

CHAPTER 171

DRIVERS LICENSES AND DRIVER TRAINING SCHOOLS

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171.02 LICENSE; SURRENDER OF OTHER LICENSES.

[For text of subds 1 and 2, see M.S.1980]

Subd. 3. **Motorized bicycles.** No motorized bicycle shall be operated on any public roadway by any person who does not possess a valid drivers license, unless the person has obtained a motorized bicycle operator's permit from the commissioner of public safety. The permit may be issued to any person who has attained the age of 15 years and who has passed the examination prescribed by the commissioner. The commissioner may promulgate rules and regulations prescribing the content of the examination and the information to be contained on the permit.

The fees for motorized bicycle operator's permit are as follows:

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| (a) Examination and operator's permit, valid for one year | \$4 |
| (b) Duplicate | \$2 |
| (c) Renewal permit before age 18 and valid until age 18 | \$6 |
| (d) Renewal permit after age 18 and valid for four years | \$10 |
| (e) Duplicate of any renewal permit | \$3 |

History: 1981 c 363 s 29

171.04 PERSONS NOT ELIGIBLE FOR DRIVER'S LICENSES.

The department shall not issue a driver's license hereunder:

(1) To any person who is under the age of 16 years; to any person under 18 years unless such person shall have successfully completed a course in driver education, including both classroom and behind-the-wheel instruction, approved by the department of public safety or, in the case of a course offered by a private, commercial driver education school or institute employing driver education instructors, by the department of public safety, except when such person has completed a course of driver education in another state or has a previously issued valid license from another state or country; nor to any person under 18 years unless the application of license is approved by either parent when both reside in the same household as the minor applicant, otherwise the parent having custody or with whom the minor is living in the event there is no court order for custody, or guardian having the custody of such minor, or in the event a person under the age of 18 has no living father, mother or guardian, the license shall not be issued to such person unless his application therefor is approved by his employer. Behind-the-wheel driver education courses offered in any public school shall be open for enrollment to persons between the ages of 15 and 18 years residing in the school district or attending school therein. Any public school offering behind-the-wheel driver education courses may charge an enrollment fee for the behind-the-wheel driver education course which shall not exceed the actual cost thereof to the public

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school and the school district. The approval required herein shall contain a verification of the age of the applicant;

(2) To any person whose license has been suspended during the period of suspension except that a suspended license may be reinstated during the period of suspension upon the licensee furnishing proof of financial responsibility in the same manner as provided in the Minnesota no-fault automobile insurance act;

(3) To any person whose license has been revoked except upon furnishing proof of financial responsibility in the same manner as provided in the Minnesota no-fault automobile insurance act and if otherwise qualified;

(4) To any person who is a drug-dependent person as defined in section 254A.02, subdivision 5;

(5) To any person who has been adjudged legally incompetent by reason of mental illness, mental deficiency, or inebriation, and has not been restored to capacity, unless the department is satisfied that such person is competent to operate a motor vehicle with safety to persons or property;

(6) To any person who is required by this chapter to take an examination, unless such person shall have successfully passed such examination;

(7) To any person who is required under the provisions of the Minnesota no-fault automobile insurance act of this state to deposit proof of financial responsibility and who has not deposited such proof;

(8) To any person when the commissioner has good cause to believe that the operation of a motor vehicle on the highways by such person would be inimical to public safety or welfare;

(9) To any person when, in the opinion of the commissioner, such person is afflicted with or suffering from such physical or mental disability or disease as will affect such person in a manner to prevent him from exercising reasonable and ordinary control over a motor vehicle while operating the same upon the highways; nor to a person who is unable to read and understand official signs regulating, warning, and directing traffic.

History: 1981 c 363 s 30

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 applications shall be signed in the presence of the person authorized to accept the applications, or the signature on the application may be verified by a notary public.

Subd. 2. **Fees.** (a) The fees for a license and Minnesota identification card are as follows:

Classified Driver License	C-\$10 B-\$15 A-\$20
Classified Provisional D.L.	C- \$6 B-\$10
Instruction Permit	\$4
Duplicate Driver or Provisional License	\$3
Minnesota identification card, except as otherwise provided in section 171.07, subdivisions 3 and 3a	\$6

Subd. 3. **Contents of application.** Every application shall state the full name, date of birth, sex and residence address of the applicant, a description of the applicant in such manner as the commissioner may require, and shall state whether or not the applicant has theretofore been licensed as a driver; and, if so, when and by what state or country and whether any such license has ever been suspended or revoked, or whether an application has ever been refused; and, if so, the date of and reason for such suspension, revocation, or refusal, together with such facts pertaining to the applicant and his ability to operate a motor vehicle with safety as may be required by the commissioner. The application form shall contain a notification to the applicant of the availability of the donor document provided pursuant to section 171.07, subdivision 5, and shall contain spaces where the applicant must indicate a desire to receive or not to receive the donor document. The application shall be in the form prepared by the commissioner.

Subd. 3a. **Middle name may be maiden name.** For the purposes of subdivision 3, and section 171.07, subdivision 1, the full name of a married applicant may include, at the option of the applicant, the applicant's family name prior to marriage instead of the applicant's given middle name, notwithstanding the middle name specified on the applicant's marriage certificate.

Subd. 4. **Application, filing.** Any applicant for an instruction permit, a driver's license, restricted license, or duplicate license may file an application with a clerk of the district court or at a state office. The clerk or state office shall receive and accept the application. To cover all expenses involved in receiving, accepting, or forwarding to the department applications and fees, the clerk of the district court may retain a county fee of \$1 for each application for a Minnesota identification card, instruction permit, duplicate license, driver license, or restricted license. 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 ten days of the receipt by him. The clerks of the district courts may appoint agents to assist in accepting applications, but the clerks shall require every 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 agents and by themselves as are required to be forwarded to the department.

