

SENATE  
STATE OF MINNESOTA  
NINETY-FOURTH SESSION

S.F. No. 4665

(SENATE AUTHORS: PHA)

DATE  
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Introduction and first reading  
Referred to Judiciary and Public Safety

OFFICIAL STATUS

1.1 A bill for an act  
1.2 relating to driving under the influence; establishing revocation and licensing  
1.3 requirements for violations of impaired driving laws involving substances other  
1.4 than alcohol; authorizing rulemaking; appropriating money; amending Minnesota  
1.5 Statutes 2025 Supplement, sections 171.178; 171.306, subdivisions 1, 4, 10;  
1.6 proposing coding for new law in Minnesota Statutes, chapter 171.

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

1.8 Section 1. Minnesota Statutes 2025 Supplement, section 171.178, is amended to read:

1.9 **171.178 REVOCATION, DENIAL, AND REINSTATEMENT; DRIVING WHILE**  
1.10 **IMPAIRED; CRIMINAL VEHICULAR HOMICIDE AND OPERATION.**

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

1.13 (b) "Alcohol-related violation" means any of the following:

1.14 (1) a refusal by a person to submit to a test of the person's breath, blood, or urine pursuant  
1.15 to section 169A.51, 169A.52, or 171.177 after a peace officer certified that there existed  
1.16 probable cause to believe the person had been driving, operating, or in physical control of  
1.17 a motor vehicle (i) while under the influence of alcohol, (ii) while under the influence of  
1.18 alcohol and another substance, or (iii) with an alcohol concentration that exceeds the limits  
1.19 established in chapter 169A;

1.20 (2) driving, operating, or being in physical control of a motor vehicle with an alcohol  
1.21 concentration that exceeds the limits established in chapter 169A as demonstrated by a test  
1.22 of the person's breath, blood, or urine performed pursuant to section 169A.51, 169A.52, or  
1.23 171.177; or

2.1 (3) driving, operating, or being in physical control of a motor vehicle (i) while under  
2.2 the influence of alcohol, (ii) while under the influence of alcohol and another substance, or  
2.3 (iii) with an alcohol concentration that exceeds the limits established in chapter 169A as  
2.4 demonstrated by a conviction for violating section 169A.20.

2.5 ~~(b)~~ (c) "Ignition interlock device" has the meaning given in section 171.306, subdivision  
2.6 1.

2.7 ~~(e)~~ (d) "Qualified prior impaired driving incident" has the meaning given in section  
2.8 169A.03, subdivision 22.

2.9 (e) "Substance-related violation" means any of the following:

2.10 (1) a refusal by a person to submit to a test of the person's breath, blood, or urine pursuant  
2.11 to section 169A.51, 169A.52, or 171.177 after a peace officer certified that there existed  
2.12 probable cause to believe the person had been driving, operating, or in physical control of  
2.13 a motor vehicle:

2.14 (i) while under the influence of a controlled substance;

2.15 (ii) while under the influence of an intoxicating substance;

2.16 (iii) while under the influence of any combination of a controlled substance, an  
2.17 intoxicating substance, and alcohol;

2.18 (iv) while the person's body contained any amount of a controlled substance listed in  
2.19 Schedule I or II, or its metabolite; or

2.20 (v) while under the influence of cannabis flower, a cannabis product, a lower-potency  
2.21 hemp edible, a hemp-derived consumer product, an artificially derived cannabinoid, or  
2.22 tetrahydrocannabinols;

2.23 (2) driving, operating, or being in physical control of a motor vehicle while the person's  
2.24 body contained any amount of a controlled substance listed in Schedule I or II, or its  
2.25 metabolite, other than marijuana or tetrahydrocannabinols, as demonstrated by a test of the  
2.26 person's breath, blood, or urine performed pursuant to section 169A.51, 169A.52, or 171.177;  
2.27 or

2.28 (3) driving, operating, or being in physical control of a motor vehicle:

2.29 (i) while under the influence of a controlled substance;

2.30 (ii) while under the influence of an intoxicating substance;

3.1 (iii) while under the influence of any combination of a controlled substance, an  
3.2 intoxicating substance, and alcohol;

3.3 (iv) while the person's body contained any amount of a controlled substance listed in  
3.4 Schedule I or II, or its metabolite; or

3.5 (v) while under the influence of cannabis flower, a cannabis product, a lower-potency  
3.6 hemp edible, a hemp-derived consumer product, an artificially derived cannabinoid, or  
3.7 tetrahydrocannabinols as demonstrated by a conviction for violating section 169A.20.

