

DRIVERS LICENSES AND DRIVER TRAINING 171.02

CHAPTER 170. SAFETY RESPONSIBILITY

Sec.	
170.23	Abstracts; fee; admissible in evidence.
170.231	Repealed.

170.23 Abstracts; fee; admissible in evidence

The commissioner shall upon request furnish any person a certified abstract of the operating record of any person subject to the provisions of this chapter, and, if there shall be no record of any conviction of such person of violating any law relating to the operation of a motor vehicle or of any injury or damage caused by such person, the commissioner shall so certify. Such abstracts shall not be admissible as evidence in any action for damages or criminal proceedings arising out of a motor vehicle accident. A fee of \$2.50 shall be paid for each such abstract.

[1973 c 35 s 37]

170.231 [Repealed, 1973 c 35 s 38]

CHAPTER 171. DRIVERS LICENSES AND DRIVER TRAINING SCHOOLS

Sec.			
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171.01 Definitions

[For text of subs. 1 to 12, see M.S.1971]

Subd. 13. Conviction. The term "conviction" means a final conviction either after trial or upon a plea of guilty; also a forfeiture of cash or collateral deposited to guarantee a defendant's appearance in court, which forfeiture has not been vacated, or a breach of a condition of release without bail, is equivalent to a conviction.

[1973 c 421 s 3]

[For text of subs. 14 to 19, see M.S.1971]

171.02 License; surrender of other licenses

[For text of subd. 1, see M.S.1971]

Subd. 2. Volunteer firemen; trucks and emergency equipment. Drivers' licenses shall be classified according to the types of vehicles which may be driven by the holder of each type or class of license. The commissioner may, as appropriate, subdivide the classes listed in this subdivision and issue licenses classified accordingly. No class of license shall be valid to operate a motorcycle or school bus unless so endorsed. There shall be three general classes of licenses as follows:

a. Class C; valid for all farm trucks as defined in section 168.011, subdivision 17, operated by the owner or an immediate member of his family or an employee not primarily employed for the purpose of operating the farm truck, fire trucks and emergency fire equipment, regardless of the number of axles, and whether or not in excess of 24,000 pounds GVW, driven or operated by volunteer firemen while on duty, and all single unit two axle vehicles not in excess of 24,000 pounds GVW including vehicles with a temporary auxiliary axle as defined in section 169.67, subdivision 4. Holder may also tow trailers under 10,000 pounds GVW including house trailers. Buses as defined under this chapter may not be driven by a holder of a Class C license.

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b. Class B; valid for all vehicles in Class C and all other single unit vehicles including buses.

c. Class A; valid for any vehicle or combination thereof.

[1973 c 16 s 1]

171.05 Instruction permits

Subdivision 1. Any person who, except for his lack of instruction in operating a motor vehicle, would otherwise be qualified to obtain a Class C driver's license under this chapter, may apply for an instruction permit and the department shall issue such permit entitling the applicant, while having such permit in his immediate possession, to drive a motor vehicle for which a Class C license is valid upon the highways for a period of one year, but such person must be accompanied by an adult licensed driver who is actually occupying a seat beside the driver. Any license of a lower class may be used as an instruction permit for a higher class for a period of six months after passage of the written test or tests required for the higher class and when the licensee is accompanied by and receiving instruction from a holder of the appropriate higher class license. A copy of the record of examination taken for the higher class license must be carried by the driver while using such lower class license as an instruction permit.

[1973 c 95 s 1]

[For text of subd. 2, see M.S.1971]

171.06 Licenses, permits

Subdivision 1. Forms of application. Every application for an instruction permit or for a driver's license shall be made upon a form furnished by the department, and every application shall be accompanied by the proper fee. All such applications except applications for renewal shall be signed in the presence of the person authorized to accept such applications, or the signature on the application shall be verified by a notary public. Payment of the fee for the Class B license and Class A license upon initial application will be at the place of application.

