

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

202.

Attorney General

March 9, 1976

Joel Watne
Special Assistant
Attorney General

Michael B. Miller
Special Assistant
Attorney General

Drivers License Rules

Returned herewith are the rules of the Department of Public Safety captioned Driv Lic 71-86. The following corrections should be made before resubmission:

1. The phrase "unless the court recommends a longer period" is used in the following rules: 75(a), (b), (c); 76(b)(1), (2); 77(a)(1)-(8); 80; 81 (a), (b). This phrase should be followed by clarifying language indicating that the court's recommendation shall be adopted.

2. Rule 80 contains some words that do not make sense. These words, "violation of any", should be removed to leave the meaning of the rule clear.

3. The words "shall be subject to suspension" in Rule 84 should be changed to make it clear that this rule is discretionary and not mandatory.

4. Rule 86 makes it possible for a person to have his license be withdrawn for a few days without knowing it. This rule should be changed to provide reasonable notice time before the withdrawal becomes effective.

5. The record and Findings of Fact do not reflect an adequate evidentiary basis for adoption of the rules. The Findings of Fact should be redrafted to reflect the evidence that the Department has based the rules upon.

MBM/mb

Enclosure

202

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Attorney General

Joel Watne
Special Assistant
Attorney General

May 7, 1976

296-4692

Michael B. Miller
Special Assistant
Attorney General

Rules Driv Lic 71-86

The above-captioned rules are returned herewith; these rules must be the subject of another hearing at which an affirmative presentation is made by the agency.

MBM/mb

Enclosure

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE EDWARD G. NOVAK

COMMISSIONER OF PUBLIC SAFETY

In the matter of the Proposed Adoption of Rules of the State Department of Public Safety Governing Standards for Administration of Driver Licensing Laws.

ORDER ADOPTING RULES

The above-entitled matter came on for hearing before the Commissioner of Public Safety of the State of Minnesota on the 16th day of December, 1975, at 1:00 p.m. in Room B9A, Highway Building, St. Paul, Minnesota, after proper notice required by M.S. 1974, Section 15.0412 was served upon all persons associations and other interested groups registered with the Secretary of State for that purpose.

After affording interested persons an opportunity to present written and oral data, statements and arguments, having heard all of the testimony, having considered all of the evidence adduced and upon the records, files and proceedings herein, and applicable statutory standards or criteria, and having confirmed the need for the above captioned rules;

NOW, THEREFORE, IT IS ORDERED that these rules identified as Minnesota Department of Public Safety, Driver License Division, Chapter Seven: Standards for Administration of Driver Licensing Laws, DrivLic 71-90, are adopted this 6th day of April, 1976, pursuant to authority vested in me by M.S. 1974 Section 299A.01, Subdivision 6.

STATE OF MINNESOTA
DEPARTMENT OF PUBLIC SAFETY

Edward G. Novak
COMMISSIONER OF PUBLIC SAFETY

Adopted Rules - Amended 3-31-76

MINNESOTA DEPARTMENT OF PUBLIC SAFETY

DRIVER LICENSE DIVISION

CHAPTER SEVEN: STANDARDS FOR ADMINISTRATION OF DRIVER LICENSING LAWS

DrivLic 71 PURPOSE AND SCOPE

(a) The purpose of these rules is to establish standards for effective administration of the driver licensing laws governing issuance of driver licenses, driver limitations, suspension, cancellation and revocation of driver licenses, and actions taken with regard to motor vehicle registration cards and plates pertaining thereto.

(b) The scope of these regulations is intended to be confined within the framework of and consistent with the provisions of Minnesota Statutes Chapters 65B, 169 and 171.

DrivLic 72 AUTHORITY OF ADMINISTRATIVE ACTIONS

Actions taken for violations enumerated in DrivLic 73-84 of this chapter shall be under authority of Minnesota Statutes Chapters 65B, 169 or 171, except as otherwise stated, with respect to the driving privileges of any person in the situation enumerated.

DrivLic 73 JUVENILE TRAFFIC OFFENDERS.

(a) Where any minor is adjudicated a delinquent based on an incident involving the theft or unauthorized use of a motor vehicle, his driving privileges shall be revoked for not less than 6 months.

(b) Except as otherwise provided by law, in all situations where a minor is adjudicated a delinquent based on an incident involving the use of a motor vehicle or relating to the provisions of Minnesota Statutes Chapter 171, the action taken shall be the same as for any adult similarly situated.

DrivLic 74 AUTO THEFT. Where any person is convicted of a violation of M.S. §§ 609.55, his driving privileges shall be revoked for six months or such longer period as the court may recommend.

DrivLic 75 INVOLVEMENT IN FATAL COLLISIONS.

(a) Where any person is convicted of a violation of M.S. §§ 609.21, his license shall be revoked for six months or such longer period as the court may recommend.

(b) Where any person is convicted of any offense other than a violation of M.S. §§ 609.21, relating to the use of a motor vehicle or to the provisions of M.S. Chapter 171, arising out of any motor vehicle collision resulting in the death of any person, his license shall be suspended for six months or such longer period as the court may recommend.

(c) Where the Commissioner is informed that any person has been charged with a violation of M.S. §§ 609.21, his license shall be suspended for 6 months or such longer period as the court in which said charge is pending may recommend.

Driv Lic 76 DRIVING AFTER WITHDRAWAL.

(a) For purposes of this subdivision, "driving after withdrawal" refers to any incident of driving or operating a motor vehicle while a license is suspended, revoked, cancelled or denied.

(b) Where any person is convicted of any charge of driving after withdrawal, his license shall be suspended as follows:

(1) First offense: suspension for 30 days or such longer period as the court may recommend.

(2) Second offense: suspension for 90 days or such longer period as the court may recommend.

(3) Third and subsequent offenses: suspension for 1 year.

(c) Where any person is convicted of any violation of any law relating to the operation of motor vehicles or to the provisions of M.S. Chapter 171, occurring during a period when his license is suspended, revoked or cancelled, such conviction shall be deemed equivalent to a conviction on a charge of driving after withdrawal and treated accordingly.

DrivLic 77 DRIVING UNDER INFLUENCE OF ALCOHOL OR DRUGS.

(a) Except as otherwise provided by law, where any person is convicted of a violation of M.S. §§ 169.121, his license shall be revoked as follows:

(1) Second offense within four years: revocation for 90 days or such longer period as the court may recommend.

