

## CHAPTER 171

## DRIVERS' LICENSES AND TRAINING SCHOOLS

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**171.02 LICENSES: TYPES, ENDORSEMENTS, RESTRICTIONS.**

*[For text of subs 1 to 4, see M.S.1996]*

**Subd. 5. Exemption for certain backup snowplow drivers.** Pursuant to the waiver authorization set forth in Public Law Number 104-59, section 345 (a)(5), a person who operates a commercial motor vehicle for the purpose of removing snow or ice from a roadway by plowing, salting, or sanding is not required to hold a commercial driver's license if the person:

- (1) is an employee of a local unit of government with a population of 3,000 or less;
- (2) is operating within the boundaries of the local unit of government;
- (3) holds a valid driver's license authorizing the operation of class B vehicles; and
- (4) except in the event of a lawful strike, is temporarily replacing the employee who normally operates the vehicle but either is unable to operate the vehicle or is in need of additional assistance due to a snow emergency as determined by the local unit of government.

**History:** 1997 c 35 s 1

**171.041 RESTRICTED LICENSES FOR FARM WORK.**

Notwithstanding any provisions of section 171.04 relating to the age of an applicant to the contrary, the commissioner may issue a restricted farm work license to operate a motor vehicle to a person who has attained the age of 15 years and who, except for age, is qualified to hold a driver's license. The applicant is not required to comply with the six-month instruction permit possession provisions of sections 171.04, subdivision 1, clause (2), and 171.05, subdivision 2a. The restricted license shall be issued solely for the purpose of authorizing the person to whom the restricted license is issued to assist the person's parents or guardians with farm work. A person holding this restricted license may operate a motor vehicle only during daylight hours and only within a radius of 20 miles of the parent's or guardian's farmhouse; however, in no case may a person holding the restricted license operate a motor vehicle in a city of the first class. An applicant for a restricted license shall apply to the commissioner for the license on forms prescribed by the commissioner. The application shall be accompanied by:

- (1) a copy of a property tax statement showing that the applicant's parent or guardian owns land that is classified as agricultural land or a copy of a rental statement or agreement showing that the applicant's parent or guardian rents land classified as agricultural land; and
- (2) a written verified statement by the applicant's parent or guardian setting forth the necessity for the license.

**History:** 1997 c 48 s 1; 1997 c 230 s 6; 1997 c 251 s 24,25

**171.043 NOTICE OF PERSONS UNDER DRIVER'S LICENSE CANCELLATION.**

The commissioner of public safety shall develop a program under which the commissioner provides a monthly notice to local law enforcement agencies of the names and addresses of persons residing within the local agency's jurisdiction whose driver's licenses or driving privileges have been canceled under section 171.04, subdivision 1, clause (9). At the commissioner's discretion, the commissioner may adopt necessary procedures so that the information is current and accurate. Data in the notice are private data on individuals and are available to law enforcement agencies.

**History:** 1997 c 12 art 3 s 7

**171.05 INSTRUCTION PERMITS.**

*[For text of subs 1 and 2, see M.S.1996]*

**Subd. 2a. Permit for six months.** (a) An applicant who has applied for and received an instruction permit pursuant to subdivision 2 must possess the instruction permit for not less than six months before qualifying for a driver's license.

(b) Until May 31, 1999, the commissioner may waive the six-month requirement of this subdivision for an applicant for a class D driver's license if:

(1) at least six months has elapsed since the applicant successfully completed the written examination requirement of the approved driver education program pursuant to subdivision 2; and

(2) the applicant subsequently obtained a permit and successfully completed all of the approved driver education program requirements before applying for the class D driver's license.

This paragraph is effective June 4, 1997, and expires June 1, 1999.

