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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 646

02/18/2013 Authored by Morgan and Beard

The bill was read for the first time and referred to the Committee on Transportation Policy

03/13/2013 Adoption of Report: Pass as Amended and re-referred to the Committee on Government Operations

1.1 A bill for an act
1.2 relating to public safety; drivers' licenses; driver education; modifying and
1.3 clarifying provisions relating to instruction permits; establishing a Novice Driver
1.4 Education Improvement Task Force; authorizing rulemaking; appropriating
1.5 money; amending Minnesota Statutes 2012, sections 171.05, subdivision 2, by
1.6 adding a subdivision; 171.0701, by adding a subdivision.

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

1.8 Section 1. Minnesota Statutes 2012, section 171.05, subdivision 2, is amended to read:

1.9 Subd. 2. **Person less than 18 years of age.** (a) Notwithstanding any provision
1.10 in subdivision 1 to the contrary, the department may issue an instruction permit to an
1.11 applicant who is 15, 16, or 17 years of age and who:

1.12 (1) has completed a course of driver education in another state, has a previously
1.13 issued valid license from another state, or is enrolled in either:

1.14 (i) a public, private, or commercial driver education program that is approved by
1.15 the commissioner of public safety and that includes classroom and behind-the-wheel
1.16 training; or

1.17 (ii) an approved behind-the-wheel driver education program when the student is
1.18 receiving full-time instruction in a home school within the meaning of sections 120A.22
1.19 and 120A.24, the student is working toward a homeschool diploma, the student is taking
1.20 home-classroom driver training with classroom materials approved by the commissioner
1.21 of public safety, and the student's parent has certified the student's homeschool and
1.22 home-classroom driver training status on the form approved by the commissioner;

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

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

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

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

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

2.16 (b) For the purposes of determining compliance with the certification of paragraph
2.17 (a), clause (1), item (ii), the commissioner may request verification of a student's
2.18 homeschool status from the superintendent of the school district in which the student
2.19 resides and the superintendent shall provide that verification.

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

2.23 Sec. 2. Minnesota Statutes 2012, section 171.05, is amended by adding a subdivision
2.24 to read:

2.25 Subd. 4. **Rulemaking.** The commissioner shall adopt rules to carry out the
2.26 provisions of subdivision 2. The rules adopted under this subdivision are exempt from the
2.27 rulemaking provisions of chapter 14. The rules are subject to section 14.386, except that
2.28 section 14.386, paragraph (b), does not apply.

2.29 Sec. 3. Minnesota Statutes 2012, section 171.0701, is amended by adding a subdivision
2.30 to read:

2.31 Subd. 1a. **Novice Driver Education Improvement Task Force.** (a) The
2.32 Novice Driver Education Improvement Task Force is established to ensure driver
2.33 education programs in Minnesota meet the Novice Teen Driver Education and Training

3.1 Administrative Standards published by the United States Department of Transportation,
3.2 National Highway Traffic Safety Administration.

3.3 (b) The task force consists of 21 members:

3.4 (1) the commissioner of public safety or the commissioner's designee;

3.5 (2) two representatives from and designated by the Minnesota Association of
3.6 Student Councils;

3.7 (3) one representative from and designated by Mothers Against Drunk Driving;

3.8 (4) one representative from and designated by Minnesotans for Safe Driving;

3.9 (5) two representatives from law enforcement organizations, such as the Minnesota
3.10 Chiefs of Police Association and the Minnesota Sheriffs' Association appointed by the
3.11 commissioner;

3.12 (6) one representative from and designated by the American Automobile Association;

3.13 (7) one representative from and designated by the Minnesota Safety Council;

3.14 (8) two representatives from and designated by the Minnesota PTA;

3.15 (9) five driver educators from the Minnesota Driver and Traffic Safety Education
3.16 Association designated by the commissioner; and

3.17 (10) five driver educators from commercial driving schools, designated by the
3.18 commissioner.

3.19 (c) Any vacancies shall be filled by the appointing or designating authorities.

3.20 (d) Members shall serve without compensation.

3.21 (e) Members shall be appointed or designated by August 1, 2013.

3.22 (f) The commissioner or the commissioner's designee shall convene the first meeting
3.23 of the task force after all appointments have been made. At the first meeting, the task
3.24 force shall elect a chair from among its members by majority vote. The first meeting must
3.25 take place by September 1, 2013.

3.26 (g) The duties of the task force are to examine and compare Minnesota law and
3.27 rules concerning driver education with the Novice Teen Driver Education and Training
3.28 Administrative Standards, identify discrepancies, and determine to what extent, if any,
3.29 state law should be modified to conform with federal standards.

3.30 (h) The commissioner shall provide support staff and administrative services for
3.31 the task force.

3.32 (i) The task force shall submit a report no later than August 31, 2015, to the
3.33 chairs and ranking minority members of the legislative committees having jurisdiction
3.34 over transportation policy and finance, containing its recommendation as to whether
3.35 or to what extent Minnesota's driver education programs should conform to national
3.36 standards referenced in paragraph (a), and if so, providing draft legislation necessary or

4.1 desirable to achieve the recommended level of federal conformity. The report may present
4.2 recommendations for improving Minnesota's driver education curriculum and identify
4.3 associated costs.

4.4 Sec. 4. **APPROPRIATIONS.**

4.5 \$..... is appropriated from the fund to the commissioner of public safety
4.6 for the costs of this act.

4.7 Sec. 5. **EFFECTIVE DATE.**

4.8 Section 1 is effective June 1, 2014. Section 2 is effective the day following final
4.9 enactment. Section 3 is effective the day following final enactment and expires September
4.10 1, 2015, or the day after the task force created in section 3 submits its report, as required in
4.11 section 3, paragraph (i), whichever occurs first.