

## HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 2728

03/06/2014 Authored by Simonson  
The bill was read for the first time and referred to the Committee on Transportation Policy  
03/13/2014 Adoption of Report: Re-referred to the Committee on Transportation Finance  
03/28/2014 Adoption of Report: Re-referred to the Committee on Ways and Means  
04/09/2014 Adoption of Report: Placed on the General Register  
Read Second Time  
04/28/2014 Calendar for the Day, Amended  
Read Third Time as Amended  
Passed by the House as Amended and transmitted to the Senate to include Floor Amendments

1.1 A bill for an act  
1.2 relating to public safety; modifying permits for motorized bicycle operators;  
1.3 establishing a fee for the commercial learner's permit; providing for improved  
1.4 driving skill examination scheduling; providing for federal conformance in  
1.5 laws pertaining to commercial motor vehicles; appropriating money; amending  
1.6 Minnesota Statutes 2012, sections 171.02, subdivision 3; 171.06, subdivision  
1.7 2; 171.13, subdivision 1; proposing coding for new law in Minnesota Statutes,  
1.8 chapter 171.

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

1.10 Section 1. Minnesota Statutes 2012, section 171.02, subdivision 3, is amended to read:

1.11 Subd. 3. **Motorized bicycle.** (a) A motorized bicycle may not be operated on any  
1.12 public roadway by any person who does not possess a valid driver's license, unless the  
1.13 person has obtained a motorized bicycle operator's permit or motorized bicycle instruction  
1.14 permit from the commissioner of public safety. The operator's permit may be issued to  
1.15 any person who has attained the age of 15 years and who has passed the examination  
1.16 prescribed by the commissioner. The instruction permit may be issued to any person who  
1.17 has attained the age of 15 years and who has successfully completed an approved safety  
1.18 course and passed the written portion of the examination prescribed by the commissioner.

1.19 (b) This course must consist of, but is not limited to, a basic understanding of:

- 1.20 (1) motorized bicycles and their limitations;  
1.21 (2) motorized bicycle laws and rules;  
1.22 (3) safe operating practices and basic operating techniques;  
1.23 (4) helmets and protective clothing;  
1.24 (5) motorized bicycle traffic strategies; and  
1.25 (6) effects of alcohol and drugs on motorized bicycle operators.

(c) The commissioner may adopt rules prescribing the content of the safety course, examination, and the information to be contained on the permits. A person operating a motorized bicycle under a motorized bicycle permit is subject to the restrictions imposed by section 169.974, subdivision 2, on operation of a motorcycle under a two-wheel instruction permit.

(d) The fees for motorized bicycle operator's permits are as follows:

(1) Examination and operator's permit, valid for one year	\$ 6.75
(2) Duplicate	\$ 3.75
(3) (1) <u>Renewal Motorized bicycle operator's permit before age 21 and valid until age 21</u>	\$ 9.75
(4) (2) Renewal permit age 21 or older and valid for four years	\$ 15.75
(5) (3) Duplicate of any renewal permit	\$ 5.25
(6) (4) Written examination and instruction permit, valid for 30 days	\$ 6.75

Sec. 2. Minnesota Statutes 2012, section 171.06, subdivision 2, is amended to read:

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

Classified Driver's License	D-\$17.25	C-\$21.25	B-\$28.25	A-\$36.25
Classified Under-21 D.L.	D-\$17.25	C-\$21.25	B-\$28.25	A-\$16.25
Enhanced Driver's License	D-\$32.25	C-\$36.25	B-\$43.25	A-\$51.25
Instruction Permit				\$5.25
Enhanced Instruction Permit				\$20.25
<u>Commercial Learner's Permit</u>				<u>\$2.50</u>
Provisional License				\$8.25
Enhanced Provisional License				\$23.25
Duplicate License or duplicate identification card				\$6.75
Enhanced Duplicate License or enhanced duplicate identification card				\$21.75
Minnesota identification card or Under-21 Minnesota identification card, other than duplicate, except as otherwise provided in section 171.07, subdivisions 3 and 3a				\$11.25
Enhanced Minnesota identification card				\$26.25

In addition to each fee required in this paragraph, the commissioner shall collect a surcharge of: (1) \$1.75 until June 30, 2012; and (2) \$1.00 from July 1, 2012, to June 30, 2016. Surcharges collected under this paragraph must be credited to the driver and vehicle services technology account in the special revenue fund under section 299A.705.

