

STATE OF MINNESOTA

NINETY-FIRST SESSION — 2019

 THIRTY-SEVENTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, APRIL 11, 2019

The House of Representatives convened at 10:00 a.m. and was called to order by Melissa Hortman, Speaker of the House.

Prayer was offered by the Reverend Brennan Blue, St. Luke Presbyterian Church, Minnetonka, Minnesota.

The members of the House gave the pledge of allegiance to the flag of the United States of America.

The roll was called and the following members were present:

Acomb	Davnie	Hassan	Lislegard	Nornes	Stephenson
Albright	Dehn	Heinrich	Loeffler	O'Driscoll	Sundin
Anderson	Demuth	Heintzeman	Long	Olson	Swedzinski
Backer	Dettmer	Her	Lucero	O'Neill	Tabke
Bahner	Drazkowski	Hornstein	Lueck	Pelowski	Theis
Bahr	Ecklund	Howard	Mahoney	Persell	Torkelson
Baker	Edelson	Huot	Mann	Petersburg	Urdahl
Becker-Finn	Elkins	Johnson	Mariani	Pierson	Vang
Bennett	Fabian	Jurgens	Marquart	Pinto	Vogel
Bernardy	Fischer	Klevorn	Masin	Poppe	Wagenius
Bierman	Franson	Koegel	McDonald	Poston	Wazlawik
Boe	Freiberg	Kotyza-Witthuhn	Mekeland	Pryor	Winkler
Brand	Garofalo	Koznick	Miller	Quam	Wolgamott
Cantrell	Gomez	Kresha	Moller	Richardson	Xiong, J.
Carlson, A.	Green	Kunesh-Podein	Moran	Robbins	Xiong, T.
Carlson, L.	Grossell	Layman	Morrison	Runbeck	Youakim
Christensen	Gruenhagen	Lee	Munson	Sandell	Zerwas
Claflin	Gunther	Lesch	Murphy	Sandstede	Spk. Hortman
Considine	Haley	Liebling	Nelson, M.	Sauke	
Daniels	Halverson	Lien	Nelson, N.	Schomacker	
Daudt	Hamilton	Lillie	Neu	Schultz	
Davids	Hansen	Lippert	Noor	Scott	

A quorum was present.

Erickson, Hausman, Hertaus, Kiel, Nash and West were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. There being no objection, further reading of the Journal was dispensed with and the Journal was approved as corrected by the Chief Clerk.

REPORTS OF STANDING COMMITTEES AND DIVISIONS

Carlson, L., from the Committee on Ways and Means to which was referred:

H. F. No. 1555, A bill for an act relating to transportation; expanding uses of appropriations for corridors of commerce program; amending Laws 2017, First Special Session chapter 3, article 2, section 2, subdivision 1; Laws 2018, chapter 214, article 1, section 16, subdivision 11.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"ARTICLE 1 TRANSPORTATION APPROPRIATIONS

Section 1. TRANSPORTATION APPROPRIATIONS.

The sums shown in the columns marked "Appropriations" are appropriated to the agencies and for the purposes specified in this article. The appropriations are from the trunk highway fund, or another named fund, and are available for the fiscal years indicated for each purpose. Amounts for "Total Appropriation" and sums shown in the corresponding columns marked "Appropriations by Fund" are summary only and do not have legal effect. The figures "2020" and "2021" used in this article mean that the appropriations listed under them are available for the fiscal year ending June 30, 2020, or June 30, 2021, respectively. "The first year" is fiscal year 2020. "The second year" is fiscal year 2021. "The biennium" is fiscal years 2020 and 2021. "C.S.A.H." is the county state-aid highway fund. "M.S.A.S." is the municipal state-aid street fund. "H.U.T.D." is the highway user tax distribution fund.

	<u>APPROPRIATIONS</u>	
	<u>Available for the Year</u>	
	<u>Ending June 30</u>	
	<u>2020</u>	<u>2021</u>
Sec. 2. <u>DEPARTMENT OF TRANSPORTATION</u>		
Subdivision 1. <u>Total Appropriation</u>	<u>\$3,155,744,000</u>	<u>\$3,504,849,000</u>
<u>Appropriations by Fund</u>		
	<u>2020</u>	<u>2021</u>
<u>General</u>	<u>23,438,000</u>	<u>19,766,000</u>
<u>Airports</u>	<u>25,332,000</u>	<u>25,332,000</u>
<u>C.S.A.H.</u>	<u>879,686,000</u>	<u>1,029,714,000</u>
<u>M.S.A.S.</u>	<u>217,339,000</u>	<u>255,757,000</u>
<u>H.U.T.D.</u>	<u>1,000,000</u>	<u>0</u>
<u>Special Revenue</u>	<u>10,335,000</u>	<u>11,100,000</u>
<u>Trunk Highway</u>	<u>1,998,614,000</u>	<u>2,163,180,000</u>

The appropriations in this section are to the commissioner of transportation. The amounts that may be spent for each purpose are specified in the following subdivisions.

Subd. 2. Multimodal Systems**(a) Aeronautics**

(1) <u>Airport Development and Assistance</u>	<u>18,598,000</u>	<u>18,598,000</u>
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This appropriation is from the state airports fund and must be spent according to Minnesota Statutes, section 360.305, subdivision 4.

Notwithstanding Minnesota Statutes, section 16A.28, subdivision 6, this appropriation is available for five years after appropriation. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

If the commissioner of transportation determines that a balance remains in the state airports fund following the appropriations made in this article, and that the appropriations made are insufficient for advancing airport development and assistance projects, an amount necessary to advance the projects, not to exceed the balance in the state airports fund, is appropriated in each year to the commissioner and must be spent according to Minnesota Statutes, section 360.305, subdivision 4. Within two weeks of a determination under this contingent appropriation, the commissioner of transportation must notify the commissioner of management and budget and the chairs and ranking minority members of the legislative committees with jurisdiction over transportation finance concerning funds appropriated. Funds appropriated under this contingent appropriation do not adjust the base appropriation for fiscal years 2022 and 2023.

(2) <u>Aviation Support Services</u>	<u>8,369,000</u>	<u>8,384,000</u>
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Appropriations by Fund

	<u>2020</u>	<u>2021</u>
<u>Airports</u>	<u>6,734,000</u>	<u>6,734,000</u>
<u>Trunk Highway</u>	<u>1,635,000</u>	<u>1,650,000</u>

\$80,000 in each year is from the state airports fund for the Civil Air Patrol.

(b) <u>Transit</u>	<u>19,001,000</u>	<u>18,181,000</u>
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Appropriations by Fund

	<u>2020</u>	<u>2021</u>
<u>General</u>	<u>18,099,000</u>	<u>17,249,000</u>
<u>Trunk Highway</u>	<u>902,000</u>	<u>932,000</u>

\$850,000 in fiscal year 2020 is from the general fund for assessment, analysis, and review of the project to extend Northstar Commuter Rail service to the city of St. Cloud.

(c) **Safe Routes to School** 1,000,000 500,000

This appropriation is from the general fund for the safe routes to school program under Minnesota Statutes, section 174.40.

(d) **Active Transportation** 237,000 0

This appropriation is from the general fund for the active transportation program under Minnesota Statutes, section 174.38. This appropriation must only be expended on projects and noninfrastructure activities outside of the metropolitan area, as defined in Minnesota Statutes, section 473.121, subdivision 2.

(e) **Passenger Rail** 500,000 500,000

This appropriation is from the general fund for passenger rail system planning, alternatives analysis, environmental analysis, design, and preliminary engineering under Minnesota Statutes, sections 174.632 to 174.636.

(f) **Freight** 6,723,000 6,857,000

Appropriations by Fund

	<u>2020</u>	<u>2021</u>
General	<u>1,069,000</u>	<u>1,069,000</u>
Trunk Highway	<u>5,654,000</u>	<u>5,788,000</u>

Subd. 3. State Roads

(a) **Operations and Maintenance** 376,082,000 395,741,000

The base appropriation is \$408,864,000 in fiscal year 2022 and \$410,599,000 in fiscal year 2023.

(b) **Program Planning and Delivery**

(1) **Planning and Research** 33,742,000 31,025,000

Appropriations by Fund

	<u>2020</u>	<u>2021</u>
General	<u>1,275,000</u>	<u>75,000</u>
Trunk Highway	<u>31,467,000</u>	<u>30,950,000</u>
H.U.T.D.	<u>1,000,000</u>	<u>0</u>

The commissioner may use any balance remaining in this appropriation for program delivery under clause (2).

\$1,200,000 in fiscal year 2020 is from the general fund for trunk highway corridor and bridge improvement studies, which may include evaluation of safety improvements on trunk highways and a feasibility study of river crossings that connect trunk highways.

\$75,000 each year is from the general fund for the environment and climate report under Minnesota Statutes, section 174.023.

\$1,000,000 in fiscal year 2020 is from the highway user tax distribution fund for the mileage-based user fee pilot program under article 6, section 126.

\$130,000 each year is available for administrative costs of the targeted group business program.

\$266,000 each year is available for grants to metropolitan planning organizations outside the seven-county metropolitan area.

\$900,000 each year is available for grants for transportation studies outside the metropolitan area to identify critical concerns, problems, and issues. These grants are available: (1) to regional development commissions; (2) in regions where no regional development commission is functioning, to joint powers boards established under agreement of two or more political subdivisions in the region to exercise the planning functions of a regional development commission; and (3) in regions where no regional development commission or joint powers board is functioning, to the Department of Transportation district office for that region.

The base appropriation from the general fund is \$0 in each of fiscal years 2022 and 2023.

(2) Program Delivery

238,710,000

257,009,000

\$1,000,000 each year is available for management of contaminated and regulated material on property owned by the Department of Transportation, including mitigation of property conveyances, facility acquisition or expansion, chemical release at maintenance facilities, and spills on the trunk highway system where there is no known responsible party. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

The base appropriation is \$272,127,000 in fiscal year 2022 and \$275,356,000 in fiscal year 2023.

(c) State Road Construction978,465,0001,084,816,000

The commissioner of transportation must notify the chairs, ranking minority members, and staff of the legislative committees with jurisdiction over transportation finance of any significant events that cause the estimates of federal aid to change.

