SENATE
STATE OF MINNESOTA
NINETY-FOURTH SESSION

S.F. No. 2068

(SENATE AUTHORS: LATZ)

DATE	D-PG	OFFICIAL STATUS
03/03/2025	610	Introduction and first reading
		Referred to Judiciary and Public Safety
03/24/2025		Comm report: To pass as amended and re-refer to Transportation

A bill for an act

relating to public safety; extending the length of driver's license revocations related to certain offenses; modifying the length of time certain individuals must participate in the ignition interlock program; requiring all ignition interlock participants to complete a treatment or rehabilitation program before reinstatement of full driving privileges; amending Minnesota Statutes 2024, sections 169A.52, subdivisions 3, 4; 169A.54, subdivision 1; 171.177, subdivisions 4, 5; 171.187, subdivision 3; 171.306, subdivisions 1, 4, 5; proposing coding for new law in Minnesota Statutes, chapter 171; repealing Minnesota Statutes 2024, sections 169A.54, subdivisions 2, 3, 4; 169A.55, subdivisions 4, 5; 171.17, subdivision 4.

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

Section 1. Minnesota Statutes 2024, section 169A.52, subdivision 3, is amended to read:

Subd. 3. **Test refusal; license revocation.** (a) Upon certification by the peace officer that there existed probable cause to believe the person had been driving, operating, or in physical control of a motor vehicle in violation of section 169A.20 (driving while impaired), and that the person refused to submit to a test, the commissioner shall revoke the person's license or permit to drive, or nonresident operating privilege, even if a test was obtained pursuant to this section after the person refused to submit to testing. The commissioner shall revoke the license, permit, or nonresident operating privilege~~:~~ as provided in section 171.178.

~~(1) for a person with no qualified prior impaired driving incidents within the past ten years, for a period of not less than one year;~~

~~(2) for a person under the age of 21 years and with no qualified prior impaired driving incidents within the past ten years, for a period of not less than one year;~~

~~(3) for a person with one qualified prior impaired driving incident within the past ten years, or two qualified prior impaired driving incidents, for a period of not less than two years;~~

~~(4) for a person with two qualified prior impaired driving incidents within the past ten years, or three qualified prior impaired driving incidents, for a period of not less than three years;~~

~~(5) for a person with three qualified prior impaired driving incidents within the past ten years, for a period of not less than four years; or~~

~~(6) for a person with four or more qualified prior impaired driving incidents, for a period of not less than six years.~~

(b) Upon certification by the peace officer that there existed probable cause to believe the person had been driving, operating, or in physical control of a commercial motor vehicle with the presence of any alcohol in violation of section 169A.20 (driving while impaired), and that the person refused to submit to a test, the commissioner shall disqualify the person from operating a commercial motor vehicle and shall revoke the person's license or permit to drive or nonresident operating privilege according to the federal regulations adopted by reference in section 171.165, subdivision 2.

Sec. 2. Minnesota Statutes 2024, section 169A.52, subdivision 4, is amended to read:

Subd. 4. **Test failure; license revocation.** (a) Upon certification by the peace officer that there existed probable cause to believe the person had been driving, operating, or in physical control of a motor vehicle in violation of section 169A.20 (driving while impaired) and that the person submitted to a test and the test results indicate an alcohol concentration of 0.08 or more or the presence of a controlled substance listed in Schedule I or II or its metabolite, other than marijuana or tetrahydrocannabinols, then the commissioner shall revoke the person's license or permit to drive, or nonresident operating privilege~~:~~ as provided in section 171.178.

~~(1) for a period of 90 days, or, if the test results indicate an alcohol concentration of twice the legal limit or more, not less than one year;~~

~~(2) if the person is under the age of 21 years, for a period of not less than 180 days or, if the test results indicate an alcohol concentration of twice the legal limit or more, not less than one year;~~

~~(3) for a person with one qualified prior impaired driving incident within the past ten years, or two qualified prior impaired driving incidents, for a period of not less than one~~

~~year, or if the test results indicate an alcohol concentration of twice the legal limit or more, not less than two years;~~

~~(4) for a person with two qualified prior impaired driving incidents within the past ten years, or three qualified prior impaired driving incidents, for a period of not less than three years;~~

~~(5) for a person with three qualified prior impaired driving incidents within the past ten years, for a period of not less than four years; or~~

~~(6) for a person with four or more qualified prior impaired driving incidents, for a period of not less than six years.~~

(b) On certification by the peace officer that there existed probable cause to believe the person had been driving, operating, or in physical control of a commercial motor vehicle with any presence of alcohol and that the person submitted to a test and the test results indicated an alcohol concentration of 0.04 or more, the commissioner shall disqualify the person from operating a commercial motor vehicle under section 171.165 (commercial driver's license disqualification).

