# CHAPTER 171

# DRIVERS' LICENSES AND TRAINING SCHOOLS


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## 171.01 DEFINITIONS.

Subdivision 1. **Scope.** Unless the language or context clearly indicates that a different meaning is intended, the following words, terms, and phrases, for the purposes of this chapter, shall be given the meanings subjoined to them.

Subd. 2. [Renumbered subd 50]

Subd. 3. [Renumbered subd 39]

Subd. 4. [Renumbered subd 32]

Subd. 5. [Renumbered subd 45]

Subd. 6. [Renumbered subd 31]

Subd. 7. MS 1971 [Repealed, 1971 c 644 s 17]

Subd. 8. [Renumbered subd 43]

Subd. 9. [Renumbered subd 42]

Subd. 10. [Renumbered subd 48]

Subd. 11. [Renumbered subd 28]

Subd. 12. [Renumbered subd 30]

Subd. 13. [Renumbered subd 29]

Subd. 14. [Renumbered subd 37]

Subd. 15. [Renumbered subd 47]

Subd. 16. [Renumbered subd 34]

Subd. 17. [Renumbered subd 40]

Subd. 18. (a) (b) [Renumbered subd 49]

(c) [Renumbered subd 38]

Subd. 18a. **Autocycle.** "Autocycle" has the meaning given in section 169.011, subdivision 3a.

Subd. 19. **Bus.** "Bus" means every motor vehicle designed for carrying more than 15 passengers, including the driver, and used for the transportation of persons.

Subd. 20. [Renumbered subd 41]

Subd. 21. [Renumbered subd 46]

Subd. 22. **Commercial motor vehicle.** "Commercial motor vehicle" means a motor vehicle or combination of motor vehicles used to transport passengers or property if the motor vehicle:

(1) has a gross vehicle weight of more than 26,000 pounds;

(2) has a towed unit with a gross vehicle weight of more than 10,000 pounds and the combination of vehicles has a combined gross vehicle weight of more than 26,000 pounds;

(3) is a bus;

(4) is of any size and is used in the transportation of hazardous materials that are required to be placarded under Code of Federal Regulations, title 49, parts 100-185; or

(5) is outwardly equipped and identified as a school bus, except for type III vehicles defined in section 169.011, subdivision 71.

Subd. 23. [Renumbered subd 44]

Subd. 24. MS 1992 [Repealed, 1993 c 142 s 4]

Subd. 25. [Renumbered subd 33]

Subd. 26. [Renumbered subd 35]

Subd. 27. [Renumbered subd 36]

Subd. 28. **Commissioner.** "Commissioner" means the commissioner of public safety of the state of Minnesota, acting directly or through duly authorized agents.

Subd. 29. **Conviction.** "Conviction" means a final conviction either after trial or upon a plea of guilty. Conviction also includes: a forfeiture of cash or collateral deposited to guarantee a defendant's appearance in court, which forfeiture has not been vacated; the failure to comply with a written notice to appear in court; or a breach of a condition of release without bail, is equivalent to a conviction.

Subd. 29a. **Current medical waiver.** "Current medical waiver" means:

(1) a medical variance, as defined in Code of Federal Regulations, title 49, section 390.5, that has been granted to the applicant or licensee by the Federal Motor Carrier Safety Administration and that is not expired, removed, or rescinded;

(2) a waiver of physical qualifications that has been granted to the applicant or licensee by the commissioner under section 171.321, subdivision 2, and rules adopted under that section, and that is not expired or revoked; or

(3) a waiver of physical qualifications that has been granted to the applicant or licensee by the commissioner of transportation under section 221.0314, subdivision 3 or 3a, or rules adopted under that section, and that is not expired or revoked.

Subd. 30. **Department.** "Department" means the Department of Public Safety of the state, acting directly or through its duly authorized officers and agents.

Subd. 31. **Driver.** "Driver" means every person, who drives or is in actual physical control of a motor vehicle.

Subd. 31a. **Enhanced driver's license.** "Enhanced driver's license" means a license, instruction permit, or provisional license to operate a motor vehicle issued or issuable under the laws of this state by the commissioner of public safety that denotes citizenship and identity and contains technology and security features approved by the secretary of the United States Department of Homeland Security. An enhanced driver's license may be used in the same manner as a driver's license, instruction permit, or provisional license, and is approved by the secretary of the United States Department of Homeland Security for purposes of entering the United States. All provisions in this chapter relating to drivers' licenses, instruction permits, and provisional licenses, including cancellation, suspension, revocation, reinstatement, examination, restriction, expiration, renewal, and unlawful acts and violations, apply to an enhanced driver's license.

Subd. 31b. **Enhanced identification card.** "Enhanced identification card" means an identification card issued or issuable under the laws of this state by the commissioner of public safety that denotes citizenship and identity and contains technology and security features approved by the secretary of the United States Department of Homeland Security. An enhanced identification card may be used in the same manner as an identification card and is approved by the secretary of the United States Department of Homeland Security for purposes of entering the United States.

Subd. 32. **Farm tractor.** "Farm tractor" means every motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines and other implements of husbandry.

Subd. 33. **Farm truck.** For purposes of this chapter only, "farm truck" means a single-unit truck, including a pickup truck as defined in section 168.002; truck-tractor; tractor; semitrailer; or trailer, used by its owner:

(1) to transport from the farm to the market agricultural, horticultural, dairy, or other farm products, including livestock, produced or finished by the owner of the farm truck;

(2) to transport the owner's other personal property from the farm to market; or

(3) to transport property and supplies to the farm of the owner.

Subd. 33a. **Full-service provider.** "Full-service provider" has the meaning given in section 168.002, subdivision 12a.

Subd. 34. **Gross vehicle weight.** "Gross vehicle weight" means the greater of:

(1) the unloaded weight of a vehicle or the unloaded weight of a truck-tractor and semitrailer combination, plus the weight of the load; or

(2) the value specified by the manufacturer as the maximum gross weight or gross vehicle weight rating.

Subd. 35. **Hazardous materials.** "Hazardous materials" means any material that has been designated as hazardous under United States Code, title 49, section 5103, and is required to be placarded under Code of Federal Regulations, title 49, part 172, subpart F, or any quantity of a material listed as a select agent or toxin in Code of Federal Regulations, title 42, part 73.

Subd. 36. **Head Start bus.** "Head Start bus" means a motor vehicle used to transport children or parents to or from a Head Start facility, or to or from Head Start-related activities, by the Head Start grantee, or by someone under an agreement with the Head Start grantee. A Head Start bus does not include a motor vehicle transporting children or parents to or from a Head Start facility for which parents or guardians receive direct compensation from a Head Start grantee, a motor coach operating under charter carrier authority, or a transit bus providing services as defined in section 174.22, subdivision 7.

Subd. 36a. **Interstate or foreign commerce.** "Interstate or foreign commerce" means (1) any trade, traffic, or transportation within the jurisdiction of the United States between a place in a state and a place outside of that state, including a place outside of the United States, and (2) trade, traffic, and transportation in the United States that affects any trade, traffic, and transportation described in clause (1).

Subd. 36b. **Intrastate commerce.** "Intrastate commerce" means any trade, traffic, or transportation that occurs entirely within the state of Minnesota and that is not interstate or foreign commerce.

Subd. 37. **License.** "License" means any operator's license or any other license or permit to operate a motor vehicle issued or issuable under the laws of this state by the commissioner of public safety including:

(1) any temporary license, instruction permit, or provisional license;

(2) the privilege of any person to drive a motor vehicle whether or not the person holds a valid license; and

(3) any nonresident's operating privilege.

Subd. 37a. [Renumbered subd 31a]

Subd. 37b. [Renumbered subd 31b]

Subd. 38. **Manufactured home.** "Manufactured home" means any trailer or semitrailer which is designed, constructed, and equipped for use as a human dwelling place, living abode, or living quarters except travel trailers.

Subd. 38a. **Medical examiner.** "Medical examiner" has the meaning given in Code of Federal Regulations, title 49, section 390.5.

Subd. 39. **Motor vehicle.** "Motor vehicle" means every vehicle that is self-propelled, other than an electric personal assistive mobility device as defined in section 169.011, subdivision 26, and any vehicle propelled or drawn by a self-propelled vehicle, and not deriving its power from overhead wires except snowmobiles.

Subd. 40. **Motorcycle.** (a) "Motorcycle" means every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground. Motorcycle includes motor scooters and bicycles with motor attached.

(b) Motorcycle excludes tractors, motorized bicycles, and roadable aircraft, as defined in section 169.011, subdivision 67a.

Subd. 41. **Motorized bicycle.** "Motorized bicycle" has the meaning given in section 169.011, subdivision 45.

Subd. 41a. **Noncompliant license; noncompliant identification card.** "Noncompliant license," "noncompliant identification card," or "noncompliant license or identification card," means a driver's license or a Minnesota identification card issued under section 171.019, subdivision 2, paragraph (b). Unless provided otherwise, noncompliant license includes an appropriate instruction permit, provisional license, limited license, and restricted license.

***[See Note.]***

Subd. 42. **Nonresident.** "Nonresident" means every person who is not a resident of this state.

Subd. 43. **Owner.** "Owner" means any person, firm, copartnership, association, or corporation who holds the legal title to a vehicle, or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purposes of this chapter.

Subd. 44. **Passenger endorsement.** "Passenger endorsement" means the driver's license endorsement required of a person who operates a vehicle designed to transport more than 15 passengers, including the driver.

Subd. 45. **Person.** "Person" means every natural person, firm, copartnership, association, or corporation.

Subd. 45a. **Primary driving supervisor.** "Primary driving supervisor" means a person who: (1) supervises, for a majority of the supervised driving time, motor vehicle operation by an instruction permit holder who is under age 18; and (2) meets the applicable supervision requirements under this chapter.

Subd. 45b. **REAL ID Act.** "REAL ID Act" means the REAL ID Act of 2005, Public Law 109-13, Division B.

***[See Note.]***

Subd. 45c. **REAL ID compliant license; REAL ID compliant identification card.** "REAL ID compliant license," "REAL ID compliant identification card," or "REAL ID compliant license or identification card" means a driver's license or a Minnesota identification card issued under section 171.019, subdivision 2, paragraph (a). Unless provided otherwise, REAL ID compliant license includes an appropriate instruction permit, provisional license, limited license, and restricted license.

Subd. 45d. **Residence address and permanent mailing address.** "Residence address" and "permanent mailing address" mean, for purposes of a driver's license or Minnesota identification card:

(1) the postal address of the permanent domicile within this state where an individual:

(i) resides;

(ii) intends to reside within 30 calendar days after the date of application; or

(iii) intends to return whenever absent; or

(2) for a participant in the Safe at Home address confidentiality program administered by the secretary of state, the designated address under section 5B.05 that is listed on the participant's current and unexpired program participation card.

Subd. 45e. **Road test.** "Road test" means the actual physical demonstration of skills and ability to exercise ordinary and reasonable control in the operation of a motor vehicle. As appropriate, a road test includes demonstration of ability to perform an inspection of a vehicle and equipment.

Subd. 46. **School bus.** "School bus" has the meaning given in section 169.011, subdivision 71.

Subd. 47. **State.** "State" means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States, including a United States military base located on foreign soil.

Subd. 48. **Street or highway.** "Street" or "highway" means the entire width between property lines of every way or place of whatever nature when any part thereof is open to the use of the public, as a matter of right, for purpose of vehicular traffic.

Subd. 48a. **Tank vehicle.** "Tank vehicle" means any commercial motor vehicle that is designed to transport any liquid or gaseous materials within a tank, as defined in Code of Federal Regulations, title 49, section 178.320, including a cargo tank or a portable tank as defined in Code of Federal Regulations, title 49, section 171.8, that is either permanently or temporarily attached to the vehicle or the chassis, except portable tanks having a rated capacity under 1,000 gallons.

Subd. 48b. **Temporary lawful status.** "Temporary lawful status" has the meaning given in Code of Federal Regulations, title 6, section 37.3.

***[See Note.]***

Subd. 48c. **Third-party tester.** "Third-party tester" means an individual who is an employee of a third-party testing program who has qualified for a third-party tester certificate issued by the commissioner granting the individual authorization to conduct road tests or skills tests.

Subd. 48d. **Third-party testing program.** "Third-party testing program" means a program authorized by the commissioner to administer to an individual the road test or skills test.

Subd. 48e. **Temporary mailing address.** "Temporary mailing address" means the mailing address of any place where a person regularly or occasionally stays and may receive mail in their name other than the person's residence address. A temporary mailing address does not include the designated address under section 5B.05.

Subd. 49. **Travel trailer.** (a) "Travel trailer" means any trailer or semitrailer designed and used for human living quarters that meets all of the following qualifications:

(1) is not used as the residence of the owner or occupant;

(2) is used for temporary living quarters by the owner or occupant while engaged in recreational or vacation activities; and

(3) is towed on the public streets or highways incidental to such recreational or vacation activities.

(b) The term "travel trailer" shall not include bunkhouses, so called, temporarily mounted on trailers, and manufactured homes. Such bunkhouses, exclusive of the trailer and manufactured homes, shall be listed and taxed as personal property as provided by law.

Subd. 49a. **Valid license; valid driver's license.** "Valid license," "valid driver's license," "valid Minnesota driver's license," "valid standard driver's license," or other similar term, means any operator's license, provisional license, temporary license, limited license, permit, or other license to operate a motor vehicle issued or issuable under the laws of this state by the commissioner, or by another state or jurisdiction if specified, that is:

(1) not expired, suspended, revoked, or canceled; and

(2) not disqualified for the class of vehicle being operated.

Subd. 49b. **Valid medical examiner's certificate.** (a) "Valid medical examiner's certificate" means a record, on a form prescribed by the department:

(1) of a medical examiner's examination of a person who holds or is applying for a class A, class B, or class C commercial driver's license;

(2) upon which the medical examiner attests that the applicant or license holder is physically qualified to drive a commercial motor vehicle; and

(3) that is not expired.

(b) A valid medical examiner's certificate must be issued by a medical examiner who is certified by the Federal Motor Carrier Administration and listed on the National Registry of Certified Medical Examiners.

Subd. 50. **Vehicle.** "Vehicle" means every device in, upon, or by which any person or property is or may be transported or drawn upon any highway, excepting devices moved by human power or used exclusively upon stationary rails or tracks.

Subd. 51. **Veteran with a total service-connected disability.** "Veteran with a total service-connected disability" means a veteran, as defined in section 197.447, who provides to the commissioner satisfactory evidence that: (1) is issued by the Department of Veterans Affairs, the United States Veterans Administration, or the retirement board of one of the several branches of the armed forces; and (2) demonstrates that the veteran has received a 100 percent total and permanent service-connected disability rating.

Subd. 52. **Work zone.** "Work zone" has the meaning given in section 169.011, subdivision 95.

**History:** *(2720-142, 2720-145a) 1939 c 401 s 1,16, par (c); 1965 c 51 s 24-35; 1967 c 385 s 1; 1969 c 695 s 12; 1969 c 1129 art 1 s 18; 1971 c 644 s 2,3; 1973 c 421 s 3; 1975 c 29 s 6; 1977 c 214 s 10,11; 1978 c 570 s 3; 1978 c 783 s 5; 1981 c 365 s 9; 1984 c 403 s 7; 1986 c 444; 1987 c 269 s 6; 1988 c 681 s 14; 1989 c 209 art 2 s 1; 1989 c 228 s 2; 1989 c 307 s 14-16; 1989 c 342 s 20; 1990 c 529 s 3,4; 1991 c 298 art 7 s 1; 1991 c 333 s 21-23; 1993 c 78 s 3; 1994 c 465 art 3 s 62; 1994 c 603 s 16; 1994 c 647 art 13 s 17; 1Sp1995 c 3 art 2 s 40; 1996 c 435 s 17; 1998 c 388 s 7; 1998 c 397 art 11 s 3; 2002 c 285 s 5; 2005 c 135 s 7; 1Sp2005 c 6 art 3 s 55-58; 2008 c 287 art 1 s 63; 2008 c 350 art 1 s 52,53,96; 2009 c 96 art 8 s 9; 2010 c 242 s 1-5,11; 2010 c 316 s 1,2,18; 2012 c 287 art 3 s 41; 2013 c 127 s 43; 2014 c 261 s 1; 2016 c 114 s 8; 2017 c 76 s 1-3; 1Sp2019 c 3 art 3 s 71,72; 2022 c 55 art 1 s 80-90; 2023 c 68 art 3 s 13; art 6 s 9; 2024 c 104 art 1 s 54-57; 2024 c 127 art 3 s 63,64; 1Sp2025 c 8 art 2 s 37,38; 2026 c 67 s 7*

**NOTE:** (a) Subdivisions 41a, 45b, and 48b, as added by Laws 2017, chapter 76, sections 1 to 3, were effective May 19, 2017, and apply to driver's licenses and Minnesota identification cards applied for and issued on or after October 1, 2018. Laws 2017, chapter 76, section 29.

(b) If the Federal REAL ID Act, Public Law 109-13, Division B, is repealed, or if the definition of "official purpose" in Code of Federal Regulations, title 6, part 37, is amended, subdivisions 41a, 45b, and 48b, as added by Laws 2017, chapter 76, sections 1 to 3, are repealed on June 30 of the following year. Laws 2017, chapter 76, section 27.

## DRIVERS' LICENSES

### 171.015 DRIVER'S LICENSE DIVISION.

Subdivision 1. **Created; director.** A division in the Department of Public Safety to be known as the Driver's License Division is hereby created, under the supervision and control of a director. The commissioner may place the director's position in the unclassified service if the position meets the criteria established in section 43A.08, subdivision 1a. The director shall be assigned the duties and responsibilities prescribed in this section.

Subd. 2. **Powers and duties transferred.** All the powers and duties now vested in or imposed upon the Department of Transportation and the commissioner of transportation in regard to drivers' licensing and safety responsibility as prescribed by this chapter and chapters 169 and 170, are hereby transferred to, vested in, and imposed upon the commissioner of public safety. The duties and responsibilities of the Department of Transportation and the commissioner of transportation, in relation to such matters as heretofore constituted, are hereby abolished.

Subd. 3. **Licensing chauffeur and school bus driver.** The commissioner of public safety, with the approval of the governor, may transfer and assign to the Driver's License Division duties and responsibilities in relation to chauffeurs' licensing and school bus drivers' licensing as vested in and imposed upon the Division of Motor Vehicles.

Subd. 4. MS 1990 [Repealed, 1991 c 199 art 1 s 59]

Subd. 5. **Powers and duties transferred.** All the powers and duties now vested in or imposed upon the Department of Education and the Department of Transportation relating to drivers' training as prescribed by section 171.04, are hereby transferred to, vested in, and imposed upon the commissioner of public safety. The duties of the Department of Education and the Department of Transportation with reference to such training as heretofore constituted are hereby abolished.

Subd. 6. **Facility for licensing activity.** The commissioner of transportation shall provide space as required for driver and chauffeur license activities at such locations and under such contractual conditions as may be determined with the commissioner of public safety.

Subd. 7. MS 2022 [Repealed, 2023 c 13 art 1 s 12]

**History:** *1969 c 1129 art 1 s 18; 1976 c 166 s 7; 1982 c 560 s 50; 1986 c 444; 2017 c 95 art 3 s 5*

**171.017 BACKGROUND INVESTIGATIONS; DRIVER'S LICENSE AGENTS AND CERTAIN EMPLOYEES.**

Subdivision 1. **Background checks authorized.** The commissioner must investigate the criminal history background of any driver's license agent and any current or prospective employees of the department or driver's license agent being considered for any position that has or will have the ability to:

(1) create or modify records of applicants for identification cards and driver's licenses, including enhanced driver's licenses and enhanced identification cards;

(2) issue enhanced driver's licenses or enhanced identification cards; or

(3) administer knowledge or skills tests under section 171.13 to an applicant for a commercial driver's license.

Subd. 2. **Procedure.** (a) The commissioner must request a criminal history background check from the superintendent of the Bureau of Criminal Apprehension on all individuals specified in subdivision 1. A request under this section must be accompanied by an executed criminal history consent form, including fingerprints, signed by the agent or the current or prospective employee being investigated.

(b) After receiving a request under paragraph (a), the superintendent of the Bureau of Criminal Apprehension shall perform the background check required under subdivision 1. The superintendent shall retrieve criminal history data as defined in section 13.87, conduct a search of the national criminal records repository, and provide wants and warrant information from federal and state repositories. The superintendent is authorized to exchange fingerprints with the Federal Bureau of Investigation for purposes of the criminal history check. The superintendent shall return the results of the background checks to the commissioner to determine whether:

(1) the agent, employee, or applicant for employment specified in subdivision 1, clause (1) or (2), has committed a disqualifying crime under Code of Federal Regulations, title 49, section 1572.103; or

(2) the employee or applicant for employment specified in subdivision 1, clause (3), has a conviction of the type specified by Code of Federal Regulations, title 49, section 384.228, paragraph (h).

(c) The superintendent shall recover the bureau's background check cost for the person on whom the background check is performed through a fee charged to the commissioner or the driver's license agent who requested the background check.

Subd. 3. **Notification by other criminal justice agencies.** Criminal justice agencies, as defined by section 13.02, subdivision 3a, shall provide the commissioner with information they possess and that the commissioner requires for the purposes of determining the employment suitability of current or prospective employees subject to this section.

Subd. 4. **Annual background checks in certain instances.** Consistent with Code of Federal Regulations, title 49, section 384.228, the commissioner shall request and the superintendent shall conduct annual

background checks for the department employees specified in subdivision 1, clause (3). Annual background checks under this subdivision must be performed in a manner consistent with subdivisions 2 and 3.

**History:** *2013 c 127 s 44; 2017 c 76 s 4; 2025 c 20 s 170*

**NOTE:** (a) The amendment to this section by Laws 2017, chapter 76, section 4, was effective May 19, 2017, and applies to driver's licenses and Minnesota identification cards applied for and issued on or after October 1, 2018. Laws 2017, chapter 76, section 29.

(b) If the Federal REAL ID Act, Public Law 109-13, Division B, is repealed, or if the definition of "official purpose" in Code of Federal Regulations, title 6, part 37, is amended, the amendment to this section by Laws 2017, chapter 76, section 4, is repealed on June 30 of the following year. Laws 2017, chapter 76, section 27.

**171.019 REAL ID ACT CONFORMITY; LIMITATIONS.**

Subdivision 1. **Definition.** For purposes of this section, "federal change" means a modification or addition to REAL ID Act requirements, made by the federal government after May 19, 2017, with respect to: legal requirements; processes; policies and procedures; or data collection, storage, and dissemination. Federal change includes but is not limited to a modification:

(1) in what constitutes an official purpose under Code of Federal Regulations, title 6, part 37;

(2) in the machine-readable technology standards for a license or Minnesota identification card;

(3) in the information provided on the face of the license or Minnesota identification card;

(4) that relates to dissemination of state-provided data to or among federal agencies, other states, organizations operating under agreement among the states, or private entities; or

(5) that imposes an identifiable cost for the state of Minnesota.

Subd. 2. **License and Minnesota identification card options.** (a) The commissioner must establish a license and a Minnesota identification card that meets the requirements of the REAL ID Act, including but not limited to documentation requirements, administrative processes, electronic validation or verification of data, and card design and marking, as provided under this chapter.

(b) The commissioner must establish a license and Minnesota identification card that:

(1) is not acceptable for federal identification under the REAL ID Act, but complies with Code of Federal Regulations, title 6, section 37.71; and

(2) meets the requirements under this chapter, including but not limited to section 171.12, subdivision 7b.

(c) The commissioner must establish an enhanced driver's license or enhanced identification card as provided in this chapter.

Subd. 3. **Limitations.** Compliance under subdivision 2, paragraph (a), is limited to those requirements of the REAL ID Act and any rules or regulations promulgated pursuant to the REAL ID Act in effect as of May 19, 2017. The commissioner may not take any action to implement or meet the requirements of a federal change.

Subd. 4. **Legislative notification.** (a) Upon identification of an impending or completed federal change, the commissioner must notify the chairs and ranking minority members of the legislative committees having jurisdiction over transportation policy and finance, public safety, and data practices, and the Legislative Commission on Data Practices and Personal Data Privacy. Notification must be submitted as required under section 3.195, except that printed copies are not required.

(b) Notification under this subdivision must include a review of the federal change, an initial analysis of data practices impacts, and any preliminary estimates of implementation costs, including the availability of additional federal funds.

Subd. 5. **Statutory construction.** (a) Unless specifically provided otherwise, a driver's license, instruction permit, or provisional license includes any noncompliant license. Unless specifically provided otherwise, a Minnesota identification card includes any noncompliant identification card.

(b) A noncompliant license does not include an enhanced driver's license, and a noncompliant identification card does not include an enhanced identification card.

**History:** *2017 c 76 s 5*

**NOTE:** (a) This section, as added by Laws 2017, chapter 76, section 5, was effective May 19, 2017, and applies to driver's licenses and Minnesota identification cards applied for and issued on or after October 1, 2018. Laws 2017, chapter 76, section 29.

(b) If the Federal REAL ID Act, Public Law 109-13, Division B, is repealed, or if the definition of "official purpose" in Code of Federal Regulations, title 6, part 37, is amended, this section, as added by Laws 2017, chapter 76, section 5, is repealed on June 30 of the following year. Laws 2017, chapter 76, section 27.

## 171.02 LICENSES; TYPES, ENDORSEMENTS, RESTRICTIONS.

Subdivision 1. **License required; duplicate identification restricted.** (a) Except when expressly exempted, a person shall not drive a motor vehicle upon a street or highway in this state unless the person has a valid license under this chapter for the type or class of vehicle being driven.

(b) The department shall not issue a driver's license to a person unless and until the person's license from any jurisdiction has been invalidated. The department shall provide to the issuing department of any jurisdiction, information that the licensee is now licensed in Minnesota. A person is not permitted to have more than one valid driver's license at any time. The department shall not issue to a person to whom a current Minnesota identification card has been issued a driver's license, other than a limited license, unless the person's Minnesota identification card has been invalidated. This subdivision does not require invalidation of a Tribal identification card as a condition of receiving a driver's license.

Subd. 2. **Driver's license classifications, endorsements, exemptions.** (a) Drivers' licenses are classified according to the types of vehicles that 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.

(b) Except as provided in this subdivision and subdivision 2a, no class of license is valid to operate a motorcycle, school bus, tank vehicle, double-trailer or triple-trailer combination, vehicle transporting hazardous materials, or bus, unless so endorsed. There are four general classes of licenses as described in paragraphs (c) through (f).

(c) Class D drivers' licenses are valid for:

(1) operating all farm trucks if the farm truck is:

(i) controlled and operated by a farmer, including operation by an immediate family member or an employee of the farmer;

(ii) used to transport agricultural products, farm machinery, or farm supplies, including hazardous materials, to or from a farm;

(iii) not used in the operations of a common or contract motor carrier as governed by Code of Federal Regulations, title 49, part 365; and

(iv) used within 150 miles of the farm;

(2) notwithstanding paragraph (b), operating an authorized emergency vehicle, as defined in section 169.011, subdivision 3, whether or not in excess of 26,000 pounds gross vehicle weight;

(3) operating a recreational vehicle as defined in section 168.002, subdivision 27, that is operated for personal use;

(4) operating all single-unit vehicles except vehicles with a gross vehicle weight of more than 26,000 pounds, vehicles designed to carry more than 15 passengers including the driver, and vehicles that carry hazardous materials;

(5) notwithstanding paragraph (d), operating a type A school bus or a multifunction school activity bus without a school bus endorsement if the requirements of subdivision 2a are satisfied, as determined by the commissioner;

(6) operating any vehicle or combination of vehicles when operated by a licensed peace officer while on duty;

(7) towing vehicles if:

(i) the towed vehicles have a gross vehicle weight of 10,000 pounds or less; or

(ii) the towed vehicles have a gross vehicle weight of more than 10,000 pounds and the combination of vehicles has a gross vehicle weight of 26,000 pounds or less;

(8) operating a covered farm vehicle as defined in Code of Federal Regulations, title 49, section 390.5, that is not carrying hazardous materials of a type or quantity that requires the vehicle to be placarded in accordance with Code of Federal Regulations, title 49, section 172.504; and

(9) operating an autocycle.

(d) Class C drivers' licenses are valid for:

(1) operating class D motor vehicles;

(2) with a hazardous materials endorsement, operating class D vehicles to transport hazardous materials;

(3) with a passenger endorsement, operating buses; and

(4) with a passenger endorsement and school bus endorsement, operating school buses.

(e) Class B drivers' licenses are valid for:

(1) operating all class C motor vehicles, class D motor vehicles, and all other single-unit motor vehicles including, with a passenger endorsement, buses; and

(2) towing only vehicles with a gross vehicle weight of 10,000 pounds or less.

(f) Class A drivers' licenses are valid for operating any vehicle or combination of vehicles.

Subd. 2a. **Exception for certain school bus drivers.** Notwithstanding subdivision 2, paragraph (b), the holder of a class D driver's license, without a school bus endorsement, may operate a type A school bus or a multifunction school activity bus under the following conditions:

(a) The operator is an employee of the entity that owns, leases, or contracts for the school bus and is not solely hired to provide transportation services under this subdivision.

(b) The operator drives the school bus only from points of origin to points of destination, not including home-to-school trips to pick up or drop off students.

(c) The operator is prohibited from using the eight-light system. Violation of this paragraph is a misdemeanor.

(d) The operator's employer has adopted and implemented a policy that provides for annual training and certification of the operator in:

(1) safe operation of the type of school bus the operator will be driving;

(2) understanding student behavior, including issues relating to students with disabilities;

(3) encouraging orderly conduct of students on the bus and handling incidents of misconduct appropriately;

(4) knowing and understanding relevant laws, rules of the road, and local school bus safety policies;

(5) handling emergency situations; and

(6) safe loading and unloading of students.

(e) A background check or background investigation of the operator has been conducted that meets the requirements under section 122A.18, subdivision 8, or 123B.03 for teachers; section 144.057 or chapter 245C for day care employees; or section 171.321, subdivision 3, for all other persons operating a school bus under this subdivision.

(f) Operators shall submit to a physical examination as required by section 171.321, subdivision 2, and must have in their possession the original or a copy of a current medical examiner's certificate, or otherwise provide proof of being medically qualified, to operate a school bus under this subdivision.

(g) The operator's driver's license is verified annually by the entity that owns, leases, or contracts for the school bus.

(h) A person who sustains a conviction, as defined under section 609.02, of violating section 169A.25, 169A.26, 169A.27, 169A.31, 169A.51, or 169A.52, or a similar statute or ordinance of another state is precluded from operating a school bus for five years from the date of conviction.

(i) A person who has ever been convicted of a disqualifying offense as defined in section 171.3215, subdivision 1, paragraph (c), may not operate a school bus under this subdivision.

(j) A person who sustains a conviction, as defined under section 609.02, of a fourth moving offense in violation of chapter 169 is precluded from operating a school bus for one year from the date of the last conviction.

(k) Students riding the school bus must have training required under section 123B.90, subdivision 2.

(l) An operator must be trained in the proper use of child safety restraints as set forth in the National Highway Traffic Safety Administration's "Guideline for the Safe Transportation of Pre-school Age Children in School Buses," if child safety restraints are used by the passengers.

(m) Annual certification of the requirements listed in this subdivision must be maintained under separate file at the business location for each operator licensed under this subdivision and subdivision 2, paragraph (c), clause (5). The business manager, school board, governing body of a nonpublic school, or any other entity that owns, leases, or contracts for the school bus operating under this subdivision is responsible for maintaining these files for inspection.

(n) The school bus must bear a current certificate of inspection issued under section 169.451.

(o) If the word "School" appears on the front and rear of the bus, the word "School" must be covered by a sign that reads "Activities" when the bus is being operated under authority of this subdivision.

(p) The type A-I school bus or multifunction school activity bus is designed to transport 15 or fewer passengers, including the driver.

(q) The school bus or multifunction school activity bus has a gross vehicle weight rating of 14,500 pounds or less.

(r) An operator who sustains a conviction as described in paragraph (h), (i), or (j) while employed by the entity that owns, leases, or contracts for the school bus must report the conviction to the employer within ten days of the date of the conviction.

(s) An operator whose driver's license is suspended, revoked, canceled, or disqualified by Minnesota, another state, or another jurisdiction must notify the operator's employer in writing of the suspension, revocation, cancellation, lost privilege, or disqualification. The operator must notify the operator's employer before the end of the business day immediately following the day the operator received notice of the suspension, revocation, cancellation, lost privilege, or disqualification.

Subd. 2b. **Exception for type III vehicle drivers.** (a) Notwithstanding subdivision 2, the holder of a class A, B, C, or D driver's license, without a school bus endorsement, may operate a type III vehicle described in section 169.011, subdivision 71, paragraph (h), under the conditions in this subdivision.

(b) The operator is an employee of the entity that owns, leases, or contracts for the school bus.

(c) The operator's employer has adopted and implemented a policy that provides for annual training and certification of the operator in:

(1) safe operation of a type III vehicle;

(2) understanding student behavior, including issues relating to students with disabilities;

(3) encouraging orderly conduct of students on the bus and handling incidents of misconduct appropriately;

(4) knowing and understanding relevant laws, rules of the road, and local school bus safety policies;

(5) handling emergency situations;

(6) proper use of seat belts and child safety restraints;

(7) performance of pretrip vehicle inspections;

(8) safe loading and unloading of students, including, but not limited to:

(i) utilizing a safe location for loading and unloading students at the curb, on the nontraffic side of the roadway, or at off-street loading areas, driveways, yards, and other areas to enable the student to avoid hazardous conditions;

(ii) refraining from loading and unloading students in a vehicular traffic lane, on the shoulder, in a designated turn lane, or a lane adjacent to a designated turn lane;

(iii) avoiding a loading or unloading location that would require a pupil to cross a road, or ensuring that the driver or an aide personally escort the pupil across the road if it is not reasonably feasible to avoid such a location;

(iv) placing the type III vehicle in "park" during loading and unloading; and

(v) escorting a pupil across the road under item (iii) only after the motor is stopped, the ignition key is removed, the brakes are set, and the vehicle is otherwise rendered immobile; and

(9) compliance with paragraph (k), concerning reporting certain convictions to the employer within ten days of the date of conviction.

(d) A background check or background investigation of the operator has been conducted that meets the requirements under section 122A.18, subdivision 8, or 123B.03 for school district employees; section 144.057 or chapter 245C for day care employees; or section 171.321, subdivision 3, for all other persons operating a type III vehicle under this subdivision.

(e) Operators shall submit to a physical examination as required by section 171.321, subdivision 2, and must have in their possession the original or a copy of a current medical examiner's certificate, or otherwise provide proof of being medically qualified, to operate a school bus under this subdivision.

(f) The operator's employer requires preemployment drug testing of applicants for operator positions. Current operators must comply with the employer's policy under section 181.951, subdivisions 2, 4, and 5. Notwithstanding any law to the contrary, the operator's employer may use a Breathalyzer or similar device to fulfill random alcohol testing requirements.

(g) The operator's driver's license is verified annually by the entity that owns, leases, or contracts for the type III vehicle as required under section 171.321, subdivision 5.

(h) A person who sustains a conviction, as defined under section 609.02, of violating section 169A.25, 169A.26, 169A.27, or 169A.31, or whose driver's license is revoked under sections 169A.50 to 169A.53 of the implied consent law or section 171.177, or who is convicted of violating or whose driver's license is revoked under a similar statute or ordinance of another state, is precluded from operating a type III vehicle for five years from the date of conviction.

(i) A person who has ever been convicted of a disqualifying offense as defined in section 171.3215, subdivision 1, paragraph (c), may not operate a type III vehicle under this subdivision.

(j) A person who sustains a conviction, as defined under section 609.02, of a moving offense in violation of chapter 169 within three years of the first of three other moving offenses is precluded from operating a type III vehicle for one year from the date of the last conviction.

(k) An operator who sustains a conviction as described in paragraph (h), (i), or (j) while employed by the entity that owns, leases, or contracts for the school bus, shall report the conviction to the employer within ten days of the date of the conviction.

(l) An operator of a type III vehicle whose driver's license is suspended, revoked, canceled, or disqualified by Minnesota, another state, or another jurisdiction must notify the operator's employer in writing of the suspension, revocation, cancellation, lost privilege, or disqualification. The operator must notify the operator's employer before the end of the business day immediately following the day the operator received notice of the suspension, revocation, cancellation, lost privilege, or disqualification.

(m) Students riding the type III vehicle must have training required under section 123B.90, subdivision 2.

(n) Documentation of meeting the requirements listed in this subdivision must be maintained under separate file at the business location for each type III vehicle operator. The business manager, school board, governing body of a nonpublic school, or any other entity that owns, leases, or contracts for the type III vehicle operating under this subdivision is responsible for maintaining these files for inspection.

(o) The type III vehicle must bear a current certificate of inspection issued under section 169.451.

(p) An employee of a school or of a school district, who is not employed for the sole purpose of operating a type III vehicle, is exempt from paragraphs (e) and (f).

Subd. 3. **Motorized bicycle.** (a) A motorized bicycle may not 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.

(b) 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.

(c) The commissioner may adopt 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.

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

| | | |
|---|---|---|
| (1) Motorized bicycle operator's permit before age 21 and valid until age 21 | $ | 9.75 |
| (2) Renewal permit age 21 or older and valid for four years | $ | 15.75 |
| (3) Duplicate of any renewal permit | $ | 5.25 |
| (4) Written examination and instruction permit, valid for 30 days | $ | 6.75 |

Subd. 4. **Restricted commercial driver's license.** (a) The commissioner may issue restricted commercial drivers' licenses and take the following actions to the extent that the actions are authorized by regulation of the United States Department of Transportation in Code of Federal Regulations, title 49, section 383.3, paragraph (f):

(1) prescribe examination requirements and other qualifications for the license;

(2) prescribe classes of vehicles that may be operated by holders of the license;

(3) specify commercial motor vehicle operation that is authorized by the license, and prohibit other commercial motor vehicle operation by holders of the license; and

(4) prescribe the period of time during which the license is valid.

(b) Restricted commercial drivers' licenses are subject to sections 171.165 and 171.166 in the same manner as other commercial drivers' licenses.

(c) Actions of the commissioner under this subdivision are not subject to sections 14.05 to 14.47 of the Administrative Procedure Act.

Subd. 5. **Exemption for certain backup snowplow drivers.** Pursuant to the waiver authorization set forth in Public Law 104-59, section 345, subsection (a), paragraph (5), a person who operates a commercial motor vehicle for the purpose of removing snow or ice from a roadway by plowing, salting, or sanding is not required to hold a commercial driver's license if the person:

(1) is an employee of a local unit of government with a population of 3,000 or less;

(2) is operating within the boundaries of the local unit of government;

(3) holds a valid class D driver's license; and

(4) except in the event of a lawful strike, is temporarily replacing the employee who normally operates the vehicle but either is unable to operate the vehicle or is in need of additional assistance due to a snow emergency as determined by the local unit of government.

**History:** *(2720-143) 1939 c 401 s 2; 1963 c 393 s 1; 1971 c 644 s 4; 1973 c 16 s 1; 1977 c 214 s 12; 1977 c 429 s 63; 1978 c 479 s 1; 1979 c 227 s 3; 1981 c 363 s 29; 1984 c 546 s 1; 1985 c 248 s 70; 1985 c 291 s 19; 1986 c 444; 1986 c 454 s 21; 1987 c 269 s 7; 1987 c 358 s 110; 1989 c 301 s 4,5; 1989 c 307 s 17; 1989 c 342 s 21; 1990 c 529 s 5; 1991 c 174 s 8; 1991 c 298 art 7 s 2; 1991 c 333 s 24-26; 1992 c 581 s 14; 1993 c 78 s 4; 1993 c 142 s 1; 1993 c 266 s 20; 1994 c 465 art 3 s 48; 1995 c 95 s 7; 1995 c 174 s 3; 1996 c 275 s 1,2; 1997 c 35 s 1; 2001 c 97 s 3,4; 1Sp2001 c 6 art 2 s 60; 2002 c 371 art 1 s 50,51; 2003 c 15 art 1 s 33; 1Sp2003 c 19 art 2 s 38,64; 2005 c 160 s 1; 1Sp2005 c 6 art 3 s 59; 2006 c 253 s 11; 2007 c 143 art 3 s 3; 2007 c 146 art 8 s 11,12; 2008 c 271 s 3; 2008 c 287 art 1 s 64; 2008 c 350 art 1 s 54,96;*

*2009 c 24 s 1; 2009 c 96 art 8 s 10,11; 2010 c 351 s 36; 2014 c 287 s 16; 2014 c 312 art 11 s 19; 2016 c 114 s 9; 2017 c 83 art 3 s 18; 1Sp2017 c 3 art 3 s 73; 2020 c 83 art 1 s 58; 2020 c 100 s 12,13*

**171.03 PERSONS EXEMPT.**

The following persons are exempt from license hereunder:

(a) A person in the employ or service of the United States federal government is exempt while driving or operating a motor vehicle owned by or leased to the United States federal government.

(b) A person in the employ or service of the United States federal government is exempt from the requirement to possess a valid class A, class B, or class C commercial driver's license while driving or operating for military purposes a commercial motor vehicle for the United States federal government if the person is:

(1) on active duty in the U. S. Coast Guard;

(2) on active duty in a branch of the U. S. armed forces, which includes the Army, Air Force, Navy, and Marine Corps;

(3) a member of a reserve component of the U. S. armed forces; or

(4) on active duty in the Army National Guard or Air National Guard, which includes (i) a member on full-time National Guard duty, (ii) a member undergoing part-time National Guard training, and (iii) a National Guard military technician, who is a civilian required to wear a military uniform.

The exemption provided under this paragraph does not apply to a U. S. armed forces reserve technician.

(c) A person operating a covered farm vehicle as defined in Code of Federal Regulations, title 49, section 390.05, that is not carrying hazardous materials of a type or quantity that requires the vehicle to be placarded in accordance with Code of Federal Regulations, title 49, section 172.504, is exempt from the requirement to possess a valid class A, class B, or class C commercial driver's license.

(d) Any person while driving or operating any farm tractor or implement of husbandry temporarily on a highway is exempt. For purposes of this section, an all-terrain vehicle, as defined in section 84.92, subdivision 8, an off-highway motorcycle, as defined in section 84.787, subdivision 7, and an off-road vehicle, as defined in section 84.797, subdivision 7, are not implements of husbandry.

(e) A nonresident who is at least 15 years of age and who has in immediate possession a valid driver's license issued to the nonresident in the home state or country may operate a motor vehicle in this state only as a driver.

(f) A nonresident who has in immediate possession a valid commercial driver's license issued by a state or jurisdiction in accordance with the standards of Code of Federal Regulations, title 49, part 383, and who is operating in Minnesota the class of commercial motor vehicle authorized by the issuing state or jurisdiction is exempt.

(g) Any nonresident who is at least 18 years of age, whose home state or country does not require the licensing of drivers may operate a motor vehicle as a driver, but only for a period of not more than 90 days in any calendar year, if the motor vehicle so operated is duly registered for the current calendar year in the home state or country of the nonresident.

(h) Any person who becomes a resident of the state of Minnesota and who has in possession a valid driver's license issued to the person under and pursuant to the laws of some other state or jurisdiction or by military authorities of the United States may operate a motor vehicle as a driver, but only for a period of not more than 60 days after becoming a resident of this state, without being required to have a Minnesota driver's license as provided in this chapter.

(i) Any person who becomes a resident of the state of Minnesota and who has in possession a valid commercial driver's license issued by another state or jurisdiction in accordance with the standards of Code of Federal Regulations, title 49, part 383, is exempt for not more than 30 days after becoming a resident of this state.

(j) Any person operating a snowmobile, as defined in section 84.81, is exempt.

(k) A railroad operator, as defined in section 169.035, subdivision 4, paragraph (a), is exempt while operating a railroad locomotive or train, or on-track equipment while being operated upon rails. This exemption includes operation while crossing a street or highway, whether public or private.