*[For text of subd 3, see M.S.1996]*

**History:** 1997 c 250 s 8

**171.06 APPLICATIONS FOR LICENSES, PERMITS; FEES.**

*[For text of subd 1, see M.S.1996]*

**Subd. 2. Fees.** The fees for a license and Minnesota identification card are as follows:

Classified Driver License	D-\$18.50	C-\$22.50	B-\$29.50	A-\$37.50
Classified Under 21 D.L.	D-\$18.50	C-\$22.50	B-\$29.50	A-\$17.50
Instruction Permit				\$ 9.50
Duplicate License or duplicate identification card				\$ 8.00
Minnesota identification card or Under-21 Minnesota identification card, other than duplicate, except as otherwise provided in section 171.07, subdivisions 3 and 3a				\$12.50

**Subd. 2a. Two-wheeled vehicle endorsement fee increased.** (a) The fee for any duplicate driver's license which is obtained for the purpose of adding a two-wheeled vehicle endorsement is increased by \$18.50 for each first such duplicate license and \$13 for each renewal thereof. The additional fee shall be paid into the state treasury and credited as follows:

(1) \$11 of the additional fee for each first duplicate license, and \$7 of the additional fee for each renewal, must be credited to the motorcycle safety fund which is hereby created; provided that any fee receipts in excess of \$750,000 in a fiscal year shall be credited 90 percent to the trunk highway fund and ten percent to the general fund, as provided in section 171.26.

(2) The remainder of the additional fee must be credited to the general fund.

(b) All application forms prepared by the commissioner for two-wheeled vehicle endorsements shall clearly state the amount of the total fee that is dedicated to the motorcycle safety fund.

**Subd. 3. Contents of application; other information.** An application must state the full name, date of birth, sex and residence address of the applicant, a description of the applicant in such manner as the commissioner may require, and must state whether or not the applicant has theretofore been licensed as a driver; and, if so, when and by what state or country and whether any such license has ever been suspended or revoked, or whether an application has ever been refused; and, if so, the date of and reason for such suspension, revocation, or refusal, together with such facts pertaining to the applicant and the applicant's ability to operate a motor vehicle with safety as may be required by the commissioner. An application for a class C, class B, or class A driver's license also must state the applicant's social security number. An application for a class D driver's license must have a space for the applicant's social security number and state that providing the number is optional, or otherwise convey that the applicant is not required to enter the social security number. The application form must contain a space where the applicant may indicate a desire to make an anatomical gift. If the applicant does not indicate a desire to make an anatomical gift when the application is made, the applicant must be offered a donor document in accordance with section 171.07, subdivision 5. The application form must contain statements sufficient to comply with the requirements of the Uniform Anatomical Gift Act (1987), sections 525.921 to 525.9224, so that execution of the application or donor document will make the anatomical gift as provided in section 171.07, subdivision 5, for those indicating a desire to make an anatomical gift. The application form must contain a notification to the applicant of the availability of a living will/health care directive designation on the license under section 171.07, subdivision 7. The application must be in the form prepared by the commissioner.

The application form must be accompanied by a pamphlet containing relevant facts relating to:

- (1) the effect of alcohol on driving ability;
- (2) the effect of mixing alcohol with drugs;
- (3) the laws of Minnesota relating to operation of a motor vehicle while under the influence of alcohol or a controlled substance; and
- (4) the levels of alcohol-related fatalities and accidents in Minnesota and of arrests for alcohol-related violations.

The application form must also be accompanied by a pamphlet describing Minnesota laws regarding anatomical gifts and the need for and benefits of anatomical gifts.

*[For text of subd 3a, see M.S.1996]*

**Subd. 4. Application, filing; fee retained for expenses.** Any applicant for an instruction permit, a driver's license, restricted license, or duplicate license may file an application with a court administrator of the district court or at a state office. The administrator or state office shall receive and accept the application. To cover all expenses involved in receiving, accepting, or forwarding to the department applications and fees, the court administrator of the district court may retain a county fee of \$3.50 for each application for a Minnesota identification card, instruction permit, duplicate license, driver license, or restricted license. The amount allowed to be retained by the court administrator of the district court shall be paid into the county treasury and credited to the general revenue fund of the county. Before the end of the first working day following the final day of an established reporting period, the court administrator shall forward to the department all applications and fees collected during the reporting period, less the amount herein allowed to be retained for expenses. The court administrators of the district courts may appoint agents to assist in accepting applications, but the administrators shall require every agent to forward to the administrators by whom the agent is appointed all applications accepted and fees collected by the agent, except that an agent shall retain the county fee to cover the agent's expenses involved in receiving, accepting or forwarding the applications and fees. The court administrators shall be responsible for the acts of agents appointed by them and for the forwarding to the department of all applications accepted and those fees collected by agents and by themselves as are required to be forwarded to the department. The commissioner shall suspend or revoke the appointment of a license agent or issue a correction order to a license agent who violates any requirement of this section or when grounds exist that would justify revocation or suspension of a deputy

registrar appointment under Minnesota Rules, parts 7406.0800 to 7406.1000. To revoke or suspend an appointment, the commissioner shall follow procedures for suspension and revocation hearings set forth in Minnesota Rules, parts 7406.1100 to 7406.2600.