(2) Second offense within five years: revocation for 60 days or such longer period as the court may recommend.

(3) Third offense within three years: revocation for nine months or such longer period as the court may recommend, and denial pursuant to M.S. §§ 171.04(8) until satisfactory completion of such rehabilitation program as the Commissioner may specify.

(4) Third offense within four years: revocation for nine months or such longer period as the court may recommend.

(5) Third offense within five years: revocation for six months or such longer period as the court may recommend.

(6) Fourth offense within four years: revocation for one year or such longer period as the court may recommend, and denial pursuant to M.S. §§ 171.04(8) until satisfactory completion of such rehabilitation program as the Commissioner may specify.

(7) Fourth offense within five years: revocation for nine months or such longer period as the court may recommend, and denial pursuant to M.S. §§ 171.04(8)

until satisfactory completion of such rehabilitation program as the Commissioner may specify.

(8) Fifth of subsequent offenses within ten years: revocation for one year or such longer period as the court may recommend, and denial pursuant to M.S. §§ 171.04(8) until satisfactory completion of such rehabilitation program as the Commissioner may specify.

(b) Where any conviction to which Subd.(a) of this regulation applies is reported to involve the use of any narcotic drug or controlled substance, no license shall be issued until the person convicted submits such statements from a physician or other persons as the Commissioner may require, in addition to meeting other specified requirements;

(c) Where any conviction to which Subd. (a) of this regulation applies relates to an incident involving grievous bodily injury to, or the death of, any person, an additional 60 days shall be added to the specified period of revocation;

(d) Where any conviction to which Subd. (a) of this regulation applies relates to an incident occurring after the person has previously had an interview with a driver evaluator in which he was informed of the potential driver license consequences of violation of laws relating to the ownership or operation of motor vehicles and the possible consequences of violations of M.S. Chapter 171, an additional 30 days shall be added to the specified period of revocation.

(c) Where any conviction for violation of M.S. §§ 169.121 relates to an incident subsequent to the completion of any program of rehabilitation specified by the Commissioner pursuant to Subd. (a) of this regulation in addition to the period of revocation specified herein therefor, the convicted person's driving privileges shall be denied until completion of such program of rehabilitation as the Commissioner may specify.

(f) For purposes of this subdivision, convictions in other states for violation of statutes substantially equivalent to M.S. §§ 169.121, including but not limited to provisions prohibiting the driving or operation of motor vehicles while "impaired" by alcohol or drugs, shall be deemed to be equivalent to convictions for violation of M.S. §§ 169.121, and treated accordingly.

DrivLic 78 ALCOHOL-RELATED OFFENSES OTHER THAN VIOLATIONS OF M.S. §§ 169.121.

(a) For the purposes of this subdivision, any offense is deemed to be alcohol-related where the Commissioner receives information through the Court or any investigating peace officer that the incident involved the use of any alcoholic beverage, except violations of M.S. §§ 169.121.

(b) Where any person is convicted of an alcohol-related offense, following two or more convictions for violations of M.S. §§ 169.121, or two or more revocations pursuant to M.S. §§ 169.123, or any combination of violations of M.S. §§ 169.123 and

revocations pursuant to M.S. §§ 169.123 relating to incidents occurring within the three previous years, his driving privileges shall be suspended for one year and denied pursuant to M.S. §§ 171.04(8) until satisfactory completion of such program of rehabilitation as the Commissioner may specify.

(c) Where any person is convicted of an alcohol-related offense following two or more convictions for violations of M.S. §§ 169.121, or two or more revocations pursuant to M.S. §§ 169.123, or any combination of violations of M.S. §§ 169.121 and revocations pursuant to M.S. §§ 169.123 relating to incidents occurring within the previous five years, his driving privileges shall be suspended for 60 days and denied pursuant to M.S. §§ 171.04(8) until satisfactory completion of such program of rehabilitation as the Commissioner may specify.

(d) Where any person is convicted of a second alcohol-related offense within three years, his driving privileges shall be suspended for 90 days;

(e) Where any person is convicted of a third alcohol-related offense within three years, his driving privileges shall be suspended for 6 months and denied pursuant to M.S. §§ 171.04(8) until satisfactory completion of such program of rehabilitation as the Commissioner may specify;

(f) Where any person is convicted of a fourth or subsequent alcohol-related offense within five years, his driving privileges shall be suspended for one year and denied pursuant to M.S. §§ 171.04(8) until satisfactory completion of such program of rehabilitation as the Commissioner may prescribe.

Driv.Lic.79 MISCELLANEOUS DRIVER LICENSE VIOLATIONS.

(a) False Application. Where the Commissioner determines that any person has knowingly made any false statement, knowingly concealed a material fact, or otherwise committed fraud in his application for a driver license, such license shall be cancelled pursuant to M.S. §§ 171.14, and the driving privileges of that person shall be revoked pursuant to M.S. §§ 171.17(5) for not less than 90 days.

(b) Allowing Use of License by Another. Where the Commissioner determines that any person has permitted an unlawful or fraudulent use of his license, his driving privileges shall be suspended for not less than 60 days.

(c) Other Violations of M.S. §§§§ 171.20 and 171.22. Where the Commissioner determines that any person has violated any other provisions of M.S. §§§§ 171.20 and 171.22, action shall be taken as follows:

(1) First incident: Said person shall be given the opportunity to attend an interview with a Driver Evaluator in which he shall be advised that future violations of any laws relating to the ownership and operation of motor vehicles or to drivers' licenses may result in the suspension, revocation or cancellation of his driving privileges;

(2) Second incident within five years: Said person's driving privileges shall be suspended for not less than 30 days pursuant to M.S. §§ 171.18(4).

(3) Third incident within five years: Said person's driving privileges shall be suspended for not less than 90 days;

(4) Fourth incident within five years: Said person's driving privileges shall be suspended for not less than six months;

(5) Fifth or subsequent incident within five years: Said person's driving privileges shall be suspended for one year.

(d) No License or Instruction Permit in Possession. Where the Commissioner determines that any person has violated the provisions of M.S. §§ 171.08, action shall be taken as specified in Subd. (c), above.

(e) No Motorcycle Endorsement. Where the Commissioner determines that any person has violated the provisions of M.S. §§ 169.974, Subd. 2, action shall be taken as specified in Subd. (c) above.

