

**169A.31 ALCOHOL-RELATED SCHOOL BUS OR HEAD START BUS DRIVING.**

Subdivision 1. **Crime described.** It is a crime for any person to drive, operate, or be in physical control of any class of school bus or Head Start bus within this state when there is physical evidence present in the person's body of the consumption of any alcohol.

Subd. 2. **Gross misdemeanor alcohol-related school bus or Head Start bus driving.** A person who violates subdivision 1 is guilty of gross misdemeanor alcohol-related school bus or Head Start bus driving if:

- (1) the violation occurs while a child under the age of 16 is in the vehicle, if the child is more than 36 months younger than the violator; or
- (2) the violation occurs within ten years of a qualified prior impaired driving incident.

Subd. 3. **Misdemeanor alcohol-related school bus or Head Start bus driving.** Except as provided in subdivision 2, a person who violates subdivision 1 is guilty of misdemeanor alcohol-related school bus or Head Start bus driving.

**History:** 2000 c 478 art 1 s 17