

7503.1800 LIMITED LICENSES.

Subpart 1. **Authority.** Pursuant to Minnesota Statutes, section 171.30, the commissioner shall issue a limited license following a revocation or suspension in connection with an alcohol- or controlled-substance-related incident when the conditions of issuing a limited license have been satisfied.

Subp. 2. **Persons not eligible.** The commissioner shall issue a limited license to a person only when the person complies with the waiting period and conditions specified in this part, part 7409.3600, and Minnesota Statutes, section 171.30.

Subp. 3. **Conditions of issuance.** Before a limited license may be issued under Minnesota Statutes, section 171.30, subdivision 1, the person must:

- A. apply for a new license and pay the application fee for the class of license involved;
- B. pass the driver's license examinations as required by parts 7410.4000 to 7410.5600, and Minnesota Statutes, section 171.13;
- C. pay a reinstatement fee as required by Minnesota Statutes, section 171.29, at the time of payment; and
- D. request a limited license by written correspondence, facsimile, or email, by personal appearance at the department, or by telephone.

Subp. 3a. **Judicial review waiver.** Except for persons enrolled in the ignition interlock device program under Minnesota Statutes, section 171.306, the commissioner shall waive subpart 3, items A, B, and C if the person has filed a petition for judicial review in the appropriate court and has furnished a copy of the petition to the commissioner. If the revocation is sustained on judicial review, the requirements must be met before reinstatement of driving privileges.

Subp. 4. **Restrictions and limitations.** The commissioner shall restrict and limit the time and use of a limited license as provided in part 7409.3600 and Minnesota Statutes, section 171.30, subdivision 1.

Subp. 4a. **No limited commercial license.** The commissioner shall not issue a limited class A, B, or C license under Minnesota Statutes, section 171.30, during the period the individual is disqualified from holding a commercial class A, B, or C license under Minnesota Statutes, section 171.165.

Subp. 4b. **Limited class D license issuance exceptions.** The commissioner shall not issue a limited class D license under Minnesota Statutes, section 171.30, to an individual:

- A. if the license is suspended under part 7503.0200, suspended for criminal vehicular homicide or injury, or suspended for manslaughter with a motor vehicle;
- B. for employment to operate a class A school bus or child care or activity bus as described in Minnesota Statutes, section 169.011 or 171.02; or

C. for employment to operate a special transportation service vehicle as described in Minnesota Statutes, sections 221.012, subdivision 38, and 473.386.

Subp. 4c. **Limited licensure to juveniles.** The commissioner shall not issue a limited license for 90 days under Minnesota Statutes, section 171.30, to any person who:

A. was under the age of 21 at the time of the violation; and

B. committed a second violation of Minnesota Statutes, section 169A.33.

Subp. 4d. **Ignition interlock device exceptions.** The commissioner shall issue a limited license to a program participant, subject to Minnesota Statutes, section 171.306, subdivision 4, paragraph (c), and part 7503.1725, for the following purposes, except that these purposes are not subject to part 7409.3600, subpart 4, item A:

A. appearing in court for an offense under Minnesota Statutes, sections 169A.20, and 169A.50 to 169A.53;

B. meeting with the program participant's probation officer for an alcohol-related incident as scheduled or required;

C. participating in a generally recognized support group based on ongoing alcohol abstinence, controlled substance abstinence, or both, no more than three times a week or as otherwise ordered by the court;

D. attending medical or psychological treatment that is ordered by a court as a result of a violation of Minnesota Statutes, sections 169A.20, and 169A.50 to 169A.53; and

E. device calibration as required in Minnesota Statutes, section 171.306, subdivision 3.

Subp. 5. **Administrative review following denial of limited license.** The commissioner shall grant a person an administrative review according to the procedures in part 7409.4600 to review a decision not to issue a limited license to that person.

Subp. 6. **Issuance of limited class D instruction permit.**

A. The commissioner shall issue a limited class D instruction permit to a resident of the state whose driving privilege is canceled and denied under Minnesota Statutes, section 171.04, subdivision 1, clause (10), or 171.17, subdivision 1, paragraph (a), clause (2), for a period of one year, in order to comply with Minnesota Statutes, section 171.306. Before a limited class D instruction permit may be issued under Minnesota Statutes, section 171.05, subdivision 1, the person must:

- (1) meet the requirements under part 7503.1725, subpart 2, items C to H;
- (2) pass a class D knowledge test under part 7410.4500, subpart 2;
- (3) pass a class D knowledge test on the effects of alcohol and drugs as described in part 7410.4520; and
- (4) meet the requirements for a limited license under part 7409.3600, subpart 1.

B. The commissioner shall restrict and limit a limited class D instruction permit:

- (1) as provided in part 7409.3600, subpart 4, item A;
- (2) as provided in Minnesota Statutes, section 171.05, subdivision 1a; and
- (3) for the exclusive purpose of receiving instruction in operating a motor vehicle.

C. The commissioner shall not issue a class D license with ignition interlock device restriction to a person who has possessed a limited class D instruction permit for one year until the person:

- (1) passes the class D driver's license road test; and
- (2) meets the requirements under part 7503.1725, subpart 5, and Minnesota Statutes, section 171.306.

D. The commissioner shall not issue a class D limited license with ignition interlock device installation to a person who has possessed a limited class D instruction permit for less than one year until the person:

- (1) passes the class D driver's license road test; and
- (2) meets the requirements under part 7503.1725, subpart 2, and Minnesota Statutes, section 171.306.

Statutory Authority: *MS s 14.06; 14.386; 14.388; 169.128; 169.798; 169A.75; 171.165; 171.306; 299A.01*

History: *10 SR 1427; 15 SR 2406; L 2000 c 478 art 2 s 7; 27 SR 707; 35 SR 2019; 39 SR 238*

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