This appropriation is for the actual construction, reconstruction, and improvement of trunk highways, including design-build contracts, internal department costs associated with delivering the construction program, consultant usage to support these activities, and the cost of actual payments to landowners for lands acquired for highway rights-of-way, payment to lessees, interest subsidies, and relocation expenses.

The commissioner may expend up to one-half of one percent of the federal appropriations under this paragraph as grants to opportunity industrialization centers and other nonprofit job training centers for job training programs related to highway construction.

The commissioner may transfer up to \$15,000,000 each year to the transportation revolving loan fund.

The commissioner may receive money covering other shares of the cost of partnership projects. These receipts are appropriated to the commissioner for these projects.

The base appropriation is \$1,205,761,000 in fiscal year 2022 and \$1,231,590,000 in fiscal year 2023.

(d) Corridors of Commerce25,000,00025,000,000

This appropriation is for the corridors of commerce program under Minnesota Statutes, section 161.088. The commissioner may use up to 17 percent of the amount each year for program delivery.

(e) Highway Debt Service237,419,000251,759,000

\$229,360,000 in fiscal year 2020 and \$247,790,000 in fiscal year 2021 are for transfer to the state bond fund. If this appropriation is insufficient to make all transfers required in the year for which it is made, the commissioner of management and budget must transfer the deficiency amount under the statutory open appropriation and notify the chairs, ranking minority members, and staff of the legislative committees with jurisdiction over transportation finance and the chairs of the senate Finance Committee and the house of representatives Ways and Means Committee of the amount of the deficiency. Any excess appropriation cancels to the trunk highway fund.

(f) Statewide Radio Communications5,989,0006,159,000Appropriations by Fund

	<u>2020</u>	<u>2021</u>
<u>General</u>	<u>3,000</u>	<u>3,000</u>
<u>Trunk Highway</u>	<u>5,986,000</u>	<u>6,156,000</u>

\$3,000 from the general fund in each year is to equip and operate the Roosevelt signal tower for Lake of the Woods weather broadcasting.

Subd. 4. Local Roads**(a) County State-Aid Roads**879,686,0001,029,714,000

This appropriation is from the county state-aid highway fund under Minnesota Statutes, section 161.081, and Minnesota Statutes, chapter 162, and is available until June 30, 2029.

If the commissioner of transportation determines that a balance remains in the county state-aid highway fund following the appropriations and transfers made in this paragraph, and that the appropriations made are insufficient for advancing county state-aid highway projects, an amount necessary to advance the projects, not to exceed the balance in the county state-aid highway fund, is appropriated in each year to the commissioner. Within two weeks of a determination under this contingent appropriation, the commissioner of transportation must notify the commissioner of management and budget and the chairs, ranking minority members, and staff of the legislative committees with jurisdiction over transportation finance concerning funds appropriated. The commissioner must identify in the next budget submission to the legislature under Minnesota Statutes, section 16A.11, any amount that is appropriated under this paragraph.

(b) Municipal State-Aid Roads217,339,000255,757,000

This appropriation is from the municipal state-aid street fund under Minnesota Statutes, chapter 162, and is available until June 30, 2029.

If the commissioner of transportation determines that a balance remains in the municipal state-aid street fund following the appropriations and transfers made in this paragraph, and that the appropriations made are insufficient for advancing municipal state-aid street projects, an amount necessary to advance the projects, not to exceed the balance in the municipal state-aid street fund, is appropriated in each year to the commissioner. Within two weeks of a determination under this contingent appropriation, the commissioner of transportation must notify the commissioner of

management and budget and the chairs, ranking minority members, and staff of the legislative committees with jurisdiction over transportation finance concerning funds appropriated. The commissioner must identify in the next budget submission to the legislature under Minnesota Statutes, section 16A.11, any amount that is appropriated under this paragraph.

(c) **Small Cities Assistance** 10,260,000 11,025,000

This appropriation is from the small cities assistance account in the special revenue fund for the small cities assistance program under Minnesota Statutes, section 162.145.

Subd. 5. **Agency Management**

(a) **Agency Services** 54,190,000 54,701,000

Appropriations by Fund

	<u>2020</u>	<u>2021</u>
<u>General</u>	<u>311,000</u>	<u>316,000</u>
<u>Trunk Highway</u>	<u>53,879,000</u>	<u>54,385,000</u>

\$311,000 from the general fund in fiscal year 2020 and \$316,000 from the general fund in fiscal year 2021, and \$100,000 from the trunk highway fund in each of fiscal years 2020 and 2021, are to facilitate tribal training for state agencies.

The base appropriation from the trunk highway fund is \$53,069,000 in each of fiscal years 2022 and 2023.

(b) **Buildings** 43,834,000 48,523,000

Appropriations by Fund

	<u>2020</u>	<u>2021</u>
<u>General</u>	<u>944,000</u>	<u>54,000</u>
<u>Trunk Highway</u>	<u>42,815,000</u>	<u>48,394,000</u>
<u>Special Revenue</u>	<u>75,000</u>	<u>75,000</u>

Any money appropriated to the commissioner of transportation for building construction for any fiscal year before the first year is available to the commissioner during the biennium to the extent that the commissioner spends the money on the building construction projects for which the money was originally encumbered during the fiscal year for which it was appropriated. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

The special revenue fund appropriation is from the electric vehicle infrastructure account for infrastructure development under Minnesota Statutes, section 174.47.

\$890,000 in fiscal year 2020 is from the general fund for infrastructure development under Minnesota Statutes, section 174.47.

The base appropriation from the trunk highway fund is \$39,694,000 in each of fiscal years 2022 and 2023.

(c) **Tort Claims**

600,000

600,000

If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

Subd. 6. Transfers

(a) With the approval of the commissioner of management and budget, the commissioner of transportation may transfer unencumbered balances among the appropriations from the trunk highway fund and the state airports fund made in this section. Transfers under this paragraph must not be made: (1) between funds; (2) from the appropriations for state road construction or debt service; or (3) from the appropriations for operations and maintenance or program delivery, except for a transfer to state road construction or debt service.

(b) The commissioner of transportation must immediately report transfers under paragraph (a) to the chairs, ranking minority members, and staff of the legislative committees with jurisdiction over transportation finance. The authority for the commissioner of transportation to make transfers under Minnesota Statutes, section 16A.285, is superseded by the authority and requirements under this paragraph and paragraph (a).

(c) The commissioner of transportation must transfer from the flexible highway account in the county state-aid highway fund the entire amount in each year to the county turnback account in the county state-aid highway fund. The funds transferred are for highway turnback purposes under Minnesota Statutes, section 161.081, subdivision 3.

Subd. 7. Previous State Road Construction Appropriations

Any money appropriated to the commissioner of transportation for state road construction for any fiscal year before the first year is available to the commissioner during the biennium to the extent that the commissioner spends the money on the state road construction project for which the money was originally encumbered during the fiscal year for which it was appropriated.

Subd. 8. Contingent Appropriations

The commissioner of transportation, with the approval of the governor and the written approval of at least five members of a group consisting of the members of the Legislative Advisory Commission under Minnesota Statutes, section 3.30, and the ranking minority members of the legislative committees with jurisdiction over transportation finance, may transfer all or part of the unappropriated balance in the trunk highway fund to an appropriation: (1) for trunk highway design, construction, or inspection that takes advantage of an unanticipated receipt of income to the trunk highway fund or federal advanced construction funding; (2) for emergency trunk highway maintenance in order to meet an emergency; or (3) to pay tort or environmental claims. Nothing in this subdivision authorizes the commissioner to increase the use of federal advanced construction funding beyond amounts specifically authorized. Any transfer as a result of the use of federal advanced construction funding must include an analysis of the effects on the long-term trunk highway fund balance. The amount transferred is appropriated for the purpose of the account to which it is transferred.

Sec. 3. METROPOLITAN COUNCIL**Subdivision 1. Total Appropriation****\$90,071,000****\$90,000,000**

The appropriations in this section are from the general fund to the Metropolitan Council. The amounts that may be spent for each purpose are specified in the following subdivisions.

Subd. 2. Transit System Operations**22,336,000****7,213,000**

(a) This appropriation is for transit system operations.

(b) \$150,000 each year for fiscal years 2020 and 2021 are for grants to transportation management organizations that provide services exclusively or primarily in the city located along the marked Interstate Highway 494 corridor having the highest population as of the effective date of this section. The council must not retain any portion of this amount, and must make grant payments in full by July 31 each year. Permissible uses of funds under this paragraph include administrative expenses and programming and service expansion, including but not limited to staffing, communications, outreach and education program development, and operations management. This is a onetime appropriation.

(c) \$30,000 each year for fiscal years 2020 and 2021 are for air quality analysis and bus deployment under Minnesota Statutes, section 473.391, subdivision 3, to provide for costs in coordination with the commissioner of the Pollution Control Agency.

(d) By July 31, 2019, the Metropolitan Council must pay \$71,000 to the Calhoun Isles Condominium Association in Minneapolis for reimbursement of the association's engineering and legal costs.

(e) The base appropriation is \$7,033,000 in each of fiscal years 2022 and 2023.

Subd. 3. Metro Mobility

67,735,000

82,787,000

This appropriation is for the Metro Mobility program.

Subd. 4. Use of Reserves

The council must expend funds in its budget reserves for transportation so that by the end of the council's 2021 fiscal year, the reserve amount in each reserve category is no more than ten percent above the minimum reserve level established by the council. By February 1, 2022, the council must submit a notification to the chairs, ranking minority members, and staff of the legislative committees with jurisdiction over transportation that identifies the uses of expended reserves, the council's reserve amounts by category, and the council's established minimum reserves by category.

Sec. 4. DEPARTMENT OF PUBLIC SAFETY

Subdivision 1. Total Appropriation

\$214,694,000

\$219,231,000

Appropriations by Fund

	<u>2019</u>	<u>2020</u>	<u>2021</u>
General	<u>641,000</u>	<u>15,593,000</u>	<u>15,404,000</u>
H.U.T.D.	<u>0</u>	<u>15,010,000</u>	<u>14,985,000</u>
Special Revenue	<u>0</u>	<u>64,237,000</u>	<u>64,723,000</u>
Trunk Highway	<u>0</u>	<u>119,854,000</u>	<u>124,119,000</u>

The appropriations in this section are to the commissioner of public safety. The amounts that may be spent for each purpose are specified in the following subdivisions.

