

**CHAPTER 7410**  
**DEPARTMENT OF PUBLIC SAFETY**  
**DRIVER INFORMATION, LICENSING, AND TESTING**

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**DRIVER EXAMINATIONS GENERALLY**

**7410.4000 DRIVER'S TESTS; PURPOSE AND SCOPE.**

The purpose of parts 7410.4000 to 7410.5600 is to specify the driver's tests and standards for administering the driver's tests as required to issue a Minnesota driver's license, instruction permit, or license endorsement.

**Statutory Authority:** *MS s 14 06, 171 04; 171 13; 171 165; 299A.01*

**History:** 27 SR 465

**7410.4100 DEFINITIONS.**

Subpart 1. **Scope.** The terms used in parts 7410.4000 to 7410.5600 have the meanings given them in this part

Subp 2 **Commercial motor vehicle.** "Commercial motor vehicle" has the meaning given in Minnesota Statutes, section 171 01, subdivision 22.

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## 7410.4100 DRIVER INFORMATION, LICENSING, AND TESTING

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Subp 3 **Commissioner.** "Commissioner" means the commissioner of the Minnesota Department of Public Safety or authorized examiners or agents of the commissioner.

Subp. 4. **Department.** "Department" means the Minnesota Department of Public Safety, Driver and Vehicle Services Division.

Subp 5 **Knowledge test.** "Knowledge test" means a written, electronic, digital, audio, or oral form of examination used for evaluating a person's understanding of specific subject matter

Subp 6. **License.** "License" has the meaning given in Minnesota Statutes, section 171.01, subdivision 14

Subp 7 **Motorcycle.** "Motorcycle" has the meaning given in Minnesota Statutes, section 171 01, subdivision 17.

Subp. 8. **Motorized bicycle.** "Motorized bicycle" has the meaning given in Minnesota Statutes, section 171 01, subdivision 20

Subp 9. **Motor vehicle.** "Motor vehicle" has the meaning given in Minnesota Statutes, section 171 01, subdivision 3.

Subp. 10. **Record of examination.** "Record of examination" means the prescribed format used by the commissioner to score and record test results

Subp 11. **Road test or skills test.** "Road test" or "skills test" means the actual physical demonstration of the ability to exercise ordinary and reasonable control in the operation of a motor vehicle

Subp 12 **School bus.** "School bus" has the meaning given in Minnesota Statutes, section 171 01, subdivision 21

Subp 13. **State.** "State" has the meaning given in Minnesota Statutes, section 171 01, subdivision 15, except that for the issuance of a license to drive a commercial motor vehicle, state has the meaning given in Code of Federal Regulations, title 49, section 387.5.

**Statutory Authority:** *MS s 14 06, 171.04; 171.13, 171 165; 299A 01*

**History:** *27 SR 465*

## 7410.4200 EXAMINATION REQUIREMENTS GENERALLY; CONTENTS.

Subpart 1 **Authorized examiners.** Each applicant for a Minnesota driver's license must be examined by the commissioner according to Minnesota Statutes, section 171 13

Subp 2 **Examining applicants for every driver's license.** The driver examination must test or demonstrate the applicant's.

A eyesight;

B. ability to read and understand highway signs regulating, warning, and directing traffic;

C. knowledge of Minnesota traffic laws,

D knowledge of the effects of alcohol and drugs on a driver's ability to operate a motor vehicle safely and legally, and the legal penalties and financial consequences resulting from violations of laws prohibiting the operation of a motor vehicle while under the influence of alcohol or drugs,

E knowledge of railroad grade-crossing safety,

F knowledge of slow-moving vehicle safety,

G knowledge of traffic laws related to bicycles,

H. ability to exercise ordinary and reasonable control in operating a motor vehicle; and

I safe driving practices

**Statutory Authority:** *MS s 14 06; 171 04; 171 13, 171 165; 299A 01*

**History:** *27 SR 465*

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## DRIVER INFORMATION, LICENSING, AND TESTING 7410.4400

### 7410.4220 SCHOOL BUS ENDORSEMENTS.

Applicants for a school bus endorsement on the driver's license must be examined according to chapter 7414

**Statutory Authority:** *MS s 14 06; 171 04, 171 13; 171 165; 299A 01*

**History:** *27 SR 465*

### 7410.4240 COMMERCIAL DRIVER'S LICENSE AND COMMERCIAL LICENSE ENDORSEMENT.

An applicant for a commercial driver's license used to operate a commercial motor vehicle and an applicant for the commercial endorsements of hazardous materials, double or triple trailers, passenger, and tanker must be examined according to Code of Federal Regulations, title 49, part 383

**Statutory Authority:** *MS s 14 06, 171 04, 171 13; 171 165, 299A.01*

**History:** *27 SR 465*

### 7410.4300 IDENTIFICATION REQUIRED.

Subpart 1. **Documentation required.** Except as provided in subpart 2, the applicant for a driver's license must present documentation of proof of full name, date of birth, and identity as specified in part 7410 0400 to the commissioner before taking any knowledge test, road test, or skills test.

Subp. 2. **Failure to present complete documentation for testing.** If the applicant fails to present complete identification at the time of initial examination but has at least a primary identity document as described in part 7410 0400, subpart 2, the commissioner shall administer the test and hold it for up to 30 days at the examination site until the applicant provides complete identification indicating full name, date of birth, and identity.

Subp 3 **Failure to present complete documentation within 30 days.** If the applicant does not present complete documentation within 30 days, the commissioner shall void the test

**Statutory Authority:** *MS s 14.06; 171 04; 171.13, 171.165; 299A.01*

**History:** *27 SR 465*

### 7410.4400 DETERMINING DRIVER ABILITY OR FITNESS.

Subpart 1 **Additional examination; reexamination.** The commissioner is authorized to administer other competency, physical, and mental examinations according to this part and Minnesota Statutes, section 171 13, as the commissioner finds necessary to determine the applicant's fitness to operate a motor vehicle safely upon the streets or highways.

Subp 2. **Physical and mental examinations.** Physical and mental examinations are required according to parts 7410 2100 to 7410 3000.

