

Subject License reinstatement diversion program

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## Overview

Makes the pilot project addressing license reinstatement permanent.

## Summary

Section	Description
1	<p><b>License reinstatement diversion program.</b></p> <p>Permits a city or county to establish a license reinstatement diversion program for certain drivers.</p> <p><b>Subd. 1. Establishment.</b> Permits a city or county to establish a license reinstatement diversion program for individuals charged with driving after suspension or driving after revocation and defines which offenses are eligible offenses. All driving after suspension offenses are eligible for diversion programs. Driving after revocation offenses are only eligible if a defendant's license was revoked for a violation of (1) failing to provide proof of insurance, (2) failing to carry insurance, (3) test refusal, (4) DWI, or (5) repeat driving offenses. An individual who holds a commercial driver's license, or committed an offense in a commercial motor vehicle, is not eligible for the program.</p> <p><b>Subd. 2. Contract.</b> Permits cities and counties to contract with third parties to administer the diversion program. Driver and Vehicle Services Division may charge a third-party administrator a fee of \$3 for every person who is accepted into the program and completes the required class. The fee is for use in reviewing and authorizing new individuals to enter the program.</p> <p><b>Subd. 3. Diversion of an individual.</b> Allows prosecutors to determine whether to accept an individual into the program and provides guidance for making that determination. Prosecutors may request a review without a formal city or county diversion program being established. A judge may also submit a request for an individual to apply for entry into a diversion program.</p> <p><b>Subd. 4. Diversion driver's license.</b> Permits the Department of Public Safety (DPS) to issue a diversion driver's license to a program participant who pays the applicable reinstatement fee. Allows DPS to place additional restrictions, including participation in the ignition interlock program, on program participants.</p>

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	<p>Describes how payments made by program participants must be distributed. Prohibits an additional revocation of a program participant's license based purely on making payments.</p> <p><b>Subd. 5. Program components.</b> Requires diversion program participants to (1) attend educational classes, (2) participate in a payment program, (3) comply with all traffic laws, and (4) maintain motor vehicle insurance. Allows individuals accepted in the program to apply for a diversion driver's license.</p> <p><b>Subd. 6. Termination of participation; reinstatement of driver's license.</b> Terminates participation in a program for individuals who violate the terms of the program. Termination for a violation results in cancellation of the diversion driver's license and permits prosecutors to reinstate the original charge of driving after suspension or revocation. If an individual successfully completes the program, the participant's driver's license must be reinstated and the original charge must be dismissed.</p> <p><b>Subd. 7. Fees held on termination of participant.</b> Fees paid by an individual who leaves the program before completion must be retained for 12 months and, if the individual returns to the program, must be applied to the later participation. After 12 months, the fees are forfeited.</p> <p><b>Subd. 8. Biennial report.</b> Requires a biennial report from the third-party administrator. Permits any city or county to request an audit of the administrator at the expense of the city or county.</p> <p><b>Effective date.</b> Makes the new law effective July 1, 2019, and permits a city or county participating in the pilot program to continue to accept individuals until June 30, 2019, and to disperse fees under current law until that time.</p>
2	<p><b>Sunset; transition.</b></p> <p>Establishes that the diversion pilot program ends when the permanent program becomes effective. Permits individuals enrolled in the pilot program to transfer to the permanent program.</p>



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