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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SEVENTH
SESSION

HOUSE FILE No. **867**

March 3, 2011

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The bill was read for the first time and referred to the Committee on Transportation Policy and Finance

April 28, 2011

Committee Recommendation and Adoption of Report:

To Pass as Amended and re-referred to the Committee on Ways and Means

1.1 A bill for an act
1.2 relating to drivers' licenses; modifying and clarifying provisions relating to
1.3 instruction permits; appropriating money; amending Minnesota Statutes 2010,
1.4 sections 171.05, subdivision 2; 171.06, subdivision 2.

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

1.6 Section 1. Minnesota Statutes 2010, section 171.05, subdivision 2, is amended to read:

1.7 Subd. 2. **Person less than 18 years of age.** (a) Notwithstanding any provision
1.8 in subdivision 1 to the contrary, the department may issue an instruction permit to an
1.9 applicant who is 15, 16, or 17 years of age and who:

1.10 (1) has completed a course of driver education in another state, has a previously
1.11 issued valid license from another state, or ~~is enrolled in either:~~

1.12 (i) the applicant is enrolled in behind-the-wheel training in a public, private, or
1.13 commercial driver education program that utilizes simulation or behind-the-wheel
1.14 instruction and that is approved by the commissioner of public safety; and

1.15 (ii) the applicant:

1.16 (A) has successfully completed the classroom phase of instruction in a public,
1.17 private, or commercial driver education program that is approved by the commissioner of
1.18 public safety and that includes classroom and behind-the-wheel training; or;

1.19 ~~(ii) an approved behind-the-wheel driver education program~~ (B) has successfully
1.20 completed home school driver training, when the student is receiving full-time instruction
1.21 in a home school within the meaning of sections 120A.22 and 120A.24, the student is
1.22 working toward a home_school diploma, the student's status as a home_school student has
1.23 been certified by the superintendent of the school district in which the student resides,

2.1 and the ~~student is taking home-classroom driver training with~~ classroom materials are
2.2 approved by the commissioner of public safety; or

2.3 (C) concurrent to the instruction under item (i), is enrolled in the classroom phase of
2.4 instruction in a public, private, or commercial driver education program that is approved
2.5 by the commissioner of public safety, and completes 15 hours of classroom instruction and
2.6 one behind-the-wheel lesson with an instructor;

2.7 ~~(2) has completed the classroom phase of instruction in the driver education program;~~

2.8 ~~(3)~~ (2) has passed a test of the applicant's eyesight;

2.9 ~~(4)~~ (3) has passed a department-administered test of the applicant's knowledge
2.10 of traffic laws;

2.11 ~~(5)~~ (4) has completed the required application, which must be approved by (i) either
2.12 parent when both reside in the same household as the minor applicant or, if otherwise,
2.13 then (ii) the parent or spouse of the parent having custody or, in the event there is no court
2.14 order for custody, then (iii) the parent or spouse of the parent with whom the minor is
2.15 living or, if items (i) ~~to~~ through (iii) do not apply, then (iv) the guardian having custody of
2.16 the minor, ~~(v) the foster parent or the director of the transitional living program in which~~
2.17 ~~the child resides~~ or, in the event a person under the age of 18 has no living father, mother,
2.18 or guardian, then (v) the foster parent or the director of the transitional living program
2.19 in which the child resides or, if items (i) through (v) do not apply or the minor applicant
2.20 is married or otherwise legally emancipated, then (vi) the applicant's adult spouse, adult
2.21 close family member, or adult employer; provided, that the approval required by this
2.22 clause contains a verification of the age of the applicant and the identity of the parent,
2.23 guardian, foster parent, program director, adult spouse, adult close family member, or
2.24 adult employer; and

2.25 ~~(6)~~ (5) has paid ~~the fee~~ all fees required in section 171.06, subdivision 2.

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

2.29 Sec. 2. Minnesota Statutes 2010, section 171.06, subdivision 2, is amended to read:

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

2.32	Classified Driver's License	D-\$22.25	C-\$26.25	B-\$33.25	A-\$41.25
2.33	Classified Under-21 D.L.	D-\$22.25	C-\$26.25	B-\$33.25	A-\$21.25
2.34	Enhanced Driver's License	D-\$37.25	C-\$41.25	B-\$48.25	A-\$56.25
2.35	Instruction Permit				\$10.25

3.1	Enhanced Instruction	
3.2	Permit	\$25.25
3.3	Provisional License	\$13.25
3.4	Enhanced Provisional	
3.5	License	\$28.25
3.6	Duplicate License or	
3.7	duplicate identification	
3.8	card	\$11.75
3.9	Enhanced Duplicate	
3.10	License or enhanced	
3.11	duplicate identification	
3.12	card	\$26.75
3.13	Minnesota identification	
3.14	card or Under-21	
3.15	Minnesota identification	
3.16	card, other than duplicate,	
3.17	except as otherwise	
3.18	provided in section 171.07,	
3.19	subdivisions 3 and 3a	\$16.25
3.20	Enhanced Minnesota	
3.21	identification card	\$31.25

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

3.26 (b) Notwithstanding paragraph (a), an individual who holds a provisional license and
 3.27 has a driving record free of (1) convictions for a violation of section 169A.20, 169A.33,
 3.28 169A.35, or sections 169A.50 to 169A.53, (2) convictions for crash-related moving
 3.29 violations, and (3) convictions for moving violations that are not crash related, shall have a
 3.30 \$3.50 credit toward the fee for any classified under-21 driver's license. "Moving violation"
 3.31 has the meaning given it in section 171.04, subdivision 1.

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

3.38 (d) In addition to the instruction permit fee required under paragraph (a), the
 3.39 commissioner shall collect an additional \$5 program implementation fee from an applicant
 3.40 who is enrolled in concurrent driver education instruction as provided in section 171.05,
 3.41 subdivision 2, paragraph (a), clause (1), item (ii), subitem (C). The commissioner shall
 3.42 terminate the fee under this paragraph when the department has fully recovered its

4.1 costs to implement concurrent classroom phase and behind-the-wheel instruction under
4.2 section 171.05. The commissioner shall deposit proceeds of the fee in the driver services
4.3 operating account in the special revenue fund. Proceeds from the fee under this paragraph
4.4 are annually appropriated to the commissioner from the driver services operating account
4.5 for administrative costs to implement concurrent driver education.