

## HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 4035

03/07/2022 Authored by Klevorn and Moller  
The bill was read for the first time and referred to the Committee on Transportation Finance and Policy  
03/17/2022 Adoption of Report: Placed on the General Register  
Read for the Second Time

- 1.1 A bill for an act
- 1.2 relating to public safety; modifying the issuance of special registration plates and
- 1.3 certain restricted licenses; amending Minnesota Statutes 2021 Supplement, sections
- 1.4 169A.60, subdivision 13; 171.306, subdivision 4.
- 1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.6 Section 1. Minnesota Statutes 2021 Supplement, section 169A.60, subdivision 13, is
- 1.7 amended to read:
- 1.8 Subd. 13. **Special registration plates.** (a) At any time during the effective period of an
- 1.9 impoundment order, a violator or registered owner may apply to the commissioner for new
- 1.10 registration plates, which must bear a special series of numbers or letters so as to be readily
- 1.11 identified by traffic law enforcement officers. ~~The commissioner may authorize the issuance~~
- 1.12 ~~of special plates if:~~
- 1.13 ~~(1) the violator has a qualified licensed driver whom the violator must identify;~~
- 1.14 ~~(2) the violator or registered owner has a limited license issued under section 171.30;~~
- 1.15 ~~(3) the registered owner is not the violator and the registered owner has a valid or limited~~
- 1.16 ~~driver's license;~~
- 1.17 ~~(4) a member of the registered owner's household has a valid driver's license; or~~
- 1.18 ~~(5) the violator has been reissued a valid driver's license.~~
- 1.19 (b) The commissioner may not issue new registration plates for that vehicle subject to
- 1.20 plate impoundment for a period of at least one year from the date of the impoundment order.
- 1.21 In addition, if the owner is the violator, new registration plates may not be issued for the

2.1 vehicle unless the person has been reissued a valid driver's license in accordance with chapter  
2.2 171.

2.3 (c) A violator may not apply for new registration plates for a vehicle at any time before  
2.4 the person's driver's license is reinstated.

2.5 (d) The commissioner may issue the special plates on payment of a \$50 fee for each  
2.6 vehicle for which special plates are requested, except that a person who paid the fee required  
2.7 under paragraph (f) must not be required to pay an additional fee if the commissioner issued  
2.8 an impoundment order pursuant to paragraph (g).

2.9 (e) Paragraphs (a) to (d) notwithstanding, the commissioner must issue upon request  
2.10 new registration plates for any vehicle owned by a violator or registered owner for which  
2.11 the registration plates have been impounded if:

2.12 (1) the impoundment order is rescinded;

2.13 (2) the vehicle is transferred in compliance with subdivision 14; or

2.14 (3) the vehicle is transferred to a Minnesota automobile dealer licensed under section  
2.15 168.27, a financial institution that has submitted a repossession affidavit, or a government  
2.16 agency.

2.17 (f) Notwithstanding paragraphs (a) to (d), the commissioner, upon request and payment  
2.18 of a \$100 fee for each vehicle for which special plates are requested, must issue new  
2.19 registration plates for any vehicle owned by a violator or registered owner for which the  
2.20 registration plates have been impounded if the violator becomes a program participant in  
2.21 the ignition interlock program under section 171.306. This paragraph does not apply if the  
2.22 registration plates have been impounded pursuant to paragraph (g).

2.23 (g) The commissioner shall issue a registration plate impoundment order for new  
2.24 registration plates issued pursuant to paragraph (f) if, before a program participant in the  
2.25 ignition interlock program under section 171.306 has been restored to full driving privileges,  
2.26 the program participant:

2.27 (1) either voluntarily or involuntarily ceases to participate in the program for more than  
2.28 30 days; or

2.29 (2) fails to successfully complete the program as required by the Department of Public  
2.30 Safety due to:

(i) two or more occasions of the participant's driving privileges being withdrawn for violating the terms of the program, unless the withdrawal is determined to be caused by an error of the department or the interlock provider; or

(ii) violating the terms of the contract with the provider as determined by the provider.

