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State of Minnesota  
**HOUSE OF REPRESENTATIVES**

EIGHTY-SIXTH  
SESSION

**HOUSE FILE No. 575**

February 5, 2009

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The bill was read for the first time and referred to the Transportation and Transit Policy and Oversight Division

March 12, 2009

Committee Recommendation and Adoption of Report:

To Pass as Amended and re-referred to the Committee on K-12 Education Policy and Oversight

1.1 A bill for an act  
1.2 relating to drivers' licenses; modifying driver education requirements for  
1.3 obtaining an instruction permit; amending Minnesota Statutes 2008, section  
1.4 171.05, subdivision 2.

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

1.6 Section 1. Minnesota Statutes 2008, section 171.05, subdivision 2, is amended to read:

1.7 Subd. 2. **Person less than 18 years of age.** (a) Notwithstanding any provision  
1.8 in subdivision 1 to the contrary, the department may issue an instruction permit to an  
1.9 applicant who is 15, 16, or 17 years of age and who:

1.10 (1) has completed a course of driver education in another state, has a previously  
1.11 issued valid license from another state, or ~~is enrolled in either:~~

1.12 (i) the applicant has completed:

1.13 (A) the classroom phase of instruction in a public, private, or commercial driver  
1.14 education program that is approved by the commissioner of public safety and that includes  
1.15 classroom and behind-the-wheel training; or;

1.16 ~~(ii) an approved behind-the-wheel driver education program~~ (B) home-classroom  
1.17 driver training, when the student is receiving full-time instruction in a home school  
1.18 within the meaning of sections 120A.22 and 120A.24, the student is working toward a  
1.19 homeschool diploma, the student's status as a homeschool student has been certified by  
1.20 the superintendent of the school district in which the student resides, and the ~~student is~~  
1.21 ~~taking home-classroom driver training with~~ classroom materials are approved by the  
1.22 commissioner of public safety; or

1.23 (C) an Internet-based theory driver education program that is approved by the  
1.24 commissioner; and

2.1 (ii) the applicant is enrolled in or has completed behind-the-wheel training in  
2.2 a public, private, or commercial driver education program that is approved by the  
2.3 commissioner;

2.4 ~~(2) has completed the classroom phase of instruction in the driver education program;~~

2.5 ~~(3)~~ (2) has passed a test of the applicant's eyesight;

2.6 ~~(4)~~ (3) has passed a department-administered test of the applicant's knowledge  
2.7 of traffic laws;

2.8 ~~(5)~~ (4) has completed the required application, which must be approved by (i) either  
2.9 parent when both reside in the same household as the minor applicant or, if otherwise, then  
2.10 (ii) the parent or spouse of the parent having custody or, in the event there is no court order  
2.11 for custody, then (iii) the parent or spouse of the parent with whom the minor is living  
2.12 or, if items (i) to (iii) do not apply, then (iv) the guardian having custody of the minor or,  
2.13 in the event a person under the age of 18 has no living father, mother, or guardian, or is  
2.14 married or otherwise legally emancipated, then (v) the applicant's adult spouse, adult close  
2.15 family member, or adult employer; provided, that the approval required by this clause  
2.16 contains a verification of the age of the applicant and the identity of the parent, guardian,  
2.17 adult spouse, adult close family member, or adult employer; and

2.18 ~~(6)~~ (5) has paid the fee required in section 171.06, subdivision 2.

2.19 (b) The instruction permit is valid for two years from the date of application and  
2.20 may be renewed upon payment of a fee equal to the fee for issuance of an instruction  
2.21 permit under section 171.06, subdivision 2.