Subp. 3. **Reasonable cause for reexamination.** The commissioner may, on a case-specific basis, require reexamination of a licensed driver to determine the individual's ability to exercise reasonable and ordinary control over a motor vehicle upon streets and highways if the commissioner has reasonable cause to believe the individual does not have knowledge of Minnesota traffic laws or cannot exercise reasonable and ordinary control over a motor vehicle

Subp. 4 **Equivalent examination from another state.** If the commissioner determines or has reasonable cause to believe an applicant has not passed an equivalent examination in another state, the commissioner shall require examination of the applicant's ability to understand highway signs that regulate, warn, and direct traffic,

ability to understand traffic laws, and ability to operate a motor vehicle safely and legally

**Statutory Authority:** *MS s 14 06, 171 04, 171 13, 171 165, 299A 01*

**History:** *27 SR 465*

**KNOWLEDGE TESTING**

**7410.4500 KNOWLEDGE TESTS; GENERAL REQUIREMENTS.**

Subpart 1 **Knowledge test specific for specific vehicle.** A knowledge test must examine an applicant's understanding of traffic laws, signs, and procedures specific to each type of vehicle for which the applicant desires to be licensed or to receive endorsement

Subp. 2 **Class D driver's license.** A class D knowledge test must be passed to obtain a class D instruction permit or driver's license, or to remstate a hcnse that was revoked for offenses other than alcohol- or controlled substance-related offenses

Subp 3 **Commercial driver's license.**

A A commercial driver's hcnse general knowledge test must be passed to obtain a commercial driver's license

B. Depending on the type and class of vehicle to be driven and endorsements desired, additional commercial hcnse knowledge tests include

- (1) a pretrip knowledge test,
- (2) an air brake knowledge test,
- (3) a combination vehicle knowledge test,
- (4) a double or triple trailer knowledge test,
- (5) a passenger knowledge test,
- (6) a tanker knowledge test,
- (7) a school bus knowledge test, and
- (8) a hazardous materials knowledge test

Subp 4 **Motorcycle endorsement or instruction permit.** A motorcycle knowledge test must be passed to obtain a motorcycle instruction permit or motorcycle endorsement on the driver's license

Subp 5 **Motorized bicycle permit.** A motorized bicycle knowledge test must be passed to obtain a 30-day motorized bicycle operator's instruction permit or a motorized bicycle operator's permit

**Statutory Authority:** *MS s 14 06, 171 04, 171 13, 171 165, 299A 01*

**History:** *27 SR 465*

**7410.4520 KNOWLEDGE TEST FOR DRIVER'S LICENSE REINSTATEMENT.**

An applicant who applies for hcnse reinstatement after a loss of driving privileges for an alcohol- or controlled substance-related offense under former or current Minnesota Statutes, section 169 121, 169 123, 169A 20, 169A 52, 169A 54, or 171 17, must pass a test of the applicant's knowledge of

A the effects of alcohol and other drugs on the driver's ability to operate a motor vehicle safely and legally, and

B the legal penalties and financial consequences resulting from violations of laws prohibiting the operation of a motor vehicle while under the influence of alcohol or other drugs.

**Statutory Authority:** *MS s 14 06, 171 04, 171 13; 171 165, 299A 01*

**History:** *27 SR 465*

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### 7410.4540 KNOWLEDGE TEST ADMINISTRATION.

Subpart 1 **Uniform practices.** The commissioner shall practice the same testing procedures at all examination sites

Subp 2. **Application identification required.** All applicants must present identification before taking a knowledge test as required in part 7410.4300

#### Subp. 3 **Classroom completion required for minor.**

A. Before taking a knowledge test, all previously unlicensed applicants under the age of 18 must provide proof to the commissioner of having completed the classroom phase of a department-approved driver's education program.

B. Proof of having completed the classroom course is satisfied by presenting a fully completed, department-authorized certificate of enrollment, with the signature of an authorized official of a department-approved or -licensed driver's education program, or presenting proof of completion in an electronic format specified by the commissioner.

C. If the applicant completed driver's education in another state, an official letter or written or electronically transmitted form attesting to completion of training comparable to Minnesota's requirements and verified by a public, private, or commercial school authority is acceptable proof of completion.

D. If an applicant under the age of 18 already has a permit from another state, the knowledge test may be taken to convert the permit to a Minnesota permit and proof of completion of both the required classroom and behind-the-wheel training must be presented to the commissioner before the road test may be taken.

E. After passing the knowledge test, applicants who are required or desire to obtain an instruction permit shall apply as required by Minnesota Statutes, section 171.06

**Statutory Authority:** *MS s 14.06, 171 04; 171 13; 171 165, 299A 01*

**History:** *27 SR 465*

### 7410.4560 COMMERCIAL DRIVER'S LICENSE KNOWLEDGE TEST.

Subpart 1 **Identification required.** An applicant may take a commercial driver's license knowledge test only after presenting to the commissioner the identification required in part 7410.4300.

Subp. 2. **Additional requirement for instruction permit.** An applicant who passes the required knowledge tests and desires a Minnesota commercial motor vehicle instruction permit must have an accompanying valid Minnesota driver's license of a class lower than the class of driver's license required to operate the vehicle for which a permit is desired

#### Subp. 3 **Federal requirements for instruction permit.**

A. A Minnesota record of examination marked as a commercial motor vehicle instruction permit requires additional validation as described in Code of Federal Regulations, title 49, section 383.73.

B. The permit is not valid until a check is completed of national driver license information system records

C. An applicant must provide the department with the information in this item to initiate the records check.

- (1) full name and date of birth;
- (2) Minnesota driver's license number, if available; and
- (3) social security number

**Statutory Authority:** *MS s 14.06, 171 04; 171.13, 171.165; 299A 01*

**History:** *27 SR 465*

**7410.4580 MOTORCYCLE KNOWLEDGE TEST.**

Subpart 1. **General requirement.** A motorcycle knowledge test must be given to an applicant for a motorcycle endorsement if the applicant satisfies the requirements in this part.

Subp. 2. **Prerequisite.** The applicant must have either a valid out-of-state driver's license or a valid Minnesota driver's license.

Subp. 3. **Additional requirement for minor.** An applicant under the age of 18 shall provide proof of having completed a department-approved, two-wheeled vehicle driver's safety course. Proof is satisfied by presenting a fully completed, department-authorized certificate of enrollment with a signature of an authorized official of a licensed or approved driver education program or proof in an electronic format approved by the commissioner.

**Statutory Authority:** *MS s 14 06; 171 04; 171.13; 171.165; 299A 01*

**History:** 27 SR 465

**7410.4600 MOTORIZED BICYCLE OPERATOR'S PERMIT.**

Before taking a knowledge test:

A. An applicant for the motorized bicycle operator's permit must provide to the commissioner proof of having completed a department-approved motorized bicycle safety course. Proof is satisfied by presenting a fully completed, department-authorized certificate of completion with an authorized signature of an authorized official of a licensed or approved driver education program, or by presenting proof of course completion in an electronic format specified by the commissioner.

