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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 4368

02/28/2024

Authored by Tabke

The bill was read for the first time and referred to the Committee on Transportation Finance and Policy

1.1 A bill for an act

1.2 relating to public safety; adding criminal vehicular operation to list of offenses

1.3 requiring a one-year waiting period for a limited driver's license; removing

1.4 requirement that invalidated licenses be physically clipped; renaming two-wheeled

1.5 vehicle endorsements to motorcycle endorsements; amending Minnesota Statutes

1.6 2022, sections 169.224, subdivision 3; 169.974, subdivision 2; 169A.52, subdivision

1.7 7; 171.06, subdivision 2a; 171.13, subdivision 6; 171.30, subdivisions 2a, 5;

1.8 Minnesota Statutes 2023 Supplement, section 171.13, subdivision 1a.

1.9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.10 Section 1. Minnesota Statutes 2022, section 169.224, subdivision 3, is amended to read:

1.11 Subd. 3. **Operation.** (a) A neighborhood electric vehicle or a medium-speed electric

1.12 vehicle may not be operated on a street or highway with a speed limit greater than 35 miles

1.13 per hour, except to make a direct crossing of that street or highway.

1.14 (b) A person may operate a three-wheeled neighborhood electric vehicle without a

1.15 ~~two-wheeled vehicle~~ motorcycle endorsement, provided the person has a valid driver's

1.16 license issued under chapter 171.

1.17 Sec. 2. Minnesota Statutes 2022, section 169.974, subdivision 2, is amended to read:

1.18 Subd. 2. **License endorsement and permit requirements.** (a) No person shall operate

1.19 a motorcycle on any street or highway without having a valid driver's license with a

1.20 ~~two-wheeled vehicle~~ motorcycle endorsement as provided by law. A person may operate

1.21 an auticycle without a ~~two-wheeled vehicle~~ motorcycle endorsement, provided the person

1.22 has a valid driver's license issued under section 171.02.

2.1 (b) The commissioner of public safety shall issue a ~~two-wheeled vehicle~~ motorcycle  
2.2 endorsement only if the applicant (1) has in possession a valid ~~two-wheeled vehicle~~  
2.3 motorcycle instruction permit as provided in paragraph (c), (2) has passed a written  
2.4 examination and road test administered by the Department of Public Safety for the  
2.5 endorsement, and (3) in the case of applicants under 18 years of age, presents a certificate  
2.6 or other evidence of having successfully completed an approved ~~two-wheeled vehicle~~  
2.7 motorcycle driver's safety course in this or another state, in accordance with rules adopted  
2.8 by the commissioner of public safety for courses offered by a public, private, or commercial  
2.9 school or institute. The commissioner of public safety may waive the road test for any  
2.10 applicant on determining that the applicant possesses a valid license to operate a ~~two-wheeled~~  
2.11 ~~vehicle~~ motorcycle issued by a jurisdiction that requires a comparable road test for license  
2.12 issuance.

2.13 (c) The commissioner of public safety shall issue a ~~two-wheeled vehicle~~ motorcycle  
2.14 instruction permit to any person over 16 years of age who (1) is in possession of a valid  
2.15 driver's license, (2) is enrolled in an approved ~~two-wheeled vehicle~~ motorcycle driver's  
2.16 safety course, and (3) has passed a written examination for the permit and paid a fee  
2.17 prescribed by the commissioner of public safety. A ~~two-wheeled vehicle~~ motorcycle  
2.18 instruction permit is effective for one year and may be renewed under rules prescribed by  
2.19 the commissioner of public safety.

2.20 (d) No person who is operating by virtue of a ~~two-wheeled vehicle~~ motorcycle instruction  
2.21 permit shall:

2.22 (1) carry any passengers on the streets and highways of this state on the motorcycle  
2.23 while the person is operating the motorcycle;

2.24 (2) drive the motorcycle at night; or

2.25 (3) drive the motorcycle without wearing protective headgear that complies with standards  
2.26 established by the commissioner of public safety.