**History:** 1997 c 13 s 1; 1997 c 60 s 1; 1997 c 159 art 2 s 32; 1997 c 250 s 9

**NOTE:** The amendment to subdivision 4 by Laws 1997, chapter 250, section 9, is effective January 1, 1999. Laws 1997, chapter 250, section 18.

**NOTE:** Subdivision 4 is repealed by Laws 1997, chapter 250, section 17, effective January 1, 1999. Laws 1997, chapter 250, section 18.

### 171.061 DRIVER'S LICENSE AGENTS.

Subdivision 1. **Definitions.** For purposes of this section:

(1) "applicant" means an individual applying for a driver's license, restricted license, duplicate license, instruction permit, Minnesota identification card, or motorized bicycle operator's permit; and

(2) "application" refers to an application for a driver's license, restricted license, duplicate license, instruction permit, Minnesota identification card, or motorized bicycle operator's permit.

**Subd. 2. Appointment and discontinuance.** (a) The commissioner of public safety may appoint an individual, and for cause discontinue the appointment of an agent, to serve as a driver's license agent.

(b) A county board may appoint an individual, and for cause discontinue the appointment of an agent, to serve as an agent, pursuant to sections 373.32 to 373.38, with the approval of the commissioner. If a county board does not discontinue an agent's appointment, although cause for discontinuance exists, the commissioner may discontinue the appointment. If a county board does not appoint an individual, the commissioner may establish an office and appoint an individual to accept applications as the public interest and convenience may require.

(c) The county board is responsible for the acts of an agent appointed by the board and for forwarding to the department all applications accepted and fees collected by the agent as required by the department.

**Subd. 3. Applications.** An applicant may file an application with an agent. The agent shall receive and accept applications in accordance with the laws and rules of the department of public safety for a driver's license, restricted license, duplicate license, instruction permit, Minnesota identification card, or motorized bicycle operator's permit.

**Subd. 4. Fee; equipment.** (a) The agent may charge and retain a filing fee of \$3.50 for each application. Except as provided in paragraph (b), the fee shall cover all expenses involved in receiving, accepting, or forwarding to the department the applications and fees required under sections 171.02, subdivision 3; 171.06, subdivisions 2 and 2a; and 171.07, subdivisions 3 and 3a.

(b) An agent with photo identification equipment provided by the department before January 1, 1999, may retain the photo identification equipment until the agent's appointment terminates. The department shall maintain the photo identification equipment for these agents. An agent appointed before January 1, 1999, who does not have photo identification equipment provided by the department, and any new agent appointed after December 31, 1998, shall procure and maintain photo identification equipment. All photo identification equipment must be compatible with standards established by the department.

(c) A filing fee retained by the agent employed by a county board must be paid into the county treasury and credited to the general revenue fund of the county. An agent who is not an employee of the county shall retain the filing fee in lieu of county employment or salary and is considered an independent contractor for pension purposes, coverage under the Minnesota state retirement system, or membership in the public employees retirement association.

(d) Before the end of the first working day following the final day of the reporting period established by the department, the agent must forward to the department all applications and fees collected during the reporting period except as provided in paragraph (c).

**Subd. 5. Discontinuance or transfer of appointment.** (a) An agent shall notify the department no less than 30 days before the discontinuance of service.

(b) In the event of the notice specified in paragraph (a); death or retirement of the agent; or revocation or discontinuance of the appointment of the agent by the county board or commissioner, the appointment terminates and all equipment provided by the department reverts to the department.

**Subd. 6. Rules.** The commissioner shall adopt rules that prescribe:

(1) criteria, procedures, and requirements for appointing an individual as an agent of the commissioner;

(2) criteria for establishment, operation, management, location, and movement of a license application office;

(3) standards for the uniform administration of laws and rules governing the receipt of applications and fees for applications;

(4) number of applications to be processed;

(5) standards for submitting applications including valid forms of identification, depositing funds, maintaining records, and holding proper bonds; and

(6) standards for discontinuing the individual's appointment and for enforcement action.