B. An applicant shall also provide, if the applicant is under the age of 18, a completed affidavit for motorized bicycle operator's permit signed by the applicant's parent or guardian. The signature must either be witnessed by the commissioner or be notarized.

**Statutory Authority:** *MS s 14.06; 171.04; 171.13; 171.165; 299A.01*

**History:** 27 SR 465

**7410.4700 USE OF REFERENCE MATERIAL PROHIBITED.**

Except for an unmarked dictionary, no reference materials, notes, consultations, or electronic devices are allowed during a test. Tests must not be distributed as practice samples. An applicant may not take notes during a test.

**Statutory Authority:** *MS s 14.06, 171 04; 171.13; 171.165; 299A 01*

**History:** 27 SR 465

**7410.4720 TEST REVIEW.**

A. An applicant's test shall be seen and reviewed only by the applicant and the commissioner.

B. An applicant's test shall not be seen or reviewed by a parent, teacher, or other person, except as provided in part 7410.4740.

C. Tests shall not be copied, duplicated, or distributed.

D. An applicant's test shall be reviewed at a time convenient to the commissioner.

**Statutory Authority:** *MS s 14 06; 171.04; 171 13; 171.165; 299A.01*

**History:** 27 SR 465

**7410.4740 USE OF INTERPRETER.**

A. A foreign language interpreter may be used to facilitate an examination under the following conditions:

- (1) the interpreter is approved by the commissioner;

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(2) the interpreter is provided at the request and expense of the applicant;

(3) the interpreter only translates information authorized by the commissioner, and

(4) the interpreter does not retain a copy of any test nor marks a test paper for the applicant

B. Upon request, the commissioner shall arrange for an interpreter for a hearing-impaired applicant

**Statutory Authority:** *MS s 14 06, 171 04; 171 13, 171 165; 299A 01*

**History:** *27 SR 465*

### 7410.4760 PASSING SCORE.

A knowledge test is satisfactorily passed if a score of at least 80 percent is obtained.

**Statutory Authority:** *MS s 14 06; 171 04, 171 13; 171 165, 299A 01*

**History:** *27 SR 465*

### 7410.4780 REPEAT TESTING.

Any type of knowledge test may be attempted only once per day by an applicant with a minimum wait time between tests of not less than one calendar day.

**Statutory Authority:** *MS s 14 06, 171 04; 171 13; 171 165; 299A 01*

**History:** *27 SR 465*

## ROAD OR SKILLS TESTING

### 7410.4800 ROAD AND SKILLS TESTS GENERALLY.

Road and skills tests must be administered on road or range conditions and encompass a variety of driving situations as specified by the commissioner.

**Statutory Authority:** *MS s 14 06; 171 04, 171 13; 171 165, 299A 01*

**History:** *27 SR 465*

### 7410.4820 CLASS D MOTOR VEHICLE ROAD TEST.

The road test for a class D vehicle, as defined in Minnesota Statutes, section 171.02, must include a demonstration of the applicant's ability to:

A. perform a vehicle equipment check that includes seat belt, emergency brake, headlights, hazard warning lights, horn, windshield wipers, windshield defroster and fan, mirrors, window glass, and the location of proof of insurance;

B. start, control, and stop the vehicle, including a correct use of transmission;

C. parallel park,

D. park and start on a hill;

E. back up the vehicle;

F. observe and respond to traffic and road conditions, traffic signs, and signals,

G. signal and use lanes correctly for right and left turns,

H. move between lanes and use marked and unmarked lanes correctly, and

I. yield the right-of-way to other drivers and pedestrians when required.

**Statutory Authority:** *MS s 14 06, 171 04, 171 13; 171 165, 299A.01*

**History:** *27 SR 465*

### 7410.4840 COMMERCIAL MOTOR VEHICLE ROAD TEST.

A. The road test in a commercial motor vehicle for a commercial driver's license must include a pretrip vehicle inspection, a demonstration of basic vehicle control skills, and a demonstration of street driving skills

B. The type of pretrip vehicle inspection depends on the vehicle used for the road test.

(1) An applicant testing in a class A or B vehicle that is not a school bus must pass a pretrip knowledge test

(2) A pretrip vehicle inspection is not required for an applicant testing in a class C motor vehicle that is not a school bus, however, the commissioner shall conduct a vehicle inspection to determine if the test vehicle meets the safety standards in part 7410.5140, 7410.5160, 7410.5180, or 7410.5200, as applicable

(3) An applicant for a school bus endorsement must pass a complete walk-around vehicle inspection of the school bus during which the operation of all warning, safety, and major mechanical systems must be accurately demonstrated

(4) If the test vehicle is equipped with air brakes, the pretrip vehicle inspection described in Code of Federal Regulations, title 49, section 383.113, must be passed.

C The basic vehicle control skills portion of the commercial driver's license road test must include a forward stop for accuracy, straight-line backing up, and a loading dock maneuver that tests the driver's ability to execute a right-side backup and to turn the vehicle

D. The street driving skills portions of the commercial driver's license road test must include a demonstration of the same skills required for class D testing specified in subpart 2. Additionally, the applicant must demonstrate visual search and speed and space management techniques necessary for the safe operation of large and heavy commercial motor vehicles

**Statutory Authority:** *MS s 14 06, 171 04, 171 13; 171.165; 299A 01*

**History:** 27 SR 465

#### 7410.4860 MOTORCYCLE ENDORSEMENT SKILLS TEST.

The skills test required to add a motorcycle endorsement to a Minnesota driver's license is subject to the approval of the commissioner. The test must consist of exercises that measure basic vehicle control and hazard-response skills.

**Statutory Authority:** *MS s 14 06, 171 04; 171 13, 171 165; 299A 01*

**History:** 27 SR 465

#### 7410.4880 SKILLS TEST FOR MOTORIZED BICYCLE OR THREE-WHEEL MOTORCYCLE.

Subpart 1 **Basic skills demonstrated.** The skills test required to obtain a motorized bicycle operator's permit must consist of maneuvers that demonstrate basic vehicle control and street riding skills

Subp 2 **Required for three-wheel motorcycle restriction.** The skills test must also be used for applicants testing to add a three-wheeled motorcycle restriction to a Minnesota driver's license

Subp. 3 **Abilities required.** The test must include the ability to.