(c) If the test is of a person's blood or urine by a laboratory operated by the Bureau of Criminal Apprehension, or authorized by the bureau to conduct the analysis of a blood or urine sample, the laboratory may directly certify to the commissioner the test results, and the peace officer shall certify to the commissioner that there existed probable cause to believe the person had been driving, operating, or in physical control of a motor vehicle in violation of section 169A.20 and that the person submitted to a test. Upon receipt of both certifications, the commissioner shall undertake the license actions described in paragraphs (a) and (b).

Sec. 3. Minnesota Statutes 2024, section 169A.54, subdivision 1, is amended to read:

Subdivision 1. **Revocation periods for DWI convictions.** Except as provided in subdivision 7, the commissioner shall revoke the driver's license of a person convicted of violating section 169A.20 (driving while impaired) or an ordinance in conformity with it~~,~~ as ~~follows:~~ <u>provided in section 171.178.</u>

~~(1) not less than 30 days for an offense under section 169A.20, subdivision 1 (driving while impaired crime);~~

~~(2) not less than 90 days for an offense under section 169A.20, subdivision 2 (refusal to submit to chemical test crime);~~

~~(3) not less than one year for:~~

~~(i) an offense occurring within ten years of a qualified prior impaired driving incident;~~

~~(ii) an offense occurring after two qualified prior impaired driving incidents; or~~

~~(iii) an offense occurring when a person has an alcohol concentration of twice the legal limit or more as measured at the time or within two hours of the time of the offense and the person has no qualified prior impaired driving incident within ten years;~~

~~(4) not less than two years for an offense occurring under clause (3), item (i) or (ii), and where the test results indicate an alcohol concentration of twice the legal limit or more, and until the court has certified that treatment or rehabilitation has been successfully completed where prescribed in accordance with section 169A.70 (chemical use assessments);~~

~~(5) not less than three years for an offense occurring within ten years of the first of two qualified prior impaired driving incidents or occurring after three qualified prior impaired driving incidents and with denial under section 171.04, subdivision 1, clause (10), until rehabilitation is established according to standards established by the commissioner; and~~

~~(6) not less than four years for an offense occurring within ten years of the first of three qualified prior impaired driving incidents and with denial under section 171.04, subdivision 1, clause (10), until rehabilitation is established according to standards established by the commissioner; or~~

~~(7) not less than six years for an offense occurring after four or more qualified prior impaired driving incidents and with denial under section 171.04, subdivision 1, clause (10), until rehabilitation is established according to standards established by the commissioner.~~

Sec. 4. Minnesota Statutes 2024, section 171.177, subdivision 4, is amended to read:

Subd. 4. **Test refusal; license revocation.** (a) Upon certification under subdivision 3 that there existed probable cause to believe the person had been driving, operating, or in physical control of a motor vehicle in violation of section 169A.20, and that the person refused to comply with the execution of the search warrant, the commissioner shall revoke the person's license or permit to drive or nonresident operating privilege. The commissioner shall revoke the license, permit, or nonresident operating privilege~~:~~ as provided in section 171.178.

~~(1) for a person with no qualified prior impaired driving incidents within the past ten years, for a period of not less than one year;~~

~~(2) for a person under the age of 21 years and with no qualified prior impaired driving incidents within the past ten years, for a period of not less than one year;~~

~~(3) for a person with one qualified prior impaired driving incident within the past ten years or two qualified prior impaired driving incidents, for a period of not less than two years;~~

~~(4) for a person with two qualified prior impaired driving incidents within the past ten years or three qualified prior impaired driving incidents, for a period of not less than three years;~~

~~(5) for a person with three qualified prior impaired driving incidents within the past ten years, for a period of not less than four years; or~~

~~(6) for a person with four or more qualified prior impaired driving incidents, for a period of not less than six years.~~

(b) When a person who had been driving, operating, or in physical control of a commercial motor vehicle refuses to comply with the search warrant and permit testing, the commissioner shall disqualify the person from operating a commercial motor vehicle and shall revoke the person's license or permit to drive or nonresident operating privilege according to the federal regulations adopted by reference in section 171.165, subdivision 2.