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

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

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

3.16 (2) if the person committed an alcohol-related violation and has one qualified prior  
3.17 impaired driving incident within the past 20 years, or two or more qualified prior impaired  
3.18 driving incidents, until the commissioner determines that the person used an ignition interlock  
3.19 device in compliance with section 171.306 for the period of time described in subdivision  
3.20 8; or

3.21 (3) if the person committed a substance-related violation and has one qualified prior  
3.22 impaired driving incident within the past 20 years, or two or more qualified prior impaired  
3.23 driving incidents, until the commissioner determines that the person completed the testing  
3.24 requirements in compliance with section 171.307 for the period of time described in  
3.25 subdivision 8.

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

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

3.31 (i) not less than 90 days;

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

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

4.5 (2) if the person committed an alcohol-related violation and has one qualified prior  
4.6 impaired driving incident within the past 20 years, or two or more qualified prior impaired  
4.7 driving incidents, until the commissioner determines that the person used an ignition interlock  
4.8 device in compliance with section 171.306 for the period of time described in subdivision  
4.9 8; or

4.10 (3) if the person committed a substance-related violation and has one qualified prior  
4.11 impaired driving incident within the past 20 years, or two or more qualified prior impaired  
4.12 driving incidents, until the commissioner determines that the person completed the testing  
4.13 requirements in compliance with section 171.307 for the period of time described in  
4.14 subdivision 8.

4.15 Subd. 5. **Driving while impaired conviction or adjudication; period of license**  
4.16 **revocation.** (a) Notwithstanding the periods specified in subdivisions 3 and 4 and except  
4.17 as provided in section 169A.54, subdivision 7, a revocation by the commissioner as required  
4.18 under section 169A.54, subdivision 1, or 171.17, subdivision 1, paragraph (a), clause (3)  
4.19 or (10), for conviction of an offense in another state that would be grounds for revocation  
4.20 in this state under section 169A.54, subdivision 1, must be for the following periods:

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

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

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

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

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

4.31 (2) if the person committed an alcohol-related violation and has one qualified prior  
4.32 impaired driving incident within the past 20 years, or two or more qualified prior impaired  
4.33 driving incidents, until the commissioner determines that the person used an ignition interlock

5.1 device in compliance with section 171.306 for the period of time described in subdivision  
5.2 8; or

5.3 (3) if the person committed a substance-related violation and has one qualified prior  
5.4 impaired driving incident within the past 20 years, or two or more qualified prior impaired  
5.5 driving incidents, until the commissioner determines that the person completed the testing  
5.6 requirements in compliance with section 171.307 for the period of time described in  
5.7 subdivision 8.

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

5.11 Subd. 6. **Criminal vehicular operation or homicide conviction; period of license**  
5.12 **revocation.** (a) Notwithstanding the periods specified in subdivisions 3 to 5, a revocation  
5.13 by the commissioner under section 171.17, subdivision 1, paragraph (a), clause (2), after  
5.14 the commissioner receives a record of a conviction for a violation of section:

5.15 (1) 609.2112, subdivision 1, paragraph (a), clause (2), item (i) or (iv) if one element  
5.16 included alcohol, (3), or (4), ~~(5), or (6)~~;

5.17 (2) 609.2113, subdivision 1, clause (2), item (i) or (iv) if one element included alcohol,  
5.18 (3), or (4), ~~(5), or (6)~~;

5.19 (3) 609.2113, subdivision 2, clause (2), item (i) or (iv) if one element included alcohol,  
5.20 (3), or (4), ~~(5), or (6)~~;

5.21 (4) 609.2113, subdivision 3, clause (2), item (i) or (iv) if one element included alcohol,  
5.22 (3), or (4), ~~(5), or (6)~~; or

5.23 (5) 609.2114, subdivision 1, paragraph (a), clause (2), item (i) or (iv) if one element  
5.24 included alcohol, (3), or (4), ~~(5), or (6)~~; or subdivision 2, clause (2), item (i) or (iv) if one  
5.25 element included alcohol, (3), or (4), ~~(5), or (6)~~;

5.26 must be until the commissioner determines that the person used an ignition interlock device  
5.27 in compliance with section 171.306 for the period of time described in subdivision 8.