**History:** 1997 c 250 s 10

**NOTE:** Subdivisions 1 to 4, as added by Laws 1997, chapter 250, section 10, subdivisions 1 to 4, are effective January 1, 1999. Laws 1997, chapter 250, section 18.

## 171.07 INFORMATION ON LICENSES AND IDENTIFICATION CARDS.

*[For text of subs 1 to 2, see M.S.1996]*

**Subd. 3. Identification card; fee.** (a) Upon payment of the required fee, the department shall issue to every applicant therefor a Minnesota identification card. The department may not issue a Minnesota identification card to a person who has a driver's license, other than an instruction permit or a limited license. The card must bear a distinguishing number assigned to the applicant, a colored photograph or an electronically produced image, the full name, date of birth, residence address, a description of the applicant in the manner as the commissioner deems necessary, and a space upon which the applicant shall write the usual signature and the date of birth of the applicant with pen and ink. Each identification card issued to an applicant under the age of 21 must be of a distinguishing color and plainly marked "Under-21."

(b) Each Minnesota identification card must be plainly marked "Minnesota identification card - not a driver's license."

(c) The fee for a Minnesota identification card issued to a person who is mentally retarded, as defined in section 252A.02, subdivision 2, or to a physically disabled person, as defined in section 169.345, subdivision 2, is 50 cents.

*[For text of subd 3a, see M.S.1996]*

**Subd. 4. Expiration.** (a) Except as otherwise provided in this subdivision, the expiration date of Minnesota identification cards of applicants under the age of 65 shall be the birthday of the applicant in the fourth year following the date of issuance of the card.

(b) Minnesota identification cards issued to applicants age 65 or over shall be valid for the lifetime of the applicant.

(c) The expiration date for an Under-21 identification card is the card holder's 21st birthday. The commissioner shall issue an identification card to a holder of an Under-21 identification card who applies for the card, pays the required fee, and presents proof of identity and age, unless the commissioner determines that the applicant is not qualified for the identification card.

*[For text of subs 5 and 6, see M.S.1996]*

**Subd. 7. Living Will/Health Care Directive designation.** At the written request of the applicant and on payment of the required fee, the department shall issue, renew, or reissue a

driver's license or Minnesota identification card bearing the designation "Living Will/Health Care Directive" or an abbreviation thereof. The designation does not constitute delivery of a health care declaration under section 145B.05.

On payment of the required fee, the department shall issue a replacement or renewal license or identification card without the designation if requested by the applicant.

This subdivision does not impose any additional duty on a health care provider, as defined in section 145B.02, subdivision 6, or 145C.01, subdivision 6, beyond the duties imposed in chapter 145B or 145C.

For the purposes of this subdivision:

- (1) "living will" means a declaration made under section 145B.03; and
- (2) "health care directive" means a durable power of attorney for health care under section 145C.02, or any other written advance health care directive of the applicant that is authorized by statute or not prohibited by law.

*[For text of subs 8 to 10, see M.S.1996]*

**Subd. 11. Designated caregiver.** (a) Upon the written request of the applicant on a form developed by the department, which contains the information specified in paragraph (b), and upon payment of an additional fee of \$3.50, the department shall issue a driver's license or Minnesota identification card bearing a symbol or other appropriate identifier indicating that the license holder has appointed an individual to serve as a designated caregiver under chapter 257A.

(b) The form shall provide as follows:

"...(Name of parent(s))... appoints ...(name of designated caregiver)... to provide care for ...(name of child or children)... when requested by the parent(s) or when the parent(s) is unable to care for the child (children) and unable to request the designated caregiver's assistance.

The designated caregiver will care for the child (children) named in this form for (choose one of the following):

- (indicate a specified period of time that is less than one year); or
- (indicate that care is to be provided for one year).

The designated caregiver has the powers and duties to make decisions and meet the child's (children's) needs in the areas checked or specified below:

- education .....
- health care .....
- religion .....
- day care .....
- recreation .....
- other .....

.....  
.....  
.....

