1.7 subdivision 4; repealing Minnesota Statutes 2018, sections 168A.05, subdivisions  
1.8 7, 8; 168A.20, subdivision 4; 168A.21, subdivision 2; 171.12, subdivision 3b;  
1.9 171.186; 518A.65; 518A.67.

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

1.11 Section 1. Minnesota Statutes 2019 Supplement, section 168A.29, subdivision 1, is  
1.12 amended to read:

1.13 Subdivision 1. **Amounts.** (a) The department must be paid the following fees:

1.14 (1) for filing an application for and the issuance of an original certificate of title, \$8.25,  
1.15 of which \$4.15 must be paid into the vehicle services operating account, and a surcharge  
1.16 of \$2.25 must be added to the fee and credited to the driver and vehicle services technology  
1.17 account under section 299A.705;

1.18 (2) for each security interest when first noted upon a certificate of title, including the  
1.19 concurrent notation of any assignment thereof and its subsequent release or satisfaction,  
1.20 \$2, ~~except that no fee is due for a security interest filed by a public authority under section~~  
1.21 ~~168A.05, subdivision 8;~~

1.22 (3) for each assignment of a security interest when first noted on a certificate of title,  
1.23 unless noted concurrently with the security interest, \$1; and

2.1 (4) for issuing a duplicate certificate of title, \$7.25, of which \$3.25 must be paid into  
2.2 the vehicle services operating account under section 299A.705, and a surcharge of \$2.25  
2.3 must be added to the fee and credited to the driver and vehicle services technology account  
2.4 under section 299A.705.

2.5 (b) In addition to the fee required under paragraph (a), clause (1), the department must  
2.6 be paid \$3.50. The additional \$3.50 fee collected under this paragraph must be deposited  
2.7 in the special revenue fund and credited to the public safety motor vehicle account established  
2.8 in section 299A.70.

2.9 Sec. 2. Minnesota Statutes 2018, section 171.19, is amended to read:

2.10 **171.19 PETITION FOR COURT HEARING ON LICENSE REINSTATEMENT.**

2.11 Any person whose driver's license has been refused, revoked, suspended, canceled, or  
2.12 disqualified by the commissioner, except where the license is revoked or disqualified under  
2.13 section 169A.52, or 171.177, ~~or 171.186,~~ may file a petition for a hearing in the matter in  
2.14 the district court in the county wherein such person shall reside and, in the case of a  
2.15 nonresident, in the district court in any county, and such court is hereby vested with  
2.16 jurisdiction, and it shall be its duty, to set the matter for hearing upon 15 days' written notice  
2.17 to the commissioner, and thereupon to take testimony and examine into the facts of the case  
2.18 to determine whether the petitioner is entitled to a license or is subject to revocation,  
2.19 suspension, cancellation, disqualification, or refusal of license, and shall render judgment  
2.20 accordingly. The petition for hearing must either be filed within 180 days of the effective  
2.21 date of the order of revocation, suspension, cancellation, disqualification, or refusal to  
2.22 license or be filed before expiration of the withdrawal period, whichever occurs first. The  
2.23 petition shall be heard by the court without a jury and may be heard in or out of term. The  
2.24 commissioner may appear in person, or by agents or representatives, and may present  
2.25 evidence upon the hearing by affidavit personally, by agents, or by representatives. The  
2.26 petitioner may present evidence by affidavit, except that the petitioner must be present in  
2.27 person at such hearing for the purpose of cross-examination. In the event the department  
2.28 shall be sustained in these proceedings, the petitioner shall have no further right to make  
2.29 further petition to any court for the purpose of obtaining a driver's license until after the  
2.30 expiration of one year after the date of such hearing.

3.1 Sec. 3. Minnesota Statutes 2019 Supplement, section 171.20, subdivision 4, is amended  
3.2 to read:

3.3 Subd. 4. **Reinstatement fee.** (a) Before the license is reinstated, ~~(1)~~ an individual whose  
3.4 driver's license has been suspended under section 171.16, subdivisions 2 and 3; 171.175;  
3.5 171.18; or 171.182, or who has been disqualified from holding a commercial driver's license  
3.6 under section 171.165, ~~and (2) an individual whose driver's license has been suspended~~  
3.7 ~~under section 171.186 and who is not exempt from such a fee,~~ must pay a fee of \$20.