History: 1981 c 363 s 31-35

NOTE: Subdivision 3a as added by Laws 1981, Chapter 363, Section 34 is effective January 1, 1983. See Laws 1981, Chapter 363, Section 39.

171.07 DEPARTMENT TO ISSUE LICENSE AND NONQUALIFICATION CERTIFICATES; ANATOMICAL GIFT INDICATION.

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 and permanent mailing address if different, 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

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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. A license issued to an applicant of age 65 or over shall be plainly marked "senior" if requested by the applicant.

Subd. 1a. **Photographic negatives; filing; data classification.** The department shall file, or contract to file, all photographic negatives obtained in the process of issuing driver licenses or Minnesota identification cards. The negatives shall be private data pursuant to section 15.162, subdivision 5a. Notwithstanding section 15.165, subdivision 3, the department shall not be required to provide copies of photographic negatives to data subjects. The use of the files is restricted to the issuance and control of driver licenses and for law enforcement purposes in the investigation and prosecution of felonies.

[For text of subd 2, see M.S.1980]

Subd. 3. Upon payment of the required fee the department may issue to every applicant who does not physically qualify for a driver's license, or any person not currently licensed to drive, who does not intend to apply for a driver's license under this section or who wishes to discontinue driving and surrenders his current driver's license, a Minnesota identification card. The card shall bear a distinguishing number assigned to the applicant, a colored photograph, the full name, date of birth, residence address, a description of the applicant in the manner as the commissioner deems necessary, and a space upon which the applicant shall write his usual signature with pen and ink.

Each Minnesota identification card shall be plainly marked "non-driver". The fee for a Minnesota identification card issued to any person who is mentally retarded, as defined in section 252A.02, subdivision 2, shall be 50 cents.

[For text of subs 3a to 5, see M.S.1980]

History: 1981 c 363 s 36-38

171.13 EXAMINATION.

[For text of subd 1, see M.S.1980]

Subd. 1a. **Waiver.** The commissioner may waive the requirement that the applicant demonstrate his ability to exercise ordinary and reasonable control in the operation of a motor vehicle if he determines that the applicant possesses a valid driver's license issued by a jurisdiction that requires a comparable demonstration for license issuance.

[For text of subs 2 to 5, see M.S.1980]

History: 1981 c 357 s 64

171.16 COURT MAY RECOMMEND SUSPENSION.

[For text of subs 1 and 2, see M.S.1980]

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 or had a penalty assessment levied against him or her, or sentenced to a fine upon which a penalty assessment was levied, and (3) has refused or failed to comply with that sentence or to pay the penalty assessment, notwithstanding the fact that the court has determined that the person has the ability to pay the fine or penalty assessment, the commissioner shall suspend the driver's license of such person for 30 days for a refusal or failure to pay or until notified by the court that the fine or penalty assessment, or both if a fine and penalty assessment were not paid, has been paid.

[For text of subd 5, see M.S.1980]

History: 1981 c 341 s 3

171.17 REVOCATION.

The department shall forthwith revoke the license of any driver upon receiving a record of such driver's conviction of any of the following offenses:

(1) Manslaughter or criminal negligence resulting from the operating of a motor vehicle;

(2) Any violation of section 169.121;

(3) Any felony in the commission of which a motor vehicle was used;

(4) Failure to stop and disclose identity and render aid, as required under the laws of this state, in the event of a motor vehicle accident resulting in the death or personal injury of another;

(5) Perjury or the making of a false affidavit or statement to the department under any law relating to the ownership or operation of a motor vehicle;

(6) Except as this section otherwise provides, conviction, plea of guilty, or forfeiture of bail not vacated, upon three charges of violating, within a period of 12 months any of the provisions of chapter 169, or of the rules, regulations, or municipal ordinances enacted in conformance therewith for which the accused may be punished upon conviction by imprisonment;

(7) Conviction of an offense in another state which, if committed in this state, would be grounds for the revocation of the driver's license.

When any judge of a juvenile court, or any of its duly authorized agents, shall determine, formally or informally, that any person under the age of 18 years has committed any offense defined in this section, such judge, or duly authorized agent, shall immediately report such determination to the department, and the commissioner shall immediately revoke the license of that person.

Upon revoking the license of any person, as hereinbefore in this chapter 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.

History: 1981 c 363 s 39

171.29 REVOKED LICENSES; EXAMINATION FOR NEW LICENSES.

Subdivision 1. No person whose drivers license has been revoked by reason of conviction, plea of guilty, or forfeiture of bail not vacated, under section 171.17 or 65B.67, or revoked under section 169.123 shall be issued another license unless and until he shall have successfully passed an examination as required for an initial license.

Subd. 2. Any person whose drivers license has been revoked as provided in subdivision 1 shall pay a \$30 fee before his drivers license is reinstated.

History: 1981 c 363 s 40

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171.36 LICENSE RENEWAL AND FEES.

All licenses shall expire one year from date of issuance and may be renewed upon application to the commissioner. Each application for an original or renewal school license shall be accompanied by a fee of \$150 and each application for an original or renewal instructor's license shall be accompanied by a fee of \$50. The license fees collected under this article shall be paid into the trunk highway fund. No license fee shall be refunded in the event that the license is rejected or revoked.

History: 1981 c 357 s 65