

Subject Establishing an intelligent speed assistance program

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Date February 24, 2026

Overview

This bill creates a new intelligent speed assistance program. The program would apply to drivers who commit certain violations involving excessive speed or commit three or more speeding violations in any 12-month period. A violation results in revocation of the person's driver's license. However, similar to the ignition interlock program, the person could continue to drive by entering the intelligent speed assistance program.

The program requires use of a device that would prevent a vehicle from exceeding the posted speed limit. The program would allow limited use of an override function to allow a driver to exceed the speed limit for short periods of time. Similar to the ignition interlock program, devices would be installed by third parties, violations can result in extended periods of license revocation, and tampering with a device or circumventing the program can result in criminal penalties. The program goes into effect January 1, 2028, following Department of Public Safety rulemaking.

The bill appropriates money to the Department of Public Safety from the driver and vehicle services operating account to implement the program.

Summary

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| 1 | License revocation.
Makes a conforming change related to the length of a license revocation for violation of a speed limit. |
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Section	Description
2	<p>Authority; violations.</p> <p>Establishes a gross misdemeanor for a person holding a restricted license issued under the intelligent speed assistance device program to operate a vehicle that is not equipped with a device certified by the commissioner.</p>
3	<p>Offenses.</p> <p>Requires revocation of a person's license to drive if the person:</p> <ol style="list-style-type: none">1) violates a speed limit by driving 30 or more miles per hour over the limit, or 20 or more miles per hour over a 35 miles per hour limit;2) violates a school zone or work zone speed limit by driving 20 miles per hour over the limit; or3) commits three or more speeding violations in any 12-month period.
4	<p>Revocation period; speed violations.</p> <p>Establishes the period for speeding related violations that cause license revocation. Establishes revocation periods of six months for a first violation, one year for a second violation within 20 years, three years for a third violation within 20 years, and seven years for a fourth violation in 20 years. Provides that a person in the intelligent speed assistance program can operate a vehicle and allow the commissioner to extend a revocation period if a person commits a violation in that program.</p>
5	<p>Driving after revocation; penalties.</p> <p>Establishes that a person who operates a vehicle while prohibited from operating a vehicle unless the person participates in the intelligent speed assistance program commits a gross misdemeanor. This penalty matches the penalty for a person who is required to participate in the ignition interlock program. Effective January 1, 2028.</p>
6	<p>Intelligent speed assistance program.</p> <p>Directs creation and establishes requirements for the intelligent speed assistance program.</p> <p>Subd. 1. Definitions. Defines terms including "intelligent speed assistance device," "override," and "provider" for purposes of the intelligent speed assistance program.</p> <p>Subd. 2. Performance standards; certification; provider requirements. Requires the commissioner of public safety to adopt rules with performance standards and a process for certifying devices for use in the intelligent speed assistance device program. Requires providers of the devices to meet certain requirements including providing services at a discounted rate similar to the ignition interlock program, requiring a discounted rate for program participants who request</p>

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devices for multiple vehicles, agreeing to pay the costs of towing or repair costs caused by device failure or malfunction, and notifying the commissioner when a program participant tampers with or circumvents a device.

Subd. 3. Location tracking. Authorizes an intelligent speed assistance device to track a vehicle's location for purposes of identifying speed limits. Limits the use of data related to location tracking to use for quality control. Requires that location data be maintained in a manner that does not identify an individual program participant and prohibits sharing the information except pursuant to a court order. Requires providers to give program participants specific notice about the use of location tracking capabilities. Permits the providers to share or disseminate summary data and establishes that providers are not performing a government function.

Subd. 4. Program requirements. Requires the commissioner of public safety to establish program requirements. Specifies that the requirements must allow a participant to use an override on three separate occasions in any 30-day period. Requires the commissioner to enter a notation on a person's driving record to indicate that the person is a program participant. Requires program participants to pay the costs associated with a device for every vehicle the person operates.

Subd. 5. Issuance of speed-controlled license. Requires the commissioner of public safety to issue a driver's license to a person who participates in the intelligent speed assistance device program. Establishes that the commissioner must not require a person to pay the license reinstatement fee before being issued a license to operate a vehicle while in the program, but requires payment of the fee before the person's full driving privileges are reinstated. Requires a person to have an installed device before the commissioner issues the license and requires some participants to show proof of insurance. Specifies that a program participant must not operate a vehicle unless it is equipped with a device.

Subd. 6. Penalties; program violations. Establishes that the commissioner may extend a program participant's revocation period if the person violates program requirements. Establishes that the period can be extended by 45 days for a first violation, 180 days for a second violation, and one year for each subsequent violation. Authorizes the commissioner to terminate a person from the program when it is necessary to protect public safety.

Subd. 7. Penalties; tampering. Establishes criminal penalties for tampering with an intelligent speed assistance device. Creates a misdemeanor penalty for a person who loans a vehicle that is not equipped with a device knowing that the other person is a program participant. Creates a misdemeanor penalty that applies to a person who tampers with or disables a device unless the action is for

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emergency purposes or for a mechanical repair. Creates a reference to the gross misdemeanor offense that applies to a program participant who operates a vehicle that is not equipped with a device.

Subd. 8. Venue. Establishes that violations of subdivision 7 or the crime of operating a vehicle that is not equipped with an intelligent speed assistance device may be prosecuted where the vehicle is found, where the person resides, in any county the vehicle traveled through in the course of a trip or after which the offense was committed, or in the county where the underlying speeding offense took place that resulted in the person entering the program.

Subd. 9. Rulemaking. Directs the commissioner to adopt performance standards, a certification process for devices, program guidelines, and any other rules necessary to implement the program through the rulemaking process.

Subd. 10. Choice of vendor. Prohibits judicial officers, county agencies, and probation officers from directing a program participant to a particular provider. Permits counties to contract with a specific vendor to provide devices at a reduced cost and to direct indigent participants to that program.

Subd. 11. Termination from program; reentry. Establishes that a person whose license is withdrawn for an offense other than speeding may not operate a vehicle during that period, but may remain in the program without receiving credit for any time during which the person is prohibited from operating a vehicle. Allows a person to voluntarily withdraw from the program and reenter with credit for prior time in the program unless the person withdraws after committing an act that would constitute a new speeding offense. Requires the commissioner to terminate participation in the program if a person commits a new qualifying speed violation, but allows such a person to reenter the program subject to a new participation period that is the longer of the new period or the full period the person was serving at the time of the offense.

Subd. 12. Liability. Prevents liability for vehicle manufacturers, distributors, and retailers related to improper installation or use of an intelligent speed assistance device.

Subd. 13. Application. Except for rulemaking authority, makes the section effective January 1, 2028.

7 **Rulemaking; intelligent speed assistance program.**

Directs the commissioner of public safety to adopt rules for the intelligent speed assistance program using an exempt rulemaking process.

Section	Description
8	<p data-bbox="316 262 1015 294">Appropriation; intelligent speed assistance program.</p> <p data-bbox="316 304 1427 459">Appropriates an unidentified amount of money in fiscal year 2027 from the driver and vehicle services operating account to the commissioner of public safety for the intelligent speed assistance program. Establishes unspecified base funding for future years.</p>



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