5.28 (b) Notwithstanding the periods specified in subdivisions 3 to 5, a revocation by the  
5.29 commissioner under section 171.17, subdivision 1, paragraph (a), clause (2), after the  
5.30 commissioner receives a record of a conviction for a violation of section:

5.31 (1) 609.2112, subdivision 1, paragraph (a), clause (2), item (ii), (iii), or (iv), (5), or (6);

5.32 (2) 609.2113, subdivision 1, clause (2), item (ii), (iii), or (iv), (5), or (6);

- 6.1 (3) 609.2113, subdivision 2, clause (2), item (ii), (iii), or (iv), (5), or (6);  
 6.2 (4) 609.2113, subdivision 3, clause (2), item (ii), (iii), or (iv), (5), or (6); or  
 6.3 (5) 609.2114, subdivision 1, paragraph (a), clause (2), item (ii), (iii), or (iv), (5), or (6);  
 6.4 or subdivision 2, clause (2), item (ii), (iii), or (iv), (5), or (6),  
 6.5 must be until the commissioner determines that the person completed the testing requirements  
 6.6 in compliance with section 171.307 for the period of time described in subdivision 8.

6.7 **Subd. 7. Driving while impaired; license cancellation and denial.** (a) The commissioner  
 6.8 must designate a person with two or more qualified prior impaired driving incidents as  
 6.9 inimical to public safety pursuant to section 171.04, subdivision 1, clause (10), if the person  
 6.10 is convicted of a violation of section:

- 6.11 (1) 169A.20, subdivision 1;  
 6.12 (2) 169A.20, subdivision 2;  
 6.13 (3) 609.2112, subdivision 1, paragraph (a), clause (2), (3), (4), (5), or (6);  
 6.14 (4) 609.2113, subdivision 1, clause (2), (3), (4), (5), or (6);  
 6.15 (5) 609.2113, subdivision 2, clause (2), (3), (4), (5), or (6);  
 6.16 (6) 609.2113, subdivision 3, clause (2), (3), (4), (5), or (6);  
 6.17 (7) 609.2114, subdivision 1, paragraph (a), clause (2), (3), (4), (5), or (6); or  
 6.18 (8) 609.2114, subdivision 2, clause (2), (3), (4), (5), or (6).

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

6.23 **Subd. 8. Ignition interlock and substance use testing program periods; treatment;**  
 6.24 **~~alcohol-related~~ alcohol or substance violations.** (a) Until the commissioner reinstates a  
 6.25 person's full driving privileges, the following persons must not operate a motor vehicle,  
 6.26 off-road recreational vehicle, or a motorboat unless the person participates in the ignition  
 6.27 interlock device program, the substance use testing program, or both:

- 6.28 (1) a person whose license or permit to drive, or nonresident operating privilege, is  
 6.29 revoked as described in subdivision 3, 4, or 5, at a time when the person has one qualified  
 6.30 prior impaired driving incident within the past 20 years, or two or more qualified prior  
 6.31 impaired driving incidents; and

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

7.4 (b) A person described in paragraph (a) who commits an alcohol-related violation must  
7.5 participate in the ignition interlock program. A person described in paragraph (a) who  
7.6 commits a substance-related violation must participate in the substance use testing program.  
7.7 A person who commits a violation that qualifies as both an alcohol-related violation and a  
7.8 substance-related violation must participate in both the ignition interlock program and the  
7.9 substance use testing program.