DrivLic 80 USE OF MOTOR VEHICLE IN COMMISSION OF FELONY. Where any person is convicted of a felony in the commission of which a motor vehicle was used, his driving privileges shall be revoked for 6 months or such longer period as the court may recommend.

DrivLic 81 LEAVING SCENE OF ACCIDENT.

(a) Where any person is convicted of violating any statute referred to in M.S. §§ 171.17(4), and such motor vehicle accident results in the death of another, his driving privileges shall be revoked for one year or such longer period as the court may recommend.

(b) Where any person is convicted of violating any statute referred to in M.S. §§ 171.17(4), and such motor vehicle accident results in personal injury of another, his driving privileges shall be revoked for six months or such longer period as the court may recommend.

DrivLic 82 VIOLATION OF RESTRICTED OR LIMITED LICENSE.

(a) Where the Commissioner determines that any person has violated restrictions placed upon his driving privileges pursuant to M.S. §§ 171.09, that person's driving privileges shall be suspended, pursuant to the procedure specified in M.S. §§ 171.18, as follows:

(1) First incident: Suspension for not less than 30 days.

(2) Second incident: Suspension for not less than 90 days.

(3) Third incident: Suspension for one year.

(b) Where the Commissioner determines that any person has violated the terms of a limited license issued pursuant to M.S. §§ 171.30, such violation shall be deemed to be equivalent to "driving after withdrawal" and treated as provided in Subd. 4 of this regulation.

DrivLic 83 NONCOMPLIANCE WITH "NO FAULT" INSURANCE LAW.

(a) Where any person is convicted of a violation of M.S. §§ 65B.67, his driving privileges shall be revoked as follows:

(1) First offense: 30 days.

(2) Second offense: 60 days.

(3) Third offense: Six months.

(4) Fourth and subsequent offenses: One year.

(b) Where the records of the Department or other sufficient evidence indicate that any person has committed a violation of M.S. §§ 65B.67, his driving privileges shall be suspended as follows:

(1) First offense: 30 days.

(2) Second offense: 60 days.

(3) Third offense: 6 months.

(4) Fourth or subsequent offense: One year.

DrivLic 84 HABITUAL VIOLATOR.

(a) In addition to other actions specified in this chapter, the commissioner may suspend the driving privileges of any person under M.S. §§ 171.18(4) as an habitual violator where the department's records indicate two or more violations of laws relating to drivers' license or to the ownership or operation of motor vehicles, involving two or more separate incidents, as follows:

(1) Second offense within one year: Suspension for 30 days.

(2) Third offense within one year: Suspension for 60 days.

(3) Fourth offense within one year: Suspension for 90 days.

(4) Fifth offense within one year: Suspension for one year.

(5) Third offense within three years: Suspension for 30 days.

(6) Fourth offense within three years: Suspension for 60 days.

(7) Fifth offense within three years: Suspension for 90 days.

(8) Sixth offense within three years: Suspension for one year.

(9) Fifth offense in five years: Suspension for 30 days.

(10) Sixth offense within five years: Suspension for 60 days.

(11) Seventh offense within five years: Suspension for 90 days.

(12) Eighth and subsequent offenses within five years: Suspension for one year.

(b) In addition to any suspension under authority of M.S. §§ 171.18(4) as an habitual violator, the driving privileges of any person deemed to be an habitual violator may also be denied pursuant to M.S. §§ 171.04(8) for the duration of such period of suspension or such portion thereof as the Commissioner may prescribe.

DrivLic 85 COMPUTATION OF TIME.

Credit for serving any period of suspension, revocation, cancellation or denial shall be granted only from the date on which the licensee delivers physical possession of his license or permit to the Department or the date on which the licensee files with the Department an affidavit sufficient to satisfy the Commissioner that the license has been lost or stolen and cannot be delivered.

DrivLic 86 EFFECTIVE DATE OF DRIVER LICENSE WITHDRAWAL ORDERS.

Unless otherwise specified, the effective date of any driver license order of withdrawal shall be the third calendar day following the date on which the order was mailed to the licensee, or the date on which the licensee was given actual notice of the action, whichever is earlier, as shown upon the records of the Department.

DrivLic 87-90 Reserved for future use.

Adopted Rules

MINNESOTA DEPARTMENT OF PUBLIC SAFETY

DRIVER LICENSE DIVISION

CHAPTER SEVEN: STANDARDS FOR ADMINISTRATION OF DRIVER LICENSING LAWS

DrivLic 71 PURPOSE AND SCOPE

(a) The purpose of these rules is to establish standards for effective administration of the driver licensing laws governing issuance of driver licenses, driver limitations, suspensions, cancellation and revocation of driver licenses, and actions taken with regard to motor vehicle registration cards and plates pertaining thereto.

(b) The scope of these regulations is intended to be confined within the framework of and consistent with the provisions of Minnesota Statutes Chapters 65B, 169 and 171.

DrivLic 72 AUTHORITY OF ADMINISTRATIVE ACTIONS

Actions taken for violations enumerated in DrivLic 73-84 of this chapter shall be under authority of Minnesota Statutes Chapters 65B, 169 or 171, except as otherwise stated, with respect to the driving privileges of any person in the situation enumerated.

DrivLic 73 JUVENILE TRAFFIC OFFENDERS.

(a) Where any minor is adjudicated a delinquent based on an incident involving the theft or unauthorized use of a motor vehicle, his driving privileges shall be revoked for not less than 6 months.

(b) Except as otherwise provided by law, in all situations where a minor is adjudicated a delinquent based on an incident involving the use of a motor vehicle or relating to the provisions of Minnesota Statutes Chapter 171, the action taken shall be the same as for any adult similarly situated.

DrivLic 74 AUTO THEFT. Where any person is convicted of a violation of M.S. §§ 609.55, his driving privileges shall be revoked for six months unless the court recommends a longer period.

DrivLic 75 INVOLVEMENT IN FATAL COLLISIONS.

(a) Where any person is convicted of a violation of M.S. §§ 609.21, his license shall be revoked for six months unless the court recommends a longer period.

(b) Where any person is convicted of any offense other than a violation of M.S. §§ 609.21, relating to the use of a motor vehicle or to the provisions of M.S. Chapter 171, arising out of any motor vehicle collision resulting in the death of any person, his license shall be suspended for six months unless the court recommends a longer period.

(c) Where the Commissioner is informed that any person has been charged with a violation of M.S. §§ 609.21, his license shall be suspended for 6 months unless the court recommends a longer period.

