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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 282

01/11/2023 Authored by Frazier, Agbaje, Sencer-Mura, Hornstein, Richardson and others
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 transportation; authorizing collection of race and ethnicity data on
1.3 applications for drivers' licenses and identification cards; appropriating money;
1.4 amending Minnesota Statutes 2022, sections 13.69, subdivision 1; 171.06,
1.5 subdivision 3.

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

1.7 Section 1. Minnesota Statutes 2022, section 13.69, subdivision 1, is amended to read:

1.8 Subdivision 1. **Classifications.** (a) The following government data of the Department
1.9 of Public Safety are private data:

1.10 (1) medical data on driving instructors, licensed drivers, and applicants for parking
1.11 certificates and special license plates issued to physically disabled persons;

1.12 (2) other data on holders of a disability certificate under section 169.345, except that (i)
1.13 data that are not medical data may be released to law enforcement agencies, and (ii) data
1.14 necessary for enforcement of sections 169.345 and 169.346 may be released to parking
1.15 enforcement employees or parking enforcement agents of statutory or home rule charter
1.16 cities and towns;

1.17 (3) Social Security numbers in driver's license and motor vehicle registration records,
1.18 except that Social Security numbers must be provided to the Department of Revenue for
1.19 purposes of tax administration, the Department of Labor and Industry for purposes of
1.20 workers' compensation administration and enforcement, the judicial branch for purposes of
1.21 debt collection, and the Department of Natural Resources for purposes of license application
1.22 administration, and except that the last four digits of the Social Security number must be

2.1 provided to the Department of Human Services for purposes of recovery of Minnesota health
 2.2 care program benefits paid; ~~and~~

2.3 (4) data on persons listed as standby or temporary custodians under section 171.07,
 2.4 subdivision 11, except that the data must be released to:

2.5 (i) law enforcement agencies for the purpose of verifying that an individual is a designated
 2.6 caregiver; or

2.7 (ii) law enforcement agencies who state that the license holder is unable to communicate
 2.8 at that time and that the information is necessary for notifying the designated caregiver of
 2.9 the need to care for a child of the license holder; and

2.10 (5) race and ethnicity data on driver's license holders and identification card holders
 2.11 under section 171.06, subdivision 3. The Department of Public Safety Office of Traffic
 2.12 Safety is authorized to receive race and ethnicity data from Driver and Vehicle Services for
 2.13 only the purposes of research, evaluation, and public reports.

2.14 The department may release the Social Security number only as provided in clause (3)
 2.15 and must not sell or otherwise provide individual Social Security numbers or lists of Social
 2.16 Security numbers for any other purpose.

2.17 (b) The following government data of the Department of Public Safety are confidential
 2.18 data: data concerning an individual's driving ability when that data is received from a member
 2.19 of the individual's family.

2.20 **EFFECTIVE DATE.** This section is effective for driver's license and identification
 2.21 card applications received on or after January 1, 2024.

2.22 Sec. 2. Minnesota Statutes 2022, section 171.06, subdivision 3, is amended to read:

2.23 Subd. 3. **Contents of application; other information.** (a) An application must:

2.24 (1) state the full name, date of birth, sex, and either (i) the residence address of the
 2.25 applicant, or (ii) designated address under section 5B.05;

2.26 (2) as may be required by the commissioner, contain a description of the applicant and
 2.27 any other facts pertaining to the applicant, the applicant's driving privileges, and the
 2.28 applicant's ability to operate a motor vehicle with safety;

2.29 (3) state:

2.30 (i) the applicant's Social Security number; or

3.1 (ii) if the applicant does not have a Social Security number and is applying for a
3.2 Minnesota identification card, instruction permit, or class D provisional or driver's license,
3.3 that the applicant certifies that the applicant is not eligible for a Social Security number;

3.4 (4) contain a notification to the applicant of the availability of a living will/health care
3.5 directive designation on the license under section 171.07, subdivision 7; and

3.6 (5) include a method for the applicant to:

3.7 (i) request a veteran designation on the license under section 171.07, subdivision 15,
3.8 and the driving record under section 171.12, subdivision 5a;

3.9 (ii) indicate a desire to make an anatomical gift under subdivision 3b, paragraph (e);

3.10 (iii) as applicable, designate document retention as provided under section 171.12,
3.11 subdivision 3c; ~~and~~

3.12 (iv) indicate emergency contacts as provided under section 171.12, subdivision 5b; and

3.13 (v) indicate the applicant's race and ethnicity.

3.14 (b) Applications must be accompanied by satisfactory evidence demonstrating:

3.15 (1) identity, date of birth, and any legal name change if applicable; and

3.16 (2) for driver's licenses and Minnesota identification cards that meet all requirements of
3.17 the REAL ID Act:

3.18 (i) principal residence address in Minnesota, including application for a change of address,
3.19 unless the applicant provides a designated address under section 5B.05;

3.20 (ii) Social Security number, or related documentation as applicable; and

3.21 (iii) lawful status, as defined in Code of Federal Regulations, title 6, section 37.3.

3.22 (c) An application for an enhanced driver's license or enhanced identification card must
3.23 be accompanied by:

3.24 (1) satisfactory evidence demonstrating the applicant's full legal name and United States
3.25 citizenship; and

3.26 (2) a photographic identity document.

3.27 (d) A valid Department of Corrections or Federal Bureau of Prisons identification card
3.28 containing the applicant's full name, date of birth, and photograph issued to the applicant
3.29 is an acceptable form of proof of identity in an application for an identification card,

4.1 instruction permit, or driver's license as a secondary document for purposes of Minnesota
4.2 Rules, part 7410.0400, and successor rules.

4.3 **EFFECTIVE DATE.** This section is effective for driver's license and identification
4.4 card applications submitted on or after January 1, 2024.

4.5 Sec. 3. **APPROPRIATION; RACE AND ETHNICITY DATA.**

4.6 \$414,000 in fiscal year 2024 is appropriated from the driver services operating account
4.7 in the special revenue fund to the commissioner of public safety to implement collection of
4.8 race and ethnicity data on applications for credentials issued by Driver and Vehicle Services.
4.9 This is a onetime appropriation.