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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SEVENTH SESSION

H. F. No. 2780

03/12/2012 Authored by Hornstein

The bill was read for the first time and referred to the Committee on Transportation Policy and Finance

1.1 A bill for an act
1.2 relating to public safety; eliminating surcharge for and stacked letters on veteran
1.3 license plates; authorizing donation for education on anatomical gifts with vehicle
1.4 registration tax; creating anatomical gift account; clarifying and conforming
1.5 provisions regarding driver's license revocation periods for DWI convictions;
1.6 providing for acceptable methods of payment and surcharge on driver's licenses;
1.7 authorizing a fee for motor vehicle title searches and appropriating that amount
1.8 to the Department of Public Safety; amending Minnesota Statutes 2010, sections
1.9 168.013, by adding a subdivision; 168.123, subdivision 2; 168A.07, subdivision
1.10 1; 169A.54, subdivisions 1, 6; 171.061, subdivision 4; 171.30, subdivision 1;
1.11 171.306, subdivision 4; Minnesota Statutes 2011 Supplement, sections 168.12,
1.12 subdivision 5; 168.123, subdivision 1; 171.075, subdivision 1; repealing
1.13 Minnesota Statutes 2010, section 169A.54, subdivision 5.

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

1.15 Section 1. Minnesota Statutes 2010, section 168.013, is amended by adding a
1.16 subdivision to read:

1.17 Subd. 22. **Optional donation for education on anatomical gifts.** As part of
1.18 procedures for payment of the vehicle registration tax under this section, the commissioner
1.19 shall allow a vehicle owner to add the tax, a \$2 donation for the purposes of public
1.20 information and education on anatomical gifts under section 171.075, for in-person
1.21 transactions conducted by a deputy registrar appointed under section 168.33, subdivision
1.22 2. This subdivision applies to annual renewal registrations only, and does not apply to
1.23 registrations authorized under sections 168.053 to 168.057, 168.127, 168.187, and 168.27.

1.24 **EFFECTIVE DATE.** This section is effective January 1, 2013.

1.25 Sec. 2. Minnesota Statutes 2011 Supplement, section 168.12, subdivision 5, is
1.26 amended to read:

2.1 Subd. 5. **Additional fee.** (a) In addition to any fee otherwise authorized or any tax
 2.2 otherwise imposed upon any vehicle, the payment of which is required as a condition to
 2.3 the issuance of any plate or plates, the commissioner shall impose the fee specified in
 2.4 paragraph (b) that is calculated to cover the cost of manufacturing and issuing the plate
 2.5 or plates, except for plates issued to disabled veterans as defined in section 168.031 and
 2.6 plates issued pursuant to section 168.124, 168.125, or 168.27, subdivisions 16 and 17,
 2.7 for passenger automobiles. The commissioner shall issue graphic design plates only
 2.8 for vehicles registered pursuant to section 168.017 and recreational vehicles registered
 2.9 pursuant to section 168.013, subdivision 1g.

2.10 (b) Unless otherwise specified or exempted by statute, the following plate and
 2.11 validation sticker fees apply for the original, duplicate, or replacement issuance of a
 2.12 plate in a plate year:

2.13 License Plate	Single	Double
2.14 Regular and Disability	\$ 4.50	\$ 6.00
2.15 Special	\$ 8.50	\$ 10.00
2.16 Personalized (Replacement)	\$ 10.00	\$ 14.00
2.17 Collector Category	\$ 13.50	\$ 15.00
2.18 Emergency Vehicle Display	\$ 3.00	\$ 6.00
2.19 Utility Trailer Self-Adhesive	\$ 2.50	
2.20 Vertical Motorcycle Plate	\$ 100.00	NA
2.21 Stickers		
2.22 Duplicate year	\$ 1.00	\$ 1.00
2.23 International Fuel Tax Agreement	\$ 2.50	

2.24 (c) For vehicles that require two of the categories above, the registrar shall only
 2.25 charge the higher of the two fees and not a combined total.

2.26 ~~(d) As part of procedures for payment of the fee under paragraph (b), the~~
 2.27 ~~commissioner shall allow a vehicle owner to add to the fee, a \$2 donation for the purposes~~
 2.28 ~~of public information and education on anatomical gifts under section 171.075.~~

2.29 **EFFECTIVE DATE.** This section is effective the day following final enactment.