The appropriation in fiscal year 2019 is not shown in the total appropriation.

Subd. 2. Administration and Related Services

(a) Office of Communications

575,000

575,000

Appropriations by Fund

	<u>2020</u>	<u>2021</u>
General	<u>130,000</u>	<u>130,000</u>
Trunk Highway	<u>445,000</u>	<u>445,000</u>

(b) **Public Safety Support** 5,224,000 5,760,000

Appropriations by Fund

	<u>2020</u>	<u>2021</u>
General	<u>1,238,000</u>	<u>1,369,000</u>
Trunk Highway	<u>3,986,000</u>	<u>4,391,000</u>

(c) **Public Safety Officer Survivor Benefits** 640,000 640,000

This appropriation is from the general fund for payment of public safety officer survivor benefits under Minnesota Statutes, section 299A.44. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

(d) **Public Safety Officer Reimbursements** 1,367,000 1,367,000

This appropriation is from the general fund for transfer to the public safety officer's benefit account. This money is available for reimbursements under Minnesota Statutes, section 299A.465.

(e) **Soft Body Armor Reimbursements** 745,000 745,000

Appropriations by Fund

	<u>2019</u>	<u>2020</u>	<u>2021</u>
General	<u>374,000</u>	<u>645,000</u>	<u>645,000</u>
Trunk Highway	<u>0</u>	<u>100,000</u>	<u>100,000</u>

\$374,000 in fiscal year 2019 is appropriated from the general fund for soft body armor reimbursements under Minnesota Statutes, section 299A.38.

The appropriations in fiscal years 2020 and 2021 are for soft body armor reimbursements under Minnesota Statutes, section 299A.38.

(f) **Technology and Support Service** 7,331,000 6,995,000

Appropriations by Fund

	<u>2020</u>	<u>2021</u>
General	<u>1,623,000</u>	<u>1,539,000</u>
H.U.T.D.	<u>153,000</u>	<u>109,000</u>
Trunk Highway	<u>5,555,000</u>	<u>5,347,000</u>

The base appropriation from the general fund is \$1,365,000 in each of fiscal years 2022 and 2023. The base appropriation from the trunk highway fund is \$4,915,000 in each of fiscal years 2022 and 2023. The base appropriation from the highway user tax distribution fund is \$19,000 in each of fiscal years 2022 and 2023.

Subd. 3. State Patrol

(a) <u>Patrolling Highways</u>	<u>100,258,000</u>	<u>103,759,000</u>
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Appropriations by Fund

	<u>2020</u>	<u>2021</u>
<u>General</u>	<u>287,000</u>	<u>37,000</u>
<u>H.U.T.D.</u>	<u>92,000</u>	<u>92,000</u>
<u>Trunk Highway</u>	<u>99,879,000</u>	<u>103,630,000</u>

\$250,000 in fiscal year 2020 is from the general fund for the traffic stop study under article 6, section 127. This appropriation must not take effect if an appropriation for any identical or substantially similar purpose is enacted in the 2019 regular legislative session.

(b) <u>Commercial Vehicle Enforcement</u>	<u>9,395,000</u>	<u>9,712,000</u>
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(c) <u>Capitol Security</u>	<u>9,164,000</u>	<u>9,207,000</u>
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This appropriation is from the general fund.

The commissioner must not (1) spend any money from the trunk highway fund for capitol security, or (2) permanently transfer any state trooper from the patrolling highways activity to capitol security.

(d) <u>Vehicle Crimes Unit</u>	<u>832,000</u>	<u>866,000</u>
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This appropriation is from the highway user tax distribution fund to investigate:

(1) registration tax and motor vehicle sales tax liabilities from individuals and businesses that currently do not pay all taxes owed; and

(2) illegal or improper activity related to the sale, transfer, titling, and registration of motor vehicles.

Subd. 4. Driver and Vehicle Services

(a) <u>Vehicle Services</u>	<u>39,975,000</u>	<u>40,199,000</u>
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Appropriations by Fund

	<u>2020</u>	<u>2021</u>
<u>H.U.T.D.</u>	<u>13,933,000</u>	<u>13,918,000</u>
<u>Special Revenue</u>	<u>26,042,000</u>	<u>26,281,000</u>

The special revenue fund appropriation is from the vehicle services operating account in the special revenue fund under Minnesota Statutes, section 299A.705, subdivision 1.

The base appropriation from the special revenue fund is \$25,489,000 in each of fiscal years 2022 and 2023.

(b) Driver Services 36,752,000 36,999,000

Appropriations by Fund

	<u>2019</u>	<u>2020</u>	<u>2021</u>
<u>General</u>	<u>267,000</u>	<u>0</u>	<u>0</u>
<u>Special Revenue</u>	<u>0</u>	<u>36,752,000</u>	<u>36,999,000</u>

This appropriation is from the driver services operating account in the special revenue fund under Minnesota Statutes, section 299A.705, subdivision 2.

\$267,000 in fiscal year 2019 is appropriated from the general fund for implementation costs related to the requirements under article 5. This is a onetime appropriation. This appropriation must not take effect if an appropriation for any identical or substantially similar purpose is enacted in the 2019 regular legislative session.

The base appropriation from the special revenue fund is \$36,701,000 in each of fiscal years 2022 and 2023.

Subd. 5. Traffic Safety 964,000 964,000

Appropriations by Fund

	<u>2020</u>	<u>2021</u>
<u>General</u>	<u>470,000</u>	<u>470,000</u>
<u>Trunk Highway</u>	<u>494,000</u>	<u>494,000</u>

Subd. 6. Pipeline Safety 1,443,000 1,443,000

This appropriation is from the pipeline safety account in the special revenue fund.

Subd. 7. Bureau of Criminal Apprehension 29,000 0

This appropriation is from the general fund for costs related to emergency contacts under Minnesota Statutes, section 171.12, subdivision 5b.

EFFECTIVE DATE. Subdivision 2, paragraph (e), and subdivision 4, paragraph (b), are effective the day following final enactment.

Sec. 5. **MINNESOTA MANAGEMENT AND BUDGET****Subdivision 1. Total Appropriation****\$50,000****\$0**Appropriations by Fund

	<u>2019</u>	<u>2020</u>	<u>2021</u>
<u>General</u>	<u>10,000,000</u>	<u>0</u>	<u>0</u>
<u>Trunk Highway</u>	<u>0</u>	<u>50,000</u>	<u>0</u>

The appropriations in this section are to the commissioner of management and budget. The amounts that may be spent for each purpose are specified in the following subdivisions.

The appropriations in fiscal year 2019 are not shown in the total appropriations.

Subd. 2. Deputy Registrar Reimbursement

\$10,000,000 in fiscal year 2019 is appropriated from the general fund for deputy registrar reimbursement grants as provided in section 6.

This appropriation must not take effect if an appropriation for any identical or substantially similar purpose is enacted in the 2019 regular legislative session.

Subd. 3. State Patrol Salary Study**50,000****0**

This appropriation is for a salary study regarding Minnesota State Patrol officers compensation. The study must consider law enforcement entities of similar size and scope within Minnesota as well as law enforcement entities with similar duties and size to the Minnesota State Patrol in other states with comparable populations and budgets to those of Minnesota. In addition to wages and salaries, the study must consider the comparable value of other benefits. By February 1, 2020, the commissioner must provide a written report on the results of the study, and the underlying methodology, to the commissioner of public safety and to the chairs, ranking minority members, and staff of the legislative committees with jurisdiction over transportation.

EFFECTIVE DATE. Subdivision 2 is effective the day following final enactment.

Sec. 6. **DEPUTY REGISTRAR REIMBURSEMENTS.**

Subdivision 1. Grantmaking. (a) From appropriations specifically for purposes of this section, the commissioner of management and budget must provide reimbursement grants to deputy registrars in the manner specified in this section. The commissioner must make the grants available by July 31, 2019.

(b) The commissioner must use existing resources to administer the reimbursements.

Subd. 2. **Eligibility.** A deputy registrar office operated by the state is not eligible to receive funds under this section.

Subd. 3. **Aid distribution.** (a) The reimbursement grant to each deputy registrar, as identified by the Driver and Vehicle Services designated office location number, is calculated as follows:

(1) ten percent of available funds allocated equally among all deputy registrars;

(2) 45 percent of available funds allocated proportionally based on (i) the number of transactions where a filing fee under Minnesota Statutes, section 168.33, subdivision 7, is retained by each deputy registrar from August 1, 2017, through December 31, 2018, compared to (ii) the total number of transactions where a filing fee is retained by all deputy registrars during that time period; and

(3) 45 percent of available funds allocated proportionally based on (i) the number of transactions where a filing fee is retained by each deputy registrar from July 1, 2014, through June 30, 2017, compared to (ii) the total number of transactions where a filing fee is retained by all deputy registrars during that time period.

(b) For a deputy registrar appointed after July 1, 2014, the commissioner of management and budget must identify whether a corresponding discontinued deputy registrar appointment exists. If a corresponding discontinued deputy registrar is identified, the commissioner must include the transactions of the discontinued deputy registrar in the calculations under paragraph (a) for the deputy registrar appointed after July 1, 2014.

(c) For a deputy registrar appointed after July 1, 2014, to which paragraph (b) does not apply, the commissioner of management and budget must calculate the deputy registrar's proportional share under paragraph (a), clause (3), based on the average number of transactions where a filing fee is retained among the deputy registrars, as calculated excluding any deputy registrars for which this paragraph applies.

(d) In the calculations under paragraph (a), the commissioner of management and budget must exclude transactions for (1) a deputy registrar office operated by the state, and (2) a discontinued deputy registrar for which paragraph (b) does not apply.

Subd. 4. **Documentation.** One or more associations representing deputy registrars must submit documentation to the commissioner of management and budget that provides credible evidence of total increased costs and foregone revenue, calculated across all deputy registrars. The commissioner of management and budget must not release grants under this section until the evidence required under this subdivision is submitted.

Subd. 5. **Conditions.** (a) A deputy registrar who receives a grant under this section must:

(1) remain operating as a deputy registrar for a period of at least 12 months following the date of receipt of the funds; or

(2) pay to the commissioner of management and budget an amount equal to the amount of the grant.

(b) The commissioner must deposit any money received under this subdivision in the general fund.

