

1.1 Senator moves to amend S.F. No. 27 as follows:

1.2 Page 1, after line 12, insert:

1.3 "Section 1. Minnesota Statutes 2022, section 171.04, subdivision 1, is amended to read:

1.4 Subdivision 1. **Persons not eligible.** The department shall not issue a driver's license:

1.5 (1) to any person under 18 years unless:

1.6 (i) the applicant is 16 or 17 years of age and has a previously issued valid license from
1.7 another state or country or the applicant has, for the 12 consecutive months preceding
1.8 application, held a provisional license and during that time has incurred (A) no conviction
1.9 for a violation of section 169A.20, 169A.33, 169A.35, sections 169A.50 to 169A.53, or
1.10 section 171.177, (B) no conviction for a crash-related moving violation, and (C) not more
1.11 than one conviction for a moving violation that is not crash related. "Moving violation"
1.12 means a violation of a traffic regulation but does not include a parking violation, vehicle
1.13 equipment violation, or warning citation;

1.14 (ii) the application for a license is approved by (A) either parent when both reside in the
1.15 same household as the minor applicant or, if otherwise, then (B) the parent or spouse of the
1.16 parent having custody or, in the event there is no court order for custody, then (C) the parent
1.17 or spouse of the parent with whom the minor is living or, if subitems (A) to (C) do not apply,
1.18 then (D) the guardian having custody of the minor, (E) the foster parent or director of the
1.19 transitional living program in which the child resides or, in the event a person under the age
1.20 of 18 has no living father, mother, or guardian, or is married or otherwise legally
1.21 emancipated, then (F) the minor's adult spouse, adult close family member, or adult employer;
1.22 provided, that the approval required by this item contains a verification of the age of the
1.23 applicant and the identity of the parent, guardian, adult spouse, adult close family member,
1.24 or adult employer; and

1.25 (iii) the applicant presents a certification by the person who approves the application
1.26 under item (ii), stating that the applicant has driven a motor vehicle accompanied by and
1.27 under supervision of a licensed driver at least 21 years of age for at least ten hours during
1.28 the period of provisional licensure;

1.29 (2) to any person who is 18 years of age or younger, unless the person has applied for,
1.30 been issued, and possessed the appropriate instruction permit for a minimum of six months,
1.31 and, with respect to a person under 18 years of age, a provisional license for a minimum of
1.32 12 months;

1.33 (3) to any person who is 19 years of age or older, unless:

2.1 (i) that person has applied for, been issued, and possessed the appropriate instruction
2.2 permit for a minimum of three months; and

2.3 (ii) for a person who is subject to driver education requirements under section 171.05,
2.4 subdivision 1, paragraph (b), that person has successfully completed a course of driver
2.5 education in accordance with department requirements;

2.6 (4) to any person whose license has been suspended during the period of suspension
2.7 except that a suspended license may be reinstated during the period of suspension upon the
2.8 licensee furnishing proof of financial responsibility in the same manner as provided in the
2.9 Minnesota No-Fault Automobile Insurance Act;

2.10 (5) to any person whose license has been revoked except upon furnishing proof of
2.11 financial responsibility in the same manner as provided in the Minnesota No-Fault
2.12 Automobile Insurance Act and if otherwise qualified;

2.13 (6) to any drug-dependent person, as defined in section 254A.02, subdivision 5;

2.14 (7) to any person who has been adjudged legally incompetent by reason of mental illness,
2.15 mental deficiency, or inebriation, and has not been restored to capacity, unless the department
2.16 is satisfied that the person is competent to operate a motor vehicle with safety to persons
2.17 or property;

2.18 (8) to any person who is required by this chapter to take a vision, knowledge, or road
2.19 examination, unless the person has successfully passed the examination. An applicant who
2.20 fails four road tests must complete a minimum of six hours of behind-the-wheel instruction
2.21 with an approved instructor before taking the road test again;

2.22 (9) to any person who is required under the Minnesota No-Fault Automobile Insurance
2.23 Act to deposit proof of financial responsibility and who has not deposited the proof;

2.24 (10) to any person when the commissioner has good cause to believe that the operation
2.25 of a motor vehicle on the highways by the person would be inimical to public safety or
2.26 welfare;

2.27 (11) to any person when, in the opinion of the commissioner, the person is afflicted with
2.28 or suffering from a physical or mental disability or disease that will affect the person in a
2.29 manner as to prevent the person from exercising reasonable and ordinary control over a
2.30 motor vehicle while operating it upon the highways;

2.31 (12) to a person who is unable to read and understand official signs regulating, warning,
2.32 and directing traffic;

3.1 (13) to a child for whom a court has ordered denial of driving privileges under section
3.2 260C.201, subdivision 1, or 260B.235, subdivision 5, until the period of denial is completed;
3.3 or

3.4 (14) to any person whose license has been canceled, during the period of cancellation."

3.5 Page 1, after line 17, insert:

3.6 "Sec. 3. Minnesota Statutes 2022, section 171.05, subdivision 1, is amended to read:

3.7 Subdivision 1. **Person 18 or more years of age.** (a) Any person who is 18 or more years
3.8 of age and who, except for a lack of instruction in operating a motor vehicle, would otherwise
3.9 be qualified to obtain a class D driver's license under this chapter, may apply for an
3.10 instruction permit ~~and the department shall~~. Subject to paragraph (b), the commissioner
3.11 must issue the instruction permit.

3.12 (b) An applicant for an instruction permit who is 18 or more years of age and has not
3.13 demonstrated United States citizenship or lawful presence in the United States must:

3.14 (1) complete:

3.15 (i) 30 hours of classroom instruction in a driver education program that includes classroom
3.16 and behind-the-wheel training; or

3.17 (ii) 15 hours of classroom instruction in a driver education program that presents
3.18 classroom and behind-the-wheel instruction concurrently; and

3.19 (2) be enrolled in behind-the-wheel training in a driver education program.