Sec. 2. Minnesota Statutes 2021 Supplement, section 171.306, subdivision 4, is amended to read:

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

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

(2) the participant has insurance coverage on the vehicle equipped with the ignition interlock device. If the participant has previously been convicted of violating section 169.791, 169.793, or 169.797 or the participant's license has previously been ~~suspended~~ revoked or canceled under section 169.792 or 169.797, the commissioner shall require the participant to present an insurance identification card that is certified by the insurance company to be noncancelable for a period not to exceed 12 months.

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

(c) A program participant whose driver's license has been: (1) revoked under section 169A.52, subdivision 3, paragraph (a), clause (1), (2), or (3), or subdivision 4, paragraph (a), clause (1), (2), or (3); 169A.54, subdivision 1, clause (1), (2), (3), or (4); or 171.177, subdivision 4, paragraph (a), clause (1), (2), or (3), or subdivision 5, paragraph (a), clause (1), (2), or (3); or (2) revoked under section 171.17, subdivision 1, paragraph (a), clause (1), or suspended under section 171.187, for a violation of section 609.2113, subdivision 1, clause (2), item (i) or (iii), (3), or (4); subdivision 2, clause (2), item (i) or (iii), (3), or

(4); or subdivision 3, clause (2), item (i) or (iii), (3), or (4); or 609.2114, subdivision 2, clause (2), item (i) or (iii), (3), or (4), resulting in bodily harm, substantial bodily harm, or great bodily harm, where the participant has fewer than two qualified prior impaired driving incidents within the past ten years or fewer than three qualified prior impaired driving incidents ever; may apply for conditional reinstatement of the driver's license, subject to the ignition interlock restriction.

(d) A program participant whose driver's license has been: (1) revoked, canceled, or denied under section 169A.52, subdivision 3, paragraph (a), clause (4), (5), or (6), or subdivision 4, paragraph (a), clause (4), (5), or (6); 169A.54, subdivision 1, clause (5), (6), or (7); or 171.177, subdivision 4, paragraph (a), clause (4), (5), or (6), or subdivision 5, paragraph (a), clause (4), (5), or (6); or (2) revoked under section 171.17, subdivision 1, paragraph (a), clause (1), or suspended under section 171.187, for a violation of section 609.2113, subdivision 1, clause (2), item (i) or (iii), (3), or (4); subdivision 2, clause (2), item (i) or (iii), (3), or (4); or subdivision 3, clause (2), item (i) or (iii), (3), or (4); or 609.2114, subdivision 2, clause (2), item (i) or (iii), (3), or (4), resulting in bodily harm, substantial bodily harm, or great bodily harm, where the participant has two or more qualified prior impaired driving incidents within the past ten years or three or more qualified prior impaired driving incidents ever; may apply for conditional reinstatement of the driver's license, subject to the ignition interlock restriction, if the program participant is enrolled in a licensed chemical dependency treatment or rehabilitation program as recommended in a chemical use assessment. As a prerequisite to eligibility for eventual reinstatement of full driving privileges, a participant whose chemical use assessment recommended treatment or rehabilitation shall complete a licensed chemical dependency treatment or rehabilitation program. If the program participant's ignition interlock device subsequently registers a positive breath alcohol concentration of 0.02 or higher, the commissioner shall extend the time period that the participant must participate in the program until the participant has reached the required abstinence period described in section 169A.55, subdivision 4.

(e) Notwithstanding any statute or rule to the contrary, the commissioner has authority to determine when a program participant is eligible for restoration of full driving privileges, except that the commissioner shall not reinstate full driving privileges until the program participant has met all applicable prerequisites for reinstatement under section 169A.55 and until the program participant's device has registered no positive breath alcohol concentrations of 0.02 or higher during the preceding 90 days.