Sec. 5. Minnesota Statutes 2024, section 171.177, subdivision 5, is amended to read:

Subd. 5. **Test failure; license revocation.** (a) Upon certification under subdivision 3 pursuant to a search warrant, that there existed probable cause to believe the person had been driving, operating, or in physical control of a motor vehicle in violation of section 169A.20, and that the person submitted to a test and the test results indicate an alcohol concentration of 0.08 or more or the presence of a controlled substance listed in Schedule I or II or its metabolite, other than marijuana or tetrahydrocannabinols, the commissioner shall revoke the person's license or permit to drive or nonresident operating privilege~~:~~ as provided in section 171.178.

~~(1) for a period of 90 days or, if the test results indicate an alcohol concentration of twice the legal limit or more, not less than one year;~~

~~(2) if the person is under the age of 21 years, for a period of not less than 180 days or, if the test results indicate an alcohol concentration of twice the legal limit or more, not less than one year;~~

~~(3) for a person with one qualified prior impaired driving incident within the past ten years or two qualified prior impaired driving incidents, for a period of not less than one year or, if the test results indicate an alcohol concentration of twice the legal limit or more, not less than two years;~~

~~(4) for a person with two qualified prior impaired driving incidents within the past ten years or three qualified prior impaired driving incidents, for a period of not less than three years;~~

~~(5) for a person with three qualified prior impaired driving incidents within the past ten years, for a period of not less than four years; or~~

~~(6) for a person with four or more qualified prior impaired driving incidents, for a period of not less than six years.~~

(b) On certification by the peace officer that there existed probable cause to believe the person had been driving, operating, or in physical control of a commercial motor vehicle with any presence of alcohol and that the person submitted to a test and the test results indicated an alcohol concentration of 0.04 or more, the commissioner shall disqualify the person from operating a commercial motor vehicle under section 171.165.

(c) If the test is of a person's blood or urine by a laboratory operated by the Bureau of Criminal Apprehension or authorized by the bureau to conduct the analysis of a blood or urine sample, the laboratory may directly certify to the commissioner the test results, and the peace officer shall certify to the commissioner that there existed probable cause to believe the person had been driving, operating, or in physical control of a motor vehicle in violation of section 169A.20, and that the person submitted to a test. Upon receipt of both certifications, the commissioner shall undertake the license actions described in paragraphs (a) and (b).

Sec. 6. **[171.178] REVOCATION, DENIAL, AND REINSTATEMENT; DRIVING WHILE IMPAIRED; CRIMINAL VEHICULAR HOMICIDE AND OPERATION.**

Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have the meanings given.

(b) "Ignition interlock device" has the meaning given in section 171.306, subdivision 1.

(c) "Qualified prior impaired driving incident" has the meaning given in section 169A.03, subdivision 22.

Subd. 2. **Qualified prior impaired driving incident; determination.** Section 169A.09 applies for determining the number of qualified prior impaired driving incidents under this section.

Subd. 3. **Test refusal; period of license revocation.** A revocation by the commissioner as required under section 169A.52, subdivision 3, or 171.177, subdivision 4, must be for the following periods:

(1) if the person has no qualified prior impaired driving incidents within the past 20 years, not less than one year; or

(2) if the person has one qualified prior impaired driving incident within the past 20 years, or two or more qualified prior impaired driving incidents, until the commissioner determines that the person used an ignition interlock device in compliance with section 171.306 for the period of time described in subdivision 9.

Subd. 4. **Test failure; period of license revocation.** A revocation by the commissioner as required under section 169A.52, subdivision 4, or 171.177, subdivision 5, must be for the following periods:

(1) if the person has no qualified prior impaired driving incidents within the past 20 years:

(i) not less than 90 days;

(ii) not less than 180 days if the person is under 21 years of age and the test results indicate an alcohol concentration of less than twice the legal limit; or

(iii) not less than one year if the test results indicate an alcohol concentration of twice the legal limit or more; or

(2) if the person has one qualified prior impaired driving incident within the past 20 years, or two or more qualified prior impaired driving incidents, until the commissioner determines that the person used an ignition interlock device in compliance with section 171.306 for the period of time described in subdivision 9.

Subd. 5. **Driving while impaired conviction or adjudication; period of license revocation.** (a) Notwithstanding the periods specified in subdivisions 3 and 4 and except as provided in section 169A.54, subdivision 7, a revocation by the commissioner as required under section 169A.54, subdivision 1, or 171.17, subdivision 1, paragraph (a), clause (2), must be for the following periods:

(1) if the person has no qualified prior impaired driving incidents within the past 20 years:

(i) not less than 30 days if the person is convicted of an offense under section 169A.20, subdivision 1 (driving while impaired);

(ii) not less than 90 days if the person is convicted of an offense under section 169A.20, subdivision 2 (refusal to submit to chemical test);

(iii) not less than 180 days if the person is under 21 years of age and the test results indicate an alcohol concentration of less than twice the legal limit; or

(iv) not less than one year if the test results indicate an alcohol concentration of twice the legal limit or more; or

(2) if the person has one qualified prior impaired driving incident within the past 20 years, or two or more qualified prior impaired driving incidents, until the commissioner determines that the person used an ignition interlock device in compliance with section 171.306 for the period of time described in subdivision 9.