2.27 (e) Notwithstanding paragraphs (a) to (d), the commissioner of public safety may issue  
2.28 a special motorcycle permit, restricted or qualified as the commissioner of public safety  
2.29 deems proper, to any person demonstrating a need for the permit and unable to qualify for  
2.30 a driver's license.

2.31 Sec. 3. Minnesota Statutes 2022, section 169A.52, subdivision 7, is amended to read:

2.32 Subd. 7. **Test refusal; driving privilege lost.** (a) On behalf of the commissioner, a peace  
2.33 officer requiring a test or directing the administration of a chemical test shall serve immediate

3.1 notice of intention to revoke and of revocation on a person who refuses to permit a test or  
3.2 on a person who submits to a test the results of which indicate an alcohol concentration of  
3.3 0.08 or more.

3.4 (b) On behalf of the commissioner, a peace officer requiring a test or directing the  
3.5 administration of a chemical test of a person driving, operating, or in physical control of a  
3.6 commercial motor vehicle shall serve immediate notice of intention to disqualify and of  
3.7 disqualification on a person who refuses to permit a test, or on a person who submits to a  
3.8 test the results of which indicate an alcohol concentration of 0.04 or more.

3.9 (c) The officer shall:

3.10 (1) invalidate the person's driver's license or permit card ~~by clipping the upper corner~~  
3.11 ~~of the card in such a way that no identifying information including the photo is destroyed,~~  
3.12 ~~and immediately return the card to the person;~~

3.13 (2) issue the person a temporary license effective for only seven days; and

3.14 (3) send the notification of this action to the commissioner along with the certificate  
3.15 required by subdivision 3 or 4.

3.16 Sec. 4. Minnesota Statutes 2022, section 171.06, subdivision 2a, is amended to read:

3.17 Subd. 2a. ~~Two-wheeled vehicle~~ **Motorcycle endorsement fee.** (a) In addition to the  
3.18 appropriate fee under subdivision 2, the fee for a ~~two-wheeled vehicle~~ motorcycle  
3.19 endorsement on a driver's license is:

3.20 (1) \$26.50 for an initial endorsement or a duplicate license obtained for the purpose of  
3.21 adding the endorsement; and

3.22 (2) \$17 for each license renewal with the endorsement.

3.23 (b) The additional fee must be paid into the state treasury and credited as follows:

3.24 (1) \$19 of the additional fee under paragraph (a), clause (1), and \$11 of the additional  
3.25 fee under paragraph (a), clause (2), to the motorcycle safety fund, which is hereby created;  
3.26 and

3.27 (2) the remainder to the general fund.

3.28 (c) All application forms prepared by the commissioner for ~~two-wheeled vehicle~~  
3.29 motorcycle endorsements must clearly state the amount of the total fee that is dedicated to  
3.30 the motorcycle safety fund.

4.1 Sec. 5. Minnesota Statutes 2023 Supplement, section 171.13, subdivision 1a, is amended  
4.2 to read:

4.3 Subd. 1a. **Waiver when license issued by another jurisdiction.** (a) If the commissioner  
4.4 determines that an applicant for a driver's license is 21 years of age or older and possesses  
4.5 a valid driver's license issued by another state or jurisdiction that requires a comparable  
4.6 examination to obtain a driver's license, the commissioner must waive the requirements that  
4.7 the applicant pass a knowledge examination and demonstrate ability to exercise ordinary  
4.8 and reasonable control in the operation of a motor vehicle.

4.9 (b) If the commissioner determines that an applicant for a ~~two-wheeled vehicle~~ motorcycle  
4.10 endorsement is 21 years of age or older and possesses a valid driver's license with a  
4.11 ~~two-wheeled vehicle~~ motorcycle endorsement issued by another state or jurisdiction that  
4.12 requires a comparable examination to obtain an endorsement, the commissioner must waive  
4.13 the requirements with respect to the endorsement that the applicant pass a knowledge  
4.14 examination and demonstrate the ability to exercise ordinary and reasonable control in the  
4.15 operation of a motor vehicle.

