

State of Minnesota

H. F. No. 3828

1.1 A bill for an act

1.2 relating to transportation; providing for online driver education program; amending

1.3 Minnesota Statutes 2018, section 171.05, subdivision 2; proposing coding for new

1.4 law in Minnesota Statutes, chapter 171.

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

1.6 Section 1. Minnesota Statutes 2018, section 171.05, subdivision 2, is amended to read:

1.7 Subd. 2. **Person less than 18 years of age.** (a) The department may issue an instruction

1.8 permit to an applicant who is 15, 16, or 17 years of age and who:

1.9 (1) has completed a course of driver education in another state, has a previously issued

1.10 valid license from another state, or:

1.11 (i) is enrolled in either: behind-the-wheel training in a driver education program; and

1.12 (ii) has completed:

1.13 (i) a public, private, or commercial (A) the classroom phase of instruction in a driver

1.14 education program that is approved by the commissioner of public safety and that includes

1.15 classroom and behind-the-wheel training; or

1.16 (B) 15 hours of classroom instruction in a driver education program that presents

1.17 classroom and behind-the-wheel instruction concurrently;

1.18 (ii) an approved behind-the-wheel driver education program (C) home-classroom driver

1.19 training, when the student is receiving full-time instruction in a home school within the

1.20 meaning of sections 120A.22 and 120A.24, the student is working toward a home school

1.21 home school diploma, the student is taking home-classroom driver training with classroom

1.22 materials are approved by the commissioner of public safety, and the student's parent has

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

(D) an Internet-based driver education program;

~~(2) has completed the classroom phase of instruction in the driver education program or has completed 15 hours of classroom instruction in a program that presents classroom and behind-the-wheel instruction concurrently;~~

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

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

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

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

(b) In addition, the applicant may submit a certification stating that a primary driving supervisor has completed the supplemental parental curriculum under section 171.0701, subdivision 1a, for the purposes of provisional license requirements under section 171.055, subdivision 1, paragraph (a), clause (6). The certification must be completed by a driver education instructor, as defined under section 171.0701, subdivision 1a.

(c) For the purposes of determining compliance with the certification of paragraph (a), clause (1), item (ii), subitem (C), the commissioner may request verification of a student's ~~homeschool~~ home school status from the superintendent of the school district in which the student resides and the superintendent shall provide that verification.

(d) A driver education program under this subdivision includes a public, private, or commercial program, and must be approved by the commissioner.

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

EFFECTIVE DATE. This section is effective June 1, 2021.

Sec. 2. **[171.395] ONLINE DRIVER EDUCATION PROGRAM.**

Subdivision 1. Program requirements. An Internet-based driver education program must:

(1) provide customer support that is available through a toll-free telephone number;

(2) store course content and student data on a secure server that is protected against data breaches and is regularly backed up; and

(3) include the ability to update course content uniformly throughout the state.

Subd. 2. Instruction and verification requirements. The online classroom instruction provided through an Internet-based driver education program must:

(1) incorporate accountability features to ensure the identity of the student while engaged in the course of online study;

(2) measure the amount of time that the student spends on each section of the course;

(3) use a pool of rotating quiz questions; and

(4) include a means for the student to measure performance outcomes.

EFFECTIVE DATE. This section is effective June 1, 2021.