Driv Lic 76 DRIVING AFTER WITHDRAWAL.

(a) For purposes of this subdivision, "driving after withdrawal" refers to any incident of driving or operating a motor vehicle while a license is suspended, revoked or cancelled.

(b) Where any person is convicted of any charge of driving after withdrawal, his license shall be suspended as follows:

(1) First offense: suspension for 30 days unless the court recommends a longer period.

(2) Second offense: suspension for 90 days unless the court recommends a longer period.

(3) Third and subsequent offenses: suspension for 1 year.

(c) Where any person is convicted of any violation of any law relating to the operation of motor vehicles or to the provisions of M.S. Chapter 171, occurring during a period when his license is suspended, revoked or cancelled, such conviction shall be deemed equivalent to a conviction on a charge of driving after withdrawal and treated accordingly.

DrivLic 77 DRIVING UNDER INFLUENCE OF ALCOHOL OR DRUGS.

(a) Except as otherwise provided by law, where any person is convicted of a violation of M.S. §§ 169.121, his license shall be revoked as follows:

(1) Second offense within four years: revocation for 90 days unless the court recommends a longer period;

(2) Second offense within five years: revocation for 60 days unless the court recommends a longer period;

(3) Third offense within three years: revocation for nine months unless the court recommends a longer period and denial pursuant to M.S. §§ 171.04(8) until satisfactory completion of such rehabilitation program as the Commissioner may specify;

(4) Third offense within four years: revocation for nine months unless the court recommends a longer period;

(5) Third offense within five years: revocation for six months unless the court recommends a longer period.

(6) Fourth offense within four years: revocation for one year unless the court recommends a longer period and denial pursuant to M.S. §§ 171.04(8) until satisfactory completion of such rehabilitation program as the Commissioner may specify.

(7) Fourth offense within five years: revocation for nine months unless the court recommends a longer period and denial pursuant to M.S. §§ 171.04(8)

until satisfactory completion of such rehabilitation program as the Commissioner may specify.

(8) Fifth of subsequent offenses within ten years: revocation for one year unless the court recommends a longer period and denial pursuant to M.S. §§ 171.04(8) until satisfactory completion of such rehabilitation program as the Commissioner may specify.

(b) Where any conviction to which Subd.(a) of this regulation applies is reported to involve the use of any narcotic drug or controlled substance, no license shall be issued until the person convicted submits such statements from a physician or other persons as the Commissioner may require, in addition to meeting other specified requirements;

(c) Where any conviction to which Subd. (a) of this regulation applies relates to an incident involving grievous bodily injury to, or the death of, any person, an additional 60 days shall be added to the specified period of revocation;

(d) Where any conviction to which Subd. (a) of this regulation applies relates to an incident occurring after the person has previously had an interview with a driver evaluator in which he was informed of the potential driver license consequences of violation of laws relating to the ownership or operation of motor vehicles and the possible consequences of violations of M.S. Chapter 171, an additional 30 days shall be added to the specified period of revocation.

(e) Where any conviction for violation of M.S. §§ 169.121 relates to an incident subsequent to the completion of any program of rehabilitation specified by the Commissioner pursuant to Subd. (a) of this regulation in addition to the period of revocation specified herein therefor, the convicted person's driving privileges shall be denied until completion of such program of rehabilitation as the Commissioner may specify.

(f) For purposes of this subdivision, convictions in other states for violation of statutes substantially equivalent to M.S. §§ 169.121, including but not limited to provisions prohibiting the driving or operation of motor vehicles while "impaired" by alcohol or drugs, shall be deemed to be equivalent to convictions for violation of M.S. §§ 169.121, and treated accordingly.

DrivLic 78 ALCOHOL-RELATED OFFENSES OTHER THAN VIOLATIONS OF M.S. §§ 169.121.

(a) For the purposes of this subdivision, any offense is deemed to be alcohol-related where the Commissioner receives information through the Court or any investigating peace officer that the incident involved the use of any alcoholic beverage, except violations of M.S. §§ 169.121.

(b) Where any person is convicted of an alcohol-related offense, following two or more convictions for violations of M.S. §§ 169.121, or two or more revocations pursuant to M.S. §§ 169.123, or any combination of violations of M.S. §§ 169.123 and

revocations pursuant to M.S. §§ 169.123 relating to incidents occurring within the three previous years, his driving privileges shall be suspended for one year and denied pursuant to M.S. §§ 171.04(8) until satisfactory completion of such program of rehabilitation as the Commissioner may specify.

(c) Where any person is convicted of an alcohol-related offense following two or more convictions for violations of M.S. §§ 169.121, or two or more revocations pursuant to M.S. §§ 169.123, or any combination of violations of M.S. §§ 169.121 and revocations pursuant to M.S. §§ 169.123 relating to incidents occurring within the previous five years, his driving privileges shall be suspended for 60 days and denied pursuant to M.S. §§ 171.04(8) until satisfactory completion of such program of rehabilitation as the Commissioner may specify.

(d) Where any person is convicted of a second alcohol-related offense within three years, his driving privileges shall be suspended for 90 days;

(e) Where any person is convicted of a third alcohol-related offense within three years, his driving privileges shall be suspended for 6 months and denied purusant to M.S. §§ 171.04(8) until satisfactory completion of such program of rehabilitation as the Commissioner may specify;

(f) Where any person is convicted of a fourth or subsequent alcohol-related offense within five years, his driving privileges shall be suspended for one year and denied pursuant to M.S. §§ 171.04(8) until satisfactory completion of such program of rehabilitation as the Commissioner may prescribe.

Driv.Lic.79 MISCELLANEOUS DRIVER LICENSE VIOLATIONS.

(a) False Application. Where the Commissioner determines that any person has knowingly made any false statement, knowingly concealed a material fact, or otherwise committed fraud in his application for a driver license, such license shall be cancelled pursuant to M.S. §§ 171.14, and the driving privileges of that person shall be revoked pursuant to M.S. §§ 171.17(5) for not less than 90 days.

(b) Allowing Use of License by Another. Where the Commissioner determines that any person has permitted an unlawful or fraudulent use of his license, his driving privileges shall be suspended for not less than 60 days.