(b) Notwithstanding paragraph (a), an individual who holds a provisional license and has a driving record free of (1) convictions for a violation of section 169A.20, 169A.33, 169A.35, or sections 169A.50 to 169A.53, (2) convictions for crash-related moving violations, and (3) convictions for moving violations that are not crash related, shall have a \$3.50 credit toward the fee for any classified under-21 driver's license. "Moving violation" has the meaning given it in section 171.04, subdivision 1.

(c) In addition to the driver's license fee required under paragraph (a), the commissioner shall collect an additional \$4 processing fee from each new applicant or individual renewing a license with a school bus endorsement to cover the costs for processing an applicant's initial and biennial physical examination certificate. The department shall not charge these applicants any other fee to receive or renew the endorsement.

(d) In addition to the fee required under paragraph (a), a driver's license agent may charge and retain a filing fee as provided under section 171.061, subdivision 4.

(e) In addition to the fee required under paragraph (a), the commissioner shall charge a filing fee at the same amount as a driver's license agent under section 171.061, subdivision 4. Revenue collected under this paragraph must be deposited in the driver services operating account.

(f) An application for a Minnesota identification card, instruction permit, provisional license, or driver's license, including an application for renewal, must contain a provision that allows the applicant to add to the fee under paragraph (a), a \$2 donation for the purposes of public information and education on anatomical gifts under section 171.075.

Sec. 3. Minnesota Statutes 2012, section 171.13, subdivision 1, is amended to read:

Subdivision 1. **Examination subjects and locations; provisions for color blindness, disabled veterans.** (a) Except as otherwise provided in this section, the commissioner shall examine each applicant for a driver's license by such agency as the commissioner directs. This examination must include:

- (1) a test of the applicant's eyesight;
- (2) a test of the applicant's ability to read and understand highway signs regulating, warning, and directing traffic;

(3) a test of the applicant's knowledge of (i) traffic laws; (ii) the effects of alcohol and drugs on a driver's ability to operate a motor vehicle safely and legally, and of 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; (iii) railroad grade crossing safety; (iv) slow-moving vehicle safety; (v) laws relating to pupil transportation safety, including the significance of school bus lights, signals, stop arm, and passing a school bus; (vi) traffic laws related to bicycles; and (vii) the circumstances and dangers of carbon monoxide poisoning;

(4) an actual demonstration of ability to exercise ordinary and reasonable control in the operation of a motor vehicle; and

(5) other physical and mental examinations as the commissioner finds necessary to determine the applicant's fitness to operate a motor vehicle safely upon the highways.

(b) Notwithstanding paragraph (a), no driver's license may be denied an applicant on the exclusive grounds that the applicant's eyesight is deficient in color perception. War veterans operating motor vehicles especially equipped for disabled persons, if otherwise entitled to a license, must be granted such license.

(c) The commissioner shall make provision for giving the examinations under this subdivision either in the county where the applicant resides or at a place adjacent thereto reasonably convenient to the applicant.

(d) The commissioner shall ensure that an examination to demonstrate ability under paragraph (a), clause (4), is available within 14 days of the day an exam appointment is requested or made, at the exam location nearest to the home address of the applicant. The commissioner may not reduce the number of examination locations as a result of this requirement.

**EFFECTIVE DATE.** This section is effective July 1, 2014.

Sec. 4. **[171.161] COMMERCIAL DRIVER'S LICENSE; FEDERAL CONFORMITY.**

Subdivision 1. **Conformity with federal law.** The commissioner of public safety shall ensure the programs and policies related to commercial drivers' licensure and the operation of commercial motor vehicles in Minnesota conform with the requirements of Code of Federal Regulations, title 49, part 383.

Subd. 2. **Conflicts.** To the extent a requirement of sections 171.162 to 171.169, or any other state or local law, conflicts with a provision of Code of Federal Regulations, title 49, part 383, the federal provision prevails.

5.1       Sec. 5. **APPROPRIATION; DRIVER EXAMINATIONS.**

5.2           (a) An amount necessary to implement the requirements of Minnesota Statutes,  
5.3 section 171.13, subdivision 1, paragraph (d), is appropriated for fiscal year 2015 to the  
5.4 commissioner of public safety from the driver services operating account.

5.5           (b) As part of biennial budget submission in 2014 to the legislature under Minnesota  
5.6 Statutes, section 16A.11, the commissioner of public safety in coordination with the  
5.7 commissioner of management and budget shall include fiscal and performance information  
5.8 related to the requirements of Minnesota Statutes, section 171.13, subdivision 1, paragraph  
5.9 (d), including identification of: any amount appropriated under this section; any amount  
5.10 of associated increase in requested appropriations under the budget; driver examination  
5.11 scheduling by location or region; and any associated staffing or process changes.