

1.1 **Senator Mathews from the Committee on Civil Law and Data Practices Policy, to**  
1.2 **which was re-referred**

1.3 **S.F. No. 3531:** A bill for an act relating to transportation; authorizing third-party  
1.4 commercial driver's license road tests; authorizing rulemaking; appropriating money;  
1.5 amending Minnesota Statutes 2021 Supplement, section 171.13, subdivision 1; proposing  
1.6 coding for new law in Minnesota Statutes, chapter 171; repealing Minnesota Rules, part  
1.7 7411.0630, subpart 6.

1.8 Reports the same back with the recommendation that the bill be amended as follows:

1.9 Page 5, line 13, delete "rising" and insert "arising"

1.10 Page 7, delete subdivision 17 and insert:

1.11 "Subd. 17. Rulemaking. (a) Except where otherwise provided by this section, the  
1.12 commissioner must apply applicable provisions from Minnesota Rules, parts 7410.6000 to  
1.13 7410.6540, to third-party testing of commercial drivers' licenses. The provisions in Minnesota  
1.14 Rules, parts 7410.6160, 7410.6180, 7410.6280, 7410.6290, 7410.6520, subpart 2, and  
1.15 7410.6540, do not apply to third-party testing for commercial drivers' licenses.

1.16 (b) To the extent that Minnesota Rules, parts 7410.6000 to 7410.6540, or other laws do  
1.17 not prescribe requirements on the following topics, the commissioner may adopt rules on  
1.18 these topics as they pertain to third-party testing programs and testers:

1.19 (1) criteria for approval of an application of a third-party testing program or tester;

1.20 (2) requirements for training to become a third-party testing program or tester;

1.21 (3) the method of scoring and evaluating an applicant for a commercial driver's license;

1.22 (4) the method and criteria for determining test routes;

1.23 (5) documentation necessary to conduct a road test;

1.24 (6) the manner of conducting a road test for a commercial driver's license; and

1.25 (7) a process to investigate alleged violations of law and complaints made against  
1.26 third-party testing programs and testers.

1.27 (c) The commissioner must not adopt rules that create standards for third-party testing  
1.28 programs and third-party testers to provide road tests for a commercial driver's license that  
1.29 are higher than standards required for the state or state employees who perform road tests  
1.30 for commercial drivers' licenses.

1.31 (d) If the commissioner does not adopt rules by June 1, 2024, rulemaking authority under  
1.32 this section is repealed. Rulemaking authority under this section is not continuing authority

2.1 to amend or repeal rules. Notwithstanding section 14.125, any additional action on rules  
2.2 after adoption must be under specific statutory authority to take the additional action."

2.3 And when so amended the bill do pass and be re-referred to the Committee on Finance.  
2.4 Amendments adopted. Report adopted.

2.5 .....  
2.6 *Andrew Mathews*  
(Committee Chair)

2.7 March 24, 2022.....  
2.8 (Date of Committee recommendation)