[1973 c 698 s 1]

Subd. 2. Fees. (a) The fees for license shall be as follows:

Classified Driver License	C-\$5	B-\$10	A-\$15
Classified Provisional D.L.	C-3	B-5	
Instruction Permit			2
Duplicate Driver or Provisional License			1.50

[1973 c 59 s 1; 1973 c 698 s 2]

[For text of subd. 3, see M.S.1971]

Subd. 4. Application, filing. Any applicant for an instruction permit, a driver's license, restricted license, or duplicate license may file his application with a clerk of the district court or at a state office. Such clerk or state office shall and is hereby authorized to receive and accept such application. To cover all expenses involved in receiving, accepting or forwarding to the department applications and fees, the state office may charge 50 cents for each application for an instruction permit, duplicate license, driver license or restricted license; such additional fee shall also be forwarded to the department. To cover all expenses involved in receiving, accepting, or forwarding to the department applications and fees, the clerk of the district court may charge and retain a county fee of \$1 for each application for an instruction permit, duplicate license, driver license, or restricted license, the county fee of \$1 shall be in addition to the fees otherwise provided by law. The amount allowed to be retained by the clerk of the district court shall be paid into the county treasury and credited to the general revenue fund of the county. The clerk of court shall forward all applications and fees, less the amount herein allowed to be retained for expense, to the department within 15 days of the

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receipt by him. The clerks of the district courts may appoint agents to assist in accepting applications, but the clerks shall require every such agent to forward to the clerk by whom he is appointed all applications accepted and fees collected by him, except that an agent may retain one-half of the \$1 county fee to cover his expenses involved in receiving, accepting or forwarding the applications and fees. The clerks of court shall be responsible for the acts of agents appointed by them and for the forwarding to the department of all applications accepted and those fees collected by such agents and by themselves as are required to be forwarded to the department.

[1973 c 698 s 3]

171.07 Department to issue license and nonqualification certificates

Subdivision 1. The department shall, upon the payment of the required fee, issue to every applicant qualifying therefor a license designating the type or class of vehicles he is authorized to drive as applied for, which license shall bear thereon a distinguishing number assigned to the licensee, the full name, date of birth, residence address, a description of the licensee in such manner as the commissioner deems necessary, and a space upon which the licensee shall write his usual signature with pen and ink. No license shall be valid until it has been so signed by the licensee. Except in the case of an instruction permit, every license shall bear thereon a colored photograph of the licensee. Every license issued to an applicant under the age of 18 shall be of a distinguishing color and plainly marked "provisional." The department shall use such process or processes in the issuance of licenses that prohibits as near as possible, the ability to alter or reproduce the licenses, or prohibit the ability to superimpose a photo on such licenses without ready detection. Each license certificate issued shall be on an all plastic or laminated plastic card with the identifying information embossed thereon.

[1973 c 35 s 39; 1973 c 698 s 4; 1973 c 725 s 23]

171.13 Examination

[For text of subs. 1 to 4, see M.S.1971]

Subd. 5. Fee for vehicle endorsement. Any person applying to secure a motorcycle or school bus vehicle endorsement on his driver's license shall pay a \$2.50 examination fee at the place of application.

[1973 c 698 s 5]

171.16 Court may recommend suspension.

Subdivision 1. Courts to report to commissioner. Every court, including district, municipal, and justice of the peace courts, having jurisdiction over offenses committed under any law of this state or ordinance of a political subdivision regulating the operation of motor vehicles, shall forward to the department, within ten days, a record of the conviction of any person in the court for a violation of any such laws or ordinances, except parking violations and except defective vehicle equipment or vehicle size or weight violations committed by a licensed chauffeur while driving a vehicle for which a chauffeur's license is required.

[1973 c 421 s 4]

[For text of subd. 2, see M.S.1971]

Subd. 3. Suspension for failure to pay fine. When any court reports to the commissioner that a person: (1) has been convicted of violating a law of this state or an ordinance of a political subdivision which regulates the operation or parking of motor vehicles, (2) has been sentenced to the payment of a fine only, and (3) has refused or failed to comply with that sentence notwithstanding the fact that the court has determined that the person has the ability to pay the fine, the commissioner shall suspend the driver's license of

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such person for 30 days for a refusal or failure to pay or until notified by the court that the fine has been paid.

[1973 c 421 s 5]

Subd. 4. [Repealed, 1973 c 693 s 8]

[For text of subd. 5, see M.S.1971]

171.18 Suspension

The commissioner shall have authority to and may suspend the license of any driver without preliminary hearing upon a showing by department records or other sufficient evidence that the licensee:

- (1) Has committed an offense for which mandatory revocation of license is required upon conviction; or
- (2) Has been convicted by a court of competent jurisdiction for violation of a provision of the highway traffic regulation act or an ordinance regulating traffic and where it appears from department records that the violation for which he was convicted contributed in causing an accident resulting in the death or personal injury of another, or serious property damage; or
- (3) Is an habitually reckless or negligent driver of a motor vehicle; or
- (4) Is an habitual violator of the traffic laws; or
- (5) Is incompetent to drive a motor vehicle as determined and adjudged in a judicial proceeding; or
- (6) Has permitted an unlawful or fraudulent use of such license; or
- (7) Has committed an offense in another state which, if committed in this state, would be grounds for suspension; or
- (8) Has committed a violation of section 171.22, clause (4).

