

# HOUSE RESEARCH

## Bill Summary

**FILE NUMBER:** H.F. 1717

**DATE:** April 15, 2005

**Version:** Second Engrossment

**Authors:** Emmer

**Subject:** Making school attendance a condition of having a driver's license

**Analyst:** Lisa Larson, 651-296-8036

This publication can be made available in alternative formats upon request. Please call 651-296-6753 (voice); or the Minnesota State Relay Service at 1-800-627-3529 (TTY) for assistance. Summaries are also available on our website at: [www.house.mn/hrd](http://www.house.mn/hrd).

---

### Overview

For persons under age 18, makes (1) attending school and conforming with school attendance policies, (2) receiving a high school diploma or its equivalent, or (3) formally withdrawing from school a condition of receiving, retaining, and renewing a driver's instruction permit, motorized bicycle permit, and provisional driver's license.

#### Section

- 1**      **Definitions.** (a) Defines "continuing truant" to mean a student who is absent without valid excuse for three or more class periods or three days.  
  
(c) Defines "habitual truant" to mean a student who is absent one or more class periods on seven school days without a lawful excuse and, if the student is 16 or 17, has not formally withdrawn from school.
- 2**      **Access by juvenile justice system.** (a) Directs school officials to disclose daily attendance record data to the juvenile justice system upon request.  
  
(b) Allows school officials to disclose only the student's continuing or habitual truancy status.
- 3**      **Legitimate exemptions.** Allows a school district to include in its school attendance policy a notice to parents that it may ask parents to provide a written explanation for their child's absence. Provides examples of circumstances when children might reasonably be absent from school.

## Section

- 4 School attendance requirement; driving privileges.** Allows public school boards to vote by September 30 to waive (or rescind waiving) the school attendance requirement for driving privileges for the present and future school years.

Makes this section effective July 1, 2005.

- 5 School attendance requirement; driving privileges.** Indicates that students may need to satisfy the school attendance requirement in Chapter 171 in order to get a license or permit.
- 6 Persons not eligible.** Requires a person under age 18 to present to the Department of Public Safety a certificate of school attendance or a certificate that the attendance requirement is waived as a condition for the department to issue a driver's license.

Makes this section effective September 1, 2005, and applicable to all persons under age 18 who have or apply for a driver's instruction permit or provisional license on or after that date.

- 7 Persons less than 18 years of age.** Authorizes the Department of Public Safety to issue an instruction permit to a qualified applicant who presents a certificate of school attendance or a certificate that the attendance requirement is waived.

Makes this section effective September 1, 2005, and applicable to all persons under age 18 who have or apply for a driver's instruction permit or provisional license on or after that date.

Makes this section effective September 1, 2005.

- 8 Instruction permit use by person under age 18.** (e) Requires permit holders to comply with school attendance requirements where applicable. Directs the public safety commissioner to cancel the permit of a permit holder who does not attend school.

Makes this section effective September 1, 2005, and applicable to all persons under age 18 who have or apply for a driver's instruction permit on or after that date.

- 9 Motorized bicycle.** Allows the department to issue a motorized bicycle instruction permit to an otherwise qualified 15 year old applicant who presents a certificate of school attendance or a certificate that the attendance requirement is waived.

Makes this section effective September 1, 2005, and applicable to all persons under age 18 who have or apply for a motorized bicycle instruction permit on or after that date.

- 10 School attendance requirement for driver's instruction permit, motorized bicycle permit, and provisional license.**

**Subd. 1. Definitions.** Defines "continuing truant," "habitual truant," "high school diploma," "public school," "school board," and "school principal" for the purposes of this section.

**Subd. 2. Issuance of renewal of driver's instruction permit, motorized bicycle permit, or provisional license.** (a) Makes school attendance a condition for persons under 18 to receive a new driver's instruction permit, motorized bicycle permit, or provisional license or to renew a permit except when the school attendance requirement is waived. Indicates that a person satisfies the school attendance

**Section**

requirement by (1) receiving a high school diploma or its equivalent, (2) formally withdrawing from school, or (3) enrolling in a public, nonpublic, or home school and remaining in school.

(b) Requires a person under age 18 who applies for a driver's instruction permit, motorized bicycle permit, or provisional license to submit information certifying that the conditions under paragraph (a) have been met.

**Subd. 3. Expungement of record.** (a) Directs the Department of Public Safety to expunge a student's truancy data upon the request of a student age 18 or older.

Makes this section effective September 1, 2005, and applicable to all persons under age 18 who have or apply for a driver's instruction permit, motorized bicycle permit, or provisional license on or after that date.

- 11 **Child in need of protection or services.** Includes a child who is a continuing truant within the definition of a "child in need of protection or services."
- 12 **Continuing truant.** Defines continuing truant to mean a student who is absent without valid excuse for three or more class periods on three days.
- 13 **Dispositions.** Directs a court to cancel the driving privileges of a continuing or habitual truant.