



Office of the Commissioner

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dps.mn.gov

May 3, 2021

Alcohol
and Gambling
Enforcement

Bureau of
Criminal
Apprehension

Driver
and Vehicle
Services

Emergency
Communication
Networks

Homeland
Security and
Emergency
Management

Minnesota
State Patrol

Office of
Communications

Office of
Justice Programs

Office of
Pipeline Safety

Office of
Traffic Safety

State Fire
Marshal

Representative Frank Hornstein
Chair, Transportation Finance and Policy
545 State Office Building
Saint Paul, MN 55155

Senator Scott Newman
Chair, Transportation Finance and Policy
95 University Avenue West
Saint Paul, MN 55155

RE: Conference Committee on House and Senate Versions of H.F. 1684

Dear Conference Committee Members,

As conference committee gets underway we wanted the Department of Public Safety to be on the record regarding the provisions in each bill we support and those that are concerning. The agency appreciates the following items that are included in both the House and Senate Versions:

- **State Trooper Academy Carryforward.** Allowing DPS to carryforward a portion of the funds necessary to host an academy will ensure the State Patrol can efficiently complete the academy starting this summer.
- **State Patrol Body Worn Cameras.** Equipping the State Patrol with body worn cameras is a necessity in today's public safety environment. State Troopers are eager to implement this technology.
- **State Patrol Investment.** The State Patrol has not added road patrol troopers since 2005. With the increased trends in speeding and traffic fatalities the additional troopers are needed on our roads. This includes additional capacity for education, enforcement, and crash reconstruction. The House version fully funds the State Patrol's request while the Senate only partial funds this request. Traffic fatalities have increased over the past few years and, we are currently at the beginning of May and have 107 reported fatalities compared to 89 on the same date in 2020. We ask for the full amount to be supported by the conference committee.
- **Deposit Abandoned Funds in the General Fund.** Allowing the State Patrol to deposit abandoned funds in the General Fund is a simple solution to address an identified problem.

- **Partial Payment for Driver's License Reinstatements.** Expanding partial payment of driver's license reinstatement fees provides greater equity for all individuals with an impaired driving arrest. This option will also allow more individuals to pay the reinstatement fee over time while maintaining valid driving privileges.
- **Expand Lifetime Veteran Plates.** Expanding lifetime veteran plates to include the "Proud to Be a Veteran," "American Legion," "Disabled American Veterans," and "Veterans of Foreign Wars" license plates to the category of plates subject to lifetime issuance.
- **DVS Improvements Based on OLA Recommendations.** Allowing DVS to make process improvements based on OLA recommendations to its driver and vehicle records process promotes consistency and is beneficial to all of the records DVS holds.
- **Temporary Trip Permits.** Updating the temporary trip permits makes it so out-of-state commercial vehicles pay a more equitable share for the wear and tear of Minnesota public roads.
- **Eliminate Citizen Crash Report Requirement.** Eliminating the statutorily required citizen crash reports eliminates an outdated government document that had no value to the State or those who filed the report.
- **Agency Policy Initiatives.** The House and Senate include important updates that will make school buses safer, help homebound individuals get drivers licenses, help victims of motor vehicle crashes, and conform odometer language to match federal law.

The agency appreciates the House inclusion of the following Governor's proposals:

- **Department of Public Safety Operating Adjustment.** The DPS Operating Adjustment will allow DPS to continue providing critical services and effectively manage a large agency.
- **Capitol Security Enhancements.** The Advisory Committee on Capitol Area Security supports the investments for Capitol Security Enhancements to help address the bipartisan concerns about safety at the Capitol.
- **Investment in DVS Staffing and Operations.** DVS is committed to transforming and improving the way all Minnesotans receive driver and vehicle services. This investment in DVS Staffing and Operations will support DVS's push to improve customer experience. This increase in funding will significantly improve customer service without raising fees.
- **Modify Driver's License Suspension Authority and Misdemeanor Reinstatement.** Modifying driver's license suspension authority and removing multiple reinstatement fees will reduce the debt cycle created when individuals lack resources to attend court hearings for petty misdemeanors or pay fines related to operating or parking motor vehicles, end up with a revoked or suspended license, continue to drive, and acquire

May 3, 2021

Page 3

additional citations with no ability to pay. We look forward to continuing the conversation on whether including the DWI offenses is the appropriate public policy approach.