Provided, however, that any action taken by the commissioner under subparagraphs (2) and (5) shall conform to the recommendation of the court when made in connection with the prosecution of the licensee.

Upon suspending the license of any person, as hereinbefore in this section authorized, the department shall immediately notify the licensee, in writing, by depositing in the United States post office a notice addressed to the licensee at his last known address, with postage prepaid thereon, and the licensee's written request shall afford him an opportunity for a hearing within not to exceed 20 days after receipt of such request in the county wherein the licensee resides, unless the department and the licensee agree that such hearing may be held in some other county. Upon such hearing the commissioner, or his duly authorized agent, may administer oaths and issue subpoenas for the attendance of witnesses and the production of relevant books and papers, and may require a reexamination of the licensee. Upon such hearing the department shall either rescind its order of suspension or, good cause appearing therefor, may extend the suspension of such license or revoke such license. The department shall not suspend a license for a period of more than one year.

[1973 c 698 s 6]

171.27 Expiration of licenses

The expiration date for each driver's license, other than provisional licenses, is the birthday of the driver in the fourth year following the date of issuance of the license. The birthday of the driver shall be as indicated on his application for a driver's license. A license may be renewed on or before expiration or within one year after expiration upon application, payment of the required fee, and passing the examination required of all drivers for renewal. Driving privileges shall be extended or renewed on or preceding the expiration date of an existing driver's license unless the commissioner believes that the licensee is no longer qualified as a driver.

The expiration date for each provisional license shall be the 18th birthday of the licensee. Upon the provisional licensee attaining the age of 18 and upon the application, payment of the required fee, and passing the examina-

tion required of all drivers for renewal, a driver's license shall be issued if the commissioner deems the record of the provisional licensee to be satisfactory.

Any valid driver's license issued to a person then or subsequently on active duty with the Armed Forces of the United States shall continue in full force and effect without requirement for renewal until 90 days after the date of his discharge from such service.

All provisional licenses issued prior to August 1, 1973 will remain in effect until the licensee's 21st birthday.

[1973 c 698 s 7; 1973 c 725 s 24]

LABOR, INDUSTRY

CHAPTER 175. DEPARTMENT OF LABOR AND INDUSTRY

Sec.		Sec.	
175.006	Division of workmen's compensation.	175.13	Repealed.
175.0061	Policy [New].	175.16	Divisions.
175.10	Sessions to be public.	175.17	Powers and duties, workmen's compensation commission, and commissioner of the department of labor and industry.
175.101	Duties of the commissioner of the department of labor and industry as head of the workmen's compensation division [New].	175.36	Destruction of files and records.
175.11	Seal; certified copies.	175.38	Repealed.
175.12	Repealed.	175.39	Repealed.

175.006 Division of workmen's compensation

Subdivision 1. Creation and organization. The division of workmen's compensation, generally administering the workmen's compensation law, is created within the department of labor and industry. There is created as a separate appellate tribunal for workmen's compensation, the workmen's compensation commission.

The commission shall be composed of three commissioners learned in the law, each serving in the unclassified service of the state civil service. Each commissioner shall be appointed by the governor, by and with the advice and consent of the senate, for a term of six years and until his successor is duly appointed and qualifies. The members of the workmen's compensation commission as now created shall be the members of the workmen's compensation commission until the expiration of the terms for which they have been appointed and qualified. Any vacancy in the commission shall be filled by the governor by and with the advice and consent of the senate, for the unexpired portion of the term in which the vacancy occurs.

[1973 c 388 s 3]

[For text of subds. 2 and 3, see M.S.1971]

Subd. 4. Powers and duties. The powers and duties and functions vested in or imposed upon the industrial commission immediately prior to July 1, 1967, by Minnesota Statutes 1965, Chapter 176, and other applicable laws relating to workmen's compensation and by Minnesota Statutes 1965, Sections 251.041 to 251.053 and any act amendatory thereof, except as hereinafter provided, are transferred to, vested in, and imposed upon the commissioner of the department of labor and industry, the head of the workmen's compensation division.

[1973 c 388 s 4]

175.0061 Policy

To enable the workmen's compensation commission to adequately discharge its duties and responsibilities as an appellant tribunal with decisions subject