Subd. 6. **Settlement and release from liability.** (a) The creation or payment of reimbursement grants under this section is not: (1) an admission of liability by the state or its employees for any act or omission arising from the development and deployment of the Minnesota Licensing and Registration System (MNLARS); and (2) admissible in a judicial or administrative proceeding to establish liability or a legal duty.

(b) A deputy registrar who accepts a grant under this section must agree in writing and in a form developed by the commissioner to release the state and its employees from liability arising from the development and deployment of MNLARS.

Subd. 7. **Use of funds.** (a) For any expenditure due to a civil action against the commissioner of public safety related to the requirements under subdivision 5 or 6, the commissioner:

(1) must solely use appropriations for the commissioner's office, or for a budget activity or program that includes the commissioner's office; and

(2) is prohibited from using appropriations from the trunk highway fund.

(b) This subdivision applies but is not limited to transfers to the attorney general or to other state agencies, and to expenditures for contracts.

EFFECTIVE DATE. This section is effective the day following final enactment.

ARTICLE 2 TRANSPORTATION BONDS

Section 1. **BOND APPROPRIATIONS.**

The sums shown in the column under "Appropriations" are appropriated from the bond proceeds account in the trunk highway fund to the state agencies or officials indicated, to be spent for public purposes. Appropriations of bond proceeds must be spent as authorized by the Minnesota Constitution, articles XI and XIV. Unless otherwise specified, money appropriated in this article for a capital program or project may be used to pay state agency staff costs that are attributed directly to the capital program or project in accordance with accounting policies adopted by the commissioner of management and budget.

SUMMARY

<u>Department of Transportation</u>	<u>\$2,000,000,000</u>
<u>Department of Management and Budget</u>	<u>2,000,000</u>
<u>TOTAL</u>	<u>\$2,002,000,000</u>

APPROPRIATIONS

Sec. 2. **DEPARTMENT OF TRANSPORTATION**

Subdivision 1. <u>State Road Construction</u>	<u>\$1,700,000,000</u>
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(a) This appropriation is to the commissioner of transportation for construction, reconstruction, and improvement of trunk highways, including design-build contracts and use of consultants to support these activities.

(b) This appropriation is available in the amounts of:

(1) \$200,000,000 in each fiscal year for fiscal years 2022 to 2028; and

(2) \$300,000,000 in fiscal year 2029.

(c) The commissioner may use up to 17 percent of the amount each year for program delivery.

Subd. 2. Corridors of Commerce

\$300,000,000

(a) This appropriation is to the commissioner of transportation for the corridors of commerce program under Minnesota Statutes, section 161.088.

(b) This appropriation is available in amounts of \$100,000,000 in each fiscal year for fiscal years 2022 to 2024.

(c) The commissioner may use up to 17 percent of the amount each year for program delivery.

Subd. 3. Cancellations

The appropriations in this section cancel as specified under Minnesota Statutes, section 16A.642, except that the commissioner of management and budget must count the start of authorization for issuance of state bonds as the first day of the fiscal year during which the bonds are available to be issued as specified under subdivision 1 or 2, and not as the date of enactment of this section.

Sec. 3. BOND SALE EXPENSES

\$2,000,000

(a) This appropriation is to the commissioner of management and budget for bond sale expenses under Minnesota Statutes, sections 16A.641, subdivision 8, and 167.50, subdivision 4.

(b) This appropriation is available in the amounts of:

(1) \$300,000 in each fiscal year for fiscal years 2022 to 2024;

(2) \$200,000 in each fiscal year for fiscal years 2025 to 2028; and

(3) \$300,000 in fiscal year 2029.

Sec. 4. BOND SALE AUTHORIZATION.

To provide the money appropriated in this article from the bond proceeds account in the trunk highway fund, the commissioner of management and budget shall sell and issue bonds of the state in an amount up to \$2,002,000,000 in the manner, upon the terms, and with the effect prescribed by Minnesota Statutes, sections 167.50 to 167.52, and by the Minnesota Constitution, article XIV, section 11, at the times and in the amounts requested by the commissioner of transportation. The proceeds of the bonds, except accrued interest and any premium received from the sale of the bonds, must be deposited in the bond proceeds account in the trunk highway fund.

ARTICLE 3
TRANSPORTATION-RELATED TAXES AND FEES

Section 1. Minnesota Statutes 2018, section 168.013, subdivision 1a, is amended to read:

Subd. 1a. **Passenger automobile; hearse.** (a) On passenger automobiles as defined in section 168.002, subdivision 24, and hearses, except as otherwise provided, the tax is ~~\$10~~ (1) \$20, plus (2) an additional ~~tax amount~~ equal to ~~1.25~~ 1.5 percent of the base value.

(b) Subject to the classification provisions herein, "base value" means the manufacturer's suggested retail price of the vehicle ~~including destination charge~~ using list price information published by the manufacturer or determined by the registrar if no suggested retail price exists, and shall not include the cost of each accessory or item of optional equipment separately added to the vehicle and the suggested retail price.

(c) If the manufacturer's list price information contains a single vehicle identification number followed by various descriptions and suggested retail prices, the registrar shall select from those listings only the lowest price for determining base value.

(d) If unable to determine the base value because the vehicle is specially constructed, or for any other reason, the registrar may establish such value upon the cost price to the purchaser or owner as evidenced by a certificate of cost but not including Minnesota sales or use tax or any local sales or other local tax.

(e) The registrar shall classify every vehicle in its proper base value class as follows:

FROM	TO
\$0	\$199.99
\$200	\$399.99

and thereafter a series of classes successively set in brackets having a spread of \$200 consisting of such number of classes as will permit classification of all vehicles.

(f) The base value for purposes of this section shall be the middle point between the extremes of its class.

(g) The registrar shall establish the base value, when new, of every passenger automobile and hearse registered prior to the effective date of Extra Session Laws 1971, chapter 31, using list price information published by the manufacturer or any nationally recognized firm or association compiling such data for the automotive industry. If unable to ascertain the base value of any registered vehicle in the foregoing manner, the registrar may use any other available source or method. The registrar shall calculate tax using base value information available to dealers and deputy registrars at the time the application for registration is submitted. The tax on all previously registered vehicles shall be computed upon the base value thus determined taking into account the depreciation provisions of paragraph (h).

(h) The annual additional ~~tax amount~~ must be computed upon a percentage of the base value as follows:

(1) during the first year of vehicle life, upon 100 percent of the base value;

(2) for the second year, ~~90~~ 96 percent of such value;

(3) for the third year, ~~80~~ 92 percent of such value;

(4) for the fourth year, ~~70~~ 85 percent of such value;

(5) for the fifth year, ~~60~~ 80 percent of such value;

(6) for the sixth year, ~~50~~ 75 percent of such value;

(7) for the seventh year, ~~40~~ 65 percent of such value;

(8) for the eighth year, ~~30~~ 55 percent of such value;

(9) for the ninth year, ~~20~~ 40 percent of such value;

(10) for the tenth year, ~~ten~~ 25 percent of such value; and

(11) for the 11th and each succeeding year, the sum of ~~\$25~~ \$10.

(i) In no event ~~shall~~ is the annual additional ~~tax~~ be amount less than ~~\$25~~ \$10.

(j) For any vehicle previously registered in Minnesota and regardless of prior ownership, the total amount due under this subdivision and subdivision 1m must not exceed the smallest total amount previously paid or due on the vehicle. Nothing in this paragraph prevents collection of a tax or fee that the commissioner determines is due for a current or prior registration period.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to taxes payable for a registration period starting on or after January 1, 2020.

Sec. 2. Minnesota Statutes 2018, section 168.013, subdivision 1m, is amended to read:

Subd. 1m. **Electric vehicle.** In addition to the tax under subdivision 1a, a surcharge of \$75 is imposed for an all-electric vehicle, as defined in section 169.011, subdivision 1a. Notwithstanding subdivision 8, revenue from the fee imposed under this subdivision must be deposited as follows: (1) 50 percent in the highway user tax distribution fund, and (2) 50 percent in the electric vehicle infrastructure account in the special revenue fund.

Sec. 3. Minnesota Statutes 2018, section 168.013, subdivision 21, is amended to read:

Subd. 21. **Technology surcharge.** For every vehicle registration renewal required under this chapter, the commissioner shall collect a surcharge of: ~~(1) \$1.75 until June 30, 2012; and (2) \$1 from July 1, 2012, to June 30, 2016~~ \$4.75 from July 1, 2019, until June 30, 2021, and \$2 from July 1, 2021, and after. Surcharges collected under this subdivision must be credited to the driver and vehicle services technology account in the special revenue fund under section 299A.705.

Sec. 4. Minnesota Statutes 2018, section 168.33, subdivision 7, is amended to read:

Subd. 7. **Filing fees; allocations.** (a) In addition to all other statutory fees and taxes, a filing fee of:

(1) ~~\$6~~ \$8.50 is imposed on every vehicle registration renewal, excluding pro rate transactions; and

(2) ~~\$40~~ \$13.50 is imposed on every other type of vehicle transaction, including motor carrier fuel licenses under sections 168D.05 and 168D.06, and pro rate transactions.

(b) Notwithstanding paragraph (a):

(1) a filing fee may not be charged for a document returned for a refund or for a correction of an error made by the Department of Public Safety, a dealer, or a deputy registrar; and

(2) no filing fee or other fee may be charged for the permanent surrender of a title for a vehicle.

(c) The filing fee must be shown as a separate item on all registration renewal notices sent out by the commissioner.

(d) The statutory fees and taxes, and the filing fees imposed under paragraph (a) may be paid by credit card or debit card. The deputy registrar may collect a surcharge on the statutory fees, taxes, and filing fee not greater than the cost of processing a credit card or debit card transaction, in accordance with emergency rules established by the commissioner of public safety. The surcharge must be used to pay the cost of processing credit and debit card transactions.

(e) The fees collected under this subdivision by the department must be allocated as follows:

(1) of the fees collected under paragraph (a), clause (1):

(i) ~~\$4.50~~ \$7 must be deposited in the vehicle services operating account; and

(ii) \$1.50 must be deposited:

(A) in the driver and vehicle services technology account until sufficient funds have been deposited in that account to cover all costs of administration, development, and initial full deployment of the driver and vehicle services information system; and

(B) after completion of the deposit of funds under subitem (A) in the vehicle services operating account; and

(2) of the fees collected under paragraph (a), clause (2):

(i) \$3.50 must be deposited in the general fund;

(ii) ~~\$5.00~~ \$8.50 must be deposited in the vehicle services operating account; and

(iii) \$1.50 must be deposited:

(A) in the driver and vehicle services technology account until sufficient funds have been deposited in that account to cover all costs of administration, development, and initial full deployment of the driver and vehicle services information system; and

(B) after completion of the deposit of funds under subitem (A) in the vehicle services operating account.

