

# Revised

## Consolidated Fiscal Note

2023-2024 Legislative Session

### SF4939 - 0 - Limited Drivers' Licenses; Treatment Court

Chief Author: **Jennifer McEwen**  
Committee: **Transportation**  
Date Completed: **4/10/2024 8:44:18 AM**  
Lead Agency: **Public Safety Dept**  
Other Agencies:  
    Supreme Court

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
State Total						
Total		-	-	-	-	-
Biennial Total				-		-

Full Time Equivalent Positions (FTE)		Biennium			Biennium	
		FY2023	FY2024	FY2025	FY2026	FY2027
Total		-	-	-	-	-

#### 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.

This fiscal note was revised to include the Supreme Court.

**LBO Signature:** Laura Cecko    **Date:** 4/10/2024 8:44:18 AM  
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## 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.

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

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Agency: **Public Safety Dept**

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	FY2023	FY2024	FY2025	FY2026	FY2027
Dollars in Thousands					
Total	-	-	-	-	-
Biennial Total			-		-

Full Time Equivalent Positions (FTE)	Biennium			Biennium	
	FY2023	FY2024	FY2025	FY2026	FY2027
Total	-	-	-	-	-

#### LBO Analyst's Comment

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

This fiscal note was revised to include the Supreme Court.

**LBO Signature:** Laura Cecko    **Date:** 4/9/2024 3:57:47 PM  
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## State Cost (Savings) Calculation Details

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

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Dollars in Thousands		FY2023	FY2024	FY2025	FY2026	FY2027
	Total	-	-	-	-	-
	Biennial Total			-		-
1 - Expenditures, Absorbed Costs*, Transfers Out*						
	Total	-	-	-	-	-
	Biennial Total			-		-
2 - Revenues, Transfers In*						
	Total	-	-	-	-	-
	Biennial Total			-		-

## Bill Description

This bill establishes limited drivers' licenses for certain participants in treatment court; requiring treatment court coordinators to provide certain information; providing for notification of termination from treatment court; classifying data; amending Minnesota Statutes 2022, sections 13.6905, by adding a subdivision; 171.30, subdivision 1, by adding subdivisions.

## Assumptions

Assume the term treatment court refers to treatment for controlled substances.

Assume continued participation in treatment court is necessary to maintain the validity of this limited license.

Assume Department of Public Safety Driver and Vehicle Services Division (DVS) will cancel a treatment court limited license upon notification from a treatment court coordinator that the license holder is terminated from participation in treatment court.

Assume individuals not qualified to hold a limited license due to child support or other revocations will preclude participation in treatment court limited licenses.

Assume MNDRIVE currently has capability of issuing limited licenses, including secure handling of confidential materials.

Assume adding functionality to include treatment court participants will involve a negligible amount of programming.

There are currently 573 limited licenses issued in the Minnesota. Assume the number of limited licenses issued will increase with the inclusion of treatment court participants. Assume increased licenses will be issued by current staff in the course of their regular duties.

Assume no fiscal impact to DVS.

## Expenditure and/or Revenue Formula

## Long-Term Fiscal Considerations

## Local Fiscal Impact

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## References/Sources

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Agency: **Supreme Court**

State Fiscal Impact	Yes	No
Expenditures		X
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Local Fiscal Impact		X

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Dollars in Thousands					
Total	-	-	-	-	-
Biennial Total			-		-

Full Time Equivalent Positions (FTE)	Biennium			Biennium	
	FY2023	FY2024	FY2025	FY2026	FY2027
Total	-	-	-	-	-

#### LBO Analyst's Comment

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

This fiscal note has been revised to include the impact to the Supreme Court.

**LBO Signature:** Karen McKey **Date:** 4/10/2024 8:30:27 AM  
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## State Cost (Savings) Calculation Details

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

## Bill Description

The bill amends section 13.6905 (data practices act; public safety data coded elsewhere) by adding a new subdivision 38, which provides that access to data on limited license holders who are treatment court participants is governed by section 171.30; amends section 171.30, subdivision 1 (conditions of limited license issuance) to authorize the commissioner of public safety to issue a limited license if the use of a driver's license by a treatment court participant materially supports successful attendance or participation in treatment court; and adds a new subdivision 1a to section 171.30 authorizing the commissioner when issuing a limited license to a treatment court participant to impose conditions and limitations necessary to the interests of public safety and welfare, including the required condition of continued participation in treatment court.

Paragraph (b) of the new subdivision 1a provides that upon request from the commissioner or law enforcement, a treatment court coordinator must verify whether a person is a treatment court participant and provide the date, time, and location of any hearings, meetings, treatment or counseling programs, sober support activities, community service events, or any other program or activity the treatment court has ordered or required the person to attend. Paragraph (c) requires the treatment court coordinator to notify the commissioner if a person is terminated from participation in treatment court, in a form and manner established by the commissioner and may be made by a district court administrator.

The bill also adds a new subdivision 6 to section 171.30 providing that court records and information on driving restrictions for limited license holders who are treatment court participants are classified as private data on individuals as defined in section 13.02, subdivision 12, but may be disclosed to chiefs of police, county sheriffs, prosecuting attorneys, and other law enforcement agencies with the power to arrest.

## Assumptions

Treatment court records are held by both the judicial branch, county offices, and other entities that employ treatment court coordinators and/or participate as treatment court team members. Treatment court coordinators are in some locations employed by the judicial branch and in other by the county or by a tribal nation. In the judicial branch, certain treatment court data are considered nonpublic under federal law. See 42 U.S.C. § 290dd-2 (confidentiality of records).

Although the bill requires the disclosure of certain court data and records and provides that court records related to this bill are classified as private data as defined in section 13.02, because the judicial branch is exempt from chapter 13 (see section 13.90), it is assumed that access to and disclosure of records held by the judicial branch will continue to be governed by the Rules of Public Access and applicable federal law. It is assumed that disclosure by treatment court coordinators employed by other entities may also be impacted by federal law and by the terms of the treatment court memorandum of understanding signed by each treatment court team member.

Although the bill requires the treatment court coordinator or district court administrator to notify the commissioner if a person is terminated from participation in treatment court, it is assumed that the court would only be required to notify the

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commissioner, and the commissioner would only be interested in the information, in cases where the participant was issued a limited license under the provisions of this bill. If that assumption is correct, it is also assumed that the commissioner would first need to notify the court of the issuance of the limited license. It is assumed that the court may determine that its notification requirement is met by court staff entering the treatment court termination information into the participant's court record, which is accessible to the commissioner of public safety. Any work related to notification would be absorbed.

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

The bill is not anticipated to have a significant fiscal impact on the Judicial Branch.

## **Long-Term Fiscal Considerations**

None.

## **Local Fiscal Impact**

## **References/Sources**

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