A start and stop the vehicle, and quickly stop the vehicle in an emergency situation;

B turn complete circles to both the left and right within the confines of a single traffic lane;

C signal and use lanes correctly for right and left turns,

D change lanes safely and legally;

E observe and respond to traffic and road conditions, traffic signs, and signals; and

F yield the right-of-way to other drivers and pedestrians when required.

**Statutory Authority:** *MS s 14 06, 171 04, 171 13, 171 165, 299A 01*

**History:** 27 SR 465



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### 7410.4900 ROAD OR SKILLS TEST ADMINISTRATION; GENERAL REQUIREMENTS.

Subpart 1 **Uniform practices.** The commissioner shall practice the same testing procedures at all examination sites

Subp. 2 **Appropriate vehicle required.**

A A road or skills test must be administered in a motor vehicle representative of the class, as defined in Minnesota Statutes, section 171.02, for which the applicant seeks licensure or endorsement.

B The road test for a school bus endorsement must be administered in the type of school bus described in the endorsement category in part 7414.0350 that the applicant wants to obtain.

Subp 3 **Identification required.** All applicants, when reporting for a road or skills test, must provide identification as required in part 7410.4300, to an authorized examiner of the commissioner

Subp 4 **Proof of satisfactory vision.** All applicants, when reporting for a road or skills test, must provide proof of satisfactory vision as described in part 7410.2400. Proof is either

A presentation of a record of examination with successful vision screening results issued within the last two years,

B. passing a vision screening at a Minnesota examination site,

C presenting a completed, department-approved vision certificate, or

D. proof in an electronic format specified by the commissioner

**Statutory Authority:** *MS s 14 06; 171 04, 171 13, 171 165, 299A 01*

**History:** *27 SR 465*

### PROOF REQUIRED FOR ROAD OR SKILLS TESTING

#### 7410.4920 ROAD TEST FOR CLASS D LICENSE.

Subpart 1 **Proof required before taking test.**

A. When reporting for the class D driver's license road test, the applicant must provide proof of having passed the class D knowledge test.

B Proof is satisfied by presenting:

(1) a Minnesota instruction permit that is either currently valid or is expired for less than one year;

(2) a record of examination issued within the last two years,

(3) a duplicate copy of the record of examination from the original examination location, or

(4) proof in an electronic format specified by the commissioner

C. Photocopies are not acceptable unless they have an examination site verification and are signed by personnel from the issuing examination station

D Facsimile copies are acceptable only if sent by fax from one examination station to another.

Subp. 2 **When proof not required.** Proof of having passed a knowledge test is not required if.

A the applicant has a letter or notice from the department stating that only the road test is required;

B the currently licensed applicant takes a voluntary road test, or

C a road test is required to remove a physical or area restriction

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## 7410.4920 DRIVER INFORMATION, LICENSING, AND TESTING

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### Subp 3 **Additional proof required for minor.**

A A person under the age of 18 reporting for the class D driver's license road test shall also provide proof of having completed a full course of a department-approved or -licensed driver's education program

B Proof is satisfied by presenting a fully completed, department-authorized certificate of completion, with the signature of the program's authorized official, or by an electronic format specified by the commissioner

C If an applicant under the age of 18 completed the driver's education program in another state, the commissioner shall accept an official letter, written or in electronic form, attesting to completion of training comparable to Minnesota's requirement and verified by a public, private, or commercial school authority

### Subp 4 **Additional proof required for novice driver.**

A A novice driver reporting for the class D driver's license road test shall also provide proof of having possessed an instruction permit for the time requirement stated in Minnesota Statutes, section 171.05

B The applicant shall provide an instruction permit showing it was held for the minimum period of time specified in Minnesota Statutes, section 171.05

C If the permit does not indicate compliance with the minimum time periods required, then the commissioner shall verify the length of time the permit was held.

D If the commissioner is not able to verify the time the permit was held, then the novice driver shall provide a certified copy of a driving record that proves the original permit issue date

E A certified driving record from the previous state is required at the time of the road test if any portion of the permit waiting period includes time using an out-of-state permit for practice.

**Statutory Authority:** *MS s 14.06, 171.04, 171.13, 171.165, 299A.01*

**History:** *27 SR 465*

## 7410.4940 AFFIDAVIT FOR RESTRICTED LICENSE FOR FARM WORK.

If testing for a restricted farm work driver's license, the applicant shall provide the commissioner with a copy of a property tax statement or rental agreement, and a written statement verifying the necessity for a license as required in Minnesota Statutes, section 171.041. A farm work license affidavit, signed by the applicant's parent or guardian and either signed in the presence of the commissioner or notarized, must be used as the statement verifying the necessity for licensure under Minnesota Statutes, section 171.041

**Statutory Authority:** *MS s 14.06; 171.04; 171.13, 171.165; 299A.01*

**History:** *27 SR 465*

## 7410.4960 ROAD TEST FOR RESTRICTED LICENSE FOR MEDICAL REASON.

If an applicant is testing for a restricted driver's license for a medical reason as described in Minnesota Statutes, section 171.042, the applicant must present authorization from the department authorizing the road test and stating the driving limitations. The commissioner shall authorize testing after receiving

A a written statement from the applicant's parent or guardian that is signed in the presence of the commissioner or notarized, indicating a medical need; and

B a written doctor's statement indicating a need for a restricted medical license.

**Statutory Authority:** *MS s 14.06, 171.04, 171.13, 171.165, 299A.01*

**History:** *27 SR 465*

## 7410.4980 PROOF REQUIRED FOR MOTORCYCLE SKILLS TEST.

Subpart 1 **Proof of knowledge test.** When reporting for the motorcycle skills test, an applicant must provide proof of having passed a motorcycle knowledge test. Proof is satisfied by the presentation of a written or electronically transmitted record of

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examination issued within the last two years, or a motorcycle instruction permit that is valid or expired less than one year

Subp 2 **Additional requirement for minor.** If under the age of 18, a person applying to take the motorcycle skills test shall also provide a completed, department-authorized certificate of completion, signed by an authorized official of a department-approved or -licensed driver's education program motorcycle course, or the certificate of completion in an electronic format specified by the commissioner.