2.30 Sec. 3. Minnesota Statutes 2011 Supplement, section 168.123, subdivision 1, is
 2.31 amended to read:

2.32 Subdivision 1. **General requirements; fees.** (a) On payment of a fee of \$10 for
 2.33 each set of two plates, or for a single plate in the case of a motorcycle plate, payment of
 2.34 the registration tax required by law, and compliance with other applicable laws relating to
 2.35 vehicle registration and licensing, as applicable, the commissioner shall issue:

3.1 (1) special veteran's plates to an applicant who served in the active military service
 3.2 in a branch of the armed forces of the United States or of a nation or society allied with the
 3.3 United States in conducting a foreign war, was discharged under honorable conditions, and
 3.4 is a registered owner of a passenger automobile as defined in section 168.002, subdivision
 3.5 24, recreational motor vehicle as defined in section 168.002, subdivision 27, or one-ton
 3.6 pickup truck as defined in section 168.002, subdivision 21b, but which is not a commercial
 3.7 motor vehicle as defined in section 169.011, subdivision 16; or

3.8 (2) a veteran's special motorcycle plate as described in subdivision 2, paragraph (a),
 3.9 (f), (h), (i), or (j), or another special plate designed by the commissioner to an applicant
 3.10 who is a registered owner of a motorcycle as defined in section 168.002, subdivision 19,
 3.11 and meets the criteria listed in this paragraph and in subdivision 2, paragraph (a), (f), (h),
 3.12 (i), or (j). Plates issued under this clause must be the same size as regular motorcycle
 3.13 plates. Special motorcycle license plates issued under this clause are not subject to
 3.14 section 168.1293.

3.15 (b) The additional fee of \$10 is payable for each set of veteran's plates, is payable
 3.16 only when the plates are issued, and is not payable in a year in which stickers are issued
 3.17 instead of plates.

3.18 (c) The veteran must have a certified copy of the veteran's discharge papers,
 3.19 indicating character of discharge, at the time of application. If an applicant served in the
 3.20 active military service in a branch of the armed forces of a nation or society allied with the
 3.21 United States in conducting a foreign war and is unable to obtain a record of that service
 3.22 and discharge status, the commissioner of veterans affairs may certify the applicant as
 3.23 qualified for the veterans' plates provided under this section.

3.24 ~~(d) For license plates issued for one-ton trucks described in paragraph (a), clause~~
 3.25 ~~(1), the commissioner shall collect a surcharge of \$5 on each \$10 fee collected under~~
 3.26 ~~paragraph (a). The surcharge must be deposited in the vehicle services operating account~~
 3.27 ~~in the special revenue fund.~~

3.28 **EFFECTIVE DATE.** This section is effective the day following final enactment.

3.29 Sec. 4. Minnesota Statutes 2010, section 168.123, subdivision 2, is amended to read:

3.30 Subd. 2. **Design.** The commissioner of veterans affairs shall design the emblem for
 3.31 the veterans' special plates, subject to the approval of the commissioner, that satisfy the
 3.32 following requirements:

3.33 (a) For a Vietnam veteran who served after July 1, 1961, and before July 1, 1978,
 3.34 in the active military service in a branch of the armed forces of the United States or a
 3.35 nation or society allied with the United States the special plates must bear the inscription

4.1 ~~"VIETNAM VET" and the letters "V" and "V" with the first letter directly above the~~
4.2 ~~second letter and both letters just preceding the first numeral of the special plate number.~~

4.3 (b) For a veteran stationed on the island of Oahu, Hawaii, or offshore, during the
4.4 attack on Pearl Harbor on December 7, 1941, the special plates must bear the inscription
4.5 "PEARL HARBOR SURVIVOR" ~~and the letters "P" and "H" with the first letter directly~~
4.6 ~~above the second letter and both letters just preceding the first numeral of the special~~
4.7 ~~plate number.~~

4.8 (c) For a veteran who served during ~~World War I or~~ World War II, the plates must
4.9 bear the inscription "WORLD WAR VET" ~~and:~~

4.10 ~~(1) for a World War I veteran, the characters "W" and "I" with the first character~~
4.11 ~~directly above the second character and both characters just preceding the first numeral~~
4.12 ~~of the special plate number; or~~