(b) Whenever department records show that the violation involved personal injury or death to any person, at least 90 additional days must be added to the base periods provided in paragraph (a), clause (1), items (i) to (iv).

Subd. 6. **Criminal vehicular operation conviction; period of license revocation.** Notwithstanding the periods specified in subdivisions 3 to 5, a revocation by the commissioner under section 171.17, subdivision 1, paragraph (a), clause (1), after the commissioner receives a record of a conviction for a violation of section:

(1) 609.2113, subdivision 1, clause (2), (3), (4), (5), or (6);

(2) 609.2113, subdivision 2, clause (2), (3), (4), (5), or (6);

(3) 609.2113, subdivision 3, clause (2), (3), (4), (5), or (6); or

(4) 609.2114, subdivision 2, clause (2), (3), (4), (5), or (6),

must be until the commissioner determines that the person used an ignition interlock device in compliance with section 171.306 for the period of time described in subdivision 9.

Subd. 7. **Criminal vehicular homicide conviction; period of license revocation.** Notwithstanding the periods specified in subdivisions 3 to 5, a revocation by the commissioner under section 171.17, subdivision 1, paragraph (a), clause (1), after the commissioner receives a record of a conviction for a violation of section 609.2112,

subdivision 1, paragraph (a), clause (2), (3), (4), (5), or (6); or 609.2114, subdivision 1, paragraph (a), clause (2), (3), (4), (5), or (6), must be for the following periods:

(1) if the person has no qualified prior impaired driving incidents, for not less than six years;

(2) if the person has one qualified prior impaired driving incident, for not less than 15 years; or

(3) if the person has two or more qualified prior impaired driving incidents, for the person's lifetime.

Subd. 8. **Driving while impaired; license cancellation and denial.** (a) The commissioner must designate a person with two or more qualified prior impaired driving incidents as inimical to public safety pursuant to section 171.04, subdivision 1, clause (10), if the person is convicted of a violation of section:

(1) 169A.20, subdivision 1;

(2) 169A.20, subdivision 2;

(3) 609.2112, subdivision 1, paragraph (a), clause (2), (3), (4), (5), or (6);

(4) 609.2113, subdivision 1, clause (2), (3), (4), (5), or (6);

(5) 609.2113, subdivision 2, clause (2), (3), (4), (5), or (6);

(6) 609.2113, subdivision 3, clause (2), (3), (4), (5), or (6);

(7) 609.2114, subdivision 1, paragraph (a), clause (2), (3), (4), (5), or (6); or

(8) 609.2114, subdivision 2, clause (2), (3), (4), (5), or (6).

(b) The commissioner must cancel the person's driver's license pursuant to section 171.14 and must not issue the person a driver's license until the person complies with the provisions of this section and establishes rehabilitation according to standards established by the commissioner.

Subd. 9. **Ignition interlock periods; reduction.** (a) Until the commissioner reinstates a person's full driving privileges, the following persons must not operate a motor vehicle, off-road recreational vehicle, or a motorboat unless the person participates in the ignition interlock device program:

(1) a person whose license or permit to drive, or nonresident operating privilege, is revoked as described in subdivision 3, 4, or 5, at a time when the person has one qualified

prior impaired driving incident within the past 20 years, or two or more qualified prior impaired driving incidents; and

(2) a person whose license or permit to drive, or nonresident operating privilege, is revoked as described in subdivision 6, at a time when the person has one qualified prior impaired driving incident.

