CHAPTER 89--H.F.No. 3071

An act relating to transportation; driver and vehicle services; requiring incorporation of plain language standards for written driver's examinations and the driver's manual; requiring a report; appropriating money; amending Minnesota Statutes 2022, section 171.13, by adding a subdivision.

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

Section 1. Minnesota Statutes 2022, section 171.13, is amended by adding a subdivision to read:

Subd. 10. **Written examination plain language requirements.** (a) For purposes of this subdivision, the following terms have the meanings given:

(1) "committee" means the Department of Public Safety, Division of Driver and Vehicle Services Test Maintenance Committee responsible for monitoring, reviewing, and editing the written portion of the driver's knowledge examination on behalf of the Division of Driver and Vehicle Services;

(2) "plain language standards" means the requirements specified in paragraph (b) and the requirements of the Plain Writing Act, Public Law 111-274, and governor's Executive Order 14-07; and

(3) "written examination" means the written portion of the driver's knowledge examination in English and administered under this section.

(b) By February 1, 2025, the commissioner must implement plain language standards and create a new written portion of the knowledge examination to ensure the written examination is a fair assessment of the state's traffic and driving laws. The new written portion of the knowledge examination, to the extent practicable, must be organized to serve the reader's needs and written using clear, simplified language with the following grammatical standards:

(1) "you" and other pronouns address the test-taker directly;

(2) utilize the active voice;

(3) use short, simple sentences and straightforward questions;

(4) avoid complex and compound sentence structures;

(5) utilize commonly used and familiar words;

(6) avoid turning verbs into nouns through nominalization;

(7) minimize the use of abbreviations;

(8) place words carefully to avoid large gaps between the subject, verb, and object in a sentence;

(9) avoid confusing terms such as "either, or" and "neither, nor";

(10) utilize simple verb tenses, including the simple present verb tense where practicable, to explain confusing or complex concepts;

(11) omit double negatives and terms like "except for," "unless," and "indicated otherwise";

(12) avoid hidden terms and use concrete, familiar words to describe confusing or complex concepts or items;

(13) omit excess and unnecessary words;

(14) use the word "must" to express requirements;

(15) put exceptions at the end of a question;

(16) place modifying terms in correct locations; and

(17) any other recommended strategies and techniques designed to offer clear communication to test-takers.

(c) Any revisions or additions to the subjects tested on a knowledge examination must be written utilizing the plain language standards specified in paragraph (b). Revisions made to the written examination must assess whether the applicant understands the traffic laws of Minnesota and test knowledge of the requirements specified in subdivision 1, paragraph (a), clauses (2) and (3).

(d) The committee must convene its first meeting by August 1, 2024. Before publication of the new written examination under plain language requirements, the committee must meet at least four times before January 1, 2025. The commissioner of public safety may enter into an agreement with a third party to propose, draft, and revise the written examination under the requirements of this subdivision.

(e) The commissioner may adopt plain language standards into other Division of Driver and Vehicle Services materials, including the driver's manual under section 171.0705.

Sec. 2. **REPORT; PLAIN LANGUAGE IMPLEMENTATION.**

By February 1, 2026, the commissioner must submit a report to the chairs, ranking minority members, and legislative staff including but not limited to counsel, fiscal analyst, committee assistant, caucus research, and legislative assistants of the chairs and ranking minority members of the committees having jurisdiction over transportation finance and policy. The report must detail the implementation of plain language standards for the written portion of the driver's knowledge examination required under Minnesota Statutes, section 171.13, subdivision 10, and include:

(1) a comprehensive analysis on the new written portion of the driver's knowledge examination compared to its offerings in languages other than English;

(2) a report on the committee's consideration, adoption, and implementation of plain language standards;

(3) whether the Division of Driver and Vehicle Services anticipates hiring and staffing issues related to the implementation of plain language standards for future written examinations;

(4) total expenditures on implementation of plain language standards;

(5) any recommended additions or modifications to the plain language standards to improve reader comprehension; and

(6) feedback from driver's education programs, employees who administer written examinations, the public, and English as a second language professionals.

Sec. 3. **APPROPRIATION.**

(a) $212,000 in fiscal year 2025 is appropriated from the driver and vehicle services operating account in the special revenue fund to the commissioner of public safety for costs related to: (1) rewriting the driver's manual and the written portion of the driver's knowledge examination with the plain language standards required under Minnesota Statutes, section 171.13, subdivision 10, including translations into other languages as determined by the commissioner; and (2) the report under section 2. This is a onetime appropriation and is available until June 30, 2026.

(b) The commissioner of public safety may use the funds appropriated under this section to enter into an agreement with a third party to participate in revisions to meet the plain language requirements under Minnesota Statutes, section 171.13, subdivision 10, and to provide plain language analysis of materials provided and offered to the public as part of a driver's license application and driver education, including the driver's manual.

Presented to the governor May 7, 2024

Signed by the governor May 8, 2024, 12:34 p.m.