4.13 ~~(2) for a World War II veteran, the characters "W" and "H" with the first character~~
4.14 ~~directly above the second character and both characters just preceding the first numeral of~~
4.15 ~~the special plate number.~~

4.16 (d) For a veteran who served during the Korean Conflict, the special plates must
4.17 bear the inscription "KOREAN VET" ~~and the letters "K" and "V" with the first letter~~
4.18 ~~directly above the second letter and both letters just preceding the first numeral of the~~
4.19 ~~special plate number.~~

4.20 (e) For a combat wounded veteran who is a recipient of the Purple Heart medal, the
4.21 plates must bear the inscription "COMBAT WOUNDED VET" and have a facsimile or an
4.22 emblem of the official Purple Heart medal ~~and the letters "C" over "W" with the first letter~~
4.23 ~~directly over the second letter just preceding the first numeral of the special plate number.~~

4.24 A member of the United States armed forces who is serving actively in the military and
4.25 who is a recipient of the Purple Heart medal is also eligible for this license plate. The
4.26 commissioner of public safety shall ensure that information regarding the required proof
4.27 of eligibility for any applicant under this paragraph who has not yet been issued military
4.28 discharge papers is distributed to the public officials responsible for administering this
4.29 section.

4.30 (f) For a Persian Gulf War veteran, the plates must bear the inscription "GULF
4.31 WAR VET" ~~and the letters "G" and "W" with the first letter directly above the second~~
4.32 ~~letter and both letters just preceding the first numeral of the special plate number.~~ For
4.33 the purposes of this section, "Persian Gulf War veteran" means a person who served on
4.34 active duty after August 1, 1990, in a branch of the armed forces of the United States or
4.35 a nation or society allied with the United States or the United Nations during Operation
4.36 Desert Shield, Operation Desert Storm, or other military operation in the Persian Gulf

5.1 area combat zone as designated in United States Presidential Executive Order No. 12744,
5.2 dated January 21, 1991.

5.3 (g) For a veteran who served in the Laos War after July 1, 1961, and before July 1,
5.4 1978, the special plates must bear the inscription "LAOS WAR VET" ~~and the letters "L"~~
5.5 ~~and "V" with the first letter directly above the second letter and both letters just preceding~~
5.6 ~~the first numeral of the special plate number.~~

5.7 (h) For a veteran who is the recipient of:

5.8 (1) the Iraq Campaign Medal, the special plates must be inscribed with a facsimile of
5.9 that medal and must bear the inscription "IRAQ WAR VET" directly below the special
5.10 plate number;

5.11 (2) the Afghanistan Campaign Medal, the special plates must be inscribed with a
5.12 facsimile of that medal and must bear the inscription "AFGHAN WAR VET" directly
5.13 below the special plate number;

5.14 (3) the Global War on Terrorism Expeditionary Medal, the special plates must
5.15 be inscribed with a facsimile of that medal and must bear the inscription "GWOT
5.16 VETERAN" directly below the special plate number; or

5.17 (4) the Armed Forces Expeditionary Medal, the special plates must bear an
5.18 appropriate inscription that includes a facsimile of that medal.

5.19 (i) For a veteran who is the recipient of the Global War on Terrorism Service Medal,
5.20 the special plates must be inscribed with a facsimile of that medal and must bear the
5.21 inscription "GWOT VETERAN" directly below the special plate number. In addition,
5.22 any member of the National Guard or other military reserves who has been ordered to
5.23 federally funded state active service under United States Code, title 32, as defined in
5.24 section 190.05, subdivision 5b, and who is the recipient of the Global War on Terrorism
5.25 Service Medal, is eligible for the license plate described in this paragraph, irrespective of
5.26 whether that person qualifies as a veteran under section 197.447.

5.27 (j) For a veteran who is the recipient of the Korean Defense Service Medal,
5.28 the special plates must be inscribed with a facsimile of that medal and must bear the
5.29 inscription "KOREAN DEFENSE SERVICE" directly below the special plate number.

5.30 (k) For a veteran who is a recipient of the Bronze Star medal, the plates must bear
5.31 the inscription "BRONZE STAR VET" and have a facsimile or an emblem of the official
5.32 Bronze Star medal.