**Statutory Authority:** *MS s 14 06; 171 04, 171 13, 171 165; 299A 01*

**History:** 27 SR 465

### 7410.5000 PROOF REQUIRED FOR MOTORIZED BICYCLE SKILLS TEST OR THREE-WHEEL MOTORCYCLE RESTRICTION.

#### Subpart 1 **Proof of knowledge test.**

A When reporting for the motorized bicycle skills test or to add a three-wheel motorcycle restriction to a Minnesota driver's license, the applicant shall provide proof of having passed either:

- (1) a motorcycle knowledge test according to part 7410 4980, or
- (2) the motorized bicycle knowledge test

B Proof is satisfied by the presentation of a motorized bicycle operator's instruction permit that is valid or expired less than one year, or a record of examination that was issued within the last two years

Subp 2 **Additional requirement for minor.** If under the age of 18, a person applying to take the motorized bicycle skills test shall also provide a completed affidavit for a motorized bicycle operator's permit signed by the applicant's parent or guardian in the presence of the commissioner or notarized

Subp 3. **Fee.** If previously issued a motorized bicycle operator's instruction permit, a person applying to take the motorized bicycle skills test shall pay the examination and permit fee required by Minnesota Statutes, section 171 02. An applicant who has paid an examination fee but was not issued a motorized bicycle operator's instruction permit is not required to pay the operator's permit fee at the time of the skills test.

Subp 4. **Restriction on driver's license for minor.** An applicant shall also provide a certificate of completion of an approved motorcycle course if:

A the applicant is under the age of 18, and

B the motorized bicycle skills test is being administered for the purpose of adding a three-wheeled motorcycle operator restriction to a Minnesota driver's license.

**Statutory Authority:** *MS s 14 06, 171 04, 171 13, 171 165, 299A.01*

**History:** 27 SR 465

### 7410.5020 PROOF REQUIRED FOR COMMERCIAL DRIVER'S LICENSE ROAD TEST.

When reporting for a commercial driver's license road test, the applicant must provide a record of examination issued within the last two years as proof of having passed all knowledge tests required for the type and class of motor vehicle driven for the test.

**Statutory Authority:** *MS s 14 06, 171 04, 171 13; 171 165, 299A 01*

**History:** 27 SR 465

## VEHICLE AND SAFETY REQUIREMENTS FOR ROAD TEST

### 7410.5100 REQUIREMENTS AND PROHIBITIONS WHILE TAKING ROAD TEST.

Subpart 1. **Motor vehicle requirements and conditions.** The applicant shall:

A provide the motor vehicle to be used for the road or skills test, which must

- (1) be insured according to Minnesota Statutes, chapter 65B;
- (2) be registered according to Minnesota Statutes, section 169.79, and
- (3) be safe for both the driver and the authorized examiner, and

B. ensure that the motor vehicle interior is such that

- (1) the clothing of an authorized examiner will not become soiled, and
- (2) the interior does not appear unsanitary to the point of causing a health concern.

Subp 2. **Distractions prohibited.** Smoking, eating, drinking a beverage, or using a cellular phone or any other electronic device is prohibited during the test

Pets or loose objects that may distract, injure, or break are not allowed in the motor vehicle during the road test.

Subp. 3. **Presence of unnecessary person prohibited.** No one is allowed in a test vehicle during an actual road test except the driver and any authorized examiners.

**Statutory Authority:** *MS s 14.06; 171 04, 171 13; 171.165, 299A.01*

**History:** 27 SR 465

**7410.5120 PERMIT HOLDER NOT ACCOMPANIED BY LICENSED DRIVER.**

A. If a permit holder subject to Minnesota Statutes, section 171.05, drives to an initial road test without an accompanying licensed driver in the motor vehicle, the commissioner shall administer an initial road test that day

B. If the permit holder fails the road test, the commissioner shall advise the permit holder that state law prohibits the permit holder from driving alone and that a second or subsequent road test will be administered only if the permit holder returns on another day accompanied by a licensed driver

C The commissioner shall not administer a second or subsequent road test to a permit holder who continues to drive to the test site without an accompanying licensed driver in the motor vehicle

D. The commissioner shall report to law enforcement a permit holder who fails an initial road test and attempts to drive away without an accompanying licensed driver in the motor vehicle or who shows up for a second or subsequent road test without an accompanying licensed driver in the motor vehicle

**Statutory Authority:** *MS s 14 06; 171 04, 171 13; 171 165; 299A 01*

**History:** 27 SR 465

**7410.5140 VEHICLE SAFETY CHECK.**

A. The commissioner shall conduct a vehicle safety check at the time of the road test.

B. Seat belts must be provided if required by law and must work properly

C. Turn signals and brake lights must be in working condition, except that the driving examiner shall allow one road test to be given when only one brake light is not working A second test will not be given until the defective brake light is repaired

D. Except as provided in subitem (1), headlights must be used during the test.

(1) One test without working headlights is allowed, unless headlight use is required by law

(2) A second test will not be given until all defective headlights are repaired

E. All front doors must be operable from both inside and outside the vehicle

F The test vehicle must be free of dangerous vehicle conditions or defects such as damaged glass that obstructs vision, tire separation or exposed cord, the absence of a front bumper, excessive play in the steering wheel, exhaust leaks, or inadequate service brakes

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G Missing items or defects that in the judgment of the commissioner do not pose an imminent safety hazard such as an inoperable horn, inoperable emergency brake, or hazard warning lights, must be listed on the record of examination, but the commissioner shall allow an initial test

H. Valid, unexpired proof of insurance must be presented at the time of test administration.

I The commissioner shall not give a second or subsequent test if the equipment listed on the initial record of examination is still missing or defective.

**Statutory Authority:** *MS s 14 06, 171.04, 171 13, 171 165; 299A 01*

**History:** *27 SR 465*

### 7410.5160 COMMERCIAL VEHICLE EQUIPMENT SAFETY STANDARDS.

Commercial motor vehicles

A must be equipped as required by Code of Federal Regulations, title 49, section 392.7 or 392.8 or part 393,

B must have proof of a current annual inspection as required by Code of Federal Regulations, title 49, section 396.17, and, in the case of a commercial vehicle as defined in Minnesota Statutes, section 169.781, and registered in Minnesota, must display a current Minnesota inspection decal as required in Minnesota Statutes, section 169.781, subdivision 2;

C. must have an operable parking brake, either hydraulic or air supplied, capable of holding the vehicle, and

D if equipped with air brakes, must have operable air brake systems that meet the safety standards specified in subitems (1) through (3)

(1) an air loss of no more than three pounds per square inch in a single-unit vehicle, or four pounds per square inch in a combination vehicle, as determined by a one-minute, applied-pressure test;