(c) Other Violations of M.S. §§§§ 171.20 and 171.22. Where the Commissioner determines that any person has violated any other provisions of M.S. §§§§ 171.20 and 171.22, action shall be taken as follows:

(1) First incident: Said person shall be given the opportunity to attend an interview with a Driver Evaluator in which he shall be advised that future violations of any laws relating to the ownership and operation of motor vehicles or to drivers' licenses may result in the suspension, revocation or cancellation of his driving privileges;

(2) Second incident within five years: Said person's driving privileges shall be suspended for not less than 30 days pursuant to M.S. §§ 171.18(4).

(3) Third incident within five years: Said person's driving privileges shall be suspended for not less than 90 days;

(4) Fourth incident within five years: Said person's driving privileges shall be suspended for not less than six months;

(5) Fifth or subsequent incident within five years: Said person's driving privileges shall be suspended for one year.

(d) No License or Instruction Permit in Possession. Where the Commissioner determines that any person has violated the provisions of M.S. §§ 171.08, action shall be taken as specified in Subd. (c), above.

(e) No Motorcycle Endorsement. Where the Commissioner determines that any person has violated the provisions of M.S. §§ 169.974, Subd. 2, action shall be taken as specified in Subd. (c) above.

DrivLic 80 USE OF MOTOR VEHICLE IN COMMISSION OF FELONY. Where any person is convicted of a violation of any felony in the commission of which a motor vehicle was used, his driving privileges shall be revoked for 6 months unless the court recommends a longer period.

DrivLic 81 LEAVING SCENE OF ACCIDENT.

(a) Where any person is convicted of violating any statute referred to in M.S. §§ 171.17(4), and such motor vehicle accident results in the death of another, his driving privileges shall be revoked for one year unless the court recommends a longer period.

(b) Where any person is convicted of violating any statute referred to in M.S. §§ 171.17(4), and such motor vehicle accident results in personal injury of another, his driving privileges shall be revoked for six months unless the court recommends a longer period.

DrivLic 82 VIOLATION OF RESTRICTED OR LIMITED LICENSE.

(a) Where the Commissioner determines that any person has violated restrictions placed upon his driving privileges pursuant to M.S. §§ 171.09, that person's driving privileges shall be suspended, pursuant to the procedure specified in M.S. §§ 171.18, as follows:

(1) First incident: Suspension for not less than 30 days.

(2) Second incident: Suspension for not less than 90 days.

(3) Third incident: Suspension for one year.

(b) Where the Commissioner determines that any person has violated the terms of a limited license issued pursuant to M.S. §§ 171.30, such violation shall be deemed to be equivalent to "driving after withdrawal" and treated as provided in Subd. 4 of this regulation.

DrivLic 83 NONCOMPLIANCE WITH "NO FAULT" INSURANCE LAW.

(a) Where any person is convicted of a violation of M.S. §§ 65B.67, his driving privileges shall be revoked as follows:

(1) First offense: 30 days.

(2) Second offense: 60 days.

(3) Third offense: Six months.

(4) Fourth and subsequent offenses: One year.

(b) Where the records of the Department or other sufficient evidence indicate that any person has committed a violation of M.S. §§ 65B.67, his driving privileges shall be suspended as follows:

(1) First offense: 30 days.

(2) Second offense: 60 days.

(3) Third offense: 6 months.

(4) Fourth or subsequent offense: One year.

DrivLic 84 HABITUAL VIOLATOR.

(a) In addition to other actions specified in this chapter, any person's driving privileges shall be subject to suspension under M.S. §§ 171.18(4) as an habitual violator where the department's records indicate two or more violations of laws relating to drivers' license or to the ownership or operation of motor vehicles, involving two or more separate incidents, as follows:

(1) Second offense within one year: Suspension for 30 days;

(2) Third offense within one year: Suspension for 60 days.

(3) Fourth offense within one year: Suspension for 90 days.

(4) Fifth offense within one year: Suspension for one year.

(5) Third offense within three years: Suspension for 30 days.

(6) Fourth offense within three years: Suspension for 60 days.

(7) Fifth offense within three years: Suspension for 90 days.

(8) Sixth offense within three years: Suspension for one year.

(9) Fifth offense in five years: Suspension for 30 days.

(10) Sixth offense within five years: Suspension for 60 days.

(11) Seventh offense within five years: Suspension for 90 days.

(12) Eighth and subsequent offenses within five years: Suspension for one year.

(b) In addition to any suspension under authority of M.S. §§ 171.18(4) as an habitual violator, the driving privileges of any person deemed to be an habitual violator may also be denied pursuant to M.S. §§ 171.04(8) for the duration of such period of suspension or such portion thereof as the Commissioner may prescribe.

DrivLic 85 COMPUTATION OF TIME.

Credit for serving any period of suspension, revocation, cancellation or denial shall be granted only from the date on which the licensee delivers physical possession of his license or permit to the Department or the date on which the licensee files with the Department an affidavit sufficient to satisfy the Commissioner that the license has been lost or stolen and cannot be delivered.

DrivLic 86 EFFECTIVE DATE OF DRIVER LICENSE WITHDRAWAL ORDERS.

Unless otherwise specified, the effective date of any driver license order of withdrawal shall be the date on which the order was mailed to the licensee, as shown upon the records of the Department.

DrivLic 87-90 Reserved for future use.

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE EDWARD G. NOVAK

COMMISSIONER OF PUBLIC SAFETY

In the matter of the Proposed Adoption of Rules of the State Department of Public Safety Governing Standards for Administration of Driver Licensing Laws.

ORDER FOR HEARING

To effectively implement Minnesota Statutes Chapters 65B, 169 and 171 with regard to driver licensing, the Minnesota Commissioner of Public Safety deems it necessary to consider adoption of the proposed rules captioned above pursuant to the authority vested in me by M.S. 1974, Section 299A.01, Subdivision 6.

NOW, THEREFORE, IT IS ORDERED this 27th day of October, 1975 that a public hearing on the proposed rules captioned above be held in Room B9-A, Highway Building, St. Paul, MN, December 16, 1975 commencing at 1:00 P.M. and continuing until all representatives of associations or other interested groups or persons have had an opportunity to be heard.

IT IS FURTHER ORDERED, that notice of said hearing be given to all representatives of associations or other interested groups or persons who have registered their names with the Secretary of State for that purpose and all persons who are presently members of the Minnesota Legislature.

STATE OF MINNESOTA
DEPARTMENT OF PUBLIC SAFETY

Edward G. Novak
COMMISSIONER OF PUBLIC SAFETY

EXHIBIT "A"

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE EDWARD G. NOVAK

COMMISSIONER OF PUBLIC SAFETY

In the matter of the Proposed Adoption of Rules of the State Department of Public Safety Relating to Standards for Administration of Driver Licensing Laws.

