

7503.2000 CHEMICAL USE ASSESSMENTS REQUIRED BY COMMISSIONER.

Subpart 1. **Chemical use assessment required.** When the commissioner, under Minnesota Statutes, section 171.13, has reasonable cause to believe a person is unable to exercise ordinary and reasonable control in the operation of a motor vehicle due to the consumption of alcohol or a controlled substance, the commissioner shall determine the individual's fitness to operate a motor vehicle safely upon the highways by requiring the person to have a chemical use assessment. The commissioner shall notify the person by first class mail to the driver's residence address listed on the driver's record that the assessment is required.

Subp. 2. **By whom conducted.** A chemical use assessment conducted under current or former Minnesota Statutes, section 169.121, subdivision 8, or 169A.54, subdivision 11, must be conducted by an agency approved by the county or district court as outlined in Minnesota Statutes, section 169A.70.

Subp. 3. **Suspension for failure to complete chemical use assessment.** If a person required to submit to a chemical use assessment under current or former Minnesota Statutes, section 169.121, subdivision 8, or 169A.54, subdivision 11, fails to submit the assessment report to the commissioner or fails to appear for an assessment within 30 days after notification that a chemical use assessment is required, the commissioner shall suspend the driver's license or driving privilege of that person.

A. If any treatment or action is required from the chemical use assessment, the commissioner shall establish a deadline based on the type of action or treatment required and the particular needs of the person, provided that the deadline shall not be less than 60 days from the date of the chemical use assessment.

B. If the action or treatment is not completed before the established deadline, the commissioner shall suspend the driver's license or driving privilege of the person for the period of time prescribed in part 7503.0300, subpart 2.

C. The commissioner shall not suspend any person's driver's license or driving privilege for failing to complete a chemical use assessment required exclusively under section 169A.70.

Subp. 4. [Repealed, 27 SR 707]

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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