

(b) A person whose driver's license has been canceled or denied as a result of three or more qualified impaired driving incidents shall not be eligible for reinstatement of driving privileges without an ignition interlock restriction until the person:

(1) has completed rehabilitation according to rules adopted by the commissioner or been granted a variance from the rules by the commissioner; and

(2) has submitted verification of abstinence from alcohol and controlled substances under paragraph (c), as evidenced by the person's use of an ignition interlock device or other chemical monitoring device approved by the commissioner.

~~(b)~~ (c) The verification of abstinence must show that the person has abstained from the use of alcohol and controlled substances for a period of not less than:

(1) three years, for a person whose driver's license was canceled or denied for an offense occurring within ten years of the first of two qualified prior impaired driving incidents, or occurring after three qualified prior impaired driving incidents;

(2) four years, for a person whose driver's license was canceled or denied for an offense occurring within ten years of the first of three qualified prior impaired driving incidents; or

(3) six years, for a person whose driver's license was canceled or denied for an offense occurring after four or more qualified prior impaired driving incidents.

~~(c)~~ (d) The commissioner shall establish performance standards and a process for certifying chemical monitoring devices. The standards and procedures are ~~not~~ considered rules and are ~~exempt from~~ subject to chapter 14, ~~including section 14.386~~.

EFFECTIVE DATE. This section is effective August 1, 2018, and applies to offenses committed on or after that date.

Sec. 2. Minnesota Statutes 2016, section 171.24, is amended by adding a subdivision to read:

Subd. 4a. Driving after a DWI-related suspension, revocation, or cancellation; misdemeanor. (a) Except as otherwise provided in subdivision 5, a person is guilty of a misdemeanor if:

(1) the person's driver's license or driving privilege has been suspended, revoked, or canceled under section 169A.52, 169A.54, or 171.177;

(2) the person has been given notice of or reasonably should know of the suspension, revocation, or cancellation; and

3.1 (3) the person disobeys the order by operating in this state any motor vehicle, the
3.2 operation of which requires a driver's license, while the person's license or privilege is
3.3 suspended, revoked, or canceled.

3.4 (b) Notwithstanding section 609.101, subdivision 4, the Judicial Council may not add
3.5 a violation of this subdivision to the Statewide Payables List.

3.6 **EFFECTIVE DATE.** This section is effective August 1, 2018, and applies to crimes
3.7 committed on or after that date.