7.10 ~~(b)~~ (c) The commissioner must not reinstate full driving privileges for a person described  
7.11 in paragraph (a) until the person completes a licensed substance use disorder treatment or  
7.12 rehabilitation program and participates in the ignition interlock device program in compliance  
7.13 with section 171.306 or the substance use testing program in compliance with section  
7.14 171.307, as applicable, for a period of not less than:

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

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

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

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

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

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

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

7.31 (iii) subdivision 6 when the violation resulted in death to another and the person has no  
7.32 qualified prior impaired driving incidents;

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

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

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

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

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

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

8.13 (iii) subdivision 6 when the violation resulted in bodily harm or substantial bodily harm  
 8.14 to another and the person has three or more qualified prior impaired driving incidents;

8.15 (6) 15 years if the commissioner revokes the person's license or permit to drive, or  
 8.16 nonresident operating privileges as described in subdivision 6 when the violation resulted  
 8.17 in death to another and the person has one qualified prior impaired driving incident; or

8.18 (7) for the remainder of the person's life if the commissioner revokes the person's license  
 8.19 or permit to drive, or nonresident operating privileges as described in subdivision 6 when  
 8.20 the violation resulted in death to another and the person has two or more qualified prior  
 8.21 impaired driving incidents.

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

8.26 ~~(d)~~ (e) Nothing in this section prohibits the commissioner from extending the period of  
 8.27 time that a person must use an ignition interlock device pursuant to section 171.306,  
 8.28 subdivision 5; participate in the substance use testing program pursuant to section 171.307,  
 8.29 subdivision 5; or both.

8.30 ~~(e)~~ (f) If the commissioner learns that a person who is a participant in the ignition interlock  
 8.31 device program or the substance use testing program and who completed a licensed substance  
 8.32 use disorder treatment or rehabilitation program subsequently: (1) registers a positive breath

9.1 alcohol concentration of 0.02 or higher on an ignition interlock device; (2) submits a test  
 9.2 as part of the substance use testing program that is positive for an intoxicating substance or  
 9.3 a controlled substance for which the person did not have a valid prescription or in an amount  
 9.4 that exceeds therapeutic thresholds; or ~~(2)~~ (3) is convicted of, or adjudicated delinquent for,  
 9.5 an offense involving the use of alcohol or a controlled substance that did not involve driving,  
 9.6 operating, or being in physical control of any motor vehicle, the commissioner must extend  
 9.7 the time period that the person must use an ignition interlock device until the participant  
 9.8 demonstrates abstinence for a period equal to the applicable period under paragraph ~~(b)~~ (c).  
 9.9 A person whose time period is extended under this paragraph must be given credit for  
 9.10 one-half of the amount of time that the person participated in the ignition interlock device  
 9.11 program before the violation.

9.12 ~~(f)~~ (g) If a participant in the ignition interlock device program or the substance use testing  
 9.13 program commits an act that results in a license revocation as described in subdivision 3,  
 9.14 4, 5, or 6, the commissioner must terminate the person from the ~~ignition interlock device~~  
 9.15 applicable program. The person may reenter the applicable program but is not entitled to  
 9.16 credit for time spent in the applicable program before termination. If the person reenters  
 9.17 the applicable program, the commissioner must not reinstate the person's full driving  
 9.18 privileges until the person participates in the ~~ignition interlock device~~ applicable program  
 9.19 in compliance with section 171.306 or 171.307 for a period of not less than the longer of:

9.20 (1) the applicable period under paragraph ~~(b)~~ (c) that applies to the new act; or

9.21 (2) the full period under paragraph ~~(b)~~ (c) that was previously required to be completed,  
 9.22 including any extensions imposed pursuant to section 171.306, subdivision 5, or 171.307,  
 9.23 subdivision 5.

9.24 Sec. 2. Minnesota Statutes 2025 Supplement, section 171.306, subdivision 1, is amended  
 9.25 to read:

9.26 Subdivision 1. **Definitions.** (a) For purposes of this section, the terms in this subdivision  
 9.27 have the meanings given.

9.28 (b) "Alcohol-related violation" has the meaning given in section 171.178, subdivision  
 9.29 1, paragraph (b).

