

## SF4169 - 0 - Rulemaking; Comm. Motor Vehicle Testing Program

Chief Author: **Jordan Rasmusson**  
 Committee: **Transportation**  
 Date Completed: **3/13/2024 10:53:11 AM**  
 Lead Agency: **Public Safety Dept**  
 Other Agencies:  
     Administrative Hearings

State Fiscal Impact	Yes	No
Expenditures	X	
Fee/Departmental Earnings	X	
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative.  
 Reductions shown in the parentheses.

State Cost (Savings)		Biennium			Biennium	
Dollars in Thousands		FY2023	FY2024	FY2025	FY2026	FY2027
<b>Administrative Hearings</b>		-	-	-	-	-
Administrative Hearings		-	-	-	-	-
<b>Public Safety Dept</b>						
Restrict Misc. Special Revenue		-	-	4	-	-
<b>State Total</b>						
Administrative Hearings		-	-	-	-	-
Restrict Misc. Special Revenue		-	-	4	-	-
<b>Total</b>		-	-	4	-	-
<b>Biennial Total</b>				4		-

Full Time Equivalent Positions (FTE)		Biennium			Biennium	
		FY2023	FY2024	FY2025	FY2026	FY2027
Administrative Hearings		-	-	-	-	-
Administrative Hearings		-	-	-	-	-
<b>Public Safety Dept</b>						
Restrict Misc. Special Revenue		-	-	-	-	-
<b>Total</b>		-	-	-	-	-

**Lead LBO Analyst's Comment**

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

**LBO Signature:** Laura Cecko      **Date:** 3/13/2024 10:53:11 AM  
**Phone:** 651-284-6543      **Email:** laura.cecko@lbo.mn.gov

**State Cost (Savings) Calculation Details**

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

\*Transfers In/Out and Absorbed Costs are only displayed when reported.

<b>State Cost (Savings) = 1-2</b>		<b>Biennium</b>		<b>Biennium</b>	
<b>Dollars in Thousands</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>
Administrative Hearings	-	-	-	-	-
Administrative Hearings	-	-	-	-	-
Public Safety Dept					
Restrict Misc. Special Revenue	-	-	4	-	-
<b>Total</b>	-	-	<b>4</b>	-	-
<b>Biennial Total</b>			<b>4</b>		-
<b>1 - Expenditures, Absorbed Costs*, Transfers Out*</b>					
Administrative Hearings	-	-	-	-	-
Administrative Hearings	-	-	1	-	-
Public Safety Dept					
Restrict Misc. Special Revenue	-	-	4	-	-
<b>Total</b>	-	-	<b>5</b>	-	-
<b>Biennial Total</b>			<b>5</b>		-
<b>2 - Revenues, Transfers In*</b>					
Administrative Hearings	-	-	-	-	-
Administrative Hearings	-	-	1	-	-
Public Safety Dept					
Restrict Misc. Special Revenue	-	-	-	-	-
<b>Total</b>	-	-	<b>1</b>	-	-
<b>Biennial Total</b>			<b>1</b>		-

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State Fiscal Impact	Yes	No
Expenditures	X	
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

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 Reductions shown in the parentheses.

State Cost (Savings)	Biennium			Biennium	
	FY2023	FY2024	FY2025	FY2026	FY2027
Restrict Misc. Special Revenue	-	-	4	-	-
<b>Total</b>	-	-	4	-	-
<b>Biennial Total</b>			4		-

Full Time Equivalent Positions (FTE)	Biennium			Biennium	
	FY2023	FY2024	FY2025	FY2026	FY2027
Restrict Misc. Special Revenue	-	-	-	-	-
<b>Total</b>	-	-	-	-	-

## LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

**LBO Signature:** Laura Cecko      **Date:** 3/12/2024 9:37:58 AM  
**Phone:** 651-284-6543      **Email:** laura.cecko@lbo.mn.gov

**State Cost (Savings) Calculation Details**

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Dollars in Thousands		<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>
Restrict Misc. Special Revenue	-	-	-	4	-	-
<b>Total</b>	-	-	-	<b>4</b>	-	-
<b>Biennial Total</b>				<b>4</b>		-
<b>1 - Expenditures, Absorbed Costs*, Transfers Out*</b>						
Restrict Misc. Special Revenue	-	-	-	4	-	-
<b>Total</b>	-	-	-	<b>4</b>	-	-
<b>Biennial Total</b>				<b>4</b>		-
<b>2 - Revenues, Transfers In*</b>						
Restrict Misc. Special Revenue	-	-	-	-	-	-
<b>Total</b>	-	-	-	-	-	-
<b>Biennial Total</b>				-		-

**Bill Description**

Relating to transportation; directing commissioner of public safety to eliminate 180-hour training requirement for postsecondary institutions offering commercial motor vehicle instruction; authorizing rulemaking.

**Assumptions**

Assume Department of Public Safety Driver and Vehicle Services Division (DVS) follows federal law on commercial driver licensing and all other laws governing interstate commerce.

