

7503.0900 NOTICE OF REVOCATION, ISSUING TEMPORARY LICENSES.

Subpart 1. **Temporary driver's license.** Notice of revocation served by a court or by a peace officer is valid as a temporary driver's license for the same class and with the same restrictions, limitations, and certifications of the original driver's license. Notice of revocation does not serve as a temporary driver's license if the person does not have a valid driver's license or driving privilege when the notice of revocation is served.

If the notice of revocation and temporary driver's license is issued by a court, the temporary driver's license period expires on the final day on which an appeal of the conviction can be taken from the court. If the notice of revocation and temporary driver's license is issued by a peace officer, the temporary driver's license expires on the seventh day after notice was served.

Subp. 2. **Notice served by court.** Notice of license revocation is served by the court when a person is convicted of violating current or former Minnesota Statutes, section 169.121 or 169A.20. The commissioner shall provide a format to the court for serving the notice of revocation and issuing a temporary license. A completed notice must contain the information specified in this subpart and other information provided by the commissioner that the commissioner considers appropriate:

- A. the person's full name, date of birth, driver's license number, height and weight, and current residential address including street number, city, state, and zip code;
- B. the date notice is served and the revocation is effective;
- C. the date of the incident upon which the conviction is based;
- D. the traffic citation number and court file number;
- E. the minimum length of the revocation period;
- F. a statement advising the person that all driving privileges are revoked upon expiration of the temporary license period and the expiration date of any temporary license;
- G. a statement indicating that no temporary driver's license was issued if the person did not have valid driving privileges at the time of the incident; and
- H. the signature of the judge issuing the revocation notice.

Subp. 3. **Notice served by peace officer.** Notice of license revocation is served by a peace officer when a person is subject to revocation under current or former Minnesota Statutes, section 169.123 or 169A.52.

- A. The commissioner shall provide the peace officer with the notice of revocation and temporary license.

B. A completed revocation notice must contain:

- (1) the person's full name, date of birth, driver's license number, height and weight, and residential address on the driver's record including street number, city and state, and zip code;
- (2) the date that notice is served and when the revocation is effective;
- (3) the date of the incident;
- (4) the traffic case number;
- (5) the name and agency name of the peace officer serving the notice;
- (6) the reason for the revocation;
- (7) the length of the revocation period;
- (8) a statement advising the person that all driving privileges are revoked in seven calendar days or specifying the date any temporary license expires;
- (9) a statement indicating that no temporary license was issued, if the person did not have valid driving privileges at the time of the incident;
- (10) a statement informing the person that the person has a right to:
 - (a) an administrative review under part 7409.4600, subparts 1 to 4, and Minnesota Statutes, section 169A.53, subdivision 1; and
 - (b) a judicial review of the revocation order under Minnesota Statutes, section 169A.53, subdivision 2;
- (11) information explaining that:
 - (a) an administrative review of the revocation order may be obtained by submitting a written request for an administrative review to the commissioner in accordance with part 7409.4600, subparts 1 to 4, and Minnesota Statutes, section 169A.53, subdivision 1; and
 - (b) a judicial review may be obtained by filing a petition for a judicial review within 30 days of receipt of the notice of revocation and otherwise in accordance with Minnesota Statutes, section 169A.53, subdivision 2; and
- (12) a statement informing the person that failing to petition for a judicial review in compliance with Minnesota Statutes, section 169A.53, subdivision 2, forfeits the person's right to judicial review of a revocation order under that section.

Subp. 4. **Notice served by commissioner.** Notice of license revocation must be served by the commissioner when a person is subject to revocation under Minnesota Statutes, section 169A.52, and valid notice is not served by a peace officer; when a person is convicted of violating current or former Minnesota Statutes, section 169.121 or 169A.20, and notice

is not served by a court; when an additional revocation period is imposed under current or former Minnesota Statutes, section 169.121, subdivision 4, or 169A.54, in the case of a personal injury or fatality; or when requirements imposed from a previous revocation have not been satisfied.

A. The commissioner shall establish the format for serving the notice of revocation.

B. A completed notice must contain the information specified in this item and may contain other information provided by the commissioner that the commissioner considers appropriate:

(1) the person's full name, date of birth, driver's license number, and current residential address obtained from the person's driver's license record, including the street number, city and state, and zip code;

(2) the date the notice of revocation is issued;

(3) the effective date of the revocation order;

(4) the reason for the revocation;

(5) the minimum length of the revocation period;

(6) license reinstatement requirements;

(7) if the person is subject to revocation under Minnesota Statutes, section 169A.52, a statement informing the person that the person has a right to an administrative review under part 7409.4600, subparts 1 to 4, and Minnesota Statutes, section 169A.53, subdivision 1, and to a judicial review of the revocation order under Minnesota Statutes, section 169A.53;

(8) if the person is subject to revocation under Minnesota Statutes, section 169A.52, information explaining:

(a) that an administrative review of the revocation order issued under Minnesota Statutes, section 169A.52, may be obtained by submitting a written request for an administrative review in accordance with part 7409.4600, subparts 1 to 4, and Minnesota Statutes, section 169A.53, subdivision 1; and

(b) that judicial review may be obtained by petitioning for judicial review within 30 days after receiving notice of revocation and otherwise in accordance with Minnesota Statutes, section 169A.53;

(9) if the person is subject to revocation under Minnesota Statutes, section 169A.52, a statement informing the person that failing to petition for a judicial review in compliance with Minnesota Statutes, section 169A.53, subdivision 2, forfeits the person's right to a judicial review of a revocation order under that section.

Subp. 5. **Notice of revocation to other states.** If the driving privilege of a nonresident is revoked under Minnesota Statutes, section 169A.52, 169A.54, or 609.21, the commissioner, pursuant to Minnesota Statutes, sections 169A.52, subdivision 8, and 171.15, subdivision 1, shall forward a report of the revocation to the licensing authority of the nonresident's home state and to any other state in which the commissioner knows the person to hold a license.

Statutory Authority: *MS s 14.06; 169.128; 169.798; 169A.75; 171.165; 299A.01*

History: *10 SR 1427; 15 SR 2406; L 2000 c 478 art 2 s 7; 27 SR 707*

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