

## MDRA SUMMARY OF NEW LAWS PASSED--2020

The following new laws were enacted by the 2020 regular legislative session, as well as its first and second legislative special sessions through July 30, 2020:

**2020 Regular Session**: The following three bills affecting deputy registrar operations were enacted in the regular session between January and May 2020.

**Chapter 71** (HF 4531/SF 4451) *Covid-19 emergency response legislation, which included the following*:

- Transferred \$2.4 million from DVS operating account to provide for their temporary staffing to achieve a 45-day turnaround to fulfill DL and ID transaction applications.
- Modified existing list of acceptable documentation required to prove residence and obtain a Real-ID credential. Mostly extends the duration of certain acceptable documentation presented by an applicant from within the past 90-days (original law) to within the past 12-months (new law), such as:
  - Utility bill or utility hook-up order
  - Bank or credit card statement
    - Expanded to also include debit card statement, as well as brokerage or money market account statements
  - Employer's pay stub with applicant's name and address (phone not needed)
  - Statement from health licensed housing that provides services (nursing homes, assisted living, etc.)
  - Cellular phone bill (with applicant name and address included)

Other modifications to acceptable documentation include:

- Presentation of a valid MN game and fish license (new)
- Any current policy **or card** for health, auto, home, or renter insurance (life insurance policy NO LONGER acceptable)
- Vehicle title or filed property deed or title with current residence presented, no longer subject to being acquired within prior 12-months
- Use of a MN property tax statement extended to also include for the past calendar year, as well as any proposed property tax notice for the current year
- Any high school or college ID is no longer acceptable, however a transcript from any U.S. high school or any MN college issued within 180-days prior to application is acceptable
- Minors under the age of 18 living at home with parents or a guardian may use one of their parents' or guardians' documents to prove residency, provided the parent/guardian name and corresponding address matches the document and application, and with the parent/guardian certifying that the applicant is their child

*Chapter 71, continued*

- Temporary extension granted for expiring DL, ID, and disability permits.
  - Renewal delayed until the end of the second month following the month when the emergency is lifted. Renewal cycle remains unchanged otherwise and no extra fee or surcharge may be imposed.
  - Similar extension provided to instruction permits, provisional licenses, operator permit, limited license, and farm work license.
  - Same courtesy provided for out-of-state individuals who are moving here seeking a MN DL, as well as those with expiring out-of-state license
  - Extensions do not apply for reinstatements of cancelled, suspended, or revoked licenses, nor anyone no longer eligible for a license
  - DPS must report to the legislature 30-days after the lifting of the emergency order regarding any temporary powers exercised by DVS that modified statutory requirements or administrative rules
- *All provisions became effective immediately. Temporary extensions for DL, ID, and disability permits end after the grace period expires once the emergency order is lifted.*

**Chapter 74** (HF 4556/SF 4462) *Covid-19 related policy legislation, which included the following:*

- Clarification and application of CDL temporary extensions.
  - Out-of-state CDL holders moving to MN allowed extension to operate for “more than 30 days” before seeking MN CDL
  - Any expiring CDL (resident or nonresident) granted same extension afforded other expiring DL holders however, any expiring CDL must NOT be extended beyond the federal regulations governing waivers in this regard
  - Expiring CDL medical certificates and waivers are extended in the same manner previously adopted (two months after the month when the emergency order is lifted) however, provided federal regulations governing such do not conflict
  - No additional fee or surcharges may be charged, and the renewal cycle remains unchanged
  - Allows DVS to issue CDL during the peacetime emergency without administering the photo and eye exam requirements, provided the applicant has passed the road test
  - Comparable DPS report to legislature 30-days after emergency is lifted regarding exercising temporary powers that modified statutory requirements or administrative rules
  - *These provisions became effective immediately, but end after the grace period expires once the emergency order is lifted*

*Continued*

- Adoption of VTRS task force recommendations for vehicle titles and tax. These pertain to the creation of the new MNDRIVE system to replace MNLARS. **These provisions become effective once that new system becomes operational in November 2020:**
  - Base tax fee of \$10 will remain, but the tax rate imposed on the base value will increase from 1.25% to 1.285%
  - MSRP shall be the recognized base price with **NO** destination charge applied
  - Dealers and deputies granted ability to determine base value absent MSRP
  - Provides DVS authority to modify previous registration tax on existing vehicles in MNLARS upon its conversion to MNDRIVE due to errors or omissions. Requires written notification by DVS to owners of these affected vehicles that includes the reason for the modification and a contact number at the department for the owner to call with questions

**Chapter 100** (HF 462/SF 1014) *Omnibus transportation policy bill, which included the following:*

- Changes to temporary permits, their design and placement. **These provisions become effective once the new MNDRIVE becomes operational in November 2020.**
  - Temporary permits shall be created from deputy office copier (DVS will supply card stock at no cost) and customer shall place it where the rear license plate normally is attached. This also includes 31-day and 21-day permits
  - Dealers that create temporary permits no longer required to provide these records to DVS
- Further clarifies temporary DL extension law (**effective immediately**).
  - Any license holder whose card expires in the month that follows the last month after the emergency order is lifted, it is extended through the end of that month
- Mental health and autism spectrum DL identifier are separate requests, effective 8/1/20.
  - Previously combined, these are now separate DL identifiers, but each still requires a written request from the applicant as previously required.
- Temporary streamlined standard DL renewal process, **effective immediately until 6/30/21.**
  - If the applicant has no other changes to the existing record (name, address), the individual may have the photo and vision test waived when renewing a noncompliant DL or ID (Not applicable for Real or EDL)
  - All DL agents including limited agents are eligible to offer this service

### **2020 Special Session (first):**

The first special session occurred for one week in mid-June and was triggered when Governor Walz extended his 30-day peacetime emergency order. One of the few enacted bills from this special session is highlighted below.

#### **2020 Special Session (1), Chapter 3 (HF 65/SF 10)**

*(Note, this chapter and bill files are not a regular session chapter nor regular session bill numbers)*

- Replacement plate fee
  - The replacement fee for single dealer plates and tax-exempt plates will be \$5.25, conforming with the existing replacement fee for other plates
  - Effective upon implementation of the new MNDRIIVE system in November 2020
- EDL indicator as REAL ID compliant
  - Requires Enhanced DL and ID to have indicator designating it as REAL ID compliant
  - Effective 8/1/20

### **2020 Special Session (second):**

The second special session occurred for one week in mid-July and was again triggered when Governor Walz extended his 30-day peacetime emergency order. One of the few enacted bills from this special session is highlighted below.

#### **2020 Special Session (2), Chapter 2 (HF 26/SF 4)**

*(Note, this chapter and bill files are neither regular session, nor first special session chapter and bill numbers. Regular and special sessions each have separate chapters and bill file number designations.)*

- DL exam providers expanded beyond DVS
  - Allows DL knowledge test to be conducted by driver education programs and “authorized entities” as providers (such as deputy registrars)
  - DVS must allow free access to the online test for a provider to offer
  - Provider must provide the computer for applicant to take test
  - Provider must provide a proctor to oversee the individual taking the test
  - Provider may charge no more that \$10 per applicant taking test
  - **Effective 11/1/20, unless DVS can accomplish sooner**

As of the date of this report, it is anticipated additional monthly special sessions will be called which is required every time the governor extends his emergency declaration, which is only valid for 30 days.

END OF MDRA 2020 NEW LAW SUMMARY

