

**7410.5600 VARIANCE FOR ADDITIONAL CASE-SPECIFIC TEST WAIVERS.**

A. The commissioner of public safety may grant a variance from the test requirements and waivers specified in parts 7410.4000 to 7410.5560 on a case-by-case basis only.

B. If an individual cannot comply with the test requirements for a driver's license, then the individual may request a variance. The request must be in writing, be submitted to the commissioner, and:

(1) contain the individual's full name, address, date of birth, the driver's license number of any driver's license issued in any other state or specify any state in which a driver's license was issued, and the date of expiration of any license or endorsement on a license;

(2) specify the type of Minnesota driver's license and any endorsements the applicant seeks;

(3) specify the class of vehicle the individual wants to drive;

(4) specify all test requirements from which the applicant seeks a waiver;

(5) describe the reason why a test waiver is requested, including proof of any equivalent tests the individual has passed in any other state; and

(6) be signed and dated by the individual requesting a test waiver.

C. The commissioner shall grant the variance request for a test waiver if:

(1) the waiver was requested as specified in item B;

(2) the waiver, if granted, would not have an adverse effect on public safety;

(3) the alternative tests or the tests passed in another state are equivalent to those administered by the commissioner; and

(4) granting the variance does not waive or vary a statute.

D. The commissioner shall notify the individual requesting a test waiver variance in writing of the commissioner's decision to grant or deny the variance within 60 days of receipt of the request. If the variance request is denied, the commissioner shall specify the reasons for the denial.

**Statutory Authority:** *MS s 14.06; 171.04; 171.13; 171.165; 299A.01*

**History:** *27 SR 465*

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