3.20 (c) The instruction permit entitles the applicant to drive a motor vehicle for which a
3.21 class D license is valid upon the highways for a period of two years if the permit holder:

3.22 (1) has the permit in immediate possession; and

3.23 (2) is driving the vehicle while accompanied by an adult licensed driver who is actually
3.24 occupying a seat beside the driver.

3.25 ~~(b)~~ (d) Any license of a lower class may be used as an instruction permit to operate a
3.26 vehicle requiring a higher class license for a period of six months after passage of the written
3.27 test or tests required for the higher class and when the licensee is accompanied by and
3.28 receiving instruction from a holder of the appropriate higher class license. A copy of the
3.29 record of examination taken for the higher class license must be carried by the driver while
3.30 using the lower class license as an instruction permit.

4.1 (e) A driver education program under this subdivision includes a public, private, or
4.2 commercial program and must be approved by the commissioner."

4.3 Page 9, after line 4, insert:

4.4 "Sec. 11. Minnesota Statutes 2022, section 171.13, subdivision 1, is amended to read:

4.5 Subdivision 1. **Examination subjects and locations; provisions for color blindness,**
4.6 **disabled veterans.** (a) An applicant for a driver's license must pass the examination required
4.7 by this section before being issued a driver's license. Except as otherwise provided in this
4.8 section 171.135, the commissioner shall examine each applicant for a driver's license by
4.9 such agency as the commissioner directs must conduct the examination. This examination
4.10 must include:

4.11 (1) a test of the applicant's eyesight, provided that this requirement is met by submission
4.12 of a vision examination certificate under section 171.06, subdivision 7;

4.13 (2) a test of the applicant's ability to read and understand highway signs regulating,
4.14 warning, and directing traffic;

4.15 (3) a test of the applicant's knowledge of (i) traffic laws; (ii) the effects of alcohol and
4.16 drugs on a driver's ability to operate a motor vehicle safely and legally, and of the legal
4.17 penalties and financial consequences resulting from violations of laws prohibiting the
4.18 operation of a motor vehicle while under the influence of alcohol or drugs; (iii) railroad
4.19 grade crossing safety; (iv) slow-moving vehicle safety; (v) laws relating to pupil
4.20 transportation safety, including the significance of school bus lights, signals, stop arm, and
4.21 passing a school bus; (vi) traffic laws related to bicycles; and (vii) the circumstances and
4.22 dangers of carbon monoxide poisoning;

4.23 (4) an actual demonstration of ability to exercise ordinary and reasonable control in the
4.24 operation of a motor vehicle; and

4.25 (5) other physical and mental examinations as the commissioner finds necessary to
4.26 determine the applicant's fitness to operate a motor vehicle safely upon the highways.

4.27 (b) Notwithstanding paragraph (a), the commissioner must not deny an application for
4.28 a driver's license based on the exclusive grounds that the applicant's eyesight is deficient in
4.29 color perception or that the applicant has been diagnosed with diabetes mellitus. War veterans
4.30 operating motor vehicles especially equipped for disabled persons, if otherwise entitled to
4.31 a license, must be granted such license.

5.1 (c) The commissioner ~~shall~~ must make provision for giving the examinations under this
5.2 subdivision either in the county where the applicant resides or at a place adjacent thereto
5.3 reasonably convenient to the applicant.

5.4 (d) The commissioner ~~shall~~ must ensure that an applicant is able to obtain an appointment
5.5 for an examination to demonstrate ability under paragraph (a), clause (4), within 14 days
5.6 of the applicant's request if, under the applicable statutes and rules of the commissioner,
5.7 the applicant is eligible to take the examination.

5.8 Sec. 12. [171.395] ONLINE DRIVER EDUCATION PROGRAM.

5.9 (a) A licensed driver education program may provide online driver education as provided
5.10 in this section. The online driver education program must satisfy the requirements for
5.11 classroom driver education as provided in section 171.0701, subdivision 1, and Minnesota
5.12 Rules, chapter 7411. In addition, an online driver education program must:

5.13 (1) include a means for the student to measure performance outcomes;

5.14 (2) use a pool of rotating quiz questions;

5.15 (3) incorporate accountability features to ensure the identity of the student while engaged
5.16 in the course of online study;

5.17 (4) measure the amount of time that the student spends in the course;

5.18 (5) provide technical support to customers that is available 24 hours per day, seven days
5.19 per week;

5.20 (6) require a licensed Minnesota driver education instructor to monitor each student's
5.21 progress and be available to answer questions in a timely manner, provided that the instructor
5.22 is not required to monitor progress or answer questions in real time;

5.23 (7) store course content and student data on a secure server that is protected against data
5.24 breaches and is regularly backed up;

5.25 (8) incorporate preventive measures in place to protect against the access of private
5.26 information;

5.27 (9) include the ability to update course content uniformly throughout the state; and

5.28 (10) provide online interactive supplemental parental curriculum consistent with section
5.29 171.0701, subdivision 1a.

6.1 (b) Except as required by this section, the commissioner is prohibited from imposing
6.2 requirements on online driver education programs that are not equally applicable to classroom
6.3 driver education programs."

6.4 Page 9, delete section 10 and insert:

6.5 "Sec. 14. **REPEALER.**

6.6 (a) Minnesota Statutes 2022, section 171.015, subdivision 7, is repealed.

6.7 (b) Minnesota Rules, part 7411.0535, is repealed.

6.8 **EFFECTIVE DATE.** Paragraph (b) is effective July 1, 2023."

6.9 Renumber the sections in sequence and correct the internal references

6.10 Amend the title accordingly