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State of Minnesota

HOUSE OF REPRESENTATIVES

SECOND SPECIAL SESSION

H. F. No. 26

07/13/2020 Authored by Bernardy The bill was read for the first time and referred to the Transportation Finance and Policy Division

1.1 A bill for an act
1.2 relating to motor vehicles; requiring implementation of online driver's license
1.3 knowledge testing; implementing a fee for not appearing for a driving exam;
1.4 prohibiting the practice of reserving driving exam slots for driving schools;
1.5 requiring a report on the road testing backlog; appropriating money; amending
1.6 Minnesota Statutes 2018, section 171.13, subdivision 7, by adding subdivisions.

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

1.8 Section 1. Minnesota Statutes 2018, section 171.13, subdivision 7, is amended to read:

1.9 Subd. 7. Repeat Examination fee fees. (a) A fee of \$10 must be paid by an individual
1.10 to take a third and any subsequent knowledge test administered by the department if the
1.11 individual has failed two previous consecutive knowledge tests on the subject.

1.12 (b) A fee of \$20 must be paid by an individual to take a third and any subsequent skills
1.13 or road test administered by the department if the individual has previously failed two
1.14 consecutive skill or road tests in a specified class of motor vehicle.

1.15 (c) A fee of \$20 must be paid by an individual who fails to appear for a scheduled skills
1.16 or road test or who cancels a skills or road test within 24 hours of the appointment time.

1.17 (d) All fees received under this subdivision must be paid into the state treasury and
1.18 credited to the driver services operating account in the special revenue fund specified under
1.19 section 299A.705.

1.20 EFFECTIVE DATE. This section is effective August 1, 2020.

2.1 Sec. 2. Minnesota Statutes 2018, section 171.13, is amended by adding a subdivision to  
2.2 read:

2.3 Subd. 8. **Test scheduling.** The commissioner must not schedule or reserve recurring  
2.4 time with a public, private, or commercial driver education program for purposes of  
2.5 administering skills or road tests to a class D or commercial driver's license applicant.

2.6 **EFFECTIVE DATE.** This section is effective the day following final enactment.

2.7 Sec. 3. Minnesota Statutes 2018, section 171.13, is amended by adding a subdivision to  
2.8 read:

2.9 Subd. 9. **Online driver's license knowledge testing authorization.** (a) The commissioner  
2.10 must implement online knowledge testing as provided in this subdivision. Upon written  
2.11 request from a driver education program licensed by the department, the commissioner must  
2.12 grant access to the department's web-based knowledge testing system to the driver education  
2.13 program. The commissioner must not charge a fee to a driver education program for access  
2.14 to the knowledge testing system or for administering the knowledge test.

2.15 (b) Once granted access to the online knowledge testing system, a driver education  
2.16 program may administer the knowledge test to a student of the program. The driver education  
2.17 program must provide all computers and equipment for students that take the knowledge  
2.18 test. The driver education program must also provide appropriate proctors to monitor students  
2.19 taking the knowledge test. A driver education program may charge a fee of no more than  
2.20 \$10 for administering the test. The commissioner must administer the fourth or subsequent  
2.21 test for a student.

2.22 **EFFECTIVE DATE.** This section is effective on October 1, 2020, or on the date the  
2.23 changes required by this section are implemented, whichever is earlier. If the changes  
2.24 required by this section are implemented before October 1, 2020, the commissioner of public  
2.25 safety must notify the revisor of statutes of the date.

2.26 Sec. 4. **REPORTS; DEPARTMENT OF PUBLIC SAFETY.**

2.27 Subdivision 1. **Backlog report.** By January 1, 2021, the commissioner of public safety  
2.28 must report to the chairs and ranking minority members of the legislative committees with  
2.29 jurisdiction over transportation policy and finance on the following:

2.30 (1) a summary of the plan or plans implemented to address the class D and CDL road  
2.31 test backlogs during 2020 and a discussion on whether those plans were implemented,  
2.32 including whether any benchmarks or goals were achieved on time;

3.1 (2) monthly totals of road tests conducted, broken down by type of test and location of  
 3.2 test;

3.3 (3) average wait times for a person seeking a road test, broken down by month, location,  
 3.4 and type of test;

3.5 (4) a list of locations offering tests each month and the types of tests offered at each  
 3.6 location;

3.7 (5) a summary of plans, if any, for addressing existing or potential backlogs of road tests  
 3.8 in 2021;

3.9 (6) recommendations on whether third-party testing for class D driver's licenses and  
 3.10 commercial driver's licenses should be authorized; and

3.11 (7) recommended legislative changes relating to elimination of road test backlogs and  
 3.12 ways to minimize future road test backlogs.

3.13 Subd. 2. **Online knowledge testing report.** By January 1, 2022, the commissioner of  
 3.14 public safety must report to the chairs and ranking minority members of the legislative  
 3.15 committees with jurisdiction over transportation policy and finance on the following:

3.16 (1) the number of online knowledge tests taken pursuant to Minnesota Statutes, section  
 3.17 171.13, subdivision 9;

3.18 (2) the number of locations providing online knowledge testing pursuant to Minnesota  
 3.19 Statutes, section 171.13, subdivision 9;

3.20 (3) if adequate data is available, a recommendation on whether the \$10 fee cap in  
 3.21 Minnesota Statutes, section 171.13, subdivision 9, should be changed;

3.22 (4) recommendations on whether additional entities should be authorized to administer  
 3.23 online knowledge testing;

3.24 (5) recommendations on whether driver education programs should be allowed to  
 3.25 administer online knowledge tests to people other than students of the program; and

3.26 (6) recommended legislative changes related to online knowledge testing.

3.27 Sec. 5. **ONLINE DRIVER'S LICENSE KNOWLEDGE TESTING; USE OF**  
 3.28 **APPROPRIATION.**

3.29 (a) Of the appropriation in Laws 2019, First Special Session chapter 3, article 1, section  
 3.30 4, subdivision 4, paragraph (c), \$450,000 is available to the commissioner of public safety  
 3.31 to implement online driver's license knowledge testing as provided in section 3.

4.1 (b) The authority under paragraph (a) is available until January 31, 2022, for expenses  
4.2 incurred on or before December 31, 2021. Any funds under this section that remain unspent  
4.3 after January 31, 2022, revert to the purposes identified in Laws 2019, First Special Session  
4.4 chapter 3, article 1, section 4, subdivision 4, paragraph (c).

4.5 (c) The base for the appropriation from the driver services operating account in Laws  
4.6 2019, First Special Session chapter 3, article 1, section 4, subdivision 4, paragraph (b), is  
4.7 increased by \$55,000 in each of fiscal years 2022 and 2023 for annual maintenance of the  
4.8 online driver's license knowledge testing system.

4.9 **EFFECTIVE DATE.** This section is effective the day following final enactment.