

MINNESOTA TEEN DRIVER AND ALCOHOL USE LAWS

A Guide for Law Enforcement



Provisional Drivers — Under Age 18

Charge/Statute	Summary	Exemptions
Nighttime Driving 171.055 Subd. 2(b)	During the first six months of licensure — Driving prohibited midnight – 5 a.m.	<ul style="list-style-type: none"> (1) When accompanied by a licensed driver age 25 or older. (2) Between home and place of employment. (3) To/from home and school event for which the school has not provided transportation. (4) For employment purposes.
Teen Passengers 171.055 Subd. 2(c)	During the first six months of licensure — Only one passenger under age 20 permitted.	<ul style="list-style-type: none"> (1) Accompanied by parent or guardian. (2) Members of the driver's immediate family.
Teen Passengers 171.055 Subd. 2(c)	During the second six months of licensure — No more than three passengers under age 20 permitted.	<ul style="list-style-type: none"> (1) Accompanied by parent or guardian. (2) Members of the driver's immediate family.
Cell Phone Use 171.055 Subd. 2(a)	No cell phone use (hand-held or hands-free) when the vehicle is in motion.	<ul style="list-style-type: none"> (1) To obtain emergency assistance. (2) To prevent a crime about to be committed. (3) Reasonable belief that a person's life or safety is in danger.
Restricted Farm Work License 171.041	Eligible at age 15. Used solely to assist parents or guardians with farm work only during daylight hours and within 20 miles of the farmhouse. May not drive to/from school or in a city with a population more than 100,000.	

Instruction Permits — Under Age 18

Charge/Statute	Summary	Exemptions
Instruction Permit Statute 171.05 Subd. 2(b)	Must be supervised by a licensed driver age 21 or older who must occupy the front passenger seat.	
Cell Phone Use Statute 171.05	No cell phone use (hand-held or hands-free) when the vehicle is in motion.	<ul style="list-style-type: none"> (1) To obtain emergency assistance. (2) To prevent a crime about to be committed. (3) Reasonable belief that a person's life or safety is in danger

All Drivers

Charge/Statute	Summary	Exemptions
Texting, Internet 169.475	May not use a device to compose, read, or send an electronic message or access the Internet, when the vehicle is in motion or a part of traffic.	<ul style="list-style-type: none"> (1) Voice activated or hands-free mode. (2) To obtain emergency assistance. (3) Prevention of a crime. (4) Authorized emergency use.
Seat Belt Use 169.686	<p>Belts must be used properly — lap belt snug over lap, not abdomen; strap across shoulder, not under arm.</p> <p>Applies to: Drivers and passengers of passenger, commercial, type III, and type III Head Start vehicles.</p> <p>Drivers or passengers 15 years or older may be cited separately.</p> <p>Driver is subject to citation for passengers under age 15.</p>	<ul style="list-style-type: none"> (1) While driving a vehicle in reverse. (2) While riding in a vehicle in which all seating positions equipped with seat belts are occupied by other people in seat belts. (3) While in possession of a written certificate from a licensed physician verifying that because of medical unfitness or physical disability, the person is unable to wear a seat belt. (4) While actually engaged in work that requires the person to alight from and re-enter a vehicle at frequent intervals and who, while engaged in that work, does not drive at a speed exceeding 25 miles per hour. (5) While driving or riding in a vehicle manufactured before January 1, 1965. (6) A rural mail carrier or a newspaper delivery person while in the performance of duties. (7) While driving or riding in a pickup truck while engaged in normal farming work or activity.

Motorized Bicycles

Charge/Statute	Summary	Exemptions
Motorized Bicycles 171.02 Subd. 3	<p>Eligible at age 15.</p> <p>All drivers must have valid driver's license or motorized bicycle operator's permit.</p>	

Drinking and Driving — Under Age 21

Charge/Statute	Summary	Exemptions
DWI 169A.20	May not drive, operate, or be in physical control of a motor vehicle while under the influence of a controlled substance or an alcohol concentration of 0.08 or more.	
Not-a-Drop 169A.33	May not operate a motor vehicle while consuming or after having ingested an alcoholic beverage. (Any detectable alcohol concentration less than 0.08.)	
Open Bottle 169A.35 Subd. 3	May not possess a receptacle containing any alcoholic beverage that has been opened, the seal broken, or partially removed contents while in a private motor vehicle upon a street or highway.	

Underage Drinking

Charge/Statute	Summary	Exemptions
Minor Consumption 340A.503 Subd. 2	Persons under age 21 may not consume any alcoholic beverage.	
Minor Possession 340A.503 Subd. 3	Persons under age 21 may not possess an alcoholic beverage with intent to consume.	(1) While in the household of the person's parent/guardian.
Providing to Minor 340A.503 Subd. 2	A person may not sell, barter, or give alcoholic beverages to persons under age 21.	
Use of ID 340A.503 Subd. 2	Persons age 21 or older may not knowingly allow persons under age 21 to use a permit, license, or ID card to purchase or attempt to purchase alcohol.	
Use of ID 340A.503 Subd. 2	Persons under age 21 may not purchase or attempt to purchase alcohol using another person's permit, license, or ID card.	
Serving a Minor 340A.415	Commercial servers may not serve or sell alcoholic beverages to persons under age 21.	
Minor 340A.503 Subd. 1	Liquor establishments may not allow persons under age 21 to drink alcoholic beverages on the licensed premises.	
Age 21 340A.503 Subd. 5a	Persons 21 years of age may not purchase, possess, or consume alcoholic beverages until 8 a.m. on the day of that person's 21 st birthday.	



Minnesota Department of Public Safety
 Office of Traffic Safety
 445 Minnesota Street
 St. Paul, MN 55101
ots.dps.mn.gov