(2) a low-air warning device that activates before pressure drops below 60 pounds per square inch, and

(3) an emergency brake system that activates before pressure drops below 20 pounds per square inch

**Statutory Authority:** *MS s 14 06, 171.04, 171 13; 171 165, 299A 01*

**History:** *27 SR 465*

### 7410.5180 SCHOOL BUS EQUIPMENT SAFETY STANDARDS.

A school bus must

A meet the commercial motor vehicle brake safety standards specified in part 7410.5160,

B be equipped with all headlights, turn signals, and brake lights in working condition and without broken lenses,

C have an eight-lamp system without defect;

D have useable side and crossover mirrors;

E. be equipped with an operable emergency door with a working buzzer, and

F. have a first aid and body fluids clean-up kit.

**Statutory Authority:** *MS s 14.06, 171 04; 171 13; 171 165, 299A.01*

**History:** *27 SR 465*

### 7410.5200 MOTORCYCLE AND MOTORIZED BICYCLE EQUIPMENT SAFETY STANDARDS.

Subpart 1. **Motorcycle.**

A Motorcycles must be free of obvious defects that could cause accident or injury during the skills test

B The commissioner shall not inspect the vehicle for equipment necessary to legally operate on the street or highway if the skills test is not conducted on a public street or highway

C. The applicant shall wear a motorcycle helmet approved by the United States Department of Transportation and eye protection.

### Subp 2 Motorized bicycle.

A. Motorized bicycles and three-wheeled motorcycles are tested on the street and must meet the equipment requirements of Minnesota Statutes, section 169.223

B Equipment necessary for the motorized bicycle to legally operate on the street includes a headlight, taillight, brake light, horn, mirror, and muffler

C The driving examiner shall allow one skills test to be given if the horn or muffler is present, but not operable

D The applicant shall wear a helmet approved by the United States Department of Transportation or American National Standards Institute for bicycle riding, and eye protection.

E An applicant taking a three-wheeled motorcycle test shall wear a helmet and eye protection as specified in subpart 1.

### Subp 3 Physical aids.

A. If an applicant's physical condition requires special equipment on the motor vehicle to operate the motor vehicle, the road test vehicle must be so equipped

B. If the road test is being taken to remove an equipment restriction, the equipment need not be present on the motor vehicle.

C. An initial examination may be given without special equipment to determine equipment needs

**Statutory Authority:** *MS s 14 06, 171 04, 171 13, 171 165, 299A 01*

**History:** 27 SR 465

## ROAD TESTS; OTHER REQUIREMENTS

### 7410.5300 ROAD TEST SCORING CONSIDERATIONS GENERALLY.

Road and skills tests must be scored on the basis of point values assigned to specific driving maneuvers, on the ability of the applicant to perceive risks within the driving environment, and the ability of the applicant to react safely and obey traffic laws.

**Statutory Authority:** *MS s 14 06, 171 04, 171.13; 171 165, 299A 01*

**History:** 27 SR 465

### 7410.5320 EVENTS RESULTING IN TEST FAILURE.

The commissioner shall consider a test failed if any event described in items A to L occurs

A The commissioner shall immediately discontinue a test if the applicant misses three or more items of the class D motor vehicle equipment demonstration.

B The commissioner shall immediately discontinue a test if the applicant misses eight or more items of the school bus pretrip inspection, is not able to operate a school bus safety system, or fails to locate the first aid or body fluids clean-up kit.

C The commissioner shall immediately discontinue a test in a commercial motor vehicle equipped with air brakes if the applicant misses all three of the in-cab air brake inspection items required by Code of Federal Regulations, title 49, section 383.113.

D. A test is failed if the applicant accumulates a point deduction of more than 20 on a class A, B, C, or D road test.

E. A test is failed if the applicant incurs more than three perceived risk errors on a class A, B, C, or D road test

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F. A test is failed if the applicant accumulates a point deduction of more than ten on the motorcycle skills test

G. A test is failed if the applicant incurs more than three errors scored on the motorized bicycle skills test

H. A test is failed if the applicant is involved in an accident or crash that could have been prevented by the applicant, regardless of who was responsible. An accident or crash includes contact with another vehicle, a pedestrian, a fixed object, or a parking flag.

I. A test is failed if the applicant violates a traffic law for which a driver might normally be ticketed or arrested

J. A test is failed if the applicant operates the vehicle in such a way as to commit an action that may endanger people or property. Dangerous actions include

- (1) driving the vehicle over a curb or onto a sidewalk;
- (2) forcing another driver or pedestrian to react defensively to avoid an accident;
- (3) an inability to control the vehicle;
- (4) stopping on a railroad track,
- (5) driving in the wrong lane when lanes are clearly marked,
- (6) turning from the wrong lane when lanes are clearly marked,
- (7) an inability to back up a commercial motor vehicle in a straight line or to back it up to a loading dock, or
- (8) committing an error that requires the commissioner to control the vehicle or aid the driver to avoid an accident.

K. A test is failed if the applicant does not cooperate with the commissioner or the applicant refuses to perform a maneuver

L. A test is considered failed if the test is not completed because vehicle failure, applicant illness, or weather conditions prevent completion, or the vehicle is disabled in an accident or crash that could not have been prevented

**Statutory Authority:** *MS s 14 06; 171.04; 171 13; 171 165, 299A 01*

**History:** 27 SR 465

### 7410.5340 ONE ROAD TEST PER DAY.

Any type of road or skills test may be attempted just once per day by an applicant, except in the case of an incomplete test

**Statutory Authority:** *MS s 14 06, 171.04; 171 13, 171 165, 299A.01*

**History:** 27 SR 465

### 7410.5360 ROAD TEST FAILURE; MANDATORY PRACTICE, RETRAINING.

A. A minimum mandatory practice period is required after each road or skills test failure, except when an applicant is required to be reexamined under Minnesota Statutes, section 171 13, subdivision 3, or for a school bus road test or test conducted by a third-party testing program

B. A first equipment demonstration failure is not considered a road test failure and no practice period is required.

C. A one-week practice period is required after the first failure of a completed road test.

D. A two-week practice period is required after the second, third, or fourth failure of a completed road test.

E. Pursuant to Minnesota Statutes, section 171 04, subdivision 1, an applicant who fails four road tests must complete six hours of behind-the-wheel training with a department-approved or -licensed driver's education program.