**History:** *(2720-144) 1939 c 401 s 3; 1943 c 331 s 2; 1955 c 496 s 1; 1969 c 695 s 13; 1971 c 644 s 5; 1986 c 444; 1989 c 307 s 18; 1989 c 331 s 23; 1991 c 333 s 27; 1993 c 311 art 1 s 14; art 2 s 14; 1Sp2005 c 6 art 3 s 60; 2008 c 350 art 1 s 55; 2012 c 287 art 4 s 33; 2014 c 287 s 17*

**171.04 PERSONS NOT ELIGIBLE FOR DRIVERS' LICENSES.**

Subdivision 1. **Persons not eligible.** The department shall not issue a driver's license:

(1) to any person under 18 years unless:

(i) the applicant is 16 or 17 years of age and has a previously issued valid license from another state or country or the applicant has, for the 12 consecutive months preceding application, held a provisional license and during that time has incurred (A) no conviction for a violation of section 169A.20, 169A.33, 169A.35, sections 169A.50 to 169A.53, or section 171.177, (B) no conviction for a crash-related moving violation, and (C) not more than one conviction for a moving violation that is not crash related. "Moving violation" means a violation of a traffic regulation but does not include a parking violation, vehicle equipment violation, or warning citation;

(ii) the application for a license is approved by (A) either parent when both reside in the same household as the minor applicant or, if otherwise, then (B) the parent or spouse of the parent having custody or, in the event there is no court order for custody, then (C) the parent or spouse of the parent with whom the minor is living or, if subitems (A) to (C) do not apply, then (D) the guardian having custody of the minor, (E) the foster parent or director of the transitional living program in which the child resides or, in the event a person under the age of 18 has no living father, mother, or guardian, or is married or otherwise legally emancipated, then (F) the minor's adult spouse, adult close family member, or adult employer; provided, that the approval required by this item contains a verification of the age of the applicant and the identity of the parent, guardian, adult spouse, adult close family member, or adult employer; and

(iii) the applicant presents a certification by the person who approves the application under item (ii), stating that the applicant has driven a motor vehicle accompanied by and under supervision of a licensed driver at least 21 years of age for at least ten hours during the period of provisional licensure;

(2) to any person who is 18 years of age or younger, unless the person has applied for, been issued, and possessed the appropriate instruction permit for a minimum of six months, and, with respect to a person under 18 years of age, a provisional license for a minimum of 12 months;

(3) to any person who is 19 years of age or older, unless that person has applied for, been issued, and possessed the appropriate instruction permit for a minimum of three months;

(4) 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;

(5) 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;

(6) to any drug-dependent person, as defined in section 254A.02, subdivision 5;

(7) 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 the person is competent to operate a motor vehicle with safety to persons or property;

(8) to any person who is required by this chapter to take a vision, knowledge, or road examination, unless the person has successfully passed the examination. An applicant who fails four road tests must complete a minimum of six hours of behind-the-wheel instruction with an approved instructor before taking the road test again;

(9) to any person who is required under the Minnesota No-Fault Automobile Insurance Act to deposit proof of financial responsibility and who has not deposited the proof;

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

(11) to any person when, in the opinion of the commissioner, the person is afflicted with or suffering from a physical or mental disability or disease that will affect the person in a manner as to prevent the person from exercising reasonable and ordinary control over a motor vehicle while operating it upon the highways;

(12) to a person who is unable to read and understand official signs regulating, warning, and directing traffic;

(13) to a child for whom a court has ordered denial of driving privileges under section 260C.201, subdivision 1, or 260B.235, subdivision 5, until the period of denial is completed; or

(14) to any person whose license has been canceled, during the period of cancellation.

Subd. 2. **Disqualified operators of commercial motor vehicles.** During the period of disqualification, the department shall not issue a class C, class B, or class A commercial driver's license, including a limited license, to a person who has been disqualified from operating a commercial motor vehicle under section 171.165.

Subd. 3. **Medical qualification for commercial driver's license.** The department shall not issue a class A, class B, or class C commercial driver's license to a person who:

(1) has not submitted the self-certification required under section 171.162, subdivision 2; or

(2) has not submitted either a valid medical examiner's certificate or a current medical waiver as required under section 171.162, subdivision 3.

Subd. 4. **Persons not eligible for enhanced driver's license.** The department shall not issue an enhanced driver's license to any person who is:

(1) under 16 years of age;

(2) not a resident of this state;

(3) not a citizen of the United States of America; or

(4) described in subdivision 1, clauses (4) to (12), or (14).

Subd. 5. **Temporary lawful admission.** The commissioner is prohibited from issuing a driver's license or Minnesota identification card to an applicant who has a lawful temporary admission period, as demonstrated under section 171.06, subdivision 3, paragraph (b), clause (2), that expires within 30 days of the date of the application.

***[See Note.]***

**History:** *(2720-144a) 1939 c 401 s 4; 1941 c 517; 1957 c 564 s 1; 1963 c 382 s 1; 1965 c 78 s 1; 1965 c 795 s 1; 1967 c 61 s 1; 1967 c 839 s 1; 1969 c 1129 art 1 s 18; 1971 c 644 s 6; 1974 c 408 s 32 subd 4; 1981 c 363 s 30; 1982 c 548 art 4 s 14; 1986 c 444; 1988 c 558 s 1; 1989 c 262 s 1; 1989 c 307 s 19; 1995 c 226 art 3 s 13; 1996 c 275 s 3; 1996 c 455 art 3 s 24; 1998 c 388 s 8; 1999 c 139 art 4 s 2; 1999 c 238 art 2 s 23; 2000 c 478 art 2 s 7; 2002 c 371 art 1 s 52; 1Sp2005 c 6 art 3 s 61; 2010 c 242 s 6,11; 2010 c 269 art 1 s 1; 2010 c 316 s 3,18; 2017 c 76 s 6; 2017 c 83 art 3 s 18; 2023 c 13 art 1 s 1*

**NOTE:** (a) Subdivision 5, as added by Laws 2017, chapter 76, section 6, was effective May 19, 2017, and applies to driver's licenses and Minnesota identification cards applied for and issued on or after October 1, 2018. Laws 2017, chapter 76, section 29.

(b) If the Federal REAL ID Act, Public Law 109-13, Division B, is repealed, or if the definition of "official purpose" in Code of Federal Regulations, title 6, part 37, is amended, subdivision 5, as added by Laws 2017, chapter 76, section 6, is repealed on June 30 of the following year. Laws 2017, chapter 76, section 27.

## 171.041 RESTRICTED LICENSE FOR FARM WORK.

(a) Notwithstanding any provisions of section 171.04 relating to the age of an applicant to the contrary, the commissioner may issue a restricted farm work license to operate a motor vehicle to a person who has attained the age of 15 years and who, except for age, is qualified to hold a driver's license. The applicant is not required to comply with the six-month instruction permit possession provisions of sections 171.04, subdivision 1, clause (2), and 171.05, subdivision 2a, or with the 12-month provisional license possession provision of section 171.04, subdivision 1, clause (1), item (i).

(b) The restricted license must be issued solely for the purpose of authorizing the person to whom the restricted license is issued to assist with farm work. An individual may perform farm work under the restricted license for any entity authorized to farm under section 500.24. A person holding this restricted license may operate a motor vehicle only during daylight hours and only within a radius of 40 miles of the farmhouse on the farm where the person is working.

(c) An applicant for a restricted license must apply to the commissioner for the license on forms prescribed by the commissioner. The application must be accompanied by:

(1) a copy of a property tax statement showing that the applicant's parent, guardian, or employer owns land that is classified as agricultural land or a copy of a rental statement or agreement showing that the applicant's parent or guardian rents land classified as agricultural land;

(2) a written verified statement by the applicant's parent or guardian setting forth the necessity for the license; and

(3) if the applicant is not working for a parent or guardian, a written verified statement by the farm owner setting forth the necessity for the license.

**History:** *1963 c 382 s 3; 1967 c 87 s 1; 1986 c 444; 1997 c 48 s 1; 1997 c 230 s 6; 1997 c 251 s 24,25; 1998 c 388 s 9; 1Sp2019 c 3 art 3 s 73; 2023 c 68 art 5 s 34*

**171.042 DRIVER'S LICENSE FOR MEDICAL REASON.**

(a) For purposes of this section, "relative" means the applicant's grandparent, parent, sibling, or legal guardian, including adoptive, half, step, and in-law relationships.

(b) Notwithstanding any provisions of section 171.04, relating to the age of an applicant, the commissioner may issue a driver's license to a person who has attained the age of 15 years but is under the age of 16 years, who, except for age, is qualified to hold a driver's license and who needs to operate a motor vehicle because of:

(1) personal medical reasons;

(2) medical reasons of a relative; or

(3) a disabled relative who has a disability that makes it difficult to drive or who does not have a driver's license due to a disability.

(c) The applicant is not required to comply with the six-month instruction permit possession provisions of sections 171.04, subdivision 1, clause (2), and 171.05, subdivision 2a, or with the 12-month provisional license possession provision of section 171.04, subdivision 1, clause (1), item (i).

(d) Applicants must apply to the commissioner for the license on forms prescribed by the commissioner. The application must be accompanied by written verified statements from the applicant's relative or a doctor setting forth the reason the applicant is qualified for the license. The commissioner in issuing such license may impose such conditions and limitations as in the commissioner's judgment are necessary to the interests of the public safety and welfare.

**History:** *1975 c 23 s 1; 1986 c 444; 2023 c 68 art 4 s 55*

**171.043 NOTICE OF PERSONS UNDER DRIVER'S LICENSE CANCELLATION.**

The commissioner of public safety shall develop a program under which the commissioner provides a monthly notice to local law enforcement agencies of the names and addresses of persons residing within the local agency's jurisdiction whose drivers' licenses or driving privileges have been canceled under section 171.04, subdivision 1, clause (10). At the commissioner's discretion, the commissioner may adopt necessary procedures so that the information is current and accurate. Data in the notice are private data on individuals and are available to law enforcement agencies.

**History:** *1992 c 570 art 1 s 28; 1997 c 12 art 3 s 7; 1999 c 238 art 2 s 91*

**171.05 INSTRUCTION PERMIT.**

Subdivision 1. **Person 18 or more years of age.** (a) Any person who is 18 or more years of age and who, except for a lack of instruction in operating a motor vehicle, would otherwise be qualified to obtain a class D driver's license under this chapter may apply for an instruction permit, and the commissioner must issue the permit. The instruction permit entitles the applicant to drive a motor vehicle for which a class D license is valid upon the highways for a period of two years if the permit holder:

(1) has the permit in immediate possession; and

(2) is driving the vehicle while accompanied by an adult licensed driver who is actually occupying a seat beside the driver.

(b) Any license of a lower class may be used as an instruction permit to operate a vehicle requiring a higher class license for a period of one year 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 the lower class license as an instruction permit.

Subd. 1a. **Minimum period to possess instruction permit.** An applicant who has received an instruction permit under subdivision 1 and has not previously been licensed to drive in Minnesota or in another jurisdiction must possess the instruction permit for not less than six months for an applicant who is 18 years of age, and not less than three months for all other applicants, before qualifying for a driver's license. An applicant with an instruction permit from another jurisdiction must be credited with the amount of time that permit has been held.

Subd. 1b. **Instruction permit not issued.** Notwithstanding subdivision 1, the commissioner shall not issue an instruction permit to a person under age 18 if the person has ever been convicted of a violation of section 169A.20, 169A.33, or 169A.35; a violation of a provision of sections 169A.50 to 169A.53; a violation of section 171.177; or a crash-related moving violation.

Subd. 2. **Person less than 18 years of age.** (a) The department may issue an instruction permit to an applicant who is 15, 16, or 17 years of age and who:

(1) has completed a course of driver education in another state, has a previously issued valid license from another state, or:

(i) is enrolled in behind-the-wheel training in a driver education program; and

(ii) has completed:

(A) the classroom phase of instruction in a driver education program that includes classroom and behind-the-wheel training;

(B) 15 hours of classroom instruction in a driver education program that presents classroom and behind-the-wheel instruction concurrently;

(C) home-classroom driver training, when the student is receiving full-time instruction in a home school within the meaning of sections 120A.22 and 120A.24, the student is working toward a home school diploma, the home-classroom driver training materials are approved by the commissioner of public safety, and the student's parent has certified the student's home school and home-classroom driver training status on the form approved by the commissioner;

(D) a teleconference driver education program authorized by section 171.395; or

(E) an online driver education program authorized by section 171.396;

(2) has passed a test of the applicant's eyesight;

(3) has passed a department-administered test of the applicant's knowledge of traffic laws;

(4) has completed the required application, which must be approved by (i) either parent when both reside in the same household as the minor applicant or, if otherwise, then (ii) the parent or spouse of the parent having custody or, in the event there is no court order for custody, then (iii) the parent or spouse of the parent with whom the minor is living or, if items (i) to (iii) do not apply, then (iv) the guardian having custody of the minor, (v) the foster parent or the director of the transitional living program in which the child resides or, in the event a person under the age of 18 has no living father, mother, or guardian, or is married or otherwise legally emancipated, then (vi) the applicant's adult spouse, adult close family member, or adult employer; provided, that the approval required by this clause contains a verification of the age of the applicant and the identity of the parent, guardian, adult spouse, adult close family member, or adult employer; and

(5) has paid all fees required in section 171.06, subdivision 2.

(b) In addition, the applicant may submit a certification stating that a primary driving supervisor has completed the supplemental parental curriculum under section 171.0701, subdivision 1a, for the purposes of provisional license requirements under section 171.055, subdivision 1, paragraph (a), clause (6). The certification must be completed by a driver education instructor, as defined under section 171.0701, subdivision 1a.

(c) For the purposes of determining compliance with the certification of paragraph (a), clause (1), item (ii), subitem (C), the commissioner may request verification of a student's home school status from the superintendent of the school district in which the student resides and the superintendent shall provide that verification.

(d) A driver education program under this subdivision includes a public, private, or commercial program and must be approved by the commissioner.

(e) The instruction permit is valid for two years from the date of application and may be renewed upon payment of a fee equal to the fee for issuance of an instruction permit under section 171.06, subdivision 2.

Subd. 2a. **Permit for six months.** An applicant who has applied for and received an instruction permit pursuant to subdivision 2 must possess the instruction permit for not less than six months before qualifying for a driver's license.

Subd. 2b. **Instruction permit use by person under age 18.** (a) This subdivision applies to persons who have applied for and received an instruction permit under subdivision 2.

(b) The permit holder may, with the permit in possession, operate a motor vehicle, but must be accompanied by and be under the supervision of a certified driver education instructor, the permit holder's parent or guardian, or another licensed driver age 21 or older. The supervisor must occupy the seat beside the permit holder.

(c) The permit holder may not operate a vehicle while communicating over, or otherwise operating, a cellular or wireless telephone, whether handheld or hands free, when the vehicle is in motion. The permit holder may assert as an affirmative defense that the violation was made for the sole purpose of obtaining emergency assistance to prevent a crime about to be committed, or in the reasonable belief that a person's

life or safety was in danger. Violation of this paragraph is a petty misdemeanor subject to section 169.89, subdivision 2.

(d) The permit holder must maintain a driving record free of convictions for moving violations, as defined in section 171.04, subdivision 1, and free of convictions for violation of section 169A.20, 169A.33, 169A.35, sections 169A.50 to 169A.53, or section 171.177. If the permit holder drives a motor vehicle in violation of the law, the commissioner shall suspend, cancel, or revoke the permit in accordance with the statutory section violated.

Subd. 3. **Motorized bicycle.** 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.

Subd. 4. **Rulemaking.** The commissioner of public safety shall adopt rules to carry out the provisions of this section. The rules adopted under this section are exempt from the rulemaking provisions of chapter 14. The rules are subject to section 14.386, except that section 14.386, paragraph (b), does not apply.

**History:** *(2720-144b) 1939 c 401 s 5; 1949 c 91 s 1; 1961 c 33 s 1; 1963 c 382 s 2; 1971 c 644 s 7; 1973 c 95 s 1; 1980 c 446 s 1; 1986 c 444; 1986 c 454 s 22; 1987 c 384 art 1 s 19; 1990 c 529 s 6,7; 1996 c 275 s 4; 1996 c 455 art 3 s 25; 1997 c 250 s 8; 1998 c 388 s 10-12; 1999 c 238 art 2 s 24,25; 2000 c 478 art 2 s 7; 2000 c 489 art 6 s 31; 2002 c 371 art 1 s 53; 2004 c 177 s 2; 1Sp2005 c 6 art 3 s 62-64; 2006 c 260 art 2 s 15; 2009 c 165 s 5; 2010 c 269 art 1 s 2; 1Sp2011 c 11 art 1 s 28; 2013 c 117 art 3 s 10; 2014 c 261 s 2,3; 2017 c 83 art 3 s 18; 2019 c 50 art 1 s 59; 2023 c 68 art 4 s 56; 1Sp2025 c 8 art 2 s 39*

**171.055 PROVISIONAL LICENSE.**

Subdivision 1. **Requirements for provisional license.** (a) The department may issue a provisional license, which must be distinctive in appearance from a driver's license, to an applicant who:

(1) has reached the age of 16 years;

(2) during the six months immediately preceding the application for the provisional license has possessed an instruction permit and has incurred (i) no convictions for a violation of section 169A.20, 169A.33, 169A.35, sections 169A.50 to 169A.53, or section 171.177, (ii) no convictions for a crash-related moving violation, and (iii) no convictions for a moving violation that is not crash related;

(3) has successfully completed a course of driver education in accordance with department rules;

(4) completes the required application, which must be approved by (i) either parent when both reside in the same household as the minor applicant or, if otherwise, then (ii) the parent or spouse of the parent having custody or, in the event there is no court order for custody, then (iii) the parent or spouse of the parent with whom the minor is living or, if items (i) to (iii) do not apply, then (iv) the guardian having custody of the minor, (v) the foster parent or the director of the transitional living program in which the child resides or, in the event a person under the age of 18 has no living father, mother, or guardian, or is married or otherwise legally emancipated, then (vi) the applicant's adult spouse, adult close family member, or adult employer; provided, that the approval required by this clause contains a verification of the age of the applicant and the identity of the parent, guardian, adult spouse, adult close family member, or adult employer;

(5) submits a supervised driving log, in a format approved by the commissioner, that:

(i) states that the applicant has driven a motor vehicle accompanied by and under the supervision of a licensed driver at least 21 years of age, for no less than 40 total hours or as provided in clause (6), item (i), at least 15 of which were nighttime hours;

(ii) identifies dates and lengths of driving time for each supervised driving trip; and

(iii) is signed by the primary driving supervisor, attesting that the applicant has met the requirements under item (i);

(6) has:

(i) driven a motor vehicle in the manner required under clause (5) for no less than ten hours in addition to the total hours specified in clause (5), item (i); or

(ii) submitted a certification of supplemental parental curriculum under section 171.05, subdivision 2, paragraph (b), for the primary driving supervisor under clause (5), as part of an application for an instruction permit; and

(7) pays the fee required in section 171.06, subdivision 2.

(b) For purposes of this section, "moving violation" has the meaning given it in section 171.04, subdivision 1.

(c) Notwithstanding paragraph (a), clause (2), the commissioner shall not issue a provisional license to a person who has ever incurred a conviction for violation of section 169A.20, 169A.33, or 169A.35; a violation of a provision of sections 169A.50 to 169A.53; a violation of section 171.177; or a crash-related moving violation, and at the time of the conviction the person did not possess an instruction permit.

Subd. 2. **Use of provisional license.** (a) A provisional license holder may not operate a vehicle while communicating over, or otherwise operating, a cellular or wireless telephone, whether handheld or hands free, when the vehicle is in motion. The provisional license holder may assert as an affirmative defense that the violation was made for the sole purpose of obtaining emergency assistance to prevent a crime about to be committed, or in the reasonable belief that a person's life or safety was in danger. Violation of this paragraph is a petty misdemeanor subject to section 169.89, subdivision 2.

(b) If the holder of a provisional license during the period of provisional licensing incurs (1) a conviction for a violation of section 169A.20, 169A.33, 169A.35, sections 169A.50 to 169A.53, or a violation of section 171.177, (2) a conviction for a crash-related moving violation, or (3) more than one conviction for a moving violation that is not crash related, the person may not be issued a driver's license until 12 consecutive months have expired since the date of the conviction or until the person reaches the age of 18 years, whichever occurs first.

(c) For the first six months of provisional licensure, a provisional license holder may not operate a motor vehicle carrying more than one passenger under the age of 20 years who is not a member of the holder's immediate family. For the second six months, the holder of the license may not operate a motor vehicle that is carrying more than three passengers who are under the age of 20 years and who are not members of the holder's immediate family. This paragraph does not apply if the provisional license holder is accompanied by a parent or guardian.

(d) For the first six months of provisional licensure, a provisional license holder may operate a motor vehicle between the hours of midnight and 5:00 a.m. only when the license holder is:

(1) driving between the license holder's home and place of employment;

(2) driving between the license holder's home and a school event for which the school has not provided transportation;

(3) driving for employment purposes; or

(4) accompanied by a licensed driver at least 25 years of age.

**History:** *1998 c 388 s 13; 2000 c 478 art 2 s 7; 2002 c 371 art 1 s 54; 2004 c 177 s 3; 1Sp2005 c 6 art 3 s 65; 2006 c 260 art 2 s 16; 2008 c 350 art 1 s 56; 2009 c 165 s 6; 2010 c 269 art 1 s 3; 2014 c 261 s 4; 2017 c 83 art 3 s 18*

**171.06 APPLICATION FOR LICENSE, PERMIT, IDENTIFICATION CARD; FEES.**

Subdivision 1. **Application format and requirements.** Every application for a Minnesota identification card, including an enhanced identification card, or for a driver's license, including an instruction permit, a provisional license, a noncompliant driver's license, a REAL ID driver's license, and an enhanced driver's license, must be made in a format approved by the department. Every application must be accompanied by payment of the proper fee. All applicants must sign the application and declare, under penalty of perjury, that the information and documentation presented in the application is true and correct. All applications requiring evidence of legal presence in the United States or United States citizenship must be signed in the presence of the person authorized to accept the application, or the signature on the application may be verified by a notary public.

***[See Note.]***

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

| | | | | |
|---|---|---|---|---|
| REAL ID Compliant or Noncompliant Classified Driver's License | D-$27.75 | C-$31.75 | B-$38.75 | A-$46.75 |
| REAL ID Compliant or Noncompliant Classified Under-21 D.L. | D-$27.75 | C-$31.75 | B-$38.75 | A-$26.75 |
| Enhanced Driver's License | D-$42.75 | C-$46.75 | B-$53.75 | A-$61.75 |
| REAL ID Compliant or Noncompliant Instruction Permit | | | | $11.25 |
| Enhanced Instruction Permit | | | | $26.25 |
| Commercial Learner's Permit | | | | $8.50 |
| REAL ID Compliant or Noncompliant Provisional License | | | | $14.25 |
| Enhanced Provisional License | | | | $29.25 |
| Duplicate REAL ID Compliant or Noncompliant License or | | | | $12.75 |

| | |
|---|---|
| duplicate REAL ID Compliant or Noncompliant identification card | |
| Enhanced Duplicate License or enhanced duplicate identification card | $27.75 |
| REAL ID Compliant or Noncompliant Minnesota identification card or REAL ID Compliant or Noncompliant Under-21 Minnesota identification card, other than duplicate, except as otherwise provided in section 171.07, subdivisions 3 and 3a | $17.25 |
| Enhanced Minnesota identification card | $32.25 |

(b) In addition to each fee required in paragraph (a), the commissioner must collect a surcharge of $2.25. Surcharges collected under this paragraph must be credited to the driver and vehicle services technology account under section 299A.705.

(c) Notwithstanding paragraph (a), an individual who holds a provisional license and has a driving record free of (1) convictions for a violation of section 169A.20, 169A.33, 169A.35, sections 169A.50 to 169A.53, or section 171.177, (2) convictions for crash-related moving violations, and (3) convictions for moving violations that are not crash related, has a $3.50 credit toward the fee for any classified under-21 driver's license. "Moving violation" has the meaning given it in section 171.04, subdivision 1.

(d) In addition to the driver's license fee required under paragraph (a), the commissioner must collect an additional $4 processing fee from each new applicant or individual renewing a license with a school bus endorsement to cover the costs for processing an applicant's initial and biennial physical examination certificate. The department must not charge these applicants any other fee to receive or renew the endorsement.

(e) In addition to the fee required under paragraph (a), a driver's license agent may charge and retain a filing fee as provided under section 171.061, subdivision 4.

(f) In addition to the fee required under paragraph (a), the commissioner must charge a filing fee at the same amount as a driver's license agent under section 171.061, subdivision 4. Revenue collected under this paragraph must be deposited in the driver and vehicle services operating account under section 299A.705.

(g) An application for a Minnesota identification card, instruction permit, provisional license, or driver's license, including an application for renewal, must contain a provision that allows the applicant to add to the fee under paragraph (a), a $2 donation for the purposes of public information and education on anatomical gifts under section 171.075.

***[See Note.]***

Subd. 2a. **Motorcycle endorsement fee.** (a) In addition to the appropriate fee under subdivision 2, the fee for a motorcycle endorsement on a driver's license is:

(1) $26.50 for an initial endorsement or a duplicate license obtained for the purpose of adding the endorsement; and

(2) $17 for each license renewal with the endorsement.

(b) The additional fee must be paid into the state treasury and credited as follows:

(1) $19 of the additional fee under paragraph (a), clause (1), and $11 of the additional fee under paragraph (a), clause (2), to the motorcycle safety account, which is hereby created in the special revenue fund; and

(2) the remainder to the general fund.

(c) All application forms prepared by the commissioner for motorcycle endorsements must clearly state the amount of the total fee that is dedicated to the motorcycle safety account.

Subd. 2b. [Never effective, 1991 c 291 art 19 s 11]

Subd. 2c. **Exemption; certain veterans.** For an applicant who is a veteran with a total service-connected disability, the commissioner must not impose:

(1) a license or endorsement fee, including fees and surcharges specified under:

(i) subdivisions 2 and 2a; and

(ii) section 171.02, subdivision 3;

(2) a filing fee under subdivision 2 or section 171.061, subdivision 4; or

(3) a fee for an identification card under section 171.07, subdivision 3 or 3a.

Subd. 3. **Contents of application; other information.** (a) An application must:

(1) state the full name, date of birth, sex, and either (i) the residence address of the applicant, or (ii) designated address under section 5B.05;

(2) contain a description of the applicant, including the applicant's height in feet and inches, weight in pounds, eye color, and sex; the applicant's driving privileges; and the applicant's ability to operate a motor vehicle with safety;

(3) state:

(i) the applicant's Social Security number; or

(ii) if the applicant does not have a Social Security number and is applying for a Minnesota identification card, instruction permit, or class D provisional or driver's license, that the applicant elects not to specify a Social Security number;

(4) contain a notification to the applicant of the availability of a living will/health care directive designation on the license under section 171.07, subdivision 7;

(5) include a method for the applicant to:

(i) request a veteran designation on the license under section 171.07, subdivision 15, and the driving record under section 171.12, subdivision 5a;

(ii) indicate a desire to make an anatomical gift under subdivision 3b, paragraph (e);

(iii) as applicable, designate document retention as provided under section 171.12, subdivision 3c;

(iv) indicate emergency contacts as provided under section 171.12, subdivision 5b;

(v) indicate the applicant's race and ethnicity;

(vi) indicate caretaker information as provided under section 171.12, subdivision 5c; and

(vii) indicate a temporary mailing address separate from the applicant's residence address listed on the identification card or license; and

(6) meet the requirements under section 201.161, subdivision 3.

(b) Applications must be accompanied by satisfactory evidence demonstrating:

(1) identity, date of birth, and any legal name change if applicable; and

(2) for drivers' licenses and Minnesota identification cards that meet all requirements of the REAL ID Act:

(i) principal residence address in Minnesota, including application for a change of address, unless the applicant provides a designated address under section 5B.05;

(ii) Social Security number, or related documentation as applicable; and

(iii) lawful status, as defined in Code of Federal Regulations, title 6, section 37.3.

(c) An application for an enhanced driver's license or enhanced identification card must be accompanied by:

(1) satisfactory evidence demonstrating the applicant's full legal name and United States citizenship; and

(2) a photographic identity document.

(d) An application form must not provide for identification of (1) the accompanying documents used by an applicant to demonstrate identity, or (2) except as provided in paragraphs (b) and (c), the applicant's citizenship, immigration status, or lawful presence in the United States. The commissioner and a driver's license agent must not inquire about an applicant's citizenship, immigration status, or lawful presence in the United States, except as provided in paragraphs (b) and (c).

(e) A Minnesota driver's license or identification card must be issued only to an individual who has a residence address in the state at the time of the application. Applications for an enhanced driver's license or enhanced identification card must include proof of residency in accordance with section 171.063, subdivision 6. An individual may only have one residence address where the individual is domiciled at any particular time. The residence address of the individual is presumed to continue until the contrary is shown. The applicant must provide the following information about the residence address: residence number, street name, street type, directional, city or town, state, and zip code.

(f) If an applicant designates a temporary mailing address under paragraph (a), clause (5), item (vii), the commissioner must use the temporary mailing address in lieu of the applicant's residence address for delivery of the driver's license or identification card. The commissioner must send all other correspondence to the applicant's residence address. Nothing in this paragraph or paragraph (a), clause (5), item (vii), may be construed to modify or remove proof of residency requirements at the time of application for an initial driver's permit, driver's license, or identification card.

***[See Note.]***

Subd. 3a. MS 2022 [Repealed, 2023 c 68 art 5 s 55]

Subd. 3b. **Information for applicants.** (a) The commissioner must develop summary information on identity document options. The summary information must be available on the department's website and at every location where a person may apply for an enhanced, REAL ID compliant, or noncompliant driver's license or identification card.

(b) The summary information must, at a minimum, include:

(1) each available type of driver's license and Minnesota identification card, including a noncompliant license or identification card, an enhanced driver's license, and an enhanced identification card;

(2) the official purposes of and limitations on use for each type of driver's license and Minnesota identification card; and

(3) an overview of data shared outside the state, including through electronic validation or verification systems, as part of the application and issuance of each type.

(c) The commissioner must ensure that the summary information is available to driver's license and identification card applicants. Renewal notifications mailed to driver's license and identification card holders must include the website address that displays the summary information.

(d) An applicant for an enhanced or noncompliant license or identification card must sign an acknowledgment that the applicant understands the limitations on use of the license or card.

(e) If the applicant does not indicate a desire to make an anatomical gift when the application is made, the applicant must be offered a donor document in accordance with section 171.07, subdivision 5. The application must contain statements sufficient to comply with the requirements of the Darlene Luther Revised Uniform Anatomical Gift Act, chapter 525A, so that execution of the application or donor document will make the anatomical gift as provided in section 171.07, subdivision 5, for those indicating a desire to make an anatomical gift. The application must be accompanied by information describing Minnesota laws regarding anatomical gifts and the need for and benefits of anatomical gifts, and the legal implications of making an anatomical gift, including the law governing revocation of anatomical gifts. The commissioner shall distribute a notice that must accompany all applications for and renewals of a driver's license or Minnesota identification card. The notice must be prepared in conjunction with a Minnesota organ procurement organization that is certified by the federal Department of Health and Human Services and must include:

(1) a statement that provides a fair and reasonable description of the organ donation process, the care of the donor body after death, and the importance of informing family members of the donation decision; and

(2) a telephone number in a certified Minnesota organ procurement organization that may be called with respect to questions regarding anatomical gifts.

(f) The application must be accompanied also by information containing relevant facts relating to:

(1) the effect of alcohol on driving ability;

(2) the effect of mixing alcohol with drugs;

(3) the laws of Minnesota relating to operation of a motor vehicle while under the influence of alcohol or a controlled substance; and

(4) the levels of alcohol-related fatalities and accidents in Minnesota and of arrests for alcohol-related violations.

(g) The commissioner must provide information on the department's website about the option for an applicant to designate a temporary mailing address. The information on the department's website must:

(1) be easily accessible and address frequently asked questions;

(2) detail the department's requirements for the use of a temporary mailing address;

(3) compare the use of a temporary mailing address to the use of an applicant's residence address; and

(4) clarify that a driver's license or identification card will not be delivered to a forwarded mail address.

***[See Note.]***

Subd. 4. MS 1997 Supp [Repealed, 1997 c 250 s 17]

Subd. 5. MS 1978 [Repealed, 1979 c 150 s 2]

Subd. 6. **Compliance with selective service system registration requirements.** (a) By applying for an original, duplicate, or renewal instruction permit, provisional driver's license, driver's license, enhanced driver's license, commercial driver's license, state identification card, or enhanced identification card, an applicant under the age of 26, who is a United States citizen or resident, consents to registration in compliance with the requirements of the Military Selective Service Act, United States Code, title 50, chapter 49, section 3802. The application form must state that submission of the application constitutes consent to registration with the selective service system, if required by federal law.

(b) The commissioner shall forward to the selective service system in an electronic format the necessary personal information required for registration of an applicant described in paragraph (a). If the applicant is under the age of 18, and the license or card to be issued will expire after the applicant's 18th birthday, then the commissioner shall forward the necessary information to the selective service system when the applicant reaches the age of 18.

Subd. 7. **Remote application.** (a) The commissioner must establish a process for an eligible individual to apply remotely for a driver's license or Minnesota identification card, whether through a website or other means, or a combination, as provided in this subdivision.

(b) The commissioner may issue or reinstate an expired driver's license or Minnesota identification card and may renew a driver's license or Minnesota identification card for an eligible individual who does not apply in-person if:

(1) the applicant submits documentation to demonstrate eligibility, as prescribed by the commissioner;

(2) there is not a material change to the applicant's name, date of birth, signature, and driver's license or identification number since the most recent driver's license or Minnesota identification card issuance;

(3) the application is not for a different type or class of driver's license or Minnesota identification card, as identified in sections 171.019, subdivision 2, and 171.02, subdivision 2;

(4) one of the following requirements is met:

(i) the commissioner has a previous photograph of the applicant on file that was taken within the last five years or in conjunction with the most recent issuance; or

(ii) for a noncompliant license or identification card, the applicant submits a photograph that meets the requirements of sections 171.07 and 171.071, Minnesota Rules, part 7410.1810, subpart 1, and any other technical requirements established by the commissioner, which may include but are not limited to background color, lighting and visibility standards, and electronic file size;

(5) for a driver's license, the commissioner has a record that the applicant has undergone an examination of the applicant's eyesight within the last two years, or the applicant submits a vision examination certificate that:

(i) has been completed within the last two years;

(ii) is signed by a licensed physician or an optometrist, including one who holds a similar license in a jurisdiction outside the United States; and

(iii) is in a form as prescribed by the commissioner;

(6) for an expired driver's license or Minnesota identification card:

(i) expiration was within the past five years;

(ii) expiration was due to driver's license or identification card issuance by another jurisdiction; and

(iii) the application includes surrender or invalidation of a valid driver's license or identification card issued by another jurisdiction; and

(7) the most recent issuance, reinstatement, or renewal was not performed under this subdivision.

(c) A person who applies for a driver's license or Minnesota identification card under this subdivision is not required to:

(1) take a knowledge examination;

(2) take a road examination to demonstrate ability to exercise ordinary and reasonable control in the operation of a motor vehicle; and

(3) appear in-person for an updated photograph upon return to Minnesota or release from incarceration, as appropriate.

(d) For purposes of this subdivision, "eligible individual" means:

(1) a person serving outside Minnesota in active military service, as defined in section 190.05, subdivision 5, in any branch or unit of the armed forces of the United States;

(2) a person serving outside Minnesota as a volunteer in the Peace Corps;

(3) a person who is an employee of a federal department or agency who is assigned to foreign service outside of the United States;

(4) a person residing outside of Minnesota because the person is a spouse, domestic partner, or dependent under age 26 of a person in clause (1), (2), or (3); or

(5) a person who applies for renewal and is serving a sentence of longer than six months in a Minnesota jail or correctional facility that has no existing agreement on renewals with the commissioner.

Subd. 8. **Noncompliant license or identification card; residence, lawful status.** (a) A person who applies for a noncompliant driver's license or identification card:

(1) must declare the applicant's residence address in Minnesota; and

(2) is not required to demonstrate United States citizenship or lawful presence in the United States.

(b) Minnesota Rules, part 7410.0410, or any successor rule, does not apply for a noncompliant driver's license or identification card.

(c) Nothing in this section allows the commissioner to issue a commercial driver's license to an applicant who does not demonstrate proof of citizenship or immigration status if required by federal law.

Subd. 9. MS 2023 Supp [Repealed, 2024 c 104 art 1 s 110]

Subd. 10. MS 2023 Supp [Repealed, 2024 c 104 art 1 s 110]

Subd. 11. MS 2023 Supp [Repealed, 2024 c 104 art 1 s 110]

**History:** *(2720-144c) 1939 c 401 s 6; 1949 c 689 s 1,2; 1955 c 798 s 1,2; 1957 c 564 s 2,3; 1959 c 634 s 1; 1965 c 36 s 1; 1971 c 129 s 1; 1971 c 625 s 2; 1971 c 644 s 8,9; 1971 c 659 s 1; 1973 c 59 s 1; 1973 c 698 s 1-3; 1978 c 628 s 1; 1981 c 363 s 31-35; 1982 c 583 s 1; 1985 c 291 s 20; 1986 c 330 s 1; 1986 c 444; 1Sp1986 c 3 art 1 s 82; 1987 c 358 s 111; 1987 c 383 s 14; 1988 c 715 s 2; 1989 c 301 s 6; 1989 c 307 s 20,21; 1990 c 509 s 1; 1990 c 510 s 1; 1990 c 529 s 8; 1990 c 573 s 21; 1991 c 202 s 13; 1991 c 233 s 60; 1991 c 291 art 19 s 1,11; 1992 c 464 art 1 s 23; 1993 c 166 s 1; 1993 c 266 s 21,22; 1994 c 501 s 3; 1994 c 536 s 22; 1994 c 632 art 1 s 5; 1995 c 265 art 2 s 19; 1996 c 275 s 5,6; 1997 c 13 s 1; 1997 c 60 s 1; 1997 c 159 art 2 s 32; 1997 c 250 s 9,18; 3Sp1997 c 3 s 2; 1998 c 388 s 14-16; 1999 c 86 art 1 s 83; 2000 c 478 art 2 s 7; 2000 c 489 art 6 s 32; 2002 c 349 s 1; 2002 c 371 art 1 s 55,56; 1Sp2003 c 14 art 10 s 3; 2004 c 192 s 1; 1Sp2005 c 6 art 2 s 37; art 3 s 66; 2007 c 120 art 2 s 4; 2007 c 143 art 3 s 4; 2008 c 227 s 6; 2008 c 363 art 11 s 8; 2009 c 94 art 3 s 10; 2010 c 316 s 5-8,18; 2011 c 80 s 2; 2011 c 117 s 3; 1Sp2011 c 3 art 3 s 8; 2014 c 312 art 11 s 20; 2017 c 76 s 7-10,25; 2017 c 83 art 3 s 18; 1Sp2017 c 3 art 3 s 74; 1Sp2019 c 3 art 2 s 30; art 3 s 74; 2021 c 24 s 1; 1Sp2021 c 5 art 4 s 68-70; 2023 c 13 art 1 s 2-7; 2023 c 34 art 1 s 2; 2023 c 68 art 3 s 14,15; art 4 s 57,58; art 5 s 35; 2023 c 69 s 1; 2024 c 104 art 1 s 58,59; 2024 c 127 art 3 s 65,66; 2025 c 20 s 171*

**NOTE:** (a) The amendments to subdivisions 1, 2, and 3, by Laws 2017, chapter 76, sections 7 to 9, and subdivision 3b, as added by Laws 2017, chapter 76, section 10, were effective May 19, 2017, and apply to driver's licenses and Minnesota identification cards applied for and issued on or after October 1, 2018. Laws 2017, chapter 76, section 29.

(b) If the Federal REAL ID Act, Public Law 109-13, Division B, is repealed, or if the definition of "official purpose" in Code of Federal Regulations, title 6, part 37, is amended, the amendments to subdivisions 1, 2, and 3, by Laws 2017, chapter 76, sections 7 to 9, and subdivision 3b, as added by Laws 2017, chapter 76, section 10, are repealed on June 30 of the following year. Laws 2017, chapter 76, section 27.

**171.0605 EVIDENCE OF IDENTITY AND LAWFUL PRESENCE.**

Subdivision 1. **Scope and application.** This section applies only to driver's licenses and Minnesota identification cards that meet all requirements of the REAL ID Act. Except as otherwise provided under this section, the requirements of Minnesota Rules, chapter 7410, or successor rules, apply.

Subd. 2. **Evidence; identity; date of birth.** (a) Only the following is satisfactory evidence of an applicant's identity and date of birth under section 171.06, subdivision 3, paragraph (b):

(1) a driver's license or identification card that:

(i) complies with all requirements of the REAL ID Act;

(ii) is not designated as temporary or limited term; and

(iii) is current or has been expired for five years or less;

(2) a valid, unexpired United States passport, including a passport booklet or passport card, issued by the United States Department of State;

(3) a certified copy of a birth certificate issued by a government bureau of vital statistics or equivalent agency in the applicant's state of birth, which must bear the raised or authorized seal of the issuing government entity;

(4) a consular report of birth abroad, certification of report of birth, or certification of birth abroad, issued by the United States Department of State, Form FS-240, Form DS-1350, or Form FS-545;

(5) a valid, unexpired permanent resident card issued by the United States Department of Homeland Security or the former Immigration and Naturalization Service of the United States Department of Justice, Form I-551. If the Form I-551 validity period has been automatically extended by the United States Department of Homeland Security, it is deemed unexpired, regardless of the expiration date listed;

(6) a foreign passport with an unexpired temporary I-551 stamp or a temporary I-551 printed notation on a machine-readable immigrant visa with a United States Department of Homeland Security admission stamp within the validity period;

(7) a United States Department of Homeland Security Form I-94 or Form I-94A with a photograph and an unexpired temporary I-551 stamp;

(8) a United States Department of State Form DS-232 with a United States Department of Homeland Security admission stamp and validity period;

(9) a certificate of naturalization issued by the United States Department of Homeland Security, Form N-550 or Form N-570;

(10) a certificate of citizenship issued by the United States Department of Homeland Security, Form N-560 or Form N-561;

(11) an unexpired employment authorization document issued by the United States Department of Homeland Security, Form I-766 or Form I-688B. If the Form I-766 validity period has been automatically extended by the United States Department of Homeland Security, it is deemed unexpired, regardless of the expiration date listed;

(12) a valid, unexpired passport issued by a foreign country and a valid, unexpired United States visa accompanied by documentation of the applicant's most recent lawful admittance into the United States; or

(13) a document as designated by the United States Department of Homeland Security under Code of Federal Regulations, title 6, part 37.11 (c)(1)(x).

(b) A document under paragraph (a) must be legible and unaltered.

Subd. 3. **Evidence; lawful status.** Only a form of documentation identified under subdivision 2, paragraph (a), clauses (2) to (13), or a document issued by a federal agency that demonstrates the applicant's lawful status are satisfactory evidence of an applicant's lawful status under section 171.06, subdivision 3, paragraph (b), clause (2).

Subd. 4. MS 2022 [Repealed, 2024 c 104 art 1 s 110]

Subd. 5. **Evidence; residence in Minnesota.** (a) Submission of two forms of documentation from the following is satisfactory evidence of an applicant's principal residence address in Minnesota under section 171.06, subdivision 3, paragraph (b):

(1) a home utility services bill issued no more than 12 months before the application;

(2) a home utility services hook-up work order issued no more than 12 months before the application;

(3) United States bank or financial information issued no more than 12 months before the application, with account numbers redacted, including:

(i) a bank account statement;

(ii) a credit card or debit card statement;

(iii) a brokerage account statement;

(iv) a money market account statement;

(v) a Health Savings Account statement; or

(vi) a retirement account statement;

(4) a certified transcript from a United States high school, if issued no more than 180 days before the application;

(5) a certified transcript from a Minnesota college or university, if issued no more than 180 days before the application;

(6) a student summary report from a United States high school signed by a school principal or designated authority and issued no more than 180 days before the application;

(7) an employment pay stub issued no more than 12 months before the application that lists the employer's name and address;

(8) a Minnesota unemployment insurance benefit statement issued no more than 12 months before the application;

(9) a statement from an assisted living facility licensed under chapter 144G, nursing home licensed under chapter 144A, or a boarding care facility licensed under sections 144.50 to 144.56, that was issued no more than 12 months before the application;

(10) a current policy or card for health, automobile, homeowner's, or renter's insurance;

(11) a federal or state income tax return for the most recent tax filing year;

(12) a Minnesota property tax statement for the current or prior calendar year or a proposed Minnesota property tax notice for the current year that shows the applicant's principal residential address both on the mailing portion and the portion stating what property is being taxed;

(13) a Minnesota vehicle certificate of title;

(14) a filed property deed or title for current residence;

(15) a Supplemental Security Income award statement issued no more than 12 months before the application;

(16) mortgage documents for the applicant's principal residence;

(17) a residential lease agreement for the applicant's principal residence issued no more than 12 months before the application;

(18) an affidavit of residence for an applicant whose principal residence is a group home, communal living arrangement, cooperative, or a religious order issued no more than 90 days before the application;

(19) an assisted living or nursing home statement issued no more than 90 days before the application;

(20) a valid driver's license, including an instruction permit, issued under this chapter;

(21) a valid Minnesota identification card;

(22) an unexpired Minnesota professional license;

(23) an unexpired Selective Service card;

(24) military orders that are still in effect at the time of application;

(25) a cellular phone bill issued no more than 12 months before the application;

(26) a valid license issued pursuant to the game and fish laws; or

(27) an unexpired Safe at Home card, as defined by Minnesota Rules, part 8290.0100, subpart 19. A participant may not use a card with a "temporary" designation on the card for this purpose.