The designated caregiver (choose one of the following):

- is ...
- is not ...

authorized to make decisions about financial issues and control financial resources provided for the child (children) by the parent.

This designated caregiver agreement is effective for four years following the date it is signed by the parent(s), designated caregiver, and any alternate designated caregiver. However, the agreement may be canceled by a parent, a designated caregiver, or an alternate designated caregiver at any time before that date, upon notice to the other parties to the agreement. All parents who have court-ordered visitation rights to the child must consent to the agreement.

(Signature(s) of parent(s) with legal custody and Minnesota driver's license(s) or Minnesota identification card number(s))

(Designated caregiver signature, Minnesota driver's license or Minnesota identification card number, address, and telephone number)

(Alternate designated caregiver signature, Minnesota driver's license or Minnesota identification card number, address, and telephone number)

(Date .....)

(Notarization .....)"

(c) The department shall maintain a computerized records system of all persons listed as designated caregivers by driver's license and identification card applicants. This data shall be released to appropriate law enforcement agencies under section 13.69. Upon a parent's request and payment of a fee of \$3.50, the department shall revise its list of designated caregivers and alternates to reflect a change in the appointment of a designated caregiver.

(d) At the request of the license or card holder, the department shall cancel the designated caregiver indication without additional charge. However, this paragraph does not prohibit a fee that may be applicable for a duplicate or replacement license or card, renewal of a license, or other service applicable to a driver's license or identification card.

(e) Notwithstanding sections 13.08, subdivision 1, and 13.69, the department and department employees are conclusively presumed to be acting in good faith when employees rely on statements made, in person or by telephone, by persons purporting to be law enforcement and subsequently release information described in paragraph (b). When acting in good faith, the department and department personnel are immune from civil liability and not subject to suit for damages resulting from the release of this information.

(f) The department and its employees:

(1) have no duty to inquire or otherwise determine whether a form submitted under this subdivision contains the signatures of all parents who have legal custody of a child or whether all parents who have court-ordered visitation rights to the child have consented to the agreement; and

(2) are immune from all civil liability and not subject to suit for damages resulting from a claim that any parent with legal custody of a child has not signed the form or that a parent who has court-ordered visitation rights to the child did not consent to the agreement.

(g) Of the fees received by the department under this subdivision:

(1) Up to \$111,000 received in fiscal year 1997 and up to \$61,000 received in subsequent fiscal years must be deposited in the general fund.

(2) All other fees must be deposited in the trunk highway fund.

**Subd. 12. Snowmobile safety certificate.** (a) The department shall maintain in its records information transmitted electronically from the commissioner of natural resources identifying each person whom the commissioner has issued a snowmobile safety certificate.

(b) After receiving information under paragraph (a) that a person has received a snowmobile safety certificate, the department shall include, on all drivers' licenses or Minnesota identification cards subsequently issued to the person, a graphic or written indication that the person has received the certificate.

(c) If a person who has received a snowmobile safety certificate applies for a driver's license or Minnesota identification card before that information has been transmitted to the department, the department may accept a copy of the certificate as proof of its issuance and shall then follow the procedures in paragraph (b).

**History:** 1997 c 13 s 2,3; 1997 c 60 s 2; 1997 c 65 s 1; 1Sp1997 c 2 s 52

## 171.12 DRIVING RECORDS; FILING; PRIVATE DATA; SURCHARGE.

[For text of subds 1 and 2, see M.S.1996]

**Subd. 2a. Alcohol concentration on driving record.** When a person's driver's license or permit to drive is revoked or suspended pursuant to section 169.123, or when a person is convicted for violating section 169.121, 169.1211, 169.1218, 169.129, 360.0752, or 609.21,

and a test of the person's breath, urine, or blood has been made to determine the person's alcohol concentration, the commissioner of public safety shall record the test results on the person's driving record pertaining to that violation. The alcohol concentration is classified as public data on individuals, as defined in section 13.02, subdivision 15, and must be kept for the period of time specified in subdivision 3, clause (2).

*[For text of subs 3 to 8, see M.S.1996]*

**History:** *1Sp1997 c 2 s 53*

### 171.13 EXAMINATION.

*[For text of subs 1 to 4, see M.S.1996]*

**Subd. 5. Examination fee for vehicle endorsement.** Any person applying to secure a school bus, tank vehicle, passenger, double-trailer or triple-trailer, or hazardous materials vehicle endorsement on the person's driver's license shall pay a \$2.50 examination fee at the place of application.