(b) The commissioner must not reinstate full driving privileges for a person described in paragraph (a) until the person completes a licensed substance use disorder treatment or rehabilitation program and participates in the ignition interlock device program in compliance with section 171.306 for a period of not less than:

(1) two years if the commissioner revokes the person's license or permit to drive, or nonresident operating privilege as described in:

(i) subdivision 3, 4, or 5 when the person has one qualified prior impaired driving incident within the past 20 years; or

(ii) subdivision 6 when the violation resulted in bodily harm or substantial bodily harm to another and the person has no qualified prior impaired driving incidents;

(2) five years if the commissioner revokes the person's license or permit to drive, or nonresident operating privilege as described in subdivision 6 when the violation resulted in bodily harm or substantial bodily harm to another and the person has one qualified prior impaired driving incident;

(3) six years if the commissioner revokes the person's license or permit to drive, or nonresident operating privilege as described in:

(i) subdivision 3, 4, or 5 when the person has two qualified prior impaired driving incidents; or

(ii) subdivision 6 when the violation resulted in great bodily harm to another and the person has no qualified prior impaired driving incidents;

(4) eight years if the commissioner revokes the person's license or permit to drive, or nonresident operating privileges described in subdivision 6 when the violation resulted in:

(i) great bodily harm to another and the person has one qualified prior impaired driving incident; or

(ii) bodily harm or substantial bodily harm to another and the person has two qualified prior impaired driving incidents; or

(5) ten years if the commissioner revokes the person's license or permit to drive, or nonresident operating privileges described in:

(i) subdivision 6 when the violation resulted in great bodily harm to another and the person has two qualified prior impaired driving incidents; or

(ii) subdivision 3, 4, 5, or 6 when the person has three or more qualified prior impaired driving incidents.

(c) The commissioner must establish standards allowing a person to submit proof that the person completed a licensed substance use disorder treatment or rehabilitation program. A person seeking reinstatement of full driving privileges must submit proof of completion in the form and manner established by the commissioner.

(d) Nothing in this section prohibits the commissioner from extending the period of time that a person must use an ignition interlock device pursuant to section 171.306, subdivision 5.

(e) If the commissioner learns that a person whose driving privileges have not been fully reinstated and whose mandated period of use of an ignition interlock device was reduced under this subdivision subsequently (1) registers a positive breath alcohol concentration of 0.02 or higher on an ignition interlock device, or (2) is convicted of, or adjudicated delinquent for, an offense involving the use of alcohol, the commissioner must extend the time period that the person must use an ignition interlock device until the participant demonstrates abstinence for a period equal to the applicable reduced period under paragraph (b).

Sec. 7. Minnesota Statutes 2024, section 171.187, subdivision 3, is amended to read:

Subd. 3. **Credit.** If a person whose driver's license was suspended under subdivision 1 is later convicted of the underlying offense that resulted in the suspension and the commissioner revokes the person's license, the commissioner shall credit the time accrued under the suspension period toward the revocation period imposed under section ~~171.17, subdivision 4~~ 171.178, subdivision 6 or 7, or for violations of section:

(1) 609.20~~,~~;

(2) 609.205~~, or~~;

(3) 609.2112, subdivision 1, paragraph (a), clause (1), (7), or (8);

(4) 609.2113, subdivision 1, clause (1), (7), or (8); subdivision 2, clause (1), (7), or (8); or subdivision 3, clause (1), (7), or (8); or

(5) 609.2114, subdivision 1, paragraph (a), clause (1), (7), or (8), or subdivision 2, clause (1), (7), or (8).

Sec. 8. Minnesota Statutes 2024, section 171.306, subdivision 1, is amended to read:

Subdivision 1. **Definitions.** (a) ~~As used in~~ For purposes of this section, the terms in this subdivision have the meanings given ~~them~~.

(b) "Ignition interlock device" or "device" means equipment that is designed to measure breath alcohol concentration and to prevent a motor vehicle's ignition from being started by a person whose breath alcohol concentration measures 0.02 or higher on the equipment.

(c) "Location tracking capabilities" means the ability of an electronic or wireless device to identify and transmit its geographic location through the operation of the device.

(d) "Program participant" means a person who has qualified to take part in the ignition interlock program under this section, and whose driver's license has been:

(1) revoked, canceled, or denied under section 169A.52; 169A.54; 171.04, subdivision 1, clause (10); or 171.177; or

(2) revoked under section 171.17, subdivision 1, paragraph (a), clause (1), or suspended under section 171.187, for a violation of section 609.2113, subdivision 1, clause (2), item (i) or ~~(iii)~~ (iv), (3), or (4); subdivision 2, clause (2), item (i) or ~~(iii)~~ (iv), (3), or (4); or subdivision 3, clause (2), item (i) or ~~(iii)~~ (iv), (3), or (4); or 609.2114, subdivision 2, clause (2), item (i) or ~~(iii)~~ (iv), (3), or (4), resulting in bodily harm, substantial bodily harm, or great bodily harm.

(e) "Qualified prior impaired driving incident" has the meaning given in section 169A.03, subdivision 22.