(b) In lieu of one of the two documents required by paragraph (a), an applicant under the age of 18 may use a parent or guardian's proof of principal residence as provided in this paragraph. The parent or guardian of the applicant must provide a document listed under paragraph (a) that includes the parent or guardian's name and the same address as the address on the document provided by the applicant. The parent or guardian must also certify that the applicant is the child of the parent or guardian and lives at that address.

(c) A document under paragraph (a) must include the applicant's name and principal residence address in Minnesota.

(d) For purposes of this subdivision, Internet service and cable service are utilities.

Subd. 6. **Exceptions process.** (a) The commissioner may grant a variance from the requirements of this section as provided under Minnesota Rules, part 7410.0600, or successor rules, for evidence of:

(1) identity or date of birth under subdivision 2;

(2) lawful status under subdivision 3, only for demonstration of United States citizenship; and

(3) residence in Minnesota under subdivision 5.

(b) The commissioner must not grant a variance for an applicant having a lawful temporary admission period.

Subd. 7. **Evidence of name change.** The following is satisfactory evidence of an applicant's name change:

(1) a copy of the applicant's certificate of marriage certified by the issuing government jurisdiction;

(2) a certified copy of a court order that specifies the applicant's name change; or

(3) a certified copy of a court-issued divorce decree or dissolution of marriage that specifies the applicant's name change.

**History:** *2017 c 76 s 11; 2020 c 71 art 2 s 9; 7Sp2020 c 1 art 6 s 25; 2023 c 68 art 5 s 36,37; 2024 c 104 art 1 s 60-62; 2025 c 20 s 172; 1Sp2025 c 8 art 2 s 40,41; 2026 c 67 s 8*

**NOTE:** (a) This section, as added by Laws 2017, chapter 76, section 11, was effective May 19, 2017, and applies to driver's licenses and Minnesota identification cards applied for and issued on or after October 1, 2018. Laws 2017, chapter 76, section 29.

(b) If the Federal REAL ID Act, Public Law 109-13, Division B, is repealed, or if the definition of "official purpose" in Code of Federal Regulations, title 6, part 37, is amended, this section, as added by Laws 2017, chapter 76, section 11, is repealed on June 30 of the following year. Laws 2017, chapter 76, section 27.

**171.061 DRIVER'S LICENSE AGENT.**

Subdivision 1. **Definitions.** For purposes of this section:

(1) "applicant" means an individual applying for a driver's license, provisional license, restricted license, duplicate license, instruction permit, Minnesota identification card, or motorized bicycle operator's permit; and

(2) "application" refers to an application for a driver's license, provisional license, restricted license, duplicate license, instruction permit, Minnesota identification card, or motorized bicycle operator's permit.

Subd. 2. **Appointment and discontinuance.** (a) The commissioner of public safety may appoint an individual, and for cause discontinue the appointment of an agent, to serve as a driver's license agent.

(b) A county board may appoint an individual, and for cause discontinue the appointment of an agent, to serve as an agent, pursuant to sections 373.32 to 373.38, with the approval of the commissioner. If a county board does not discontinue an agent's appointment, although cause for discontinuance exists, the commissioner may discontinue the appointment. If a county board does not appoint an individual, the commissioner may establish an office and appoint an individual to accept applications as the public interest and convenience may require.

(c) The county board is responsible for the acts of an agent appointed by the board and for forwarding to the department all applications accepted and fees collected by the agent as required by the department.

Subd. 3. **Application.** An applicant may file an application with an agent. The agent shall receive and accept applications in accordance with the laws and rules of the Department of Public Safety for a noncompliant driver's license or identification card; an enhanced driver's license or identification card; a REAL ID compliant driver's license or identification card; restricted license; duplicate license; instruction permit; or motorized bicycle operator's permit. Application records must be maintained at the office of the agent in a manner that complies with sections 13.05, subdivision 5, and 13.055. As an alternative to paper copy storage, an agent may retain records and documents in a secure electronic medium that complies with the security requirements under the United States Federal Bureau of Investigation, Criminal Justice Information Services Division, Policy 5.4 or any successor policy, provided 60 days have elapsed since the transaction and subject to standards established by the commissioner. The agent is responsible for all costs associated with the conversion to electronic records and maintenance of the electronic storage medium, including the destruction of existing paper records after conversion to the electronic format. All queries and responses in the secure electronic medium, and all actions in which data are entered, updated, accessed, or shared or disseminated by the agent must be contained in a data audit trail. Data contained in the audit trail are public to the extent the data are not otherwise classified under this section.

***[See Note.]***

Subd. 4. **Fee; equipment.** (a) The agent may charge and retain a filing fee for each application as follows:

| | | |
|---|---|---|
| (1) New application for a noncompliant, REAL ID-compliant, or enhanced driver's license or identification card | $ | 16.00 |
| (2) Renewal application for a noncompliant, REAL ID-compliant, or enhanced driver's license or identification card | $ | 11.00 |

Except as provided in paragraph (c), the fee must cover all expenses involved in receiving, accepting, or forwarding to the department the applications and fees required under sections 171.02, subdivision 3; 171.06, subdivisions 2 and 2a; and 171.07, subdivisions 3 and 3a.

(b) The statutory fees and the filing fees imposed under paragraph (a) may be paid by credit card or debit card. The driver's license agent may collect a convenience fee on the statutory fees and filing fees not greater than the cost of processing a credit card or debit card transaction. The convenience fee must be used to pay the cost of processing credit card and debit card transactions. The commissioner must adopt rules to administer this paragraph using the exempt procedures of section 14.386, except that section 14.386, paragraph (b), does not apply.

(c) The department must maintain the photo identification and vision examination equipment for all agents. All photo identification and vision examination equipment must be compatible with standards established by the department.

(d) A filing fee retained by the agent employed by a county board must be paid into the county treasury and credited to the general revenue fund of the county. An agent who is not an employee of the county must retain the filing fee in lieu of county employment or salary and is considered an independent contractor for pension purposes, coverage under the Minnesota State Retirement System, or membership in the Public Employees Retirement Association.

(e) Before the end of the first working day following the final day of the reporting period established by the department, the agent must forward to the department all applications and fees collected during the reporting period except as provided in paragraph (d).

Subd. 4a. **Reimbursements.** (a) The commissioner must issue payment to a driver's license agent as follows:

(1) $2 for paying an account balance;

(2) $4 for the following transactions:

(i) correcting credentials for veterans with a total service-connected disability, homeless fee, and those with reduced-fee credentials; and

(ii) payment of reinstatement fees for veterans with a total service-connected disability and homeless youth;

(3) $8 for the following transactions:

(i) changing a customer's personal identification number; and

(ii) mail-in application photograph renewal; and

(4) an amount that equals the fee established under subdivision 4, paragraph (a), clause (2), for the following transactions:

(i) addition of court order review;

(ii) paper temporary receipt of application permit for veterans with a total service-connected disability; and

(iii) issuing a credential for veterans with a total service-connected disability, homeless youth, and those with reduced-fee credentials.

(b) The following transactions for which no filing fee under subdivision 4 is collected are not eligible for payment of any kind:

(1) collection of another fee type, including but not limited to a record request fee or a fast track fee;

(2) voluntary waiver of a fee by the driver's license agent; and

(3) ancillary to a transaction for which a filing fee may be imposed.

(c) If the amount appropriated for payments under this subdivision is insufficient, the commissioner must prorate the payments.

Subd. 5. **Discontinuance or transfer of appointment.** (a) An agent shall notify the department no less than 30 days before the discontinuance of service.

(b) In the event of the notice specified in paragraph (a); death or retirement of the agent; or revocation or discontinuance of the appointment of the agent by the county board or commissioner, the appointment terminates and all equipment provided by the department reverts to the department.

Subd. 5a. **Competitive bidding.** (a) Notwithstanding any statute or rule to the contrary, if a driver's license agent appointed under this section permanently stops offering services at the approved office location

and permanently closes the approved office location, the commissioner must use a competitive bidding process for the appointment of a replacement driver's license agent. If available, the replacement driver's license agent appointed by the commissioner under this section must continue to offer services at the approved office location. If the existing office location is not available to the replacement driver's license agent, the replacement office location must be at a location that must be approved by the commissioner and must serve a similar service area as the existing office location.

(b) The commissioner must not give a preference to a partner, owner, manager, or employee of the driver's license agent that has permanently stopped offering services at the closed office location in a competitive bidding process.

(c) The commissioner must adopt rules to administer and enforce a competitive bidding process to select a replacement driver's license agent. If the replacement driver's license agent elects to not offer services at the office location of the prior agent, Minnesota Rules, chapter 7404, governing the selection of a proposed office location of a driver's license agent, applies.

Subd. 6. **Rules.** The commissioner shall adopt rules that prescribe:

(1) criteria, procedures, and requirements for appointing an individual as an agent of the commissioner;

(2) criteria for establishment, operation, management, location, and movement of a license application office;

(3) standards for the uniform administration of laws and rules governing the receipt of applications and fees for applications;

(4) number of applications to be processed;

(5) standards for submitting applications including valid forms of identification, depositing funds, maintaining records, and holding proper bonds; and

(6) standards for discontinuing the individual's appointment and for enforcement action.

**History:** *1997 c 250 s 10; 1999 c 86 art 1 s 41; 1999 c 238 art 2 s 26; 2000 c 479 art 1 s 18; 1Sp2005 c 6 art 2 s 38; 2012 c 287 art 4 s 34; 2013 c 117 art 3 s 11; 2017 c 76 s 12; 1Sp2017 c 3 art 3 s 75; 2023 c 68 art 3 s 16; 2024 c 127 art 3 s 67; 1Sp2025 c 8 art 2 s 42*

**NOTE:** (a) The amendment to subdivision 3 by Laws 2017, chapter 76, section 12, was effective May 19, 2017, and applies to driver's licenses and Minnesota identification cards applied for and issued on or after October 1, 2018. Laws 2017, chapter 76, section 29.

(b) If the Federal REAL ID Act, Public Law 109-13, Division B, is repealed, or if the definition of "official purpose" in Code of Federal Regulations, title 6, part 37, is amended, the amendment to subdivision 3 by Laws 2017, chapter 76, section 12, is repealed on June 30 of the following year. Laws 2017, chapter 76, section 27.

## 171.062 EVIDENCE OF IDENTITY; NONCOMPLIANT CREDENTIALS.

Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have the meanings given.

(b) "Court" includes a foreign court of competent jurisdiction.

(c) "Foreign" means a jurisdiction that is not, and is not within, the United States, the Commonwealth of the Northern Mariana Islands, the Commonwealth of Puerto Rico, Guam, the United States Virgin Islands, or a territory of the United States.

Subd. 2. **Evidence of identity.** For a noncompliant license or identification card, an applicant must submit:

(1) a Minnesota driver's license or identification card that is current or has been expired:

(i) for five years or less with a color photograph or electronically produced or digitized image; or

(ii) for one year or less without a color photograph or electronically produced or digitized image; or

(2) if the applicant cannot present a credential under clause (1), either:

(i) one primary document under subdivision 4 and one secondary document under subdivision 5; or

(ii) two primary documents under subdivision 4.

Subd. 3. **General requirements.** (a) A document submitted under this section must include the applicant's name and must be:

(1) issued to or provided for the applicant;

(2) legible and unaltered;

(3) an original or a copy certified by the issuing agency or by a court; and

(4) accompanied by a certified translation or an affidavit of translation into English, if the document is not in English.

(b) If the applicant's current legal name is different from the name on a document submitted under subdivision 4 or 5, the applicant must submit:

(1) a certified copy of a court order that specifies the applicant's name change;

(2) a certified copy of the applicant's certificate of marriage;

(3) a certified copy of a divorce decree or dissolution of marriage that specifies the applicant's name change, issued by a court; or

(4) similar documentation of a lawful change of name, as determined by the commissioner.

(c) A form issued by a federal agency that is specified under this section includes any subsequent form or version.

(d) The commissioner must establish a process to grant a waiver from the requirements under this section.

(e) The same document must not be submitted as both a primary document and a secondary document.

Subd. 4. **Primary documents.** (a) For purposes of a noncompliant driver's license or identification card, a primary document includes:

(1) a copy of the applicant's record of birth, or an original certificate of birth that is in the files of the applicable bureau or board under item (iii) and can be readily viewed by the official accepting the application, certified by the issuing state that:

(i) is not issued by a hospital and is not a baptismal certificate;

(ii) bears the raised or authorized seal of the issuing government jurisdiction or a protective equivalent; and

(iii) is issued by:

(A) a government bureau of vital statistics or community health board;

(B) the United States Department of State as a Record of Birth Abroad, Form FS-545 or Form DS-1350; or

(C) a United States embassy as a Consular Report of Birth Abroad, Form FS-240;

(2) a certified copy of an adoption certificate with the applicant's full name and date of birth from a United States court of competent jurisdiction that bears the raised court seal or other court certification;

(3) an unexpired identification card issued to the applicant by the United States Department of Defense for active duty, reserve, or retired military personnel, Form DD-2 or Common Access Card;

(4) a valid, unexpired passport issued to the applicant by the United States Department of State;

(5) a Canadian birth certificate or Canadian naturalization certificate;

(6) one of the following documents issued by the United States Department of Justice or the United States Department of Homeland Security or any subsequent form or version of the documents:

(i) Certificate of Naturalization, Form N-550, Form N-570, or Form N-578;

(ii) Certificate of Citizenship, Form N-560, Form N-561, or Form N-645;

(iii) United States Citizen Identification card, Form I-179 or Form I-197;

(iv) valid, unexpired Permanent Resident or Resident Alien card, Form I-551 or Form I-151;

(v) Northern Mariana card, Form I-873, with "Northern Mariana" imprinted instead of "Resident Alien";

(vi) American Indian card, Form I-872, with "American Indian" imprinted instead of "Resident Alien";

(vii) unexpired employment authorization document with a photograph, Form I-688, Form I-688A, Form I-688B, or Form I-766; or

(viii) unexpired Re-entry Permit/Refugee Travel Document, Form I-571;

(7) an unexpired passport or a consular identification document that bears a photograph of the applicant;

(8) a certified birth certificate issued by a foreign jurisdiction; and

(9) a certified adoption certificate issued by a foreign jurisdiction that includes the applicant's name and date of birth.

(b) A document submitted under this subdivision must contain security features that make the document as impervious to alteration as is reasonably practicable in its design and quality of material and technology.

(c) Submission of more than one primary document is not required under this subdivision.

Subd. 5. **Secondary documents.** (a) For purposes of a noncompliant driver's license or identification card, a secondary document includes:

(1) a second primary document listed under subdivision 4, paragraph (a);

(2) a driver's license, identification card, or permit, with a photograph or digitized image, issued by a United States state other than Minnesota or a foreign jurisdiction and that is current or has expired no more than five years before the application;

(3) a certified copy of a court order or judgment from a United States or Canadian court of competent jurisdiction containing the applicant's full name and date of birth and bearing the raised court seal or other court certification;

(4) a current United States or Canadian government jurisdiction employee photo identification card;

(5) a certified copy of a record of birth issued by a government jurisdiction other than one in the United States, the District of Columbia, Guam, Puerto Rico, or the United States Virgin Islands;

(6) a current identification card or document issued to the applicant by the United States Department of Defense, described as:

(i) DD Form 1173 series, for dependents of active duty personnel; or

(ii) DD Form 214, Certificate of Release or Discharge from Active Duty;

(7) a copy of a marriage certificate certified by the issuing government jurisdiction or the original certificate only if it is in the files of the issuing jurisdiction and can be readily viewed by the official accepting the application;

(8) an unexpired permit to carry a firearm or concealed weapon bearing a color photo of the applicant issued by a chief of police in an organized, full-time United States police department or by a United States county sheriff;

(9) a current pilot's license issued by the United States Department of Transportation, Federal Aviation Administration;

(10) a copy of a transcript containing the applicant's full legal name and date of birth certified by the issuing secondary or postsecondary school;

(11) a United States nonmetal Social Security card or a Canadian social insurance card;

(12) a current secondary school student identification card with the student's name, a photograph or electronically produced image of the student, and the student's date of birth or unique student identification number;

(13) a notice of action on or proof of submission of a completed Application for Asylum and for Withholding of Removal issued by the United States Department of Homeland Security, Form I-589;

(14) a Certificate of Eligibility for Nonimmigrant Student Status issued by the United States Department of Homeland Security, Form I-20;

(15) a Certificate of Eligibility for Exchange Visitor (J-1) Status issued by the United States Department of State, Form DS-2019;

(16) a Deferred Action for Childhood Arrival approval notice issued by the United States Department of Homeland Security;

(17) an employment authorization document issued by the United States Department of Homeland Security, Form I-688, Form I-688A, Form I-688B, or Form I-766;

(18) a document issued by the Internal Revenue Service with an individual taxpayer identification number;

(19) a Social Security card;

(20) a Supplemental Security Income award statement;

(21) a Selective Service card;

(22) military orders that are still in effect at the time of the application with a copy of a DD Form 2058 State of Legal Residence Certificate;

(23) a Minnesota unemployment insurance benefit statement;

(24) a valid identification card for health benefits or an assistance or social services program;

(25) a Minnesota vehicle certificate of title;

(26) mortgage documents for the applicant's residence;

(27) a filed property deed or title for the applicant's residence;

(28) a Minnesota property tax statement or a proposed Minnesota property tax notice;

(29) a certified copy of a divorce decree or dissolution of marriage issued by a court that specifies the applicant's name or name change;

(30) a valid Department of Corrections or Federal Bureau of Prisons identification card containing the applicant's full name, date of birth, and photograph; and

(31) any of the following documents issued by a foreign jurisdiction:

(i) a driver's license that is current or has been expired for no more than five years before the application;

(ii) a high school, college, or university student identification card with a certified transcript from the school;

(iii) an official high school, college, or university transcript that includes the applicant's date of birth and a photograph of the applicant at the age the record was issued;

(iv) a federal electoral card that contains the applicant's photograph issued on or after January 1, 1991;

(v) a certified copy of the applicant's certificate of marriage; and

(vi) a certified copy of a court order or judgment from a court of competent jurisdiction that contains the applicant's name and date of birth.

(b) Submission of more than one secondary document is not required under this subdivision.

Subd. 6. **Verification.** The department must be able to verify with the issuing jurisdiction the issuance and authenticity of the primary or secondary documents submitted under this section. Verification is required if:

(1) the document provided by the applicant is inconsistent with the department record;

(2) the document provided by the applicant appears to be altered or fraudulent; or

(3) there is reason to believe the applicant is not who the applicant claims to be.

**History:** *2024 c 104 art 1 s 63*

**171.063 EVIDENCE OF IDENTITY FOR ENHANCED CREDENTIALS.**

Subdivision 1. **Date of birth.** As satisfactory evidence of date of birth, an applicant for an enhanced driver's license or an enhanced identification card must present one of the following documents:

(1) original or certified copy of a United States or United States territory birth certificate that bears the raised or authorized seal of the issuing jurisdiction or a protective equivalent;

(2) United States Department of State Consular Report of Birth Abroad, Form FS-240, Form DS-1350, or Form FS-545;

(3) valid, unexpired United States passport or United States passport card;

(4) Certificate of Naturalization, Form N-550 or Form N-570;

(5) Certificate of Citizenship, Form N-560 or Form N-561;

(6) American Indian card, Form I-872, or Minnesota Tribal identification card that meets the requirements of section 171.072; or

(7) United States military photo identification card issued to active duty, reserve, or retired military personnel.

Subd. 2. **Full legal name.** As satisfactory evidence of full legal name, an applicant for an enhanced driver's license or enhanced identification card must present one of the following documents that was not also presented for proof of photographic identity under subdivision 4:

(1) original or certified copy of a United States or United States territory birth certificate that bears the raised or authorized seal of the issuing jurisdiction or a protective equivalent;

(2) United States Department of State Consular Report of Birth Abroad, Form FS-240, Form DS-1350, or Form FS-545;

(3) valid, unexpired United States passport or United States passport card;

(4) Certificate of Naturalization, Form N-550 or Form N-570;

(5) Certificate of Citizenship, Form N-560 or Form N-561;

(6) American Indian card, Form I-872, or Minnesota Tribal identification card that meets the requirements of section 171.072;

(7) United States military photo identification card issued to active duty, reserve, or retired military personnel;

(8) federal or Minnesota income tax form W-2;

(9) federal or Minnesota income tax form SSA-1099;

(10) non-SSA federal or Minnesota income tax form 1099;

(11) United States high school identification card with a certified transcript from the same school if issued no more than 180 days before the application;

(12) United States college or university identification card with a certified transcript from the same college or university if issued no more than 180 days before the application;

(13) Minnesota unemployment insurance benefit statement issued no more than 90 days before the application;

(14) life, health, automobile, homeowner's, or renter's insurance policy that is issued no more than 90 days before the application. The commissioner must not accept a proof of insurance card;

(15) federal or state income tax return or statement for the most recent tax filing year;

(16) Minnesota property tax statement for the current year that reflects the applicant's principal residential address both on the mailing portion and the portion stating what property is being taxed;

(17) Minnesota vehicle certificate of title if issued no more than 12 months before the application;

(18) filed property deed or title for the applicant's current residence if issued no more than 12 months before the application;

(19) Supplemental Security Income award statement that is issued no more than 12 months before the application;

(20) valid Minnesota driver's license, valid Minnesota identification card, or valid permit;

(21) unexpired Minnesota professional license;

(22) unexpired Selective Service card;

(23) military orders that are still in effect at the time of the application;

(24) copy of the applicant's certificate of marriage certified by the issuing government jurisdiction;

(25) certified copy of a court order specifying a name change; or

(26) certified copy of a divorce decree or dissolution of marriage granted to the applicant that specifies a name change requested from a court of competent jurisdiction.

Subd. 3. **Social Security number.** As satisfactory evidence of Social Security number, an applicant for an enhanced driver's license or an enhanced identification card must present the applicant's original Social Security card or one of the following:

(1) federal or Minnesota income tax form W-2;

(2) federal or Minnesota income tax form SSA-1099;

(3) non-SSA federal or Minnesota income tax form 1099; or

(4) United States employment computer-printed pay stub containing the applicant's name, address, and full Social Security number.

Subd. 4. **Photographic identity.** As satisfactory evidence of photographic identity, an applicant for an enhanced driver's license or an enhanced identification card must present one of the following documents:

(1) valid Minnesota driver's license, identification card, or permit;

(2) valid driver's license, identification card, or permit issued by another United States state, including the District of Columbia and any United States territory;

(3) United States military identification card issued to active duty, reserve, or retired military personnel;

(4) United States military dependent identification card;

(5) valid, unexpired United States passport or United States passport card;

(6) American Indian card, Form I-872, or Minnesota Tribal identification card that meets the requirements under section 171.072;

(7) valid city, county, state, or federal employee identification card;

(8) United States high school identification card with a certified transcript from the same school, both issued no more than 180 days before the application;

(9) United States college or university identification card with a certified transcript from the same college or university, both issued no more than 180 days before the application; or

(10) veterans universal access identification card.

Subd. 5. **United States citizenship.** As satisfactory evidence of United States citizenship, an applicant for an enhanced driver's license or enhanced identification card must present one of the following documents:

(1) original or certified copy of a United States or United States territory birth certificate that bears the raised or authorized seal of the issuing jurisdiction or a protective equivalent;

(2) United States Department of State Consular Report of Birth Abroad, Form FS-240, Form DS-1350, or Form FS-545;

(3) valid, unexpired United States passport or United States passport card;

(4) Certificate of Naturalization, Form N-550 or Form N-570; or

(5) Certificate of Citizenship, Form N-560 or Form N-561.

Subd. 6. **Residency.** (a) As satisfactory evidence of residency, an applicant for an enhanced driver's license or enhanced identification card must present two different forms of the following documents that list the applicant's name and address:

(1) United States home utility services bill that is issued no more than 90 days before the application. The commissioner must not accept a United States home utility bill if two unrelated people are listed on the bill;

(2) United States home utility services hook-up work order that is issued no more than 90 days before the application. The commissioner must not accept a United States home utility services hook-up work order if two unrelated people are listed on the work order;

(3) United States financial information with account numbers redacted that is issued no more than 90 days before the application, including a:

(i) bank account statement;

(ii) canceled check; or

(iii) credit card statement;

(4) United States high school identification card with a certified transcript from the same school if issued no more than 180 days before the application;

(5) United States college or university identification card with a certified transcript from the same college or university if issued no more than 180 days before the application;

(6) United States employment pay stub that lists the employer's name, address, and telephone number that is issued no more than 90 days before the application;

(7) Minnesota unemployment insurance benefit statement issued no more than 90 days before the application;

(8) assisted living or nursing home statement that is issued no more than 90 days before the application;

(9) life, health, automobile, homeowner's, or renter's insurance policy that is issued no more than 90 days before the application. The commissioner must not accept a proof of insurance card;

(10) federal or state income tax return or statement for the most recent tax filing year;

(11) Minnesota property tax statement for the current year that reflects the applicant's principal residential address both on the mailing portion and the portion stating what property is being taxed;

(12) Minnesota vehicle certificate of title if issued no more than 12 months before the application;

(13) filed property deed or title for the applicant's current residence if issued no more than 12 months before the application;

(14) Supplemental Security Income award statement that is issued no more than 12 months before the application;

(15) mortgage documents for the applicant's principal residence;

(16) residential lease agreement for the applicant's principal residence that is issued no more than 12 months before the application;

(17) valid Minnesota driver's license, identification card, or permit;

(18) unexpired Minnesota professional license;

(19) unexpired Selective Service card; or

(20) military orders that are still in effect at the time of the application with a copy of a DD Form 2058 State of Legal Residence Certificate.

(b) For purposes of this subdivision, Internet service and cable service are utilities.

(c) The commissioner must verify with the United States Postal Service the address information provided under this subdivision.

Subd. 7. **Verification.** The department must be able to verify with the issuing jurisdiction the issuance and authenticity of the documents submitted under this section. Verification is required if:

(1) the document provided by the applicant is inconsistent with the department record;

(2) the document provided by the applicant appears to be altered or fraudulent; or

(3) there is reason to believe the applicant is not who the applicant claims to be.

**History:** *2024 c 104 art 1 s 64*

**171.066 ENHANCED DRIVER'S LICENSE FOR EMPLOYMENT.**

No employer may require an employee to apply for or use an enhanced driver's license as a condition of employment, nor may an employer discharge an employee or otherwise discriminate or retaliate against an employee who refuses to apply for or use an enhanced driver's license.

**History:** *2010 c 316 s 4,18*

**171.068 ENHANCED IDENTIFICATION CARD FOR EMPLOYMENT.**

No employer may require an employee to apply for or use an enhanced identification card as a condition of employment, nor may an employer discharge an employee or otherwise discriminate or retaliate against an employee who refuses to apply for or use an enhanced identification card.

**History:** *2010 c 316 s 10,18*

**171.069 TRANSLATIONS.**

For any document submitted to the commissioner under this chapter in a language other than English:

(1) the document must be accompanied by a translation of that document into the English language;

(2) the translation must be sworn to by the translator as being a true and accurate translation;

(3) the translator must not be related by blood or marriage to the applicant; and

(4) the translator must be:

(i) accredited by the American Translators Association;

(ii) certified by a court of competent jurisdiction;

(iii) approved by an embassy or consulate of the United States or diplomatic or consular official of a foreign country assigned or accredited to the United States;

(iv) affiliated with or approved by the United States Citizenship and Immigration Services or a government jurisdiction within the United States;

(v) an attorney licensed to practice in the United States or affiliated with that attorney;

(vi) a vendor listed to provide translation services for the state of Minnesota; or

(vii) a qualified individual who certifies the individual is competent to translate the document into English.

**History:** *2024 c 104 art 1 s 65*

**171.07 INFORMATION ON LICENSE AND IDENTIFICATION CARD.**

Subdivision 1. **License; contents and design.** (a) Upon the payment of the required fee, the department shall issue to every qualifying applicant a license designating the type or class of vehicles the applicant is authorized to drive as applied for. This license must bear: (1) a distinguishing number assigned to the licensee; (2) the licensee's full name and date of birth; (3) either (i) the licensee's residence address, or (ii) the designated address under section 5B.05; (4) a description of the licensee in a manner as the commissioner deems necessary; (5) the usual signature of the licensee; and (6) designations and markings as provided in this section. No license is valid unless it bears the usual signature of the licensee. Every license must bear a colored photograph or an electronically produced image of the licensee.

(b) If the United States Postal Service will not deliver mail to the applicant's residence address as listed on the license, then the applicant shall provide verification from the United States Postal Service that mail will not be delivered to the applicant's residence address and that mail will be delivered to a specified alternate mailing address. When an applicant provides an alternate mailing address under this subdivision, the commissioner shall use the alternate mailing address in lieu of the applicant's residence address for all notices and mailings to the applicant.

(c) Every license issued to an applicant under the age of 21 must be of a distinguishing color and plainly marked "Under-21."

(d) A license issued to an applicant age 65 or over must be plainly marked "senior" if requested by the applicant.

(e) Except for a noncompliant license, a license must bear a distinguishing indicator for compliance with requirements of the REAL ID Act.

(f) A noncompliant license must:

(1) be marked "not for federal identification" on the face and in the machine-readable portion;

(2) have a unique design or color indicator for purposes of the REAL ID Act; and

(3) bear no indicator or design that relates to the lawful presence or the citizenship of the license holder.

(g) A REAL ID compliant license issued to a person with temporary lawful status or admission period must be marked "temporary" on the face and in the machine-readable portion.

(h) A license must display the licensee's full name or no fewer than 39 characters of the name. Any necessary truncation must begin with the last character of the middle name and proceed through the second letter of the middle name, followed by the last character of the first name and proceeding through the second letter of the first name.

***[See Note.]***

Subd. 1a. **Filing photograph or image; data classification.** The department shall file, or contract to file, all photographs or electronically produced images obtained in the process of issuing drivers' licenses or Minnesota identification cards. The photographs or electronically produced images 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 photographs or electronically produced images to data subjects. The use of the files is restricted:

(1) to the issuance and control of drivers' licenses;

(2) to criminal justice agencies, as defined in section 299C.46, subdivision 2, for the investigation and prosecution of crimes, service of process, enforcement of no contact orders, location of missing persons, investigation and preparation of cases for criminal, juvenile, and traffic court, location of individuals required to register under section 243.166 or 243.167, and supervision of offenders;

(3) to public defenders, as defined in section 611.272, for the investigation and preparation of cases for criminal, juvenile, and traffic courts;

(4) to child support enforcement purposes under section 518A.83; and

(5) to a county medical examiner or coroner as required by section 390.005 as necessary to fulfill the duties under sections 390.11 and 390.25.

Subd. 1b. **Commercial driver's license.** Each class C, class B, or class A driver's license must be clearly marked "Minnesota Commercial Driver's License."

Subd. 2. **Limitations on issuing license.** The department shall not issue a class B or class A license to anyone who does not have or has not qualified for a class D license. A class A license shall not be issued to anyone under 18 years of age.

Subd. 3. **Identification card; content and design; fee.** (a) Upon payment of the required fee, the department shall issue to every qualifying applicant a Minnesota identification card. The department may not issue a Minnesota identification card to an individual who has a driver's license, other than a limited license. The department may not issue an enhanced identification card to an individual who is under 16 years of age, not a resident of this state, or not a citizen of the United States of America. The card must bear: (1) a distinguishing number assigned to the applicant; (2) a colored photograph or an electronically produced image of the applicant; (3) the applicant's full name and date of birth; (4) either (i) the licensee's residence address, or (ii) the designated address under section 5B.05; (5) a description of the applicant in the manner as the commissioner deems necessary; (6) the usual signature of the applicant; and (7) designations and markings provided under this section.

(b) If the United States Postal Service will not deliver mail to the applicant's residence address as listed on the Minnesota identification card, then the applicant shall provide verification from the United States Postal Service that mail will not be delivered to the applicant's residence address and that mail will be delivered to a specified alternate mailing address. When an applicant provides an alternate mailing address under this subdivision, the commissioner shall use the alternate mailing address in lieu of the applicant's residence address for all notices and mailings to the applicant.

(c) Each identification card issued to an applicant under the age of 21 must be of a distinguishing color and plainly marked "Under-21."

(d) Each Minnesota identification card must be plainly marked "Minnesota identification card - not a driver's license."

(e) Except for a noncompliant identification card, a Minnesota identification card must bear a distinguishing indicator for compliance with requirements of the REAL ID Act.

(f) A noncompliant identification card must:

(1) be marked "not for federal identification" on the face and in the machine-readable portion;

(2) have a unique design or color indicator for purposes of the REAL ID Act; and

(3) bear no indicator or design that relates to the lawful presence or the citizenship of the identification card holder.

(g) A REAL ID compliant Minnesota identification card issued to a person with temporary lawful status or admission period must be marked "temporary" on the face and in the machine-readable portion.

(h) A Minnesota identification card must display the cardholder's full name or no fewer than 39 characters of the name. Any necessary truncation must begin with the last character of the middle name and proceed through the second letter of the middle name, followed by the last character of the first name and proceeding through the second letter of the first name.

(i) The fee for a Minnesota identification card is 50 cents when issued to a person who is developmentally disabled, as defined in section 252A.02, subdivision 2; a physically disabled person, as defined in section 169.345, subdivision 2; or, a person with mental illness, as described in section 245.462, subdivision 20, paragraph (c).

***[See Note.]***

Subd. 3a. **Identification cards for seniors.** A Minnesota identification card issued to an applicant 65 years of age or over shall be of a distinguishing color and plainly marked "senior." The fee for the card issued to an applicant 65 years of age or over shall be one-half the required fee for a class D driver's license rounded down to the nearest quarter dollar. A Minnesota identification card or a Minnesota driver's license issued to a person 65 years of age or over shall be valid identification for the purpose of qualifying for reduced rates, free licenses or services provided by any board, commission, agency or institution that is wholly or partially funded by state appropriations. This subdivision does not apply to an enhanced identification card issued to an applicant age 65 or older.

Subd. 3b. **Identification card for homeless youth.** (a) A homeless youth, as defined in section 256K.45, subdivision 1a, who meets the requirements of this subdivision may obtain a noncompliant identification card, notwithstanding section 171.06, subdivision 3.

(b) An applicant under this subdivision must:

(1) provide the applicant's full name, date of birth, and sex;

(2) provide the applicant's height in feet and inches, weight in pounds, and eye color;

(3) submit a certified copy of a birth certificate issued by a government bureau of vital statistics or equivalent agency in the applicant's state of birth, which must bear the raised or authorized seal of the issuing government entity; and

(4) submit a statement verifying that the applicant is a homeless youth who resides in Minnesota that is signed by:

(i) an employee of a human services agency receiving public funding to provide services to homeless youth, runaway youth, youth with mental illness, or youth with substance use disorders; or

(ii) staff at a school who provide services to homeless youth or a school social worker.

(c) For a noncompliant identification card under this subdivision:

(1) the commissioner must not impose a fee, surcharge, or filing fee under section 171.06, subdivision 2; and

(2) a driver's license agent must not impose a filing fee under section 171.061, subdivision 4.

(d) Minnesota Rules, parts 7410.0400 and 7410.0410, or successor rules, do not apply for an identification card under this subdivision.

Subd. 4. **Identification card expiration.** (a) Except as otherwise provided in this subdivision, the expiration date of a Minnesota identification card is the birthday of the applicant in the fourth year following the date of issuance of the card.

(b) For an applicant age 65 or older:

(1) the expiration date of a Minnesota identification card is the birthday of the applicant in the eighth year following the date of issuance of the card; or

(2) a noncompliant identification card is valid for the lifetime of the applicant.

(c) For the purposes of paragraph (b), "Minnesota identification card" does not include an enhanced identification card issued to an applicant age 65 or older.

(d) The expiration date for an Under-21 identification card is the cardholder's 21st birthday. The commissioner shall issue an identification card to a holder of an Under-21 identification card who applies for the card, pays the required fee, and presents proof of identity and age, unless the commissioner determines that the applicant is not qualified for the identification card.

(e) Notwithstanding paragraphs (a) to (d), the expiration date for an identification card issued to a person with temporary lawful status is the last day of the person's legal stay in the United States, or one year after issuance if the last day of the person's legal stay is not identified.

***[See Note.]***

Subd. 5. **Anatomical gift; donor document.** The department shall offer a donor document to each person making application for a driver's license or a Minnesota identification card who indicates a desire not to make a decision about making an anatomical gift at the time the application is made. The commissioner of public safety shall prescribe the form of the donor document and the application for a driver's license or a Minnesota identification card. The forms must be designed so that execution by the applicant of the donor document or application will make an anatomical gift under the Darlene Luther Revised Uniform Anatomical Gift Act, chapter 525A. If the donor is 18 years of age or older, the donor document or application must be signed by the donor. If the donor cannot sign, the donor document or application may be signed for the donor at the donor's direction, in the donor's presence, and in the presence of two witnesses who must sign the donor document or application in the donor's presence. If the donor is a minor, the donor document or application must be signed by the minor donor, and one of the minor donor's parents, a legal guardian, or a parent having legal custody. If the minor cannot sign, the donor document or application may not be signed for the minor. The department shall identify donors of anatomical gifts by the designation "donor" on the front side of the donor's driver's license or Minnesota identification card. The issuance of a driver's license or Minnesota identification card identifying the person as a "donor" completes the donation process and the license or identification card constitutes the final donor record. The department is not required to keep the physical record of the donor card or application after issuing the driver's license or identification card for

the donation to be valid. The department shall maintain a computer record of donors. Revocation, suspension, expiration, or cancellation of the license does not invalidate the anatomical gift. The designation "donor" constitutes sufficient legal authority for the removal of all body organs or parts upon death of the donor for the purpose of transplantation. The donor designation may be removed only upon written notice to the department. Delivery of the license or Minnesota identification card during the donor's lifetime is not necessary to make the gift valid.

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 graphic or written medical alert identifier. The applicant must request the medical alert identifier at the time the photograph or electronically produced image is taken. No specific medical information will be contained on the driver's license or Minnesota identification card.

Subd. 6a. **Autism spectrum identifier.** Upon the written request of the applicant, the commissioner must issue a driver's license or Minnesota identification card bearing a graphic or written identifier for an autism spectrum disorder, as defined in section 62A.3094, subdivision 1, paragraph (b). The applicant must submit the written request for the identifier at the time the photograph or electronically produced image is taken. The commissioner must not include any specific medical information on the driver's license or Minnesota identification card.

Subd. 6b. **Mental health identifier.** Upon the written request of the applicant, the commissioner must issue a driver's license or Minnesota identification card bearing a graphic or written identifier for a mental health condition. The applicant must submit the written request for the identifier at the time the photograph or electronically produced image is taken. The commissioner must not include any specific medical information on the driver's license or Minnesota identification card.

Subd. 7. **Living Will/Health Care Directive designation.** (a) At the written request of the applicant and on payment of the required fee, the department shall issue, renew, or reissue a driver's license or Minnesota identification card bearing the graphic or written designation of a Living Will/Health Care Directive. The designation does not constitute delivery of a health care declaration under section 145B.05.

(b) On payment of the required fee, the department shall issue a replacement or renewal license or identification card without the designation if requested by the applicant.

(c) This subdivision does not impose any additional duty on a health care provider, as defined in section 145B.02, subdivision 6, or 145C.01, subdivision 6, beyond the duties imposed in chapter 145B or 145C.

(d) For the purposes of this subdivision:

(1) "living will" means a declaration made under section 145B.03; and

(2) "health care directive" means a durable power of attorney for health care under section 145C.02, or any other written advance health care directive of the applicant that is authorized by statute or not prohibited by law.

Subd. 8. **Certification; school bus safety laws.** Before a driver's license may be issued or renewed, an applicant for a driver's license or renewal shall certify by signature that the applicant is aware of the duties and responsibilities required of drivers under section 169.444 to guard against jeopardizing the safety of school children around school buses and the penalties for violating that section. A failure to make this certification does not bar a prosecution for violation of section 169.444.

Subd. 9. **Improved security.** The commissioner shall develop new drivers' licenses and identification cards, to be issued beginning January 1, 1994, that must be as impervious to alteration as is reasonably practicable in their design and quality of material and technology. The driver's license security laminate shall be made from materials not readily available to the general public. The design and technology employed must enable the driver's license and identification card to be subject to two or more methods of visual verification capable of clearly indicating the presence of tampering or counterfeiting. The driver's license and identification card must not be susceptible to reproduction by photocopying or simulation and must be highly resistant to data or photograph substitution and other tampering.

Subd. 9a. **Security features.** (a) A driver's license or identification card must include reasonable security measures to: prevent forgery, alteration, reproduction, and counterfeiting; facilitate detection of fraud; prohibit the ability to superimpose a photograph or electronically produced image; and protect against unauthorized disclosure of personal information contained in the driver's license or identification card. The driver's license must include the best available anticounterfeit laminate technology.

(b) An enhanced driver's license or enhanced identification card may include radio frequency identification technology that is limited to a randomly assigned number, which must be encrypted if agreed to by the United States Department of Homeland Security and does not include biometric data or any information other than the citizenship status of the license holder or cardholder. The commissioner shall ensure that the radio frequency identification technology is secure from unauthorized data access. An applicant must sign an acknowledgment of understanding of the radio frequency identification technology and its use for the sole purpose of verifying United States citizenship before being issued an enhanced driver's license or an enhanced identification card.

***[See Note.]***

Subd. 10. **Agreement with other agency.** (a) The commissioner of public safety is authorized to enter into agreements with other agencies to issue cards to clients of those agencies for use in their programs. The cards may be issued to persons who do not qualify for a Minnesota driver's license or do not provide evidence of name and identity as required by rule for a Minnesota identification card. Persons issued cards under this subdivision will meet the identification verification requirements of the contracting agency.

(b) The interagency agreement may include provisions for the payment of the county fee provided in section 171.061, subdivision 4, and the actual cost to manufacture the card.

(c) Cards issued under this subdivision are not Minnesota identification cards for the purposes defined in sections 48.512, 201.061, 201.161, 340A.503, and 604.113.

Subd. 11. **Standby or temporary custodian.** (a) Upon the written request of the applicant and upon payment of an additional fee of $4.25, the department shall issue a driver's license or Minnesota identification card bearing a symbol or other appropriate identifier indicating that the license holder has appointed an individual to serve as a standby or temporary custodian under chapter 257B.

(b) The request must be accompanied by a copy of the designation executed under section 257B.04.

(c) The department shall maintain a computerized records system of all individuals listed as standby or temporary custodians by driver's license and identification card applicants. This data must be released to appropriate law enforcement agencies under section 13.69. Upon a parent's request and payment of a fee of $4.25, the department shall revise its list of standby or temporary custodians to reflect a change in the appointment.

(d) At the request of the license or cardholder, the department shall cancel the standby or temporary custodian indication without additional charge. However, this paragraph does not prohibit a fee that may be applicable for a duplicate or replacement license or card, renewal of a license, or other service applicable to a driver's license or identification card.

(e) Notwithstanding sections 13.08, subdivision 1, and 13.69, the department and department employees are conclusively presumed to be acting in good faith when employees rely on statements made, in person or by telephone, by persons purporting to be law enforcement and subsequently release information described in paragraph (b). When acting in good faith, the department and department personnel are immune from civil liability and not subject to suit for damages resulting from the release of this information.

(f) The department and its employees:

(1) have no duty to inquire or otherwise determine whether a designation submitted under this subdivision is legally valid and enforceable; and

(2) are immune from all civil liability and not subject to suit for damages resulting from a claim that the designation was not legally valid and enforceable.

(g) Of the fees received by the department under this subdivision:

(1) Up to $61,000 received must be deposited in the general fund.

(2) All other fees must be deposited in the driver and vehicle services operating account under section 299A.705.