**Subd. 6. Initial motorcycle endorsement fees.** A person applying for an initial motorcycle endorsement on a driver's license shall pay at the place of examination a total fee of \$21, which includes the examination fee and endorsement fee, but does not include the fee for a duplicate driver's license prescribed in section 171.06, subdivision 2. Of this amount, \$11 must be credited as provided in section 171.06, subdivision 2a, paragraph (a), clause (1), \$2.50 must be credited to the trunk highway fund, and the remainder must be credited to the general fund.

**History:** *1997 c 159 art 2 s 33,34*

### 171.171 SUSPENSION; ILLEGAL PURCHASE OF ALCOHOLIC BEVERAGES OR TOBACCO PRODUCTS.

The commissioner shall suspend for a period of 90 days the license of a person who:

(1) is under the age of 21 years and is convicted of purchasing or attempting to purchase an alcoholic beverage in violation of section 340A.503 if the person used a driver's license, permit or Minnesota identification card to purchase or attempt to purchase the alcoholic beverage;

(2) is convicted under section 171.22, subdivision 1, clause (2), or 340A.503, subdivision 2, clause (3), of lending or knowingly permitting a person under the age of 21 years to use the person's driver's license, permit or Minnesota identification card to purchase or attempt to purchase an alcoholic beverage;

(3) is under the age of 18 years and is found by a court to have committed a petty misdemeanor under section 609.685, subdivision 3, if the person used a driver's license, permit, or Minnesota identification card to purchase or attempt to purchase the tobacco product; or

(4) is convicted under section 171.22, subdivision 1, clause (2), of lending or knowingly permitting a person under the age of 18 years to use the person's driver's license, permit, or Minnesota identification card to purchase or attempt to purchase a tobacco product.

**History:** *1997 c 227 s 1*

### 171.19 PETITION FOR LICENSE REINSTATEMENT.

Any person whose driver's license has been refused, revoked, suspended, canceled, or disqualified by the commissioner, except where the license is revoked or disqualified under section 169.123 or 171.186, may file a petition for a hearing in the matter in the district court in the county wherein such person shall reside and, in the case of a nonresident, in the district court in any county, and such court is hereby vested with jurisdiction, and it shall be its duty, to set the matter for hearing upon 15 days' written notice to the commissioner, and thereupon to take testimony and examine into the facts of the case to determine whether the petitioner is entitled to a license or is subject to revocation, suspension, cancellation, disqualification, or refusal of license, and shall render judgment accordingly. The petition shall be heard by the



court without a jury and may be heard in or out of term. The commissioner may appear in person, or by agents or representatives, and may present evidence upon the hearing by affidavit personally, by agents, or by representatives. The petitioner may present evidence by affidavit, except that the petitioner must be present in person at such hearing for the purpose of cross-examination. In the event the department shall be sustained in these proceedings, the petitioner shall have no further right to make further petition to any court for the purpose of obtaining a driver's license until after the expiration of one year after the date of such hearing.

**History:** 1997 c 245 art 1 s 2; 1Sp1997 c 2 s 54

#### 171.20 LICENSES MUST BE SURRENDERED.

*[For text of subs 2 and 3, see M.S.1996]*

**Subd. 4. Reinstatement fee.** Before the license is reinstated, a person whose driver's license has been suspended under section 171.16, subdivision 2; 171.18, except subdivision 1, clause (10); or 171.182, or who has been disqualified from holding a commercial driver's license under section 171.165 must pay a fee of \$25 until June 30, 1999, and \$20 thereafter. When this fee is collected by a county-operated office of deputy registrar, a \$3.50 handling charge is imposed. The handling charge must be deposited in the treasury of the place for which the deputy registrar was appointed and the reinstatement fee must be deposited in an approved state depository as directed under section 168.33, subdivision 2. A suspension may be rescinded without fee for good cause.

