

HOUSE OF REPRESENTATIVES

EIGHTY-SEVENTH SESSION

H. F. No. 867

03/03/2011 Authored by Anderson, B.; Davids and Erickson

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

04/28/2011 Adoption of Report: Pass as Amended and re-referred to the Committee on Ways and Means

04/23/2012 Adoption of Report: Pass as Amended and Read Second Time

1.1 A bill for an act
 1.2 relating to drivers' licenses; modifying and clarifying provisions relating to
 1.3 instruction permits; amending Minnesota Statutes 2011 Supplement, section
 1.4 171.05, subdivision 2.

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

1.6 Section 1. Minnesota Statutes 2011 Supplement, section 171.05, subdivision 2, is
 1.7 amended to read:

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

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

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

1.16 (ii) the applicant:

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

1.20 ~~(ii) an approved behind-the-wheel driver education program~~ (B) has successfully
 1.21 completed home-school driver training, when the student is receiving full-time instruction
 1.22 in a home school within the meaning of sections 120A.22 and 120A.24, the student is
 1.23 working toward a homeschool diploma, the student is taking home-classroom driver
 1.24 training with classroom materials approved by the commissioner of public safety, and the

2.1 student's parent has certified the student's ~~homeschool~~ home school and home-classroom
 2.2 driver training status on the form approved by the commissioner; 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;

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

2.7 ~~(3)~~ (2) has passed a test of the applicant's eyesight;

2.8 ~~(4)~~ (3) has passed a department-administered test of the applicant's knowledge
 2.9 of traffic laws;

2.10 ~~(5)~~ (4) has completed the required application, which must be approved by (i) either
 2.11 parent when both reside in the same household as the minor applicant or, if otherwise,

2.12 then (ii) the parent or spouse of the parent having custody or, in the event there is no

2.13 court order for custody, then (iii) the parent or spouse of the parent with whom the minor

2.14 is living or, if items (i) to (iii) do not apply, then (iv) the guardian having custody of the

2.15 minor, ~~(v) the foster parent or the director of the transitional living program in which the~~

2.16 ~~child resides~~ or, in the event a person under the age of 18 has no living father, mother, or

2.17 guardian, ~~or~~ then (v) the foster parent or the director of the transitional living program in

2.18 which the child resides or, if items (i) to (v) do not apply or the minor applicant is married

2.19 or otherwise legally emancipated, then (vi) the applicant's adult spouse, adult close family

2.20 member, or adult employer; provided, that the approval required by this clause contains

2.21 a verification of the age of the applicant and the identity of the parent, guardian, foster

2.22 parent, program director, adult spouse, adult close family member, or adult employer; and

2.23 ~~(6)~~ (5) has paid ~~the fee~~ all fees required in section 171.06, subdivision 2.

2.24 (b) For the purposes of determining compliance with the certification of paragraph

2.25 (a), clause (1), item (ii), subitem (B), the commissioner may request verification of a

2.26 student's homeschool status from the superintendent of the school district in which the

2.27 student resides and the superintendent shall provide that verification.

2.28 (c) The instruction permit is valid for two years from the date of application and

2.29 may be renewed upon payment of a fee equal to the fee for issuance of an instruction

2.30 permit under section 171.06, subdivision 2.