

169A.54 DWI CONVICTIONS, ADJUDICATIONS; ADMINISTRATIVE PENALTIES.

Subdivision 1. **Revocation periods for DWI convictions.** Except as provided in subdivision 7, the commissioner shall revoke the driver's license of a person convicted of violating section 169A.20 (driving while impaired) or an ordinance in conformity with it as provided in section 171.178.

Subd. 2. MS 2024 [Repealed, 2025 c 29 s 24]

Subd. 3. MS 2024 [Repealed, 2025 c 29 s 24]

Subd. 4. MS 2024 [Repealed, 2025 c 29 s 24]

Subd. 5. [Repealed, 2012 c 287 art 4 s 50]

Subd. 6. **Applicability of implied consent revocation.** (a) Any person whose license has been revoked pursuant to section 169A.52 (license revocation for test failure or refusal) or 171.177 (revocation; pursuant to a search warrant) as the result of the same incident, and who does not have a qualified prior impaired driving incident, is subject to the mandatory revocation provisions of subdivision 1, clause (1) or (2), in lieu of the mandatory revocation provisions of section 169A.52 or 171.177.

(b) Paragraph (a) does not apply to:

(1) a person whose license has been revoked under subdivision 2 (driving while impaired by person under age 21); or

(2) a person whose driver's license has been revoked for, or who is charged with (i) an alcohol concentration of twice the legal limit or more as measured at the time or within two hours of the time of the offense; or (ii) a violation of section 169A.20 (driving while impaired) with an aggravating factor described in section 169A.03, subdivision 3, clause (3).

Subd. 7. **Alcohol-related commercial vehicle driving violations.** (a) The administrative penalties described in subdivision 1 do not apply to violations of section 169A.20, subdivision 1 (driving while impaired crime), by a person operating a commercial motor vehicle unless the person's alcohol concentration as measured at the time, or within two hours of the time, of the operation was 0.08 or more or the person violates section 169A.20, subdivision 1, clauses (1) to (4) or (7).

(b) The commissioner shall disqualify a person from operating a commercial motor vehicle as provided under section 171.165 (commercial driver's license, disqualification), on receipt of a record of conviction for a violation of section 169A.20.

(c) A person driving, operating, or in physical control of a commercial motor vehicle with any presence of alcohol is prohibited from operating a commercial motor vehicle for 24 hours from issuance of an out-of-service order.

Subd. 8. **Underage drinking and driving violations.** The administrative penalties described in section 169A.33, subdivision 3, apply to violations of section 169A.33 (underage drinking and driving).

Subd. 9. **Alcohol-related school bus driving violations.** The administrative penalties described in section 171.3215 (canceling school bus endorsements for certain offenses) apply to violations of section 169A.20 (driving while impaired) by a person driving, operating, or in physical control of a school bus or Head Start bus.

Subd. 10. **License revocation; court invalidation.** (a) Except as provided in subdivision 7, on behalf of the commissioner, a court shall serve notice of revocation or cancellation on a person convicted of a violation of section 169A.20 (driving while impaired) unless the commissioner has already revoked the person's driving privileges or served the person with a notice of revocation for a violation of section 169A.52 (license revocation for test failure or refusal) or 171.177 (revocation; search warrant) arising out of the same incident.

(b) The court shall invalidate the driver's license or permit in such a way that no identifying information is destroyed.

Subd. 11. MS 2010 [Repealed, 2010 c 366 s 17]

Subd. 12. **Off-road recreational vehicles and motorboats.** (a) The provisions of this section for revoking a driver's license or nonresident operating privilege also apply to the operating privilege for an off-road recreational vehicle and a motorboat.

(b) Upon conviction, the commissioner must notify a person that the person is prohibited from operating off-road recreational vehicles and motorboats for the same period that the person's driver's license or operating privilege is revoked or canceled under this section.

History: 2000 c 478 art 1 s 34; 1Sp2001 c 8 art 12 s 8; 1Sp2003 c 2 art 9 s 14; 2004 c 283 s 9; 2009 c 83 art 2 s 19; 2010 c 366 s 5-7; 2012 c 287 art 4 s 31,32; 2017 c 83 art 2 s 8; art 3 s 18; 1Sp2021 c 6 art 3 s 9; 2025 c 29 s 5