

State of Minnesota

H. F. No. **2088**

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

2.3 (c) The commissioner shall establish performance standards and a process for certifying  
2.4 chemical monitoring devices. The standards and procedures are not rules and are exempt  
2.5 from chapter 14, including section 14.386.

2.6 (d) The commissioner may grant a variance from the requirement to use an ignition  
2.7 interlock device and require other proof of abstinence if:

2.8 (1) the person suffers from a verified chronic lung disease including but not limited to  
2.9 emphysema, lung cancer, or cystic fibrosis;

2.10 (2) as a result of the lung disease, the person is incapable of providing a sufficient sample  
2.11 of the person's breath for testing by an ignition interlock device; and

2.12 (3) the commissioner has not approved the use of any other chemical monitoring device.

2.13 **EFFECTIVE DATE.** This section is effective July 1, 2021, and applies to any person  
2.14 whose driver's license is canceled or denied as a result of three or more qualified impaired  
2.15 driving incidents on or after that date, and retroactively to any person whose driver's license  
2.16 was canceled or denied as a result of three or more qualified impaired driving incidents  
2.17 before that date.