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

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

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

10.5 (1) revoked, canceled, or denied ~~under~~ for an alcohol-related violation pursuant to section  
 10.6 169A.52; 169A.54; 171.04, subdivision 1, clause (10); 171.17, subdivision 1, paragraph  
 10.7 (a), clause (10), for conviction of an offense in another state that would be grounds for  
 10.8 revocation in this state under section 169A.54, subdivision 1; or 171.177; or

10.9 (2) revoked under section 171.17, subdivision 1, paragraph (a), clause (2), or suspended  
 10.10 under section 171.187, for a violation of section 609.2112, subdivision 1, paragraph (a),  
 10.11 clause (2), item (i) or (iv) if one element included alcohol, (3), or (4); 609.2113, subdivision  
 10.12 1, clause (2), item (i) or (iv) if one element included alcohol, (3), or (4); subdivision 2,  
 10.13 clause (2), item (i) or (iv) if one element included alcohol, (3), or (4); or subdivision 3,  
 10.14 clause (2), item (i) or (iv) if one element included alcohol, (3), or (4); or 609.2114,  
 10.15 subdivision 1, paragraph (a), clause (2), item (i) or (iv) if one element included alcohol, (3),  
 10.16 or (4); or subdivision 2, clause (2), item (i) or (iv) if one element included alcohol, (3), or  
 10.17 (4), resulting in bodily harm, substantial bodily harm, great bodily harm, or death.

10.18 ~~(e)~~ (f) "Qualified prior impaired driving incident" has the meaning given in section  
 10.19 169A.03, subdivision 22.

10.20 (g) "Substance-related violation" has the meaning given in section 171.178, subdivision  
 10.21 1, paragraph (e).

10.22 Sec. 3. Minnesota Statutes 2025 Supplement, section 171.306, subdivision 4, is amended  
 10.23 to read:

10.24 Subd. 4. **Issuance of restricted license.** (a) The commissioner ~~shall~~ must issue a class  
 10.25 D driver's license, subject to the applicable limitations and restrictions of this section, to a  
 10.26 program participant who meets the requirements of this section and the program guidelines.  
 10.27 Notwithstanding any law to the contrary, the commissioner must not require a program  
 10.28 participant to pay the reinstatement fee and surcharge described in section 171.29, subdivision  
 10.29 2, before issuing a restricted license under this section. A program participant is not eligible  
 10.30 for full reinstatement of driving privileges until the person pays the full reinstatement fee  
 10.31 and surcharge. The commissioner ~~shall~~ must not issue a license unless the program participant  
 10.32 has provided satisfactory proof that:

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

11.3 (2) the participant has insurance coverage on the vehicle equipped with the ignition  
 11.4 interlock device. If the participant has previously been convicted of violating section 169.791,  
 11.5 169.793, or 169.797 or the participant's license has previously been suspended, revoked, or  
 11.6 canceled under section 169.792 or 169.797, the commissioner ~~shall~~ must require the  
 11.7 participant to present an insurance identification card that is certified by the insurance  
 11.8 company to be noncancelable for a period not to exceed 12 months.

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

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

11.18 (1) revoked, canceled, or denied ~~under~~ for an alcohol-related violation pursuant to section:

11.19 (i) 169A.52, subdivision 3, paragraph (a), or subdivision 4, paragraph (a);

11.20 (ii) 169A.54, subdivision 1;

11.21 (iii) 171.17, subdivision 1, paragraph (a), clause (10), for conviction of an offense in  
 11.22 another state that would be grounds for revocation in this state under section 169A.54,  
 11.23 subdivision 1; or

11.24 (iv) 171.177, subdivision 4, paragraph (a), or subdivision 5, paragraph (a);

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

11.27 (i) 609.2112, subdivision 1, paragraph (a), clause (2), item (i) or (iv) if one element  
 11.28 included alcohol, (3), or (4);

11.29 (ii) 609.2113, subdivision 1, clause (2), item (i) or (iv) if one element included alcohol,  
 11.30 (3), or (4); subdivision 2, clause (2), item (i) or (iv) if one element included alcohol, (3), or  
 11.31 (4); or subdivision 3, clause (2), item (i) or (iv) if one element included alcohol, (3), or (4);  
 11.32 or

12.1 (iii) 609.2114, subdivision 1, paragraph (a), clause (2), item (i) or (iv) if one element  
 12.2 included alcohol, (3), or (4); or subdivision 2, clause (2), item (i) or (iv) if one element  
 12.3 included alcohol, (3), or (4); or

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

12.5 (i) 609.2112, subdivision 1, paragraph (a), clause (2), item (i) or (iv) if one element  
 12.6 included alcohol, (3), or (4);