Sec. 9. Minnesota Statutes 2024, section 171.306, subdivision 4, is amended to read:

Subd. 4. **Issuance of restricted license.** (a) The commissioner shall issue a class D driver's license, subject to the applicable limitations and restrictions of this section, to a program participant who meets the requirements of this section and the program guidelines. Notwithstanding any law to the contrary, the commissioner must not require a program participant to pay the reinstatement fee and surcharge described in section 171.29, subdivision 2, before issuing a restricted license under this section. The commissioner shall not issue a license unless the program participant has provided satisfactory proof that:

(1) a certified ignition interlock device has been installed on the participant's motor vehicle at an installation service center designated by the device's manufacturer; and

(2) the participant has insurance coverage on the vehicle equipped with the ignition interlock device. If the participant has previously been convicted of violating section 169.791, 169.793, or 169.797 or the participant's license has previously been suspended, revoked, or canceled under section 169.792 or 169.797, the commissioner shall require the participant to present an insurance identification card that is certified by the insurance company to be noncancelable for a period not to exceed 12 months.

(b) A license issued under authority of this section must contain a restriction prohibiting the program participant from driving, operating, or being in physical control of any motor vehicle not equipped with a functioning ignition interlock device certified by the commissioner. A participant may drive an employer-owned vehicle not equipped with an interlock device while in the normal course and scope of employment duties pursuant to the program guidelines established by the commissioner and with the employer's written consent.

(c) A program participant ~~whose~~ may apply for conditional reinstatement of the driver's license, subject to the ignition interlock restriction, if the program participant's driver's license ~~has been~~ was:

(1) revoked, canceled, or denied under section:

(i) 169A.52, subdivision 3, paragraph (a), ~~clause (1), (2), or (3),~~ or subdivision 4, paragraph (a)~~, clause (1), (2), or (3)~~;

(ii) 169A.54, subdivision 1~~, clause (1), (2), (3), or (4)~~; or

(iii) 171.177, subdivision 4, paragraph (a), ~~clause (1), (2), or (3),~~ or subdivision 5, paragraph (a)~~, clause (1), (2), or (3)~~; ~~or~~

(2) revoked under section 171.17, subdivision 1, paragraph (a), clause (1), for a violation of section:

(i) 609.2113, subdivision 1, clause (2), item (i) or (iv), (3), or (4); subdivision 2, clause (2), item (i) or (iv), (3), or (4); or subdivision 3, clause (2), item (i) or (iv), (3), or (4); or

(ii) 609.2114, subdivision 2, clause (2), item (i) or (iv), (3), or (4); or

(3) suspended under section 171.187, for a violation of section:

(i) 609.2113, subdivision 1, clause (2), item (i) or ~~(iii)~~ (iv), (3), or (4); subdivision 2, clause (2), item (i) or ~~(iii)~~ (iv), (3), or (4); or subdivision 3, clause (2), item (i) or ~~(iii)~~ (iv), (3), or (4); or

(ii) 609.2114, subdivision 2, clause (2), item (i) or ~~(iii)~~ (iv), (3), or (4)~~, resulting in bodily harm, substantial bodily harm, or great bodily harm, where the participant has fewer than two qualified prior impaired driving incidents within the past ten years or fewer than three qualified prior impaired driving incidents ever; may apply for conditional reinstatement of the driver's license, subject to the ignition interlock restriction~~.

(d) ~~A program participant whose driver's license has been: (1) revoked, canceled, or denied under section 169A.52, subdivision 3, paragraph (a), clause (4), (5), or (6), or subdivision 4, paragraph (a), clause (4), (5), or (6); 169A.54, subdivision 1, clause (5), (6), or (7); or 171.177, subdivision 4, paragraph (a), clause (4), (5), or (6), or subdivision 5, paragraph (a), clause (4), (5), or (6); or (2) revoked under section 171.17, subdivision 1, paragraph (a), clause (1), or suspended under section 171.187, for a violation of section 609.2113, subdivision 1, clause (2), item (i) or (iii), (3), or (4); subdivision 2, clause (2), item (i) or (iii), (3), or (4); or subdivision 3, clause (2), item (i) or (iii), (3), or (4); or 609.2114, subdivision 2, clause (2), item (i) or (iii), (3), or (4), resulting in bodily harm, substantial bodily harm, or great bodily harm, where the participant has two or more qualified prior impaired driving incidents within the past ten years or three or more qualified prior impaired driving incidents ever; may apply for conditional reinstatement of the driver's license, subject to the ignition interlock restriction, if the program participant is enrolled in a licensed substance use disorder treatment or rehabilitation program as recommended in a chemical use assessment.~~ As a prerequisite to eligibility for eventual reinstatement of full driving privileges, a participant who either had one qualified prior impaired driving incident within the past 20 years, or two or more qualified prior impaired driving incidents when the person's driver's license was revoked, canceled, or denied under the conditions described in paragraph (c), clause (1), or whose driver's license was revoked or suspended under the conditions described in paragraph (c), clause (2) or (3), and whose chemical use assessment recommended treatment or rehabilitation shall complete a licensed substance use disorder treatment or rehabilitation program. If the program participant's ignition interlock device subsequently registers a positive breath alcohol concentration of 0.02 or higher, the commissioner shall extend the time period that the participant must participate in the program until the participant has reached the required abstinence period described in section ~~169A.55, subdivision 4~~ 171.178, subdivision 9.