3.8 (b) Before the license is reinstated, an individual whose license has been suspended  
3.9 under sections 169.791 to 169.798 must pay a \$20 reinstatement fee.

3.10 (c) When fees are collected by a licensing agent appointed under section 171.061, a  
3.11 handling charge is imposed in the amount specified under section 171.061, subdivision 4.  
3.12 The reinstatement fee and surcharge must be deposited in an approved state depository as  
3.13 directed under section 171.061, subdivision 4.

3.14 (d) Reinstatement fees collected under paragraph (a) for suspensions under sections  
3.15 171.16, subdivision 3, and 171.18, subdivision 1, clause (10), must be deposited in the  
3.16 general fund.

3.17 (e) A suspension may be rescinded without fee for good cause.

3.18 Sec. 4. Minnesota Statutes 2018, section 171.30, subdivision 1, is amended to read:

3.19 Subdivision 1. **Conditions of issuance.** (a) The commissioner may issue a limited license  
3.20 to the driver under the conditions in paragraph (b) in any case where a person's license has  
3.21 been:

3.22 (1) suspended under section 171.18, 171.173, ~~171.186~~, or 171.187;

3.23 (2) revoked, canceled, or denied under section:

3.24 (i) 169.792;

3.25 (ii) 169.797;

3.26 (iii) 169A.52:

3.27 (A) subdivision 3, paragraph (a), clause (1) or (2);

3.28 (B) subdivision 3, paragraph (a), clause (4), (5), or (6), if in compliance with section  
3.29 171.306;

3.30 (C) subdivision 4, paragraph (a), clause (1) or (2), if the test results indicate an alcohol  
3.31 concentration of less than twice the legal limit;

- 4.1 (D) subdivision 4, paragraph (a), clause (4), (5), or (6), if in compliance with section  
4.2 171.306;
- 4.3 (iv) 171.17; or
- 4.4 (v) 171.172;
- 4.5 (3) revoked, canceled, or denied under section 169A.54:
- 4.6 (i) subdivision 1, clause (1), if the test results indicate an alcohol concentration of less  
4.7 than twice the legal limit;
- 4.8 (ii) subdivision 1, clause (2);
- 4.9 (iii) subdivision 1, clause (5), (6), or (7), if in compliance with section 171.306; or
- 4.10 (iv) subdivision 2, if the person does not have a qualified prior impaired driving incident  
4.11 as defined in section 169A.03, subdivision 22, on the person's record, and the test results  
4.12 indicate an alcohol concentration of less than twice the legal limit; or
- 4.13 (4) revoked, canceled, or denied under section 171.177:
- 4.14 (i) subdivision 4, paragraph (a), clause (1) or (2);
- 4.15 (ii) subdivision 4, paragraph (a), clause (4), (5), or (6), if in compliance with section  
4.16 171.306;
- 4.17 (iii) subdivision 5, paragraph (a), clause (1) or (2), if the test results indicate an alcohol  
4.18 concentration of less than twice the legal limit; or
- 4.19 (iv) subdivision 5, paragraph (a), clause (4), (5), or (6), if in compliance with section  
4.20 171.306.
- 4.21 (b) The following conditions for a limited license under paragraph (a) include:
- 4.22 (1) if the driver's livelihood or attendance at a chemical dependency treatment or  
4.23 counseling program depends upon the use of the driver's license;
- 4.24 (2) if the use of a driver's license by a homemaker is necessary to prevent the substantial  
4.25 disruption of the education, medical, or nutritional needs of the family of the homemaker;  
4.26 or
- 4.27 (3) if attendance at a postsecondary institution of education by an enrolled student of  
4.28 that institution depends upon the use of the driver's license.
- 4.29 (c) The commissioner in issuing a limited license may impose such conditions and  
4.30 limitations as in the commissioner's judgment are necessary to the interests of the public

5.1 safety and welfare including reexamination as to the driver's qualifications. The license may  
5.2 be limited to the operation of particular vehicles, to particular classes and times of operation,  
5.3 and to particular conditions of traffic. The commissioner may require that an applicant for  
5.4 a limited license affirmatively demonstrate that use of public transportation or carpooling  
5.5 as an alternative to a limited license would be a significant hardship.

5.6 (d) For purposes of this subdivision:

5.7 (1) "homemaker" refers to the person primarily performing the domestic tasks in a  
5.8 household of residents consisting of at least the person and the person's dependent child or  
5.9 other dependents; and

5.10 (2) "twice the legal limit" means an alcohol concentration of two times the limit specified  
5.11 in section 169A.20, subdivision 1, clause (5).

