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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 646

02/18/2013 Authored by Morgan and Beard
The bill was read for the first time and referred to the Committee on Transportation Policy

1.1 A bill for an act
1.2 relating to public safety; drivers' licenses; driver education; modifying and
1.3 clarifying provisions relating to instruction permits; establishing a Novice Driver
1.4 Education Improvement Task Force; appropriating money; amending Minnesota
1.5 Statutes 2012, sections 171.05, subdivision 2; 171.0701, by adding a subdivision.

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

1.7 Section 1. Minnesota Statutes 2012, section 171.05, subdivision 2, is amended to read:

1.8 Subd. 2. **Person less than 18 years of age.** (a) Notwithstanding any provision
1.9 in subdivision 1 to the contrary, the department may issue an instruction permit to an
1.10 applicant who is 15, 16, or 17 years of age and who:

1.11 (1) has completed a course of driver education in another state, has a previously
1.12 issued valid license from another state, or ~~is enrolled in either:~~

1.13 (i) the applicant is enrolled in behind-the-wheel training at a public, private, or
1.14 commercial driver education program that utilizes simulation or behind-the-wheel
1.15 instruction and that is approved by the commissioner of public safety; and

1.16 (ii) the applicant:

1.17 (A) has successfully completed the classroom phase of instruction in a public,
1.18 private, or commercial driver education program that is approved by the commissioner of
1.19 public safety and that includes classroom and behind-the-wheel training; or₂

1.20 ~~(ii) an approved behind-the-wheel driver education program~~ (B) has successfully
1.21 completed home school driver training, when the student is receiving full-time instruction
1.22 in a home school within the meaning of sections 120A.22 and 120A.24, the student is
1.23 working toward a homeschool diploma, the student is taking home-classroom driver
1.24 training with classroom materials approved by the commissioner of public safety, and the

2.1 student's parent has certified the student's ~~homeschool~~ home school and home-classroom
 2.2 driver training status on the form approved by the commissioner; or

2.3 (C) concurrent to the instruction under item (i), is enrolled in the classroom phase of
 2.4 instruction in a public, private, or commercial driver education program that is approved
 2.5 by the commissioner of public safety, and completes 15 hours of classroom instruction;

2.6 ~~(2) has completed the classroom phase of instruction in the driver education program;~~

2.7 ~~(3)~~ (2) has passed a test of the applicant's eyesight;

2.8 ~~(4)~~ (3) has passed a department-administered test of the applicant's knowledge
 2.9 of traffic laws;

2.10 ~~(5)~~ (4) has completed the required application, which must be approved by (i) either
 2.11 parent when both reside in the same household as the minor applicant or, if otherwise,
 2.12 then (ii) the parent or spouse of the parent having custody or, in the event there is no
 2.13 court order for custody, then (iii) the parent or spouse of the parent with whom the minor
 2.14 is living or, if items (i) to (iii) do not apply, then (iv) the guardian having custody of the
 2.15 minor, ~~(v) the foster parent or the director of the transitional living program in which the~~
 2.16 ~~child resides~~ or, in the event a person under the age of 18 has no living father, mother, or
 2.17 guardian, ~~or~~ then (v) the foster parent or the director of the transitional living program in
 2.18 which the child resides or, if items (i) to (v) do not apply or the minor applicant is married
 2.19 or otherwise legally emancipated, then (vi) the applicant's adult spouse, adult close family
 2.20 member, or adult employer; provided, that the approval required by this clause contains
 2.21 a verification of the age of the applicant and the identity of the parent, guardian, foster
 2.22 parent, program director, adult spouse, adult close family member, or adult employer; and

2.23 ~~(6)~~ (5) has paid ~~the fee~~ all fees required in section 171.06, subdivision 2.

2.24 (b) For the purposes of determining compliance with the certification of paragraph
 2.25 (a), clause (1), item (ii), subitem (B), the commissioner may request verification of a
 2.26 student's homeschool status from the superintendent of the school district in which the
 2.27 student resides and the superintendent shall provide that verification.

2.28 (c) The instruction permit is valid for two years from the date of application and
 2.29 may be renewed upon payment of a fee equal to the fee for issuance of an instruction
 2.30 permit under section 171.06, subdivision 2.

2.31 Sec. 2. Minnesota Statutes 2012, section 171.0701, is amended by adding a subdivision
 2.32 to read:

2.33 Subd. 1a. **Novice Driver Education Improvement Task Force.** (a) The
 2.34 commissioner shall establish a Novice Driver Education Improvement Task Force. The
 2.35 task force is established to ensure driver education programs in Minnesota meet the Novice

3.1 Teen Driver Education and Training Administrative Standards published by the United
3.2 States Department of Transportation, National Highway Traffic Safety Administration.

3.3 (b) The task force shall consist of the following individuals:

3.4 (1) two representatives from the Minnesota Association of Student Councils;

3.5 (2) two representatives from citizen advocacy groups that focus on traffic safety,
3.6 such as Mothers Against Drunk Driving and Minnesotans for Safe Driving;

3.7 (3) two representatives from law enforcement organizations, such as the Minnesota
3.8 Chiefs of Police Association and the Minnesota Sheriffs' Association;

3.9 (4) two representatives from traffic safety organizations, such as the American
3.10 Automobile Association and the Minnesota Safety Council;

3.11 (5) two representatives from parent groups, such as the Minnesota PTA; and

3.12 (6) ten driver educators from nonprofit professional membership organizations, such
3.13 as the Minnesota Driver and Traffic Safety Education Association.

3.14 (c) A novice driver education improvement account is established in the trunk
3.15 highway fund. \$200,000 is appropriated annually from the trunk highway fund for the
3.16 novice driver education improvement account. The appropriation shall be used to fund the
3.17 task force's activities, including any necessary rulemaking or grants for driver education
3.18 curriculum improvement. Administrative costs must not account for more than five
3.19 percent of the annual appropriation.

3.20 (d) The task force shall report on its activities to the house and senate committees
3.21 having jurisdiction over transportation policy and finance each year on or before January 15.

3.22 (e) This subdivision expires once the house and senate committees having
3.23 jurisdiction over transportation policy and finance determines:

3.24 (1) Minnesota's driver education programs conform to the national standards
3.25 referenced in paragraph (a); or

3.26 (2) Minnesota's driver education programs need not conform with the national
3.27 standards referenced in paragraph (a).