(e) Notwithstanding any statute or rule to the contrary, the commissioner has authority to determine when a program participant is eligible for restoration of full driving privileges, except that the commissioner shall not reinstate full driving privileges until the program participant has met all applicable prerequisites for reinstatement under ~~section~~ sections 169A.55 and 171.178 and until the program participant's device has registered no positive breath alcohol concentrations of 0.02 or higher during the preceding 90 days.

Sec. 10. Minnesota Statutes 2024, section 171.306, subdivision 5, is amended to read:

Subd. 5. **Penalties; program violations.** (a) If a program participant tampers with, circumvents, or bypasses a device; drives, operates, or exercises physical control over a motor vehicle not equipped with a device certified by the commissioner; violates a condition of a license conditionally reinstated under subdivision 4 and section 171.30; or violates the program guidelines of subdivision 3, the commissioner shall extend the person's revocation period and the period of time that a person must use an ignition interlock device under section ~~169A.52, 169A.54, or 171.177~~ 171.178 by:

(1) 180 days for a first violation;

(2) one year for a second violation; or

(3) 545 days for a third and each subsequent violation.

(b) Notwithstanding paragraph (a), the commissioner may terminate participation in the program by any person when, in the commissioner's judgment, termination is necessary to the interests of public safety and welfare. In the event of termination, the commissioner shall not reduce the applicable revocation period under section ~~169A.52, 169A.54, or 171.177~~ 171.178 by the amount of time during which the person possessed a limited or restricted driver's license issued under the authority of subdivision 4.

Sec. 11. **REPEALER.**

Minnesota Statutes 2024, sections 169A.54, subdivisions 2, 3, and 4; 169A.55, subdivisions 4 and 5; and 171.17, subdivision 4, are repealed.

169A.54 DWI CONVICTIONS, ADJUDICATIONS; ADMINISTRATIVE PENALTIES.

Subd. 2. **Driving while impaired by person under age 21.** If the person convicted of violating section 169A.20 (driving while impaired) is under the age of 21 years at the time of the violation, the commissioner shall revoke the offender's driver's license or operating privileges for a period of not less than 180 days or for the appropriate period of time under subdivision 1, clauses (1) to (6), for the offense committed, whichever is the longer period.

Subd. 3. **Juvenile adjudications.** For purposes of this section, a juvenile adjudication under section 169A.20 (driving while impaired), an ordinance in conformity with it, or a statute or ordinance from another state in conformity with it is an offense.

Subd. 4. **Violations involving personal injury.** Whenever department records show that the violation involved personal injury or death to any person, at least 90 additional days must be added to the base periods provided in subdivisions 1 to 3.

169A.55 LICENSE REVOCATION TERMINATION; LICENSE REINSTATEMENT.

Subd. 4. **Reinstatement of driving privileges; multiple incidents.** (a) A person whose driver's license has been revoked as a result of an offense listed under clause (2) shall not be eligible for reinstatement of driving privileges without an ignition interlock restriction until the commissioner certifies that either:

(1) the person did not own or lease a vehicle at the time of the offense or at any time between the time of the offense and the driver's request for reinstatement, or commit a violation of chapter 169, 169A, or 171 between the time of the offense and the driver's request for reinstatement or at the time of the arrest for the offense listed under clause (2), item (i), subitem (A) or (B), or (ii), subitem (A) or (B), as based on:

(i) a request by the person for reinstatement, on a form to be provided by the Department of Public Safety;

(ii) the person's attestation under penalty of perjury; and

(iii) the submission by the driver of certified copies of vehicle registration records and driving records for the period from the arrest until the driver seeks reinstatement of driving privileges; or

(2) the person used the ignition interlock device and complied with section 171.306 for a period of not less than:

(i) one year, for a person whose driver's license was revoked for:

(A) an offense occurring within ten years of a qualified prior impaired driving incident; or

(B) an offense occurring after two qualified prior impaired driving incidents; or

(ii) two years, for a person whose driver's license was revoked for:

(A) an offense occurring under item (i), subitem (A) or (B), and the test results indicated an alcohol concentration of twice the legal limit or more; or

(B) an offense occurring under item (i), subitem (A) or (B), and the current offense is for a violation of section 169A.20, subdivision 2.

