

168.327 DRIVER AND VEHICLE RECORD FEES.

Subdivision 1. **Records and fees.** (a) Upon request by any person authorized in this section, the commissioner shall furnish a certified copy of any driver's license record, instruction permit record, Minnesota identification card record, vehicle registration record, vehicle title record, or accident record.

(b) Except as provided in subdivisions 4, 5a, and 5b, and other than accident records governed under section 169.09, subdivision 13, the requester shall pay a fee of \$10 for each certified record specified in paragraph (a) or a fee of \$9 for each record that is not certified.

(c) Except as provided in subdivisions 4, 5a, and 5b, in addition to the record fee in paragraph (b), the fee for a copy of the history of any vehicle title not in electronic format is \$1 for each page of the historical record.

(d) Fees collected under paragraph (b) for driver's license, instruction permit, and Minnesota identification card records must be paid into the state treasury with 50 cents of each fee credited to the general fund. The remainder of the fees collected must be credited to the driver services operating account in the special revenue fund under section 299A.705.

(e) Fees collected under paragraphs (b) and (c) for vehicle registration or title records must be paid into the state treasury with 50 cents of each fee credited to the general fund. The remainder of the fees collected must be credited to the vehicle services operating account in the special revenue fund specified in section 299A.705.

(f) Except as provided in subdivisions 4, 5a, and 5b, the commissioner shall permit a person to inquire into a record by the person's own electronic means for a fee of \$4.50 for each inquiry, except that no fee may be charged when the requester is the subject of the data. Of the fee:

(1) \$2.70 must be deposited in the general fund;

(2) for driver's license, instruction permit, or Minnesota identification card records, the remainder must be deposited in the driver services operating account in the special revenue fund under section 299A.705; and

(3) for vehicle title or registration records, the remainder must be deposited in the vehicle services operating account in the special revenue fund under section 299A.705.

(g) Fees and the deposit of the fees for accident records and reports are governed by section 169.09, subdivision 13.

Subd. 2. **Requests for information; surcharge on fee.** (a) Except as otherwise provided in subdivision 3, the commissioner shall impose a surcharge of 50 cents on each fee charged by the commissioner under section 13.03, subdivision 3, for copies or electronic transmittals of public information about the registration of a vehicle or an applicant, or holder of a driver's license, instruction permit, or Minnesota identification card.

(b) The surcharge only applies to a fee imposed in response to a request made in person or by mail, or to a request for transmittal through a computer modem. The surcharge does not apply to the request of an individual for information about that individual's driver's license, instruction permit, or Minnesota identification card or about vehicles registered or titled in the individual's name.

(c) The surcharges collected under this subdivision must be credited to the general fund.

Subd. 3. Exception to fee and surcharge. (a) Notwithstanding subdivision 2 or section 13.03, a fee or surcharge may not be imposed in response to a request for public information about the registration of a vehicle if the commissioner is satisfied that:

(1) the requester seeks the information on behalf of a community-based, nonprofit organization designated by a local law enforcement agency to be a requester; and

(2) the information is needed to identify suspected prostitution law violators, controlled substance law violators, or health code violators.

(b) The commissioner shall not require a requester under paragraph (a) to make a minimum number of data requests or limit the requester to a maximum number of data requests.

Subd. 4. Driver records subscription service. (a) The commissioner may implement a driver records subscription service to provide information concerning access to driver license, instruction permit, and identification card records, including regular notice of records that have changed, to subscribers who:

(1) pay applicable fees; and

(2) are approved by the commissioner in accordance with sections 168.346 and 171.12, and United States Code, title 18, section 2721.

(b) If a driver records subscription service is implemented, the commissioner shall establish a fee that does not exceed \$3,680 per month for a subscription to the service. Fees collected under this paragraph must be credited to the driver services operating account under section 299A.705, and are appropriated to the commissioner for the purposes in paragraph (a) and this paragraph.

(c) If a driver records subscription service is implemented, the commissioner shall charge a fee of \$0.02 per driver record requested. Of the fees collected under this paragraph, 20 percent must be credited to the driver services operating account under section 299A.705 and is appropriated to the commissioner for the purposes in this subdivision; 30 percent must be credited to the data security account in the special revenue fund under section 3.9741, subdivision 5; and 50 percent must be credited to the driver and vehicle services technology account under section 299A.705.

Subd. 5. MS 2020 [Repealed, 1Sp2021 c 5 art 4 s 151]

Subd. 5a. Vehicle records subscription service. (a) The commissioner may implement a vehicle records subscription service to provide information concerning access to motor vehicle records, including regular notice of records that have changed, to subscribers who:

(1) pay applicable fees; and

(2) are approved by the commissioner in accordance with section 168.346 and United States Code, title 18, section 2721.

(b) If a vehicle records subscription service is implemented, the commissioner must establish a fee that does not exceed \$3,680 per month for a subscription to the service. Fees collected under this paragraph must be credited to the vehicle services operating account under section 299A.705, subdivision 1, and are appropriated to the commissioner for the purposes in this paragraph and paragraph (a).

(c) If a motor vehicle records subscription service is implemented, the commissioner must charge a fee of \$0.02 per motor vehicle record requested. Of the fees collected, 20 percent must be credited to the vehicle services operating account under section 299A.705, subdivision 1, and is appropriated to the commissioner

for the purposes of this subdivision; 30 percent must be credited to the data security account in the special revenue fund under section 3.9741, subdivision 5; and 50 percent must be credited to the driver and vehicle services technology account under section 299A.705, subdivision 3.

Subd. 5b. Custom data request record fees. (a) For purposes of this subdivision, "custom data request records" means a total of 1,000 or more (1) vehicle title records, (2) vehicle registration records, or (3) driver's license records.

(b) The commissioner must charge a fee of \$0.02 per record for custom data request records.

(c) Of the fees collected for custom data request records:

(1) 20 percent must be credited:

(i) for vehicle title or registration records, to the vehicle services operating account under section 299A.705, subdivision 1, and is appropriated to the commissioner for the purposes of this subdivision; and

(ii) for driver's license records, to the driver services operating account under section 299A.705, subdivision 2, and is appropriated to the commissioner for the purposes of this subdivision;

(2) 30 percent must be credited to the data security account in the special revenue fund under section 3.9741, subdivision 5; and

(3) 50 percent must be credited to the driver and vehicle services technology account under section 299A.705, subdivision 3.

(d) The commissioner may impose an additional fee for technical staff to create a custom set of data under this subdivision.

Subd. 6. Review and audit of subscription services. Each subscriber under subdivision 4 or 5a must annually engage an independent professional organization to audit its uses of data and its information technology security procedures, including the methods and practices employed in the processing and use of driver and vehicle services data. Within 30 days of the date of the audit report, each subscriber must submit each report to the legislative auditor and the commissioner.

History: *1Sp2005 c 6 art 2 s 25; 2014 c 293 s 4-7; 1Sp2019 c 3 art 2 s 25,26; 1Sp2021 c 5 art 4 s 39-42*