STATEMENT OF NEED

The above captioned rules are not amendments to existing rules of the Department of Public Safety.

The need to adopt these rules arises because of the legislative requirements in M.S. 1975, Chap. 169, 171 and 65B for the Commissioner to issue driver licenses to only those drivers who are qualified, and further, to suspend, cancel, revoke, or limit the driver license or privilege of operating a motor vehicle upon the public streets and highways when these actions are taken pursuant to the above laws; or suspend or revoke motor vehicle registration cards and plates subject to the requirements of the above laws and regulations pertaining thereto.

Although these statutes do not in all cases give the Commissioner authority to promulgate rules, the administrative action taken under authority of these statutes directly affects the rights of the motoring public. Because the authority given the Commissioner is so broad, and affects the rights of the motoring public, there is a need to specify by rule, the intent of the Commissioner as it pertains to actions that will be taken. These rules specify the number of days or months, or other actions, that a license may be withheld or under what condition a license will be issued or withdrawn. These rules will assure uniformity of action in insuring that every segment of the motoring public will receive the same department action when the convictions are for the same offense, and further that through this rule making process the public will be made aware of these actions.

STATE OF MINNESOTA
DEPARTMENT OF PUBLIC SAFETY

Edward G. Novak
COMMISSIONER OF PUBLIC SAFETY

11/19/75
DATE

EXHIBIT "B"

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE EDWARD G. NOVAK

COMMISSIONER OF PUBLIC SAFETY

In the matter of the Proposed Adoption of Rules of the State Department of Public Safety Relating to Standards for Administration of Driver Licensing Laws.

NOTICE OF HEARING

Notice is hereby given that a public hearing will be held pursuant to M.S. 1974, Section 15.0412, Subd. 4, in the above-entitled matter, in Room B9-A, Highway Building, John Ireland Boulevard, St. Paul, MN, on December 16, 1975 commencing at 1:00 P.M. and continuing until all representatives or other interested groups or persons have had an opportunity to be heard concerning adoption of the proposed rules captioned above by submitting either oral or written data, statements, or arguments. Statements or briefs may be submitted without appearing at the hearing.

The Commissioner proposes to adopt rules relating to effective administration of the driver licensing laws governing issuance of licenses, driver limitations, suspension, cancellation and revocation of driver licenses and actions taken with regard to motor vehicle registration cards and plates pertaining thereto. These regulations specify the actions taken with respect to driving privileges for traffic, insurance, alcohol related and licensing violations.

Copies of the proposed rules are available and may be obtained by writing to Diane Hamilton, Department of Public Safety, 210A Highway Building, St. Paul, MN 55155. Additional copies will be available at the door on the date of the hearing.

STATE OF MINNESOTA
DEPARTMENT OF PUBLIC SAFETY

Edward G Novak
COMMISSIONER OF PUBLIC SAFETY

10-30-75
DATE

EXHIBIT "C"

STATE OF MINNESOTA

COUNTY OF RAMSEY

In the matter of the Proposed Adoption of Rules of the State Department of Public Safety Governing Standards for Administration of Driver Licensing Laws.

CERTIFICATE

I hereby certify that the enclosed 441 general labels & one sheet and Public Safety list constitute the complete list of persons, associations, and other interested groups who as of 9:45 o'clock A .M., this 10th day of November, 1975, have requested pursuant to M.S. 1971, Section 15.0412, Subdivision 4, that their names be placed on file with the Secretary of State for the purpose of receiving notice of public hearing on proposed rules on the subject captioned above.

Secretary of State

Joan Anderson Growe

Joan Anderson Growe

By Neil Dion

EXHIBIT "D"

STATE OF MINNESOTA

COUNTY OF RAMSEY

In the matter of the Proposed Adoption of Rules of the State Department of Public Safety Governing Standards for Administration of Driver Licensing Laws.

AFFIDAVIT OF MAILING

Diane Hamilton, being first duly sworn, deposes and says:

That on the 10th day of November, 1975, at the City of St. Paul, County of Ramsey, State of Minnesota, she served the attached Notice of Hearing by depositing in the United States mail at said City of St. Paul, a true and correct copy thereof, properly enveloped, with postage prepaid, to all persons and associations at the addresses listed on the attached Certificate of the Secretary of State as well as to all persons presently being members of the Minnesota Legislature.

Diane Hamilton

Subscribed and sworn to before me

this 10th day of November, 1975.

Cheryl E. Waller

CHERYL E. WALLER
NOTARY PUBLIC - MINNESOTA
HENNEPIN COUNTY
My Comm. Expires Jan. 21, 1980

EXHIBIT "E"

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE EDWARD G. NOVAK

COMMISSIONER OF PUBLIC SAFETY

In the matter of the Proposed Adoption of Rules of the State Department of Public Safety governing Standards for Administration of Driver Licensing Laws.

APPOINTMENT OF HEARING OFFICER

Kenneth Dirkzwager, Director of the Driver License Division, of the Department of Public Safety, is hereby appointed hearing officer for the public hearing to be held in the above-entitled matter, in Room B9A Highway Building, St. Paul, Minnesota, December 16, 1975, commencing at 1:00 p.m.

He is authorized and empowered to hear the case, to perform any and all acts incidental thereto, and to recommend findings of fact and final decision.

STATE OF MINNESOTA
DEPARTMENT OF PUBLIC SAFETY

Edward G. Novak
COMMISSIONER OF PUBLIC SAFETY

12/11/75
DATE

EXHIBIT "F"

Proposed Rules

MINNESOTA DEPARTMENT OF PUBLIC SAFETY

DRIVER LICENSE DIVISION

CHAPTER SEVEN: STANDARDS FOR ADMINISTRATION OF DRIVER LICENSING LAWS

DrivLic 71 PURPOSE AND SCOPE

(a) The purpose of these rules is to establish standards for effective administration of the driver licensing laws governing issuance of driver licenses, driver limitations, suspension, cancellation and revocation of driver licenses, and actions taken with regard to motor vehicle registration cards and plates pertaining thereto.

(b) The scope of these regulations is intended to be confined within the framework of and consistent with the provisions of Minnesota Statutes Chapters 65B, 169 and 171.