5.33 (l) For a veteran who is a recipient of the Silver Star medal, the plates must bear
5.34 the inscription "SILVER STAR VET" and have a facsimile or an emblem of the official
5.35 Silver Star medal.

5.36 **EFFECTIVE DATE.** This section is effective the day following final enactment.

6.1 Sec. 5. Minnesota Statutes 2010, section 168A.07, subdivision 1, is amended to read:

6.2 Subdivision 1. **Ownership at issue; certificate withheld or bond filed.** In the event
6.3 application is made in this state for a certificate of title on a vehicle and the department is
6.4 not satisfied as to the ownership of the vehicle or the existence of security interests therein,
6.5 the vehicle may be registered but the department shall either:

6.6 (1) withhold issuance of a certificate of title until the applicant shall present
6.7 documents reasonably sufficient to satisfy the department of the applicant's ownership of
6.8 the vehicle and as to any security interest therein; or

6.9 (2) as a condition to issuing a certificate of title;

6.10 (i) notify, by certified mail, prior owners of or holders of a security interest in the
6.11 vehicle on record with the department, if available, that an application for a certificate of
6.12 title on the vehicle has been requested and a prior owner or holder of the security interest
6.13 has 30 days from the date of receipt of the certified letter to object to the department
6.14 issuing the certificate of title on that vehicle to the applicant. The department shall collect
6.15 a fee of \$30 from the applicant for the costs of the title search and notification. If no prior
6.16 owners or holders of a security interest respond or object to the issuance of title on the
6.17 vehicle to the applicant or the records are not available; then

6.18 (ii) the department shall require the applicant to file a bond in the form prescribed by
6.19 the department and executed by the applicant, and either accompanied by the deposit of
6.20 cash or executed by a surety company authorized to do business in this state, in an amount
6.21 equal to 1-1/2 times the value of the vehicle as determined by the department. The bond
6.22 shall be conditioned to indemnify any prior owner and secured party and any subsequent
6.23 purchaser of the vehicle or person acquiring any security interest therein, or the successor
6.24 in interest of any said person, against any expense, loss, or damage, including reasonable
6.25 attorneys' fees, by reason of the issuance of the certificate of title to the vehicle or on
6.26 account of any defect in or undisclosed security interest upon the right, title and interest
6.27 of the applicant in and to the vehicle. Any such interested person shall have a right
6.28 of action to recover on such bond for any breach of its conditions, but the aggregate
6.29 liability of the surety to all such persons shall in no event exceed the amount of the bond.
6.30 Unless the department has been notified of the pendency of an action to recover on the
6.31 bond and if all questions as to ownership and outstanding security interests have been
6.32 resolved to the satisfaction of the department, such bond, and any deposit accompanying
6.33 it, shall be returned at the end of three years or prior thereto in the event the vehicle is
6.34 no longer registered in this state and the currently valid certificate of title is surrendered.
6.35 Fees collected under this subdivision must be credited to the vehicle services operating

7.1 account in the special revenue fund under section 299A.705 and are appropriated to the
 7.2 commissioner for title search and notification under this section.

7.3 **EFFECTIVE DATE.** This section is effective January 1, 2013.

7.4 Sec. 6. Minnesota Statutes 2010, section 169A.54, subdivision 1, is amended to read:

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

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

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

7.13 (3) not less than one year for:

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

7.16 (ii) an offense occurring after two qualified prior impaired driving incidents, ~~not~~
 7.17 ~~less than one year;~~ or if

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

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

7.26 ~~(4)~~ (5) not less than three years for an offense occurring within ten years of the
 7.27 first of two qualified prior impaired driving incidents or occurring after three qualified
 7.28 prior impaired driving incidents, ~~not less than three years, together~~ and with denial under
 7.29 section 171.04, subdivision 1, clause (10), until rehabilitation is established according to
 7.30 standards established by the commissioner; and

7.31 ~~(5)~~ (6) not less than four years for an offense occurring within ten years of the first of
 7.32 three qualified prior impaired driving incidents, ~~not less than four years, together~~ and with
 7.33 denial under section 171.04, subdivision 1, clause (10), until rehabilitation is established
 7.34 according to standards established by the commissioner; or

8.1 ~~(6)~~ (7) not less than six years for an offense occurring after four or more qualified
8.2 prior impaired driving incidents, ~~not less than six years, together and~~ with denial under
8.3 section 171.04, subdivision 1, clause (10), until rehabilitation is established according to
8.4 standards established by the commissioner.