Subd. 12. **Snowmobile safety certificate.** (a) The department shall maintain in its records information transmitted electronically from the commissioner of natural resources identifying each person to whom the commissioner has issued a snowmobile safety certificate. The records transmitted from the Department of Natural Resources must contain the full name and date of birth as required for the driver's license or identification card. Records that are not matched to a driver's license or identification card record may be deleted after seven years.

(b) After receiving information under paragraph (a) that a person has received a snowmobile safety certificate, the department shall include, on all drivers' licenses or Minnesota identification cards subsequently issued to the person, a graphic or written indication that the person has received the certificate.

(c) If a person who has received a snowmobile safety certificate applies for a driver's license or Minnesota identification card before that information has been transmitted to the department, the department may accept a copy of the certificate as proof of its issuance and shall then follow the procedures in paragraph (b).

Subd. 13. **Firearms safety designation.** (a) When an applicant has a record transmitted to the department as described in paragraph (c) or presents:

(1) a firearms safety certificate issued for successfully completing a firearms safety course administered under section 97B.015; or

(2) an advanced hunter certificate issued for successfully completing an advanced hunter education course administered under section 97B.025,

and requests a driver's license or identification card described in paragraph (b), the department shall issue, renew, or reissue to the applicant a driver's license or Minnesota identification card described in paragraph (b).

(b) Pursuant to paragraph (a), the department shall issue a driver's license or Minnesota identification card bearing a graphic or written indication that the applicant has successfully completed a firearms safety course administered under section 97B.015, an advanced hunter education course administered under section 97B.025, or both of the described courses.

(c) The department shall maintain in its records information transmitted electronically from the commissioner of natural resources identifying each person to whom the commissioner has issued a firearms safety certificate or an advanced hunter education certificate. The records transmitted from the Department of Natural Resources must contain the full name and date of birth as required for the driver's license or identification card. Records that are not matched to a driver's license or identification card record may be deleted after seven years.

Subd. 14. **Use of Social Security number.** An applicant's Social Security number must not be displayed, encrypted, or encoded on the driver's license or Minnesota identification card or included in a magnetic strip or bar code used to store data on the license or Minnesota identification card. The Social Security number must not be used as a Minnesota driver's license or identification number.

Subd. 15. **Veteran designation.** (a) At the request of an eligible applicant and on payment of the required fee, the department must issue, renew, or reissue to the applicant a driver's license or Minnesota identification card bearing a graphic or written designation of:

(1) Veteran;

(2) Veteran 100% T&P; or

(3) SGU Veteran.

(b) At the time of the initial application for the designation provided under this subdivision, the applicant must:

(1) be one of the following:

(i) a veteran, as defined in section 197.447;

(ii) a retired or honorably discharged member of the National Guard or a reserve component of the United States armed forces; or

(iii) a veteran of the Secret War in Laos, as defined in section 197.448, subdivision 1, paragraph (e);

(2) provide a certified copy of the applicant's discharge papers that confirms an honorable or general discharge under honorable conditions status, a military retiree identification card, a veteran identification card, a veteran health identification card, or an eligibility certificate under section 197.448 if the applicant seeks the designation under paragraph (a), clause (3); and

(3) if the applicant is seeking the disability designation under paragraph (a), clause (2), provide satisfactory evidence of a 100 percent total and permanent service-connected disability as determined by the United States Department of Veterans Affairs.

Subd. 16. **Enhanced driver's license and identification card.** For purposes of this section, "license" includes "enhanced driver's license," and "identification card" includes "enhanced identification card."

Subd. 17. **Disability designation.** At the request of an applicant with permanent eligibility for a disability designation and on payment of the required fee, the department shall issue, renew, or reissue to the applicant

a driver's license or Minnesota identification card bearing a physical disability designation based on the following medical conditions:

(1) type 1, to an applicant who is permanently blind or disabled and meets the requirements for a free license to take fish under section 97A.441, subdivision 1, paragraph (a), clause (1), (4), (5), or (6); or

(2) type 2, to an applicant who permanently meets the requirements for disability under section 97B.111, subdivision 1, paragraph (a), clause (1), item (i).

Subd. 18. **All-terrain vehicle safety certificate.** (a) The department shall maintain in its records information transmitted electronically from the commissioner of natural resources identifying each person to whom the commissioner has issued an all-terrain vehicle safety certificate. The records transmitted from the Department of Natural Resources must contain the full name and date of birth as required for the driver's license or identification card. Records that are not matched to a driver's license or identification card record may be deleted after seven years.

(b) After receiving information under paragraph (a) that a person has received an all-terrain vehicle safety certificate, the department shall include, on all drivers' licenses or Minnesota identification cards subsequently issued to the person, a graphic or written indication that the person has received the certificate.

(c) If a person who has received an all-terrain vehicle safety certificate applies for a driver's license or Minnesota identification card before that information has been transmitted to the department, the department may accept a copy of the certificate as proof of its issuance and shall then follow the procedures in paragraph (b).

Subd. 19. **Resident lifetime game and fish license.** (a) The department shall maintain in its records information transmitted electronically from the commissioner of natural resources identifying each person to whom the commissioner has issued a resident lifetime license under section 97A.473. The records transmitted from the Department of Natural Resources must contain:

(1) the full name and date of birth as required for the driver's license or identification card;

(2) the person's driver's license or identification card number;

(3) the category of lifetime license issued under section 97A.473; and

(4) the Department of Natural Resources customer identification number.

(b) The department may delete records described in paragraph (a) if they have not been matched to a driver's license or identification card record within seven years after transmission to the department.

(c) Except as provided in paragraph (b), the department shall include, on all drivers' licenses or Minnesota identification cards issued to a person who holds a lifetime license, a graphic or written designation of the lifetime license, and the category of the lifetime license.

(d) If a person with a lifetime license under section 97A.473 applies for a driver's license or Minnesota identification card before that information has been transmitted to the department, the department may accept a copy of the license issued under section 97A.473 as proof of its issuance and shall then follow the procedures in paragraph (c).

Subd. 20. **Watercraft operator's permit.** (a) The department must maintain in its records information transmitted electronically from the commissioner of natural resources identifying each person to whom the commissioner has issued a watercraft operator's permit. The records transmitted from the Department of

Natural Resources must contain the full name and date of birth as required for the driver's license or identification card. Records that are not matched to a driver's license or identification card record may be deleted after seven years.

(b) After receiving information under paragraph (a) that a person has received a watercraft operator's permit, the department must include on all drivers' licenses or Minnesota identification cards subsequently issued to the person a graphic or written indication that the person has received the permit.

(c) If a person who has received a watercraft operator's permit applies for a driver's license or Minnesota identification card before that information has been transmitted to the department, the department may accept a copy of the certificate as proof of its issuance and must then follow the procedures in paragraph (b).

**History:** *(2720-144d) 1939 c 401 s 7; 1957 c 564 s 4; 1963 c 800 s 1; 1971 c 129 s 2; 1971 c 644 s 10; 1971 c 659 s 2; 1973 c 35 s 39; 1973 c 698 s 4; 1973 c 725 s 23; 1975 c 393 s 1; 1977 c 361 s 1-3; 1980 c 446 s 2,3; 1981 c 311 s 39; 1981 c 363 s 36-38; 1982 c 545 s 24; 1983 c 135 s 1; 1983 c 272 s 1; 1Sp1985 c 4 s 8; 1986 c 444; 1986 c 454 s 23; 1987 c 248 s 1; 1987 c 329 s 1; 1989 c 301 s 7,8; 1989 c 307 s 22; 1990 c 510 s 2-6; 1990 c 568 art 2 s 30; 1991 c 202 s 14; 1991 c 277 s 13; 1991 c 333 s 28; 1992 c 571 art 13 s 1; 1992 c 581 s 15; 1993 c 266 s 23; 1995 c 207 art 2 s 3; 1995 c 259 art 1 s 36; 1996 c 275 s 7-9; 1996 c 455 art 6 s 2; 1997 c 13 s 2,3; 1997 c 60 s 2; 1997 c 65 s 1; 1Sp1997 c 2 s 52; 1998 c 388 s 17; 1999 c 86 art 1 s 42; 1999 c 231 s 167,168; 1999 c 238 art 2 s 27; 2000 c 404 s 1; 1Sp2001 c 8 art 2 s 46; 2002 c 371 art 1 s 57,58; 1Sp2003 c 14 art 10 s 4; 2005 c 56 s 1; 2005 c 146 s 49; 2005 c 163 s 76,77; 1Sp2005 c 6 art 2 s 39; 2007 c 120 art 2 s 4; 2007 c 129 s 49; 2007 c 143 art 3 s 5,6; 2008 c 227 s 7,8; 2009 c 94 art 3 s 11; 2010 c 316 s 9,11,12,18; 2013 c 82 s 17; 2013 c 127 s 45,46; 2014 c 290 s 56,57; 1Sp2015 c 4 art 4 s 125; 2016 c 189 art 3 s 39; art 4 s 8-10; 2017 c 76 s 13-16; 1Sp2019 c 3 art 3 s 75; 1Sp2019 c 5 art 5 s 1; 2020 c 100 s 14,15; 1Sp2020 c 3 s 4,5; 1Sp2021 c 7 art 3 s 40; 2023 c 13 art 1 s 8,9; 2023 c 60 art 4 s 95; 2023 c 68 art 4 s 59; art 7 s 15; 2024 c 80 art 8 s 68; 2024 c 104 art 1 s 66; 2026 c 96 s 1*

**NOTE:** (a) The amendments to subdivisions 1, 3, 4, and 9a, by Laws 2017, chapter 76, sections 13 to 16, were effective May 19, 2017, and apply to driver's licenses and Minnesota identification cards applied for and issued on or after October 1, 2018. Laws 2017, chapter 76, section 29.

(b) If the Federal REAL ID Act, Public Law 109-13, Division B, is repealed, or if the definition of "official purpose" in Code of Federal Regulations, title 6, part 37, is amended, the amendments to subdivisions 1, 3, 4, and 9a, by Laws 2017, chapter 76, sections 13 to 16, are repealed on June 30 of the following year. Laws 2017, chapter 76, section 27.

## 171.0701 DRIVER EDUCATION CONTENT.

Subdivision 1. **Driver education requirements.** (a) The commissioner shall adopt rules requiring a minimum of 30 minutes of instruction relating to organ and tissue donations and the provisions of section 171.07, subdivision 5, for persons enrolled in driver education programs offered at public schools, private schools, and commercial driver training schools.

(b) The commissioner shall adopt rules for persons enrolled in driver education programs offered at public schools, private schools, and commercial driver training schools, requiring inclusion in the course of instruction a section on awareness and safe interaction with commercial motor vehicle traffic. The rules must require classroom instruction and behind-the-wheel training that includes, but is not limited to, truck stopping distances, proper distances for following trucks, identification of truck blind spots, and avoidance of driving in truck blind spots.

(c) The commissioner shall adopt rules for persons enrolled in driver education programs offered at public schools, private schools, and commercial driver training schools, requiring inclusion in the course of instruction of a section on carbon monoxide poisoning. The instruction must include but is not limited to (1) a description of the characteristics of carbon monoxide, (2) a review of the risks and potential speed of death from carbon monoxide poisoning, and (3) specific suggestions regarding vehicle idling practices.

Subd. 1a. **Supplemental parental curriculum.** (a) For purposes of this subdivision, "driver education instructor" means an instructor as defined under section 171.33, subdivision 2, or a person licensed by the Professional Educator Licensing and Standards Board for driver training as required under section 122A.26, subdivision 2.

(b) The commissioner shall establish optional supplemental parental curriculum to provide instruction and information to primary driving supervisors in conjunction with persons enrolled in driver education programs at public schools, private schools, and commercial driver training schools. Each school must establish a schedule or procedure for providing the supplemental parental curriculum to any primary driving supervisor who chooses to receive it.

(c) At a minimum, the supplemental parental curriculum must:

(1) be at least 90 minutes in length;

(2) be provided by or in the presence of a driver education instructor; and

(3) provide information concerning graduated driver licensing, safety risks associated with novice drivers, potential influence of adults on driving behavior of novice drivers, and additional resources.

Subd. 1b. **Driver education; vulnerable road users.** The commissioner must adopt rules for persons enrolled in driver education programs offered at public schools, private schools, and commercial driver training schools to require inclusion of a section on vulnerable road users in the course of instruction. The instruction must include information on:

(1) the rights and responsibilities of vulnerable road users, as defined in section 169.011, subdivision 92b;

(2) the specific duties of a driver when encountering a bicycle, other nonmotorized vehicles, or a pedestrian;

(3) safety risks for vulnerable road users and motorcyclists or other operators of two- or three-wheeled vehicles; and

(4) best practices to minimize dangers and avoid collisions with vulnerable road users and motorcyclists or other operators of two- or three-wheeled vehicles.

Subd. 1c. **Driver education; work zone safety.** (a) The commissioner must adopt rules for persons enrolled in driver education programs offered at public schools, private schools, and commercial driver training schools to require inclusion of a section on work zone and road construction worker safety in the course of instruction. The instruction must include information on:

(1) safe speeds in work zones, including speeds when workers are present;

(2) the duties of a driver when encountering, entering, traveling through, and exiting a work zone;

(3) the dangers of distracted driving through work zones;

(4) the legal markings of a work zone, including flagging, traffic control devices, barrels, lights, or other signage that indicate the segment of street or highway under construction, reconstruction, or maintenance; and

(5) the safe merger into travel lanes when a lane is closed due to construction, reconstruction, or maintenance.

(b) This subdivision applies beginning on July 1, 2026.

Subd. 2. **Rulemaking.** The rules adopted by the commissioner under this section are exempt from the rulemaking provisions of chapter 14. The rules are subject to section 14.386, except that notwithstanding paragraph (b) of section 14.386, the rules continue in effect until repealed or superseded by other law or rule.

**History:** *2002 c 305 s 1; 2006 c 192 s 1; 2008 c 350 art 1 s 33,57; 2011 c 70 s 1; 2014 c 261 s 5; 1Sp2017 c 5 art 12 s 22; 2023 c 25 s 89,90; 2024 c 127 art 3 s 54,132; 1Sp2025 c 8 art 2 s 43*

**171.0705 DRIVER'S MANUAL.**

Subdivision 1. **Driver's manual; alcohol consumption.** (a) The commissioner shall include in each subsequent edition of the driver's manual published by the department a chapter relating to:

(1) the effect of alcohol consumption on highway safety and on the ability of drivers to safely operate motor vehicles;

(2) a summary of the laws of Minnesota on operating a motor vehicle while under the influence of alcohol or a controlled substance; and

(3) the legal penalties and financial consequences resulting from violations of laws prohibiting the operation of a motor vehicle while under the influence of alcohol or drugs.

(b) This chapter shall also include information on the dangers of driving at alcohol concentration levels below the legal limit for alcohol concentration, and specifically state that:

(1) there is no "safe" level or amount of alcohol that an individual can assume will not impair one's driving performance or increase the risk of a crash;

(2) a driver may be convicted of driving while impaired whether or not the driver's alcohol concentration exceeds the legal limit for alcohol concentration; and

(3) a person under the legal drinking age may be convicted of illegally consuming alcohol if found to have consumed any amount of alcohol, and if that person was driving during or after the consumption of alcohol is subject to driver's license suspension.

Subd. 2. **Driver's manual; vulnerable road users.** The commissioner must include in the driver's manual published by the department a section relating to vulnerable road users and motorcyclists or operators of two- or three-wheeled vehicles that, at a minimum, includes:

(1) bicycle traffic laws, including any changes in the law which affect bicycle traffic;

(2) traffic laws related to pedestrians and pedestrian safety; and

(3) traffic laws related to motorcycles, autocycles, motorized bicycles, motorized foot scooters, and electric personal assistive mobility devices.

Subd. 2a. **Driver's manual; work zone safety.** The commissioner must include in each edition of the driver's manual published by the department a section relating to work zone safety and road construction worker safety that, at a minimum, includes:

(1) traffic laws related to work zone safety, including work zone speed limits and the surcharge imposed for a person convicted of speeding in a work zone;

(2) commonly used work zone markings and traffic control devices;

(3) traffic laws related to distracted driving, with an emphasis on the dangers of distracted driving in work zones; and

(4) lane merger benefits and best practices, including information on motorists safely merging from two lanes into a single lane of traffic when a lane is closed due to construction, reconstruction, or maintenance.

Subd. 3. **Driver's manual; carbon monoxide.** The commissioner shall include in each edition of the driver's manual published by the department a section that includes up-to-date lifesaving information on carbon monoxide poisoning.

Subd. 4. **Driver's manual; crosswalk right-of-way.** The commissioner shall include in each edition of the driver's manual published by the department a section relating to the circumstances under which a driver must stop to yield the right-of-way to a pedestrian in a crosswalk and the penalties for failure to yield.

Subd. 5. **Driver's manual; driving in right lane.** The commissioner shall include in each edition of the driver's manual published by the department instructions relating to circumstances under which a driver of a motor vehicle should drive in the right-hand lane of a highway that is divided into more than one lane in the same direction of travel.

Subd. 6. **Driver's manual; fleeing from peace officer.** The commissioner shall include in each edition of the driver's manual published by the department a section relating to the criminal sanctions and forfeiture provisions applicable to persons who flee a peace officer in a motor vehicle.

Subd. 7. **Driver's manual; interaction with commercial motor vehicle.** The commissioner shall include in each edition of the driver's manual published by the department a section that includes information on awareness and safe interaction with commercial motor vehicle traffic.

Subd. 8. **Driver's manual; organ and tissue donation.** The commissioner shall include in each edition of the driver's manual published by the department a section that includes information on the shortage of organs and tissues for transplant, basic facts about donation, use of the driver's license as an indication of donation intent, and the importance of informing family members of the driver's decision.

Subd. 9. **Driver's manual; railroad crossing safety.** The commissioner shall include in each edition of the driver's manual published by the department a section relating to safe operation of vehicles at railroad grade crossings.

Subd. 10. **Pupil transportation safety.** The commissioner shall include in each edition of the driver's manual a section relating to pupil transportation safety laws.

Subd. 11. **Manual and study material availability.** The commissioner must publish the driver's manual and study support materials for the written exam and skills exam. The study support materials must focus

on the subjects and skills that are most commonly failed by exam takers. The commissioner must ensure that the driver's manual and study support materials are easily located and are available for no cost.

**History:** *1939 c 401 s 13; 1947 c 479 s 1; 1949 c 128 s 1; 1971 c 644 s 13; 1971 c 846 s 1; 1973 c 698 s 5; 1981 c 357 s 64; 1983 c 53 s 1; 1986 c 330 s 2; 1986 c 444; 1988 c 712 s 1; 1989 c 307 s 25; 1991 c 298 art 2 s 3,4; art 7 s 4; 1993 c 142 s 3; 1993 c 187 s 20,21; 1993 c 347 s 13; 1995 c 72 s 3,4; 1995 c 104 s 2,3; 1996 c 333 s 2; 1997 c 159 art 2 s 33,34; 2002 c 305 s 2; 2002 c 371 art 1 s 59; 2005 c 53 s 1; 2005 c 56 s 1; 1Sp2005 c 6 art 2 s 40,41; art 3 s 70; 2008 c 350 art 1 s 58-60; 2010 c 356 s 3; 2011 c 70 s 3,4; 2023 c 25 s 91-96; 2023 c 68 art 6 s 10; 2024 c 127 art 3 s 68; 1Sp2025 c 8 art 2 s 44*

**171.071 PHOTOGRAPH ON LICENSE OR IDENTIFICATION CARD.**

Subdivision 1. **Religious objection.** Notwithstanding the provisions of section 171.07, the commissioner of public safety may adopt rules to permit identification on a driver's license or Minnesota identification card in lieu of a photograph or electronically produced image where the commissioner finds that the licensee has religious objections to the use of a photograph or electronically produced image.

Subd. 2. **Certain head wear permitted.** If an accident involving a head injury, serious illness, or treatment of the illness has resulted in hair loss or the need to maintain continuous coverage of the head or scalp with a medical covering by an applicant for a driver's license or identification card, the commissioner must permit the applicant to wear a hat or similar head wear or the covering in the photograph or electronically produced image. The hat, medically required covering, or head wear must be of an appropriate size and type to allow identification of the holder of the license or card and must not obscure the holder's face.

Subd. 3. **Limitations.** Subdivision 1 applies only to a noncompliant license or identification card. Subdivisions 1 and 2 do not apply to the commissioner's requirements pertaining to a photograph or electronically produced image on an enhanced driver's license or an enhanced identification card.

***[See Note.]***

Subd. 4. **Variance for homebound individuals.** (a) Notwithstanding section 171.07 or Minnesota Rules, part 7410.1810, the commissioner may grant a variance from the photograph requirements for a noncompliant identification card if: (1) the individual is homebound as defined in paragraph (b); (2) the individual has submitted proof of homebound status; and (3) the department has a photograph of the applicant on file that was taken within the last four years or during the most recent renewal cycle or the applicant has submitted a photograph to the department that meets the requirements of section 171.07, Minnesota Rules, part 7410.1810, subpart 1, and other technical requirements established by the commissioner, such as background color and electronic file size, to ensure the image can be used on a credential and conforms with images taken by the department. Applicants granted a photograph variance under this subdivision are not required to appear in person to have a new photograph taken.

(b) For purposes of this subdivision, "homebound" means the individual is unable to leave the individual's residence due to a medical, physical, or mental health condition or infirmity as documented in writing by a physician, case worker, or social worker.

**History:** *Ex1971 c 3 s 95; 1985 c 248 s 70; 1990 c 510 s 7; 1995 c 7 s 1; 2010 c 316 s 13,18; 2017 c 76 s 17; 1Sp2021 c 5 art 4 s 71; 1Sp2025 c 8 art 2 s 45*

**NOTE:** (a) The amendment to subdivision 3 by Laws 2017, chapter 76, section 17, was effective May 19, 2017, and applies to driver's licenses and Minnesota identification cards applied for and issued on or after October 1, 2018. Laws 2017, chapter 76, section 29.

(b) If the Federal REAL ID Act, Public Law 109-13, Division B, is repealed, or if the definition of "official purpose" in Code of Federal Regulations, title 6, part 37, is amended, the amendment to subdivision 3 by Laws 2017, chapter 76, section 17, is repealed on June 30 of the following year. Laws 2017, chapter 76, section 27.

**171.072 TRIBAL IDENTIFICATION CARD.**

(a) If a Minnesota identification card is deemed an acceptable form of identification in Minnesota Statutes or Rules, a Tribal identification card is also an acceptable form of identification. A Tribal identification card is a primary document for purposes of section 171.062 when an applicant applies for a noncompliant license or identification card.

(b) For purposes of this section, "Tribal identification card" means an unexpired identification card issued by a Tribal government of a Tribe recognized by the Bureau of Indian Affairs, United States Department of the Interior, that contains the legal name, date of birth, signature, and picture of the enrolled Tribal member.

(c) The Tribal identification card must contain security features that make it as impervious to alteration as is reasonably practicable in its design and quality of material and technology. The security features must use materials that are not readily available to the general public. The Tribal identification card must not be susceptible to reproduction by photocopying or simulation and must be highly resistant to data or photograph substitution and other tampering.

(d) The requirements of this section do not apply: (1) except as provided in paragraph (a), to an application for a driver's license or Minnesota identification card under this chapter; or (2) to Tribal identification cards used to prove an individual's residence for purposes of section 201.061, subdivision 3.

**History:** *2006 c 253 s 12; 2017 c 76 s 18; 2024 c 104 art 1 s 67*

**NOTE:** (a) The amendment to this section by Laws 2017, chapter 76, section 18, was effective May 19, 2017, and applies to driver's licenses and Minnesota identification cards applied for and issued on or after October 1, 2018. Laws 2017, chapter 76, section 29.

(b) If the Federal REAL ID Act, Public Law 109-13, Division B, is repealed, or if the definition of "official purpose" in Code of Federal Regulations, title 6, part 37, is amended, the amendment to this section by Laws 2017, chapter 76, section 18, is repealed on June 30 of the following year. Laws 2017, chapter 76, section 27.

**171.075 ANATOMICAL GIFTS.**

Subdivision 1. **Anatomical gift account.** An anatomical gift account is established in the special revenue fund. The account consists of funds donated under sections 168.013, subdivision 22, and 171.06, subdivision 2, and any other money donated, allotted, transferred, or otherwise provided to the account. Money in the account is annually appropriated to the commissioner for (1) grants under subdivision 2, and (2) administrative expenses in implementing the donation and grant program.

Subd. 2. **Anatomical gift education grants.** (a) The commissioner shall make grants to (1) a Minnesota organ procurement organization that is certified by the federal Centers for Medicare and Medicaid Services; or (2) an entity that is a charitable entity under section 501(c)(3) of the Internal Revenue Code, as defined in section 289A.02, subdivision 7, and is dedicated to advocacy for organ, tissue, and eye donation.

(b) From a grant under this section, the recipient shall provide resources and implement programs designed to increase the number of Minnesotans who register to be organ, tissue, and eye donors.

**History:** *2011 c 80 s 3; 2012 c 287 art 3 s 42; 2020 c 83 art 1 s 59*

**171.08 LICENSEE TO HAVE LICENSE IN POSSESSION.**

Every licensee shall have the license in immediate possession at all times when operating a motor vehicle and shall display it upon demand of a peace officer, an authorized representative of the department, or an officer authorized by law to enforce the laws relating to the operation of motor vehicles on public streets and highways. Unless the person is the holder of a limited license issued under section 171.30, no person charged with violating the possession requirement shall be convicted if the person produces in court or the office of the arresting officer a driver's license previously issued to that person for the class of vehicle being driven which was valid at the time of arrest or satisfactory proof that at the time of the arrest the person was validly licensed for the class of vehicle being driven. The licensee shall also, upon request of any officer, write the licensee's name in the presence of the officer to determine the identity of the licensee.

**History:** *(2720-144e) 1939 c 401 s 8; 1963 c 206 s 1; 1971 c 644 s 11; 1983 c 359 s 17; 1986 c 444; 1988 c 681 s 15*

**171.09 DRIVING RESTRICTIONS; AUTHORITY, VIOLATIONS.**

Subdivision 1. **Authority; violations.** (a) The commissioner, when good cause appears, may impose restrictions suitable to the licensee's driving ability or other restrictions applicable to the licensee as the commissioner may determine to be appropriate to assure the safe operation of a motor vehicle by the licensee.

(b) Pursuant to Code of Federal Regulations, title 49, section 383.95, if an applicant for a commercial driver's license either does not successfully complete the air brake component of the knowledge test, or does not successfully complete the skills test in a vehicle equipped with air brakes as such tests are prescribed in Code of Federal Regulations, title 49, part 384, the department shall indicate on the class C, class B, or class A commercial driver's license, if issued, that the individual is restricted from operating a commercial motor vehicle equipped with air brakes.

(c) The commissioner shall restrict the operating privileges of a holder of a class A, class B, or class C commercial driver's license in accordance with Code of Federal Regulations, title 49, sections 383.73 and 383.95.

(d) The commissioner may restrict the operating privileges of a holder of a class A, class B, or class C commercial driver's license to the extent that the restrictions are authorized by section 221.0314, subdivision 3 or 3a, or rules adopted under those subdivisions or section 221.031.

(e) Upon receiving satisfactory evidence of any violation of the restrictions on the license, the commissioner may suspend or revoke the license. A license suspension under this section is subject to section 171.18, subdivisions 2 and 3.

(f) A person who drives, operates, or is in physical control of a motor vehicle while in violation of the restrictions imposed in a restricted driver's license issued to that person under this section is guilty of a crime as follows:

(1) if the restriction relates to the possession or consumption of alcohol or controlled substances, the person is guilty of a gross misdemeanor; or

(2) if the restriction relates to another matter, the person is guilty of a misdemeanor.

(g) It is a gross misdemeanor for a person who holds a restricted license issued under section 171.306 to drive, operate, or be in physical control of any motor vehicle that is not equipped with a functioning ignition interlock device certified by the commissioner.

Subd. 2. [Expired, 2005 c 136 art 18 s 11]

Subd. 3. **No-alcohol restriction.** (a) As used in this subdivision, "impaired driving incident" has the meaning given in section 169A.03, subdivision 22.

(b) Upon proper application by a person having a valid driver's license containing the restriction that the person must not consume alcohol or controlled substances, who has not been documented as having consumed alcohol or having possessed or used a controlled substance within the past ten years, and whose driving record contains no impaired driving incident within the past ten years, the commissioner must remove the no-alcohol/controlled substance restriction on the person's driving record and issue to the person a duplicate driver's license that does not show that restriction.

**History:** *(2720-144f) 1939 c 401 s 9; 1986 c 444; 1996 c 346 s 4; 1Sp2001 c 8 art 12 s 14; 2005 c 136 art 18 s 11; 1Sp2005 c 6 art 3 s 67; 2010 c 242 s 7,11; 2010 c 366 s 10; 2025 c 29 s 10*

## 171.10 DUPLICATE LICENSE; VEHICLE ENDORSEMENT.

Subdivision 1. **Duplicate license.** In the event that an instruction permit, provisional license, or driver's license issued under the provisions of this chapter is lost or destroyed, or becomes illegible, the person to whom the same was issued shall obtain a duplicate thereof, furnishing proof satisfactory to the department that such permit or license has been lost or destroyed or has become illegible, and make payment of the required fee.

Subd. 2. **Endorsement added.** Any person, after applying for or receiving a driver's license and prior to the expiration year of the license, who wishes to have a motorcycle, school bus, tank vehicle, passenger, double-trailer or triple-trailer, or hazardous materials vehicle endorsement added to the license, shall, after taking the necessary examination, apply for a duplicate license and make payment of the proper fee.

**History:** *(2720-144g) 1939 c 401 s 10; 1971 c 644 s 12; 1986 c 444; 1989 c 307 s 23; 1991 c 298 art 7 s 3; 1993 c 142 s 2; 1998 c 388 s 18*

## 171.11 DUPLICATE LICENSE; CHANGE OF DOMICILE OR NAME.

When any person, after applying for or receiving a driver's license, shall change permanent domicile from the address named in such application or in the license issued to the person, or shall change a name by marriage or otherwise, such person shall, within 30 days thereafter, apply for a duplicate driver's license upon a form furnished by the department and pay the required fee. The application or duplicate license shall show both the licensee's old address and new address or the former name and new name as the case may be.

**History:** *(2720-144h) 1939 c 401 s 11; 1943 c 610 s 2; 1986 c 444; 1993 c 266 s 24*

## 171.12 DRIVING RECORD; FILING; PRIVATE DATA.

Subdivision 1. **Licenses filed in alphabetical order.** (a) The department shall file every application for a driver's license received by it and shall maintain suitable indices containing, in alphabetical order:

(1) all applications denied and the reason for denial;

(2) all applications granted; and

(3) the name of every person whose license has been suspended, revoked, or canceled or who has been disqualified from operating a commercial motor vehicle by the department, and after each name the reasons for the action.

(b) Notwithstanding section 260B.171 or 260C.171, data revealing that the reason for the action under paragraph (a), clause (3) is an order of the juvenile court are accessible to the public.

Subd. 1a. **Driver and vehicle services information system; security and auditing.** (a) The commissioner must establish written procedures to ensure that only individuals authorized by law may enter, update, or access not public data collected, created, or maintained by the driver and vehicle services information system. An authorized individual's ability to enter, update, or access data in the system must correspond to the official duties or training level of the individual and to the statutory authorization granting access for that purpose. All queries and responses, and all actions in which data are entered, updated, accessed, shared, or disseminated, must be recorded in a data audit trail. Data contained in the audit trail are public to the extent the data are not otherwise classified by law.

(b) If the commissioner determines that an individual willfully entered, updated, accessed, shared, or disseminated data in violation of state or federal law, the commissioner must impose disciplinary action. If an individual willfully gained access to data without authorization by law, the commissioner must forward the matter to the appropriate prosecuting authority for prosecution. The commissioner must not impose disciplinary action against an individual who properly accessed data to complete an authorized transaction or to resolve an issue that did not result in a completed authorized transaction.

(c) The commissioner must establish a process that allows an individual who was subject to disciplinary action to appeal the action. If the commissioner imposes disciplinary action, the commissioner must notify the individual in writing of the action, explain the reason for the action, and explain how to appeal the action. The commissioner must transmit the notification within five calendar days of the action.

(d) The commissioner must arrange for an independent biennial audit of the driver and vehicle services information system to determine whether data currently in the system are classified correctly, how the data are used, and to verify compliance with this subdivision. The results of the audit are public. No later than 30 days following completion of the audit, the commissioner must provide a report summarizing the audit results to the commissioner of administration; the chairs and ranking minority members of the committees of the house of representatives and the senate with jurisdiction over transportation policy and finance, public safety, and data practices; and the Legislative Commission on Data Practices and Personal Data Privacy. The report must be submitted as required under section 3.195, except that printed copies are not required.

(e) For purposes of this subdivision, "disciplinary action" means a formal or informal disciplinary measure, including but not limited to requiring corrective action or suspending or revoking the individual's access to the driver and vehicle information system.

***[See Note.]***

Subd. 2. **Accident report and record of conviction filed.** The department shall file all accident reports and abstracts of court records of convictions and violations received by it under the laws of this state and its political subdivisions, and in connection therewith maintain convenient records or make suitable notations in order that an individual record of each licensee showing the convictions of such licensee and the traffic accidents in which the licensee has been involved shall be readily ascertainable and available for the

consideration of the department upon any application for renewal of license and the revocation, suspension, or limitation of licenses.

Subd. 2a. **Alcohol concentration on driving record.** When a person's driver's license or permit to drive is revoked or suspended pursuant to section 169A.52 or 171.177, or when a person is convicted for violating section 169A.20, 169A.31, 169A.33, 360.0752, 609.2112, 609.2113, or 609.2114, or Minnesota Statutes 2012, section 609.21, and a test of the person's breath, urine, or blood has been made to determine the person's alcohol concentration, the commissioner of public safety shall record the test results on the person's driving record pertaining to that violation. The alcohol concentration is classified as public data on individuals, as defined in section 13.02, subdivision 15, and must be kept for the period of time specified in subdivision 3, clause (4).

Subd. 3. **Application and record, when destroyed.** The department may cause applications for drivers' licenses, provisional licenses, and instruction permits, and related records, to be destroyed immediately after the period for which issued, except that:

(1) the driver's record pertaining to revocations, suspensions, cancellations, disqualifications, convictions, and accidents is cumulative and must be kept for a period of at least five years;

(2) the driver's record pertaining to violations of a driver or vehicle out-of-service order must be kept for a period of at least ten years;

(3) medical certificates and medical waivers submitted in accordance with section 171.162 must be kept for a period of at least three years from the date of issuance; and

(4) the driver's record pertaining to felony convictions in the commission of which a motor vehicle was used, to the alcohol-related offenses and licensing actions listed in section 169A.03, subdivisions 20 and 21, to violations of section 169.09, to violations of section 169A.31, and to violations of section 171.24, subdivision 5, must be retained permanently.

Subd. 3a. **Record destroyed when order rescinded.** Notwithstanding subdivision 3 or section 138.163, when an order for revocation, suspension, or cancellation of a driver's license or disqualification of a driver from operating a commercial motor vehicle is rescinded and all rights of appeal have been exhausted or have expired, the commissioner shall remove the record of that revocation, suspension, cancellation, or disqualification from the computer records that are disclosed to persons or agencies outside the Driver and Vehicle Services Division, Department of Public Safety.

Subd. 3b. **Record of improper suspension destroyed.** Notwithstanding subdivision 3 or section 138.163, when an order for suspension of a driver's license issued pursuant to section 171.186 is rescinded because the license was improperly suspended and all rights of appeal have been exhausted or have expired, the commissioner shall remove the record of that suspension from the computer records that are disclosed to persons or agencies outside the Driver and Vehicle Services Division of the Department of Public Safety.

Subd. 3c. **Record retention; birth certificates.** (a) If the procedures established by the commissioner for driver's license or Minnesota identification card records include retention of a physical copy or digital image of a birth certificate, the commissioner must:

(1) notify a driver's license or identification card applicant of the retention procedure; and

(2) allow the applicant, licensee, or identification cardholder to designate that the applicant, licensee, or identification cardholder's birth certificate physical copy or digital image must not be retained.

(b) The commissioner must not retain a birth certificate if directed by an applicant, licensee, or identification cardholder under paragraph (a), clause (2), but must record and retain data on the birth certificate required under Code of Federal Regulations, title 6, section 37.31(c).

***[See Note.]***

Subd. 4. [Repealed, 1976 c 2 s 69]

Subd. 5. **Donor document.** The department shall file all donor documents received by it, and in connection therewith maintain convenient records in order that donor status shall be readily ascertainable. On request of any interested party upon or after the donor's death, the department shall produce the donor document for examination.

Subd. 5a. **Veteran designation.** When an applicant for a driver's license, instruction permit, or Minnesota identification card requests a veteran designation under section 171.06, subdivision 3, the commissioner shall maintain a computer record of veteran designations. The veteran designation may be removed from the computer record only upon written notice to the department. The veteran designation is classified as private data on individuals as defined in section 13.02, subdivision 12, except that this information is available to the commissioner of veterans affairs for the purpose of administering veterans benefits.

Subd. 5b. **Emergency contacts.** (a) Upon a request by an applicant for a driver's license, instruction permit, or Minnesota identification card under section 171.06, subdivision 3, the commissioner must maintain electronic records of names and contact information for up to three emergency contacts for the applicant. The request must be made on a form prescribed by the commissioner. The commissioner must make the form available on the department's website. The form must include a notice as described in section 13.04, subdivision 2.

(b) A person who has provided emergency contact information under this subdivision may change, add, or delete the information at any point. Notwithstanding sections 171.06, subdivision 2, and 171.061, the commissioner or a driver's license agent must not charge a fee for a transaction described in this paragraph.

(c) Emergency contact data are classified as private data on individuals, as defined in section 13.02, subdivision 12, except that the commissioner may share emergency contact information with law enforcement agencies to notify the emergency contacts regarding an emergency.

Subd. 5c. **Caretaker information.** (a) Upon request by an applicant for a driver's license, instruction permit, or Minnesota identification card under section 171.06, subdivision 3, the commissioner must maintain electronic records of names and contact information for individuals receiving exclusive care from the applicant. The request must be made on a form prescribed by the commissioner. The commissioner must make the form available on the department's website. The form must include a notice as described in section 13.04, subdivision 2.

(b) A person who has provided caretaker information under this subdivision may change, add, or delete the information at any time. Notwithstanding sections 171.06, subdivision 2; and 171.061, the commissioner or a driver's license agent must not charge a fee for a transaction described in this paragraph.

(c) Caretaker data are classified as private data on individuals, as defined in section 13.02, subdivision 12, except that the commissioner may share caretaker information with law enforcement agencies to notify the cared-for individuals regarding an emergency.

Subd. 6. **Certain convictions not recorded.** (a) Except as provided in paragraph (c), the department must not keep on the record of a driver any conviction for a violation of a speed limit of 55 miles per hour unless the violation consisted of a speed greater than ten miles per hour in excess of the speed limit.

(b) Except as provided in paragraph (c), the department must not keep on the record of a driver any conviction for a violation of a speed limit of 60 miles per hour unless the violation consisted of a speed greater than five miles per hour in excess of the speed limit.

(c) This subdivision does not apply to (1) a violation that occurs in a commercial motor vehicle, or (2) a violation committed by a holder of a class A, B, or C commercial driver's license or commercial driver learner's permit, without regard to whether the violation was committed in a commercial motor vehicle or another vehicle.

Subd. 6a. **Driving record; traffic safety camera system.** (a) Except as provided in paragraph (b), the commissioner must not record on an individual's driving record any violation of:

(1) a traffic-control signal under section 169.06, subdivision 10; or

(2) a speed limit under section 169.14, subdivision 13.

(b) This subdivision does not apply to:

(1) a violation that occurs in a commercial motor vehicle; or

(2) a violation committed by a holder of a class A, B, or C commercial driver's license or commercial driver learner's permit, without regard to whether the violation was committed in a commercial motor vehicle or another vehicle.

(c) This subdivision applies to violations committed on or after August 1, 2025, and before August 1, 2029.

Subd. 7. **Privacy of data.** (a) Data on individuals provided to obtain a driver's license or Minnesota identification card must be treated as provided by United States Code, title 18, section 2721, as in effect on May 23, 2005, must be disclosed as required by that section, and may be disclosed as permitted by that section. The commissioner may disclose the data in bulk form upon request to an authorized recipient under United States Code, title 18, section 2721. For any disclosure of data on individuals related to a noncompliant driver's license or identification card, the commissioner must require a certification pursuant to subdivision 7b, paragraph (e).

(b) An applicant for a driver's license or a Minnesota identification card may consent, in writing, to the commissioner to disclose the applicant's personal information exempted by United States Code, title 18, section 2721, to any person who makes a request for the personal information. If the applicant so authorizes disclosures, the commissioner must implement the request and the information may be used.

(c) If authorized by an applicant for a driver's license or a Minnesota identification card, as indicated in paragraph (b), the applicant's personal information may be used, rented, or sold solely for bulk distribution by organizations for business purposes, including surveys, marketing, or solicitation.

(d) An applicant for a driver's license, instruction permit, or Minnesota identification card may request that the applicant's residence address be classified as "private data on individuals," as defined in section 13.02, subdivision 12. The commissioner must grant the classification on receipt of a signed statement by the individual that the classification is required for the safety of the applicant or the applicant's family, if the statement also provides a valid, existing address where the applicant consents to receive service of

process. The commissioner must use the service for process mailing address in place of the residence address in all documents and notices pertaining to the driver's license, instruction permit, or Minnesota identification card. The residence address and any information provided in the classification request, other than the mailing address, are private data on individuals and may be provided to requesting law enforcement agencies, probation and parole agencies, and public authorities, as defined in section 518A.26, subdivision 18.

Subd. 7a. **Disclosure of personal information.** (a) Subject to subdivision 11, the commissioner must disclose personal information where the use is related to the operation of a motor vehicle or to public safety. The use of personal information is related to public safety if it concerns the physical safety or security of drivers, vehicles, pedestrians, or property. The commissioner may refuse to disclose data under this subdivision when the commissioner concludes that the requester is likely to use the data for illegal, improper, or noninvestigative purposes.

(b) The commissioner must disclose personal information to the secretary of state for the purpose of increasing voter registration and improving the accuracy of voter registration records in the statewide voter registration system. The secretary of state may not retain data provided by the commissioner under this subdivision for more than 60 days and may not share or disseminate any data on individuals who have applied for or been issued a noncompliant driver's license or identification card except for the purpose of administering elections or as permitted in section 201.13, subdivision 3, paragraph (d).

Subd. 7b. **Data privacy; noncompliant license or identification card.** (a) With respect to noncompliant licenses or identification cards, the commissioner is prohibited from:

(1) electronically disseminating outside the state data that is not disseminated as of May 19, 2017; or

(2) utilizing any electronic validation or verification system accessible from or maintained outside the state that is not in use as of May 19, 2017.

(b) The limitations in paragraph (a) do not apply to the extent necessary to:

(1) maintain compliance with the driver's license compact under section 171.50 and applicable federal law governing commercial driver's licenses;

(2) perform identity verification as part of an application for a replacement Social Security card issued by the Social Security Administration; and

(3) perform identity verification for a program participant in the Transportation Security Administration's Registered Traveler program who has voluntarily provided their Minnesota driver's license or identification card to confirm their identity to a private entity operating under the Registered Traveler program.

(c) For purposes of paragraph (b), clause (3), the information provided for identity verification is limited to name, date of birth, the license or identification card's identification number, issuance date, expiration date, and credential security features which does not include facial recognition.

(d) For purposes of this subdivision, "outside the state" includes federal agencies, states other than Minnesota, organizations operating under agreement among the states, and private entities.

(e) Prior to disclosing to a data requester, other than the data subject, any data on individuals relating to a noncompliant driver's license or identification card, the commissioner or a driver's license agent must require the data requester to certify that the data requester must not use the data for civil immigration enforcement purposes or disclose the data to a state or federal government entity that primarily enforces immigration law or to any employee or agent of any such government entity. A data requester who violates

the certification required in this paragraph may be liable in a civil action brought under section 13.08, may be subject to criminal penalties under section 13.09, may have subsequent requests for noncompliant driver's license or identification card data be denied by the commissioner, and may lose access to the driver records subscription service under section 168.327. A certification form used by the commissioner or a driver's license agent under this paragraph must include information about penalties that apply for violations.