12.7 (ii) 609.2113, subdivision 1, clause (2), item (i) or (iv) if one element included alcohol,  
 12.8 (3), or (4); subdivision 2, clause (2), item (i) or (iv) if one element included alcohol, (3), or  
 12.9 (4); or subdivision 3, clause (2), item (i) or (iv) if one element included alcohol, (3), or (4);  
 12.10 or

12.11 (iii) 609.2114, subdivision 1, paragraph (a), clause (2), item (i) or (iv) if one element  
 12.12 included alcohol, (3), or (4); or subdivision 2, clause (2), item (i) or (iv) if one element  
 12.13 included alcohol, (3), or (4).

12.14 (d) As a prerequisite to eligibility for eventual reinstatement of full driving privileges,  
 12.15 a participant who either had one qualified prior impaired driving incident within the past  
 12.16 20 years, or two or more qualified prior impaired driving incidents when the person's driver's  
 12.17 license was revoked, canceled, or denied under the conditions described in paragraph (c),  
 12.18 clause (1), or whose driver's license was revoked or suspended under the conditions described  
 12.19 in paragraph (c), clause (2) or (3), and whose chemical use assessment recommended  
 12.20 treatment or rehabilitation ~~shall~~ must complete a licensed substance use disorder treatment  
 12.21 or rehabilitation program. If the program participant's ignition interlock device subsequently  
 12.22 registers a positive breath alcohol concentration of 0.02 or higher, the commissioner ~~shall~~  
 12.23 must extend the time period that the participant must participate in the program until the  
 12.24 participant has reached the required abstinence period described in section 171.178,  
 12.25 subdivision 8.

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

13.1 Sec. 4. Minnesota Statutes 2025 Supplement, section 171.306, subdivision 10, is amended  
13.2 to read:

13.3 Subd. 10. **Termination from program; reentry.** (a) If a program participant's license  
13.4 is withdrawn for an act or condition that does not involve the use of alcohol during the  
13.5 participant's time on the ignition interlock device program, the person is prohibited from  
13.6 driving, operating, or being in physical control of a motor vehicle. The person can continue  
13.7 to receive credit for time in the ignition interlock device program if the person ensures that  
13.8 the ignition interlock device is serviced and calibrated and the person continues to meet all  
13.9 program requirements. If the person voluntarily withdraws from the ignition interlock device  
13.10 program, the commissioner ~~shall~~ must credit the person with the time spent in the program  
13.11 if the person reenters the program.

13.12 (b) If a program participant commits an act involving the use of alcohol that results in  
13.13 revocation of the person's license, the commissioner must terminate the person from the  
13.14 ignition interlock device program. The person may reenter the program as described in  
13.15 section 171.178, subdivision 8, paragraph ~~(f)~~ (g).

13.16 Sec. 5. [171.307] RESTRICTED LICENSE SUBSTANCE USE TESTING  
13.17 PROGRAM.

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

13.20 (b) "Alcohol-related violation" has the meaning given in section 171.178, subdivision  
13.21 1, paragraph (b).

13.22 (c) "Controlled substance" has the meaning given in section 152.01, subdivision 4.

13.23 (d) "Intoxicating substance" has the meaning given in section 169A.03, subdivision 11a.

13.24 (e) "Program participant" means a person:

13.25 (1) who has qualified to take part in the restricted license substance use testing program  
13.26 under this section;

13.27 (2) whose driver's license has been suspended, revoked, canceled, or denied for a  
13.28 substance-related violation or after the commissioner receives a certification of probable  
13.29 cause or a record of conviction indicating that the person violated:

13.30 (i) section 609.2112, subdivision 1, paragraph (a), clause (2), item (ii), (iii), or (iv), (5),  
13.31 or (6);

13.32 (ii) section 609.2113, subdivision 1, clause (2), item (ii), (iii), or (iv), (5), or (6);

14.1 (iii) section 609.2113, subdivision 2, clause (2), item (ii), (iii), or (iv), (5), or (6);

14.2 (iv) section 609.2113, subdivision 3, clause (2), item (ii), (iii), or (iv), (5), or (6); or

14.3 (v) section 609.2114, subdivision 1, paragraph (a), clause (2), item (ii), (iii), or (iv), (5),

14.4 or (6); or subdivision 2, clause (2), item (ii), (iii), or (iv), (5), or (6); and

14.5 (3) who is required to participate in the restricted license substance use testing program

14.6 pursuant to section 171.178 or who has voluntarily entered the testing program.

