

CHAPTER 171

DRIVERS LICENSES AND DRIVER TRAINING SCHOOLS

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171.01 DEFINITIONS.

[For text of subs 1 to 19, see M.S.1986]

Subd. 20. **Motorized bicycle.** "Motorized bicycle" means a bicycle that is propelled by a motor of a piston displacement capacity of 50 cubic centimeters or less, and a maximum of two brake horsepower, which is capable of a maximum speed of not more than 30 miles per hour on a flat surface with not more than one percent grade in any direction when the motor is engaged.

[For text of subd 21, see M.S.1986]

History: 1987 c 269 s 6

171.02 LICENSE; SURRENDER OF OTHER LICENSES.

[For text of subs 1 and 2, see M.S.1986]

Subd. 3. **Motorized bicycles.** No motorized bicycle shall be operated on any public roadway by any person who does not possess a valid driver's license, unless the person has obtained a motorized bicycle operator's permit or motorized bicycle instruction permit from the commissioner of public safety. The operator's 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 instruction permit may be issued to any person who has attained the age of 15 years and who has successfully completed an approved safety course and passed the written portion of the examination prescribed by the commissioner.

This course must consist of, but is not limited to, a basic understanding of:

- (1) motorized bicycles and their limitations;
- (2) motorized bicycle laws and rules;
- (3) safe operating practices and basic operating techniques;
- (4) helmets and protective clothing;
- (5) motorized bicycle traffic strategies; and
- (6) effects of alcohol and drugs on motorized bicycle operators.

The commissioner may promulgate rules prescribing the content of the safety course, examination, and the information to be contained on the permits. A person operating a motorized bicycle under a motorized bicycle permit is subject to the restrictions imposed by section 169.974, subdivision 2, on operation of a motorcycle under a two-wheel instruction permit.

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

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| (a) Examination and operator's permit,
valid for one year | \$6 |
| (b) Duplicate | \$3 |
| (c) Renewal permit before age 19
and valid until age 19 | \$9 |

- (d) Renewal permit after age 19
and valid for four years \$15
- (e) Duplicate of any renewal permit \$4.50
- (f) Written examination and
instruction permit, valid for
30 days \$6

History: 1987 c 269 s 7; 1987 c 358 s 110

171.05 INSTRUCTION PERMITS.

[For text of subds 1 and 2, see M.S.1986]

Subd. 3. Notwithstanding any provision in subdivision 1 to the contrary, the department, upon application and payment of the fee prescribed in section 171.02, subdivision 3, may issue a motorized bicycle instruction permit to an applicant who is 15 years of age and who has successfully completed the written portion of the examination prescribed by the commissioner. The holder of this instruction permit who has the permit in possession may operate a motorized bicycle within one mile of the holder's residence for the purpose of practicing to take the operator portion of the examination prescribed by the commissioner.

History: 1987 c 384 art 1 s 19

171.06 LICENSES, PERMITS.

[For text of subd 1, see M.S.1986]

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

Classified Driver License	C-\$15 B-\$22.50
	A-\$30
Classified Provisional D.L.	C-\$9 B-\$15 A-\$10
Instruction Permit	\$6
Duplicate Driver or Provisional License	\$4.50
Minnesota identification card, except as otherwise provided in section 171.07, subdivisions 3 and 3a	\$9

[For text of subds 2a to 4, see M.S.1986]

History: 1987 c 358 s 111; 1987 c 383 s 14

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

[For text of subd 1, see M.S.1986]

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 13.02, subdivision 12. Notwithstanding section 13.04, 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 and violations of section 169.09;

169.121; 169.123; 169.129; 171.22; 171.24; 171.30; 609.41; 609.487, subdivision 3; 609.631, subdivision 4, clause (3); or 609.821, subdivision 3, clauses (1), item (iv), and (3).

[For text of subds 2 to 5, see M.S.1986]

Subd. 6. **Medical alert identifier.** Upon the written request of the applicant, the department shall issue a driver's license or Minnesota identification card bearing a medical alert identifier. The applicant must request the medical alert identifier at the time the photograph is taken. No specific medical information will be contained on the driver's license or Minnesota identification card.

History: 1987 c 248 s 1; 1987 c 329 s 1

171.16 COURT MAY RECOMMEND SUSPENSION.

[For text of subs 1 to 3, see M.S.1986]

Subd. 5. **Juvenile court.** 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 violated any of the provisions of any law of this state, or ordinances of political subdivisions thereof, regulating the operation of motor vehicles on streets and highways, except parking violations, and except traffic offenses involving a violation of section 169.121 that must be reported under section 171.17, such judge, or duly authorized agent, shall immediately report such determination to the department and may recommend the suspension of the driver's license of such person, and the commissioner is hereby authorized to suspend such license, without a hearing.

