

**SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION**

S.F. No. 5212

(SENATE AUTHORS: MORRISON)

DATE
03/25/2024

D-PG

Introduction and first reading
Referred to Transportation

OFFICIAL STATUS

1.1 A bill for an act
1.2 relating to transportation; authorizing electronic drivers' licenses; authorizing
1.3 rulemaking; proposing coding for new law in Minnesota Statutes, chapter 171.

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

1.5 Section 1. **[171.085] ELECTRONIC DRIVER'S LICENSE.**

1.6 Subdivision 1. Definitions. (a) For purposes of this section, the following terms have
1.7 the meanings given.

1.8 (b) "AAMVA" means the American Association of Motor Vehicle Administrators.

1.9 (c) "Credential" means a learner's permit, driver's license, or Minnesota identification
1.10 card issued under this chapter.

1.11 (d) "Credential holder" means the individual to whom a physical or electronic credential
1.12 is issued.

1.13 (e) "Data element" means a distinct component of an individual's information that is
1.14 found in the individual's customer record with DVS.

1.15 (f) "DVS" means the Department of Public Safety Driver and Vehicle Services Division.

1.16 (g) "Electronic credential" means an electronic extension of a physical credential issued
1.17 by DVS that conveys identity and driving privilege information and complies with AAMVA's
1.18 Mobile Driver's License Implementation Guidelines and the ISO/IEC 18013-5 standard.

1.19 (h) "Physical credential" means a document issued by DVS under this chapter that
1.20 conveys identity and driving privilege information and complies with AAMVA's Card
1.21 Design Standard.

2.1 (i) "Provision" means the initial loading of an electronic credential onto a credential
2.2 holder's device.

2.3 (j) "Relying party" means an entity to which the credential holder is presenting an
2.4 electronic credential.

2.5 Subd. 2. **Development; rulemaking.** (a) DVS may contract with one or more entities
2.6 to develop an electronic credential system.

2.7 (b) The electronic credential system must be designed to comply with the most recent
2.8 applicable AAMVA standards.

2.9 (c) DVS must adopt rules governing management and operation of an electronic credential
2.10 system and for the issuance of electronic credentials.

2.11 Subd. 3. **Issuance; expiration.** (a) DVS may issue an electronic credential only to
2.12 individuals who are otherwise eligible to hold a physical credential issued under this chapter.
2.13 Data elements used to build an electronic credential must match the data in the credential
2.14 holder's current DVS record.

2.15 (b) An electronic credential issued under this section expires according to the schedules
2.16 outlined under section 171.27.

2.17 Subd. 4. **Fees.** DVS may charge a fee for an electronic credential in addition to the fees
2.18 required under section 171.06, subdivision 2.

2.19 Subd. 5. **Verification.** (a) A relying party must authenticate an electronic credential in
2.20 accordance with applicable AAMVA standards, including through the use of secure encrypted
2.21 communication techniques, prior to accepting an electronic credential.

2.22 (b) A relying party must only request electronic credential data elements necessary to
2.23 complete the transaction for which that data are being requested.

2.24 (c) Electronic credential data is subject to chapter 13.

2.25 Subd. 6. **Privacy and tracking.** (a) A relying party must only retain electronic credential
2.26 data elements for which the relying party explicitly obtained consent from the credential
2.27 holder. A relying party must inform the credential holder of the use and retention period of
2.28 electronic credential data elements.

2.29 (b) The electronic credential system must be designed to maximize the privacy of the
2.30 credential holder in accordance with state and federal laws and must not track or compile
2.31 information without the credential holder's consent. DVS must only compile or disclose
2.32 information regarding use of the electronic credential as required by state or federal law.

3.1 Subd. 7. Acceptance of electronic credentials. (a) A credential holder must have a
3.2 physical credential in immediate possession at all times when operating a motor vehicle
3.3 under section 171.08.

3.4 (b) The electronic credential system must be designed so that a credential holder is not
3.5 required to display or relinquish possession of a device to a relying party for the purpose
3.6 of verifying and accepting an electronic credential.

3.7 (c) A credential holder must provide a physical credential to law enforcement upon
3.8 request.

3.9 (d) Any law or regulation that requires a credential holder to surrender a physical
3.10 credential to law enforcement does not apply to the device upon which an electronic
3.11 credential has been provisioned.

3.12 **EFFECTIVE DATE.** This section is effective July 1, 2025, except that subdivision 2
3.13 is effective the day following final enactment.