

1.1 **Senator Kiffmeyer from the Committee on State Government Finance and Policy**
1.2 **and Elections, to 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; appropriating money; amending Minnesota Statutes
1.5 2021 Supplement, section 171.13, subdivision 1; proposing coding for new law in Minnesota
1.6 Statutes, chapter 171.

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

1.8 Page 1, line 10, delete "Each" and insert "An"

1.9 Page 2, line 26, delete "Road" and insert "Road" and delete "actual"

1.10 Page 2, line 29, delete "individual who is an"

1.11 Page 2, line 30, delete "and" and insert "who"

1.12 Page 3, line 3, delete everything after "(a)" and insert "An"

1.13 Page 4, delete line 3

1.14 Page 4, line 4, delete "(2)" and insert "(1)"

1.15 Page 4, line 5, delete "(3)" and insert "(2)"

1.16 Page 4, line 6, after the second comma, insert "part 380, section 605, and"

1.17 Page 4, line 26, after "applicant" insert "for a commercial driver's license"

1.18 Page 5, line 1, delete everything after "383"

1.19 Page 5, line 2, delete everything before the period

1.20 Page 5, delete line 9

1.21 Page 5, line 10, before "A" insert "(a)"

1.22 Page 5, after line 12, insert:

1.23 "(b) A third-party tester must not conduct a fourth or subsequent road test for a person."

1.24 Page 5, line 13, delete "Indemnification" and insert "Immunity"

1.25 Page 5, line 18, delete "the commissioner or"

1.26 Page 6, line 27, delete "receiving" and insert "the mailing date of"

1.27 Page 6, line 31, delete the first "receipt" and insert "the mailing date" and delete
1.28 everything after the period

1.29 Page 6, line 32, delete everything before "may" and insert "The third-party testing
1.30 program or third-party tester"

2.1 Page 6, line 33, after "14" insert "within 20 days of receipt of the commissioner's
2.2 decision"

2.3 Page 7, line 1, delete "affected party" and insert "third-party testing program or third-party
2.4 tester"

2.5 Page 7, line 2, delete "receiving" and insert "the mailing date of"

2.6 Page 7, delete subdivision 17 and insert:

2.7 "Subd. 17. **Rulemaking.** (a) To the extent that Minnesota Rules, parts 7410.600 to
2.8 7410.6540, or other laws do not prescribe requirements on the following topics, the
2.9 commissioner may adopt rules on these topics as they pertain to third-party testing programs
2.10 and testers:

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

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

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

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

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

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

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

2.19 (b) The commissioner must not adopt rules that create standards for third-party testing
2.20 programs and third-party testers to provide road tests for a commercial driver's license that
2.21 are higher than standards required for the state or state employees who perform road tests
2.22 for commercial driver's licenses.

2.23 (c) If the commissioner does not adopt rules by June 1, 2024, rulemaking authority under
2.24 this section is repealed. Rulemaking authority under this section is not continuing authority
2.25 to amend or repeal rules. Notwithstanding section 14.125, any additional action on rules
2.26 after adoption must be under specific statutory authority to take the additional action."

2.27 Page 7, before line 11, insert:

2.28 "Sec. 3. **RULES.**

2.29 If the commissioner of public safety determines that any additional rules, beyond those
2.30 authorized to be adopted under Minnesota Statutes, section 171.135, are required to

3.1 implement this act, the commissioner must report to the chairs and ranking minority members
 3.2 of the committees in the senate and house of representatives with jurisdiction over
 3.3 transportation by January 15, 2023, describing topics on which additional rulemaking is
 3.4 required. The report must include draft legislation to authorize the necessary rulemaking."

3.5 Page 7, line 12, delete "\$425,000" and insert "\$429,000" and delete "\$369,000" and
 3.6 insert "\$390,000" and delete "\$369,000" and insert "\$390,000"

3.7 Page 7, after line 15, insert:

3.8 "Sec. 5. **REPEALER.**

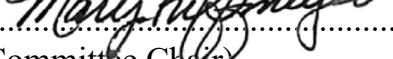
3.9 Minnesota Rules, part 7411.0630, subpart 6, is repealed."

3.10 Renumber the sections in sequence

3.11 Amend the title as follows:

3.12 Page 1, line 3, after the first semicolon, insert "authorizes rulemaking;"

3.13 And when so amended the bill do pass and be re-referred to the Committee on Civil
 3.14 Law and Data Practices Policy. Amendments adopted. Report adopted.

3.15 
 3.16 (Committee Chair)

3.17 March 23, 2022.....
 3.18 (Date of Committee recommendation)