***[See Note.]***

Subd. 7c. **Other data provisions.** (a) The commissioner must not share any data the department maintains under section 171.07, subdivision 6a, 6b, or 13, with any federal agency, federal department, or federal entity for a use that would otherwise be permissible under United States Code, title 18, section 2721, or other law.

(b) Data collected by government entities under sections 624.712 to 624.719 are classified under section 13.87, subdivision 2.

***[See Note.]***

Subd. 7d. **Certain data on indicators and designations.** Data maintained by the commissioner under section 171.07, subdivisions 5 to 7, 11 to 13, 15, and 17 to 20 are private data on individuals, as defined in section 13.02, subdivision 12.

Subd. 8. MS 2004 [Repealed, 1Sp2005 c 6 art 2 s 48]

Subd. 9. **Driving record disclosure to law enforcement.** Subject to subdivision 11, the commissioner shall also furnish driving records, without charge, to chiefs of police, county sheriffs, prosecuting attorneys, and other law enforcement agencies with the power to arrest.

Subd. 10. **Enhanced driver's license and identification card.** For purposes of this section, "license" includes "enhanced driver's license," and "identification card" includes "enhanced identification card."

Subd. 11. **Certain data on noncompliant license or identification card; department and agents.** (a) For purposes of this section, "immigration status data" means data on individuals who have applied for or been issued a noncompliant driver's license or identification card and that indicate or otherwise have the effect of identifying (1) whether the individual has demonstrated United States citizenship, or (2) whether the individual has demonstrated lawful presence in the United States. Immigration status data include but are not limited to any documents specified under section 171.062; immigration status data contained in those documents; or the applicant's submission of the documents.

(b) Immigration status data are classified as private data on individuals, as defined in section 13.02, subdivision 12. Notwithstanding any law to the contrary, the commissioner or a driver's license agent must not share or disseminate immigration status data except to or within the division of the department that administers driver licensing and to the secretary of state for purposes of improving the accuracy of voter registration records under subdivision 7a.

(c) As authorized or required by state or federal law, the commissioner or a driver's license agent may share or disseminate data on individuals who have applied for or been issued a noncompliant driver's license or identification card that are not immigration status data to a government entity, as defined in section 13.02, subdivision 7a, or to a federal government entity that does not enforce immigration law, provided that the receiving entity must not use the data for civil immigration enforcement purposes or further disclose the data to a state or federal government entity that primarily enforces immigration law or to any employee or agent of any such government entity.

(d) Notwithstanding any law to the contrary, the commissioner or a driver's license agent must not share or disseminate any data on individuals who have applied for or been issued a noncompliant driver's license or identification card to any federal government entity that primarily enforces immigration law, except pursuant to a valid search warrant or court order issued by a state or federal judge.

(e) Violation of this subdivision by the commissioner, a driver's license agent, a government entity, or an employee or agent thereof constitutes a violation of the Minnesota Government Data Practices Act and may be subject to penalties and remedies applicable under that chapter.

**History:** *(2720-144i) 1939 c 401 s 12; 1943 c 610 s 3; 1967 c 205 s 1; 1969 c 871 s 2; 1975 c 393 s 2; 1986 c 444; 1986 c 454 s 24; 1988 c 670 s 10; 1989 c 307 s 24; 1990 c 461 s 2; 1993 c 266 s 25; 1993 c 326 art 11 s 3,4; 1994 c 501 s 4-6; 1994 c 615 s 19; 1994 c 618 art 1 s 25; 1995 c 257 art 1 s 10; 1995 c 259 art 1 s 37; 1996 c 440 art 1 s 43,44; 1996 c 455 art 1 s 9; 1Sp1997 c 2 s 53; 1998 c 371 s 9; 1998 c 388 s 19; 1999 c 139 art 4 s 2; 2000 c 478 art 2 s 7; 2002 c 368 s 2; 2004 c 283 s 11,15; 2005 c 163 s 78; 2005 c 164 s 29; 1Sp2005 c 6 art 3 s 68,69; 1Sp2005 c 7 s 28; 2007 c 54 art 3 s 3; 2008 c 277 art 1 s 24; 2009 c 94 art 3 s 12; 2010 c 242 s 8,9,11; 2010 c 316 s 14,18; 2012 c 287 art 4 s 35; 2014 c 180 s 9; 2014 c 238 s 1; 2014 c 293 s 9; 2017 c 76 s 19-22; 2017 c 83 art 3 s 18; 1Sp2017 c 3 art 3 s 76; 1Sp2019 c 3 art 3 s 76; 1Sp2021 c 5 art 4 s 72; 2023 c 13 art 2 s 3-7; 2023 c 68 art 5 s 38; art 6 s 11; 2024 c 104 art 1 s 68-70; 2024 c 127 art 3 s 69; 2025 c 20 s 173; 2026 c 97 art 2 s 2-4*

**NOTE:** (a) Subdivision 1a, as added by Laws 2017, chapter 76, section 19, was effective October 1, 2018. Laws 2017, chapter 76, section 19, the effective date.

(b) Subdivisions 3c, 7b, and 7c, as added by Laws 2017, chapter 76, sections 20 to 22, were effective May 19, 2017, and apply to driver's licenses and Minnesota identification cards applied for and issued on or after October 1, 2018. Laws 2017, chapter 76, section 29.

(c) If the Federal REAL ID Act, Public Law 109-13, Division B, is repealed, or if the definition of "official purpose" in Code of Federal Regulations, title 6, part 37, is amended, subdivisions 1a, 3c, 7b, and 7c, as added by Laws 2017, chapter 76, sections 19 to 22, are repealed on June 30 of the following year. Laws 2017, chapter 76, section 27.

**171.1205 RESTRICTIONS ON USE.**

A state agency or a political subdivision must not use the possession of a noncompliant driver's license or identification card as (1) evidence of a person's citizenship or lawful presence in the United States, or (2) the primary basis for investigation, detention, or arrest.

**History:** *2023 c 13 art 1 s 10*

**171.121 USE OF ANOTHER'S RESIDENCE ADDRESS.**

A person may notify the commissioner in writing to the effect that the person (1) is the owner of a residence, and (2) does not consent to have that residence address identified on any driver's license or identification card or driving record of the department as the residence address or permanent mailing address of any person named in the notice. The notice may not name a spouse of the notifying person. Upon receiving the notice the commissioner shall not issue any license or identification card under this chapter, or accept an application for a license or identification card under this chapter, that lists the residence address identified in the notice as the residence address or permanent mailing address of any person named in the notice.

**History:** *1996 c 356 s 1*

**171.122 ENHANCED DRIVERS' LICENSES AND IDENTIFICATION CARDS; LIMITATION.**

Provisions of this chapter that relate expressly to enhanced drivers' licenses or enhanced identification cards apply only to drivers' licenses within the meaning of section 171.01, subdivision 31a, and identification cards within the meaning of section 171.01, subdivision 31b, unless otherwise expressly provided in statute.

**History:** *2010 c 316 s 15,18*

**171.13 EXAMINATION.**

Subdivision 1. **Examination subjects and locations; provisions for color blindness, disabled veterans.** (a) Except as otherwise provided in this section, the commissioner must examine each applicant for a driver's license by such agency as the commissioner directs. This examination must include:

(1) a test of the applicant's eyesight, provided that this requirement is met by submission of a vision examination certificate under section 171.06, subdivision 7;

(2) a test of the applicant's ability to read and understand highway signs regulating, warning, and directing traffic;

(3) a test of the applicant's knowledge of:

(i) traffic laws;

(ii) the effects of alcohol and drugs on a driver's ability to operate a motor vehicle safely and legally, and of the legal penalties and financial consequences resulting from violations of laws prohibiting the operation of a motor vehicle while under the influence of alcohol or drugs;

(iii) railroad grade crossing safety;

(iv) slow-moving vehicle safety;

(v) laws relating to pupil transportation safety, including the significance of school bus lights, signals, stop arm, and passing a school bus;

(vi) traffic laws related to bicycles;

(vii) the circumstances and dangers of carbon monoxide poisoning; and

(viii) work zone and road construction worker safety, including work zone speed limits, work zone markings, vehicle operation requirements in work zones, and the dangers of distracted driving in work zones;

(4) an actual demonstration of ability to exercise ordinary and reasonable control in the operation of a motor vehicle; and

(5) other physical and mental examinations as the commissioner finds necessary to determine the applicant's fitness to operate a motor vehicle safely upon the highways.

(b) Notwithstanding paragraph (a), the commissioner must not deny an application for a driver's license based on the exclusive grounds that the applicant's eyesight is deficient in color perception or that the applicant has been diagnosed with diabetes mellitus. War veterans operating motor vehicles especially equipped for disabled persons, if otherwise entitled to a license, must be granted such license.

(c) The commissioner must ensure that an applicant may take an exam either in the county where the applicant resides or in an adjacent county at a reasonably convenient location. The schedule for each exam station must be posted on the department's website.

(d) The commissioner must ensure that an applicant is able to obtain an appointment for an examination to demonstrate ability under paragraph (a), clause (4), within 14 days of the applicant's request if, under the applicable statutes and rules of the commissioner, the applicant is eligible to take the examination.

(e) The commissioner must provide real-time information on the department's website about the availability and location of exam appointments. The website must show the next available exam dates and times for each exam station. The website must also provide an option for a person to enter an address to see the date and time of the next available exam at each exam station sorted by distance from the address provided.

(f) The requirements under paragraph (a), clause (3), item (viii), apply on January 1, 2027, for examinations administered on or after that date.

Subd. 1a. **Waiver when license issued by another jurisdiction.** (a) If the commissioner determines that an applicant for a driver's license is 21 years of age or older and possesses a valid driver's license issued by another state or jurisdiction that requires a comparable examination to obtain a driver's license, the commissioner must waive the requirements that the applicant pass a knowledge examination and demonstrate ability to exercise ordinary and reasonable control in the operation of a motor vehicle.

(b) If the commissioner determines that an applicant for a motorcycle endorsement is 21 years of age or older and possesses a valid driver's license with a motorcycle endorsement issued by another state or jurisdiction that requires a comparable examination to obtain an endorsement, the commissioner must waive the requirements with respect to the endorsement that the applicant pass a knowledge examination and demonstrate the ability to exercise ordinary and reasonable control in the operation of a motor vehicle.

(c) For purposes of this subdivision, "jurisdiction" includes, but is not limited to, both the active and reserve components of any branch or unit of the United States armed forces, and "valid driver's license" includes any driver's license that is recognized by that branch or unit as currently being valid, or as having been valid at the time of the applicant's separation or discharge from the military within a period of time deemed reasonable and fair by the commissioner, up to and including one year past the date of the applicant's separation or discharge.

Subd. 1b. MS 2010 [Renumbered 171.0705, subdivision 1]

Subd. 1c. MS 2010 [Renumbered 171.0705, subd 6]

Subd. 1d. MS 2010 [Renumbered 171.0705, subd 9]

Subd. 1e. **Slow-moving vehicle.** The commissioner shall include, in each examination under subdivision 1, an examination of the applicant's knowledge of highway safety with respect to approaching, following, and passing slow-moving vehicles and the significance of the slow-moving vehicle emblem.

Subd. 1f. MS 2010 [Renumbered 171.0705, subd 2]

Subd. 1g. MS 2010 [Renumbered 171.0705, subd 4]

Subd. 1h. MS 2010 [Renumbered 171.0705, subd 8]

Subd. 1i. MS 2010 [Renumbered 171.0705, subd 10]

Subd. 1j. MS 2010 [Renumbered 171.0705, subd 7]

Subd. 1k. MS 2010 [Renumbered 171.0705, subd 5]

Subd. 1l. [Renumbered 171.0705, subd 3]

Subd. 2. **Examination upon renewal.** (a) The department shall issue a driver's license upon renewal:

(1) when the applicant has passed an examination consisting of a screening of the applicant's eyesight since the last previous license renewal or issuance;

(2) if applicable, when an applicant has passed a written examination since the last previous license renewal or issuance and after receiving a warning letter or attending a preliminary hearing as a habitual violator, within the meaning of rules adopted by the commissioner; and

(3) if applicable, when an applicant has passed a road examination since the last previous license renewal or issuance and after having had driving privileges suspended as a habitual violator, within the meaning of rules adopted by the commissioner.

(b) A screening of eyesight required by this subdivision does not constitute the practice of optometry as defined in section 148.56.

(c) The commissioner may adopt rules to administer this subdivision.

Subd. 3. **Examination of licensed driver.** The commissioner may require an examination by such agency as the commissioner directs of any licensed driver, to determine incompetency, physical or mental disability or disease, or any other condition which might affect the driver from exercising reasonable and ordinary control over a motor vehicle, but no examination shall be required only for the reason that any licensed driver has attained a certain age. If as a result of the examination the commissioner believes that the driver is an unsafe person to operate a motor vehicle upon the public highways, the commissioner may cancel the driver's license of the person. The commissioner shall give the person written notice of the cancellation.

Subd. 4. **Cancellation for failure to submit to examination.** If a licensee does not submit to any examination required under the provisions of subdivision 3, the commissioner may cancel the driver's license of the licensee. If such license is canceled, the licensee shall immediately surrender to the department all driver's license certificates in possession.

Subd. 5. **Examination fee for vehicle endorsement.** Any person applying to secure a school bus, tank vehicle, passenger, double-trailer or triple-trailer, or hazardous materials vehicle endorsement on the person's driver's license shall pay a $2.50 examination fee at the place of application.

Subd. 6. **Motorcycle endorsement examination fee.** A person applying for an initial motorcycle endorsement on a driver's license must pay at the place of examination a $2.50 examination fee, an endorsement fee as prescribed in section 171.06, subdivision 2a, and the appropriate driver's license fee as prescribed in section 171.06, subdivision 2.

Subd. 7. **Examination fees.** (a) A fee of $10 must be paid by an individual to take a third and any subsequent knowledge test administered by the department if the individual has failed two previous consecutive knowledge tests on the subject.

(b) A fee of $20 must be paid by an individual to take a third and any subsequent skills or road test administered by the department if the individual has previously failed two consecutive skill or road tests in a specified class of motor vehicle.

(c) A fee of $40 must be paid by an individual who fails to appear for a scheduled road test or who cancels a road test less than 24 hours before the appointment time. A fee of $20 must be paid by an individual who cancels a scheduled road test between 24 hours and 72 hours before the appointment time.

(d) All fees received under this subdivision must be paid into the state treasury and credited to the driver and vehicle services operating account under section 299A.705.

Subd. 8. **Test scheduling.** The commissioner must not schedule or reserve recurring time with a public, private, or commercial driver education program for purposes of administering road tests to a class D driver's license applicant.

Subd. 9. **Online driver's license knowledge testing authorization.** (a) The commissioner must implement online knowledge testing as provided in this subdivision. The commissioner must not charge a fee to a driver education program or an authorized entity for access to the online knowledge testing system or for administering the online knowledge test.

(b) Upon written request from a driver education program licensed by the department, the commissioner must grant access to the department's web-based knowledge testing system to the driver education program. Once granted access to the online knowledge testing system, a driver education program may administer the online knowledge test to a student of the program.

(c) An entity other than a driver education program may apply to the commissioner for authority to administer online knowledge tests. The commissioner may approve or disapprove an application for administering the online knowledge tests under this paragraph. Upon approving an application of an entity, the commissioner must grant access to the department's web-based knowledge testing system to that authorized entity. Once granted access to the online knowledge testing system, the authorized entity may administer the online knowledge test.

(d) A driver education program or authorized entity:

(1) must provide all computers and equipment for persons that take the online knowledge test;

(2) must provide appropriate proctors to monitor persons taking the online knowledge test; and

(3) may charge a fee of no more than $10 for administering the online knowledge test.

(e) For purposes of paragraph (d), clause (2), a proctor must be:

(1) an employee of the driver education program, authorized entity, or a state or local government;

(2) a driver's license agent; or

(3) a classroom teacher, school administrator, or paraprofessional at a public or private school, excluding a home school.

The proctor must be physically present at the location where the test is being administered. A proctor must not be a relative of the person taking the test. For purposes of this paragraph, a relative is a spouse, fiancee, fiance, grandparent, parent, child, sibling, or legal guardian, including adoptive, half, step, and in-law relationships.

Subd. 10. **Written examination plain language requirements.** (a) For purposes of this subdivision, the following terms have the meanings given:

(1) "committee" means the Department of Public Safety, Division of Driver and Vehicle Services Test Maintenance Committee responsible for monitoring, reviewing, and editing the written portion of the driver's knowledge examination on behalf of the Division of Driver and Vehicle Services;

(2) "plain language standards" means the requirements specified in paragraph (b) and the requirements of the Plain Writing Act, Public Law 111-274, and governor's Executive Order 14-07; and

(3) "written examination" means the written portion of the driver's knowledge examination in English and administered under this section.

(b) By February 1, 2025, the commissioner must implement plain language standards and create a new written portion of the knowledge examination to ensure the written examination is a fair assessment of the state's traffic and driving laws. The new written portion of the knowledge examination, to the extent practicable, must be organized to serve the reader's needs and written using clear, simplified language with the following grammatical standards:

(1) "you" and other pronouns address the test-taker directly;

(2) utilize the active voice;

(3) use short, simple sentences and straightforward questions;

(4) avoid complex and compound sentence structures;

(5) utilize commonly used and familiar words;

(6) avoid turning verbs into nouns through nominalization;

(7) minimize the use of abbreviations;

(8) place words carefully to avoid large gaps between the subject, verb, and object in a sentence;

(9) avoid confusing terms such as "either, or" and "neither, nor";

(10) utilize simple verb tenses, including the simple present verb tense where practicable, to explain confusing or complex concepts;

(11) omit double negatives and terms like "except for," "unless," and "indicated otherwise";

(12) avoid hidden terms and use concrete, familiar words to describe confusing or complex concepts or items;

(13) omit excess and unnecessary words;

(14) use the word "must" to express requirements;

(15) put exceptions at the end of a question;

(16) place modifying terms in correct locations; and

(17) any other recommended strategies and techniques designed to offer clear communication to test-takers.

(c) Any revisions or additions to the subjects tested on a knowledge examination must be written utilizing the plain language standards specified in paragraph (b). Revisions made to the written examination must assess whether the applicant understands the traffic laws of Minnesota and test knowledge of the requirements specified in subdivision 1, paragraph (a), clauses (2) and (3).

(d) The committee must convene its first meeting by August 1, 2024. Before publication of the new written examination under plain language requirements, the committee must meet at least four times before January 1, 2025. The commissioner of public safety may enter into an agreement with a third party to propose, draft, and revise the written examination under the requirements of this subdivision.

(e) The commissioner may adopt plain language standards into other Division of Driver and Vehicle Services materials, including the driver's manual under section 171.0705.

Subd. 11. **Exam scheduling reporting.** (a) For purposes of this subdivision, the following terms have the meanings given:

(1) "delay" or "delayed" means a road test examination under this section between 15 and 30 days after an eligible applicant's request for a road test; and

(2) "reporting period" means a calendar year or a fiscal year as identified for each report under paragraph (b).

(b) By March 1 and September 1 of each year, the commissioner must submit a report on road test examination scheduling to the chairs and ranking minority members of the legislative committees with jurisdiction over transportation policy and finance. The report due by September 1 must include information for the most recently ended fiscal year. The report due by March 1 must include information for the most recently ended calendar year.

(c) At a minimum, the report must:

(1) identify each performance measure or metric established by the commissioner related to scheduling availability and passage of road tests;

(2) for the reporting period, identify the results for the performance measures or metrics under clause (1); and

(3) for the reporting period, identify the rate at which applicants are able to obtain an appointment for a road test in the time period provided under subdivision 1, paragraph (d), compared to the number of individuals who experienced a delay in booking a road test appointment.

(d) For the reporting period, if a goal is not met in a performance measure or metric under paragraph (c), clause (1), or if the requirements specified under subdivision 1, paragraph (d), are not fully met, the report must also:

(1) include the number of administered road tests for Class D and commercial drivers' licenses per month for the previous five fiscal years;

(2) provide information about factors that impact road test examination appointment availability, including information on staffing and the use of overtime at exam stations, budgetary resources, the number of potential applicants seeking a road test, and any other analysis based on the department's experience necessary to identify and project what may cause delays in the next five fiscal years;

(3) analyze the rate and frequency of which an applicant was administered a road test for either a Class D or commercial driver's license at an exam station outside the applicant's county or exam station region to identify the rate at which an applicant must travel to obtain a road test appointment;

(4) for the analysis required in clause (3), provide a breakout by county and exam station region; and

(5) conduct the analysis required in clauses (3) and (4) for retakes of Class D or commercial driver's license road tests.

**History:** *1939 c 401 s 13; 1947 c 479 s 1; 1949 c 128 s 1; 1971 c 644 s 13; 1971 c 846 s 1; 1973 c 698 s 5; 1981 c 357 s 64; 1983 c 53 s 1; 1986 c 330 s 2; 1986 c 444; 1988 c 712 s 1; 1989 c 307 s 25; 1991 c 298 art 2 s 3,4; art 7 s 4; 1993 c 142 s 3; 1993 c 187 s 20,21; 1993 c 347 s 13; 1995 c 72 s 3,4; 1995 c 104 s 2,3; 1996 c 333 s 2; 1997 c 159 art 2 s 33,34; 2002 c 305 s 2; 2002 c 371 art 1 s 59; 2005 c 53 s 1; 2005 c 56 s 1; 1Sp2005 c 6 art 2 s 40,41; art 3 s 70; 2008 c 350 art 1 s 58-60; 2010 c 356 s 3; 2011 c 70 s 2-4; 2014 c 312 art 11 s 21; 2Sp2020 c 2 s 1,2; 1Sp2021 c 5 art 4 s 73-76; 2023 c 68 art 6 s 12,13; art 7 s 16; 2024 c 89 s 1; 2024 c 104 art 1 s 71-73; 2024 c 127 art 3 s 70; 1Sp2025 c 8 art 2 s 46-48*

## 171.131 PHYSICIAN REPORTING TO COMMISSIONER.

Subdivision 1. **Voluntary reporting by physicians.** Any physician who diagnoses a physical or mental condition which in the physician's judgment will significantly impair the person's ability to operate safely a motor vehicle may voluntarily report the person's name and other information relevant to the condition to the commissioner. The commissioner, upon receiving the report, shall require the person so reported to be examined as provided in section 171.13, subdivision 3.

Subd. 2. **Physicians immune from liability.** Any physician reporting in good faith and exercising due care shall have immunity from any liability, civil or criminal, that otherwise might result by reason of actions pursuant to this section. No cause of action may be brought against any physician for not making a report pursuant to this section.

**History:** *1982 c 479 s 1; 1983 c 216 art 1 s 32; 1986 c 444*

## 171.14 CANCELLATION.

(a) The commissioner may cancel any driver's license upon determination that (1) the licensee was not entitled to the issuance of the license, (2) the licensee failed to give the required or correct information in the application, (3) the licensee committed any fraud or deceit in making the application, or (4) the person, at the time of the cancellation, would not have been entitled to receive a license under section 171.04.

(b) The commissioner shall cancel the driver's license of a person described in paragraph (a), clause (3), for 60 days or until the required or correct information has been provided, whichever is longer.

**History:** *(2720-144k) 1939 c 401 s 14; 1959 c 506 s 1; 1986 c 444; 1989 c 307 s 26; 2008 c 287 art 1 s 65*

## 171.15 NONRESIDENT'S DRIVING PRIVILEGE.

Subdivision 1. **Suspension or revocation.** (a) The privilege of driving a motor vehicle on the highways of this state given to a nonresident hereunder shall be subject to the suspension or revocation by the commissioner in like manner and for like cause as a driver's license issued hereunder may be suspended or revoked.

(b) The commissioner is further authorized, upon receiving a record of conviction in this state of a nonresident driver of a motor vehicle of any offense under the motor vehicle laws of this state, to forward a certified copy of such record to the motor vehicle administrator in the state wherein the person so convicted is a resident.

Subd. 2. MS 1984 [Repealed, 1986 c 454 s 37]

**History:** *(2720-145) 1939 c 401 s 15; 1978 c 783 s 6*

**171.16 COURT MAY RECOMMEND SUSPENSION.**

Subdivision 1. **Court to report to commissioner.** Every court 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 laws or ordinances, except parking violations and defective vehicle equipment or vehicle size or weight violations.

Subd. 2. **Suspension on conviction.** (a) The court may recommend the suspension of the driver's license of the person so convicted, and, subject to the limitations in this section, the commissioner shall suspend such license as recommended by the court, without a hearing as provided herein.

(b) The commissioner is prohibited from suspending a person's driver's license if the person was convicted only under section 171.24, subdivision 1 or 2.

Subd. 3. **Failure to pay fine.** The commissioner is prohibited from suspending a person's driver's license based solely on the fact that a person:

(1) has been convicted of:

(i) violating a law of this state or an ordinance of a political subdivision which regulates the operation or parking of motor vehicles;

(ii) a violation under section 169.06, subdivision 10; or

(iii) a violation under section 169.14, subdivision 13;

(2) has been sentenced to the payment of a fine or had a surcharge levied against that person, or sentenced to a fine upon which a surcharge was levied; and

(3) has refused or failed to comply with that sentence or to pay the surcharge.

Subd. 3a. **Failure to appear.** (a) Upon receiving a report from the court, or from the driver licensing authority of a state, district, territory, or possession of the United States or a province of a foreign country which has an agreement in effect with this state pursuant to section 169.91, that a resident of this state or a person licensed as a driver in this state did not appear in court in compliance with the terms of a citation, the commissioner of public safety shall notify the driver that the driver's license will be suspended unless the commissioner receives notice within 30 days that the driver has appeared in the appropriate court. If the commissioner does not receive notice of the appearance in the appropriate court or payment of the fine within 30 days of the date of the commissioner's notice to the driver, the commissioner may suspend the driver's license, subject to the notice requirements of section 171.18, subdivision 2. Notwithstanding the requirements in this subdivision, the commissioner is prohibited from suspending the driver's license of a person based solely on the fact that the person did not appear in court (1) in compliance with the terms of a citation for a petty misdemeanor, or (2) for a violation of section 171.24, subdivision 1.

(b) The order of suspension shall indicate the reason for the order and shall notify the driver that the driver's license remains suspended until the driver has furnished evidence, satisfactory to the commissioner, of compliance with any order entered by the court.

(c) Suspension shall be ordered under this subdivision only when the report clearly identifies the person arrested; describes the violation, specifying the section of the traffic law, ordinance or rule violated; indicates the location and date of the offense; and describes the vehicle involved and its registration number.

Subd. 4. MS 1971 [Repealed, 1973 c 698 s 8]

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 169A.20 that must be reported under section 171.17, the judge, or duly authorized agent, shall immediately report the determination to the department and may recommend the suspension of the person's license, and the commissioner is hereby authorized to suspend the license, without a hearing.

Subd. 6. **Notice of suspension.** A suspension under this section is subject to the notice requirements of section 171.18, subdivision 2.

Subd. 7. **Suspension under reciprocal agreement.** (a) For purposes of this subdivision:

(1) "issuing jurisdiction" means a state, district, territory, or possession of the United States or a province of a foreign country which has an agreement in effect with this state pursuant to the nonresident violator compact; and

(2) "traffic violation" means a violation of a traffic regulation relating to the operation of a motor vehicle and excludes a parking, vehicle equipment, or vehicle weight limit violation.

(b) Notwithstanding subdivisions 3 and 3a, the commissioner may suspend the driver's license of a person licensed in this state upon receiving a report from an issuing jurisdiction that the person:

(1) did not appear in court in compliance with the terms of a citation for a traffic violation that, if committed in this state, is a petty misdemeanor or a violation under section 171.24, subdivision 1; or

(2) is convicted of a traffic violation, is subject to a fine or surcharge, and has failed to pay the fine or surcharge.

(c) A suspension is authorized under this subdivision only as necessary to conform with the requirements of the nonresident violator compact.

(d) A suspension under this subdivision is subject to the notice requirements under section 171.18, subdivision 2.

**History:** *(2720-145a) 1939 c 401 s 16, except par (c); 1969 c 946 s 2; Ex1971 c 27 s 24; 1973 c 421 s 4,5; 1981 c 341 s 3; 1983 c 359 s 18; 1984 c 622 s 16; 1986 c 444; 1987 c 123 s 2; 1989 c 307 s 27; 1996 c 346 s 5; 1998 c 367 art 8 s 3; 1998 c 388 s 20; 2000 c 478 art 2 s 7; 1Sp2021 c 5 art 4 s 67,77-79,149; 2024 c 127 art 3 s 71*

**171.161 COMMERCIAL DRIVER'S LICENSE; FEDERAL CONFORMITY.**

Subdivision 1. **Conformity with federal law.** The commissioner of public safety shall ensure the programs and policies related to commercial drivers' licensure and the operation of commercial motor vehicles in Minnesota conform with the requirements of Code of Federal Regulations, title 49, part 383.

Subd. 2. **Conflicts.** To the extent a requirement of sections 171.162 to 171.169, or any other state or local law, conflicts with a provision of Code of Federal Regulations, title 49, part 383, the federal provision prevails.

**History:** *2014 c 312 art 11 s 22*

**171.162 COMMERCIAL DRIVER'S LICENSE, REQUIRED RECORDS.**

Subdivision 1. **Driving record.** As required by Code of Federal Regulations, title 49, section 383.73, before issuing a class A, class B, or class C commercial driver's license, the department shall request the applicant's complete driving record from all states where the applicant was previously licensed over the last ten years to operate any type of motor vehicle.

Subd. 2. **Applicant self-certification.** As required by Code of Federal Regulations, title 49, section 383.71, an applicant for a class A, class B, or class C commercial driver's license shall certify, on a form prescribed by the department, whether:

(1) the applicant operates or expects to operate a class A, class B, or class C motor vehicle in interstate or foreign commerce or is otherwise subject to the medical examination requirements of Code of Federal Regulations, title 49, part 391;

(2) the applicant operates or expects to operate a class A, class B, or class C motor vehicle in interstate or foreign commerce but is exempt from the medical examination requirements of Code of Federal Regulations, title 49, part 391;

(3) the applicant operates or expects to operate a class A, class B, or class C motor vehicle entirely in intrastate commerce, is not subject to the medical examination requirements of Code of Federal Regulations, title 49, part 391, but is subject to the medical examination requirements of chapter 221; or

(4) the applicant operates or expects to operate a class A, class B, or class C motor vehicle entirely in intrastate commerce, is not subject to the medical examination requirements of Code of Federal Regulations, title 49, part 391, and is exempt from the medical examination requirements of chapter 221.

Subd. 3. **Medical examiner's certificate; applicants.** An applicant for a class A, class B, or class C commercial driver's license who is subject to the medical examination requirements of chapter 221 or Code of Federal Regulations, title 49, part 391, shall submit a valid medical examiner's certificate or a current medical waiver to the department.

Subd. 4. **Medical examiner's certificate; timely submission.** The holder of a class A, class B, or class C commercial driver's license who is subject to the medical examination requirements of chapter 221 or Code of Federal Regulations, title 49, part 391, shall submit a valid medical examiner's certificate or a current medical waiver to the department prior to the expiration of the certificate or waiver previously submitted by the person.

Subd. 5. **Medical examiner's certificate; existing licensees.** By November 30, 2013, a person who holds a class A, class B, or class C commercial driver's license as of August 1, 2013, shall submit to the department the self-certification described in subdivision 2. If the licensee certifies that the licensee is subject

to the medical examination requirements of chapter 221 or Code of Federal Regulations, title 49, part 391, the licensee shall also submit to the department a valid medical examiner's certificate or a current medical waiver. If the licensee fails to submit the self-certification or, if required, a valid medical examiner's certificate or current medical waiver, the department shall follow the notice and license downgrade procedures of subdivision 6.

Subd. 6. **Downgrade of license; notice.** (a) If a licensee has previously certified to the department that the licensee is subject to the medical examination requirements of chapter 221 or Code of Federal Regulations, title 49, part 391, the department shall send written notice if the licensee's medical examiner's certificate or medical waiver has expired or been removed, rescinded, or revoked. The notice must state that the commercial driver's license will be downgraded to a class D driver's license unless, within 30 days of the date of the notice, the licensee submits to the department:

(1) a valid medical examiner's certificate or a current medical waiver; or

(2) a new self-certification, as described in subdivision 2, in which the licensee certifies that the licensee is subject to a different set of medical examination requirements or exemptions than indicated on the licensee's previous self-certification, accompanied by a valid medical examiner's certificate or a current medical waiver, if applicable.

(b) The department shall send the notice described in paragraph (a):

(1) by electronic mail to the electronic mail address provided by the licensee to the department for that purpose;

(2) by facsimile transmission to the telephone number provided by the licensee to the department for that purpose; or

(3) by mail, addressed to the licensee's last known address with postage prepaid.

(c) As applied to licensees who have previously certified they operate or expect to operate motor vehicles in interstate or foreign commerce, the notice described in paragraph (a) must conform to the requirements of Code of Regulations, title 49, section 383.73, paragraph (j).

(d) If the licensee does not submit a new self-certification but submits a valid medical examiner's certificate or a current medical waiver within the 30-day period described in paragraph (a), the commissioner shall take no action. If the licensee submits a new self-certification as described in paragraph (a), along with a valid medical examiner's certificate or a current medical waiver, as applicable, the commissioner shall restrict the licensee's operating privileges to the extent required under section 171.09, subdivision 1, paragraph (c) or (d). If the licensee does not submit a new self-certification, a valid medical examiner's certificate, or a current medical waiver within the 30-day period described in paragraph (a), the commissioner shall remove the licensee's privilege to operate a class A, class B, or class C motor vehicle.

Subd. 7. **Rulemaking authority.** The commissioner shall adopt rules to implement and administer this section and section 171.09, subdivision 1.

**History:** *1Sp2005 c 6 art 3 s 71; 2010 c 242 s 10,11*

**171.163 COMMERCIAL DRIVER'S LICENSE RECORD KEEPING.**

An agency, court, or public official in Minnesota shall not mask, defer imposition of judgment for, or allow an individual to enter into a diversion program that would prevent a conviction for a violation of a state or local traffic control law, except a parking violation, from appearing on the driving record of a holder

of a commercial driver's license, when the violation is committed in any type of motor vehicle, or on the driving record of an individual who committed the violation in a commercial motor vehicle.

**History:** *2009 c 36 art 3 s 11*

**171.165 COMMERCIAL DRIVER'S LICENSE, DISQUALIFICATION.**

Subdivision 1. **Federal standards.** Subject to section 171.166, the commissioner shall disqualify a person from operating commercial motor vehicles in accordance with the driver disqualifications and penalties in Code of Federal Regulations, title 49, part 383, subpart D and Code of Federal Regulations, title 49, section 384.219.

Subd. 2. **Implied consent revocation.** The commissioner shall disqualify a person from operating commercial motor vehicles for a revocation under section 169A.52 or 171.177 or a statute or ordinance from another state or jurisdiction in conformity with it, for a period that is equivalent in duration under the driver disqualifications and penalties in Code of Federal Regulations, title 49, part 383, subpart D, that pertain to a conviction of being under the influence of alcohol or refusal to be tested.

Subd. 3. MS 2004 [Repealed, 1Sp2005 c 6 art 3 s 108]

Subd. 4. MS 2004 [Repealed, 1Sp2005 c 6 art 3 s 108]

Subd. 4a. MS 2004 [Repealed, 1Sp2005 c 6 art 3 s 108]

Subd. 4b. MS 2004 [Repealed, 1Sp2005 c 6 art 3 s 108]

Subd. 5. **Rules.** The commissioner shall adopt rules to administer this section. The rules must include procedures for issuing class D licenses to persons who have been disqualified from operating commercial motor vehicles but whose drivers' licenses have not otherwise been revoked, suspended, canceled, or denied.

Subd. 6. **Exemptions.** (a) A disqualification shall not be imposed under this section on a recreational vehicle operator, farmer, or authorized emergency vehicle operator operating a commercial motor vehicle within the scope of section 171.02, subdivision 2, paragraph (c).

(b) A conviction for a violation that occurred before August 1, 2005, while operating a vehicle that is not a commercial motor vehicle shall not be counted as a first or subsequent violation for purposes of determining the period for which a driver must be disqualified under this section.

Subd. 7. **Scope.** This section applies to offenses committed, and revocations imposed for incidents occurring, on or after January 1, 1990.

**History:** *1989 c 307 s 28; 1991 c 333 s 29; 1994 c 501 s 7; 1996 c 275 s 10; 1999 c 93 s 1; 2000 c 478 art 2 s 7; 2002 c 371 art 1 s 60; 1Sp2005 c 6 art 3 s 72-74; 2008 c 350 art 1 s 61; 2017 c 83 art 3 s 18*

**171.166 REVIEW OF DISQUALIFICATION.**

Subdivision 1. **Review of convictions.** The commissioner shall review court records of convictions subject to section 171.165, other than a violation of section 169A.20, 169A.31, sections 169A.50 to 169A.53, or section 171.177, if the commissioner has reasonable cause to believe the information is pertinent to the disqualification of an individual.

Subd. 2. **Notification to commercial driver's license holder or applicant.** The commissioner shall notify the applicant or license holder and the individual who is the subject of a review, in writing, of the

results of the review. The commissioner shall notify the individual reviewed if the information contained in the review could cause license disqualification.

Subd. 3. **Reconsideration of license disqualification.** (a) Within 30 days after receiving notice of possible disqualification under subdivision 2, the individual who is the subject of the review may request reconsideration of the notice of possible disqualification. The individual must submit the request for reconsideration to the commissioner in writing. The individual must present information to show that the information the commissioner relied upon is incorrect or not applicable for disqualification of the individual being reviewed.

(b) The commissioner may set aside the disqualification if the commissioner finds that the information the commissioner relied upon is incorrect or not applicable for disqualification of the individual being reviewed.

(c) The commissioner shall notify the applicant or license holder in writing of the reconsideration decision within 15 working days after receiving the request for reconsideration. The disqualification takes effect 20 days after the person receives the reconsideration decision.

Subd. 4. MS 1994 [Repealed, 1995 c 56 s 2]

**History:** *1989 c 307 s 29; 1995 c 56 s 1; 2000 c 478 art 2 s 7; 2017 c 83 art 3 s 18*

**171.167 NOTICE TO COMMERCIAL DRIVER'S LICENSE INFORMATION SYSTEM.**

The department shall participate fully in the commercial driver's license information system established under the Commercial Motor Vehicle Safety Act of 1986 at United States Code, title 49, section 31309.

**History:** *1Sp2005 c 6 art 3 s 75*

**171.168 NOTICE OF VIOLATION BY COMMERCIAL DRIVER.**

Subdivision 1. **Department notice.** Each person who operates a commercial motor vehicle, who has a commercial driver's license issued by this state, and who is convicted of a criminal offense; of a serious traffic violation, as defined in Code of Federal Regulations, title 49, part 383; or of violating any other state or local law relating to motor vehicle traffic control, other than a parking violation, in any type of motor vehicle in another state or jurisdiction, shall notify the department's Division of Driver and Vehicle Services of the conviction. The person shall notify the division within 30 days after the date that the person was convicted.

Subd. 2. **Employer notice.** Each person who operates a commercial motor vehicle, who has a commercial driver's license issued by this state, and who is convicted of violating, in any type of motor vehicle, a Minnesota state or local law relating to motor vehicle traffic control, other than a parking violation, shall notify the person's employer of the conviction. The person shall notify the person's employer within 30 days after the date that the person was convicted. If the person is not currently employed, the person shall notify the division according to subdivision 1.

Subd. 3. **Department notice information.** Notification to the division must be made in writing and contain the following information:

(1) the driver's full name;

(2) the driver's license number;

(3) the date of conviction;

(4) the specific criminal or other offense; serious traffic violation, as defined in Code of Federal Regulations, title 49, part 383; and any other violation of state or local law relating to motor vehicle traffic control, for which the person was convicted and any suspension, revocation, or cancellation of certain driving privileges that resulted from the conviction;

(5) an indication whether the violation was in a commercial motor vehicle;

(6) the location of the offense; and

(7) the driver's signature.

**History:** *2008 c 350 art 1 s 62; 2022 c 55 art 1 s 91,92*

**171.169 NOTICE OF COMMERCIAL LICENSE SUSPENSION.**

Each employee, as defined in Code of Federal Regulations, title 49, section 383.5, who has a Minnesota-issued driver's license suspended, revoked, or canceled by this state or another state or jurisdiction, who loses the right to operate a commercial motor vehicle in this state or another state or jurisdiction for any period, or who is disqualified from operating a commercial motor vehicle for any period, shall notify the person's employer of the suspension, revocation, cancellation, lost privilege, or disqualification. The employee shall notify the employer before the end of the business day following the day the employee received notice of the suspension, revocation, cancellation, lost privilege, or disqualification.

**History:** *2008 c 350 art 1 s 63*

**171.17 REVOCATION.**

Subdivision 1. **Offenses.** (a) The commissioner must immediately revoke the license of a driver upon receiving a record of the driver's conviction of:

(1) manslaughter resulting from the operation of a motor vehicle under section 609.20 or 609.205;

(2) criminal vehicular homicide or injury under section 609.2112, 609.2113, or 609.2114, or Minnesota Statutes 2012, section 609.21;

(3) a violation of section 169A.20 or 609.487;

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

(5) failure to stop and disclose identity and render aid, as required under section 169.09, in the event of a motor vehicle accident, resulting in the death or personal injury of another;

(6) perjury or the making of a false affidavit or statement to the commissioner under any law relating to the application, ownership, or operation of a motor vehicle, including on the certification required under section 171.05, subdivision 2, paragraph (a), clause (1), item (ii), subitem (C), to issue an instruction permit to a homeschool student;

(7) except as this section otherwise provides, 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 with chapter 169, for which the accused may be punished upon conviction by imprisonment;

(8) two or more violations, within five years, of the misdemeanor offense described in section 169.444, subdivision 2, paragraph (a);

(9) the gross misdemeanor offense described in section 169.444, subdivision 2, paragraph (b);

(10) an offense in another state that, if committed in this state, would be grounds for revoking the driver's license; or

(11) a violation of an applicable speed limit by a person driving in excess of 100 miles per hour. The person's license must be revoked for six months for a violation of this clause, or for a longer minimum period of time applicable under section 169A.53, 169A.54, or 171.174.

(b) The commissioner must immediately revoke the school bus endorsement of a driver upon receiving a record of the driver's conviction of the misdemeanor offense described in section 169.443, subdivision 7.

Subd. 2. **Offenses by juveniles.** When a juvenile court judge or duly authorized agent determines under a proceeding held under chapter 260 that a person under the age of 18 years has committed an offense defined in this section, the judge or authorized agent shall immediately report this determination to the department, and the commissioner shall immediately revoke the person's license.

Subd. 3. **Notice.** Upon revoking a license under this chapter, 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.

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

**History:** *(2720-145b) 1939 c 401 s 17; 1951 c 483 s 1; 1961 c 32 s 1; Ex1971 c 27 s 25; 1981 c 363 s 39; 1985 c 248 s 70; 1985 c 291 s 21; 1986 c 444; 1987 c 123 s 3; 1991 c 270 s 2; 1991 c 277 s 14; 1993 c 78 s 5; 1998 c 388 s 21,22; 2000 c 478 art 2 s 7; 1Sp2005 c 6 art 3 s 76; 1Sp2011 c 11 art 1 s 29; 2013 c 117 art 3 s 12; 2014 c 180 s 9; 2020 c 83 art 1 s 60; 2024 c 85 s 44; 1Sp2025 c 8 art 2 s 49*

**171.171 SUSPENSION; ILLEGAL PURCHASE OF ALCOHOL OR TOBACCO.**

The commissioner shall suspend for a period of 90 days the license of a person who:

(1) is under the age of 21 years and is convicted of purchasing or attempting to purchase an alcoholic beverage in violation of section 340A.503 if the person used a license, Minnesota identification card, or any type of false identification to purchase or attempt to purchase the alcoholic beverage;

(2) is convicted under section 171.22, subdivision 1, clause (2), or 340A.503, subdivision 2, clause (3), of lending or knowingly permitting a person under the age of 21 years to use the person's license, Minnesota identification card, or other type of identification to purchase or attempt to purchase an alcoholic beverage; or

(3) is convicted under section 171.22, subdivision 1, clause (2), of lending or knowingly permitting a person under the age of 21 years to use the person's license, Minnesota identification card, or other type of identification to purchase or attempt to purchase tobacco, a tobacco-related device, or an electronic delivery device, as defined in section 609.685, subdivision 1; or a nicotine or lobelia delivery product, as described in section 609.6855, subdivision 1.