14.7 (f) "Qualified prior impaired driving incident" has the meaning given in section 169A.03,

14.8 subdivision 22.

14.9 (g) "Substance-related violation" has the meaning given in section 171.178, subdivision

14.10 1, paragraph (e).

14.11 Subd. 2. **Qualified testing programs; approval.** (a) The commissioner must establish

14.12 performance standards and a process for approving programs or facilities to perform testing

14.13 to determine if a person has consumed a controlled substance or an intoxicating substance.

14.14 (b) The commissioner must accept the results of testing performed by a person providing

14.15 substance use disorder treatment services if those services include random testing to detect

14.16 the presence of controlled substances or intoxicating substances and the person is either

14.17 licensed to provide substance use disorder treatment services pursuant to chapter 245G or

14.18 exempt from the licensing requirements as described in section 245G.02, subdivision 2 or

14.19 3.

14.20 (c) The commissioner must accept the results of testing performed by, or at the direction

14.21 of, a person providing community supervision to an individual on probation, supervised

14.22 release, conditional release, or parole.

14.23 (d) Standards adopted by the commissioner under this subdivision must include:

14.24 (1) a requirement that, at a minimum, approved testing programs require program

14.25 participants to contact the program weekly and conduct two random tests per month;

14.26 (2) the acceptable form and manner for sending test results to the commissioner;

14.27 (3) a requirement that approved testing programs provide services to indigent program

14.28 participants at a discounted rate according to the standards established by the commissioner;

14.29 (4) methods for a person providing community supervision of an individual on probation,

14.30 supervised release, conditional release, or parole to inform the commissioner if a program

14.31 participant uses a controlled substance or intoxicating substance;

15.1 (5) methods for program participants to inform the commissioner of prescribed  
15.2 medications and enrollment in the medical cannabis program; and

15.3 (6) presumptive therapeutic ranges for prescribed medications and medical cannabis.

15.4 Subd. 3. **Program requirements.** (a) The commissioner must establish guidelines for  
15.5 participation in the restricted license substance use testing program. A person who seeks to  
15.6 participate in the program must sign a written acknowledgment that the person has received,  
15.7 reviewed, and agreed to abide by the program guidelines.

15.8 (b) The commissioner must enter a notation on a person's driving record to indicate that  
15.9 the person is a program participant.

15.10 (c) A person under the age of 18 years is not eligible to be a program participant.

15.11 (d) Program participants must participate in a treatment program and must participate  
15.12 in any treatment recommended in a chemical use assessment report.

15.13 Subd. 4. **Issuance of restricted license; waiting period; preliminary tests.** (a) The  
15.14 commissioner must issue a class D driver's license, subject to the applicable limitations and  
15.15 restrictions of this section, to a program participant who meets the requirements of this  
15.16 section and the program guidelines. Notwithstanding any law to the contrary, the  
15.17 commissioner must not require a program participant to pay the reinstatement fee and  
15.18 surcharge described in section 171.29, subdivision 2, before issuing a restricted license  
15.19 under this section. A program participant is not eligible for full reinstatement of driving  
15.20 privileges until the person pays the full reinstatement fee and surcharge.

15.21 (b) The commissioner must not issue a restricted license until at least 90 days have  
15.22 passed since the date on which the commissioner suspended, revoked, canceled, or denied  
15.23 the person's driver's license. A change in the status governing the loss of license does not  
15.24 restart the waiting period unless the commissioner first reinstates the person's license.

15.25 (c) The commissioner must not issue a restricted license until a program participant  
15.26 either:

15.27 (1) submits the results of four consecutive tests showing that the program participant  
15.28 did not use controlled substances or intoxicating substances; or

15.29 (2) if the program participant is on probation, supervised release, conditional release,  
15.30 or parole, submits the results of two consecutive tests showing that the program participant  
15.31 did not use controlled substances or intoxicating substances and a recommendation from a  
15.32 person responsible for providing community supervision to the program participant.