8.5 **EFFECTIVE DATE.** This section is effective July 1, 2012.

8.6 Sec. 7. Minnesota Statutes 2010, section 169A.54, subdivision 6, is amended to read:

8.7 Subd. 6. **Applicability of implied consent revocation.** (a) Any person whose
8.8 license has been revoked pursuant to section 169A.52 (license revocation for test failure
8.9 or refusal) as the result of the same incident, and who does not have a qualified prior
8.10 impaired driving incident, is subject to the mandatory revocation provisions of subdivision
8.11 1, clause (1) or (2), in lieu of the mandatory revocation provisions of section 169A.52.

8.12 (b) Paragraph (a) does not apply to:

8.13 (1) a person whose license has been revoked under subdivision 2 (driving while
8.14 impaired by person under age 21); or

8.15 (2) a person whose driver's license has been revoked for, or who is charged with,
8.16 (i) an alcohol concentration of twice the legal limit or more as measured at the time, or
8.17 within two hours, of the time of the offense; or (ii) a violation of section 169A.20 (driving
8.18 while impaired) with an aggravating factor described in section 169A.03, subdivision
8.19 3, clause ~~(2)~~ or (3).

8.20 **EFFECTIVE DATE.** This section is effective July 1, 2012.

8.21 Sec. 8. Minnesota Statutes 2010, section 171.061, subdivision 4, is amended to read:

8.22 Subd. 4. **Fee; equipment.** (a) The agent may charge and retain a filing fee of \$5 for
8.23 each application. Except as provided in paragraph ~~(b)~~ (c), the fee shall cover all expenses
8.24 involved in receiving, accepting, or forwarding to the department the applications and
8.25 fees required under sections 171.02, subdivision 3; 171.06, subdivisions 2 and 2a; and
8.26 171.07, subdivisions 3 and 3a.

8.27 (b) The statutory fees and the filing fees imposed under paragraph (a) may be paid
8.28 by credit card or debit card. The driver's license agent may collect a convenience fee on
8.29 the statutory fees and filing fees not greater than the cost of processing a credit card or
8.30 debit card transaction. The convenience fee must be used to pay the cost of processing
8.31 credit and debit card transactions. The commissioner shall adopt rules to administer this
8.32 paragraph, using the exempt procedures of section 14.386, except that section 14.386,
8.33 paragraph (b), does not apply.

9.1 ~~(b)~~ (c) The department shall maintain the photo identification equipment for all
 9.2 agents appointed as of January 1, 2000. Upon the retirement, resignation, death, or
 9.3 discontinuance of an existing agent, and if a new agent is appointed in an existing office
 9.4 pursuant to Minnesota Rules, chapter 7404, and notwithstanding the above or Minnesota
 9.5 Rules, part 7404.0400, the department shall provide and maintain photo identification
 9.6 equipment without additional cost to a newly appointed agent in that office if the office
 9.7 was provided the equipment by the department before January 1, 2000. All photo
 9.8 identification equipment must be compatible with standards established by the department.

9.9 ~~(c)~~ (d) A filing fee retained by the agent employed by a county board must be paid
 9.10 into the county treasury and credited to the general revenue fund of the county. An
 9.11 agent who is not an employee of the county shall retain the filing fee in lieu of county
 9.12 employment or salary and is considered an independent contractor for pension purposes,
 9.13 coverage under the Minnesota State Retirement System, or membership in the Public
 9.14 Employees Retirement Association.

9.15 ~~(d)~~ (e) Before the end of the first working day following the final day of the
 9.16 reporting period established by the department, the agent must forward to the department
 9.17 all applications and fees collected during the reporting period except as provided in
 9.18 paragraph ~~(c)~~ (d).

9.19 **EFFECTIVE DATE.** This section is effective the day following final enactment.

