

This Document can be made available in alternative formats upon request

State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 1320

02/06/2023

Authored by Norris

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 public safety; modifying provisions related to Driver and Vehicle

1.3 Services work, including modifying ignition interlock program, eliminating license

1.4 reinstatement knowledge examinations, and establishing criminal penalty for

1.5 obstructing DVS employees; amending Minnesota Statutes 2022, sections 171.306,

1.6 subdivision 4; 609.50, subdivision 1; repealing Minnesota Statutes 2022, section

1.7 171.29, subdivision 1.

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

1.9 Section 1. Minnesota Statutes 2022, section 171.306, subdivision 4, is amended to read:

1.10 Subd. 4. **Issuance of restricted license.** (a) The commissioner shall issue a class D

1.11 driver's license, subject to the applicable limitations and restrictions of this section, to a

1.12 program participant who meets the requirements of this section and the program guidelines.

1.13 The commissioner shall not issue a license unless the program participant has provided

1.14 satisfactory proof that:

1.15 (1) a certified ignition interlock device has been installed on the participant's motor

1.16 vehicle at an installation service center designated by the device's manufacturer; and

1.17 (2) the participant has insurance coverage on the vehicle equipped with the ignition

1.18 interlock device. If the participant has previously been convicted of violating section 169.791,

1.19 169.793, or 169.797 or the participant's license has previously been suspended, revoked, or

1.20 canceled under section 169.792 or 169.797, the commissioner shall require the participant

1.21 to present an insurance identification card that is certified by the insurance company to be

1.22 noncancelable for a period not to exceed 12 months.

1.23 (b) A license issued under authority of this section must contain a restriction prohibiting

1.24 the program participant from driving, operating, or being in physical control of any motor

2.1 vehicle not equipped with a functioning ignition interlock device certified by the
2.2 commissioner. A participant may drive an employer-owned vehicle not equipped with an
2.3 interlock device while in the normal course and scope of employment duties pursuant to
2.4 the program guidelines established by the commissioner and with the employer's written
2.5 consent.

2.6 (c) A program participant whose driver's license has been: (1) revoked under section
2.7 169A.52, subdivision 3, paragraph (a), clause (1), (2), or (3), or subdivision 4, paragraph
2.8 (a), clause (1), (2), or (3); 169A.54, subdivision 1, clause (1), (2), (3), or (4); or 171.177,
2.9 subdivision 4, paragraph (a), clause (1), (2), or (3), or subdivision 5, paragraph (a), clause
2.10 (1), (2), or (3); or (2) revoked under section 171.17, subdivision 1, paragraph (a), clause
2.11 (1), or suspended under section 171.187, for a violation of section 609.2113, subdivision
2.12 1, clause (2), item (i) or (iii), (3), or (4); subdivision 2, clause (2), item (i) or (iii), (3), or
2.13 (4); or subdivision 3, clause (2), item (i) or (iii), (3), or (4); or 609.2114, subdivision 2,
2.14 clause (2), item (i) or (iii), (3), or (4), resulting in bodily harm, substantial bodily harm, or
2.15 great bodily harm, where the participant has fewer than two qualified prior impaired driving
2.16 incidents within the past ten years or fewer than three qualified prior impaired driving
2.17 incidents ever; may apply for conditional reinstatement of the driver's license, subject to
2.18 the ignition interlock restriction.

2.19 (d) A program participant whose driver's license has been: (1) revoked, canceled, or
2.20 denied under section 169A.52, subdivision 3, paragraph (a), clause (4), (5), or (6), or
2.21 subdivision 4, paragraph (a), clause (4), (5), or (6); 169A.54, subdivision 1, clause (5), (6),
2.22 or (7); or 171.177, subdivision 4, paragraph (a), clause (4), (5), or (6), or subdivision 5,
2.23 paragraph (a), clause (4), (5), or (6); or (2) revoked under section 171.17, subdivision 1,
2.24 paragraph (a), clause (1), or suspended under section 171.187, for a violation of section
2.25 609.2113, subdivision 1, clause (2), item (i) or (iii), (3), or (4); subdivision 2, clause (2),
2.26 item (i) or (iii), (3), or (4); or subdivision 3, clause (2), item (i) or (iii), (3), or (4); or
2.27 609.2114, subdivision 2, clause (2), item (i) or (iii), (3), or (4), resulting in bodily harm,
2.28 substantial bodily harm, or great bodily harm, where the participant has two or more qualified
2.29 prior impaired driving incidents within the past ten years or three or more qualified prior
2.30 impaired driving incidents ever; may apply for conditional reinstatement of the driver's
2.31 license, subject to the ignition interlock restriction, if the program participant is enrolled in
2.32 a licensed substance use disorder treatment or rehabilitation program as recommended in
2.33 a chemical use assessment. As a prerequisite to eligibility for eventual reinstatement of full
2.34 driving privileges, a participant whose chemical use assessment recommended treatment
2.35 or rehabilitation shall complete a licensed substance use disorder treatment or rehabilitation

3.1 program. If the program participant's ignition interlock device subsequently registers a
3.2 positive breath alcohol concentration of 0.02 or higher, the commissioner shall extend the
3.3 time period that the participant must participate in the program until the participant has
3.4 reached the required abstinence period described in section 169A.55, subdivision 4.

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

3.11 Sec. 2. Minnesota Statutes 2022, section 609.50, subdivision 1, is amended to read:

3.12 Subdivision 1. **Crime.** Whoever intentionally does any of the following may be sentenced
3.13 as provided in subdivision 2:

3.14 (1) obstructs, hinders, or prevents the lawful execution of any legal process, civil or
3.15 criminal, or apprehension of another on a charge or conviction of a criminal offense;

3.16 (2) obstructs, resists, or interferes with a peace officer while the officer is engaged in
3.17 the performance of official duties;

3.18 (3) interferes with or obstructs a firefighter while the firefighter is engaged in the
3.19 performance of official duties;

3.20 (4) interferes with or obstructs a member of an ambulance service personnel crew, as
3.21 defined in section 144E.001, subdivision 3a, who is providing, or attempting to provide,
3.22 emergency care; or

3.23 (5) by force or threat of force endeavors to obstruct any employee of the Department of
3.24 Revenue or the Department of Public Safety Driver and Vehicle Services Division while
3.25 the employee is lawfully engaged in the performance of official duties for the purpose of
3.26 deterring or interfering with the performance of those duties.

3.27 Sec. 3. **REPEALER.**

3.28 Minnesota Statutes 2022, section 171.29, subdivision 1, is repealed.

171.29 REVOKED LICENSE; CONDITIONS FOR REINSTATEMENT.

Subdivision 1. **Examination required.** (a) No person whose driver's license has been revoked by reason of conviction, plea of guilty, or forfeiture of bail not vacated, under section 169.791, 169.797, 171.17, or 171.172, or revoked under section 169.792 shall be issued another license unless and until that person shall have successfully passed an examination as required by the commissioner of public safety. This subdivision does not apply to an applicant for early reinstatement under section 169.792, subdivision 7a.

(b) The requirement to successfully pass the examination described in paragraph (a) does not apply to a person whose driver's license has been revoked because of an impaired driving offense.