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F. The practice periods in items C and D are subject to variance under Minnesota Statutes, section 14 055

**Statutory Authority:** *MS s 14 06; 171 04, 171 13, 171 165; 299A 01*

**History:** *27 SR 465*

## 7410.5380 ROAD TEST FOLLOWING EXPIRED PERMIT.

A. A permit expired less than one year constitutes proof of having passed the required knowledge test, but the expired permit may not continue to be used throughout a sequence of tests, practice periods, or driver's training

B One road or skills test is allowed using a permit that has been expired for less than one year.

C If the road test is failed, the applicant shall renew the instruction permit before practice driving begins

D The practice time begins at the time the permit is renewed

**Statutory Authority:** *MS s 14 06, 171 04, 171 13, 171 165, 299A 01*

**History:** *27 SR 465*

## TEST WAIVERS

### 7410.5400 GENERAL WAIVER AUTHORITY.

Pursuant to Minnesota Statutes, section 171 13, subdivision 1a, the commissioner may waive the requirement that an applicant for a Minnesota driver's license demonstrate the ability to exercise ordinary and reasonable control in operating a motor vehicle if the commissioner determines the applicant possesses a valid driver's license issued by a state that requires an equivalent demonstration for license issuance and endorsements

**Statutory Authority:** *MS s 14 06; 171 04; 171 13, 171.165, 299A 01*

**History:** *27 SR 465*

### 7410.5420 GENERAL WAIVER FOR CLASS D LICENSE TEST.

Subpart 1 **Minnesota license holder.** If an applicant for a Minnesota class D driver's license has a Minnesota class D driver's license that has

A expired less than one year, then the applicant is not required to pass the class D knowledge test or class D road test, or

B expired more than one year but less than five years, then the applicant is not required to pass the class D road test

Subp. 2. **Out-of-state license holder.** If an applicant for a Minnesota class D driver's license or permit has a class D driver's license from another state that is valid or not expired more than one year, then the applicant is not required to pass the road test for a Minnesota class D driver's license.

**Statutory Authority:** *MS s 14 06; 171 04; 171 13; 171 165, 299A 01*

**History:** *27 SR 465*

### 7410.5440 GENERAL WAIVER FOR LICENSE WITH MOTORCYCLE ENDORSEMENT.

Subpart 1 **Holder of Minnesota motorcycle endorsement.** If an applicant for a Minnesota driver's license with a motorcycle endorsement has a Minnesota driver's license with a motorcycle endorsement that has

A expired less than one year, then the applicant is not required to pass the class D driver's license knowledge test, class D driver's license road test, motorcycle knowledge test, or motorcycle skills test, or

B expired more than one year but less than five years, then the applicant is not required to pass the class D driver's license road test or motorcycle skills test



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Subp. 2. **Holder of out-of-state motorcycle endorsement.** If an applicant for a Minnesota driver's license with a motorcycle endorsement has a driver's license with a motorcycle endorsement from another state that is valid or not expired more than one year, then the applicant is not required to pass the Minnesota class D driver's license road test or motorcycle endorsement skills test

**Statutory Authority:** *MS s 14 06, 171 04, 171 13, 171 165, 299A 01*

**History:** 27 SR 465

### 7410.5460 GENERAL WAIVER FOR COMMERCIAL DRIVER'S LICENSE TEST.

Subpart 1 **Minnesota commercial license holder.** If an applicant for a commercial driver's license has a Minnesota commercial driver's license that has

A expired less than one year, then the applicant is not required to pass the class D knowledge test, commercial driver's license general knowledge test, class D road test, or commercial driver's license road test, although

(1) if a hazardous materials endorsement is requested on the commercial license, then the applicant is required to pass the hazardous materials knowledge test or demonstrate that a hazardous materials endorsement is currently valid,

(2) if a school bus endorsement is requested, then the applicant is required to pass the school bus endorsement knowledge test and the school bus endorsement road test as required in chapter 7414, and

(3) if other endorsements for double or triple trailers, passenger, or tanker are not current and valid, then the applicant is required to pass the applicable test for any of those endorsements, or

B. expired more than one year but less than five years, then the applicant is not required to pass the road test for either a class D driver's license or a commercial driver's license

#### Subp 2 **Holder of out-of-state commercial license.**

A If an applicant for a Minnesota commercial driver's license has a commercial driver's license from another state that is valid or not expired more than one year, then the applicant is not required to pass the commercial knowledge test, Minnesota class D driver's license road test, or Minnesota commercial driver's license road test for the same class of commercial license

B. If a hazardous materials endorsement is requested on the commercial license, then the applicant is required to pass the hazardous materials knowledge test.

C. If a school bus endorsement is requested, then the applicant is required to pass the school bus endorsement knowledge test and the school bus endorsement road test as required in chapter 7414

D If other endorsements for double or triple trailers, passenger, or tanker are not current and valid, then the applicant is required to pass the applicable test for any of those endorsements.

**Statutory Authority:** *MS s 14 06, 171 04; 171 13, 171 165; 299A 01*

**History:** 27 SR 465

### 7410.5480 GENERAL WAIVER FOR SCHOOL BUS ENDORSEMENT FOR OUT-OF-STATE COMMERCIAL LICENSE HOLDER.

If a school bus endorsement on a Minnesota commercial driver's license is requested by an applicant who has a commercial driver's license with a school bus endorsement from another state that is valid or not expired more than one year, then the applicant is not required to pass the Minnesota class D road test or Minnesota commercial driver's license road test. The application, however, must be for the operation of a bus of comparable size

**Statutory Authority:** *MS s 14 06, 171 04, 171 13, 171 165; 299A 01*

**History:** 27 SR 465

**7410.5500 OUT-OF-STATE LICENSE HOLDER WITHOUT DRIVING PRIVILEGES.**

**Subpart 1. Driving privileges withdrawn in Minnesota.**

A. If an applicant with a driver's license from any other state who has driving privileges withdrawn in Minnesota applies for a Minnesota driver's license, then the applicant is required to meet all conditions for license reinstatement in Minnesota, including payment of all applicable reinstatement fees specified in Minnesota Statutes, sections 171.20 and 171.29, before the waivers in parts 7410.5400 to 7410.5600 apply

B. If the driving privileges of the out-of-state license holder were withdrawn in Minnesota and the out-of-state license is expired for one year or less, then the road test for a class D driver's license is waived

C. The applicant is required to pass the class D driver's license knowledge test unless the applicant has a Minnesota driver's license that is current or expired less than one year