9.20 Sec. 9. Minnesota Statutes 2011 Supplement, section 171.075, subdivision 1, is
 9.21 amended to read:

9.22 Subdivision 1. **Anatomical gift account.** An anatomical gift account is established
 9.23 in the special revenue fund. The account consist of funds donated under sections ~~168.12~~
 9.24 168.013, subdivision ~~5~~ 22, and 171.06, subdivision 2, and any other money donated,
 9.25 allotted, transferred, or otherwise provided to the account. Money in the account is
 9.26 annually appropriated to the commissioner for (1) grants under subdivision 2, and (2)
 9.27 administrative expenses in implementing the donation and grant program.

9.28 **EFFECTIVE DATE.** This section is effective January 1, 2013.

9.29 Sec. 10. Minnesota Statutes 2010, section 171.30, subdivision 1, is amended to read:

9.30 Subdivision 1. **Conditions of issuance.** (a) The commissioner may issue a limited
 9.31 license to the driver under the conditions in paragraph (b) in any case where a person's
 9.32 license has been:

9.33 (1) suspended under section 171.18, 171.173, or 171.186;

- 10.1 (2) revoked, canceled, or denied under section:
- 10.2 (i) 169.792;
- 10.3 (ii) 169.797;
- 10.4 (iii) 169A.52:
- 10.5 (A) subdivision 3, paragraph (a), clause (1) or (2);
- 10.6 (B) subdivision 3, paragraph (a), clause (4), (5), or (6), if in compliance with section
- 10.7 171.306;
- 10.8 (C) subdivision 4, paragraph (a), clause (1) or (2), if the test results indicate an
- 10.9 alcohol concentration of less than twice the legal limit;
- 10.10 (D) subdivision 4, paragraph (a), clause (4), (5), or (6), if in compliance with section
- 10.11 171.306;
- 10.12 (iv) 171.17; or
- 10.13 (v) 171.172; or
- 10.14 (3) revoked, canceled, or denied under section 169A.54:
- 10.15 (i) subdivision 1, clause (1), if the test results indicate an alcohol concentration
- 10.16 of less than twice the legal limit;
- 10.17 (ii) subdivision 1, clause (2);
- 10.18 (iii) subdivision 1, clause ~~(4)~~, (5), ~~or~~ (6), or (7), if in compliance with section
- 10.19 171.306; or
- 10.20 (iv) subdivision 2, if the person does not have a qualified prior impaired driving
- 10.21 incident as defined in section 169A.03, subdivision 22, on the person's record, and the test
- 10.22 results indicate an alcohol concentration of less than twice the legal limit.
- 10.23 (b) The following conditions for a limited license under paragraph (a) include:
- 10.24 (1) if the driver's livelihood or attendance at a chemical dependency treatment or
- 10.25 counseling program depends upon the use of the driver's license;
- 10.26 (2) if the use of a driver's license by a homemaker is necessary to prevent the
- 10.27 substantial disruption of the education, medical, or nutritional needs of the family of
- 10.28 the homemaker; or
- 10.29 (3) if attendance at a postsecondary institution of education by an enrolled student of
- 10.30 that institution depends upon the use of the driver's license.
- 10.31 (c) The commissioner in issuing a limited license may impose such conditions and
- 10.32 limitations as in the commissioner's judgment are necessary to the interests of the public
- 10.33 safety and welfare including reexamination as to the driver's qualifications. The license
- 10.34 may be limited to the operation of particular vehicles, to particular classes and times of
- 10.35 operation, and to particular conditions of traffic. The commissioner may require that an

11.1 applicant for a limited license affirmatively demonstrate that use of public transportation
11.2 or carpooling as an alternative to a limited license would be a significant hardship.

11.3 (d) For purposes of this subdivision:

11.4 (1) "homemaker" refers to the person primarily performing the domestic tasks in a
11.5 household of residents consisting of at least the person and the person's dependent child
11.6 or other dependents; and

11.7 (2) "twice the legal limit" means an alcohol concentration of two times the limit
11.8 specified in section 169A.20, subdivision 1, clause (5).

11.9 (e) The limited license issued by the commissioner shall clearly indicate the
11.10 limitations imposed and the driver operating under the limited license shall have the
11.11 license in possession at all times when operating as a driver.

11.12 (f) In determining whether to issue a limited license, the commissioner shall consider
11.13 the number and the seriousness of prior convictions and the entire driving record of the
11.14 driver and shall consider the number of miles driven by the driver annually.

