

CHAPTER 2--S.F.No. 4

An act relating to motor vehicles; requiring implementation of online driver's license knowledge testing; prohibiting the practice of reserving driving exam slots for driving schools; requiring a report on the road testing backlog; appropriating money; amending Minnesota Statutes 2018, section 171.13, by adding subdivisions.

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

Section 1. Minnesota Statutes 2018, section 171.13, is amended by adding a subdivision to read:

Subd. 8. **Test scheduling.** The commissioner must not schedule or reserve recurring time with a public, private, or commercial driver education program for purposes of administering skills or road tests to a class D or commercial driver's license applicant.

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

Sec. 2. Minnesota Statutes 2018, section 171.13, is amended by adding a subdivision to read:

Subd. 9. **Online driver's license knowledge testing authorization.** (a) The commissioner must implement online knowledge testing as provided in this subdivision. The commissioner must not charge a fee to a driver education program or an authorized entity for access to the online knowledge testing system or for administering the online knowledge test. The commissioner must administer the fourth or subsequent knowledge test for a person.

(b) Upon written request from a driver education program licensed by the department, the commissioner must grant access to the department's web-based knowledge testing system to the driver education program. Once granted access to the online knowledge testing system, a driver education program may administer the online knowledge test to a student of the program.

(c) An entity other than a driver education program may apply to the commissioner for authority to administer online knowledge tests. The commissioner may approve or disapprove an application for administering the online knowledge tests under this paragraph. Upon approving an application of an entity, the commissioner must grant access to the department's web-based knowledge testing system to that authorized entity. Once granted access to the online knowledge testing system, the authorized entity may administer the online knowledge test.

(d) A driver education program or authorized entity:

(1) must provide all computers and equipment for persons that take the online knowledge test;

(2) must provide appropriate proctors to monitor persons taking the online knowledge test; and

(3) may charge a fee of no more than \$10 for administering the online knowledge test.

EFFECTIVE DATE. This section is effective on November 1, 2020, or on the date the changes required by this section are implemented, whichever is earlier. If the changes required by this section are implemented before November 1, 2020, the commissioner of public safety must notify the revisor of statutes of the date.

Sec. 3. REPORTS; DEPARTMENT OF PUBLIC SAFETY.

Subdivision 1. **Backlog report.** By January 1, 2021, the commissioner of public safety must report to the chairs and ranking minority members of the legislative committees with jurisdiction over transportation policy and finance on the following:

(1) a summary of the plan or plans implemented to address the class D and CDL road test backlogs during 2020 and a discussion on whether those plans were implemented, including whether any benchmarks or goals were achieved on time;

(2) monthly totals of road tests conducted, broken down by type of test and location of test;

(3) average wait times for a person seeking a road test, broken down by month, location, and type of test;

(4) a list of locations offering tests each month and the types of tests offered at each location;

(5) a summary of plans, if any, for addressing existing or potential backlogs of road tests in 2021;

(6) recommendations on whether third-party testing for class D driver's licenses and commercial driver's licenses should be authorized; and

(7) recommended legislative changes relating to elimination of road test backlogs and ways to minimize future road test backlogs.

Subd. 2. **Online knowledge testing report.** By January 1, 2022, the commissioner of public safety must report to the chairs and ranking minority members of the legislative committees with jurisdiction over transportation policy and finance on the following:

(1) the number of online knowledge tests taken pursuant to Minnesota Statutes, section 171.13, subdivision 9;

(2) the number of locations providing online knowledge testing pursuant to Minnesota Statutes, section 171.13, subdivision 9;

(3) if adequate data is available, a recommendation on whether the \$10 fee cap in Minnesota Statutes, section 171.13, subdivision 9, should be changed;

(4) recommendations on whether additional entities should be authorized to administer online knowledge testing;

(5) recommendations on whether driver education programs should be allowed to administer online knowledge tests to people other than students of the program; and

(6) recommended legislative changes related to online knowledge testing.

Sec. 4. ONLINE DRIVER'S LICENSE KNOWLEDGE TESTING; USE OF APPROPRIATION.

(a) Of the appropriation in Laws 2019, First Special Session chapter 3, article 1, section 4, subdivision 4, paragraph (c), \$450,000 is available to the commissioner of public safety to implement online driver's license knowledge testing as provided in section 2.

(b) The authority under paragraph (a) is available until January 31, 2022, for expenses incurred on or before December 31, 2021. Any funds under this section that remain unspent after January 31, 2022, revert

to the purposes identified in Laws 2019, First Special Session chapter 3, article 1, section 4, subdivision 4, paragraph (c).

(c) The base for the appropriation from the driver services operating account in Laws 2019, First Special Session chapter 3, article 1, section 4, subdivision 4, paragraph (b), is increased by \$55,000 in each of fiscal years 2022 and 2023 for annual maintenance of the online driver's license knowledge testing system.

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

Presented to the governor July 21, 2020

Signed by the governor July 23, 2020, 10:54 a.m.