**History:** 1Sp1997 c 2 s 55

#### 171.24 VIOLATIONS; DRIVING WITHOUT VALID LICENSE.

*[For text of subs 1 to 4, see M.S.1996]*

**Subd. 5. Gross misdemeanor.** A person is guilty of a gross misdemeanor if:

- (1) the person's driver's license or driving privilege has been canceled or denied under section 171.04, subdivision 1, clause (9);
- (2) the person has been given notice of or reasonably should know of the cancellation or denial; and
- (3) the person disobeys the order by operating in this state any motor vehicle, the operation of which requires a driver's license, while the person's license or privilege is canceled or denied.

*[For text of subs 6 and 7, see M.S.1996]*

**History:** 1997 c 12 art 3 s 8

#### 171.29 REVOKED LICENSE; EXAMINATION FOR NEW LICENSE.

*[For text of subd 1, see M.S.1996]*

**Subd. 2. Fees, allocation.** (a) A person whose driver's license has been revoked as provided in subdivision 1, except under section 169.121 or 169.123, shall pay a \$30 fee before the driver's license is reinstated.

(b) A person whose driver's license has been revoked as provided in subdivision 1 under section 169.121 or 169.123 shall pay a \$250 fee plus a \$10 surcharge before the driver's license is reinstated. The \$250 fee is to be credited as follows:

- (1) Twenty percent shall be credited to the trunk highway fund.
- (2) Fifty-five percent shall be credited to the general fund.
- (3) Eight percent shall be credited to a separate account to be known as the bureau of criminal apprehension account. Money in this account may be appropriated to the commissioner of public safety and the appropriated amount shall be apportioned 80 percent for laboratory costs and 20 percent for carrying out the provisions of section 299C.065.
- (4) Twelve percent shall be credited to a separate account to be known as the alcohol-impaired driver education account. Money in the account is appropriated as follows:

(i) The first \$200,000 in a fiscal year is to the commissioner of children, families, and learning for programs in elementary and secondary schools.

(ii) The remainder credited in a fiscal year is appropriated to the commissioner of transportation to be spent as grants to the Minnesota highway safety center at St. Cloud State University for programs relating to alcohol and highway safety education in elementary and secondary schools.

(5) Five percent shall be credited to a separate account to be known as the traumatic brain injury and spinal cord injury account. \$100,000 is annually appropriated from the account to the commissioner of human services for traumatic brain injury case management services. The remaining money in the account is annually appropriated to the commissioner of health to establish and maintain the traumatic brain injury and spinal cord injury registry created in section 144.662 and to reimburse the commissioner of economic security for the reasonable cost of services provided under section 268A.03, clause (o).

(c) The \$10 surcharge shall be credited to a separate account to be known as the remote electronic alcohol monitoring pilot program account. The commissioner shall transfer the balance of this account to the commissioner of finance on a monthly basis for deposit in the general fund.

*[For text of subd 3, see M.S.1996]*

**History:** 1997 c 159 art 2 s 35; 1997 c 239 art 8 s 2

### 171.30 LIMITED LICENSE.

*[For text of subds 1 to 2b, see M.S.1996]*

**Subd. 2c. Extended waiting period.** If a person's license or privilege has been revoked or suspended for a violation of section 169.121 or 169.123, or a statute or ordinance from another state in conformity with either of those sections, and the person's alcohol concentration was 0.20 or greater at the time of the violation, a limited license may not be issued for a period of time equal to twice the time period specified in subdivision 2a or 2b.

**Subd. 3. Conditions on issuance.** The commissioner shall issue a limited license restricted to the vehicles whose operation is permitted only under a class A, class B, or class C license whenever a class A, class B, or class C license has been suspended under section 171.18, or revoked under section 171.17, for violation of the Highway Traffic Regulation Act committed in a private passenger motor vehicle. This subdivision shall not apply to any persons described in section 171.04, subdivision 1, clauses (5), (6), (7), (9), (10), and (12), or any person whose license or privilege has been suspended or revoked for a violation of section 169.121 or 169.123, or a statute or ordinance from another state in conformity with either of those sections.

*[For text of subd 4, see M.S.1996]*

**History:** 1997 c 12 art 3 s 9; 1Sp1997 c 2 s 56

### 171.305 IGNITION INTERLOCK DEVICE; PILOT PROGRAM; LICENSE CONDITION.

*[For text of subds 1 to 4, see M.S.1996]*

**Subd. 5. Issuance of limited license.** The commissioner may issue a limited license to a person whose driver's license has been canceled and denied due to an alcohol or controlled substance related incident under section 171.04, subdivision 1, clause (9), under the following conditions:

- (1) at least one-half of the person's required abstinence period has expired;
- (2) the person has completed all rehabilitation requirements; and
- (3) the person agrees to drive only a motor vehicle equipped with a functioning and certified ignition interlock device.