16.1 (d) The commissioner must not issue a restricted license unless the program participant  
16.2 has provided satisfactory proof that any vehicle the program participant owns or operates  
16.3 has insurance coverage. If the participant has previously been convicted of violating section  
16.4 169.791, 169.793, or 169.797 or the program participant's license has previously been  
16.5 suspended, revoked, or canceled under section 169.792 or 169.797, the commissioner must  
16.6 require the participant to present an insurance identification card that is certified by the  
16.7 insurance company to be noncancelable for a period not to exceed 12 months.

16.8 (e) Notwithstanding any statute or rule to the contrary, the commissioner has authority  
16.9 to determine when a program participant is eligible for restoration of full driving privileges,  
16.10 except that the commissioner must not reinstate full driving privileges until the program  
16.11 participant has met all applicable prerequisites for reinstatement under sections 169A.55  
16.12 and 171.178 and until the results of the program participant's testing shows that the program  
16.13 participant did not use controlled substances or intoxicating substances during the preceding  
16.14 90 days.

16.15 Subd. 5. **Program violations; penalties.** (a) If a program participant tampers with or  
16.16 circumvents a test; violates a condition of a license conditionally reinstated under subdivision  
16.17 4 or section 171.30; or violates the program guidelines, the commissioner must extend the  
16.18 person's revocation period and the period of time that a person must participate in the  
16.19 restricted license substance use testing program under section 171.178 by:

16.20 (1) 180 days for a first violation;

16.21 (2) one year for a second violation; or

16.22 (3) 545 days for a third and each subsequent violation.

16.23 (b) Notwithstanding paragraph (a), the commissioner may terminate participation in the  
16.24 program by any person when, in the commissioner's judgment, termination is necessary to  
16.25 protect the interests of public safety and welfare. In the event of termination, the  
16.26 commissioner must not reduce the applicable revocation period under section 171.178 by  
16.27 the amount of time during which the person possessed a limited or restricted driver's license  
16.28 issued under subdivision 4.

16.29 Subd. 6. **Tampering; penalties.** A person who tampers with or circumvents a test, or  
16.30 assists another to tamper with or circumvent a test, is guilty of a misdemeanor.

16.31 Subd. 7. **Rulemaking.** The commissioner must adopt the performance standards and  
16.32 certification process of subdivision 2 and the program guidelines of subdivision 3 as rules  
16.33 and any other rules necessary to implement this section, subject to chapter 14.

17.1 Subd. 8. Choice of vendor. (a) A judicial officer, county agency, or probation office  
17.2 may not require or suggest that a person participating in the restricted license substance use  
17.3 testing program under this section use a particular provider but may provide the person with  
17.4 a list of all approved providers.

17.5 (b) Paragraph (a) does not apply in counties where a contract exists for a specific vendor  
17.6 to provide testing services for program participants who are indigent.

17.7 Subd. 9. Termination from program; reentry. (a) If a program participant's license  
17.8 is withdrawn for an act or condition that does not involve the use of a controlled substance  
17.9 or an intoxicating substance during the participant's time on the restricted license substance  
17.10 use testing program, the person is prohibited from driving, operating, or being in physical  
17.11 control of a motor vehicle. The person can continue to receive credit for time in the program  
17.12 if the person continues to meet all program requirements. If the person voluntarily withdraws  
17.13 from the restricted license substance use testing program, the commissioner must credit the  
17.14 person with the time spent in the program if the person reenters the program.

17.15 (b) If a program participant commits an act involving the use of a controlled substance  
17.16 or an intoxicating substance that results in revocation of the person's license, the  
17.17 commissioner must terminate the person from the restricted license substance use testing  
17.18 program. The person may reenter the program as described in section 171.178, subdivision  
17.19 8, paragraph (g).

17.20 **Sec. 6. RESTRICTED LICENSE SUBSTANCE USE TESTING PROGRAM;**  
17.21 **APPROPRIATION.**

17.22 \$..... in fiscal year 2027 is appropriated from the ..... fund to the commissioner of  
17.23 public safety to establish and operate the restricted license substance use testing program  
17.24 under Minnesota Statutes, section 171.307.