

**7409.0200 COMMERCIAL DRIVER'S LICENSE DISQUALIFICATION.**

Subpart 1. **Leaving accident scene.** Upon receiving a record of conviction, the commissioner shall disqualify a person from holding a commercial driver's license if the person was convicted under Minnesota Statutes, section 169.09, subdivision 1 or 2, and the person was driving, operating, or in physical control of a commercial motor vehicle at the time of violation of section 169.09, subdivision 1 or 2. The disqualification period is:

- A. one year, for the first conviction;
- B. three years, if the person was transporting hazardous materials at the time of the violation; or
- C. life, if the person has a previous disqualification under this subpart, subpart 2 or 3, or Minnesota Statutes, section 171.165, subdivision 1, clause (1), or subdivision 2.

Subp. 2. **Felony, using commercial vehicle.** Upon receiving a record of conviction, the commissioner shall disqualify a person from holding a commercial driver's license if the person was convicted of a felony in which a commercial motor vehicle was used, other than a felony described in subpart 4. The disqualification period is:

- A. one year, for the first conviction;
- B. three years, if the person was transporting hazardous materials at the time of the commission of the felony; or
- C. life, if the person has a previous disqualification under this subpart, subpart 1 or 3, or Minnesota Statutes, section 171.165, subdivision 1, clause (1), or subdivision 2.

Subp. 3. **Out-of-state convictions.** Upon receiving a record of conviction from another state, the commissioner shall disqualify the convicted person from holding a commercial driver's license if the conviction would be grounds for disqualification under Minnesota Statutes, section 171.165, subdivision 1, clause (2) or (3). The disqualification is:

- A. one year, for the first conviction;
- B. three years, if the person was transporting hazardous materials at the time of the violation; or
- C. life, if the person has a previous disqualification under this subpart, subpart 1 or 2, or Minnesota Statutes, section 171.165, subdivision 1, clause (1), or subdivision 2.

Subp. 4. **Manufacture, sale, or distribution of controlled substance.** Upon receiving a record of conviction for an offense specified in Minnesota Statutes, section 171.165, subdivision 3, clause (3), the disqualification period is for life.

Subp. 5. **Serious traffic violation.** Upon receiving a record of conviction for a serious traffic violation as described in Minnesota Statutes, section 171.165, subdivision 4, the

commissioner shall disqualify a person from holding a commercial driver's license for the offenses and time specified in Minnesota Statutes, section 171.165, subdivision 4.

Subp. 6. **Reduction of lifetime disqualification.** The commissioner shall reduce the lifetime disqualification period imposed under subpart 1, item C, subpart 2, item C, or subpart 3, item C, to a minimum of ten years disqualification if the person demonstrates rehabilitated driving practices in the ten-year period following the effective date of the lifetime disqualification. A person is considered rehabilitated if during that ten-year period there is no revocation or conviction resulting from the operation of any type of vehicle for an offense listed in Minnesota Statutes, section 171.165, subdivision 1, or if the person's license is not revoked under Minnesota Statutes, section 169A.52 or 169A.54, or a statute or ordinance from another state in conformity with it.

Subp. 7. **Lifetime disqualification without reduction.** Following reinstatement of the commercial motor vehicle driving privileges under subpart 6, a person is subject to a lifetime disqualification, without reduction, if the person subsequently commits another disqualifying offense set forth in Minnesota Statutes, section 171.165, subdivision 1 or 2, or a statute of another state or ordinance in conformity with it, or any combination of those offenses.

Subp. 8. **Grade crossing violations.** The commissioner shall disqualify a person from holding a commercial driver's license if the person is convicted of a railroad crossing violation as specified in U. S. Code of Federal Regulations, title 49, section 383.51. A driver is disqualified for:

- A. 60 days if convicted of a first violation;
- B. 120 days if, during any three-year period, the driver is convicted of a second violation in separate incidents; and
- C. one year, if the driver is convicted of a third or subsequent violation in separate incidents in any three-year period.

Subp. 9. **Out-of-service order violations.** The commissioner shall disqualify a person from holding a commercial driver's license on receipt of a conviction issued pursuant to U.S. Code of Federal Regulations, title 49, section 383.51, for violating an out-of-service order while driving a commercial motor vehicle. A driver is disqualified for:

- A. 90 days for the first violation;
- B. one year for the second violation in a separate incident within ten years; or
- C. three years for the third or subsequent violation in a separate incident within ten years.

Subp. 10. **Hazardous materials and passenger out-of-service order violations.** The commissioner shall disqualify a driver from holding a commercial driver's license if

notified of a conviction of an out-of-service order while transporting hazardous materials required to be placarded under the Hazardous Materials Transportation Act, United States Code, title 49, chapter 51, or while operating a motor vehicle designed to transport more than 15 passengers, including the driver, for:

- A. 180 days for the first violation; and
- B. three years for any subsequent violation arising out of a separate incident within ten years.

**Statutory Authority:** *MS s 14.06; 169.792; 169.795; 169.798; 171.165; 299A.01*

**History:** *15 SR 2406; L 2000 c 478 art 2 s 7; 27 SR 466*

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