Assume DVS follows federal guidelines involving entry-level driver training (ELDT) established in 2022.

Assume this bill requires no changes to Commercial Driver License (CDL) Manual, as the 180-hour training requirement has been removed from the current version as a result of ELDT.

Assume this bill requires no changes to MNDRIVE.

Assume DVS communicates the removal of hours requirements and other changes to rules to all existing and future commercial education partners, including private CDL schools, trucking companies, bus companies, and other third-party driving schools. Assume these communication costs to be absorbed by staff as part of existing duties.

Assume DVS will utilize the good cause rulemaking exemption to enact the rule change required. Assume this is a procedural rule change.

Assume this rule change is minor and the process to repeal the 180 hour rulemaking requirement can be overseen and completed with existing DVS staff (State Prog Admin Manager Sr). Assume this cost is nominal and will be absorbed.

**Procedural Rule Costs FY25**

Office of Attorney General Legal fees 6 hours at \$163/hour = \$978

Office of Administrative Hearings:

· Admin. Law Judge 4 hours at \$245/hour = \$980

- Filing Fee = \$50

State Register (\$135/page) publishing fees:

- Request for Comments = \$135
- Notice of Intent to Adopt Rules (with rule text published) = \$810
- Notice of Adoption (without rule text published) = \$20

Miscellaneous:

- Mailings = \$333
- Duplicating = \$250

Total Procedural rule costs FY25 = \$3,556

### **Expenditure and/or Revenue Formula**

Total Special Revenue Expenditures FY25

Procedural rule = \$3,556

### **Long-Term Fiscal Considerations**

### **Local Fiscal Impact**

### **References/Sources**

**Agency Contact:** Pong Xiong 651-201-7580

**Agency Fiscal Note Coordinator Signature:** Nicole Mickelson

**Phone:** 651-201-7045

**Date:** 3/12/2024 8:12:18 AM

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 Agency: **Administrative Hearings**

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Fee/Departmental Earnings	X	
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

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Dollars in Thousands	FY2023	FY2024	FY2025	FY2026	FY2027
Administrative Hearings	-	-	-	-	-
<b>Total</b>	-	-	-	-	-
<b>Biennial Total</b>			-		-

Full Time Equivalent Positions (FTE)	Biennium			Biennium	
	FY2023	FY2024	FY2025	FY2026	FY2027
Administrative Hearings	-	-	-	-	-
<b>Total</b>	-	-	-	-	-

**LBO Analyst's Comment**

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

**LBO Signature:** Chloe Burns      **Date:** 3/13/2024 9:43:43 AM  
**Phone:** 651-297-1423      **Email:** chloe.burns@lbo.mn.gov

**State Cost (Savings) Calculation Details**

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<b>State Cost (Savings) = 1-2</b>		<b>Biennium</b>			<b>Biennium</b>	
<b>Dollars in Thousands</b>		<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>
Administrative Hearings		-	-	-	-	-
<b>Total</b>		-	-	-	-	-
<b>Biennial Total</b>				-		-
<b>1 - Expenditures, Absorbed Costs*, Transfers Out*</b>						
Administrative Hearings		-	-	1	-	-
<b>Total</b>		-	-	1	-	-
<b>Biennial Total</b>				1		-
<b>2 - Revenues, Transfers In*</b>						
Administrative Hearings		-	-	1	-	-
<b>Total</b>		-	-	1	-	-
<b>Biennial Total</b>				1		-

**Bill Description**

SF4169 provides for the Department of Public Safety (DPS) to amend rules by directing the commissioner of public safety to eliminate the 180-hour training requirement for postsecondary institutions offering commercial motor vehicle instruction. The legislation authorizes DPS to conduct good-cause exempt rulemaking to implement the provisions of Section 1.

**Assumptions**

The Office of Administrative Hearings (OAH) in consultation with Minnesota Management and Budget (MMB) assesses agencies the cost of services rendered to them. All agencies shall include in their budgets provisions for such assessments.

OAH has used DPS's assumption that a noncontroversial procedural rulemaking will be required to meet the requirements of Section 1. Based on past practices, OAH assumes that a noncontroversial procedural rulemaking under chapter 14 will require an estimated four hours of administrative law judge (ALJ) time for activity related to rulemaking procedures. Of the total rulemaking amount estimated by DPS, \$980 is for the four hours of ALJ time for a noncontroversial procedural rulemaking.

OAH currently bills ALJ time for rulemaking at the MMB-approved billable rate of \$245 per hour (see Minn. Stat. § 16A.126, subd. 1 (2022)).

**Expenditure and/or Revenue Formula**

Estimated four hours of ALJ time for rulemaking activities related to implementing the requirements of Sec. 1 = 4 hours x \$245/hr = \$980 charged to DPS in FY2025 pursuant to the requirements of Minn. Stat. § 14.53.

**Long-Term Fiscal Considerations**

Costs associated with rulemaking activities are a one-time occurrence.

**Local Fiscal Impact****References/Sources**

**Agency Contact:** Denise Collins

**Agency Fiscal Note Coordinator Signature:** Denise Collins

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