History: 1987 c 123 s 2

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 vehicular operation resulting from the operation of a motor vehicle;
- (2) any violation of section 169.121 or 609.487;
- (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 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, determines under a proceeding under chapter 260 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 this 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 the licensee's last known address, with postage prepaid thereon.

History: 1987 c 123 s 3

171.29 REVOKED LICENSES; EXAMINATION FOR NEW LICENSES.

[For text of subd 1, see M.S.1986]

Subd. 2. (a) A person whose drivers license has been revoked as provided in subdivision 1, except under section 169.121 or 169.123, shall pay a \$30 fee before the person's drivers license is reinstated.

(b) A person whose drivers license has been revoked as provided in subdivision 1 under section 169.121 or 169.123 shall pay a \$200 fee before the person's drivers license is reinstated to be credited as follows:

(1) 25 percent shall be credited to the trunk highway fund;

(2) 50 percent shall be credited to a separate account to be known as the county probation reimbursement account. Money in this account is appropriated to the commissioner of corrections for the costs that counties assume under Laws 1959, chapter 698, of providing probation and parole services to wards of the commissioner of corrections. This money is provided in addition to any money which the counties currently receive under section 260.311, subdivision 5; and

(3) 25 percent shall be credited to a separate account to be known as the alcohol impaired driver education account. Money in the account is appropriated to the commissioner of education for grants to develop alcohol impaired driver education programs in elementary, secondary, and post-secondary schools. The state board of education shall establish guidelines for the distribution of the grants. The commissioner of education shall report to the legislature by January 15, 1988, on the expenditure of grant funds under this clause. Each year the commissioner may use \$100,000 to administer the grant program and other traffic safety education programs. program and other traffic safety education programs.

History: 1987 c 398 art 7 s 38; 1987 c 403 art 2 s 15

171.30 LIMITED LICENSE.

Subdivision 1. **Issuance.** In any case where a person's license has been suspended under section 171.18 or revoked under section 169.121, 169.123, or 171.17, the commissioner may issue a limited license to the driver including under the following conditions:

(1) if the driver's livelihood or attendance at a chemical dependency treatment or counseling program depends upon the use of the driver's license;

(2) if the use of a driver's license by a homemaker is necessary to prevent the substantial disruption of the education, medical, or nutritional needs of the family of the homemaker; or

(3) if attendance at a post-secondary institution of education by an enrolled student of that institution depends upon the use of the driver's license.

The commissioner in issuing a limited license may impose such conditions and limitations as in the commissioner's judgment are necessary to the interests of the public safety and welfare including reexamination as to the driver's qualifications. The license may be limited to the operation of particular vehicles, to particular classes and times of operation and to particular conditions of traffic. The commissioner may require that an applicant for a limited license affirmatively demonstrate that use of public transportation or carpooling as an alternative to a limited license would be a significant hardship.

For purposes of this subdivision, "homemaker" refers to the person primarily performing the domestic tasks in a household of residents consisting of at least the person and the person's dependent child or other dependents.

The limited license issued by the commissioner shall clearly indicate the limitations imposed and the driver operating under the limited license shall have the license in possession at all times when operating as a driver.

In determining whether to issue a limited license, the commissioner shall consider the number and the seriousness of prior convictions and the entire driving record of the driver and shall consider the number of miles driven by the driver annually.

[For text of subs 2 and 3, see M.S.1986]

Subd. 4. **Penalty.** A person who violates a condition or limitation of a limited license issued under subdivision 1 is guilty of a misdemeanor.

History: 1987 c 136 s 2; 1987 c 171 s 1

171.321 QUALIFICATIONS OF SCHOOL BUS DRIVERS.

[For text of subd 1, see M.S.1986]

Subd. 2. (a) The commissioner of public safety shall prescribe rules governing the qualifications of individuals to drive school buses.

(b) The commissioner of public safety, in conjunction with the commissioner of education, shall adopt a training program for school bus drivers. Adoption of the program is not subject to chapter 14. The program must provide for initial classroom and behind-the-wheel training, and annual in-service training. The program must provide training in defensive driving, human relations, emergency and accident procedures, vehicle maintenance, traffic laws, and use of safety equipment. The program must provide that the training will be conducted by the contract operator for a school district, the school district, the commissioner of education, a licensed driver training school, or by another person or entity approved by both commissioners.

History: 1987 c 379 s 2