

This Document can be made available in alternative formats upon request

State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 1199

02/18/2021 Authored by Klevorn, Bahner, Huot, Edelson, Poston and others
The bill was read for the first time and referred to the Committee on Public Safety and Criminal Justice Reform Finance and Policy

1.1 A bill for an act
1.2 relating to public safety; providing for reinstatement of driving privileges with
1.3 ignition interlock; amending Minnesota Statutes 2020, section 169A.55, subdivision
1.4 4.

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

1.6 Section 1. Minnesota Statutes 2020, section 169A.55, subdivision 4, is amended to read:

1.7 Subd. 4. Reinstatement of driving privileges; multiple incidents. (a) A person whose
1.8 driver's license has been revoked as a result of an offense listed under clause (2), shall not
1.9 be eligible for reinstatement of driving privileges without an ignition interlock restriction
1.10 until the commissioner certifies that either:

1.11 (1) the person did not own or lease a vehicle, or commit a violation of chapter 169,
1.12 169A, or 171 at the time of the arrest for the offense listed under clause (2), item (i), subitem
1.13 (A) or (B), or (ii), subitem (A) or (B), as based on:

1.14 (i) records available to the commissioner;

1.15 (ii) the person's attestation under penalty of perjury; and

1.16 (iii) the submission by the driver of certified copies of vehicle registration records and
1.17 driving records for the period from the arrest until the driver seeks reinstatement of driving
1.18 privileges; or

1.19 (2) the person used the ignition interlock device and complied with section 171.306 for
1.20 a period of not less than:

1.21 (i) one year, for a person whose driver's license was revoked for:

- 2.1 (A) an offense occurring within ten years of a qualified prior impaired driving incident;
2.2 or
- 2.3 (B) an offense occurring after two qualified prior impaired driving incidents; or
2.4 (ii) two years, for a person whose driver's license was revoked for:
- 2.5 (A) an offense occurring under clause (i), subitem (A) or (B), and the test results indicated
2.6 an alcohol concentration of twice the legal limit or more; or
- 2.7 (B) an offense occurring under clause (i), subitem (A) or (B), and the current offense is
2.8 for a violation of section 169A.20, subdivision 2.
- 2.9 ~~(a)~~ (b) A person whose driver's license has been canceled or denied as a result of three
2.10 or more qualified impaired driving incidents shall not be eligible for reinstatement of driving
2.11 privileges without an ignition interlock restriction until the person:
- 2.12 (1) has completed rehabilitation according to rules adopted by the commissioner or been
2.13 granted a variance from the rules by the commissioner; and
- 2.14 (2) has submitted verification of abstinence from alcohol and controlled substances
2.15 under paragraph (c), as evidenced by the person's use of an ignition interlock device or other
2.16 chemical monitoring device approved by the commissioner.
- 2.17 ~~(b)~~ (c) The verification of abstinence must show that the person has abstained from the
2.18 use of alcohol and controlled substances for a period of not less than:
- 2.19 (1) three years, for a person whose driver's license was canceled or denied for an offense
2.20 occurring within ten years of the first of two qualified prior impaired driving incidents, or
2.21 occurring after three qualified prior impaired driving incidents;
- 2.22 (2) four years, for a person whose driver's license was canceled or denied for an offense
2.23 occurring within ten years of the first of three qualified prior impaired driving incidents; or
- 2.24 (3) six years, for a person whose driver's license was canceled or denied for an offense
2.25 occurring after four or more qualified prior impaired driving incidents.
- 2.26 ~~(c) The commissioner shall establish performance standards and a process for certifying~~
2.27 ~~chemical monitoring devices. The standards and procedures are not rules and are exempt~~
2.28 ~~from chapter 14, including section 14.386.~~