

**SENATE**  
**STATE OF MINNESOTA**  
**EIGHTY-SEVENTH LEGISLATURE**

**S.F. No. 1310**

(SENATE AUTHORS: PARRY, Sheran and Daley)

DATE	D-PG	OFFICIAL STATUS
04/27/2011	1432	Introduction and first reading Referred to Transportation
03/23/2012	4913a	Comm report: To pass as amended and re-refer to Finance

1.1 A bill for an act  
1.2 relating to drivers' licenses; modifying and clarifying provisions relating to  
1.3 instruction permits; amending Minnesota Statutes 2011 Supplement, section  
1.4 171.05, subdivision 2.

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

1.6 Section 1. Minnesota Statutes 2011 Supplement, section 171.05, subdivision 2, is  
1.7 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 successfully completed a course of driver education in another state, has a  
1.12 previously issued valid license from another state, or is enrolled in either:

1.13 (i) a public, private, or commercial driver education program that is approved by  
1.14 the commissioner of public safety and that includes classroom and behind-the-wheel  
1.15 training; or

1.16 (ii) an approved behind-the-wheel driver education program when the student is  
1.17 receiving full-time instruction in a home school within the meaning of sections 120A.22  
1.18 and 120A.24, the student is working toward a homeschool diploma, the student is taking  
1.19 home-classroom driver training with classroom materials approved by the commissioner  
1.20 of public safety, and the student's parent has certified the student's homeschool and  
1.21 home-classroom driver training status on the form approved by the commissioner;

1.22 (2) has either (i) successfully completed the classroom phase of instruction in the  
1.23 driver education program or (ii) enrolled in a concurrent driver education program that

2.1 utilizes simulation or behind-the-wheel instruction as approved by the department and  
2.2 completes 15 hours of classroom instruction;

2.3 (3) has passed a test of the applicant's eyesight;

2.4 (4) has passed a department-administered test of the applicant's knowledge of traffic  
2.5 laws;

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

2.20 (6) has paid the fee required in section 171.06, subdivision 2.

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

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