D. If driving privileges are withdrawn for a violation under Minnesota Statutes, chapter 169A, or former Minnesota Statutes, section 169.121, 169.123, or 171.17, the applicant must pass a knowledge test on the effects of alcohol and drugs as described in part 7410.4520

**Subp 2 Driving privileges withdrawn in any other state.** If an applicant's driving privileges are withdrawn in any other state and the applicant applies for a driver's license in Minnesota, then the applicant's driving privileges must be reinstated in all other states before the applicant is eligible for driving privileges in Minnesota and for a waiver of the test requirements specified in parts 7410.5400 to 7410.5600

**Statutory Authority:** *MS s 14 06; 171 04, 171 13; 171.165, 299A.01*

**History:** 27 SR 465

**7410.5520 TEST WAIVERS FOR LICENSE REVOKED FOR DWI-RELATED OFFENSE.**

If an applicant for a Minnesota driver's license has a Minnesota driver's license that has been revoked under Minnesota Statutes, chapter 169A, or former or current Minnesota Statutes, section 169.121, 169.123, or 171.17, then the applicant is required to pass a test on the effects of alcohol and drugs as described in part 7410.4520, and pay all applicable license reinstatement fees specified in Minnesota Statutes, section 171.29, before a waiver is applicable. If the applicant's driver's license has been revoked, and the license is expired.

A. less than one year, then the applicant is not required to pass the

- (1) class D driver's license knowledge test,
- (2) class D driver's license road test;
- (3) commercial driver's license general knowledge test,
- (4) commercial driver's license road test,
- (5) motorcycle endorsement knowledge test, or
- (6) motorcycle endorsement skills test; or

B. more than one year but less than five years, then the applicant is not required to pass the

- (1) class D driver's license road test,
- (2) commercial driver's license road test; or
- (3) motorcycle endorsement skills test

**Statutory Authority:** *MS s 14 06, 171 04, 171 13; 171 165; 299A.01*

**History:** 27 SR 465

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### 7410.5540 LICENSE WITH MOTORCYCLE ENDORSEMENT REVOKED FOR NON-DWI-RELATED TRAFFIC OFFENSE.

If an applicant for a Minnesota driver's license with a motorcycle endorsement has a Minnesota license with a motorcycle endorsement and driving privileges that have been revoked for a traffic offense other than one specified in Minnesota Statutes, chapter 169A, or former or current Minnesota Statutes, section 169.121, 169.123, or 171.17, then the applicant is required to pay the license reinstatement fee specified in Minnesota Statutes, section 171.29, before a waiver is applicable. If the applicant's driver's license has been revoked, and the license is expired

A less than one year, then the motorcycle endorsement knowledge test, the class D driver's license road test, and the motorcycle endorsement skills test are waived; or

B more than one year but less than five years, then the class D driver's license road test and motorcycle endorsement skills test are waived.

**Statutory Authority:** *MS s 14 06; 171 04; 171 13, 171 165, 299A 01*

**History:** *27 SR 465*

### 7410.5560 COMMERCIAL LICENSE REVOKED.

#### Subpart 1 License revoked for alcohol or drug-related offense.

A If an applicant for a Minnesota commercial driver's license has a Minnesota commercial driver's license that has been revoked for a violation of Minnesota Statutes, chapter 169A, or former or current Minnesota Statutes, section 169.121, 169.123, or 171.17, then the applicant is required to pass a test on the effects of alcohol and other drugs as specified in part 7410.4520, and pay the license reinstatement fees specified in Minnesota Statutes, section 171.29, before a waiver is applicable.

B If the applicant also has a hazardous materials endorsement, then the applicant is required to pass the hazardous materials knowledge test.

C. If the applicant's commercial driver's license has been revoked, and the license is expired less than one year, then the class D driver's license road test, commercial driver's license road test, and all knowledge tests, except the hazardous materials endorsement knowledge test and school bus endorsement knowledge test, are waived.

D If the applicant's commercial driver's license has been revoked and the license is expired more than one year but less than five years, then the commercial driver's license road test is waived.

Subp 2 License or endorsement revoked for non-DWI-related offense. If an applicant for a Minnesota commercial driver's license or endorsement has a Minnesota commercial driver's license or endorsement that has been revoked for a traffic offense other than one specified in Minnesota Statutes, chapter 169A, or former or current Minnesota Statutes, section 169.121, 169.123, or 171.17, then the applicant is required to pay the reinstatement fee in Minnesota Statutes, section 171.29, before a waiver is applicable. If the applicant's commercial driver's license or endorsement has been revoked and the license is expired.

A less than one year, then the class D driver's license road test, commercial driver's license road test, and all knowledge tests, except the hazardous materials endorsement and school bus endorsement knowledge tests, are waived, or

B more than one year but less than five years, the class D driver's license road test and commercial driver's license road test are waived.

**Statutory Authority:** *MS s 14 06, 171 04, 171 13, 171 165; 299A 01*

**History:** *27 SR 465*

### 7410.5600 VARIANCE FOR ADDITIONAL CASE-SPECIFIC TEST WAIVERS.

A. The commissioner of public safety may grant a variance from the test requirements and waivers specified in parts 7410.4000 to 7410.5560 on a case-by-case basis only.

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B. If an individual cannot comply with the test requirements for a driver's license, then the individual may request a variance. The request must be in writing, be submitted to the commissioner, and

(1) contain the individual's full name, address, date of birth, the driver's license number of any driver's license issued in any other state or specify any state in which a driver's license was issued, and the date of expiration of any license or endorsement on a license;

(2) specify the type of Minnesota driver's license and any endorsements the applicant seeks,

(3) specify the class of vehicle the individual wants to drive,

(4) specify all test requirements from which the applicant seeks a waiver;

(5) describe the reason why a test waiver is requested, including proof of any equivalent tests the individual has passed in any other state; and

(6) be signed and dated by the individual requesting a test waiver

C. The commissioner shall grant the variance request for a test waiver if.

(1) the waiver was requested as specified in item B,

(2) the waiver, if granted, would not have an adverse effect on public safety,

(3) the alternative tests or the tests passed in another state are equivalent to those administered by the commissioner; and

(4) granting the variance does not waive or vary a statute

D. The commissioner shall notify the individual requesting a test waiver variance in writing of the commissioner's decision to grant or deny the variance within 60 days of receipt of the request. If the variance request is denied, the commissioner shall specify the reasons for the denial.

**Statutory Authority:** *MS s 14 06, 171.04, 171 13; 171 165, 299A 01*

**History:** *27 SR 465*