**History:** *1985 c 305 art 1 s 1; 1989 c 301 s 9; 1997 c 227 s 1; 1998 c 388 s 23; 2000 c 472 s 1; 2020 c 88 s 3*

**171.172 REVOCATION; CONTROLLED SUBSTANCE OFFENSE.**

The commissioner of public safety shall revoke the license of any person convicted of or any juvenile adjudicated for a controlled substance offense if the court has notified the commissioner of a determination made under section 152.0271 or 260B.198, subdivision 1. The period of revocation shall be for the applicable time period specified in section 152.0271. If the person does not have a license or if the person's license is suspended or revoked at the time of the conviction or adjudication, the commissioner shall, upon the person's application for license issuance or reinstatement, delay the issuance or reinstatement of the person's license for the applicable time period specified in section 152.0271.

**History:** *1993 c 347 s 14; 1998 c 388 s 24; 1999 c 139 art 4 s 2*

**171.173 SUSPENSION; UNDERAGE DRINKING OFFENSE.**

The commissioner of public safety shall suspend the license of any person convicted of or any juvenile adjudicated for an offense under section 340A.503, subdivision 1, paragraph (a), clause (2), if the court has notified the commissioner of a determination made under section 169A.33, subdivision 4. The period of suspension shall be for the applicable period specified in section 169A.33. If the person does not have a license or if the person's license is suspended or revoked at the time of the conviction or adjudication, the commissioner shall, upon the person's application for license issuance or reinstatement, delay the issuance or reinstatement of the person's license for the applicable time period specified in section 169A.33. Upon receipt of the court's order, the commissioner is authorized to take the licensing action without a hearing.

**History:** *1993 c 347 s 15; 1998 c 388 s 25; 2001 c 7 s 44*

**171.174 REVOCATION; FLEEING PEACE OFFICER OFFENSE.**

The commissioner of public safety shall revoke the license of a person upon receipt of a certificate of conviction showing that the person has in a motor vehicle violated section 609.487, subdivision 3 or 4, or an ordinance in conformity with those subdivisions. The commissioner shall revoke the license as follows:

(1) for the first offense under section 609.487, subdivision 3, for not less than one year;

(2) for the second offense or subsequent offenses under section 609.487, subdivision 3, for not less than three years;

(3) for an offense under section 609.487, subdivision 4, clause (a), for not less than ten years;

(4) for an offense under section 609.487, subdivision 4, clause (b), for not less than seven years; and

(5) for an offense under section 609.487, subdivision 4, clause (c), for not less than five years.

A limited license under section 171.30 may not be issued for one-half of the revocation period specified in clauses (1) to (5) and after that period is over only upon and as recommended by the adjudicating court.

**History:** *1996 c 408 art 3 s 10; 1998 c 388 s 26*

**171.175 SUSPENSION; THEFT OF MOTOR FUEL OFFENSE.**

Subdivision 1. **Theft of motor fuel.** The commissioner of public safety shall suspend for 30 days the license of any person convicted or juvenile adjudicated delinquent for theft of motor fuel under section 609.52, subdivision 2, paragraph (a), clause (1) or (18).

Subd. 2. **Definition.** For the purposes of this section, "motor fuel" has the meaning given it in section 604.15, subdivision 1.

**History:** *2005 c 136 art 17 s 3; 2012 c 173 s 1; 2020 c 83 art 1 s 61*

**171.176 REVOCATION OR SUSPENSION; SCHOOL ATTENDANCE.**

The commissioner of public safety may not link or condition issuing, suspending, or revoking a person's license to operate a motor vehicle to attendance at a secondary school.

**History:** *1Sp2005 c 5 art 2 s 79*

**171.177 REVOCATION; PURSUANT TO SEARCH WARRANT.**

Subdivision 1. **Search warrant-required testing advisory.** At the time a blood or urine test is directed pursuant to a search warrant, the person must be informed that refusal to submit to a blood or urine test is a crime.

Subd. 2. **Type of test.** The peace officer who directs a test pursuant to a search warrant shall direct a blood or urine test as provided in the warrant. If the warrant authorizes either a blood or urine test, the officer may direct whether the test is of blood or urine. If the person to whom the test is directed objects to the test, the officer shall offer the person an alternative test of either blood or urine. Action may be taken against a person who refuses to take a blood test only if a urine test was offered and action may be taken against a person who refuses to take a urine test only if a blood test was offered.

Subd. 3. **License revocation pursuant to search warrant.** After executing a search warrant for the collection of a blood or urine sample based upon probable cause of a violation of section 169A.20, the peace officer acting under sections 626.13 to 626.17 shall certify to the commissioner of public safety:

(1) when a person refuses to comply with the execution of the search warrant; or

(2) if a person submits to the test and the test results indicate:

(i) an alcohol concentration of 0.08 or more;

(ii) an alcohol concentration of 0.04 or more, if the person was driving, operating, or in physical control of a commercial motor vehicle at the time of the violation; or

(iii) the presence of a controlled substance listed in Schedule I or II or its metabolite, other than marijuana or tetrahydrocannabinols.

Subd. 4. **Test refusal; license revocation.** (a) Upon certification under subdivision 3 that there existed probable cause to believe the person had been driving, operating, or in physical control of a motor vehicle in violation of section 169A.20, and that the person refused to comply with the execution of the search warrant, the commissioner shall revoke the person's license or permit to drive or nonresident operating privilege. The commissioner shall revoke the license, permit, or nonresident operating privilege as provided in section 171.178.

(b) When a person who had been driving, operating, or in physical control of a commercial motor vehicle refuses to comply with the search warrant and permit testing, the commissioner shall disqualify the person from operating a commercial motor vehicle and shall revoke the person's license or permit to drive or nonresident operating privilege according to the federal regulations adopted by reference in section 171.165, subdivision 2.

Subd. 5. **Test failure; license revocation.** (a) Upon certification under subdivision 3 pursuant to a search warrant, that there existed probable cause to believe the person had been driving, operating, or in physical control of a motor vehicle in violation of section 169A.20, and that the person submitted to a test and the test results indicate an alcohol concentration of 0.08 or more or the presence of a controlled substance listed in Schedule I or II or its metabolite, other than marijuana or tetrahydrocannabinols, the commissioner shall revoke the person's license or permit to drive or nonresident operating privilege as provided in section 171.178.

(b) On certification by the peace officer that there existed probable cause to believe the person had been driving, operating, or in physical control of a commercial motor vehicle with any presence of alcohol and that the person submitted to a test and the test results indicated an alcohol concentration of 0.04 or more, the commissioner shall disqualify the person from operating a commercial motor vehicle under section 171.165.

(c) If the test is of a person's blood or urine by a laboratory operated by the Bureau of Criminal Apprehension or authorized by the bureau to conduct the analysis of a blood or urine sample, the laboratory may directly certify to the commissioner the test results, and the peace officer shall certify to the commissioner that there existed probable cause to believe the person had been driving, operating, or in physical control of a motor vehicle in violation of section 169A.20, and that the person submitted to a test. Upon receipt of both certifications, the commissioner shall undertake the license actions described in paragraphs (a) and (b).

Subd. 6. **Unlicensed drivers; license issuance denial.** If the person is a resident without a license or permit to operate a motor vehicle in this state, the commissioner shall deny to the person the issuance of a license or permit after the date of the alleged violation for the same period as provided in this section for revocation, subject to review as provided in subdivisions 10 and 11.

Subd. 7. **Notice of revocation or disqualification; review.** A revocation under this section, or a disqualification under section 171.165, becomes effective at the time the commissioner or a peace officer acting on behalf of the commissioner notifies the person of the intention to revoke, disqualify, or both, and of revocation or disqualification. The notice must advise the person of the right to obtain administrative and judicial review as provided in subdivisions 10 and 11. If mailed, the notice and order of revocation or disqualification is deemed received three days after mailing to the last known address of the person.

Subd. 8. **Test refusal; driving privilege lost.** (a) On behalf of the commissioner, a peace officer requiring a test or directing the administration of a chemical test pursuant to a search warrant shall serve immediate notice of intention to revoke and of revocation on a person who refuses to permit a test or on a person who submits to a test, the results of which indicate an alcohol concentration of 0.08 or more.

(b) On behalf of the commissioner, a peace officer requiring a test or directing the administration of a chemical test of a person driving, operating, or in physical control of a commercial motor vehicle pursuant to a search warrant shall serve immediate notice of intention to disqualify and of disqualification on a person who refuses to permit a test or on a person who submits to a test, the results of which indicate an alcohol concentration of 0.04 or more.

(c) The officer shall:

(1) invalidate the person's driver's license or permit card by clipping the upper corner of the card in such a way that no identifying information including the photo is destroyed, and immediately return the card to the person;

(2) issue the person a temporary license effective for only 14 days; and

(3) send the notification of this action to the commissioner along with the certificate required by subdivision 4 or 5.

Subd. 9. **Notice of action to other states.** When a nonresident's privilege to operate a motor vehicle in this state has been revoked or denied, the commissioner shall give information of the action taken in writing to the official in charge of traffic control or public safety of the state of the person's residence and of any state in which the person has a license.

Subd. 10. **Administrative review.** (a) At any time during a period of revocation imposed under this section, or a period of disqualification imposed under section 171.165, a person may request in writing a review of the order of revocation or disqualification by the commissioner, unless the person is entitled to review under section 171.166. Upon receiving a request, the commissioner or the commissioner's designee shall review the order, the evidence upon which the order was based, and any other material information brought to the attention of the commissioner and determine whether sufficient cause exists to sustain the order. Within 15 days of receiving the request, the commissioner shall report in writing the results of the review. The review provided in this subdivision is not subject to the contested case provisions of the Administrative Procedure Act in sections 14.001 to 14.69.

(b) The availability of administrative review for an order of revocation or disqualification has no effect upon the availability of judicial review under this section.

(c) Review under this subdivision must take place, if possible, at the same time as any administrative review of the person's impoundment order under section 169A.60, subdivision 9.

Subd. 11. **Petition for judicial review.** (a) Within 60 days following receipt of a notice and order of revocation pursuant to this section, a person may petition the court for review. The petition must be filed with the district court administrator in the county where the alleged offense occurred, together with proof of service of a copy on the commissioner, and accompanied by the standard filing fee for civil actions. Responsive pleading is not required of the commissioner, and court fees must not be charged for the appearance of the commissioner in the matter.

(b) The petition must:

(1) be captioned in the full name of the person making the petition as petitioner and the commissioner as respondent;

(2) include the petitioner's date of birth and driver's license number, and the date of the offense; and

(3) state with specificity the grounds upon which the petitioner seeks rescission of the order of revocation, disqualification, or denial.

(c) The filing of the petition does not stay the revocation, disqualification, or denial. The reviewing court may order a stay of the balance of the revocation or disqualification if the hearing has not been conducted within 60 days after filing the petition upon terms the court deems proper.

(d) Judicial reviews must be conducted according to the Rules of Civil Procedure, except that prehearing discovery is mandatory and is limited to:

(1) the notice of revocation;

(2) the certificate of analysis of the blood or urine test;

(3) the peace officer's certificate and any accompanying documentation submitted by the arresting officer to the commissioner; and

(4) disclosure of potential witnesses, including experts, and the basis of their testimony.

Other types of discovery are available only upon order of the court.

Subd. 12. **Judicial hearing; issues, order, appeal.** (a) A judicial review hearing under this section must be before a district judge in any county in the judicial district where the alleged offense occurred. The hearing is to the court and may be conducted at the same time and in the same manner as hearings upon pretrial motions in the criminal prosecution under section 169A.20, if any. The hearing must be recorded. The commissioner shall appear and be represented by the attorney general or through the prosecuting authority for the jurisdiction involved. The hearing must be held at the earliest practicable date, and in any event no later than 60 days following the filing of the petition for review. The judicial district administrator shall establish procedures to ensure efficient compliance with this subdivision. To accomplish this, the administrator may, whenever possible, consolidate and transfer review hearings among the locations within the judicial district where terms of district court are held.

(b) The scope of the hearing is limited to the issues in clauses (1) to (13):

(1) Did the peace officer have probable cause to believe the person was driving, operating, or in physical control of a motor vehicle or commercial motor vehicle in violation of section 169A.20?

(2) Was the person lawfully placed under arrest for violation of section 169A.20?

(3) Was the person involved in a motor vehicle accident or collision resulting in property damage, personal injury, or death?

(4) Did a licensed peace officer apply for a search warrant in accordance with the requirements set forth in sections 626.04 to 626.18 or conforming statutes in an adjacent state?

(5) Did a neutral magistrate review the application for a search warrant and determine there was probable cause to believe that the person was driving, operating, or in physical control of a motor vehicle or commercial motor vehicle in violation of section 169A.20?

(6) Was the search warrant and the process by which it was obtained valid?

(7) At the time of directing the person to take the test, did the peace officer inform the person that refusing the test was a crime as required by subdivision 1?

(8) Did the person refuse to permit the test?

(9) If a test was taken by a person driving, operating, or in physical control of a motor vehicle, did the test results indicate at the time of testing:

(i) an alcohol concentration of 0.08 or more; or

(ii) the presence of a controlled substance listed in Schedule I or II or its metabolite, other than marijuana or tetrahydrocannabinols?

(10) If a test was taken by a person driving, operating, or in physical control of a commercial motor vehicle, did the test results indicate an alcohol concentration of 0.04 or more at the time of testing?

(11) Was the testing method used valid and reliable and were the test results accurately evaluated?

(12) Did the person prove the defense of necessity?

(13) Did the person prove the defense of controlled substance use in accordance with a prescription?

(c) Certified or otherwise authenticated copies of laboratory or medical personnel reports, records, documents, licenses, and certificates are admissible as substantive evidence.

(d) The court shall order that the revocation or disqualification be either rescinded or sustained and forward the order to the commissioner. The court shall file its order within 14 days following the hearing. If the revocation or disqualification is sustained, the court shall also forward the person's driver's license or permit to the commissioner for further action by the commissioner if the license or permit is not already in the commissioner's possession.

(e) Any party aggrieved by the decision of the reviewing court may appeal the decision as provided in the Rules of Appellate Procedure.

(f) The civil hearing under this section shall not give rise to an estoppel on any issues arising from the same set of circumstances in any criminal prosecution.

(g) It is an affirmative defense for the petitioner to prove a necessity.

(h) It is an affirmative defense to the presence of a Schedule I or II controlled substance that the person used the controlled substance according to the terms of a prescription issued for the person according to sections 152.11 and 152.12, unless the court finds by a preponderance of the evidence that the use of the controlled substance impaired the person's ability to operate a motor vehicle.

Subd. 13. **Test refusal; no test given.** (a) If a person refuses to permit a blood or urine test as required by a search warrant and the provisions of this section, then a test must not be given. However, the applicable provisions of this section, section 169A.52, subdivision 1, and other law apply.

(b) Notwithstanding paragraph (a), if a peace officer has probable cause to believe that a person has violated section 609.2112, 609.2113, 609.2114, or Minnesota Statutes 2012, section 609.21, a test may be required and obtained despite the person's refusal. A refusal to submit to a test does not constitute a violation of section 609.50, unless the refusal was accompanied by force or violence or the threat of force or violence.

Subd. 14. **Definitions.** The definitions in section 169A.03 apply to this section.

**History:** *2017 c 83 art 2 s 10; 2022 c 55 art 1 s 93; 2024 c 123 art 5 s 4-9; 2025 c 29 s 11,12; 2026 c 97 art 2 s 5*

## 171.178 REVOCATION, DENIAL, AND REINSTATEMENT; DRIVING WHILE IMPAIRED; CRIMINAL VEHICULAR HOMICIDE AND OPERATION.

Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have the meanings given.

(b) "Ignition interlock device" has the meaning given in section 171.306, subdivision 1.

(c) "Qualified prior impaired driving incident" has the meaning given in section 169A.03, subdivision 22.

Subd. 2. **Qualified prior impaired driving incident; determination.** Section 169A.09 applies for determining the number of qualified prior impaired driving incidents under this section.

Subd. 3. **Test refusal; period of license revocation.** A revocation by the commissioner as required under section 169A.52, subdivision 3, or 171.177, subdivision 4, must be for the following periods:

(1) if the person has no qualified prior impaired driving incidents within the past 20 years, not less than one year; or

(2) if the person has one qualified prior impaired driving incident within the past 20 years, or two or more qualified prior impaired driving incidents, until the commissioner determines that the person used an ignition interlock device in compliance with section 171.306 for the period of time described in subdivision 8.

Subd. 4. **Test failure; period of license revocation.** A revocation by the commissioner as required under section 169A.52, subdivision 4, or 171.177, subdivision 5, must be for the following periods:

(1) if the person has no qualified prior impaired driving incidents within the past 20 years:

(i) not less than 90 days;

(ii) not less than 180 days if the person is under 21 years of age and the test results indicate an alcohol concentration of less than twice the legal limit; or

(iii) not less than one year if the test results indicate an alcohol concentration of twice the legal limit or more; or

(2) if the person has one qualified prior impaired driving incident within the past 20 years, or two or more qualified prior impaired driving incidents, until the commissioner determines that the person used an ignition interlock device in compliance with section 171.306 for the period of time described in subdivision 8.

Subd. 5. **Driving while impaired conviction or adjudication; period of license revocation.** (a) Notwithstanding the periods specified in subdivisions 3 and 4 and except as provided in section 169A.54, subdivision 7, a revocation by the commissioner as required under section 169A.54, subdivision 1, or 171.17, subdivision 1, paragraph (a), clause (3) or (10), for conviction of an offense in another state that would be grounds for revocation in this state under section 169A.54, subdivision 1, must be for the following periods:

(1) if the person has no qualified prior impaired driving incidents within the past 20 years:

(i) not less than 30 days if the person is convicted of an offense under section 169A.20, subdivision 1 (driving while impaired);

(ii) not less than 90 days if the person is convicted of an offense under section 169A.20, subdivision 2 (refusal to submit to chemical test);

(iii) not less than 180 days if the person is under 21 years of age and the test results indicate an alcohol concentration of less than twice the legal limit; or

(iv) not less than one year if the test results indicate an alcohol concentration of twice the legal limit or more; or

(2) if the person has one qualified prior impaired driving incident within the past 20 years, or two or more qualified prior impaired driving incidents, until the commissioner determines that the person used an ignition interlock device in compliance with section 171.306 for the period of time described in subdivision 8.

(b) Whenever department records show that the violation involved personal injury or death to any person, at least 90 additional days must be added to the base periods provided in paragraph (a), clause (1), items (i) to (iv).

(c) A person whose license has been revoked as described in subdivision 3, clause (1), or subdivision 4, clause (1), as the result of the same incident for which the person was convicted is subject to the revocation periods specified in this subdivision, unless the violation under section 169A.20 (driving while impaired) was with an aggravating factor described in section 169A.03, subdivision 3, clause (3).

Subd. 6. **Criminal vehicular operation or homicide conviction; period of license revocation.** Notwithstanding the periods specified in subdivisions 3 to 5, a revocation by the commissioner under section 171.17, subdivision 1, paragraph (a), clause (2), after the commissioner receives a record of a conviction for a violation of section:

(1) 609.2112, subdivision 1, paragraph (a), clause (2), (3), (4), (5), or (6);

(2) 609.2113, subdivision 1, clause (2), (3), (4), (5), or (6);

(3) 609.2113, subdivision 2, clause (2), (3), (4), (5), or (6);

(4) 609.2113, subdivision 3, clause (2), (3), (4), (5), or (6); or

(5) 609.2114, subdivision 1, paragraph (a), clause (2), (3), (4), (5), or (6); or subdivision 2, clause (2), (3), (4), (5), or (6),

must be until the commissioner determines that the person used an ignition interlock device in compliance with section 171.306 for the period of time described in subdivision 8.

Subd. 7. **Driving while impaired; license cancellation and denial.** (a) The commissioner must designate a person with two or more qualified prior impaired driving incidents as inimical to public safety pursuant to section 171.04, subdivision 1, clause (10), if the person is convicted of a violation of section:

(1) 169A.20, subdivision 1;

(2) 169A.20, subdivision 2;

(3) 609.2112, subdivision 1, paragraph (a), clause (2), (3), (4), (5), or (6);

(4) 609.2113, subdivision 1, clause (2), (3), (4), (5), or (6);

(5) 609.2113, subdivision 2, clause (2), (3), (4), (5), or (6);

(6) 609.2113, subdivision 3, clause (2), (3), (4), (5), or (6);

(7) 609.2114, subdivision 1, paragraph (a), clause (2), (3), (4), (5), or (6); or

(8) 609.2114, subdivision 2, clause (2), (3), (4), (5), or (6).

(b) The commissioner must cancel the person's driver's license pursuant to section 171.14 and must not issue the person a driver's license until the person complies with the provisions of this section and establishes rehabilitation according to standards established by the commissioner.

Subd. 8. **Ignition interlock periods; treatment; alcohol-related violations.** (a) Until the commissioner reinstates a person's full driving privileges, the following persons must not operate a motor vehicle, off-road recreational vehicle, or a motorboat unless the person participates in the ignition interlock device program:

(1) a person whose license or permit to drive, or nonresident operating privilege, is revoked as described in subdivision 3, 4, or 5, at a time when the person has one qualified prior impaired driving incident within the past 20 years, or two or more qualified prior impaired driving incidents; and

(2) a person whose license or permit to drive, or nonresident operating privilege, is revoked as described in subdivision 6, at a time when the person has one qualified prior impaired driving incident.

(b) The commissioner must not reinstate full driving privileges for a person described in paragraph (a) until the person completes a licensed substance use disorder treatment or rehabilitation program and participates in the ignition interlock device program in compliance with section 171.306 for a period of not less than:

(1) two years if the commissioner revokes the person's license or permit to drive, or nonresident operating privilege as described in:

(i) subdivision 3, 4, or 5 when the person has one qualified prior impaired driving incident within the past 20 years; or

(ii) subdivision 6 when the violation resulted in bodily harm or substantial bodily harm to another and the person has no qualified prior impaired driving incidents;

(2) five years if the commissioner revokes the person's license or permit to drive, or nonresident operating privilege as described in subdivision 6 when the violation resulted in bodily harm or substantial bodily harm to another and the person has one qualified prior impaired driving incident;

(3) six years if the commissioner revokes the person's license or permit to drive, or nonresident operating privilege as described in:

(i) subdivision 3, 4, or 5 when the person has two qualified prior impaired driving incidents;

(ii) subdivision 6 when the violation resulted in great bodily harm to another and the person has no qualified prior impaired driving incidents; or

(iii) subdivision 6 when the violation resulted in death to another and the person has no qualified prior impaired driving incidents;

(4) eight years if the commissioner revokes the person's license or permit to drive, or nonresident operating privileges described in subdivision 6 when the violation resulted in:

(i) great bodily harm to another and the person has one qualified prior impaired driving incident; or

(ii) bodily harm or substantial bodily harm to another and the person has two qualified prior impaired driving incidents;

(5) ten years if the commissioner revokes the person's license or permit to drive, or nonresident operating privileges described in:

(i) subdivision 6 when the violation resulted in great bodily harm to another and the person has two or more qualified prior impaired driving incidents;

(ii) subdivision 3, 4, or 5 when the person has three or more qualified prior impaired driving incidents; or

(iii) subdivision 6 when the violation resulted in bodily harm or substantial bodily harm to another and the person has three or more qualified prior impaired driving incidents;

(6) 15 years if the commissioner revokes the person's license or permit to drive, or nonresident operating privileges as described in subdivision 6 when the violation resulted in death to another and the person has one qualified prior impaired driving incident; or

(7) for the remainder of the person's life if the commissioner revokes the person's license or permit to drive, or nonresident operating privileges as described in subdivision 6 when the violation resulted in death to another and the person has two or more qualified prior impaired driving incidents.

(c) The commissioner must establish standards allowing a person to submit proof that the person completed a licensed substance use disorder treatment or rehabilitation program. A person seeking reinstatement of full driving privileges must submit proof of completion in the form and manner established by the commissioner.

(d) Nothing in this section prohibits the commissioner from extending the period of time that a person must use an ignition interlock device pursuant to section 171.306, subdivision 5.

(e) If the commissioner learns that a person who is a participant in the ignition interlock device program and who completed a licensed substance use disorder treatment or rehabilitation program subsequently (1) registers a positive breath alcohol concentration of 0.02 or higher on an ignition interlock device, or (2) is convicted of, or adjudicated delinquent for, an offense involving the use of alcohol that did not involve driving, operating, or being in physical control of any motor vehicle, the commissioner must extend the time period that the person must use an ignition interlock device until the participant demonstrates abstinence for a period equal to the applicable period under paragraph (b). A person whose time period is extended under this paragraph must be given credit for one-half of the amount of time that the person participated in the ignition interlock device program before the violation.

(f) If a participant in the ignition interlock device program commits an act that results in a license revocation as described in subdivision 3, 4, 5, or 6, the commissioner must terminate the person from the ignition interlock device program. The person may reenter the program but is not entitled to credit for time spent in the program before termination. If the person reenters the program, the commissioner must not reinstate the person's full driving privileges until the person participates in the ignition interlock device program in compliance with section 171.306 for a period of not less than the longer of:

(1) the applicable period under paragraph (b) that applies to the new act; or

(2) the full period under paragraph (b) that was previously required to be completed, including any extensions imposed pursuant to section 171.306, subdivision 5.

**History:** *2025 c 29 s 13; 1Sp2025 c 8 art 2 s 109,110; 2026 c 97 art 2 s 6*

**171.18 SUSPENSION.**

Subdivision 1. **Offenses.** (a) Subject to section 171.16, the commissioner may suspend the license of a 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;

(2) has been convicted by a court for violating a provision of chapter 169 or an ordinance regulating traffic, other than a conviction for a petty misdemeanor, and department records show that the violation

contributed in causing an accident resulting in the death or personal injury of another, or serious property damage;

(3) is an habitually reckless or negligent driver of a motor vehicle;

(4) is an habitual violator of the traffic laws;

(5) is incompetent to drive a motor vehicle as determined in a judicial proceeding;

(6) has permitted an unlawful or fraudulent use of the license;

(7) has committed an offense in another state that, if committed in this state, would be grounds for suspension;

(8) has committed a violation of section 169.444, subdivision 2, paragraph (a), within five years of a prior conviction under that section;

(9) has committed a violation of section 171.22, except that the commissioner may not suspend a person's driver's license based solely on the fact that the person possessed a fictitious or fraudulently altered Minnesota identification card;

(10) has failed to appear in court as provided in section 171.16, subdivision 3a;

(11) has failed to report a medical condition that, if reported, would have resulted in cancellation of driving privileges;

(12) has been found to have committed an offense under section 169A.33; or

(13) has paid or attempted to pay a fee required under this chapter for a license or permit by means of a dishonored check issued to the state or a driver's license agent, which must be continued until the registrar determines or is informed by the agent that the dishonored check has been paid in full.

However, an action taken by the commissioner under clause (2) or (5) must conform to the recommendation of the court when made in connection with the prosecution of the licensee.

(b) The commissioner is prohibited from suspending the driver's license of an individual who meets any of the conditions described in paragraph (a) due to a conviction for a violation of section 171.24, subdivision 1 or 2.

Subd. 2. **Notice.** The department may not suspend a driver's license until 14 days after the date on which the department mails to the licensee a written notice of the department's intent to suspend the license, addressed to the licensee at the licensee's last known address, with postage prepaid. Suspension of a driver's license shall take effect immediately upon a finding by the commissioner, based on department records or other sufficient evidence, that a delay in the effectiveness of the suspension poses a threat to public safety. The department shall immediately notify the licensee of the suspension by mail, addressed to the licensee's last known address, with postage prepaid.

Subd. 3. **Hearing.** (a) The licensee may request, in writing, a hearing. The department shall afford the requesting licensee an opportunity for a hearing within 20 days after receipt of the request in the county where the licensee resides, unless the department and the licensee agree that the hearing may be held in some other county.

(b) For the hearing, the commissioner 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.

(c) Following the hearing, the department shall either rescind its order of suspension or, for good cause shown, may extend the suspension of the license or revoke the license.

(d) The department shall not suspend a license for a period of more than one year.

**History:** *(2720-145c) 1939 c 401 s 18; 1955 c 713 s 1; 1973 c 698 s 6; 1978 c 783 s 7; 1986 c 444; 1989 c 307 s 30; 1990 c 510 s 8; 1991 c 277 s 15; 1994 c 636 art 2 s 4; 1Sp1995 c 3 art 2 s 41; 1996 c 346 s 6,7; 1996 c 442 s 21; 2000 c 478 art 2 s 7; 1Sp2005 c 6 art 3 s 77; 2006 c 260 art 2 s 17; 1Sp2021 c 5 art 4 s 80,149*

**171.181 RESIDENT DRIVING PRIVILEGE.**

Subdivision 1. **Foreign state conviction.** (a) On revoking or suspending the driver's license of a Minnesota resident as a result of a foreign state conviction, the commissioner shall notify that foreign state when the driver's license is reinstated or a new license issued.

(b) For the purposes of this section, "foreign state" means a state as defined in section 171.01, subdivision 47, excluding the state of Minnesota.

Subd. 2. MS 1982 [Repealed, 1983 c 127 s 2]

**History:** *1978 c 783 s 8; 1986 c 444; 2005 c 10 art 1 s 32*

**171.182 SUSPENSION; UNINSURED VEHICLE.**

Subdivision 1. **Definition.** For the purposes of sections 171.182 to 171.184, the term "judgment" means a judgment which has become final by expiration without appeal within the time which an appeal might have been perfected, or by final affirmation on appeal, rendered by a court of competent jurisdiction, including county, municipal, or conciliation court, of any state of the United States, upon a claim for relief arising out of ownership, maintenance, or use of a motor vehicle, for damages, including damages for care and loss of services, because of bodily injury to or death of a person, or for damages because of injury to or destruction of property, including the loss of use thereof, or upon a claim for relief on an agreement of settlement for the damages.

Subd. 2. **Copy of judgment to commissioner.** If a person fails within 30 days to satisfy a judgment, the court administrator, upon affidavit of the judgment creditor that the judgment has not been satisfied, shall immediately notify the commissioner that the judgment has not been satisfied.

If the judgment debtor named in a judgment reported to the commissioner is a nonresident, the commissioner shall notify the official in charge of the issuance of drivers' licenses of the state of which the judgment debtor is a resident.

Subd. 3. **Conditions.** (a) The commissioner, upon notification of a judgment, shall suspend the license or the nonresident's operating privilege of the person against whom judgment was rendered if:

(1) at the time of the accident the person did not maintain the reparation security required by section 65B.48; and

(2) the judgment has not been satisfied.

(b) Suspensions under this section are subject to the notice requirements of section 171.18, subdivision 2.

Subd. 4. **Duration.** A license or nonresident's operating privilege shall remain suspended and shall not be renewed, nor shall a license be thereafter issued to the person until every judgment is satisfied in full, or has expired, or to the extent hereinafter provided.

Subd. 5. **Affidavit of insurance coverage.** A person whose license or nonresident's operating privileges has been suspended or has become subject to suspension because of an unsatisfied judgment may be relieved of the suspension by filing with the commissioner an affidavit stating that at the time of the accident giving rise to the judgment the person was insured, that the insurer is liable for the judgment, and the reason, if known, why the judgment has not been paid. The affidavit shall be accompanied by a copy of the insurance policy and other documents the commissioner requires to show that the loss, injury or damage giving rise to the judgment was covered by the policy. If satisfied that the insurer was authorized to issue the policy and is liable for the judgment, at least to the extent and for the amounts required in this chapter, the commissioner shall not suspend the license, or reinstate the license if already suspended.

**History:** *1982 c 598 s 1; 1986 c 444; 1Sp1986 c 3 art 1 s 82; 1996 c 346 s 8; 2024 c 123 art 13 s 2,3*

**171.183 SATISFACTION OF JUDGMENT.**

Subdivision 1. **Requirements.** For the purposes of sections 171.182 to 171.184, a judgment is satisfied if:

(1) $30,000 has been credited upon any judgment or judgments rendered in excess of that amount because of bodily injury to or death of one person as the result of any one accident;

(2) subject to the limit of $30,000 because of bodily injury to or death of one person, the sum of $60,000 has been credited upon any judgment or judgments rendered in excess of that amount because of bodily injury to or death of two or more persons as the result of any one accident; or

(3) $10,000 has been credited upon any judgment or judgments rendered in excess of that amount because of damage to or destruction of property of others as a result of any one accident.

Subd. 2. **Other payments credited.** Payments made in settlement of claims because of bodily injury, death or property damage arising from a motor vehicle accident shall be credited in reduction of the amounts provided for in this section.

**History:** *1982 c 598 s 2; 1Sp2001 c 8 art 2 s 47*

**171.184 INSTALLMENT PAYMENTS.**

Subdivision 1. **Authorization.** A judgment debtor upon due notice to the judgment creditor may apply to the court in which the judgment was rendered for the privilege of paying the judgment in installments. The court, in its discretion and without prejudice to any other legal remedies which the judgment creditor may have, may so order and fix the amounts and times of payments of the installments.

Subd. 2. **Stay of suspension.** The commissioner shall not suspend a license or a nonresident's operating privilege if the judgment debtor gives proof of maintaining the reparation security required by section 65B.48, obtains an order or enters into a written agreement with the judgment creditor permitting the payment of the judgment in installments, and does not default on the payment of any installment.

Subd. 3. **Termination of stay.** If the judgment debtor fails to pay any installment as specified by an order or agreement, then upon notice of default, the commissioner shall forthwith suspend the license, or nonresident's operating privilege, of the judgment debtor until the judgment is satisfied.

**History:** *1982 c 598 s 3*

**171.185** MS 2004 [Repealed, 1Sp2005 c 6 art 2 s 48]

**171.186 SUSPENSION FOR NONPAYMENT OF SUPPORT; LIMITED LICENSE.**

Subdivision 1. **Suspension.** The commissioner shall suspend a person's driver's license or operating privileges without a hearing upon receipt of a court order or notice from a public authority responsible for child support enforcement that states that the driver is in arrears in court-ordered child support or maintenance payments, or both, in an amount equal to or greater than three times the obligor's total monthly support and maintenance payments, and is not in compliance with a written payment agreement pursuant to section 518A.69 that is approved by a court, a child support magistrate, or the public authority responsible for child support enforcement, in accordance with section 518A.65.

Subd. 2. **Notice.** Upon suspending a driver's license or operating privileges under this section, the department shall immediately notify the licensee, in writing, by mailing a notice addressed to the licensee at the licensee's last known address.

Subd. 3. **Duration.** A license or operating privilege must remain suspended and may not be reinstated, nor may a license be subsequently issued to the person, until the commissioner receives notice from the court, a child support magistrate, or public authority responsible for child support enforcement that the person is in compliance with all current orders of support or written payment agreements pursuant to section 518A.69. A fee may not be assessed for reinstatement of a license under this section unless the person whose license was suspended under this section has obtained a limited license during the period of suspension.

Subd. 4. **Limited license.** (a) Notwithstanding subdivision 3, the commissioner may issue a limited license to a person whose license has been suspended under this section if the person qualifies for a limited license under section 171.30.

(b) A limited license issued to a person under this subdivision must expire 90 days after the date it is issued.

**History:** *1995 c 257 art 1 s 11; 1999 c 196 art 2 s 3,4; 2002 c 344 s 1-3; 2005 c 164 s 29; 1Sp2005 c 7 s 28*

**171.187 SUSPENSION; CRIMINAL VEHICULAR OPERATION AND MANSLAUGHTER.**

Subdivision 1. **Suspension required.** The commissioner shall suspend the driver's license of a person:

(1) for whom a peace officer has made the certification described in section 629.344 that probable cause exists to believe that the person violated section 609.2112, subdivision 1, paragraph (a), clause (2), (3), (4), (5), or (6); 609.2113, subdivision 1, clause (2), (3), (4), (5), or (6); subdivision 2, clause (2), (3), (4), (5), or (6); or subdivision 3, clause (2), (3), (4), (5), or (6); or 609.2114, subdivision 1, paragraph (a), clause (2), (3), (4), (5), or (6), or subdivision 2, clause (2), (3), (4), (5), or (6); or

(2) who has been formally charged with a violation of section 609.20, 609.205, 609.2112, 609.2113, or 609.2114, resulting from the operation of a motor vehicle.

Subd. 2. **Suspension period.** A suspension under this section continues until:

(1) the conviction, acquittal, or dismissal of the underlying crime that resulted in the suspension; or

(2) the commissioner, acting under subdivision 4, orders the termination of the suspension.

Subd. 3. **Credit.** If a person whose driver's license was suspended under subdivision 1 is later convicted of the underlying offense that resulted in the suspension and the commissioner revokes the person's license, the commissioner shall credit the time accrued under the suspension period toward the revocation period imposed under section 171.178, subdivision 6, or for violations of section:

(1) 609.20;

(2) 609.205;

(3) 609.2112, subdivision 1, paragraph (a), clause (1), (7), or (8);

(4) 609.2113, subdivision 1, clause (1), (7), or (8); subdivision 2, clause (1), (7), or (8); or subdivision 3, clause (1), (7), or (8); or

(5) 609.2114, subdivision 1, paragraph (a), clause (1), (7), or (8), or subdivision 2, clause (1), (7), or (8).

Subd. 4. **Administrative review of license suspension.** (a) At any time during which a person's driver's license is suspended under this section, the person may request in writing a review of the suspension by the commissioner. Upon receiving a request, the commissioner or the commissioner's designee shall review the order of suspension, the evidence upon which the order was based, and any other material information brought to the attention of the commissioner, and determine whether sufficient cause exists to sustain the order. Within 15 days of receiving the request, the commissioner shall report in writing the results of the review. The review provided in this subdivision is not subject to the contested case provisions in chapter 14.

(b) In addition to any other reason provided for in this subdivision, a person may request a review of the suspension by the commissioner if the suspension has been in place for at least three months and the person has not been indicted or formally charged with the underlying crime that resulted in the license suspension.

**History:** *2013 c 117 art 3 s 13; 2014 c 180 s 9; 2020 c 83 art 1 s 62,63; 2025 c 29 s 14*

## 171.188 DRIVING WHILE IMPAIRED REVOCATION AND PROHIBITION; OFF-ROAD RECREATIONAL VEHICLES AND MOTORBOATS.

(a) The provisions of this chapter for revoking or canceling a driver's license or nonresident driving privilege for alcohol, controlled substance, or intoxicating substance violations also apply to the operating privileges for off-road recreational vehicles and motorboats.

(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 driving privilege is revoked or canceled for the alcohol, controlled substance, or intoxicating substance conviction.

**History:** *1Sp2021 c 6 art 3 s 10*

## 171.19 PETITION FOR COURT HEARING ON LICENSE REINSTATEMENT.

Any person whose driver's license has been refused, revoked, suspended, canceled, or disqualified by the commissioner, except where the license is revoked or disqualified under section 169A.52, 171.177, or

171.186, or whose driver's license revocation, suspension, or cancellation period has been extended by the commissioner based on a violation of the ignition interlock program guidelines, may file a petition for a hearing in the matter in the district court in the county wherein such person shall reside and, in the case of a nonresident, in the district court in any county, and such court is hereby vested with jurisdiction, and it shall be its duty, to set the matter for hearing upon 15 days' written notice to the commissioner, and thereupon to take testimony and examine into the facts of the case to determine whether the petitioner is entitled to a license or is subject to revocation, suspension, cancellation, disqualification, or refusal of license, or whether the commissioner's extension determination is valid or should be modified, and shall render judgment accordingly. The petition for hearing must either be filed within 180 days of the effective date of the order of revocation, suspension, cancellation, disqualification, or refusal to license, or of the date on the commissioner's notice of extension, or be filed before expiration of the withdrawal period, whichever occurs first. The petition shall be heard by the court without a jury and may be heard in or out of term. The commissioner may appear in person, or by agents or representatives, and may present evidence upon the hearing by affidavit personally, by agents, or by representatives. The petitioner may present evidence by affidavit, except that the petitioner must be present in person at such hearing for the purpose of cross-examination. In the event the department shall be sustained in these proceedings, the petitioner shall have no further right to make further petition to any court for the purpose of obtaining a driver's license until after the expiration of one year after the date of such hearing.

**History:** *(2720-145d) 1939 c 401 s 19; 1982 c 423 s 11; 1986 c 444; 1992 c 571 art 14 s 10; 1997 c 245 art 1 s 2; 1Sp1997 c 2 s 54; 1998 c 405 s 6; 2000 c 478 art 2 s 7; 2017 c 83 art 3 s 18; 2025 c 29 s 15*

**171.20 MINNESOTA LICENSE REQUIRED; CONDITIONS, FEES.**

Subdivision 1. MS 1992 [Repealed, 1993 c 266 s 34]

Subd. 2. **Operation after revocation, suspension, cancellation, or disqualification.** (a) A resident or nonresident whose driver's license or right or privilege to operate a motor vehicle in this state has been suspended, revoked, or canceled, shall not operate a motor vehicle in this state under license, permit, or registration certificate issued by any other jurisdiction or otherwise during the suspension, or after the revocation until Minnesota driving privileges are reinstated.

(b) A resident or nonresident who has been disqualified from holding a commercial driver's license or been denied the privilege to operate a commercial motor vehicle in this state shall not operate a commercial motor vehicle in this state under license, permit, or registration certificate issued by any other jurisdiction or otherwise during the disqualification period until Minnesota commercial driving privileges are reinstated.

Subd. 3. **Driver improvement clinic.** The commissioner may require, before reissuing a license which has been revoked or suspended, that the licensee complete a course of study at an approved driver improvement clinic or, in the case of a licensee who is age 18 or younger, a youth-oriented driver improvement clinic. The commissioner may not require the licensee to complete such a course unless an approved driver improvement clinic or youth-oriented driver improvement clinic is located within 35 miles of the licensee's residence. For purposes of this section "an approved driver improvement clinic" means a clinic whose curriculum and mode of instruction conform to standards promulgated by the commissioner.

Subd. 4. **Reinstatement fee.** (a) Before the license is reinstated, a single $20 reinstatement fee is imposed for:

(1) an individual whose driver's license has been suspended under section 171.16, subdivision 2; 171.175; 171.18; or 171.182, or who has been disqualified from holding a commercial driver's license under section 171.165;

(2) an individual whose driver's license has been suspended under section 171.186 and who is not exempt from such a fee; and

(3) an individual whose license has been suspended under sections 169.791 to 169.798.

(b) An individual whose driver's license is subject to more than one suspension and who is otherwise eligible for reinstatement must pay a single reinstatement fee and a single filing fee. An individual whose driver's license has been suspended and revoked and who is otherwise eligible for reinstatement must pay a reinstatement fee as provided in section 171.29.

(c) When fees are collected by a driver's license agent appointed under section 171.061, a filing fee is imposed in the amount specified under section 171.061, subdivision 4. The reinstatement fee and filing fee must be deposited in an approved state depository as directed under section 171.061, subdivision 4.

(d) Reinstatement fees collected under paragraph (a) for suspensions under section 171.18, subdivision 1, paragraph (a), clause (10), must be deposited in the general fund.

(e) A suspension may be rescinded without fee for good cause.

**History:** *(2720-145e) 1939 c 401 s 20; 1961 c 44 s 1; 1965 c 711 s 6; 1969 c 9 s 32; 1969 c 118 s 2; 1980 c 520 s 3; 1983 c 127 s 1; 1985 c 291 s 22; 1989 c 228 s 3; 1989 c 307 s 31; 1995 c 265 art 2 s 20; 1Sp1997 c 2 s 55; 1998 c 388 s 27; 1998 c 405 s 7; 2000 c 426 s 28; 2002 c 344 s 4; 1Sp2003 c 19 art 2 s 39; 2004 c 295 art 1 s 13; 2005 c 136 art 18 s 12; 1Sp2005 c 6 art 2 s 42; 2007 c 143 art 3 s 7; 1Sp2019 c 5 art 2 s 4; 1Sp2021 c 5 art 4 s 81; 2022 c 55 art 1 s 94*

**171.21 COPY OF RECORD AS EVIDENCE.**

Copies of any of the files or records of the department certified by the commissioner as being true copies shall be received in evidence in any court in this state with the same force and effect as the originals.

