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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 5112

03/21/2024 Authored by Carroll
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 data practices; authorizing the Department of Public Safety to use
1.3 verification systems to verify the identity of participants in the Transportation
1.4 Security Administration's Registered Traveler program; amending Minnesota
Statutes 2023 Supplement, section 171.12, subdivision 7b.

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

1.7 Section 1. Minnesota Statutes 2023 Supplement, section 171.12, subdivision 7b, is amended
1.8 to read:

1.9 Subd. 7b. Data privacy; noncompliant license or identification card. (a) With respect
1.10 to noncompliant licenses or identification cards, the commissioner is prohibited from:

1.11 (1) electronically disseminating outside the state data that is not disseminated as of May
1.12 19, 2017; or

1.13 (2) utilizing any electronic validation or verification system accessible from or maintained
1.14 outside the state that is not in use as of May 19, 2017.

1.15 (b) The limitations in paragraph (a) do not apply to the extent necessary to: (1) maintain
1.16 compliance with the driver's license compact under section 171.50 and applicable federal
1.17 law governing commercial driver's licenses; and (2) perform identity verification as part of
1.18 an application for a replacement Social Security card issued by the Social Security
1.19 Administration; and (3) perform identity verification for a program participant in the
1.20 Transportation Security Administration's Registered Traveler program who has voluntarily
1.21 provided their Minnesota driver's license or identification card to confirm their identity to
1.22 a private entity operating under the Registered Traveler program.

2.1 (c) For purposes of this subdivision, "outside the state" includes federal agencies, states
2.2 other than Minnesota, organizations operating under agreement among the states, and private
2.3 entities.

2.4 (d) Prior to disclosing to a data requester, other than the data subject, any data on
2.5 individuals relating to a noncompliant driver's license or identification card, the commissioner
2.6 or a driver's license agent must require the data requester to certify that the data requester
2.7 must not use the data for civil immigration enforcement purposes or disclose the data to a
2.8 state or federal government entity that primarily enforces immigration law or to any employee
2.9 or agent of any such government entity. A data requester who violates the certification
2.10 required in this paragraph may be liable in a civil action brought under section 13.08, may
2.11 be subject to criminal penalties under section 13.09, may have subsequent requests for
2.12 noncompliant driver's license or identification card data be denied by the commissioner,
2.13 and may lose access to the driver records subscription service under section 168.327. A
2.14 certification form used by the commissioner or a driver's license agent under this paragraph
2.15 must include information about penalties that apply for violations.

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