DrivLic 72 AUTHORITY OF ADMINISTRATIVE ACTIONS

Actions taken for violations enumerated in DrivLic 73-84 of this chapter shall be under authority of Minnesota Statutes Chapters 65B, 169 or 171, except as otherwise stated, with respect to the driving privileges of any person in the situation enumerated.

DrivLic 73 JUVENILE TRAFFIC OFFENDERS.

(a) Where any minor is adjudicated a delinquent based on an incident involving the theft or unauthorized use of a motor vehicle, his driving privileges shall be revoked for not less than 6 months.

(b) Except as otherwise provided by law, in all situations where a minor is adjudicated a delinquent based on an incident involving the use of a motor vehicle or relating to the provisions of Minnesota Statutes Chapter 171, the action taken shall be the same as for any adult similarly situated.

DrivLic 74 AUTO THEFT. Where any person is convicted of a violation of M.S. §§ 609.55, his driving privileges shall be revoked for not less than 6 months.

DrivLic 75 INVOLVEMENT IN FATAL COLLISIONS.

(a) Where any person is convicted of a violation of M.S. §§ 609.21, his license shall be revoked for not less than 6 months.

(b) Where any person is convicted of any offense other than a violation of M.S. §§ 609.21, relating to the use of a motor vehicle or to the provisions of M.S. Chapter 171, excluding parking or equipment violations, arising out of any motor vehicle collision resulting in the death of any person, his license shall be suspended for not less than 6 months.

(c) Where the Commissioner is informed that any person has been charged with a violation of M.S. §§ 609.21, his license shall be suspended for not less than 6 months.

DrivLic 76 DRIVING AFTER WITHDRAWAL.

(a) For purposes of this subdivision, "driving after withdrawal" refers to any incident of driving or operating a motor vehicle while a license is suspended, revoked or cancelled.

(b) Where any person is convicted of any charge of driving after withdrawal, his license shall be suspended as follows:

(1) First offense: suspension for not less than 30 days;

(2) Second offense: suspension for not less than 90 days;

(3) Third and subsequent offenses: suspension for 1 year.

(c) Where any person is convicted of any violation of any law relating to the operation of motor vehicles or to the provisions of M.S. Chapter 171, occurring during a period when his license is suspended, revoked or cancelled, such conviction shall be deemed equivalent to a conviction on a charge of driving after withdrawal and treated accordingly.

DrivLic 77DRIVING UNDER INFLUENCE OF ALCOHOL OR DRUGS.

(a) Except as otherwise provided by law, where any person is convicted of a violation of M.S. §§ 169.121, his license shall be revoked as follows:

(1) Second offense within four years: revocation for not less than 90 days.

(2) Second offense within five years: revocation for not less than 60 days.

(3) Third offense within three years: revocation for not less than one year and denial pursuant to M.S. §§ 171.04(8) until satisfactory completion of such rehabilitation program as the Commissioner may specify;

(4) Third offense within four years: revocation for not less than nine months;

(5) Third offense within five years: revocation for not less than six months;

(6) Fourth offense within four years: revocation for not less than one year and denial pursuant to M.S. §§ 171.04(8) until satisfactory completion of such rehabilitation program as the Commissioner may specify;

(7) Fourth offense within five years: revocation for not less than nine months and denial pursuant to M.S. §§ 171.04(8) until satisfactory completion of such rehabilitation program as the Commissioner may specify.

(8) Fifth of subsequent offenses within ten years: revocation for not less than one year and denial pursuant to M.S. §§ 171.04(8) until satisfactory completion of such rehabilitation program as the Commissioner may specify.

(b) Where any conviction to which Subd. 5(a) applies is reported to involve the use of any narcotic drug or controlled substance, no license shall be issued until the person convicted submits such statements from a physician or other persons as the Commissioner may require, in addition to meeting other specified requirements.

(c) Where any conviction to which Subd. 5(a) applies relates to an incident involving grievous bodily injury to, or the death of, any person, an additional 60 days shall be added to the specified period of revocation;

(d) Where any conviction to which Subd. 5(a) applies relates to an incident occurring after the person has previously had an interview with a driver evaluator in which he was informed of the potential driver license consequences of violation of laws relating to the ownership or operation of motor vehicles and the possible consequences of violations of M.S. Chapter 171, an additional 30 days shall be added to the specified period of revocation.

(e) Where any conviction for violation of M.S. §§ 169.121 relates to an incident subsequent to the completion of any program of rehabilitation specified by the Commissioner pursuant to Subd. 5(a), in addition to the period of revocation specified herein therefor, the convicted person's driving privileges shall be denied until completion of such program of rehabilitation as the Commissioner may specify.

(f) For purposes of this subdivision, convictions in other states for violation of statutes substantially equivalent to M.S. §§ 169.121, including but not limited to provisions prohibiting the driving or operation of motor vehicles while "impaired" by alcohol or drugs, shall be deemed to be equivalent to convictions for violation of M.S. §§ 169.121, and treated accordingly.

DrivLic 78 ALCOHOL-RELATED OFFENSES OTHER THAN VIOLATIONS OF M.S. §§ 169.121.

(a) For the purposes of this subdivision, any offense is deemed to be alcohol-related where the Commissioner receives information through the Court or any investigating peace officer that the incident involved the use of any alcoholic beverage, except violations of M.S. §§ 169.121.

(b) Where any person is convicted of an alcohol-related offense, following two or more convictions for violations of M.S. §§ 169.121, or two or more revocations pursuant to M.S. §§ 169.123, or any combination of violations of M.S.§§ 169.123 and

revocations pursuant to M.S. §§ 169.123 relating to incidents occurring within the three previous years, his driving privileges shall be suspended for one year and denied pursuant to M.S. §§ 171.04(8) until satisfactory completion of such program of rehabilitation as the Commissioner may specify.

(c) Where any person is convicted of an alcohol-related offense following two or more convictions for violations of M.S. §§ 169.121, or two or more revocations pursuant to M.S. §§ 169.123, or any combination of violations of M.S. §§ 169.121 and revocations pursuant to M.S. §§ 169.123 relating to incidents occurring within the previous five years, his driving privileges shall be suspended for 60 days and denied pursuant to M.S. §§ 171.04(8) until satisfactory completion of such program of rehabilitation as the Commissioner may specify.