(b) A person whose driver's license has been canceled or denied as a result of three or more qualified impaired driving incidents shall not be eligible for reinstatement of driving privileges without an ignition interlock restriction until the person:

(1) has completed rehabilitation according to rules adopted by the commissioner or been granted a variance from the rules by the commissioner; and

(2) has submitted verification of abstinence from alcohol and controlled substances under paragraph (c), as evidenced by the person's use of an ignition interlock device or other chemical monitoring device approved by the commissioner.

(c) The verification of abstinence must show that the person has abstained from the use of alcohol and controlled substances for a period of not less than:

(1) three years, for a person whose driver's license was canceled or denied for an offense occurring within ten years of the first of two qualified prior impaired driving incidents, or occurring after three qualified prior impaired driving incidents;

(2) four years, for a person whose driver's license was canceled or denied for an offense occurring within ten years of the first of three qualified prior impaired driving incidents; or

(3) six years, for a person whose driver's license was canceled or denied for an offense occurring after four or more qualified prior impaired driving incidents.

Subd. 5. **Reinstatement of driving privileges; certain criminal vehicular operation offenses.** A person whose driver's license has been revoked under section 171.17, subdivision 1, paragraph (a), clause (1) (revocation, criminal vehicular operation), or suspended under section 171.187 (suspension, criminal vehicular operation), for a violation of section 609.2113, subdivision 1, clause (2), item (i) or (iii), (3), or (4), subdivision 2, clause (2), item (i) or (iii), (3), or (4), or subdivision 3, clause (2), item (i) or (iii), (3), or (4); or section 609.2114, subdivision 2, clause (2), item (i) or (iii) (criminal vehicular operation, alcohol-related provisions), resulting in bodily harm, substantial bodily harm, or great bodily harm, shall not be eligible for reinstatement of driving privileges until the person has submitted to the commissioner verification of the use of ignition interlock for the applicable time period specified in those sections. To be eligible for reinstatement under this subdivision, a person shall utilize an ignition interlock device that meets the performance standards and certification requirements under subdivision 4, paragraph (c).

171.17 REVOCATION.

Subd. 4. **Criminal vehicular operation; revocation periods.** (a) As used in this subdivision, "qualified prior impaired driving incident" has the meaning given in section 169A.03, subdivision 22.

(b) Upon receiving a record of a conviction for a violation of section 609.2112, subdivision 1, paragraph (a), clause (2), (3), (4), (5), or (6); 609.2113, subdivision 1, clause (2), (3), (4), (5), or (6); subdivision 2, clause (2), (3), (4), (5), or (6); or subdivision 3, clause (2), (3), (4), (5), or (6); or 609.2114, subdivision 1, paragraph (a), clause (2), (3), (4), (5), or (6), or subdivision 2, clause (2), (3), (4), (5), or (6); the commissioner shall revoke the driver's license or driving privileges of a person as follows:

(1) not less than ten years if the violation resulted in great bodily harm or death to another and the person has two or more qualified prior impaired driving incidents within the past ten years or three or more qualified prior impaired driving incidents, and with denial under section 171.04, subdivision 1, clause (10), until rehabilitation is established according to standards established by the commissioner;

(2) not less than eight years if the violation resulted in great bodily harm or death to another and the person has a qualified prior impaired driving incident within the past ten years;

(3) not less than six years if the violation resulted in great bodily harm or death to another;

(4) not less than six years if the violation resulted in bodily harm or substantial bodily harm to another and the person has two or more qualified prior impaired driving incidents within the past ten years or three or more qualified prior impaired driving incidents, and with denial under section 171.04, subdivision 1, clause (10), until rehabilitation is established according to standards established by the commissioner;

(5) not less than four years if the violation resulted in bodily harm or substantial bodily harm to another and the person has a qualified prior impaired driving incident within the past ten years; or

(6) not less than two years if the violation resulted in bodily harm or substantial bodily harm to another.

(c) Section 169A.09 applies when determining the number of qualified prior impaired driving incidents under this subdivision.