5.12 (e) The limited license issued by the commissioner shall clearly indicate the limitations  
5.13 imposed and the driver operating under the limited license shall have the license in possession  
5.14 at all times when operating as a driver.

5.15 (f) In determining whether to issue a limited license, the commissioner shall consider  
5.16 the number and the seriousness of prior convictions and the entire driving record of the  
5.17 driver and shall consider the number of miles driven by the driver annually.

5.18 (g) If the person's driver's license or permit to drive has been revoked under section  
5.19 169.792 or 169.797, the commissioner may only issue a limited license to the person after  
5.20 the person has presented an insurance identification card, policy, or written statement  
5.21 indicating that the driver or owner has insurance coverage satisfactory to the commissioner  
5.22 of public safety. The commissioner of public safety may require the insurance identification  
5.23 card provided to satisfy this subdivision be certified by the insurance company to be  
5.24 noncancelable for a period not to exceed 12 months.

5.25 ~~(h) The limited license issued by the commissioner to a person under section 171.186,~~  
5.26 ~~subdivision 4, must expire 90 days after the date it is issued. The commissioner must not~~  
5.27 ~~issue a limited license to a person who previously has been issued a limited license under~~  
5.28 ~~section 171.186, subdivision 4.~~

5.29 ~~(h)~~ (h) The commissioner shall not issue a limited driver's license to any person described  
5.30 in section 171.04, subdivision 1, clause (6), (7), (8), (11), or (14).

5.31 ~~(i)~~ (i) The commissioner shall not issue a class A, class B, or class C limited license.

6.1 Sec. 5. Minnesota Statutes 2018, section 518A.70, is amended to read:

6.2 **518A.70 DATA ON SUSPENSIONS FOR SUPPORT ARREARS.**

6.3 Notwithstanding section 13.03, subdivision 4, paragraph (c), data on an occupational  
6.4 license suspension under section 518A.66 ~~or a driver's license suspension under section~~  
6.5 ~~518A.65~~ that are transferred by the Department of Human Services to ~~respectively the~~  
6.6 ~~Department of Public Safety~~ or any state, county, or municipal occupational licensing agency  
6.7 must have the same classification at the Department of Public Safety or other receiving  
6.8 agency under section 13.02 as other license suspension data held by the receiving agency.  
6.9 The transfer of the data does not affect the classification of the data in the hands of the  
6.10 Department of Human Services.

6.11 Sec. 6. Minnesota Statutes 2018, section 609B.245, subdivision 2, is amended to read:

6.12 Subd. 2. **Conditions of issuance.** A person whose license has been suspended under  
6.13 section 171.173; or 171.18, ~~or 171.186~~, or revoked under section 169.792, 169.797, 169A.52,  
6.14 169A.54, 171.17, 171.172, or 171.177, must satisfy certain conditions set forth in section  
6.15 171.30, subdivision 1, to acquire a limited license.

6.16 Sec. 7. **REPEALER.**

6.17 Minnesota Statutes 2018, sections 168A.05, subdivisions 7 and 8; 168A.20, subdivision  
6.18 4; 168A.21, subdivision 2; 171.12, subdivision 3b; 171.186; 518A.65; and 518A.67, are  
6.19 repealed.

**168A.05 CERTIFICATE OF TITLE.**

Subd. 7. **Judicial process relating to certificate or vehicle.** A certificate of title for a vehicle is not subject to garnishment, attachment, execution, or other judicial process, but this subdivision does not prevent a lawful levy upon the vehicle or the lawful enforcement of an administrative lien or judgment debt or lien filed pursuant to a court order or by a public authority responsible for child support enforcement.

Subd. 8. **Liens filed for enforcement of child support.** This subdivision applies if the court or a public authority responsible for child support enforcement orders or directs the commissioner to enter a lien, as provided in section 518A.67. If a certificate of title is applied for by the owner, the department shall enter a lien on the title in the name of the state of Minnesota or in the name of the obligee in accordance with the notice if the value of the motor vehicle determined in accordance with either the definitions of section 297B.01, subdivision 14, or the retail value described in the N.A.D.A. Official Used Car Guide, Midwest Edition, for the current year exceeds the exemption allowed in section 550.37. The lien on the title is subordinate to any bona fide purchase money security interest under section 336.9-103 regardless of when the purchase money security interest is perfected. With respect to all other security interests, the lien is perfected as of the date entered on the title.