(d) Where any person is convicted of a second alcohol-related offense within three years, his driving privileges shall be suspended for 90 days;

(e) Where any person is convicted of a third alcohol-related offense within three years, his driving privileges shall be suspended for 6 months and denied purusant to M.S. §§ 171.04(8) until satisfactory completion of such program of rehabilitation as the Commissioner may specify;

(f) Where any person is convicted of a fourth or subsequent alcohol-related offense within five years, his driving privileges shall be suspended for one year and denied pursuant to M.S. §§ 171.04(8) until satisfactory completion of such program of rehabilitation as the Commissioner may prescribe.

Driv.Lic.79 MISCELLANEOUS DRIVER LICENSE VIOLATIONS.

(a) False Application. Where the Commissioner determines that any person has knowingly made any false statement, knowingly concealed a material fact, or otherwise committed fraud in his application for a driver license, such license shall be cancelled pursuant to M.S. §§ 171.14, and the driving privileges of that person shall be revoked pursuant to M.S. §§ 171.17(5) for not less than 90 days.

(b) Allowing Use of License by Another. Where the Commissioner determines that any person has permitted an unlawful or fraudulent use of his license, his driving privileges shall be suspended for not less than 60 days.

(c) Other Violations of M.S. §§§ 171.20 and 171.22. Where the Commissioner determines that any person has violated any other provisions of M.S. §§§ 171.20 and 171.22, action shall be taken as follows:

(1) First incident: Said person shall be given the opportunity to attend an interview with a Driver Evaluator in which he shall be advised that future violations of any laws relating to the ownership and operation of motor vehicles or to drivers' licenses may result in the suspension, revocation or cancellation of his driving privileges;

(2) Second incident within five years: Said person's driving privileges shall be suspended for not less than 30 days pursuant to M.S. §§ 171.18(4).

(3) Third incident within five years: Said person's driving privileges shall be suspended for not less than 90 days;

(4) Fourth incident within five years: Said person's driving privileges shall be suspended for not less than six months;

(5) Fifth or subsequent incident within five years: Said person's driving privileges shall be suspended for one year.

(d) No License or Instruction Permit in Possession. Where the Commissioner determines that any person has violated the provisions of M.S. §§ 171.08, action shall be taken as specified in Subd. 7(c), above.

(e) No Motorcycle Endorsement. Where the Commissioner determines that any person has violated the provisions of M.S. §§ 169.974, Subd. 2, action shall be taken as specified in Subd. 7(c) above.

DrivLic 80 USE OF MOTOR VEHICLE IN COMMISSION OF FELONY. Where any person is convicted of a violation of any felony in the commission of which a motor vehicle was used, his driving privileges shall be revoked for not less than 6 months.

DrivLic 81 LEAVING SCENE OF ACCIDENT.

(a) Where any person is convicted of violating any statute referred to in M.S. §§ 171.17(4), and such motor vehicle accident results in the death of another, his driving privileges shall be revoked for not less than one year.

(b) Where any person is convicted of violating any statute referred to in M.S. §§ 171.17(4), and such motor vehicle accident results in personal injury of another, his driving privileges shall be revoked for not less than six months.

DrivLic 82 VIOLATION OF RESTRICTED OR LIMITED LICENSE.

(a) Where the Commissioner determines that any person has violated restrictions placed upon his driving privileges pursuant to M.S. §§ 171.09, that person's driving privileges shall be suspended, pursuant to the procedure specified in M.S. §§ 171.18, as follows:

(1) First incident: Suspension for not less than 30 days.

(2) Second incident: Suspension for not less than 90 days.

(3) Third incident: Suspension for one year.

(b) Where the Commissioner determines that any person has violated the terms of a limited license issued pursuant to M.S. §§ 171.30, such violation shall be deemed to be equivalent to "driving after withdrawal" and treated as provided in Subd. 4 of this regulation.

DrivLic 83 NONCOMPLIANCE WITH "NO FAULT" INSURANCE LAW.

(a) Where any person is convicted of a violation of M.S. §§ 65B.67, his driving privileges shall be revoked as follows:

(1) First offense: not less than 30 days.

(2) Second offense: not less than 60 days.

(3) Third offense: not less than six months.

(4) Fourth and subsequent offenses: one year.

(b) Where the records of the Department or other sufficient evidence indicate that any person has committed a violation of M.S. §§ 65B.67, his driving privileges shall be suspended as follows:

(1) First offense: not less than 30 days.

(2) Second offense: not less than 60 days.

(3) Third offense: not less than 6 months.

(4) Fourthor subsequent offense: one year.

DrivLic 84 HABITUAL VIOLATOR.

(a) In addition to other actions specified in this regulation, any person's driving privileges shall be subject to suspension under M.S. §§ 171.18(4) as an habitual violator where the department's records indicate two or more violations of laws relating to drivers' license or to the ownership or operation of motor vehicles, involving two or more separate incidents, as follows:

(1) Second offense within one year: Suspension for not less than 30 days;

(2) Third offense within one year: Suspension for not less than 60 days.

(3) Fourth offense within one year: Suspension for not less than 90 days.

(4) Fifth offense within one year: Suspension for one year.

(5) Third offense within three years: Suspension for not less than 30 days.

(6) Fourth offense within three years: Suspension for not less than 60 days.

(7) Fifth offense within three years: Suspension for not less than 90 days.

(8) Sixth offense within three years: Suspension for one year.

(9) Fifth offense in five years: Suspension for not less than 30 days.

(10) Sixth offense within five years: Suspension for not less than 60 days.

(11) Seventh offense within five years: Suspension for not less than 90 days.

(12) Eighth and subsequent offenses within five years: Suspension for one year.

(b) In addition to any suspension under authority of M.S. §§ 171.18(4) as an habitual violator, the driving privileges of any person deemed to be an habitual violator may also be denied pursuant to M.S. §§ 171.04(8) for the duration of such period of suspension or such portion thereof as the Commissioner may prescribe.

DrivLic 85 COMPUTATION OF TIME.

Credit for serving any period of suspension, revocation, cancellation or denial shall be granted only from the date on which the licensee delivers physical possession of his license or permit to the Department or the date on which the licensee files with the Department an affidavit sufficient to satisfy the Commissioner that the license has been lost or stolen and cannot be delivered.

DrivLic 86 EFFECTIVE DATE OF DRIVER LICENSE WITHDRAWAL ORDERS.

Unless otherwise specified, the effective date of any driver license order of withdrawal shall be the date on which the order was mailed to the licensee, as shown upon the records of the Department.

DrivLic 87-90 Reserved for future use.