EFFECTIVE DATE. This section is effective January 1, 2020.

Sec. 5. Minnesota Statutes 2018, section 168A.29, subdivision 1, is amended to read:

Subdivision 1. **Amounts.** ~~(a)~~ The department must be paid the following fees:

(1) for filing an application for and the issuance of an original certificate of title, the sum of:

(i) ~~until December 31, 2016, \$6.25 of which \$3.25 must be paid into the vehicle services operating account of the special revenue fund under section 299A.705, and from July 1, 2012, to June 30, 2016, a surcharge of \$1 must be added to the fee and credited to the driver and vehicle services technology account; and~~

~~(ii) on and after January 1, 2017, \$8.25, of which \$4.15 must be paid into the vehicle services operating account;~~

(ii) a surcharge of \$4.75 from July 1, 2019, until June 30, 2021, and \$2 from July 1, 2021, and after, which must be deposited in the driver and vehicle services technology account; and

(iii) \$3.50, which must be deposited in the public safety motor vehicle account under section 299A.70;

(2) for each security interest when first noted upon a certificate of title, including the concurrent notation of any assignment thereof and its subsequent release or satisfaction, the sum of \$2, except that no fee is due for a security interest filed by a public authority under section 168A.05, subdivision 8;

~~(3) until December 31, 2016, for the transfer of the interest of an owner and the issuance of a new certificate of title, the sum of \$5.50 of which \$2.50 must be paid into the vehicle services operating account of the special revenue fund under section 299A.705, and from July 1, 2012, to June 30, 2016, a surcharge of \$1 must be added to the fee and credited to the driver and vehicle services technology account;~~

~~(4) (3) for each assignment of a security interest when first noted on a certificate of title, unless noted concurrently with the security interest, the sum of \$1; and~~

~~(5) (4) for issuing a duplicate certificate of title, the sum of:~~

~~(i) \$7.25, of which \$3.25 must be paid into the vehicle services operating account of the special revenue fund under section 299A.705; from July 1, 2012, to June 30, 2016; and~~

~~(ii) a surcharge of \$4 \$4.75 from July 1, 2019, until June 30, 2021, and \$2 from July 1, 2021, and after, which must be added to the fee and credited to deposited in the driver and vehicle services technology account.~~

~~(b) In addition to the fee required under paragraph (a), clause (1), the department must be paid \$3.50. The additional \$3.50 fee collected under this paragraph must be deposited in the special revenue fund and credited to the public safety motor vehicle account established in section 299A.70.~~

Sec. 6. Minnesota Statutes 2018, section 171.06, subdivision 2, is amended to read:

Subd. 2. **Fees.** (a) The fees for a license and Minnesota identification card are as follows:

REAL ID Compliant or Noncompliant Classified Driver's License	D-\$17.25 <u>D-\$21.75</u>	C-\$21.25 <u>C-\$25.75</u>	B-\$28.25 <u>B-\$32.75</u>	A-\$36.25 <u>A-\$40.75</u>
REAL ID Compliant or Noncompliant Classified Under-21 D.L.	D-\$17.25 <u>D-\$21.75</u>	C-\$21.25 <u>C-\$25.75</u>	B-\$28.25 <u>B-\$32.75</u>	A-\$16.25 <u>A-\$20.75</u>
Enhanced Driver's License	D-\$32.25 <u>D-\$36.75</u>	C-\$36.25 <u>C-\$40.75</u>	B-\$43.25 <u>B-\$47.75</u>	A-\$51.25 <u>A-\$55.75</u>
REAL ID Compliant or Noncompliant Instruction Permit				\$5.25
Enhanced Instruction Permit				\$20.25
Commercial Learner's Permit				\$2.50

REAL ID Compliant or Noncompliant Provisional License	\$8.25
Enhanced Provisional License	\$23.25
Duplicate REAL ID Compliant or Noncompliant License or duplicate REAL ID Compliant or Noncompliant identification card	\$6.75
Enhanced Duplicate License or enhanced duplicate identification card	\$21.75
REAL ID Compliant or Noncompliant Minnesota identification card or REAL ID Compliant or Noncompliant Under-21 Minnesota identification card, other than duplicate, except as otherwise provided in section 171.07, subdivisions 3 and 3a	\$11.25
Enhanced Minnesota identification card	\$26.25

In addition to each fee required in this paragraph, the commissioner shall collect a surcharge of: ~~(1) \$1.75 until June 30, 2012; and (2) \$1.00 from July 1, 2012, to June 30, 2016~~ \$4.75 from July 1, 2019, until June 30, 2021, and \$2 from July 1, 2021, and after. Surcharges collected under this paragraph must be credited to the driver and vehicle services technology account in the special revenue fund under section 299A.705.

(b) Notwithstanding paragraph (a), an individual who holds a provisional license and has a driving record free of (1) convictions for a violation of section 169A.20, 169A.33, 169A.35, sections 169A.50 to 169A.53, or section 171.177, (2) convictions for crash-related moving violations, and (3) convictions for moving violations that are not crash related, shall have a \$3.50 credit toward the fee for any classified under-21 driver's license. "Moving violation" has the meaning given it in section 171.04, subdivision 1.

(c) In addition to the driver's license fee required under paragraph (a), the commissioner shall collect an additional \$4 processing fee from each new applicant or individual renewing a license with a school bus endorsement to cover the costs for processing an applicant's initial and biennial physical examination certificate. The department shall not charge these applicants any other fee to receive or renew the endorsement.

(d) In addition to the fee required under paragraph (a), a driver's license agent may charge and retain a filing fee as provided under section 171.061, subdivision 4.

(e) In addition to the fee required under paragraph (a), the commissioner shall charge a filing fee at the same amount as a driver's license agent under section 171.061, subdivision 4. Revenue collected under this paragraph must be deposited in the driver services operating account.

(f) An application for a Minnesota identification card, instruction permit, provisional license, or driver's license, including an application for renewal, must contain a provision that allows the applicant to add to the fee under paragraph (a), a \$2 donation for the purposes of public information and education on anatomical gifts under section 171.075.

Sec. 7. Minnesota Statutes 2018, section 171.061, subdivision 4, is amended to read:

Subd. 4. **Fee; equipment.** (a) The agent may charge and retain a filing fee of ~~\$\$~~ \$12 for each application. Except as provided in paragraph (c), the fee shall cover all expenses involved in receiving, accepting, or forwarding to the department the applications and fees required under sections 171.02, subdivision 3; 171.06, subdivisions 2 and 2a; and 171.07, subdivisions 3 and 3a.

(b) The statutory fees and the filing fees imposed under paragraph (a) may be paid by credit card or debit card. The driver's license agent may collect a convenience fee on the statutory fees and filing fees not greater than the cost of processing a credit card or debit card transaction. The convenience fee must be used to pay the cost of processing credit card and debit card transactions. The commissioner shall adopt rules to administer this paragraph using the exempt procedures of section 14.386, except that section 14.386, paragraph (b), does not apply.

(c) The department shall maintain the photo identification equipment for all agents appointed as of January 1, 2000. Upon the retirement, resignation, death, or discontinuance of an existing agent, and if a new agent is appointed in an existing office pursuant to Minnesota Rules, chapter 7404, and notwithstanding the above or Minnesota Rules, part 7404.0400, the department shall provide and maintain photo identification equipment without additional cost to a newly appointed agent in that office if the office was provided the equipment by the department before January 1, 2000. All photo identification equipment must be compatible with standards established by the department.

(d) A filing fee retained by the agent employed by a county board must be paid into the county treasury and credited to the general revenue fund of the county. An agent who is not an employee of the county shall retain the filing fee in lieu of county employment or salary and is considered an independent contractor for pension purposes, coverage under the Minnesota State Retirement System, or membership in the Public Employees Retirement Association.

(e) Before the end of the first working day following the final day of the reporting period established by the department, the agent must forward to the department all applications and fees collected during the reporting period except as provided in paragraph (d).

EFFECTIVE DATE. This section is effective January 1, 2020.

Sec. 8. Minnesota Statutes 2018, section 296A.07, subdivision 3, is amended to read:

Subd. 3. **Rate of tax.** (a) After September 30, 2019, but before January 1, 2020, and on all gasoline in distributor storage at 12:01 a.m. on October 1, 2019, the gasoline excise tax is imposed at the following rates:

(1) E85 is taxed at the rate of ~~17.75~~ 21.30 cents per gallon;

(2) M85 is taxed at the rate of ~~14.25~~ 17.10 cents per gallon; and

(3) all other gasoline is taxed at the rate of ~~25~~ 30 cents per gallon.

(b) After December 31, 2019, but before January 1, 2021, and on all gasoline in distributor storage at 12:01 a.m. on January 1, 2020, the gasoline excise tax is imposed at the following rates:

(1) E85 is taxed at the rate of 24.85 cents per gallon;

(2) M85 is taxed at the rate of 19.95 cents per gallon; and

(3) all other gasoline is taxed at the rate of 35 cents per gallon.

(c) After December 31, 2020, but before January 1, 2022, and on all gasoline in distributor storage at 12:01 a.m. on January 1, 2021, the gasoline excise tax is imposed at the following rates:

(1) E85 is taxed at the rate of 28.40 cents per gallon;

(2) M85 is taxed at the rate of 22.80 cents per gallon; and

(3) all other gasoline is taxed at the rate of 40 cents per gallon.

(d) After December 31, 2021, and on all gasoline in distributor storage at 12:01 a.m. on January 1, 2022, the gasoline excise tax is imposed at the following rates:

(1) E85 is taxed at the rate of 31.95 cents per gallon;

(2) M85 is taxed at the rate of 25.65 cents per gallon; and

(3) all other gasoline is taxed at the rate of 45 cents per gallon.