[For text of subs 6 to 10, see M.S.1996]

**History:** 1997 c 12 art 3 s 10

### **171.31 PERSONS RECEIVING BENEFITS FOR BLINDNESS, DISCOVERY OF INFORMATION.**

The commissioner of public safety, in order to promote highway safety by restricting driving privileges to those persons meeting accepted visual acuity standards, may request and shall receive information concerning the identity and whereabouts of any person who has applied for or received any type of welfare, licensing, or other benefits for the blind or nearly blind, from the records of all departments, boards, bureaus, or other agencies of this state except the department of revenue, and they shall provide such information notwithstanding the provisions of section 268.19 or any other existing law or rule to the contrary, except that section 270B.02, subdivision 1, prohibits disclosure of information by the commissioner of revenue.

**History:** 1997 c 66 s 79

### **171.321 QUALIFICATIONS OF SCHOOL BUS DRIVERS.**

[For text of subd 1, see M.S.1996]

**Subd. 2. Rules.** (a) The commissioner of public safety shall prescribe rules governing the physical qualifications of school bus drivers and tests required to obtain a school bus endorsement. The rules must provide that an applicant for a school bus endorsement or renewal is exempt from the physical qualifications and medical examination required to operate a school bus upon providing evidence of being medically examined and certified within the preceding 24 months as physically qualified to operate a commercial motor vehicle, pursuant to Code of Federal Regulations, title 49, part 391, subpart E, or rules of the commissioner of transportation incorporating those federal regulations.

(b) The commissioner of public safety, in conjunction with the commissioner of economic security, shall adopt rules prescribing a training program for Head Start bus drivers. The program must provide for initial classroom and behind-the-wheel training, and annual in-service training. The program must provide training in defensive driving, human relations, emergency and accident procedures, vehicle maintenance, traffic laws, and use of safety equipment. The program must provide that the training will be conducted by the contract operator for a Head Start agency, the Head Start grantee, a licensed driver training school, or by another person or entity approved by both commissioners.

**Subd. 3. Study of applicant.** (a) Before issuing or renewing a school bus endorsement, the commissioner shall conduct a criminal and driver's license records check of the applicant. The commissioner may also conduct the check at any time while a person is so licensed. The check shall consist of a criminal records check of the state criminal records repository and a check of the driver's license records system. If the applicant has resided in Minnesota for less than five years, the check shall also include a criminal records check of information from the state law enforcement agencies in the states where the person resided during the five years before moving to Minnesota, and of the national criminal records repository including the criminal justice data communications network. The applicant's failure to cooperate with the commissioner in conducting the records check is reasonable cause to deny an application or cancel a school bus endorsement. The commissioner may not release the results of the records check to any person except the applicant.

(b) The commissioner may issue to an otherwise qualified applicant a temporary school bus endorsement, effective for no more than 180 days, upon presentation of (1) an affidavit by the applicant that the applicant has not been convicted of a disqualifying offense and (2) a criminal history check from each state of residence for the previous five years. The criminal history check may be conducted and prepared by any public or private source acceptable to the commissioner. The commissioner may reissue the temporary endorsement if the National Criminal Records Repository check is timely submitted but not completed within the 180-day period.

*[For text of subs 4 and 5, see M.S.1996]*

**History:** 1997 c 187 art 3 s 25; 1Sp1997 c 4 art 12 s 31

**171.3215 CANCELING BUS ENDORSEMENTS FOR CERTAIN OFFENSES.**

*[For text of subs 1 to 3, see M.S.1996]*

**Subd. 4. Waiver of permanent cancellation.** The commissioner of public safety or the commissioner's designee, in consultation with the division of driver and vehicle services, may waive the permanent cancellation requirement of section 171.3215 for a person convicted of a nonfelony violation of chapter 152 or a felony that is not a violent crime under section 609.152.

**History:** 1Sp1997 c 4 art 12 s 32