4.16 (c) For purposes of this subdivision, "jurisdiction" includes, but is not limited to, both  
4.17 the active and reserve components of any branch or unit of the United States armed forces,  
4.18 and "valid driver's license" includes any driver's license that is recognized by that branch  
4.19 or unit as currently being valid, or as having been valid at the time of the applicant's  
4.20 separation or discharge from the military within a period of time deemed reasonable and  
4.21 fair by the commissioner, up to and including one year past the date of the applicant's  
4.22 separation or discharge.

4.23 Sec. 6. Minnesota Statutes 2022, section 171.13, subdivision 6, is amended to read:

4.24 Subd. 6. ~~Two-wheeled vehicle~~ **Motorcycle endorsement examination fee.** A person  
4.25 applying for an initial ~~two-wheeled vehicle~~ motorcycle endorsement on a driver's license  
4.26 shall pay at the place of examination a \$2.50 examination fee, an endorsement fee as  
4.27 prescribed in section 171.06, subdivision 2a, and the appropriate driver's license fee as  
4.28 prescribed in section 171.06, subdivision 2.

4.29 Sec. 7. Minnesota Statutes 2022, section 171.30, subdivision 2a, is amended to read:

4.30 Subd. 2a. **Other waiting periods.** Notwithstanding subdivision 2, a limited license shall  
4.31 not be issued for a period of:

- 5.1 (1) 15 days, to a person whose license or privilege has been revoked or suspended for  
 5.2 a first violation of section 169A.20, sections 169A.50 to 169A.53, section 171.177, or a  
 5.3 statute or ordinance from another state in conformity with either of those sections; or
- 5.4 (2) one year, to a person whose license or privilege has been revoked or suspended for:  
 5.5 (i) committing manslaughter resulting from the operation of a motor vehicle;  
 5.6 (ii) committing criminal vehicular homicide or injury under ~~section~~ sections:  
 5.7 (A) 609.2112, subdivision 1, paragraph (a), clause (1); (2), item (ii); (5); (6); (7); or  
 5.8 (8);  
 5.9 (B) 609.2113, subdivision 1, clause (1); (2), item (ii); (5); (6); (7); or (8); or  
 5.10 (C) 609.2114, subdivision 1, paragraph (a), clause (1); (2), item (ii); (5); (6); (7); or (8);  
 5.11 or subdivision 2, clause (1); (2), item (ii); (5); (6); (7); or (8);  
 5.12 (iii) committing criminal vehicular homicide under ~~section~~ sections:  
 5.13 (A) 609.2112, subdivision 1, paragraph (a), clause (2), item (i) or (iii); (3); or (4); or  
 5.14 (B) 609.2114, subdivision 1, paragraph (a), clause (2), item (i) or (iii); (3); or (4); or  
 5.15 (iv) violating a statute or ordinance from another state in conformity with either of those  
 5.16 offenses.

5.17 Sec. 8. Minnesota Statutes 2022, section 171.30, subdivision 5, is amended to read:

5.18 Subd. 5. **Exception; criminal vehicular operation.** Notwithstanding subdivision 1, the  
 5.19 commissioner may not issue a limited license to a person whose driver's license has been  
 5.20 suspended or revoked due to a violation of ~~section 609.2112, subdivision 1;~~

5.21 (1) section 609.2113, subdivision 1, clause (2), item (i) or (iii); (3); or (4), resulting in  
 5.22 bodily harm, substantial bodily harm, or great bodily harm; subdivision 2, clause (2), item  
 5.23 (i) or (iii); (3); or (4); or subdivision 3, clause (2), item (i) or (iii); (3); or (4);

5.24 (2) section 609.2114, subdivision 2, clause (2), item (i) or (iii); (3); or (4); or

5.25 (3) a statute or ordinance from another state in conformity with the offenses under clauses  
 5.26 (1) and (2) resulting in injury.