**History:** *(2720-145f) 1939 c 401 s 21*

**171.22 UNLAWFUL ACTS RELATING TO DRIVER'S LICENSE.**

Subdivision 1. **Violations.** With regard to any driver's license, including a commercial driver's license, it shall be unlawful for any person:

(1) to display, cause or permit to be displayed, or have in possession, any fictitious or fraudulently altered driver's license or Minnesota identification card;

(2) to lend the person's driver's license or Minnesota identification card to any other person or knowingly permit the use thereof by another;

(3) to display or represent as one's own any driver's license or Minnesota identification card not issued to that person;

(4) to use a fictitious name or date of birth to any police officer or in any application for a driver's license or Minnesota identification card, or to knowingly make a false statement, or to knowingly conceal a material fact, or otherwise commit a fraud in any such application;

(5) to alter any driver's license or Minnesota identification card;

(6) to take any part of the driver's license examination for another or to permit another to take the examination for that person;

(7) to make a counterfeit driver's license or Minnesota identification card;

(8) to use the name and date of birth of another person to any police officer for the purpose of falsely identifying oneself to the police officer;

(9) to display as a valid driver's license any canceled, revoked, or suspended driver's license. A person whose driving privileges have been withdrawn may display a driver's license only for identification purposes; or

(10) to submit a false affidavit or statement to the department on the certification required under section 171.05, subdivision 2, paragraph (a), clause (1), item (ii), subitem (C), to issue an instruction permit to a homeschool student.

Subd. 2. **Penalties.** Any person who violates subdivision 1, clause (7) or (8), is guilty of a gross misdemeanor. Any person who violates any other provision of subdivision 1 is guilty of a misdemeanor.

**History:** *(2720-145g) 1939 c 401 s 22; 1957 c 564 s 5; 1961 c 64 s 1; 1969 c 9 s 33; 1971 c 163 s 1; 1986 c 444; 1988 c 681 s 16; 1989 c 301 s 10; 1989 c 307 s 32; 1993 c 266 s 26; 1994 c 501 s 8; 1994 c 636 art 2 s 5; 1Sp2011 c 11 art 1 s 30; 2024 c 85 s 45*

**171.23 RENTING VEHICLE TO UNLICENSED DRIVER.**

No person shall rent or lease a motor vehicle to any other person unless the latter person is then duly licensed hereunder, or, in the case of a nonresident, then duly licensed under the law of the state or country of residence, except a nonresident whose home state or country does not require that a driver be licensed.

**History:** *(2720-145i) 1939 c 401 s 24; 1986 c 444*

**171.24 VIOLATIONS; DRIVING WITHOUT VALID LICENSE.**

Subdivision 1. **Driving after suspension; misdemeanor.** Except as otherwise provided in subdivision 5, a person is guilty of a misdemeanor if:

(1) the person's driver's license or driving privilege has been suspended;

(2) the person has been given notice of or reasonably should know of the suspension; and

(3) the person disobeys the order by operating in this state any motor vehicle, the operation of which requires a driver's license, while the person's license or privilege is suspended.

Subd. 2. **Driving after revocation; penalties.** (a) A person is guilty of a misdemeanor if:

(1) the person's driver's license or driving privilege has been revoked;

(2) the person has been given notice of or reasonably should know of the revocation; and

(3) the person disobeys the order by operating in this state any motor vehicle, the operation of which requires a driver's license, while the person's license or privilege is revoked.

(b) A person who violates paragraph (a) is guilty of a gross misdemeanor if the person is prohibited from operating a motor vehicle unless the person participates in the ignition interlock device program.

Subd. 3. **Driving after cancellation; misdemeanor.** A person is guilty of a misdemeanor if:

(1) the person's driver's license or driving privilege has been canceled;

(2) the person has been given notice of or reasonably should know of the cancellation; and

(3) the person disobeys the order by operating in this state any motor vehicle, the operation of which requires a driver's license, while the person's license or privilege is canceled.

Subd. 4. **Driving after disqualification; misdemeanor.** A person is guilty of a misdemeanor if the person:

(1) has been disqualified from holding a commercial driver's license or been denied the privilege to operate a commercial motor vehicle;

(2) has been given notice of or reasonably should know of the disqualification; and

(3) disobeys the order by operating in this state a commercial motor vehicle while the person is disqualified to hold the license or privilege.

Subd. 5. **Gross misdemeanor.** A person is guilty of a gross misdemeanor if:

(1) the person's driver's license or driving privilege has been canceled or denied under section 171.04, subdivision 1, clause (10);

(2) the person has been given notice of or reasonably should know of the cancellation or denial; and

(3) the person disobeys the order by operating in this state any motor vehicle, the operation of which requires a driver's license, while the person's license or privilege is canceled or denied.

Subd. 6. **Responsibility for prosecution.** The attorney in the jurisdiction in which the violation occurred who is responsible for prosecution of misdemeanor violations of this section is also responsible for prosecution of gross misdemeanor violations of this section.

Subd. 7. **Sufficiency of notice.** (a) Notice of revocation, suspension, cancellation, or disqualification is sufficient if personally served, or if mailed by first class mail to the person's last known address or to the address listed on the person's driver's license. Notice is also sufficient if the person was informed that revocation, suspension, cancellation, or disqualification would be imposed upon a condition occurring or failing to occur, and where the condition has in fact occurred or failed to occur.

(b) It is not a defense that a person failed to file a change of address with the post office, or failed to notify the Department of Public Safety of a change of name or address as required under section 171.11.

**History:** *(2720-144h, 2720-145j) 1939 c 401 s 23,25; 1943 c 331 s 3; 1947 c 479 s 2; Ex1971 c 27 s 26; 1980 c 520 s 4; 1984 c 622 s 17; 1989 c 307 s 33; 1993 c 347 s 16; 1994 c 615 s 20; 1994 c 636 art 2 s 6; 1997 c 12 art 3 s 8; 1999 c 238 art 2 s 91; 2025 c 29 s 16*

## 171.2405 LICENSE REINSTATEMENT DIVERSION PROGRAM.

Subdivision 1. **Establishment.** (a) A city or county may establish a license reinstatement diversion program for holders of class D drivers' licenses who have been charged with violating section 171.24, subdivision 1 or 2. An individual charged with driving after revocation under section 171.24, subdivision 2, is eligible for diversion only if the revocation was due to a violation of section 169.791; 169.797; 169A.52; 169A.54; 171.17, subdivision 1, paragraph (a), clause (7); or 171.177. An individual who is a holder of a commercial driver's license or who has committed an offense in a commercial motor vehicle is not eligible to participate in the diversion program. Nothing in this section authorizes the issuance of a driver's license

to a diversion program participant during the underlying suspension or revocation period at issue in the violation of section 171.24, subdivision 1 or 2.

(b) Notwithstanding any law or ordinance to the contrary, a city or county may contract with a third party to create and administer the diversion program under this section. Any participating city or county, at its own expense, may request an audit of the administrator.

(c) For purposes of this section, "administrator" means the city, county, or administrator of the program.

Subd. 2. **Diversion of an individual.** (a) A prosecutor for a participating city or county may determine whether to accept an individual for diversion. When making the determination, the prosecutor must consider:

(1) whether the individual has a record of driving without a valid license or other criminal record, or has previously participated in a diversion program;

(2) the strength of the evidence against the individual, along with any mitigating factors; and

(3) the apparent ability and willingness of the individual to participate in the diversion program and comply with program requirements.

(b) A city or county attorney may request that an individual be reviewed for a diversion program without a formal city or county diversion program being established. The city or county attorney must follow the requirements of this subdivision and subdivision 1 and may submit the individual's application to an administrator for processing in collaboration with DVS to determine if an individual is eligible for approval into the diversion program. The participant must meet the requirements in subdivision 4.

(c) A judge may submit a request for an individual to apply for entry into a diversion program under this subdivision and subdivision 1. The participant must meet the requirements in subdivision 4.

Subd. 3. **Diversion driver's license.** (a) Notwithstanding any law to the contrary, the commissioner may issue a diversion driver's license to a person who is a participant in a diversion program, after receiving an application and payment of:

(1) the reinstatement fee under section 171.20, subdivision 4, by a participant whose driver's license has been suspended;

(2) the reinstatement fee under section 171.29, subdivision 2, paragraph (a), by a participant whose driver's license has been revoked under section 169.791; 169.797; or 171.17, subdivision 1, paragraph (a), clause (6); or

(3) the reinstatement fee under section 171.29, subdivision 2, paragraph (a), by a participant whose driver's license has been revoked under section 169A.52, 169A.54, or 171.177. The reinstatement fee and surcharge under section 171.29, subdivision 2, paragraph (b), must also be paid during the course of and as a condition of the diversion program.

(b) The commissioner may impose restrictions on a diversion driver's license that are suitable to the licensee's driving ability or applicable to the licensee as the commissioner deems appropriate to ensure the safe operation of a motor vehicle by the licensee. The participant must follow all requirements of this section, the requirements set out by DVS and court restrictions.

(c) Payments made by participants in the diversion program of the reinstatement fee and surcharge under section 171.29, subdivision 2, paragraph (b), must be applied first toward payment of the reinstatement fee and, after the reinstatement fee has been fully paid, toward payment of the surcharge. Each payment that is

applied toward the reinstatement fee must be credited as provided in section 171.29, subdivision 2, paragraph (b), and each payment that is applied toward the surcharge must be credited as provided in section 171.29, subdivision 2, paragraphs (c) and (d). After the reinstatement fee and surcharge are satisfied, the participant must pay the program participation fee.

(d) Notwithstanding any law to the contrary, a diversion driver's license issued to a participant in the program must not be revoked or suspended for convictions entered due to payments made under subdivision 4.

Subd. 4. **Program components.** (a) At a minimum, the diversion program must require individuals to:

(1) successfully attend and complete, at the individual's expense, educational classes that provide, among other things, information on driver's licensure;

(2) pay to the administrator, under a schedule approved by the prosecutor, all required related fees, fines, and charges, including applicable statutory license reinstatement fees and costs of participation in the program;

(3) comply with all traffic laws; and

(4) demonstrate compliance with motor vehicle insurance requirements.

(b) Individuals whose underlying citations cost less than $250 shall receive a 60 percent discount on the diversion program fee. Individuals whose underlying citations cost $250 to $500 shall receive a 40 percent discount on the diversion program fee.

Subd. 5. **Termination of participation; reinstatement of driver's license.** (a) An individual's participation in the diversion program must be terminated if:

(1) the individual is found guilty of a moving traffic violation;

(2) the individual fails to provide proof of vehicle insurance; or

(3) the administrator of the diversion program informs the commissioner that the individual is no longer satisfying the conditions of the diversion program.

(b) The commissioner must cancel an individual's diversion driver's license upon receiving notice from the administrator that the individual is not complying with the requirements of the program.

(c) The original charge against the individual of a violation of section 171.24 may be reinstated against an individual whose participation in the diversion program terminates under paragraph (a), clause (1) or (2).

(d) If an individual satisfies all requirements of the diversion program, including, at a minimum, satisfactory fulfillment of the components under subdivision 4, the administrator must inform the court, the prosecutor, and the commissioner of the individual's satisfactory completion of the diversion program.

(e) Upon receiving notice under paragraph (d), the commissioner must reinstate the individual's driver's license.

(f) Upon receiving notice under paragraph (d), the court must dismiss the charge or the prosecutor must decline to prosecute the individual.

Subd. 6. **Fees held on termination of participant.** (a) Upon termination of the participant in the program under subdivision 5, where there are any held funds and only after the administrator has made payouts on

citations and fees, the third-party administrator shall hold remaining participant fees for 12 months from the date of termination under subdivision 5, paragraph (a), clause (1) or (2).

(b) A participant who meets DVS requirements to re-enter the diversion program may use held funds to pay fees to be reinstated into the program.

(c) After 12 months, the administrator shall retain the funds for the work performed during the participant's enrollment period, prior to the participant's termination date in the diversion program.

Subd. 7. **Biennial report.** (a) By February 1 of each even-numbered year, the administrator must report on each city and county that participated in the diversion program and provide a report to each participating city and county, the commissioner, and the legislative committees with jurisdiction over transportation and the judiciary concerning the results of the program. The report must be made available electronically and, upon request, in print. The report must include, without limitation, the effect of the program on:

(1) recidivism rates for participants in the diversion program;

(2) the number of participants who successfully completed the program;

(3) the amount charged to individuals for program fees;

(4) payment of the fees and fines collected in the diversion program to cities, counties, and the state;

(5) the total amount of money collected from participants in the program;

(6) the total amount of money, by category, paid or applied to reinstatement;

(7) educational support provided to participants in the diversion program;

(8) the total number of participants in the diversion program;

(9) the total number of participants terminated from the program under subdivision 5, paragraph (a), clauses (1) to (3);

(10) the reimbursement policy for all payments listed under clause (4); and

(11) the amount of all payments listed under clause (4) retained from participants who were terminated from the program.

(b) The report must include all recommendations made by cities or counties regarding the future of the program and any necessary or suggested legislative changes.

**History:** *1Sp2019 c 5 art 6 s 5; 2022 c 55 art 1 s 95; 1Sp2025 c 8 art 2 s 50*

**171.241 CHAPTER VIOLATIONS; MISDEMEANORS.**

It is a misdemeanor for any person to willfully violate any of the provisions of this chapter unless the violation is declared by any law to be a felony or gross misdemeanor, or the violation is declared by a section of this chapter to be a misdemeanor.

**History:** *1984 c 622 s 18*

**171.245** MS 1976 [Repealed, 1978 c 727 s 11]

**171.25 ENFORCEMENT; DELEGATION OF AUTHORITY.**

The commissioner shall be charged with the responsibility for the administration and execution of this chapter.

Any duties required of or powers conferred on the commissioner under the provisions of this chapter may be done and performed or exercised by any of duly authorized agents.

**History:** *(2720-145k, 2720-146) 1939 c 401 s 26,27; 1986 c 444*

**171.26 MONEY CREDITED TO FUNDS.**

Subdivision 1. **Driver and vehicle services operating account.** Unless otherwise specified, all money received under this chapter must be deposited in the driver and vehicle services operating account under section 299A.705.

Subd. 2. [Expired, 1Sp2005 c 6 art 2 s 43]

**History:** *(2720-146a) 1939 c 401 s 28; 1943 c 610 s 4; 1947 c 607 s 1; 1971 c 644 s 14; 1976 c 163 s 37; 1983 c 293 s 70; 1991 c 233 s 61; 1993 c 266 s 27; 1996 c 455 art 6 s 3; 2005 c 136 art 18 s 13; 1Sp2005 c 6 art 2 s 43; 2022 c 55 art 1 s 96; 2023 c 25 s 97; 2023 c 68 art 4 s 60*

**MISCELLANEOUS**

**171.27 LICENSE EXPIRATION AND RENEWAL; EXCEPTIONS.**

Subdivision 1. **Expiration.** (a) Except as otherwise provided in this section, the expiration date for each driver's license 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 the 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.

(b) The expiration date for each under-21 license shall be the 21st birthday of the licensee. Upon the licensee attaining the age of 21 and upon the application, payment of the required fee, and passing the examination required of all drivers for renewal, a driver's license shall be issued unless the commissioner determines that the licensee is no longer qualified as a driver.

(c) The expiration date for each provisional license is two years after the date of application for the provisional license.

(d) Notwithstanding paragraphs (a) to (c), the expiration date for a license issued to a person with temporary lawful status is the last day of the person's legal stay in the United States, or one year after issuance if the last day of the person's legal stay is not identified.

Subd. 2. **Extension of expiration.** (a) For purposes of this subdivision, "eligible individual" means:

(1) a person then or subsequently serving outside Minnesota in active military service, as defined in section 190.05, subdivision 5, in any branch or unit of the armed forces of the United States;

(2) a person then or subsequently serving outside Minnesota as a volunteer in the Peace Corps;

(3) a person who is an employee of a federal department or agency and is assigned to foreign service outside of the United States; or

(4) a person residing outside of Minnesota because the person is a spouse, domestic partner, or dependent under age 26 of a person in clause (1), (2), or (3).

(b) A valid Minnesota driver's license issued to an eligible individual continues in full force and effect without requirement for renewal until the date one year following the person's separation or discharge from active military or volunteer service, or following the conclusion of assignment to foreign service outside the United States, and until the license holder's birthday in the fourth full year following the person's most recent license renewal or, in the case of a provisional license, until the person's birthday in the third full year following the renewal.

**History:** *(2720-146b) 1939 c 401 s 29; 1943 c 610 s 1; 1947 c 479 s 3; 1951 c 29 s 1; 1957 c 564 s 6; 1971 c 846 s 2; 1973 c 698 s 7; 1973 c 725 s 24; 1985 c 145 s 1; 1986 c 454 s 25; 1989 c 301 s 11; 1998 c 388 s 28; 2011 c 54 s 1; 2017 c 76 s 23; 1Sp2021 c 5 art 4 s 82*

**NOTE:** (a) The amendment to this section by Laws 2017, chapter 76, section 23, was effective May 19, 2017, and applies to driver's licenses and Minnesota identification cards applied for and issued on or after October 1, 2018. Laws 2017, chapter 76, section 29.

(b) If the Federal REAL ID Act, Public Law 109-13, Division B, is repealed, or if the definition of "official purpose" in Code of Federal Regulations, title 6, part 37, is amended, the amendment to this section by Laws 2017, chapter 76, section 23, is repealed on June 30 of the following year. Laws 2017, chapter 76, section 27.

**171.28** MS 2012 [Repealed, 2014 c 255 s 21]

**171.29 REVOKED LICENSE; CONDITIONS FOR REINSTATEMENT.**

Subdivision 1. **Examination required.** (a) No person whose driver's license has been revoked by reason of conviction, plea of guilty, or forfeiture of bail not vacated, under section 169.791, 169.797, 171.17, or 171.172, or revoked under section 169.792 shall be issued another license unless and until that person shall have successfully passed an examination as required by the commissioner of public safety. This subdivision does not apply to an applicant for early reinstatement under section 169.792, subdivision 7a.

(b) The requirement to successfully pass the examination described in paragraph (a) does not apply to a person whose driver's license has been revoked because of an impaired driving offense.

Subd. 2. **Reinstatement fees and surcharges allocated and appropriated.** (a) An individual whose driver's license has been revoked by reason of one or more convictions, pleas of guilty, forfeitures of bail not vacated, or mandatory revocations under section 169.791, 169.792, 169.797, 171.17, or 171.172, and who is otherwise eligible for reinstatement must pay a single $30 fee before the driver's license is reinstated. An individual whose driver's license has been revoked under provisions specified in both this paragraph and paragraph (b) must pay the reinstatement fee as provided in paragraph (b).

(b) A person whose driver's license has been revoked under section 169A.52, 169A.54, 171.177, 609.2112, 609.2113, or 609.2114, or Minnesota Statutes 2012, section 609.21, must pay a $250 fee plus a $430 surcharge for each instance of revocation before the driver's license is reinstated, except as provided in paragraph (f). The $250 fee must be credited as follows:

(1) 20 percent to the driver and vehicle services operating account under section 299A.705;

(2) 67 percent to the general fund;

(3) eight percent to a separate account to be known as the Bureau of Criminal Apprehension account. Money in this account is annually appropriated to the commissioner of public safety and the appropriated amount must be apportioned 80 percent for laboratory costs and 20 percent for carrying out the provisions of section 299C.065; and

(4) five percent to a separate account to be known as the vehicle forfeiture account, which is created in the special revenue fund. The money in the account is annually appropriated to the commissioner for costs of handling vehicle forfeitures.

(c) The revenue from $50 of the surcharge must be credited to a separate account to be known as the traumatic brain injury and spinal cord injury account. The revenue from $50 of the surcharge on a reinstatement under paragraph (f) is credited from the first installment payment to the traumatic brain injury and spinal cord injury account. The money in the account is annually appropriated to the commissioner of health to be used as follows: 83 percent for contracts with a qualified community-based organization to provide information, resources, and support to assist persons with traumatic brain injury and their families to access services, and 17 percent to maintain the traumatic brain injury and spinal cord injury registry created in section 144.662. For the purposes of this paragraph, a "qualified community-based organization" is a private, not-for-profit organization of consumers of traumatic brain injury services and their family members. The organization must be registered with the United States Internal Revenue Service under section 501(c)(3) as a tax-exempt organization and must have as its purposes:

(1) the promotion of public, family, survivor, and professional awareness of the incidence and consequences of traumatic brain injury;

(2) the provision of a network of support for persons with traumatic brain injury, their families, and friends;

(3) the development and support of programs and services to prevent traumatic brain injury;

(4) the establishment of education programs for persons with traumatic brain injury; and

(5) the empowerment of persons with traumatic brain injury through participation in its governance.

A patient's name, identifying information, or identifiable medical data must not be disclosed to the organization without the informed voluntary written consent of the patient or patient's guardian or, if the patient is a minor, of the parent or guardian of the patient.

(d) The remainder of the surcharge must be credited to a separate account to be known as the remote electronic alcohol-monitoring program account. The commissioner shall transfer the balance of this account to the commissioner of management and budget on a monthly basis for deposit in the general fund.

(e) When these fees are collected by a driver's license agent, appointed under section 171.061, a filing fee is imposed in the amount specified under section 171.061, subdivision 4. The reinstatement fees, surcharge, and filing fee must be deposited in an approved depository as directed under section 171.061, subdivision 4.

(f) A person whose driver's license has been revoked as provided in subdivision 1 under section 169A.52, 169A.54, or 171.177 may choose to pay 50 percent and an additional $25 of the total amount of the surcharge and 50 percent of the fee required under paragraph (b) to reinstate the person's driver's license, provided the person meets all other requirements of reinstatement. If a person chooses to pay 50 percent of the total and

an additional $25, the driver's license must expire after two years. The person must pay an additional 50 percent less $25 of the total to extend the license for an additional two years, provided the person is otherwise still eligible for the license. After this final payment of the surcharge and fee, the license may be renewed on a standard schedule, as provided under section 171.27. A filing fee may be imposed for each installment payment. Revenue from the filing fee is credited to the driver and vehicle services operating account under section 299A.705 and is appropriated to the commissioner.

(g) Any person making installment payments under paragraph (f), whose driver's license subsequently expires, or is canceled, revoked, or suspended before payment of 100 percent of the surcharge and fee, must pay the outstanding balance due for the initial reinstatement before the driver's license is subsequently reinstated. Upon payment of the outstanding balance due for the initial reinstatement, the person may pay any new surcharge and fee imposed under paragraph (b) in installment payments as provided under paragraph (f).

Subd. 3. **Compliance with impoundment laws.** A person whose license has been revoked under section 169A.52, 169A.54, or 171.177 may not be issued another license at the end of the revocation period unless the person has complied with all applicable registration plate impoundment provisions of sections 168.041 and 169A.60.

**History:** *1959 c 515 s 1,2; 1981 c 363 s 40; 1983 c 293 s 71; 1Sp1985 c 9 art 2 s 23; 1986 c 330 s 3; 1986 c 444; 1987 c 398 art 7 s 38; 1987 c 403 art 2 s 15; 1988 c 681 s 5; 1988 c 684 art 1 s 19; 1989 c 329 art 8 s 10; 1991 c 265 art 8 s 12; 1991 c 292 art 8 s 3; 1991 c 301 s 9; 1991 c 333 s 30; 1992 c 571 art 14 s 11; 1993 c 224 art 11 s 6; 1994 c 398 s 1; 1994 c 483 s 1; 1994 c 501 s 9; 1995 c 226 art 5 s 2; 1Sp1995 c 3 art 16 s 13; 1997 c 159 art 2 s 35; 1997 c 239 art 8 s 2; 1998 c 367 art 11 s 7; 1998 c 405 s 8; 1998 c 407 art 4 s 1; 1999 c 205 art 3 s 4; 2000 c 426 s 29; 2000 c 478 art 2 s 7; 1Sp2001 c 8 art 2 s 48; art 11 s 12; art 12 s 15; 1Sp2001 c 9 art 19 s 13; 2002 c 220 art 7 s 10; 2002 c 379 art 1 s 113; 1Sp2003 c 19 art 2 s 40; 1Sp2005 c 6 art 2 s 44; 2008 c 152 art 6 s 6; 2008 c 283 s 1; 2009 c 83 art 3 s 5; 2009 c 101 art 2 s 109; 2014 c 180 s 9; 2017 c 83 art 3 s 18; 1Sp2021 c 5 art 4 s 83; 1Sp2021 c 11 art 2 s 7; 2023 c 68 art 7 s 17*

**171.30 LIMITED LICENSE.**

Subdivision 1. **Conditions of issuance.** (a) The commissioner may issue a limited license to the driver under the conditions in paragraph (b) in any case where a person's license has been:

(1) suspended under section 171.18, 171.173, 171.186, or 171.187;

(2) revoked, canceled, or denied under section:

(i) 169.792;

(ii) 169.797;

(iii) 169A.52:

(A) subdivision 3, paragraph (a), clause (1) or (2); or

(B) subdivision 4, paragraph (a), clause (1) or (2), if the test results indicate an alcohol concentration of less than twice the legal limit;

(iv) 171.17; or

(v) 171.172;

(3) revoked, canceled, or denied under section 169A.54:

(i) subdivision 1, clause (1), if the test results indicate an alcohol concentration of less than twice the legal limit;

(ii) subdivision 1, clause (2); or

(iii) subdivision 2, if the person does not have a qualified prior impaired driving incident as defined in section 169A.03, subdivision 22, on the person's record, and the test results indicate an alcohol concentration of less than twice the legal limit; or

(4) revoked, canceled, or denied under section 171.177:

(i) subdivision 4, paragraph (a), clause (1) or (2); or

(ii) subdivision 5, paragraph (a), clause (1) or (2), if the test results indicate an alcohol concentration of less than twice the legal limit.

(b) The following conditions for a limited license under paragraph (a) include:

(1) if the driver's livelihood or attendance at a substance use disorder 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 postsecondary institution of education by an enrolled student of that institution depends upon the use of the driver's license.

(c) 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.

(d) For purposes of this subdivision:

(1) "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; and

(2) "twice the legal limit" means an alcohol concentration of two times the limit specified in section 169A.20, subdivision 1, clause (5).

(e) 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.

(f) 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.

(g) If the person's driver's license or permit to drive has been revoked under section 169.792 or 169.797, the commissioner may only issue a limited license to the person after the person has presented an insurance

identification card, policy, or written statement indicating that the driver or owner has insurance coverage satisfactory to the commissioner of public safety. The commissioner of public safety may require the insurance identification card provided to satisfy this subdivision be certified by the insurance company to be noncancelable for a period not to exceed 12 months.

(h) The limited license issued by the commissioner to a person under section 171.186, subdivision 4, must expire 90 days after the date it is issued. The commissioner must not issue a limited license to a person who previously has been issued a limited license under section 171.186, subdivision 4.

(i) The commissioner shall not issue a limited driver's license to any person described in section 171.04, subdivision 1, clause (6), (7), (8), (11), or (14).

(j) The commissioner shall not issue a class A, class B, or class C limited license.

Subd. 2. **60-day waiting period.** A limited license shall not be issued for a period of 60 days to an individual whose license or privilege has been revoked or suspended for commission of the following offenses:

(1) any felony in the commission of which a motor vehicle was used; or

(2) failure to stop and disclose identity as required under section 169.09, in the event of a motor vehicle accident resulting in the death or personal injury of another.

Subd. 2a. **Other waiting periods.** Notwithstanding subdivision 2, a limited license must not be issued for a period of:

(1) 15 days, to a person whose license or privilege has been revoked or suspended for a first violation of section 169A.20, sections 169A.50 to 169A.53, section 171.177, or a statute or ordinance from another state in conformity with either of those sections; or

(2) one year, to a person whose license or privilege has been revoked or suspended for:

(i) committing manslaughter resulting from the operation of a motor vehicle; or

(ii) committing criminal vehicular operation under section:

(A) 609.2113, subdivision 1, 2, or 3; or

(B) 609.2114, subdivision 2.

Subd. 2b. **Waiting period for youth under 18.** If a person whose driver's license was suspended or revoked for a violation listed under subdivision 2 or 2a is under the age of 18 years at the time of that violation, the commissioner shall not issue a limited license to the person for a period of time that is the longest of: (1) 90 days; or (2) twice the length of the period specified for that violation in subdivision 2 or 2a.

Subd. 2c. MS 2010 [Repealed, 2010 c 366 s 17]

Subd. 3. MS 2000 [Repealed, 2002 c 371 art 1 s 64]

Subd. 4. **Penalty.** A person who violates a condition or limitation of a limited license issued under subdivision 1 or fails to have the license in immediate possession at all times when operating a motor vehicle is guilty of a misdemeanor. In addition, except as otherwise provided in the ignition interlock program under

section 171.306, a person who violates a condition or limitation of a limited license may not operate a motor vehicle for the remainder of the period of suspension or revocation, or 30 days, whichever is longer.

Subd. 5. **Exception; criminal vehicular homicide.** Notwithstanding subdivision 1, the commissioner may not issue a limited license to a person whose driver's license has been suspended or revoked due to:

(1) a violation under section:

(i) 609.2112, subdivision 1, paragraph (a);

(ii) 609.2114, subdivision 1, paragraph (a); or

(iii) 169.13, subdivision 1, that contributed to causing death to another; or

(2) a statute or ordinance from another state in conformity with the offenses under clause (1).

**History:** *1959 c 632 s 1; 1971 c 217 s 1; 1971 c 644 s 15; 1978 c 727 s 10; 1982 c 423 s 12; 1984 c 622 s 19; 1984 c 655 art 2 s 24; 1986 c 444; 1987 c 136 s 2; 1987 c 171 s 1; 1989 c 307 s 34; 1989 c 321 s 16; 1991 c 270 s 3-5; 1991 c 333 s 31; 1992 c 570 art 1 s 23; 1992 c 571 art 14 s 12,13; 1993 c 347 s 17,18; 1994 c 501 s 10; 1995 c 230 s 10; 1996 c 275 s 11; 1996 c 442 s 22; 1997 c 12 art 3 s 9; 1Sp1997 c 2 s 56; 1998 c 388 s 30; 1999 c 238 art 2 s 91; 2000 c 478 art 2 s 7; 2002 c 344 s 5; 2005 c 136 art 18 s 14; 1Sp2005 c 6 art 3 s 78; 2010 c 366 s 11-13; 2010 c 385 s 11; 2012 c 287 art 4 s 36; 2013 c 117 art 3 s 14-16; 2014 c 298 s 3,4; 2017 c 83 art 3 s 18; 1Sp2021 c 11 art 2 s 8; 2022 c 55 art 1 s 97,98; 2022 c 98 art 4 s 51; 2024 c 104 art 1 s 74,75*

## 171.301 REINTEGRATION LICENSE.

Subdivision 1. **Conditions of issuance.** (a) The commissioner may issue a reintegration driver's license to any person:

(1) who is 18 years of age or older;

(2) who has been released from a period of at least 180 consecutive days of confinement or incarceration in:

(i) an adult correctional facility under the control of the commissioner of corrections or licensed by the commissioner of corrections under section 241.021;

(ii) a federal correctional facility for adults; or

(iii) an adult correctional facility operated under the control or supervision of any other state; and

(3) whose license has been suspended or revoked under the circumstances listed in section 171.30, subdivision 1, paragraph (a), clauses (1) to (4), for a violation that occurred before the individual was incarcerated for the period described in clause (2).

(b) If the person's driver's license or permit to drive has been revoked under section 169.792 or 169.797, the commissioner may only issue a reintegration driver's license to the person after the person has presented an insurance identification card, policy, or written statement indicating that the driver or owner has insurance coverage satisfactory to the commissioner.

(c) If the person's driver's license or permit to drive has been suspended under section 171.186, the commissioner may only issue a reintegration driver's license to the person after the commissioner receives

notice of a court order provided pursuant to section 518A.65, paragraph (h), showing that the person's driver's license or operating privileges should no longer be suspended.

(d) If the person's driver's license has been revoked under section 171.17, subdivision 1, paragraph (a), clause (1) or (2), the commissioner may only issue a reintegration driver's license to the person after the person has completed the applicable revocation period.

(e) The commissioner must not issue a reintegration driver's license:

(1) to any person described in section 171.04, subdivision 1, clause (7), (8), (10), or (11);

(2) to any person described in section 171.178, subdivision 6;

(3) if the person has committed a violation after the person was released from custody that results in the suspension, revocation, or cancellation of a driver's license, including suspension for nonpayment of child support or maintenance payments as described in section 171.186, subdivision 1; or

(4) if the issuance would conflict with the requirements of the nonresident violator compact.

(f) The commissioner must not issue a class A, class B, or class C reintegration driver's license.

Subd. 2. **Application.** (a) Application for a reintegration driver's license must be made in the form and manner approved by the commissioner.

(b) A person seeking a reintegration driver's license who was released from confinement or incarceration on or after April 1, 2024, must apply for the license within one year of release. A person seeking a reintegration driver's license who was released from confinement or incarceration before April 1, 2024, must apply for the license by April 1, 2025.

Subd. 3. **Fees prohibited.** (a) For a reintegration driver's license under this section:

(1) the commissioner must not impose:

(i) a fee, surcharge, or filing fee under section 171.06, subdivision 2;

(ii) a reinstatement fee under sections 171.20, subdivision 4, and 171.29, subdivision 2; or

(iii) an endorsement fee under section 171.06, subdivision 2a; and

(2) a driver's license agent must not impose a filing fee under section 171.061, subdivision 4.

(b) Issuance of a reintegration driver's license does not forgive or otherwise discharge any unpaid fees or fines.

Subd. 4. **Cancellation of license.** (a) The commissioner must cancel the reintegration driver's license of any person who commits a violation that would result in the suspension, revocation, or cancellation of a driver's license, including suspension for nonpayment of child support or maintenance payments as described in section 171.186, subdivision 1. The commissioner must not cancel a reintegration driver's license for payment of a fine or resolution of a criminal charge if the underlying incident occurred before the reintegration driver's license was issued, unless the conviction would have made the person ineligible to receive a reintegration driver' s license. Except as described in paragraph (b), a person whose reintegration driver's license is canceled under this subdivision may not be issued another reintegration driver's license and may not operate a motor vehicle for the remainder of the period of suspension or revocation or 30 days, whichever is longer.

(b) A person whose reintegration driver's license is canceled under paragraph (a) may apply for a new reintegration driver's license if the person is incarcerated or confined for a period of at least 180 consecutive days after the cancellation and the person meets the conditions described in subdivision 1.

(c) Nothing in this section prohibits cancellation and reinstatement of a reintegration driver's license for any other reason described in section 171.14 provided any factor making the person not eligible for a driver's license under section 171.04 occurred or became known to the commissioner after issuance of the reintegration driver's license.

Subd. 5. **Expiration.** A reintegration driver's license expires 24 months from the date of issuance of the license. A reintegration driver's license may not be renewed.

Subd. 6. **Issuance of regular driver's license.** (a) Notwithstanding any statute or rule to the contrary, the commissioner must issue a REAL ID-compliant or noncompliant license to a person who possesses a reintegration driver's license if:

(1) the person has possessed the reintegration driver's license for at least one full year;

(2) the reintegration driver's license has not been canceled under subdivision 4 and has not been expired for more than 90 days from the date under subdivision 5;

(3) the person meets the application requirements under section 171.06, including payment of the applicable fees, surcharge, and filing fee under sections 171.06, subdivisions 2 and 2a, and 171.061, subdivision 4; and

(4) issuance of the license does not conflict with the requirements of the nonresident violator compact.

(b) The commissioner must forgive any outstanding balance due on a reinstatement fee or surcharge under sections 171.20, subdivision 4, and 171.29, subdivision 2, for a person who is eligible and applies for a license under paragraph (a).

**History:** *2023 c 68 art 4 s 61; 2024 c 127 art 3 s 72,73; 2025 c 20 s 174; 1Sp2025 c 8 art 2 s 51-53; 2026 c 88 art 1 s 84*

**171.302 LICENSE VIOLATIONS; CONSECUTIVE SENTENCING.**

When sentencing an offender for violating section 171.20, subdivision 2; 171.24; or 171.30, the court may impose consecutive sentences for offenses arising out of a single course of conduct as permitted in section 609.035, subdivision 2.

**History:** *1996 c 442 s 23*

**171.305** Subdivision 1. MS 2010 [Repealed, 2010 c 366 s 17]

Subd. 2. [Expired]

Subd. 3. MS 2010 [Repealed, 2010 c 366 s 17]

Subd. 4. MS 2010 [Repealed, 2010 c 366 s 17]

Subd. 5. MS 2010 [Repealed, 2010 c 366 s 17]

Subd. 6. MS 2010 [Repealed, 2010 c 366 s 17]

Subd. 7. MS 2010 [Repealed, 2010 c 366 s 17]

Subd. 8. MS 2010 [Repealed, 2010 c 366 s 17]

Subd. 9. MS 2010 [Repealed, 2010 c 366 s 17]

Subd. 10. MS 2010 [Repealed, 2010 c 366 s 17]

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

**171.306 IGNITION INTERLOCK DEVICE PROGRAM.**

Subdivision 1. **Definitions.** (a) For purposes of this section, the terms in this subdivision have the meanings given.

(b) "Ignition interlock device" or "device" means equipment that is designed to measure breath alcohol concentration and to prevent a motor vehicle's ignition from being started by a person whose breath alcohol concentration measures 0.02 or higher on the equipment.

(c) "Location tracking capabilities" means the ability of an electronic or wireless device to identify and transmit its geographic location through the operation of the device.

(d) "Program participant" means a person who has qualified to take part in the ignition interlock program under this section, and whose driver's license has been:

(1) revoked, canceled, or denied under section 169A.52; 169A.54; 171.04, subdivision 1, clause (10); 171.177; or for a violation of the law of another state in conformity with any of these sections; or

(2) revoked under section 171.17, subdivision 1, paragraph (a), clause (2), or suspended under section 171.187, for a violation of section 609.2112, subdivision 1, paragraph (a), clause (2), (3), (4), (5), or (6); 609.2113, subdivision 1, clause (2), (3), (4), (5), or (6); subdivision 2, clause (2), (3), (4), (5), or (6); or subdivision 3, clause (2), (3), (4), (5), or (6); or 609.2114, subdivision 1, paragraph (a), clause (2), (3), (4), (5), or (6); or subdivision 2, clause (2), (3), (4), (5), or (6).

(e) "Qualified prior impaired driving incident" has the meaning given in section 169A.03, subdivision 22.

Subd. 2. **Performance standards; certification; manufacturer and provider requirements.** (a) The commissioner shall establish performance standards and a process for certifying devices used in the ignition interlock program, except that the commissioner may not establish standards that, directly or indirectly, require devices to use or enable location tracking capabilities without a court order.

(b) The manufacturer of a device must apply annually for certification of the device by submitting the form prescribed by the commissioner. The commissioner shall require manufacturers of certified devices to:

(1) provide device installation, servicing, and monitoring to indigent program participants at a discounted rate, according to the standards established by the commissioner;

(2) include in an ignition interlock device contract a provision that a program participant who voluntarily terminates participation in the program or voluntarily withdraws from the program is only liable for servicing and monitoring costs incurred during the time the device is installed on the motor vehicle, regardless of whether the term of the contract has expired; and

(3) include in an ignition interlock device contract a provision that requires manufacturers of certified devices to pay any towing or repair costs caused by device failure or malfunction, or by damage caused during device installation, servicing, or monitoring.

(c) The manufacturer of a certified device must include with an ignition interlock device contract a separate notice to the program participant regarding any location tracking capabilities of the device.

Subd. 3. **Program requirements.** (a) The commissioner shall establish guidelines for participation in the ignition interlock program. A person who seeks to participate in the program shall sign a written acknowledgment that the person has received, reviewed, and agreed to abide by the program guidelines.

(b) The commissioner must enter a notation on a person's driving record to indicate that the person is a program participant.

(c) A person under the age of 18 years is not eligible to be a program participant.

(d) A program participant shall pay costs associated with an ignition interlock device on every motor vehicle that the participant operates or intends to operate.

(e) A program participant shall participate in any treatment recommended in a chemical use assessment report.

(f) A program participant shall bring the device-equipped motor vehicle or vehicles operated by the program participant to an approved service provider for device calibration and servicing according to the schedule established by the commissioner and as indicated by the ignition interlock device.

(g) The commissioner shall not permit location tracking capabilities on any ignition interlock device to be enabled except as provided in this paragraph. The commissioner shall require the activation of location tracking capabilities on an ignition interlock device when ordered by a court.

Subd. 3a. **Off-road recreational vehicles and motorboats.** A program participant in the ignition interlock device program may operate an off-road recreational vehicle or a motorboat only if it is equipped with an approved ignition interlock device as provided under this section and sections 84.765, subdivision 2, and 86B.33, subdivision 2.

Subd. 4. **Issuance of restricted license.** (a) The commissioner shall issue a class D driver's license, subject to the applicable limitations and restrictions of this section, to a program participant who meets the requirements of this section and the program guidelines. Notwithstanding any law to the contrary, the commissioner must not require a program participant to pay the reinstatement fee and surcharge described in section 171.29, subdivision 2, before issuing a restricted license under this section. A program participant is not eligible for full reinstatement of driving privileges until the person pays the full reinstatement fee and surcharge. The commissioner shall not issue a license unless the program participant has provided satisfactory proof that:

(1) a certified ignition interlock device has been installed on the participant's motor vehicle at an installation service center designated by the device's manufacturer; and

(2) the participant has insurance coverage on the vehicle equipped with the ignition interlock device. If the participant has previously been convicted of violating section 169.791, 169.793, or 169.797 or the participant's license has previously been suspended, revoked, or canceled under section 169.792 or 169.797, the commissioner shall require the participant to present an insurance identification card that is certified by the insurance company to be noncancelable for a period not to exceed 12 months.

(b) A license issued under authority of this section must contain a restriction prohibiting the program participant from driving, operating, or being in physical control of any motor vehicle not equipped with a functioning ignition interlock device certified by the commissioner. A participant may drive an employer-owned vehicle not equipped with an interlock device while in the normal course and scope of employment duties pursuant to the program guidelines established by the commissioner and with the employer's written consent.

(c) A program participant may apply for conditional reinstatement of the driver's license, subject to the ignition interlock restriction, if the program participant's driver's license was:

(1) revoked, canceled, or denied under section:

(i) 169A.52, subdivision 3, paragraph (a), or subdivision 4, paragraph (a);

(ii) 169A.54, subdivision 1;

(iii) 171.17, subdivision 1, paragraph (a), clause (10), for conviction of an offense in another state that would be grounds for revocation in this state under section 169A.54, subdivision 1; or

(iv) 171.177, subdivision 4, paragraph (a), or subdivision 5, paragraph (a);

(2) revoked under section 171.17, subdivision 1, paragraph (a), clause (2), for a violation of section:

(i) 609.2112, subdivision 1, paragraph (a), clause (2), item (i) or (iv), (3), or (4);

(ii) 609.2113, subdivision 1, clause (2), item (i) or (iv), (3), or (4); subdivision 2, clause (2), item (i) or (iv), (3), or (4); or subdivision 3, clause (2), item (i) or (iv), (3), or (4); or

(iii) 609.2114, subdivision 1, paragraph (a), clause (2), item (i) or (iv), (3), or (4); or subdivision 2, clause (2), item (i) or (iv), (3), or (4); or

(3) suspended under section 171.187, for a violation of section:

(i) 609.2112, subdivision 1, paragraph (a), clause (2), item (i) or (iv), (3), or (4);

(ii) 609.2113, subdivision 1, clause (2), item (i) or (iv), (3), or (4); subdivision 2, clause (2), item (i) or (iv), (3), or (4); or subdivision 3, clause (2), item (i) or (iv), (3), or (4); or

(iii) 609.2114, subdivision 1, paragraph (a), clause (2), item (i) or (iv), (3), or (4); or subdivision 2, clause (2), item (i) or (iv), (3), or (4).

(d) As a prerequisite to eligibility for eventual reinstatement of full driving privileges, a participant who either had one qualified prior impaired driving incident within the past 20 years, or two or more qualified prior impaired driving incidents when the person's driver's license was revoked, canceled, or denied under the conditions described in paragraph (c), clause (1), or whose driver's license was revoked or suspended under the conditions described in paragraph (c), clause (2) or (3), and whose chemical use assessment recommended treatment or rehabilitation shall complete a licensed substance use disorder treatment or rehabilitation program. If the program participant's ignition interlock device subsequently registers a positive breath alcohol concentration of 0.02 or higher, the commissioner shall extend the time period that the participant must participate in the program until the participant has reached the required abstinence period described in section 171.178, subdivision 8.

(e) Notwithstanding any statute or rule to the contrary, the commissioner has authority to determine when a program participant is eligible for restoration of full driving privileges, except that the commissioner

shall not reinstate full driving privileges until the program participant has met all applicable prerequisites for reinstatement under sections 169A.55 and 171.178 and until the program participant's device has registered no positive breath alcohol concentrations of 0.02 or higher during the preceding 90 days.