The agency appreciates the Senate inclusion of the following Governor's proposals:

- **License Plate Fee Restructure.** Changing how we fund the creation of license plates will allow the fees associated with license plates to cover the entire cost of the license plates. Currently DVS receives funds from the HUTD to subsidize the production of license plates. This change will save the HUTD fund over \$8 million annually. Unfortunately, in this bill DPS stops receiving funds from HUTD in FY 22 while the new license plate fees do not start until FY 23. This creates an \$8.2 million dollar gap in funding in FY 22 for DVS.

Included in the House bill is a transfer of funds from the vehicle services special revenue account to the General fund in FY 24, we cannot support the diversion of these funds. Lastly, the House Public Safety bill modifies the ignition interlock program, which will create a permanent increase in participation but only provides the needed funding for one year, DPS supports this policy initiative however appropriate funding must be provided or the agency will have to oppose the change.

The Agency has concerns with the following provision that appear in the Senate version of the omnibus bill:

- **Reopening of all Exam Stations.** Requiring DVS to reopen all 93 exam locations and provide the same service that was offered on March 1, 2020 goes against the recommendation of the OLA and will make DVS less efficient. A majority of these locations were open a few days a week or even every other week and do not have dedicated staff; rather DVS staff travel to these various locations. Under this model DVS examiners spend less than 50% of their time providing behind the wheel exams to Minnesotans. Timely service and the travel time for Minnesotans who live in Greater Minnesota are important considerations for finding the right balance of deputy registrar offices and DVS exam stations throughout Minnesota.
- **Authorizing Third Party Class D Road Testing.** Allowing third party class D road testing goes against driver safety and the mission of DPS. The Office of Traffic Safety, the Teen Driver Safety Commissioner's Advisory Task Force, and Driver and Vehicle Services, all do not support this idea.
- **Deputy Registrar Payments.** Deputy Registrars are the department's partners in providing driver and vehicle services across the state of Minnesota. The redistribution of funds from the vehicle and driver special revenue accounts is not the fee increase that has been requested by these partners. This pull of money is unsustainable from the accounts.

May 3, 2021

Page 4

- **Requiring DVS to Prioritize CDL testing over Class D.** This would require DVS to hold computers open for CDL knowledge testing even if we had no current demand. DVS believes that by allowing the class D knowledge test to be done online will naturally open up more availability for CDL knowledge testing and we remain committed to monitoring the computer usage between CDL and class D to ensure we can meet the needs of each customer.

The Senate bill prohibits the use of highway funds for department activities and largely replaces them with general funds. It does not replace all highway funds as it cuts funding to the department's base budget for support services. This cut will hurt DPS core services divisions like Human Resources and Fiscal Services. Cutting funding from our support divisions hurts all of our operating divisions like the State Patrol and DVS. On top of cutting the base budget, the Senate also does not include the DPS operating adjustment. Without the operating adjustment, services in general will be reduced or delayed. As the agency needs to start paying more for things like rent, fuel, utilities, IT and legal fees, funds will be shifted away from the program areas.

Providing funding for the tails associated with the already implemented 8.4% salary increase for troopers, funded with one time funding the 2020 special session, is essential. Whether included in the omnibus bill or S.F. 592, this is a critical funding priority.

Finally, I am grateful for the emergency deficiency funding provided for the State Patrol in H.F. 729. I will note the final costs of our response to civil unrest will be better understood in the coming weeks, and I do anticipate additional FY21 funding will be needed.

I appreciate your consideration of my comments and I look forward to working with all of you over the next few weeks to come to an agreement that is best for the people of Minnesota. Please reach out to me or DPS staff with any question or comments. We are available to meet at your convenience.

Sincerely,



John M. Harrington
Commissioner