**168A.20 SATISFACTION OF SECURITY INTEREST.**

Subd. 4. **Satisfaction of lien for child support; release.** If the secured party is a public authority or a child support or maintenance obligee with a lien under section 168A.05, subdivision 8, upon either the satisfaction of a security interest in a vehicle for which the certificate of title is in the possession of the owner, or the execution by the owner of a written payment agreement determined to be acceptable by the court, a child support magistrate, the public authority, or the obligee, within 15 days, or seven days if satisfied by a dealer licensed under section 168.27, subdivision 2, 3, or 4, the secured party shall execute a release of security interest in the format prescribed by the department and mail or deliver the notification with release to the owner or any person who delivers to the secured party an authorization from the owner to receive the release.

**168A.21 DISCLOSURE OF SECURITY INTEREST.**

Subd. 2. **Child support.** A secured party that is a public authority or an obligee with a lien under section 168A.05, subdivision 8, shall, upon written request of the owner, disclose the amount of the judgment debt secured.

**171.12 DRIVING RECORD; FILING; PRIVATE DATA.**

Subd. 3b. **Record of improper suspension destroyed.** Notwithstanding subdivision 3 or section 138.163, when an order for suspension of a driver's license issued pursuant to section 171.186 is rescinded because the license was improperly suspended and all rights of appeal have been exhausted or have expired, the commissioner shall remove the record of that suspension from the computer records that are disclosed to persons or agencies outside the Driver and Vehicle Services Division of the Department of Public Safety.

**171.186 SUSPENSION FOR NONPAYMENT OF SUPPORT; LIMITED LICENSE.**

Subdivision 1. **Suspension.** The commissioner shall suspend a person's driver's license or operating privileges without a hearing upon receipt of a court order or notice from a public authority responsible for child support enforcement that states that the driver is in arrears in court-ordered child support or maintenance payments, or both, in an amount equal to or greater than three times the obligor's total monthly support and maintenance payments, and is not in compliance with a written payment agreement pursuant to section 518A.69 that is approved by a court, a child support magistrate, or the public authority responsible for child support enforcement, in accordance with section 518A.65.

Subd. 2. **Notice.** Upon suspending a driver's license or operating privileges under this section, the department shall immediately notify the licensee, in writing, by mailing a notice addressed to the licensee at the licensee's last known address.

Subd. 3. **Duration.** A license or operating privilege must remain suspended and may not be reinstated, nor may a license be subsequently issued to the person, until the commissioner receives notice from the court, a child support magistrate, or public authority responsible for child support enforcement that the person is in compliance with all current orders of support or written payment agreements pursuant to section 518A.69. A fee may not be assessed for reinstatement of a license

under this section unless the person whose license was suspended under this section has obtained a limited license during the period of suspension.

Subd. 4. **Limited license.** (a) Notwithstanding subdivision 3, the commissioner may issue a limited license to a person whose license has been suspended under this section if the person qualifies for a limited license under section 171.30.

(b) A limited license issued to a person under this subdivision must expire 90 days after the date it is issued.

**518A.65 DRIVER'S LICENSE SUSPENSION.**

(a) Upon motion of an obligee, which has been properly served on the obligor and upon which there has been an opportunity for hearing, if a court finds that the obligor has been or may be issued a driver's license by the commissioner of public safety and the obligor is in arrears in court-ordered child support or maintenance payments, or both, in an amount equal to or greater than three times the obligor's total monthly support and maintenance payments and is not in compliance with a written payment agreement pursuant to section 518A.69 that is approved by the court, a child support magistrate, or the public authority, the court shall order the commissioner of public safety to suspend the obligor's driver's license. The court's order must be stayed for 90 days in order to allow the obligor to execute a written payment agreement pursuant to section 518A.69. The payment agreement must be approved by either the court or the public authority responsible for child support enforcement. If the obligor has not executed or is not in compliance with a written payment agreement pursuant to section 518A.69 after the 90 days expires, the court's order becomes effective and the commissioner of public safety shall suspend the obligor's driver's license. The remedy under this section is in addition to any other enforcement remedy available to the court. An obligee may not bring a motion under this paragraph within 12 months of a denial of a previous motion under this paragraph.

