

**HF639 - 0 - Motor Vehicle Provisions Rulemaking Required**

Chief Author: **Tom Murphy**  
 Committee: **Transportation Finance and Policy**  
 Date Completed: **2/3/2025 8:06:52 PM**  
 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.

<b>State Cost (Savings)</b>		<b>Biennium</b>		<b>Biennium</b>	
Dollars in Thousands	FY2025	FY2026	FY2027	FY2028	FY2029
<b>Administrative Hearings</b>	-	-	-	-	-
Administrative Hearings	-	-	-	-	-
<b>Public Safety Dept</b>					
General Fund	-	11	-	-	-
<b>State Total</b>					
Administrative Hearings	-	-	-	-	-
General Fund	-	11	-	-	-
<b>Total</b>	-	11	-	-	-
<b>Biennial Total</b>			11		-

<b>Full Time Equivalent Positions (FTE)</b>		<b>Biennium</b>		<b>Biennium</b>	
	FY2025	FY2026	FY2027	FY2028	FY2029
Administrative Hearings	-	-	-	-	-
Administrative Hearings	-	-	-	-	-
<b>Public Safety Dept</b>					
General Fund	-	-	-	-	-
<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:** 2/3/2025 8:06:52 PM  
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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.

<b>State Cost (Savings) = 1-2</b>		<b>Biennium</b>			<b>Biennium</b>	
<b>Dollars in Thousands</b>		<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>	<b>FY2028</b>	<b>FY2029</b>
Administrative Hearings		-	-	-	-	-
Administrative Hearings		-	-	-	-	-
Public Safety Dept						
General Fund		-	11	-	-	-
<b>Total</b>		-	11	-	-	-
<b>Biennial Total</b>				11		-
<b>1 - Expenditures, Absorbed Costs*, Transfers Out*</b>						
Administrative Hearings		-	-	-	-	-
Administrative Hearings		-	1	-	-	-
Public Safety Dept						
General Fund		-	11	-	-	-
<b>Total</b>		-	12	-	-	-
<b>Biennial Total</b>				12		-
<b>2 - Revenues, Transfers In*</b>						
Administrative Hearings		-	-	-	-	-
Administrative Hearings		-	1	-	-	-
Public Safety Dept						
General Fund		-	-	-	-	-
<b>Total</b>		-	1	-	-	-
<b>Biennial Total</b>				1		-

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 Agency: **Public Safety Dept**

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	FY2025	FY2026	FY2027	FY2028
General Fund	-	11	-	-	-
<b>Total</b>	-	11	-	-	-
<b>Biennial Total</b>			11		-

Full Time Equivalent Positions (FTE)	Biennium			Biennium	
	FY2025	FY2026	FY2027	FY2028	FY2029
General Fund	-	-	-	-	-
<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:** 2/3/2025 8:06:36 PM  
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\*Transfers In/Out and Absorbed Costs are only displayed when reported.

<b>State Cost (Savings) = 1-2</b>		<b>Biennium</b>		<b>Biennium</b>	
Dollars in Thousands		<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>	<b>FY2028</b>
					<b>FY2029</b>
General Fund	-	11	-	-	-
<b>Total</b>	-	<b>11</b>	-	-	-
<b>Biennial Total</b>			<b>11</b>		-
<b>1 - Expenditures, Absorbed Costs*, Transfers Out*</b>					
General Fund	-	11	-	-	-
<b>Total</b>	-	<b>11</b>	-	-	-
<b>Biennial Total</b>			<b>11</b>		-
<b>2 - Revenues, Transfers In*</b>					
General Fund	-	-	-	-	-
<b>Total</b>	-	-	-	-	-
<b>Biennial Total</b>			-		-

**Bill Description**

This bill gives a physician the option to certify that four-year seizure/loss of voluntary control rechecks are no longer required.

**Assumptions**

Current rule 7410.2500 Subp. 5 (E) regarding physician's statements every four years remains in place, excepting new bill language. Failure to include this language would leave certain customers and the department without recourse; if a physician did not waive the four-year rechecks, then this language is necessary to require the rechecks to continue to drive safely.

Good cause exemption under Minnesota Statutes, 2.5 section 14.388, subdivision 1, clause (3), to adopt rules will add to existing rule 7410.2500 Subp. 5 (E), allowing a physician to waive the four year statements.

Minnesota constitution and previous case law allows the delegation of Rulemaking authority to state agencies. Assume any language changes in the Rule will be under the proper legal authority of Driver and Vehicle Services.

Rulemaking will be a noncontroversial procedural 1-2 page amendment. Assume \$11,116 for a minor rule.

Form PS 31015 Loss of Consciousness or Voluntary Control needs to be redesigned. Assume redesign will be done by the department with no additional costs.

MNDRIVE programming needed to add user input options for "no recheck needed." Any programming costs would be minimal and can absorbed by the department.

January1, 2026 implementation date may not be feasible for rulemaking. Small rulemaking generally takes at least one year. The fiscal note assumes an implementation date of August 1, 2026.

**Expenditure and/or Revenue Formula**

\$11,116 for a minor rule.

**Long-Term Fiscal Considerations****Local Fiscal Impact**

**References/Sources**

**Agency Contact:**

**Agency Fiscal Note Coordinator Signature:** Brian Awsumb

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 Agency: **Administrative Hearings**

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	
	FY2025	FY2026	FY2027	FY2028	FY2029
Dollars in Thousands					
Administrative Hearings	-	-	-	-	-
<b>Total</b>	-	-	-	-	-
<b>Biennial Total</b>			-		-

Full Time Equivalent Positions (FTE)	Biennium			Biennium	
	FY2025	FY2026	FY2027	FY2028	FY2029
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:** Shannon Zila      **Date:** 2/3/2025 3:51:32 PM  
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**State Cost (Savings) Calculation Details**

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Dollars in Thousands		FY2025	FY2026	FY2027	FY2028	FY2029
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**

SF483 requires the commissioner of public safety (DPS) to amend rules relating to motor vehicle drivers who lose voluntary control or consciousness.

**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 SF483. Based on past practices, OAH assumes that a noncontroversial procedural rulemaking under chapter 14 will require an estimated 4 hours of Administrative Law Judge (ALJ) time for activity related to rulemaking procedures. Of the total rulemaking amount estimated by DPS, \$1,080 is for the estimated 4 hours of ALJ time for a noncontroversial procedural rulemaking.

OAH currently bills ALJ time for rulemaking at the MMB-approved billable rate of \$270 per hour (see Minn. Stat. § 16A.126, subd. 1 (2023)).

**Expenditure and/or Revenue Formula**

Estimated 4 hours of ALJ time for rulemaking activities in FY26 related to implementing the requirements of this bill = 4 hours x \$270/hr = \$1,080 charged to DPS in FY2026 pursuant to the requirements of Minn. Stat. § 14.53.

**Long-Term Fiscal Considerations**

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

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

**Agency Contact:** William Moore

**Agency Fiscal Note Coordinator Signature:** William Moore

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