(e) On or before April 1, 2023, and on or before April 1 in each subsequent year, the commissioner must determine the tax rate applicable to the sale of E85, M85, and all other gasoline subject to tax under this section for the upcoming 12-month period, beginning October 1, by adding to the current fiscal year tax rate the percentage increase, if any, in the National Highway Construction Cost Index for the previous calendar year. The tax rate must be rounded to the nearest tenth of a cent. The tax rate for E85 must not be lower than 31.95 cents per gallon. The tax rate for M85 must not be lower than 25.65 cents per gallon. The tax rate for all other gasoline must not be lower than 45 cents per gallon.

(f) For purposes of this subdivision, the National Highway Construction Cost Index is as determined by the United States Department of Transportation.

(g) For purposes of this subdivision, "gasoline in distributor storage" means gasoline owned or possessed by a distributor and held in storage, including being held in bulk storage, a tank wagon, or a compartment of a delivery truck.

EFFECTIVE DATE. This section is effective for tax imposed after September 30, 2019.

Sec. 9. Minnesota Statutes 2018, section 296A.08, subdivision 2, is amended to read:

Subd. 2. **Rate of tax.** (a) On special fuel subject to tax under this section after September 30, 2019, but before January 1, 2020, and on special fuel in distributor storage at 12:01 a.m. on October 1, 2019, the special fuel excise tax is imposed at the following rates:

~~(a)~~ (1) liquefied petroleum gas or propane is taxed at the rate of ~~18.75~~ 22.50 cents per gallon;

~~(b)~~ (2) liquefied natural gas is taxed at the rate of ~~15~~ 18 cents per gallon;

~~(c)~~ (3) compressed natural gas is taxed at the rate of ~~\$1.974~~ \$2.368 per thousand cubic feet; or ~~25~~ 30 cents per gasoline equivalent. ~~For purposes of this paragraph, "gasoline equivalent," as defined by the National Conference on Weights and Measures, is 5.66 pounds of natural gas or 126.67 cubic feet; and~~

~~(d)~~ (4) all other special fuel is taxed at the same rate as the gasoline excise tax as specified in section 296A.07, subdivision 2.

(b) The tax under this subdivision is payable in the form and manner prescribed by the commissioner.

(c) On special fuel subject to tax under this section after December 31, 2019, but before January 1, 2021, and on all special fuel in distributor storage at 12:01 a.m. on January 1, 2020, the special fuel excise tax is imposed at the following rates:

(1) liquefied petroleum gas or propane is taxed at the rate of 26.25 cents per gallon;

(2) liquefied natural gas is taxed at the rate of 21 cents per gallon;

(3) compressed natural gas is taxed at the rate of \$2.763 per thousand cubic feet; or 35 cents per gasoline equivalent; and

(4) all other special fuel is taxed at the same rate as the gasoline excise tax as specified in section 296A.07, subdivision 2.

(d) On special fuel subject to tax under this section after December 31, 2020, but before January 1, 2022, and on all special fuel in distributor storage at 12:01 a.m. on January 1, 2021, the special fuel excise tax is imposed at the following rates:

(1) liquefied petroleum gas or propane is taxed at the rate of 30 cents per gallon;

(2) liquefied natural gas is taxed at the rate of 24 cents per gallon;

(3) compressed natural gas is taxed at the rate of \$3.157 per thousand cubic feet; or 40 cents per gasoline equivalent; and

(4) all other special fuel is taxed at the same rate as the gasoline excise tax as specified in section 296A.07, subdivision 2.

(e) On special fuel subject to tax under this section after December 31, 2021, and on all special fuel in distributor storage at 12:01 a.m. on January 1, 2022, the special fuel excise tax is imposed at the following rates:

(1) liquefied petroleum gas or propane is taxed at the rate of 33.75 cents per gallon;

(2) liquefied natural gas is taxed at the rate of 27 cents per gallon;

(3) compressed natural gas is taxed at the rate of \$3.552 per thousand cubic feet; or 45 cents per gasoline equivalent; and

(4) all other special fuel is taxed at the same rate as the gasoline excise tax as specified in section 296A.07, subdivision 2.

(f) On or before April 1, 2023, and on or before April 1 in each subsequent year, the commissioner shall determine the tax rate applicable to the sale of special fuels subject to tax under this section for the upcoming 12-month period, beginning October 1, by adding to the current tax rate the percentage increase, if any, calculated under section 296A.07, subdivision 3, paragraph (e). The tax rate must be rounded to the nearest tenth of a cent. The tax rate for liquefied petroleum gas or propane must not be lower than 33.75 cents per gallon. The tax rate for liquefied natural gas must not be lower than 27 cents per gallon. The tax rate for compressed natural gas must not be lower than \$3.552 per thousand cubic feet or 45 cents per gasoline equivalent. The tax rate for all other special fuel must not be lower than 45 cents per gallon.

(g) For purposes of this subdivision, "special fuel in distributor storage" means special fuel owned and possessed by a distributor and held in storage, including being held in bulk storage, a tank wagon, or a compartment of a delivery truck.

(h) For purposes of this subdivision, "gasoline equivalent," as defined by the National Conference on Weights and Measures, is 5.66 pounds of natural gas or 126.67 cubic feet.

EFFECTIVE DATE. This section is effective for tax imposed after September 30, 2019.

Sec. 10. Minnesota Statutes 2018, section 297A.815, subdivision 3, is amended to read:

Subd. 3. **Motor vehicle lease sales tax revenue.** (a) For purposes of this subdivision, "net revenue" means an amount equal to the revenue, including interest and penalties, collected under this section during the fiscal year minus \$32,000,000 in each fiscal year.

(b) On or before June 30 of each fiscal year, the commissioner of revenue must estimate the ~~revenues~~ amount of the net revenue, including interest and penalties and minus refunds, collected under this section for the current fiscal year.

~~(b)~~ (c) By July 15 of the subsequent fiscal year, the commissioner of management and budget must transfer the ~~revenues~~ net revenue estimated under paragraph ~~(a)~~ (b) from the general fund as follows:

(1) ~~38~~ 75 percent to the county state-aid highway fund;

(2) ~~38~~ 10 percent to the greater Minnesota transit account; and

(3) ~~43~~ 15 percent to the ~~Minnesota state transportation fund;~~ and small cities assistance account under section 162.145, subdivision 2.

~~(4) 11 percent to the highway user tax distribution fund.~~

~~(c)~~ (d) Notwithstanding any other law to the contrary, the commissioner of transportation must allocate the funds transferred under paragraph ~~(b)~~ (c), clause (1), to the counties in the metropolitan area, as defined in section 473.121, subdivision 4, ~~excluding the counties of Hennepin and Ramsey,~~ so that each county receives the percentage that its population, as defined in section 477A.011, subdivision 3, estimated or established by July 15 of the year prior to the current calendar year, bears to the total population of the counties receiving funds under this paragraph. For the purposes of the calculation in this paragraph, the population of Hennepin County must be multiplied by 0.2 and the population of Ramsey County must be multiplied by 0.35.

~~(d) The amount transferred under paragraph (b), clause (3), must be used for the local bridge program under section 174.50, subdivisions 6 to 7.~~

(e) The revenues under this subdivision do not include the revenues, including interest and penalties and minus refunds, generated by the sales tax imposed under section 297A.62, subdivision 1a, which must be deposited as provided under the Minnesota Constitution, article XI, section 15.

EFFECTIVE DATE. This section is effective the day following final enactment, beginning with the estimate that must be completed on or before June 30, 2020, for a transfer that occurs by July 15, 2020.

Sec. 11. Minnesota Statutes 2018, section 297A.94, is amended to read:

297A.94 DEPOSIT OF REVENUES.

(a) Except as provided in this section, the commissioner shall deposit the revenues, including interest and penalties, derived from the taxes imposed by this chapter in the state treasury and credit them to the general fund.

(b) The commissioner shall deposit taxes in the Minnesota agricultural and economic account in the special revenue fund if:

(1) the taxes are derived from sales and use of property and services purchased for the construction and operation of an agricultural resource project; and

(2) the purchase was made on or after the date on which a conditional commitment was made for a loan guaranty for the project under section 41A.04, subdivision 3.

The commissioner of management and budget shall certify to the commissioner the date on which the project received the conditional commitment. The amount deposited in the loan guaranty account must be reduced by any refunds and by the costs incurred by the Department of Revenue to administer and enforce the assessment and collection of the taxes.

(c) The commissioner shall deposit the revenues, including interest and penalties, derived from the taxes imposed on sales and purchases included in section 297A.61, subdivision 3, paragraph (g), clauses (1) and (4), in the state treasury, and credit them as follows:

(1) first to the general obligation special tax bond debt service account in each fiscal year the amount required by section 16A.661, subdivision 3, paragraph (b); and

(2) after the requirements of clause (1) have been met, the balance to the general fund.

~~(d) Beginning with sales taxes remitted after July 1, 2017, the commissioner shall deposit in the state treasury the revenues collected under section 297A.64, subdivision 1, including interest and penalties and minus refunds, and credit them to the highway user tax distribution fund.~~

~~(e)~~ (d) The commissioner shall deposit the revenues, including interest and penalties, collected under section 297A.64, subdivision 5, in the state treasury and credit them to the general fund. By July 15 of each year the commissioner shall transfer to the highway user tax distribution fund an amount equal to the excess fees collected under section 297A.64, subdivision 5, for the previous calendar year.

