

Minneapolis City Clerk's Office

Memo

To: Council Member Niziolek, Chair, Public Safety & Regulatory Services

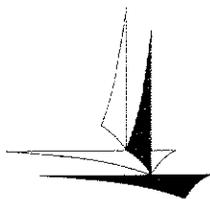
Cc: Council Member Zimmermann, Chair, Claims Committee
 Council Member Samuels, Public Safety & Regulatory Services
 Council Member Colvin Roy, Public Safety & Regulatory Services
 Council Member Johnson, Public Safety & Regulatory Services
 Council Member Ostrow, Public Safety & Regulatory Services
 Council Member Zerby, Public Safety & Regulatory Services
 Deputy Chief Tim Dolan

From: Peggy Menshek, Claims Committee Coordinator

Date: June 2, 2004

Re: Staff Direction from Claims Committee

At the May 26, 2004 Claims Committee meeting, the subject of issuing instructional permits to holders of international driver's licenses was referred to the Public Safety and Regulatory Services Committee. Please see the attached letter by Scott Reeves, City Attorney, addressed to Council Member Niziolek, Chair of Public Safety and Regulatory Services relating to this referral.



Minneapolis
City of Lakes

Office of the City Attorney

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May 28, 2004

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Council Member Dan Niziolek, Chair
Public Safety & Regulatory Services Committee
and Members of the Committee
Room 307, City Hall
350 South Fifth Street
Minneapolis, MN 55415

Re: Claims Committee Referral

Dear Council Member Niziolek and Members of the Committee:

The City Council Claims Committee has referred to your Committee the following matter for discussion and possible action. The matter concerns a Minnesota Driver and Vehicle Services Division practice which may adversely affect international students and recent arrivals from other countries.

The claimant was stopped for a traffic violation. He had a valid Minnesota instructional permit. He also produced an international driver's license. The officer properly determined that his international license was invalid and that only his Minnesota instructional permit was valid. He had no licensed adult driver with him. He was properly cited, and his rental vehicle towed. Minnesota law requires that upon issuance of a Minnesota driver's license or instructional permit, all licenses and permits from other jurisdictions are to be invalidated. An individual may have only one valid license or permit. M.S. § 171.02, subd. 1. The officer therefore had probable cause to cite the driver and tow his vehicle.

Officer Scott Olson of MPD Traffic Division testified at the Claims Committee that unfortunately, the Minnesota Driver and Vehicle Services Division continues to advise persons from other countries to apply for a Minnesota instructional permit even when the individual may be eligible immediately for a regular driver's license. The Division does not invalidate the international license or foreign driver's license. In some cases, the applicants are actually advised not to show the Minnesota instructional permit if stopped. However, officers on the street have a duty to enforce the law, and the law provides that an individual may have only one valid license or permit. Once a person has obtained a Minnesota license or instructional permit, international licenses, and foreign licenses, are no longer valid.

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The Claims Committee referred this matter to your Committee for discussion and possible contact with the Office of the Commissioner of Public Safety. The Claims Committee clerk will provide you with paper work concerning the matter.

Please feel free to contact me if you have any questions.

Very truly yours,



SCOTT REEVES
Assistant City Attorney
(612) 673-2066

RSR:hhp

cc: Ellen Velasco-Thompson
Officer Scott Olson, Traffic Division
Jan Hrcir