(b) If a public authority responsible for child support enforcement determines that the obligor has been or may be issued a driver's license by the commissioner of public safety and the obligor is in arrears in court-ordered child support or maintenance payments or both in an amount equal to or greater than three times the obligor's total monthly support and maintenance payments and not in compliance with a written payment agreement pursuant to section 518A.69 that is approved by the court, a child support magistrate, or the public authority, the public authority shall direct the commissioner of public safety to suspend the obligor's driver's license. The remedy under this section is in addition to any other enforcement remedy available to the public authority.

(c) At least 90 days prior to notifying the commissioner of public safety according to paragraph (b), the public authority must mail a written notice to the obligor at the obligor's last known address, that it intends to seek suspension of the obligor's driver's license and that the obligor must request a hearing within 30 days in order to contest the suspension. If the obligor makes a written request for a hearing within 30 days of the date of the notice, a court hearing must be held. Notwithstanding any law to the contrary, the obligor must be served with 14 days' notice in writing specifying the time and place of the hearing and the allegations against the obligor. The notice must include information that apprises the obligor of the requirement to develop a written payment agreement that is approved by a court, a child support magistrate, or the public authority responsible for child support enforcement regarding child support, maintenance, and any arrearages in order to avoid license suspension. The notice may be served personally or by mail. If the public authority does not receive a request for a hearing within 30 days of the date of the notice, and the obligor does not execute a written payment agreement pursuant to section 518A.69 that is approved by the public authority within 90 days of the date of the notice, the public authority shall direct the commissioner of public safety to suspend the obligor's driver's license under paragraph (b).

(d) At a hearing requested by the obligor under paragraph (c), and on finding that the obligor is in arrears in court-ordered child support or maintenance payments or both in an amount equal to or greater than three times the obligor's total monthly support and maintenance payments, the district court or child support magistrate shall order the commissioner of public safety to suspend the obligor's driver's license or operating privileges unless the court or child support magistrate determines that the obligor has executed and is in compliance with a written payment agreement pursuant to section 518A.69 that is approved by the court, a child support magistrate, or the public authority.

(e) An obligor whose driver's license or operating privileges are suspended may:

(1) provide proof to the public authority responsible for child support enforcement that the obligor is in compliance with all written payment agreements pursuant to section 518A.69;



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(2) bring a motion for reinstatement of the driver's license. At the hearing, if the court or child support magistrate orders reinstatement of the driver's license, the court or child support magistrate must establish a written payment agreement pursuant to section 518A.69; or

(3) seek a limited license under section 171.30. A limited license issued to an obligor under section 171.30 expires 90 days after the date it is issued.

Within 15 days of the receipt of that proof or a court order, the public authority shall inform the commissioner of public safety that the obligor's driver's license or operating privileges should no longer be suspended.

(f) In addition to the criteria established under this section for the suspension of an obligor's driver's license, a court, a child support magistrate, or the public authority may direct the commissioner of public safety to suspend the license of a party who has failed, after receiving notice, to comply with a subpoena relating to a paternity or child support proceeding. Notice to an obligor of intent to suspend must be served by first class mail at the obligor's last known address. The notice must inform the obligor of the right to request a hearing. If the obligor makes a written request within ten days of the date of the hearing, a hearing must be held. At the hearing, the only issues to be considered are mistake of fact and whether the obligor received the subpoena.

(g) The license of an obligor who fails to remain in compliance with an approved written payment agreement may be suspended. Prior to suspending a license for noncompliance with an approved written payment agreement, the public authority must mail to the obligor's last known address a written notice that (1) the public authority intends to seek suspension of the obligor's driver's license under this paragraph, and (2) the obligor must request a hearing, within 30 days of the date of the notice, to contest the suspension. If, within 30 days of the date of the notice, the public authority does not receive a written request for a hearing and the obligor does not comply with an approved written payment agreement, the public authority must direct the Department of Public Safety to suspend the obligor's license under paragraph (b). If the obligor makes a written request for a hearing within 30 days of the date of the notice, a court hearing must be held. Notwithstanding any law to the contrary, the obligor must be served with 14 days' notice in writing specifying the time and place of the hearing and the allegations against the obligor. The notice may be served personally or by mail at the obligor's last known address. If the obligor appears at the hearing and the court determines that the obligor has failed to comply with an approved written payment agreement, the court or public authority shall notify the Department of Public Safety to suspend the obligor's license under paragraph (b). If the obligor fails to appear at the hearing, the court or public authority must notify the Department of Public Safety to suspend the obligor's license under paragraph (b).