~~(f) Beginning with sales taxes remitted after July 1, 2017, in conjunction with the deposit of revenues under paragraph (d), the commissioner shall deposit into the state treasury and credit to the highway user tax distribution fund an amount equal to the estimated revenues derived from the tax rate imposed under section 297A.62,~~

~~subdivision 1, on the lease or rental for not more than 28 days of rental motor vehicles subject to section 297A.64. The commissioner shall estimate the amount of sales tax revenue deposited under this paragraph based on the amount of revenue deposited under paragraph (d).~~

~~(g) Starting after July 1, 2017, the commissioner shall deposit an amount of the remittances monthly into the state treasury and credit them to the highway user tax distribution fund as a portion of the estimated amount of taxes collected from the sale and purchase of motor vehicle repair parts in that month. For the remittances between July 1, 2017, and June 30, 2019, the monthly deposit amount is \$2,628,000. For remittances in each subsequent fiscal year, the monthly deposit amount is \$12,137,000. For purposes of this paragraph, "motor vehicle" has the meaning given in section 297B.01, subdivision 11, and "motor vehicle repair and replacement parts" includes (i) all parts, tires, accessories, and equipment incorporated into or affixed to the motor vehicle as part of the motor vehicle maintenance and repair, and (ii) paint, oil, and other fluids that remain on or in the motor vehicle as part of the motor vehicle maintenance or repair. For purposes of this paragraph, "tire" means any tire of the type used on highway vehicles, if wholly or partially made of rubber and if marked according to federal regulations for highway use.~~

~~(h)~~ (e) 72.43 percent of the revenues, including interest and penalties, transmitted to the commissioner under section 297A.65, must be deposited by the commissioner in the state treasury as follows:

(1) 50 percent of the receipts must be deposited in the heritage enhancement account in the game and fish fund, and may be spent only on activities that improve, enhance, or protect fish and wildlife resources, including conservation, restoration, and enhancement of land, water, and other natural resources of the state;

(2) 22.5 percent of the receipts must be deposited in the natural resources fund, and may be spent only for state parks and trails;

(3) 22.5 percent of the receipts must be deposited in the natural resources fund, and may be spent only on metropolitan park and trail grants;

(4) three percent of the receipts must be deposited in the natural resources fund, and may be spent only on local trail grants; and

(5) two percent of the receipts must be deposited in the natural resources fund, and may be spent only for the Minnesota Zoological Garden, the Como Park Zoo and Conservatory, and the Duluth Zoo.

~~(i)~~ (f) The revenue dedicated under paragraph ~~(h)~~ (e) may not be used as a substitute for traditional sources of funding for the purposes specified, but the dedicated revenue shall supplement traditional sources of funding for those purposes. Land acquired with money deposited in the game and fish fund under paragraph ~~(h)~~ (e) must be open to public hunting and fishing during the open season, except that in aquatic management areas or on lands where angling easements have been acquired, fishing may be prohibited during certain times of the year and hunting may be prohibited. At least 87 percent of the money deposited in the game and fish fund for improvement, enhancement, or protection of fish and wildlife resources under paragraph ~~(h)~~ (e) must be allocated for field operations.

~~(j)~~ (g) The commissioner must deposit the revenues, including interest and penalties minus any refunds, derived from the sale of items regulated under section 624.20, subdivision 1, that may be sold to persons 18 years old or older and that are not prohibited from use by the general public under section 624.21, in the state treasury and credit:

(1) 25 percent to the volunteer fire assistance grant account established under section 88.068;

(2) 25 percent to the fire safety account established under section 297I.06, subdivision 3; and

(3) the remainder to the general fund.

For purposes of this paragraph, the percentage of total sales and use tax revenue derived from the sale of items regulated under section 624.20, subdivision 1, that are allowed to be sold to persons 18 years old or older and are not prohibited from use by the general public under section 624.21, is a set percentage of the total sales and use tax revenues collected in the state, with the percentage determined under Laws 2017, First Special Session chapter 1, article 3, section 39.

~~(k)~~ (h) The revenues deposited under ~~paragraphs (a) to (j)~~ this section do not include the revenues, including interest and penalties, generated by the sales tax imposed under section 297A.62, subdivision 1a, which must be deposited as provided under the Minnesota Constitution, article XI, section 15.

EFFECTIVE DATE. This section is effective for sales and purchases made after June 30, 2019.

Sec. 12. Minnesota Statutes 2018, section 297A.99, subdivision 1, is amended to read:

Subdivision 1. **Authorization; scope.** (a) A political subdivision of this state may impose a general sales tax (1) under section 297A.992, (2) under section 297A.9925, (3) under section 297A.993, ~~(3)~~ (4) if permitted by special law, or ~~(4)~~ (5) if the political subdivision enacted and imposed the tax before January 1, 1982, and its predecessor provision.

(b) This section governs the imposition of a general sales tax by the political subdivision. The provisions of this section preempt the provisions of any special law:

(1) enacted before June 2, 1997, or

(2) enacted on or after June 2, 1997, that does not explicitly exempt the special law provision from this section's rules by reference.

(c) This section does not apply to or preempt a sales tax on motor vehicles or a special excise tax on motor vehicles.

(d) A political subdivision may not advertise or expend funds for the promotion of a referendum to support imposing a local option sales tax.

(e) Notwithstanding paragraph (d), a political subdivision may expend funds to:

(1) conduct the referendum;

(2) disseminate information included in the resolution adopted under subdivision 2;

(3) provide notice of, and conduct public forums at which proponents and opponents on the merits of the referendum are given equal time to express their opinions on the merits of the referendum;

(4) provide facts and data on the impact of the proposed sales tax on consumer purchases; and

(5) provide facts and data related to the programs and projects to be funded with the sales tax.

EFFECTIVE DATE. This section is effective for sales and purchases made after December 31, 2019.

Sec. 13. **[297A.9925] TRANSPORTATION STABILITY SALES AND USE TAX.**

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

(b) "Metropolitan area" has the meaning given in section 473.121, subdivision 2.

(c) "Metropolitan Council" or "council" means the Metropolitan Council established by section 473.123.

(d) "Transportation Advisory Board" means the advisory body under section 473.146, subdivision 4.

(e) "Transportation sales tax" means the metropolitan area transportation sales and use tax imposed under this section.

(f) Transit purposes under this section include but are not limited to: transit operations and capital improvements; transit capital maintenance; transit financing; transit project development, including design, engineering, environmental analysis, and acquisition of real property, including temporary and permanent easements; and planning and feasibility studies related to transit.

Subd. 2. Metropolitan area transportation sales tax imposition; rate. (a) Notwithstanding sections 297A.99, subdivisions 2 and 3, and 477A.016, or any other law to the contrary, the Metropolitan Council must impose a metropolitan area transportation sales and use tax at a rate of one-half of one percent on retail sales and uses taxable under this chapter occurring within the metropolitan area.

(b) The tax imposed under this section is not included in determining if the total tax on lodging in the city of Minneapolis exceeds the maximum allowed tax under Laws 1986, chapter 396, section 5, as amended by Laws 2001, First Special Session chapter 5, article 12, section 87, and Laws 2012, chapter 299, article 3, section 3, or in determining a tax that may be imposed under any other limitations.

Subd. 3. Administration; collection; enforcement. Except as otherwise provided in this section, the provisions of section 297A.99, subdivisions 4, and 6 to 12a, govern the administration, collection, and enforcement of the tax imposed under this section.

Subd. 4. Distribution. Proceeds of the transportation sales tax are distributed:

(1) 50 percent to the Metropolitan Council; and

(2) 50 percent to the transportation advisory board.

Subd. 5. Use of funds; general requirements. (a) Proceeds from the transportation sales tax must be used for transportation purposes within the metropolitan area, subject to the requirements of this section and chapter 473.

(b) Projects funded with the transportation sales tax proceeds must be consistent with the long-range transportation policy plan adopted by the council under section 473.146.

Subd. 6. Use of funds; Metropolitan Council. The Metropolitan Council must use funds distributed under subdivision 4, clause (1), and from awards under subdivision 7, for transit purposes.

Subd. 7. Use of funds; Transportation Advisory Board. (a) From funds distributed under subdivision 4, clause (2), the Transportation Advisory Board must establish eligibility requirements and a project selection process to provide grant awards for transportation projects. The process must include: solicitation; evaluation and prioritization, including technical review, scoring, and ranking; project selection; and award of funds. To the extent feasible, the process must align with procedures and requirements established for allocation of other sources of funds.

(b) In each award cycle, the Transportation Advisory Board must allocate funds as follows:

(1) at least 30 percent for highway projects, including but not limited to (i) maintenance, mobility, travel demand management, and traffic management technology, and (ii) state and local roads and bridges;

(2) at least 30 percent for transit purposes;

(3) at least ten percent for active transportation and nonmotorized transportation projects, including but not limited to trails, bicycle and pedestrian facilities, and safe routes to schools; and

(4) the remainder for one or more of the purposes specified in clauses (1) to (3).

Subd. 8. **Revenue bonds.** (a) In addition to other authority granted in this section, and notwithstanding section 473.39, subdivision 7, or any other law to the contrary, the council may, by resolution, authorize the sale and issuance of revenue bonds, notes, or other obligations to provide funds to (1) implement the council's transit capital improvement program, and (2) refund bonds issued under this subdivision.

(b) The bonds are payable from and secured by a pledge of the revenues of the council's transportation system, including all or any part of revenues received under subdivision 4, clause (1), and associated investment earnings on debt proceeds. The council may, by resolution, authorize the issuance of the bonds as general obligations of the council. The bonds must be sold, issued, and secured in the manner provided in chapter 475, and the council has the same powers and duties as a municipality and its governing body in issuing bonds under chapter 475, except that no election is required and the net debt limitations in chapter 475 do not apply to such bonds. The proceeds of the bonds may also be used to fund necessary reserves and to pay credit enhancement fees, issuance costs, and other financing costs during the life of the debt.

(c) The bonds may be secured by a bond resolution, or a trust indenture entered into by the council with a corporate trustee within or outside the state, which must define the revenues and bond proceeds pledged for the payment and security of the bonds. The pledge must be a valid charge on the revenues received under section 297A.99, subdivision 11. Neither the state, nor any municipality or political subdivision except the council, nor any member or officer or employee of the council, is liable on the obligations. No mortgage or security interest in any tangible real or personal property is granted to the bondholders or the trustee, but they shall have a valid security interest in the revenues and bond proceeds received by the council and pledged to the payment of the bonds. In the bond resolution or trust indenture, the council may make such covenants as it determines to be reasonable for the protection of the bondholders.

EFFECTIVE DATE; APPLICATION. This section is effective the day following final enactment for sales and purchases made after December 31, 2019, and applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington. The advisory board must make the first award of grants under subdivision 7 by January 31, 2020.

Sec. 14. Minnesota Statutes 2018, section 297B.02, subdivision 1, is amended to read:

Subdivision 1. **Rate.** There is imposed an excise tax of ~~6.5~~ 6.875 percent on the purchase price of any motor vehicle purchased or acquired, either in or outside of the state of Minnesota, which is required to be registered under the laws of this state.

The excise tax is also imposed on the purchase price of motor vehicles purchased or acquired on Indian reservations when the tribal council has entered into a sales tax on motor vehicles refund agreement with the state of Minnesota.

