

1.1 moves to amend H.F. No. 4, the first engrossment, as follows:

1.2 Page 10, after line 7, insert:

1.3 "Sec. Minnesota Statutes 2022, section 171.12, subdivision 3, is amended to read:

1.4 Subd. 3. **Application and record, when destroyed.** The department may cause
1.5 applications for drivers' licenses, provisional licenses, and instruction permits, and related
1.6 records, to be destroyed immediately after the period for which issued, except that:

1.7 (1) the driver's record pertaining to revocations, suspensions, cancellations,
1.8 disqualifications, convictions, and accidents is cumulative and must be kept for a period of
1.9 at least five years;

1.10 (2) the driver's record pertaining to violations of a driver or vehicle out-of-service order
1.11 must be kept for a period of at least ten years;

1.12 (3) medical certificates and medical waivers submitted in accordance with section 171.162
1.13 must be kept for a period of at least three years from the date of issuance; ~~and~~

1.14 (4) the driver's record pertaining to felony convictions in the commission of which a
1.15 motor vehicle was used, to the alcohol-related offenses and licensing actions listed in section
1.16 169A.03, subdivisions 20 and 21, to violations of section 169.09, to violations of section
1.17 169A.31, and to violations of section 171.24, subdivision 5, must be retained permanently;
1.18 and

1.19 (5) notwithstanding section 138.17, a document related to demonstration of identity in
1.20 the application for a noncompliant driver's license or identification card must be destroyed
1.21 no later than 14 days following acceptance of the validity by the commissioner of the
1.22 document, except in conformance with federal requirements governing retention of the
1.23 document."

2.1 Page 10, after line 19, insert:

2.2 "Sec. Minnesota Statutes 2022, section 171.12, subdivision 7b, is amended to read:

2.3 Subd. 7b. **Data privacy; noncompliant license or identification card.** (a) With respect
2.4 to noncompliant licenses or identification cards, the commissioner is prohibited from:

2.5 (1) electronically disseminating outside the state data that is not disseminated as of May
2.6 19, 2017; or

2.7 (2) utilizing any electronic validation or verification system accessible from or maintained
2.8 outside the state that is not in use as of May 19, 2017.

2.9 (b) The limitations in paragraph (a) do not apply to the extent necessary to: (1) maintain
2.10 compliance with the driver's license compact under section 171.50 and applicable federal
2.11 law governing commercial driver's licenses; and (2) perform identity verification as part of
2.12 an application for a replacement Social Security card issued by the Social Security
2.13 Administration.

2.14 (c) For purposes of this subdivision, "outside the state" includes federal agencies, states
2.15 other than Minnesota, organizations operating under agreement among the states, and private
2.16 entities.

2.17 (d) Prior to disclosing to a person, other than the data subject, any data on individuals
2.18 relating to a noncompliant driver's license or identification card, the commissioner or a
2.19 driver's license agent must require the person requesting the data to certify that the person
2.20 must not use the data for civil immigration purposes, or disclose the data to a government
2.21 agency or entity that primarily enforces immigration law or to any employee or agent of
2.22 any such government agency or entity. A person who violates the certification required in
2.23 this paragraph may be liable in a civil action brought under section 13.08, and may be subject
2.24 to criminal penalties under section 13.09. A certification form used by the commissioner
2.25 or a driver's license agent under this paragraph shall include information about penalties
2.26 that apply for violations."

2.27 Page 10, delete section 4 and insert:

2.28 "Sec. Minnesota Statutes 2022, section 171.12, is amended by adding a subdivision to
2.29 read:

2.30 Subd. 11. **Certain data on noncompliant license or identification card; department**
2.31 **and agents.** (a) Other than within the division of the department that administers driver
2.32 licensing, with respect to a noncompliant driver's license or identification card the

3.1 commissioner must not share or disseminate any data on individuals that indicates or
3.2 otherwise has the effect of identifying (1) whether or not an individual has demonstrated
3.3 United States citizenship, or (2) whether or not an individual has demonstrated lawful
3.4 presence in the United States.

3.5 (b) Other than to the division of the department that administers driver licensing, with
3.6 respect to a noncompliant driver's license or identification card a driver's license agent must
3.7 not share or disseminate any data on individuals that indicates or otherwise has the effect
3.8 of identifying (1) whether or not an individual has demonstrated United States citizenship,
3.9 or (2) whether or not an individual has demonstrated lawful presence in the United States.

3.10 (c) Data under paragraphs (a) and (b) include but are not limited to information related
3.11 to:

3.12 (1) any documents specified under section 171.06, subdivision 9, 10, or 11, or submission
3.13 of the documents;

3.14 (2) application, issuance, or denial of the license or identification card; and

3.15 (3) all of the following: name, address, telephone number, the photograph or electronically
3.16 produced image, Social Security number, client identification number, place of birth, country
3.17 of origin, place of employment, school or educational institution attended, source of income,
3.18 status as a recipient of public benefits, the customer identification number associated with
3.19 a public utilities account, medical information, and disability information.

3.20 (d) Notwithstanding any law to the contrary, this subdivision prohibits the commissioner
3.21 and a driver's license agent from sharing or disseminating the data described in paragraphs
3.22 (a) to (c) with any:

3.23 (1) entity otherwise authorized to obtain data under subdivision 7;

3.24 (2) federal agency or entity, including but not limited to United States Immigration and
3.25 Customs Enforcement in the United States Department of Homeland Security, United States
3.26 Customs and Border Protection in the United States Department of Homeland Security, and
3.27 any other agency that primarily enforces immigration law;

3.28 (3) state agency as defined in section 13.02, subdivision 17, except that a driver's license
3.29 agent may share or disseminate data to the division of the department that administers driver
3.30 licensing as authorized in paragraph (b); or

3.31 (4) political subdivision.

4.1 (e) Violation of this subdivision by the commissioner, a driver's license agent, or an
4.2 employee or agent thereof, constitutes a violation of the Minnesota Government Data
4.3 Practices Act and may be subject to penalties and remedies applicable under that chapter."

4.4 Renumber the sections in sequence and correct the internal references

4.5 Amend the title accordingly