11.15 (g) If the person's driver's license or permit to drive has been revoked under
11.16 section 169.792 or 169.797, the commissioner may only issue a limited license to the
11.17 person after the person has presented an insurance identification card, policy, or written
11.18 statement indicating that the driver or owner has insurance coverage satisfactory to
11.19 the commissioner of public safety. The commissioner of public safety may require
11.20 the insurance identification card provided to satisfy this subdivision be certified by the
11.21 insurance company to be noncancelable for a period not to exceed 12 months.

11.22 (h) The limited license issued by the commissioner to a person under section
11.23 171.186, subdivision 4, must expire 90 days after the date it is issued. The commissioner
11.24 must not issue a limited license to a person who previously has been issued a limited
11.25 license under section 171.186, subdivision 4.

11.26 (i) The commissioner shall not issue a limited driver's license to any person
11.27 described in section 171.04, subdivision 1, clause (6), (7), (8), (11), or (14).

11.28 (j) The commissioner shall not issue a class A, class B, or class C limited license.

11.29 **EFFECTIVE DATE.** This section is effective July 1, 2012.

11.30 Sec. 11. Minnesota Statutes 2010, section 171.306, subdivision 4, is amended to read:

11.31 Subd. 4. **Issuance of restricted license.** (a) The commissioner shall issue a class
11.32 D driver's license, subject to the applicable limitations and restrictions of this section,
11.33 to a program participant who meets the requirements of this section and the program
11.34 guidelines. The commissioner shall not issue a license unless the program participant has
11.35 provided satisfactory proof that:

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

12.3 (2) the participant has insurance coverage on the vehicle equipped with the ignition
12.4 interlock device. The commissioner shall require the participant to present an insurance
12.5 identification card, policy, or written statement as proof of insurance coverage, and may
12.6 require the insurance identification card provided be certified by the insurance company to
12.7 be noncancelable for a period not to exceed 12 months.

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

12.15 (c) A program participant whose driver's license has been revoked under section
12.16 169A.52, subdivision 3, paragraph (a), clause (1), (2), or (3), or subdivision 4, paragraph
12.17 (a), clause (1), (2), or (3), or section 169A.54, subdivision 1, clause (1), (2), ~~or (3)~~, or (4),
12.18 may apply for conditional reinstatement of the driver's license, subject to the ignition
12.19 interlock restriction.

12.20 (d) A program participant whose driver's license has been revoked, canceled, or
12.21 denied under section 169A.52, subdivision 3, paragraph (a), clause (4), (5), or (6), or
12.22 subdivision 4, paragraph (a), clause (4), (5), or (6), or section 169A.54, subdivision 1,
12.23 clause ~~(4)~~, (5), ~~or (6)~~, or (7), may apply for a limited license, subject to the ignition
12.24 interlock restriction, if the program participant is enrolled in a licensed chemical
12.25 dependency treatment or rehabilitation program as recommended in a chemical use
12.26 assessment, and if the participant meets the other applicable requirements of section
12.27 171.30. After completing a licensed chemical dependency treatment or rehabilitation
12.28 program and one year of limited license use without violating the ignition interlock
12.29 restriction, the conditions of limited license use, or program guidelines, the participant
12.30 may apply for conditional reinstatement of the driver's license, subject to the ignition
12.31 interlock restriction. If the program participant's ignition interlock device subsequently
12.32 registers a positive breath alcohol concentration of 0.02 or higher, the commissioner shall
12.33 cancel the driver's license, and the program participant may apply for another limited
12.34 license according to this paragraph.

12.35 (e) Notwithstanding any statute or rule to the contrary, the commissioner has
12.36 authority to determine when a program participant is eligible for restoration of full driving

13.1 privileges, except that the commissioner shall not reinstate full driving privileges until the
13.2 program participant has met all applicable prerequisites for reinstatement under section
13.3 169A.55 and until the program participant's device has registered no positive breath
13.4 alcohol concentrations of 0.02 or higher during the preceding 90 days.

13.5 **EFFECTIVE DATE.** This section is effective July 1, 2012.

13.6 Sec. 12. **REPEALER.**

13.7 Minnesota Statutes 2010, section 169A.54, subdivision 5, is repealed.

13.8 **EFFECTIVE DATE.** This section is effective July 1, 2012.