

State of Minnesota  
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 2690

03/08/2016 Authored by Kelly; Cornish; Johnson, B.; Rarick; Daniels and others

The bill was read for the first time and referred to the Committee on Public Safety and Crime Prevention Policy and Finance

1.1 A bill for an act  
1.2 relating to impaired driving; requiring ignition interlock for repeat offenders  
1.3 to reinstate driving privileges; amending Minnesota Statutes 2014, section  
1.4 169A.55, subdivision 4.  
1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2014, section 169A.55, subdivision 4, is amended to read:

1.7 Subd. 4. **Reinstatement of driving privileges; multiple incidents.** (a) A person  
1.8 whose driver's license has been revoked as a result of an offense listed under clause (1) or  
1.9 (2) shall not be eligible for reinstatement of driving privileges without an ignition interlock  
1.10 restriction until the commissioner certifies the person's use of the ignition interlock device  
1.11 and compliance with section 171.306 for a period of not less than:

1.12 (1) one year, for a person whose driver's license was revoked for:

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

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

1.16 (2) two years, for a person whose driver's license was revoked for:

1.17 (i) an offense occurring under clause (1), and where the test results indicated an  
1.18 alcohol concentration of twice the legal limit; or

1.19 (ii) an offense occurring under clause (1), and where the current offense is for a  
1.20 violation of section 169A.20, subdivision 2 (test refusal).

1.21 (b) A person whose driver's license has been canceled or denied as a result of three  
1.22 or more qualified impaired driving incidents shall not be eligible for reinstatement of  
1.23 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.

~~(b)~~ (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.

~~(e)~~ (d) The commissioner shall establish performance standards and a process for certifying chemical monitoring devices. The standards and procedures are not rules and are exempt from chapter 14, including section 14.386.

**EFFECTIVE DATE.** This section is effective August 1, 2016, and applies to offenses committed on or after that date.