

State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 3814

04/06/2016 Authored by Johnson, B.,

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 public safety; excluding certain DWI offenders from the ignition
1.3 interlock program while permitting them to receive limited drivers' licenses;
1.4 amending Minnesota Statutes 2014, sections 171.30, subdivision 2a, by adding a
1.5 subdivision; 171.306, subdivision 1.

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

1.7 Section 1. Minnesota Statutes 2014, section 171.30, subdivision 2a, is amended to read:

1.8 Subd. 2a. **Other waiting periods.** Notwithstanding subdivision 2, a limited license
1.9 shall not be issued for a period of:

1.10 (1) 15 days, to a person whose license or privilege has been revoked or suspended
1.11 for a first violation of section 169A.20, sections 169A.50 to 169A.53, or a statute or
1.12 ordinance from another state in conformity with either of those sections; ~~or~~

1.13 (2) 90 days, to a person whose license or privilege has been revoked or suspended
1.14 for a violation of section 169A.20, sections 169A.50 to 169A.53, or a statute or ordinance
1.15 from another state in conformity with either of those sections, if the violation involved
1.16 being under the influence of a controlled or hazardous substance or having a schedule I or
1.17 II controlled substance in the person's body, and the violation occurred within ten years of
1.18 a prior impaired driving conviction or prior impaired driving-related loss of license, as
1.19 those terms are defined in section 169A.03, or the violation was the third impaired driving
1.20 conviction or impaired driving-related loss of license on the person's record; or

1.21 ~~(2)~~ (3) one year, to a person whose license or privilege has been revoked or
1.22 suspended for committing manslaughter resulting from the operation of a motor vehicle,
1.23 committing criminal vehicular homicide or injury under section 609.21, subdivision 1,
1.24 clause (1), (2), item (ii), (5), (6), (7), or (8), committing criminal vehicular homicide under

2.1 section 609.21, subdivision 1, clause (2), item (i) or (iii), (3), or (4), or violating a statute
2.2 or ordinance from another state in conformity with either of those offenses.

2.3 Sec. 2. Minnesota Statutes 2014, section 171.30, is amended by adding a subdivision
2.4 to read:

2.5 **Subd. 6. Exception; impaired driving offenses not involving alcohol.**
2.6 Notwithstanding subdivision 1, paragraph (a), the commissioner may issue a limited
2.7 license to a person whose driver's license has been suspended or revoked due to a violation
2.8 of section 169A.20, subdivision 1, clause (2), (3), or (7).

2.9 Sec. 3. Minnesota Statutes 2014, section 171.306, subdivision 1, is amended to read:

2.10 Subdivision 1. **Definitions.** (a) As used in this section, the terms in this subdivision
2.11 have the meanings given them.

2.12 (b) "Ignition interlock device" or "device" means equipment that is designed to
2.13 measure breath alcohol concentration and to prevent a motor vehicle's ignition from being
2.14 started by a person whose breath alcohol concentration measures 0.02 or higher on the
2.15 equipment.

2.16 (c) "Program participant" means a person who has qualified to take part in the
2.17 ignition interlock program under this section, and whose driver's license has been:

2.18 (1) revoked, canceled, or denied under section 169A.52, 169A.54, or 171.04,
2.19 subdivision 1, clause (10); or

2.20 (2) revoked under section 171.17, subdivision 1, paragraph (a), clause (1), or
2.21 suspended under section 171.187, for a violation of section 609.2113, subdivision 1,
2.22 clause (2), item (i) or (iii), (3), or (4); subdivision 2, clause (2), item (i) or (iii), (3), or
2.23 (4); or subdivision 3, clause (2), item (i) or (iii), (3), or (4); or 609.2114, subdivision 2,
2.24 clause (2), item (i) or (iii), (3), or (4), resulting in bodily harm, substantial bodily harm, or
2.25 great bodily harm.

2.26 The term does not include a person whose driver's license has been revoked, canceled,
2.27 or denied for a driving while impaired offense involving being under the influence of a
2.28 controlled or hazardous substance or having a schedule I or II controlled substance in
2.29 the person's body.

2.30 (d) "Qualified prior impaired driving incident" has the meaning given in section
2.31 169A.03, subdivision 22.