

## DRIVER QUALIFICATIONS

### 8880.0800 Driver Qualifications

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**Subpart 1. General qualification.**

A driver must have a valid driver's license and be at least 18 years old.

**Subp. 2. Physical qualification.**

No driver may operate a limousine providing limousine service unless the driver is physically qualified to drive under Code of Federal Regulations, title 49, section 391.41, paragraphs (a) and (b), which is incorporated by reference.

**Subp. 3. Evidence of physical qualification.**

Before driving a special transportation service vehicle providing limousine service, a driver must have a valid medical examiner's certificate under Code of Federal Regulations, title 49, section 391.43, paragraphs (a) and (b), which is incorporated by reference.

**Subp. 4. Waiver for physical defects** (8880.0800 Subpart 4 has been edited for this document's purpose of providing an overview of the regulation. Please see <https://www.revisor.mn.gov/rules/8880.0800/> for full details).

A person who is not physically qualified to drive under Code of Federal Regulations, title 49, section 391.41, paragraph (b), clause (1) or (2), and who is otherwise qualified to drive a motor vehicle, may drive a limousine providing limousine service vehicle if the commissioner grants a waiver to that person under parts 8850.7250 to 8850.7675. (Please reference 8880.0800 Subpart 6 for additional details.)

A copy of the waiver must be given to the limousine operator who employs the driver.

Falsifying information in the waiver application, information in the renewal application, or information required by a medical evaluation, by either the applicant or limousine operator, is prohibited.

**Subp. 5. Driving record.** A driver must, for the past three years, have a driving record clear of:

A. a license cancellation under Minnesota Statutes, section [171.14](#); a revocation under Minnesota Statutes, sections [169A.52](#) and [171.17](#); and a suspension under Minnesota Statutes, section [171.18](#);

B. a conviction for operating a motor vehicle without insurance under Minnesota Statutes, section [169.797](#);

C. a conviction for driving a motor vehicle without a valid license for the class of vehicle driven under Minnesota Statutes, section [171.02](#);

D. a conviction for driving under the influence of alcohol or a controlled substance under Minnesota Statutes, section [169A.20](#), or an ordinance that conforms to that section; and

E. a conviction for alcohol-related driving by a commercial vehicle driver under Minnesota Statutes, section [169A.20](#), subdivision 1, clause (6).

**Subp. 6. .Criminal record.** *(8880.0800 Subpart 6 has been edited for this document’s purpose of providing on overview of the regulation. Please see <https://www.revisor.mn.gov/rules/8880.0800/> for full details).*

A driver must have a criminal record clear of any conviction:

A. as a habitual offender for driving under the influence of alcohol or a controlled substance under Minnesota Statutes, section [169A.24](#) or [169A.25](#); and

B. of a crime or anticipatory crime against persons, or a crime or anticipatory crime reasonably related to the provision of limousine services. The following offenses are crimes against persons or are reasonably related to the provision of limousine services, or both, and are listed with the section, subdivision, or chapter number showing where the offense is found in Minnesota Statutes:

**NOTE: This is a partial listing of the offenses detailed in Minnesota Statute 8880. Please reference <https://www.revisor.mn.gov/rules/8880.0800/> for full details).**

- Attempts
- Conspiracy
- Murder
- Manslaughter
- Criminal vehicular homicide and injury
- Assault
- Great bodily harm caused by distribution of drugs
- Use of drugs to injure or facilitate crime
- Robbery
- Kidnapping
- False imprisonment
- Abduction
- Criminal sexual conduct
- Solicitation of children to engage in sexual conduct
- Fleeing a peace officer in a motor vehicle
- Misusing credit card to secure services
- Burglary
- Prohibited drugs, felony convictions

**Subp. 7. Responsibility of limousine operator.**

Before using a driver to provide limousine service, a limousine operator shall determine if the driver meets the standards in this part. In determining whether a driver meets the standards in subparts 5 and 6, a limousine operator shall conduct an initial review of the driving and criminal record of a driver. The review must be

conducted annually after hiring. The initial and annual review must include an examination of the records of the Department of Public Safety, Division of Driver and Vehicle Services, to determine if the driver meets the standards in subpart 5. The initial and annual review also must include an examination of the conviction records of the Minnesota Bureau of Criminal Apprehension to determine if the driver has a criminal record of conviction for a crime listed in subpart 6.

**Subp. 8. Evidence of compliance.**

A limousine operator shall keep a record showing compliance with subpart 7. The record must meet the requirements of part 8880.1000, subpart 5, item D.

**Subp. 8. Unqualified driver prohibited.**

A limousine operator may not use a driver to provide limousine service who does not meet the standards in this part.

This information is intended to provide you with general guidance concerning the applicable laws and rules and does not constitute legal advice.