Subd. 5. **Penalties; program violations.** (a) If a program participant tampers with, circumvents, or bypasses a device; drives, operates, or exercises physical control over a motor vehicle not equipped with a device certified by the commissioner; violates a condition of a license conditionally reinstated under subdivision 4 and section 171.30; or violates the program guidelines of subdivision 3, the commissioner shall extend the person's revocation period and the period of time that a person must use an ignition interlock device under section 171.178 by:

(1) 180 days for a first violation;

(2) one year for a second violation; or

(3) 545 days for a third and each subsequent violation.

(b) Notwithstanding paragraph (a), the commissioner may terminate participation in the program by any person when, in the commissioner's judgment, termination is necessary to the interests of public safety and welfare. In the event of termination, the commissioner shall not reduce the applicable revocation period under section 171.178 by the amount of time during which the person possessed a limited or restricted driver's license issued under the authority of subdivision 4.

Subd. 6. **Penalties; tampering.** (a) A person who lends, rents, or leases a motor vehicle that is not equipped with a functioning ignition interlock device certified by the commissioner to a person with a license issued under this section knowing that the person is subject to the ignition interlock restriction is guilty of a misdemeanor.

(b) A person who tampers with, circumvents, or bypasses the ignition interlock device, or assists another to tamper with, circumvent, or bypass the device, is guilty of a misdemeanor except when the action was taken for emergency purposes or for mechanical repair, and the person limited to the use of an ignition interlock device does not operate the motor vehicle while the device is disengaged.

(c) A person with a license issued under this section who operates a motor vehicle that is not equipped with a functioning ignition interlock device certified by the commissioner is subject to the penalty described in section 171.09, subdivision 1, paragraph (g).

Subd. 7. **Venue.** In addition to the provisions of rule 24 of the Rules of Criminal Procedure and section 627.01, a violation of subdivision 6 or section 171.09, subdivision 1, paragraph (g), may be prosecuted in:

(1) the county in which the vehicle involved in the offense is found;

(2) the county in which the accused resides;

(3) any county through which the vehicle traveled in the course of the trip during or after which the offense was committed; or

(4) the county in which the impaired driving incident occurred, which resulted in the accused being issued a driver's license with an ignition interlock restriction.

Subd. 8. **Rulemaking.** The commissioner must adopt the performance standards and certification process of subdivision 2 and the program guidelines of subdivision 3 as rules and any other rules necessary to implement this section, subject to chapter 14.

Subd. 9. **Choice of vendor.** (a) A judicial officer, county agency, or probation office may not require or suggest that a person participating in the ignition interlock program under this section use a particular ignition interlock vendor but may provide the person with a list of all Minnesota vendors of certified devices.

(b) Paragraph (a) does not apply in counties where a contract exists for a specific vendor to provide interlock device service for program participants who are indigent pursuant to subdivision 2, paragraph (b), clause (1).

Subd. 10. **Termination from program; reentry.** (a) If a program participant's license is withdrawn for an act or condition that does not involve the use of alcohol during the participant's time on the ignition interlock device program, the person is prohibited from driving, operating, or being in physical control of a motor vehicle. The person can continue to receive credit for time in the ignition interlock device program if the person ensures that the ignition interlock device is serviced and calibrated and the person continues to meet all program requirements. If the person voluntarily withdraws from the ignition interlock device program, the commissioner shall credit the person with the time spent in the program if the person reenters the program.

(b) If a program participant commits an act involving the use of alcohol that results in revocation of the person's license, the commissioner must terminate the person from the ignition interlock device program. The person may reenter the program as described in section 171.178, subdivision 8, paragraph (f).

**History:** *2007 c 54 art 3 s 5; 2009 c 29 s 2,3; 2010 c 366 s 14; 2012 c 187 art 1 s 26; 2012 c 287 art 4 s 37; 2012 c 298 s 1; 2013 c 117 art 3 s 17,18; 2014 c 180 s 9; 2014 c 298 s 1,5,6; 2017 c 83 art 1 s 1-4; art 3 s 18; 1Sp2021 c 6 art 3 s 11; 1Sp2021 c 11 art 2 s 9,10; 2022 c 55 art 1 s 99; 2022 c 98 art 4 s 51; 2023 c 52 art 5 s 8; 2023 c 68 art 5 s 39; 2025 c 29 s 17-22; 1Sp2025 c 8 art 2 s 54-56; 2026 c 97 art 2 s 7*

## 171.31 INFORMATION ON PERSON RECEIVING BLINDNESS BENEFITS.

The commissioner of public safety, in order to promote highway safety by restricting driving privileges to those persons meeting accepted visual acuity standards, may request and shall receive information concerning the identity and whereabouts of any person who has applied for or received any type of welfare, licensing, or other benefits for the blind or nearly blind, from the records of all departments, boards, bureaus, or other agencies of this state except the Department of Revenue, and they shall provide such information notwithstanding the provisions of section 268.19 or any other existing law or rule to the contrary, except that section 270B.02, subdivision 1, prohibits disclosure of information by the commissioner of revenue.

**History:** *1967 c 524 s 1; 1969 c 1129 art 1 s 18; 1984 c 514 art 3 s 1; 1985 c 248 s 70; 1989 c 184 art 2 s 7; 1997 c 66 s 79*

## 171.32 ACTION UPON INFORMATION RELATING TO BLINDNESS.

Subdivision 1. **Actions by commissioner.** The commissioner upon receipt of any such information shall take such action as the commissioner deems necessary to insure that each such person meets the accepted visual acuity standards required of all driver's license applicants and such further action as required by law or rule. The driver's license of any person who has been classified as legally blind shall be immediately canceled.

Subd. 2. **Visual acuity examination.** Any person who is notified that the person's driver's license may be canceled because of a defect of visual acuity pursuant to the provisions of this section may demand and shall receive the standard visual acuity examination required of all driver's license applicants, or may be examined by a qualified physician of the person's choice.

Subd. 3. **Use of examination data.** The results of any visual acuity examination administered because of information received pursuant to this section may be communicated by the commissioner to the department from which the person received a benefit. The information received by the commissioner pursuant to this section must not be divulged or otherwise made known in any manner except in connection with the cancellation of drivers' licenses, and then only to the person involved whose license is canceled, and except for statistical purposes which do not reveal the identity of the individuals involved. The record of such person with respect to visual acuity shall be maintained in the same manner as all other driver's license records.

**History:** *1967 c 524 s 2; 1985 c 248 s 70; 1986 c 444*

**171.321 QUALIFICATIONS OF SCHOOL BUS AND TYPE III VEHICLE DRIVERS.**

Subdivision 1. **Endorsement.** No person shall drive a school bus when transporting school children to or from school or upon a school-related trip or activity without having a valid class A, class B, or class C driver's license with a school bus endorsement except that a person possessing a valid driver's license but not a school bus endorsement may drive a type III vehicle or a school bus, subject to the requirements of section 171.02, subdivisions 2, 2a, and 2b.

Subd. 2. **Rules.** (a) The commissioner of public safety shall prescribe rules governing (1) the physical qualifications of school bus drivers and tests required to obtain a school bus endorsement, and (2) the physical qualifications of type III vehicle drivers.

(b) The rules under paragraph (a) must provide that an applicant for a school bus endorsement or renewal is exempt from the physical qualifications and medical examination required to operate a school bus upon providing evidence of being medically examined and certified within the preceding 24 months as physically qualified to operate a commercial motor vehicle, pursuant to Code of Federal Regulations, title 49, part 391, subpart E, or rules of the commissioner of transportation incorporating those federal regulations. The commissioner shall accept physical examinations for school bus drivers conducted by medical examiners authorized as provided by Code of Federal Regulations, title 49, chapter 3, part 391, subpart E.

(c) The commissioner of public safety, in conjunction with the commissioner of education, shall adopt rules prescribing a training program for Head Start bus drivers. 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 Head Start agency, the Head Start grantee, a licensed driver training school, or by another person or entity approved by both commissioners.

(d) The commissioner may exempt a type III vehicle driver from the physical qualifications required to operate a type III vehicle upon receiving evidence of the driver having been medically examined and certified within the preceding 24 months as physically qualified to operate a commercial motor vehicle as provided for applicants for a school bus endorsement under paragraph (b).

(e) The actions of the commissioner of public safety in establishing physical qualifications for type III vehicle drivers are not rulemaking for purposes of chapter 14, are not subject to the Administrative Procedure Act contained in chapter 14, and are not subject to section 14.386.

Subd. 3. **Records check of applicant.** (a) Before issuing or renewing a school bus endorsement, the commissioner shall conduct a criminal history and driver's license records check of the applicant. The commissioner may also conduct the check at any time while a person is so licensed. The check must consist of a criminal history check of the state criminal records repository and a check of the driver's license records

system. If the applicant has resided in Minnesota for less than five years, the check must also include a national criminal history check. The commissioner shall accept the national criminal history check request and the fingerprints of the applicant and is authorized to exchange fingerprints with the Federal Bureau of Investigation and request the Federal Bureau of Investigation to conduct a criminal history check. The applicant's failure to cooperate with the commissioner in conducting the records check is reasonable cause to deny an application or cancel a school bus endorsement. The commissioner may not release the results of the records check to any person except the applicant or the applicant's designee in writing.

(b) The commissioner may issue to an otherwise qualified applicant a temporary school bus endorsement, effective for no more than 180 days, upon presentation of (1) an affidavit by the applicant that the applicant has not been convicted of a disqualifying offense and (2) a criminal history check from each state of residence for the previous five years. The criminal history check may be conducted and prepared by any public or private source acceptable to the commissioner. The commissioner may reissue the temporary endorsement if the national criminal records repository check is timely submitted but not completed within the 180-day period.

Subd. 4. **Training.** (a) No person shall drive a class A, B, C, or D school bus when transporting school children to or from school or upon a school-related trip or activity without having demonstrated sufficient skills and knowledge to transport students in a safe and legal manner.

(b) A bus driver must have training or experience that allows the driver to meet at least the following competencies:

(1) safely operate the type of school bus the driver will be driving;

(2) understand student behavior, including issues relating to students with disabilities;

(3) encourage orderly conduct of students on the bus and handle incidents of misconduct appropriately;

(4) know and understand relevant laws, rules of the road, and local school bus safety policies;

(5) handle emergency situations; and

(6) safely load and unload students.

(c) The commissioner of public safety shall develop a comprehensive model school bus driver training program and model assessments for school bus driver training competencies, which are not subject to chapter 14. A school district, nonpublic school, or private contractor may use alternative assessments for bus driver training competencies with the approval of the commissioner of public safety. A driver may receive at least eight hours of school bus in-service training any year, as an alternative to being assessed for bus driver competencies after the initial year of being assessed for bus driver competencies. The employer shall keep the assessment or a record of the in-service training for the current period available for inspection by representatives of the commissioner.

(d) A school district, nonpublic school, or private contractor shall provide in-service training annually to each school bus driver.

Subd. 5. **Annual evaluation and license verification.** (a) For purposes of this section, "annually" means at least once every 380 days from the initial or previous evaluation and at least once every 380 days from the initial or previous license verification.

(b) A school district, nonpublic school, or private contractor shall annually verify with the National Driver Register or with the Department of Public Safety the validity of the driver's license of each employee who regularly transports students for the district in:

(1) a type A school bus, a type B school bus, a type C school bus, or type D school bus;

(2) a multifunction school activity bus; or

(3) a type III vehicle.

**History:** *1971 c 644 s 16; 1975 c 265 s 1; 1985 c 291 s 23; 1987 c 379 s 2; 1989 c 140 s 13; 1990 c 529 s 9; 1993 c 57 s 1; 1994 c 483 s 1; 1994 c 603 s 17; 1994 c 647 art 12 s 29-32; 1Sp1995 c 3 art 2 s 42-44; art 16 s 13; 1996 c 275 s 12; 1997 c 187 art 3 s 25; 1Sp1997 c 4 art 12 s 31; 2000 c 489 art 6 s 33-36; 2001 c 98 s 1; 2002 c 321 s 2; 1Sp2003 c 9 art 1 s 48; art 10 s 13; 2004 c 206 s 29; 2004 c 294 art 2 s 31; 2007 c 146 art 8 s 13; 2008 c 350 art 1 s 64; 2009 c 96 art 8 s 12-14; 2010 c 351 s 37,73*

**171.3213 THIRD-PARTY TESTING OF SCHOOL BUS DRIVERS.**

A school district that is a third-party testing program and owns or operates school buses may enter into an agreement with other school districts to test the other districts' school bus driver employees. A school bus company that is a third-party testing program and owns or operates school buses may enter into an agreement with other school bus companies to test the other companies' school bus driver employees. A third-party testing program may be reimbursed by the tested driver's school district or company. The agreement must be submitted to the commissioner for approval. A certified third-party tester must be employed by a school district or a school bus company providing the testing services.

**History:** *1Sp2019 c 3 art 3 s 77*

**171.3215 CANCELING BUS ENDORSEMENT FOR CERTAIN OFFENSES.**

Subdivision 1. **Definitions.** (a) As used in this section, the following terms have the meanings given them.

(b) "School bus driver" means a person possessing a school bus driver's endorsement on a valid Minnesota driver's license or a person possessing a valid Minnesota driver's license who drives a vehicle with a seating capacity of ten or less persons used as a school bus.

(c) "Disqualifying offense" includes (1) any felony offense, (2) any misdemeanor, gross misdemeanor, or felony violation of chapter 152, (3) any violation under section 609.3451, 609.746, subdivision 1, 617.23, 617.246, 617.247, or 617.293, or (4) while driving, operating, or being in physical control of a school bus or a Head Start bus, a violation of section 169A.20 or a similar statute or ordinance from another state.

(d) "Head Start bus driver" means a person possessing a valid Minnesota driver's license:

(1) with a passenger endorsement, who drives a Head Start bus;

(2) with a school bus driver's endorsement, who drives a Head Start bus; or

(3) who drives a vehicle with a seating capacity of ten or fewer persons used as a Head Start bus.

Subd. 2. **Cancellation for disqualifying and other offenses.** Within ten days of receiving notice under section 631.40, subdivision 1a, or otherwise receiving notice for a nonresident driver, that a school bus driver has been convicted of a disqualifying offense, the commissioner shall permanently cancel the school bus driver's endorsement on the offender's driver's license and in the case of a nonresident, the driver's privilege

to operate a school bus in Minnesota. A school bus driver whose endorsement or privilege to operate a school bus in Minnesota has been permanently canceled may not apply for reinstatement. Within ten days of receiving notice under section 631.40, subdivision 1a, or otherwise receiving notice for a nonresident driver, that a school bus driver has been convicted of a violation of section 169A.20, or a similar statute or ordinance from another state, and within ten days of revoking a school bus driver's license under section 169A.52 or 171.177, the commissioner shall cancel the school bus driver's endorsement on the offender's driver's license or the nonresident's privilege to operate a school bus in Minnesota for five years. After five years, a school bus driver may apply to the commissioner for reinstatement. Even after five years, cancellation of a school bus driver's endorsement or a nonresident's privilege to operate a school bus in Minnesota for a violation under section 169A.20, sections 169A.50 to 169A.53, section 171.177, or a similar statute or ordinance from another state, shall remain in effect until the driver provides proof of successful completion of an alcohol or controlled substance treatment program. For a first offense, proof of completion is required only if treatment was ordered as part of a chemical use assessment. Within ten days of receiving notice under section 631.40, subdivision 1a, or otherwise receiving notice for a nonresident driver, that a school bus driver has been convicted of a fourth moving violation in the last three years, the commissioner shall cancel the school bus driver's endorsement on the offender's driver's license or the nonresident's privilege to operate a school bus in Minnesota until one year has elapsed since the last conviction. A school bus driver who has no new convictions after one year may apply for reinstatement. Upon canceling the offender's school bus driver's endorsement, the commissioner shall immediately notify the licensed offender of the cancellation in writing, by depositing in the United States post office a notice addressed to the licensed offender at the licensed offender's last known address, with postage prepaid thereon.

Subd. 2a. **Cancellation for crime against minor.** Within ten days of receiving notice that a Head Start bus driver has committed a crime against a minor, the commissioner shall permanently cancel the passenger endorsement on the offender's driver's license. Upon canceling the offender's passenger endorsement, the commissioner shall immediately notify the licensed offender of the cancellation in writing, by depositing in the United States post office a notice addressed to the licensed offender at the licensed offender's last known address, with postage prepaid thereon. For purposes of this subdivision, "crime against a minor" means an act committed against a minor victim that constitutes a violation of section 609.185, 609.19, 609.195, 609.20, 609.205, 609.2112, subdivision 1, 609.2114, subdivision 1, 609.221, 609.222, 609.223, 609.342, 609.343, 609.344, 609.345, 609.352 or Minnesota Statutes 2012, section 609.21, subdivision 1a, paragraph (a), or a felony violation of section 609.322, 609.324, or 609.377.

Subd. 3. **Background check.** Before issuing or renewing a driver's license with a school bus driver's endorsement, the commissioner shall conduct an investigation to determine if the applicant has been convicted of committing a disqualifying offense, four moving violations in the previous three years, a violation of section 169A.20 or a similar statute or ordinance from another state, a gross misdemeanor, or if the applicant's driver's license has been revoked under section 169A.52 or 171.177. The commissioner shall not issue a new bus driver's endorsement and shall not renew an existing bus driver's endorsement if the applicant has been convicted of committing a disqualifying offense. The commissioner shall not issue a new bus driver's endorsement and shall not renew an existing bus driver's endorsement if, within the previous five years, the applicant has been convicted of committing a violation of section 169A.20, or a similar statute or ordinance from another state, a gross misdemeanor, or if the applicant's driver's license has been revoked under section 169A.52 or 171.177, or if, within the previous three years, the applicant has been convicted of four moving violations. An applicant who has been convicted of violating section 169A.20, or a similar statute or ordinance from another state, or who has had a license revocation under section 169A.52 or 171.177 within the previous ten years must show proof of successful completion of an alcohol or controlled substance treatment program in order to receive a bus driver's endorsement. For a first offense, proof of completion is required only if treatment was ordered as part of a chemical use assessment. A school district or contractor that employs a

nonresident school bus driver must conduct a background check of the employee's driving record and criminal history in both Minnesota and the driver's state of residence. Convictions for disqualifying offenses, gross misdemeanors, a fourth moving violation within the previous three years, or violations of section 169A.20, or a similar statute or ordinance in another state, must be reported to the Department of Public Safety.

Subd. 4. **Waiver of permanent cancellation.** (a) The commissioner of public safety or the commissioner's designee, in consultation with the Division of Driver and Vehicle Services, may waive the permanent cancellation requirement of this section for a person convicted of a misdemeanor, a gross misdemeanor, a nonfelony violation of chapter 152, or a felony that is not a violent crime under section 609.1095.

(b) After notice to the requesting school district and contract provider of school bus transportation, the commissioner may waive the permanent cancellation requirement after ten years have elapsed since the person was convicted of a violation of section 609.582, subdivision 2, 3, or 4.

**History:** *1991 c 265 art 9 s 60; 1994 c 603 s 18; 1994 c 647 art 12 s 33; 1Sp1995 c 3 art 2 s 45-47; 1Sp1997 c 4 art 12 s 32; 1998 c 367 art 2 s 32; art 6 s 15; 1999 c 241 art 9 s 42,43; 2000 c 478 art 2 s 7; 2001 c 25 s 1; 2007 c 54 art 3 s 14; 2014 c 180 s 9; 2017 c 83 art 3 s 18*

**171.3216 ACTIONS ON SCHOOL BUS ENDORSEMENT.**

In addition to any authority granted under section 171.3215, the commissioner may cancel a school bus driver's endorsement on a driver's license of any person if the commissioner determines that the person has (1) been convicted of a gross misdemeanor that the commissioner determines shows evidence that the person represents a risk to public safety, or (2) been convicted of a series of violations of law that the commissioner determines shows evidence that the person represents a risk to public safety. Upon canceling the offender's school bus driver's endorsement, the commissioner shall immediately notify the offender of the cancellation in writing, by depositing in the United States post office a notice, with postage prepaid, to the offender addressed to the offender's last known address.

**History:** *2002 c 364 s 19*

**171.322 AGE LIMIT FOR OPERATOR OF VEHICLE FOR HIRE.**

No person under 18 years of age shall operate a motor vehicle while it is in use as a carrier of persons for hire, nor shall any person under 18 years of age drive a passenger carrying vehicle as a hired driver.

**History:** *1971 c 644 s 16*

**171.323** MS 1992 [Repealed, 1993 c 142 s 4]

**171.324 HAZARDOUS MATERIALS ENDORSEMENT BACKGROUND CHECKS.**

Subdivision 1. **Endorsement; fee; account; appropriation.** (a) Before being issued or renewing a class C, class B, or class A driver's license with a hazardous materials endorsement, an applicant must comply with the federal regulations incorporated in this section.

(b) The commissioner may charge the applicant a fee of up to $100 to cover the department's actual costs of conducting the required background check of persons applying for a Minnesota driver's license with a hazardous materials endorsement. The proceeds of the fee must be deposited in an account in the special revenue fund. Money in the account is annually appropriated to the commissioner to pay the actual costs associated with conducting the required background checks.

Subd. 2. **Adoption of federal regulations.** Public Law 107-56, section 1012, as implemented in Code of Federal Regulations, title 49, part 1572, is incorporated by reference except for sections 1572.9 and 1572.11.

Subd. 3. **Rules.** The commissioner may adopt rules pursuant to section 14.388, subdivision 1, clause (1), in order to implement this section.

**History:** *2004 c 295 art 1 s 14*

**171.325 DRIVER'S LICENSE SUSPENSIONS AND REVOCATIONS; REPORTS.**

Subdivision 1. **Issuance, suspensions, and revocations.** (a) Annually by February 15, the commissioner of public safety must report to the chairs and ranking minority members of the legislative committees with jurisdiction over public safety and transportation on the status of drivers' licenses issued, suspended, and revoked. The commissioner must make the report available on the department's website.

(b) At a minimum, the report must include:

(1) the total number of drivers' licenses issued, suspended, and revoked as of January 1 of the year the report is submitted, broken down by county;

(2) for each of the previous eight calendar years, the total number of drivers' licenses suspended and the number of suspended licenses reinstated; and

(3) for each of the previous eight calendar years, the total number of drivers' licenses revoked and the number of revoked licenses reinstated.

(c) For purposes of paragraph (b), clauses (1), (2), and (3), the report must identify each type of suspension or revocation authorized by statute or rule and include the number of licenses suspended or revoked for each type.

Subd. 2. **Charges, convictions, and fines.** (a) Annually by February 15, the state court administrator must report to the chairs and ranking minority members of the legislative committees with jurisdiction over public safety and transportation on (1) charges and convictions for driving after suspension or revocation, and (2) payment of fines for violations related to operation of a motor vehicle. The administrator must make the report available on the state court's website.

(b) At a minimum, the report must include:

(1) for each of the previous eight calendar years, the number of charges under section 171.24, subdivisions 1 and 2, broken down by the charges for each subdivision and indicating whether the court appointed the public defender to represent the defendant;

(2) for each of the previous eight calendar years, the number of convictions under section 171.24, subdivisions 1 and 2, broken down by the convictions for each subdivision and indicating whether the court appointed the public defender to represent the defendant; and

(3) for the past calendar year, for all charges on violations related to the operation of a motor vehicle and included on the uniform fine schedule authorized under section 609.101, subdivision 4, the percentage of fines, broken down by whether the court appointed the public defender to represent the defendant, that:

(i) were paid in full by the due date on the citation;

(ii) were paid in full through a payment plan;

(iii) accrued late charges;

(iv) were sent to court collections; and

(v) were sent to the Department of Revenue for collection.

**History:** *1Sp2021 c 5 art 4 s 84*

## DRIVER TRAINING SCHOOLS

### 171.33 DRIVER TRAINING SCHOOL; DEFINITIONS.

Subdivision 1. **Commercial driver training school or school.** "Commercial driver training school" or "school" means a business enterprise conducted by an individual, association, partnership, or corporation, which charges a fee, for the education and training of persons to drive motor vehicles or for the preparation of an applicant for a driver's license examination given by the state.

Subd. 2. **Instructor.** "Instructor" means any person, whether acting as operator of a commercial driver training school or as an employee of any such school, who teaches or supervises persons learning to drive motor vehicles or preparing to take an examination for a driver's license, and any person who supervises the work of any other instructor.

Subd. 3. **Commissioner.** "Commissioner" means the commissioner of public safety.

**History:** *1967 c 880 s 1; 1969 c 1129 art 1 s 18; 1986 c 444*

### 171.335 MOTORCYCLE SAFETY EDUCATION PROGRAM.

Subdivision 1. **Established; administration; rules.** A motorcycle safety education program is established. The program shall be administered by the commissioner of public safety. The program shall include but is not limited to training and coordination of motorcycle safety instructors, motorcycle safety promotion and public information, and reimbursement for the cost of approved courses offered by schools and organizations.

Subd. 2. **Reimbursements.** The commissioner of public safety, to the extent that funds are available, may reimburse schools and other approved organizations offering approved motorcycle safety education courses for up to 50 percent of the actual cost of the courses. If sufficient funds are not available, reimbursements shall be prorated. The commissioner may conduct audits and otherwise examine the records and accounts of schools and approved organizations offering the courses to insure the accuracy of the costs.

Subd. 3. **Appropriation.** (a) All funds in the motorcycle safety account created under section 171.06, subdivision 2a, are annually appropriated to the commissioner of public safety to carry out the purposes of subdivisions 1 and 2.

(b) Of the money appropriated under paragraph (a):

(1) not more than five percent shall be expended to defray the administrative costs of carrying out the purposes of subdivisions 1 and 2; and

(2) not more than 65 percent shall be expended for the combined purpose of training and coordinating the activities of motorcycle safety instructors and making reimbursements to schools and other approved organizations.

**History:** *1982 c 583 s 3; 1986 c 444; 1988 c 715 s 1; 1Sp1995 c 3 art 16 s 13; 1996 c 329 s 1; 1998 c 397 art 4 s 51; 1999 c 238 art 2 s 1; 2003 c 130 s 12; 2014 c 272 art 8 s 1,3; 2024 c 104 art 1 s 76*

**171.34 LICENSE FOR SCHOOL REQUIRED.**

No commercial driver training school shall be established or operated after January 1, 1968, unless such school has applied for and obtained a license from the commissioner. The commissioner shall issue or adopt rules governing the requirements for a license, which may include requirements concerning location, equipment, courses of instruction, previous records of the school and instructors, financial statements, filing of schedule of maximum fees and charges, character and reputation of the instructors, insurance in such sum and with such provisions as the commissioner deems necessary to protect the interests of the public, and such other matters as the commissioner may prescribe, but the applicant shall not be required to have qualified for a teacher's certificate as required in the public school system.

**History:** *1967 c 880 s 2; 1985 c 248 s 70*

**171.35 LICENSE FOR INSTRUCTOR REQUIRED.**

Subdivision 1. **Licensure required.** No person shall act as an instructor after January 1, 1968, unless such person has applied for and obtained a license from the commissioner. The commissioner shall issue or adopt rules governing the requirements for an instructor's license, which may include requirements concerning moral character, physical condition, knowledge of the courses of instruction and of motor vehicle laws and safety principles and practices, previous personnel and employment records, teaching experience and qualifications, and such other matters as the commissioner may prescribe, but the applicant shall not be required to have qualified for a teacher's certificate as required in the public school system.

Subd. 2. **Records check for instructor applicant.** (a) Before issuing a driving instructor license, the commissioner shall conduct a criminal history and driver's license records check of the applicant. The commissioner may also conduct the check at any time while a person is so licensed. The check must consist of a criminal history check of the state criminal records repository, a national criminal history check, and a check of the driver's license records system. The commissioner shall accept the applicant's signed informed consent form for the national criminal history check request, fingerprints, and required fees. The commissioner shall submit the applicant's signed informed consent form, fingerprints, and fees to the superintendent of the Bureau of Criminal Apprehension, who is authorized to exchange the fingerprints with the Federal Bureau of Investigation to obtain the applicant's national criminal history record information. The superintendent shall also retrieve Minnesota criminal history data and provide the results of both checks to the commissioner. Using the criminal history data provided by the superintendent, the commissioner shall determine whether the applicant is disqualified from licensure. The applicant's failure to cooperate with the commissioner in conducting the records check is reasonable cause to deny an application or suspend a driving instructor license.

(b) The commissioner may issue to an otherwise qualified applicant a temporary driving instructor license, effective for no more than 180 days, upon presentation of (1) an affidavit by the applicant that the applicant has not been convicted of a gross misdemeanor or felony, and (2) a criminal history check from each state of residence. The criminal history check may be conducted and prepared by any public or private

source acceptable to the commissioner. The commissioner may reissue the temporary endorsement if the national criminal records repository check is timely submitted but not completed within the 180-day period.

**History:** *1967 c 880 s 3; 1985 c 248 s 70; 2016 c 113 s 1*

**171.36 LICENSE FEES; RENEWAL.**

All licenses expire one year from the date of issuance and may be renewed upon application to the commissioner. Each application for an original or renewal school license must be accompanied by a fee of $150 and each application for an original or renewal instructor's license must be accompanied by a fee of $50. The license fees collected under sections 171.33 to 171.41 must be paid into the driver and vehicle services operating account under section 299A.705. A license fee must not be refunded in the event that the license is rejected or revoked.

**History:** *1967 c 880 s 4; 1981 c 357 s 65; 1982 c 424 s 43; 1Sp2005 c 6 art 2 s 45; 2023 c 68 art 7 s 18*

**171.37 INSPECTION AND EXAMINATION.**

The commissioner or an authorized representative shall inspect the school facilities and equipment of applicants and licensees and shall examine applicants for instructor's licenses. The commissioner shall issue or adopt such rules and do all things necessary and proper to accomplish the purposes of this section.

**History:** *1967 c 880 s 5; 1985 c 248 s 70; 1986 c 444*

**171.38 SCHOOL OR INSTRUCTOR LICENSE DENIAL OR REVOCATION.**

The commissioner may revoke or refuse to issue or renew a school or instructor's license in any case on finding that the applicant or licensee has not complied with, or has violated any of the provisions of sections 171.33 to 171.41 or any rule issued or adopted pursuant thereto. Any revoked license shall be returned to the commissioner by the licensee, and its holder cannot apply for a new license for a period as determined by the commissioner not to exceed one year from the date of such revocation.

**History:** *1967 c 880 s 6; 1985 c 248 s 70; 1986 c 444*

**171.39 EXEMPTIONS.**

(a) The provisions of sections 171.33 to 171.41 do not apply to any person giving driver training lessons without charge; to employers maintaining driver training schools without charge for their employees only; to a home school within the meaning of sections 120A.22 and 120A.24; or to schools or classes conducted by colleges, universities, and high schools as a part of the normal program for those institutions.

(b) Any person who is a certificated driver training instructor in a high school driver training program may give driver training instruction to persons over the age of 18 without acquiring a driver training school license or instructor's license, and those instructors may make a charge for that instruction, if there is no private commercial driver training school licensed under sections 171.33 to 171.41 within ten miles of the municipality where driver training instruction is given and there is no adult drivers training program in effect in the schools of the school district in which the trainee resides.

**History:** *1967 c 880 s 7; 1969 c 6 s 29; 1998 c 388 s 29; 1999 c 238 art 2 s 28; 1Sp2001 c 8 art 2 s 49*

**171.395 TELECONFERENCE DRIVER EDUCATION PROGRAM.**

Subdivision 1. **Authorization.** A licensed or approved driver education program that provides both classroom and behind-the-wheel instruction may offer teleconference driver education as provided in this section. For purposes of this section, the driver education program must offer both classroom and behind-the-wheel instruction.

Subd. 2. **Curriculum and instruction requirements.** (a) A teleconference driver education program must:

(1) meet the requirements as provided in section 171.0701, subdivision 1, and Minnesota Rules, chapter 7411, or successor rules;

(2) use teleconferencing, or another similar method, that provides live synchronous distance learning and ensures that student questions and comments can be addressed in real time;

(3) link all locations together with picture and sound;

(4) use classroom instruction curriculum identical to the curriculum used by the driver education program in an in-person setting;

(5) offer teleconference instruction to any student enrolled in the approved driver education program; and

(6) provide teleconference interactive supplemental parent curriculum consistent with section 171.0701, subdivision 1a.

(b) A student may receive teleconference instruction only if the driver education instructor verifies the student can interact with the instructor in real time with picture and sound.

**History:** *2023 c 68 art 4 s 62; 2024 c 104 art 1 s 77*

**171.396 ONLINE DRIVER EDUCATION PROGRAM.**

(a) A licensed or approved driver education program may offer online driver education as provided in this section. The online driver education program must satisfy the requirements for classroom driver education as provided in section 171.0701, subdivision 1, and Minnesota Rules, chapter 7411. In addition, an online driver education program must:

(1) include a means for the student to measure performance outcomes;

(2) use a pool of rotating quiz questions;

(3) incorporate accountability features to ensure the identity of the student while engaged in the course of online study;

(4) measure the amount of time that the student spends in the course;

(5) provide technical support to customers that is available 24 hours per day, seven days per week;

(6) require a licensed Minnesota driver education instructor to monitor each student's progress and be available to answer questions in a timely manner, provided that the instructor is not required to monitor progress or answer questions in real time;

(7) store course content and student data on a secure server that is protected against data breaches and is regularly backed up;

(8) incorporate preventive measures in place to protect against the access of private information;

(9) include the ability to update course content uniformly throughout the state; and

(10) provide online interactive supplemental parental curriculum consistent with section 171.0701, subdivision 1a.

(b) Except as required by this section, the commissioner is prohibited from imposing requirements on online driver education programs that are not equally applicable to classroom driver education programs.

**History:** *2023 c 68 art 4 s 63; 2024 c 104 art 1 s 78*

**171.397 FLEXIBLE INSTRUCTION PERMITTED.**

A student may receive a combination of online driver's education instruction under section 171.396, teleconference driver's education instruction under section 171.395, and classroom instruction if:

(1) the instruction is from a single licensed or authorized driver's education provider;

(2) the curriculum content is identical between the online, teleconference, and in-person settings; and

(3) the driver's education provider is authorized by the commissioner to provide students at least two methods of classroom instruction under the requirements of this chapter and Minnesota Rules, chapter 7411, or successor rules.

**History:** *1Sp2025 c 8 art 2 s 57*

**171.40 DRIVER TRAINING SCHOOL VIOLATION; PETTY MISDEMEANOR.**

A violation of any provision of sections 171.33 to 171.41 or any rule issued or adopted pursuant thereto shall be a petty misdemeanor.

**History:** *1967 c 880 s 8; 1969 c 6 s 30; Ex1971 c 27 s 27; 1985 c 248 s 70*

**171.41 COOPERATION OF STATE AGENCIES.**

The commissioner shall request and receive the assistance of other state departments and agencies in establishing rules pursuant to sections 171.33 to 171.41.

**History:** *1967 c 880 s 9; 1985 c 248 s 70*

## DRIVER LICENSE COMPACT

**171.50 DRIVER LICENSE COMPACT.**

The Driver License Compact is enacted into law and entered into with all other jurisdictions legally joining in it, in the form substantially as follows:

DRIVER LICENSE COMPACT

ARTICLE I

Findings and Declaration of Policy

(a) The party states find that:

(1) The safety of their streets and highways is materially affected by the degree of compliance with state and local ordinances relating to the operation of motor vehicles.

(2) Violation of such a law or ordinance is evidence that the violator engages in conduct which is likely to endanger the safety of persons and property.

(3) The continuance in force of a license to drive is predicated upon compliance with laws and ordinances relating to the operation of motor vehicles, in whichever jurisdiction the vehicle is operated.

(b) It is the policy of each of the party states to:

(1) Promote compliance with the laws, ordinances, and administrative rules and regulations relating to the operation of motor vehicles by their operators in each of the jurisdictions where such operators drive motor vehicles.

(2) Make the reciprocal recognition of licenses to drive and eligibility therefor more just and equitable by considering the overall compliance with motor vehicle laws, ordinances, and administrative rules and regulations as a condition precedent to the continuance or issuance of any license by reason of which the licensee is authorized or permitted to operate a motor vehicle in any of the party states.

ARTICLE II

Definitions

As used in this compact:

(a) "State" means a state, territory, or possession of the United States, the District of Columbia, or the Commonwealth of Puerto Rico.

(b) "Home state" means the state which has issued and has the power to suspend or revoke the use of the license or permit to operate a motor vehicle.

(c) "Conviction" means a conviction of any offense related to the use or operation of a motor vehicle which is prohibited by state law, municipal ordinance, or administrative rule or regulation, or a forfeiture of bail, bond, or other security deposited to secure appearance by a person charged with having committed any such offense, and which conviction or forfeiture is required to be reported to the licensing authority.

ARTICLE III

Reports of Convictions

The licensing authority of a party state shall report each conviction of a person from another party state occurring within its jurisdiction to the licensing authority of the home state of the licensee. Such report shall clearly identify the person convicted; describe the violation specifying the section of the statute, code, or ordinance violated; identify the court in which action was taken; indicate whether a plea of guilty or not guilty was entered, or the conviction was a result of the forfeiture of bail, bond, or other security; and shall include any special findings made in connection therewith.

ARTICLE IV

Effect of Conviction

(a) The licensing authority in the home state, for the purposes of suspension, revocation, or limitation of the license to operate a motor vehicle, shall give the same effect to the conduct reported, pursuant to article III of this compact, as it would if such conduct had occurred in the home state, in the case of convictions for:

(1) manslaughter or negligent homicide resulting from the operation of a motor vehicle;

(2) driving a motor vehicle while under the influence of intoxicating liquor or narcotic drug, or under the influence of any other drug to a degree which renders the driver incapable of safely driving a motor vehicle;

(3) any felony in the commission of which a motor vehicle is used;

(4) failure to stop and render aid in the event of a motor vehicle accident resulting in the death or personal injury of another.

(b) As to other convictions, reported pursuant to article III, the licensing authority in the home state shall give such effect to the conduct as provided by the laws of the home state.

(c) If the laws of a party state do not provide for offenses or violations denominated or described in precisely the words employed in subdivision (a) of this article, such party state shall construe the denominations and descriptions appearing in the subdivision (a) hereof as being applicable to and identifying those offenses or violations of a substantially similar nature and the laws of such party state shall contain such provisions as may be necessary to ensure that full force and effect is given to this article.

ARTICLE V

Applications for New Licenses

Upon application for a license to drive, the licensing authority in a party state shall ascertain whether the applicant has ever held, or is the holder of a license to drive issued by any other party state. The licensing authority in the state where application is made shall not issue a license to drive to the applicant if:

(1) The applicant has held such a license, but the same has been suspended by reason, in whole or in part, of a violation and if such suspension period has not terminated.

(2) The applicant has held such a license, but the same has been revoked by reason, in whole or in part, of a violation and if such revocation has not terminated, except that after the expiration of one year from the date the license was revoked, such person may make application for a new license if permitted by law. The licensing authority may refuse to issue a license to any such applicant if, after investigation, the licensing authority determines that it will not be safe to grant to such person the privilege of driving a motor vehicle on the public highways.

(3) The applicant is the holder of a license to drive issued by another party state and currently in force unless the applicant surrenders such license.

ARTICLE VI

Applicability of Other Laws

Except as expressly required by provisions of this compact, nothing contained herein shall be construed to affect the right of any party state to apply any of its other laws relating to licenses to drive to any person or circumstance, nor to invalidate or prevent any driver license agreement or other cooperative arrangement between a party state and a nonparty state.

ARTICLE VII

Compact Administrator and Interchange of Information

(a) The head of the licensing authority of each party state shall be the administrator of this compact for the state. The administrators, acting jointly, shall have the power to formulate all necessary and proper procedures for the exchange of information under this compact.

(b) The administrator of each party state shall furnish to the administrator of each other party state any information or documents reasonably necessary to facilitate the administration of this compact.

ARTICLE VIII

Entry Into Force and Withdrawal

(a) This compact shall enter into force and become effective as to any state when it has enacted the same into law.

(b) Any party state may withdraw from this compact by enacting a statute repealing the same, but no such withdrawal shall take effect until six months after the executive head of the withdrawing state has given notice of the withdrawal to the executive heads of all other party states. No withdrawal shall affect the validity or applicability by the licensing authorities of states remaining party to the compact of any report of conviction occurring prior to the withdrawal.

ARTICLE IX

Construction and Severability

This compact shall be liberally construed so as to effectuate the purposes thereof. The provisions of this compact shall be severable and if any phrase, clause, sentence, or provision of this compact is declared to be contrary to the constitution of any party state or of the United States, or the applicability thereof to any government, agency, person, or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person, or circumstance shall not be affected thereby. If this compact shall be held contrary to the constitution of any state party thereto, the compact shall remain in full force and effect as to the remaining states and in full force and effect as to the state affected as to all severable matters.

**History:** *1989 c 307 s 35*

**171.51 DEFINITIONS.**

Subdivision 1. **Executive head.** For purposes of sections 171.50 to 171.56, with reference to this state, the term "executive head" means the governor of Minnesota.

Subd. 2. **Licensing authority.** For purposes of sections 171.50 to 171.56, the term "licensing authority" with reference to this state means the Driver's License Division of the Minnesota Department of Public Safety.

**History:** *1989 c 307 s 36*

**171.52 TRANSFER OF INFORMATION.**

The licensing authority shall furnish to the appropriate authorities of any other party state information or documents reasonably necessary to facilitate the administration of section 171.50, articles III, IV, and V.

**History:** *1989 c 307 s 37*

**171.53 COMPACT ADMINISTRATOR.**

The compact administrator provided for in section 171.50, article VII, is not entitled to additional compensation on account of service as administrator, but is entitled to expenses incurred in connection with the duties and responsibilities as administrator, in the same manner as for expenses incurred in connection with other duties or responsibilities of employment. The compact administrator shall represent this state or shall appoint a representative for this state in the Driver License Compact Commission, and that commission has the authority to formulate procedures for exchanging information, as provided in section 171.50, article VII.

**History:** *1989 c 307 s 38*

**171.54 REPORTING TO LICENSING AUTHORITY.**

A court or other agency or political subdivision of this state, that has jurisdiction to take action regarding the suspension, revocation, cancellation, or other limitation of a license to drive, shall promptly report the action and the circumstances upon which it is based to the licensing authority on forms furnished by the department.

**History:** *1989 c 307 s 39*

**171.55 OUT-OF-STATE CONVICTIONS GIVEN EFFECT.**

The commissioner shall give the same effect for driver licensing purposes to conduct reported from a licensing authority or court in another state or province or territory of Canada that the commissioner would give to conduct reported from a court or other agency of this state, whether or not the other state or province or territory of Canada is a party to the Driver License Compact in section 171.50. The conduct to be given effect by the commissioner includes a report of conviction for an offense enumerated in section 171.50, article IV, or an offense described in sections 171.17 and 171.18.

**History:** *1989 c 307 s 40; 2007 c 54 art 3 s 6*

**171.56 FILING OF BYLAWS AND AMENDMENTS.**

The Driver License Compact Commission shall file a copy of its bylaws and amendments to the bylaws with the Minnesota secretary of state.

**History:** *1989 c 307 s 41*

## MISCELLANEOUS

### 171.60 MOTORCYCLE ROAD GUARD CERTIFICATE.

Subdivision 1. **Certificate required.** No person may perform traffic control as a motorcycle road guard as provided under chapter 169 without a valid motorcycle road guard certificate issued by the commissioner.

Subd. 2. **Certification qualifications and standards.** Through the Minnesota Motorcycle Safety Center, the commissioner of public safety shall:

(1) establish qualifications and requirements for a person to obtain a motorcycle road guard certificate under this section, which must include:

(i) a minimum 18 years of age;

(ii) possession of a valid driver's license; and

(iii) successful completion of a motorcycle road guard certification course;

(2) develop and offer, whether by the Minnesota Motorcycle Safety Center or authorized agents, a motorcycle road guard certification course; and

(3) establish safety and equipment standards for a person who operates under a motorcycle road guard certificate, including but not limited to specifying requirements for a reflective safety vest.

Subd. 3. **Fee.** The commissioner of public safety shall assess a fee for each applicant for a motorcycle road guard certificate, calculated to cover the commissioner's cost of establishing and administering the program.

Subd. 4. **Penalty.** A person who violates any provision of this section is guilty of a petty misdemeanor.

Subd. 5. **Rulemaking.** The commissioner of public safety shall adopt rules to carry out the provisions of this section. Notwithstanding section 16A.1283, the rules must specify the fee to be assessed under subdivision 3.

**History:** *2012 c 287 art 3 s 43*