**518A.67 MOTOR VEHICLE LIEN.**

(a) Upon motion of an obligee, if a court finds that the obligor is a debtor for a judgment debt resulting from nonpayment of court-ordered child support or maintenance payments, or both, in an amount equal to or greater than three times the obligor's total monthly support and maintenance payments, the court shall order the commissioner of public safety to enter a lien in the name of the obligee or in the name of the state of Minnesota, as appropriate, in accordance with section 168A.05, subdivision 8, unless the court finds that the obligor is in compliance with a written payment agreement pursuant to section 518A.69 that is approved by the court, a child support magistrate, or the public authority. The court's order must be stayed for 90 days in order to allow the obligor to execute a written payment agreement pursuant to section 518A.69, which shall be approved by either the court or the public authority responsible for child support enforcement. If the obligor has not executed or is not in compliance with a written payment agreement pursuant to section 518A.69 that is approved by the court, a child support magistrate, or the public authority within the 90-day period, the court's order becomes effective and the commissioner of public safety shall record the lien on any motor vehicle certificate of title subsequently issued in the name of the obligor. The remedy under this section is in addition to any other enforcement remedy available to the court.

(b) If a public authority responsible for child support enforcement determines that the obligor is a debtor for judgment debt resulting from nonpayment of court-ordered child support or maintenance payments, or both, in an amount equal to or greater than three times the obligor's total monthly support and maintenance payments, the public authority shall direct the commissioner of public safety to enter a lien in the name of the obligee or in the name of the state of Minnesota, as appropriate, under section 168A.05, subdivision 8, on any motor vehicle certificate of title subsequently issued in the name of the obligor unless the public authority determines that the obligor is in compliance with a written payment agreement pursuant to section 518A.69 that is approved by the court, a child support magistrate, or the public authority. The remedy under this section is in addition to any other enforcement remedy available to the public agency.

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(c) At least 90 days prior to notifying the commissioner of public safety pursuant to paragraph (b), the public authority must mail a written notice to the obligor at the obligor's last known address, that it intends to record a lien on any motor vehicle certificate of title subsequently issued in the name of the obligor and that the obligor must request a hearing within 30 days in order to contest the action. If the obligor makes a written request for a hearing within 30 days of the date of the notice, a court hearing must be held. Notwithstanding any law to the contrary, the obligor must be served with 14 days' notice in writing specifying the time and place of the hearing and the allegations against the obligor. The notice may be served personally or by mail. If the public authority does not receive a request for a hearing within 30 days of the date of the notice and the obligor does not execute or is not in compliance with a written payment agreement pursuant to section 518A.69 that is approved by the public authority within 90 days of the date of the notice, the public authority shall direct the commissioner of public safety to record the lien under paragraph (b).

(d) At a hearing requested by the obligor under paragraph (c), and on finding that the obligor is in arrears in court-ordered child support or maintenance payments or both in an amount equal to or greater than three times the obligor's total monthly support and maintenance payments, the district court or child support magistrate shall order the commissioner of public safety to record the lien unless the court or child support magistrate determines that the obligor has executed and is in compliance with a written payment agreement pursuant to section 518A.69 that is determined to be acceptable by the court, a child support magistrate, or the public authority.

(e) An obligor may provide proof to the court or the public authority responsible for child support enforcement that the obligor is in compliance with all written payment agreements pursuant to section 518A.69 or that the value of the motor vehicle is less than the exemption provided under section 550.37. Within 15 days of the receipt of that proof, the court or public authority shall either execute a release of security interest under section 168A.20, subdivision 4, and mail or deliver the release to the owner or other authorized person or shall direct the commissioner of public safety not to enter a lien on any motor vehicle certificate of title subsequently issued in the name of the obligor in instances where a lien has not yet been entered.

(f) Any lien recorded against a motor vehicle certificate of title under this section and section 168A.05, subdivision 8, attaches only to the nonexempt value of the motor vehicle as determined in accordance with section 550.37. The value of a motor vehicle must be determined in accordance with the retail value described in the N.A.D.A. Official Used Car Guide, Midwest Edition, for the current year, or in accordance with the purchase price as defined in section 297B.01, subdivision 14.