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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FOURTH SESSION

H. F. No. 2118

03/10/2025 Authored by Fogelman, Murphy, Davis and Altendorf
The bill was read for the first time and referred to the Committee on Transportation Finance and Policy

1.1 A bill for an act
1.2 relating to drivers' licenses; modifying data requirements of applications for a
1.3 noncompliant driver's license or identification card; requiring a report; amending
1.4 Minnesota Statutes 2024, sections 171.06, subdivision 1; 171.062, by adding a
1.5 subdivision; 171.12, subdivision 11.

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

1.7 Section 1. Minnesota Statutes 2024, section 171.06, subdivision 1, is amended to read:

1.8 Subdivision 1. Application format and requirements. Every application for a Minnesota
1.9 identification card, including an enhanced identification card, or for a driver's license,
1.10 including an instruction permit, a provisional license, a noncompliant driver's license, a
1.11 REAL ID driver's license, and an enhanced driver's license, must be made in a format
1.12 approved by the department. Every application must be accompanied by payment of the
1.13 proper fee. All applicants must sign the application and declare, under penalty of perjury,
1.14 that the information and documentation presented in the application is true and correct. All
1.15 applications requiring evidence of legal presence in the United States or United States
1.16 citizenship must be signed in the presence of the person authorized to accept the application,
1.17 or the signature on the application may be verified by a notary public. Every application
1.18 must include the following statement: "Only citizens may serve on a jury. If you are not a
1.19 citizen, you are not eligible to serve on a jury."

1.20 Sec. 2. Minnesota Statutes 2024, section 171.062, is amended by adding a subdivision to
1.21 read:

1.22 Subd. 7. Noncompliant license; department duties. (a) For purposes of issuing a
1.23 noncompliant driver's license or identification card where the applicant submits a document

2.1 issued by a foreign jurisdiction under subdivision 4 or 5, the commissioner must establish
 2.2 a process by which primary or secondary documents from a foreign jurisdiction are certified
 2.3 for their authenticity and security.

2.4 (b) The commissioner must collect data on the primary or secondary documents issued
 2.5 by a foreign jurisdiction, including but not limited to:

2.6 (1) the country of origin;

2.7 (2) the type of document used; and

2.8 (3) whether the department has collected documents from the foreign jurisdiction before
 2.9 the application by the person seeking a noncompliant driver's license or identification card
 2.10 was made.

2.11 The data collected must not be private data or contain any identifiable information about
 2.12 the applicant seeking a noncompliant driver's license or identification card.

2.13 Sec. 3. Minnesota Statutes 2024, section 171.12, subdivision 11, is amended to read:

2.14 Subd. 11. **Certain data on noncompliant license or identification card; department**
 2.15 **and agents.** (a) For purposes of this section, "immigration status data" means data on
 2.16 individuals who have applied for or been issued a noncompliant driver's license or
 2.17 identification card and that indicate or otherwise have the effect of identifying (1) whether
 2.18 the individual has demonstrated United States citizenship, or (2) whether the individual has
 2.19 demonstrated lawful presence in the United States. Immigration status data include but are
 2.20 not limited to any documents specified under section 171.062; immigration status data
 2.21 contained in those documents; or the applicant's submission of the documents.

2.22 (b) Immigration status data are classified as private data on individuals, as defined in
 2.23 section 13.02, subdivision 12. Notwithstanding any law to the contrary, the commissioner
 2.24 or a driver's license agent must not share or disseminate immigration status data except:

2.25 (1) to or within the division of the department that administers driver licensing and;

2.26 (2) to the secretary of state for purposes of improving the accuracy of voter registration
 2.27 records under subdivision 7a;

2.28 (3) to the state court administrator for purposes of improving the accuracy of jury
 2.29 selection procedures; and

2.30 (4) for the purposes specified in paragraph (c).

3.1 (c) The commissioner or a driver's license agent must share or disseminate immigration
3.2 status data with certifying entities, as defined in section 611A.95, subdivision 1, when
3.3 necessary and solely for the purposes of:

3.4 (1) providing outreach to victims of criminal activity to inform them of the entity's
3.5 certification process; and

3.6 (2) processing the current United States Citizenship and Immigration Services Form
3.7 I-918, Supplement B, and any successor forms, as required by federal immigration law.

3.8 (d) As authorized or required by state or federal law, the commissioner or a driver's
3.9 license agent may share or disseminate data on individuals who have applied for or been
3.10 issued a noncompliant driver's license or identification card that are not immigration status
3.11 data to a government entity, as defined in section 13.02, subdivision 7a, or to a federal
3.12 government entity that does not enforce immigration law, provided that the receiving entity
3.13 must not use the data for civil immigration enforcement purposes or further disclose the
3.14 data to a state or federal government entity that primarily enforces immigration law or to
3.15 any employee or agent of any such government entity.

3.16 ~~(d)~~ (e) Notwithstanding any law to the contrary, the commissioner or a driver's license
3.17 agent must not share or disseminate any data on individuals who have applied for or been
3.18 issued a noncompliant driver's license or identification card to any federal government entity
3.19 that primarily enforces immigration law, except pursuant to a valid search warrant or court
3.20 order issued by a state or federal judge.

3.21 (f) The commissioner or a driver's license agent must share or disseminate data on
3.22 individuals who have applied for or been issued a noncompliant driver's license or
3.23 identification card to a federal, state, or local governmental entity pursuant to a valid search
3.24 warrant, subpoena, or court order issued by a state or federal judge.

3.25 ~~(e)~~ (g) Violation of this subdivision by the commissioner, a driver's license agent, a
3.26 government entity, or an employee or agent thereof constitutes a violation of the Minnesota
3.27 Government Data Practices Act and may be subject to penalties and remedies applicable
3.28 under that chapter.

3.29 Sec. 4. **REPORT.**

3.30 (a) By December 15, 2025, the commissioner of public safety must report to the chairs
3.31 and ranking minority members of the legislative committees with jurisdiction over licensing
3.32 drivers. The report must include information collected by the commissioner of public safety
3.33 under Minnesota Statutes, section 171.062, subdivision 7. The report must include

4.1 information on the processes used by the commissioner to certify primary documents from
4.2 a foreign jurisdiction as authentic and verify their security features under Minnesota Statutes,
4.3 section 171.062, subdivision 6.

4.4 (b) The report must include a list of foreign jurisdictions where primary or secondary
4.5 documents were accepted for issuance of a noncompliant driver's license or identification
4.6 card, the type of accepted primary or secondary documents accepted from that jurisdiction,
4.7 and whether any primary or secondary document from a foreign jurisdiction does not comply
4.8 with the requirements set forth in Minnesota Statutes, section 171.062, subdivisions 3 to 5.

4.9 (c) The report must include a specific analysis of:

4.10 (1) how the commissioner determines whether a court has competent jurisdiction for
4.11 purposes of Minnesota Statutes, section 171.062, subdivision 1, paragraph (b), and
4.12 subdivision 5, paragraph (a), clause (31), item (vi);

4.13 (2) how the commissioner determines if a document is "similar documentation" for
4.14 purposes of Minnesota Statutes, section 171.062, subdivision 3, paragraph (b), clause (4);
4.15 and

4.16 (3) what constitutes "reasonably practicable" for purposes of Minnesota Statutes, section
4.17 171.062, subdivision 4, paragraph (b).