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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH
SESSION

HOUSE FILE No. **3417**

March 8, 2010

Authored by Smith and by request

The bill was read for the first time and referred to the Transportation and Transit Policy and Oversight Division

A bill for an act

relating to drivers' licenses; requiring certain persons operating vehicle under instruction permit to display "student driver" sticker or magnet; amending Minnesota Statutes 2008, section 171.06, subdivision 2; Minnesota Statutes 2009 Supplement, section 171.05, subdivision 2b.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2009 Supplement, section 171.05, subdivision 2b, is amended to read:

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, or sections 169A.50 to 169A.53. If the permit

2.1 holder drives a motor vehicle in violation of the law, the commissioner shall suspend,
2.2 cancel, or revoke the permit in accordance with the statutory section violated.

2.3 (e) The permit holder may operate a vehicle only when the vehicle is displaying to
2.4 the rear of the vehicle a "student driver" sticker or magnet issued by the commissioner of
2.5 public safety. Violation of this paragraph is a petty misdemeanor. A peace officer may
2.6 not issue a citation for a violation of this paragraph unless the officer lawfully stopped
2.7 or detained the driver of the motor vehicle for a moving violation other than a violation
2.8 involving motor vehicle equipment. The Department of Public Safety shall not record a
2.9 violation of this paragraph on a person's driving record.

2.10 **EFFECTIVE DATE.** This section is effective July 1, 2010, and applies to persons
2.11 issued instruction permits on and after that date.

2.12 Sec. 2. Minnesota Statutes 2008, section 171.06, subdivision 2, is amended to read:

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

2.15	Classified Driver's License	D-\$22.25	C-\$26.25	B-\$33.25	A-\$41.25
2.16	Classified Under-21 D.L.	D-\$22.25	C-\$26.25	B-\$33.25	A-\$21.25
2.17	Instruction Permit				\$10.25
2.18	Provisional License				\$13.25
2.19	Duplicate License or				
2.20	duplicate identification				
2.21	card				\$11.75
2.22	Minnesota identification				
2.23	card or Under-21				
2.24	Minnesota identification				
2.25	card, other than duplicate,				
2.26	except as otherwise				
2.27	provided in section 171.07,				
2.28	subdivisions 3 and 3a				\$16.25

2.29 In addition to each fee required in this paragraph, the commissioner shall collect a
2.30 surcharge of \$1.75 until June 30, 2012. Surcharges collected under this paragraph must be
2.31 credited to the driver and vehicle services technology account in the special revenue fund
2.32 under section 299A.705.

2.33 (b) Notwithstanding paragraph (a), an individual who holds a provisional license and
2.34 has a driving record free of (1) convictions for a violation of section 169A.20, 169A.33,
2.35 169A.35, or sections 169A.50 to 169A.53, (2) convictions for crash-related moving
2.36 violations, and (3) convictions for moving violations that are not crash related, shall have a
2.37 \$3.50 credit toward the fee for any classified under-21 driver's license. "Moving violation"
2.38 has the meaning given it in section 171.04, subdivision 1.

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

3.7 (d) In addition to the instruction permit fee required under paragraph (a), the
3.8 commissioner shall issue to an instruction permit applicant under the age of 18 a "student
3.9 driver" sticker or magnet, at the option of the applicant. The fee for the sticker is \$5 and
3.10 the fee for the magnet is \$10. Proceeds of fees collected under this paragraph must be
3.11 deposited in the driver services operating account in the special revenue fund.

3.12 **EFFECTIVE DATE.** This section is effective July 1, 2010, and applies to persons
3.13 issued instruction permits on and after that date.