EFFECTIVE DATE. This section is effective for sales and purchases on or after December 1, 2019.

Sec. 15. Minnesota Statutes 2018, section 297B.09, is amended to read:

297B.09 ALLOCATION OF REVENUE.

Subdivision 1. **Deposit of revenues.** (a) Money collected and received under this chapter must be deposited as provided in this subdivision. follows:

~~(b) 60~~ (1) 57 percent of the money collected and received ~~must be deposited~~ in the highway user tax distribution fund, ~~36;~~

(2) 34.5 percent ~~must be deposited~~ in the metropolitan area transit account under section 16A.88; and ~~four~~

(3) 8.5 percent ~~must be deposited~~ in the greater Minnesota transit account under section 16A.88.

(c) It is the intent of the legislature that the allocations under paragraph ~~(b)~~ (a) remain unchanged for fiscal year ~~2012~~ 2020 and all subsequent fiscal years.

EFFECTIVE DATE. This section is effective July 1, 2019.

ARTICLE 4
TRANSPORTATION AND THE ENVIRONMENT

Section 1. Minnesota Statutes 2018, section 174.01, subdivision 2, is amended to read:

Subd. 2. **Transportation goals.** The goals of the state transportation system are as follows:

(1) to minimize fatalities and injuries for transportation users throughout the state;

(2) to provide multimodal and intermodal transportation facilities and services to increase access for all persons and businesses and to ensure economic well-being and quality of life without undue burden placed on any community;

(3) to provide a reasonable travel time for commuters;

(4) to enhance economic development and provide for the economical, efficient, and safe movement of goods to and from markets by rail, highway, and waterway;

(5) to encourage tourism by providing appropriate transportation to Minnesota facilities designed to attract tourists and to enhance the appeal, through transportation investments, of tourist destinations across the state;

(6) to provide transit services to all counties in the state to meet the needs of transit users;

(7) to promote accountability through systematic management of system performance and productivity through the utilization of technological advancements;

(8) to maximize the long-term benefits received for each state transportation investment;

(9) to provide for and prioritize funding of transportation investments that ensures that the state's transportation infrastructure is maintained in a state of good repair;

(10) to ensure that the planning and implementation of all modes of transportation are consistent with the environmental and energy goals of the state;

(11) to promote and increase the use of high-occupancy vehicles ~~and~~ low-emission vehicles, and zero-emission vehicles;

(12) to provide an air transportation system sufficient to encourage economic growth and allow all regions of the state the ability to participate in the global economy;

(13) to increase use of transit as a percentage of all trips statewide by giving highest priority to the transportation modes with the greatest people-moving capacity and lowest long-term economic and environmental cost;

(14) to promote and increase bicycling and walking as a percentage of all trips as energy-efficient, nonpolluting, and healthy forms of transportation;

(15) to reduce greenhouse gas emissions from the state's transportation sector; and

(16) to accomplish these goals with minimal impact on the environment and human health.

Sec. 2. **[174.023] ENVIRONMENT AND CLIMATE REPORTING.**

(a) By January 15 annually, the commissioner must submit a report on transportation and the environment to the chairs, ranking minority members, and staff of the legislative committees with jurisdiction over transportation finance and policy.

(b) At a minimum, the report must include:

(1) a detailed explanation of how the department is meeting the goals set forth in the climate change action plan adopted pursuant to section 216H.02;

(2) an explanation of how the department is achieving the goals set forth in sections 174.01, subdivision 2, clauses (10) and (15); and 174.02, subdivision 1a, clause (3);

(3) if the department is not meeting any of the goals under clause (2), the reason the goals are not being met; and

(4) any recommended legislative changes that would assist the department in meeting the identified goals.

Sec. 3. Minnesota Statutes 2018, section 174.03, subdivision 7, is amended to read:

Subd. 7. **Energy conservation.** The commissioner, in cooperation with the commissioner of commerce through the state energy office, shall evaluate all modes of transportation in terms of their levels of energy consumption. The commissioner of commerce shall provide the commissioner with projections of the future availability of energy resources for transportation. The commissioner shall use the results of this evaluation and the projections to evaluate alternative programs and facilities to be included in the statewide plan and to ~~otherwise~~ promote the ~~more~~ efficient use of low- and zero-emission energy resources for transportation purposes.

Sec. 4. **[174.47] ELECTRIC VEHICLE INFRASTRUCTURE.**

Subdivision 1. Infrastructure development. From funds made available under this section, the commissioner must arrange for installation of public electric vehicle supply equipment throughout the state.

Subd. 2. **Electric vehicle infrastructure account.** An electric vehicle infrastructure account is established in the special revenue fund. The account consists of funds under section 168.013, subdivision 1m, and any other money donated, allotted, transferred, or otherwise provided to the account. Money in the account must be expended for the purposes specified in this section.

Subd. 3. **Administration; requirements.** (a) The commissioner must establish a process to allocate funds.

(b) The commissioner may make grants to political subdivisions.

(c) No more than 40 percent of the expenditures under this section in a fiscal year may be for equipment installation within the metropolitan counties, as defined in section 473.121, subdivision 4. No more than ten percent of the expenditures under this section may be for equipment with a maximum charging capability of less than 150 kilowatts.

ARTICLE 5 LICENSES AND IDENTIFICATION CARDS

Section 1. Minnesota Statutes 2018, section 13.6905, is amended by adding a subdivision to read:

Subd. 36. **Noncompliant license or identification card; lawful status.** Data on certain noncompliant driver's licenses or identification cards are governed by section 171.12, subdivisions 11 and 12.

Sec. 2. Minnesota Statutes 2018, section 171.04, subdivision 5, is amended to read:

Subd. 5. **Temporary lawful admission.** The commissioner is prohibited from issuing a driver's license or Minnesota identification card to an applicant ~~whose~~ having a lawful temporary admission period, as demonstrated under section 171.06, subdivision 3, paragraph (b), clause (2), that expires within 30 days of the date of the application.

Sec. 3. Minnesota Statutes 2018, section 171.06, subdivision 3, is amended to read:

Subd. 3. **Contents of application; other information.** (a) An application must:

(1) state the full name, date of birth, sex, and either (i) the residence address of the applicant, or (ii) designated address under section 5B.05;

(2) as may be required by the commissioner, contain a description of the applicant and any other facts pertaining to the applicant, the applicant's driving privileges, and the applicant's ability to operate a motor vehicle with safety;

(3) state:

(i) the applicant's Social Security number; or

(ii) if the applicant does not have a Social Security number and is applying for a Minnesota identification card, instruction permit, or class D provisional or driver's license, that the applicant ~~certifies that the applicant~~ is not eligible for a Social Security number;

(4) contain a notification to the applicant of the availability of a living will/health care directive designation on the license under section 171.07, subdivision 7; and

(5) contain spaces where the applicant may:

(i) request a veteran designation on the license under section 171.07, subdivision 15, and the driving record under section 171.12, subdivision 5a;

(ii) indicate a desire to make an anatomical gift under paragraph (d); and

(iii) as applicable, designate document retention as provided under section 171.12, subdivision 3c.

(b) Applications must be accompanied by satisfactory evidence demonstrating:

(1) identity, date of birth, and any legal name change if applicable; and

(2) for driver's licenses and Minnesota identification cards that meet all requirements of the REAL ID Act:

(i) principal residence address in Minnesota, including application for a change of address, unless the applicant provides a designated address under section 5B.05;

(ii) Social Security number, or related documentation as applicable; and

(iii) lawful status, as defined in Code of Federal Regulations, title 6, section 37.3.

(c) An application for an enhanced driver's license or enhanced identification card must be accompanied by:

(1) satisfactory evidence demonstrating the applicant's full legal name and United States citizenship; and

(2) a photographic identity document.

Sec. 4. Minnesota Statutes 2018, section 171.06, is amended by adding a subdivision to read:

Subd. 7. Noncompliant license or identification card; lawful status. (a) A person is not required to demonstrate United States citizenship or lawful presence in the United States in order to obtain a noncompliant driver's license or identification card.

(b) Minnesota Rules, part 7410.0410, or successor rules, does not apply for a noncompliant driver's license or identification card.

Sec. 5. Minnesota Statutes 2018, section 171.06, is amended by adding a subdivision to read:

Subd. 8. Noncompliant license or identification card; general requirements. (a) A document submitted under this subdivision or subdivision 9 or 10 must be legible and unaltered, an original or a copy certified by the issuing agency, and accompanied by a certified translation or an affidavit of translation into English if the document is not in English.

(b) A document submitted under this subdivision or subdivision 9 or 10 must (1) be issued to or provided for the applicant, and (2) include the applicant's name.

(c) If the applicant's current legal name is different from the name on a document submitted under subdivision 9 or 10, the applicant must submit:

(1) a certified copy of a court order that specifies the applicant's name change;

(2) a certified copy of the applicant's certificate of marriage;

(3) a certified copy of a divorce decree or dissolution of marriage that specifies the applicant's name change, issued by a court; or

(4) similar documentation of a lawful change of name as determined by the commissioner.

(d) The commissioner must establish a process to grant a waiver from the requirements under this subdivision and subdivisions 9 and 10.

Sec. 6. Minnesota Statutes 2018, section 171.06, is amended by adding a subdivision to read:

Subd. 9. Noncompliant license or identification card; primary documents. (a) For a noncompliant driver's license or identification card, primary documents under Minnesota Rules, part 7410.0400, subpart 2, or successor rules, include the following:

(1) a noncompliant driver's license or identification card that is current or has been expired for five years or less;

(2) an unexpired foreign passport or a foreign consular identification document that bears a photograph of the applicant; and

(3) a certified birth certificate issued by a foreign jurisdiction.

(b) A document submitted under this subdivision must contain security features that make the document as impervious to alteration as is reasonably practicable in its design and quality of material and technology.

(c) For purposes of this subdivision and subdivision 10, "foreign" means a jurisdiction that is not, and is not within, the United States, the Commonwealth of the Northern Mariana Islands, the Commonwealth of Puerto Rico, Guam, the United States Virgin Islands, or a territory of the United States.

(d) Submission of more than one primary document is not required under this subdivision.

Sec. 7. Minnesota Statutes 2018, section 171.06, is amended by adding a subdivision to read:

Subd. 10. Noncompliant license or identification card; secondary documents. (a) For a noncompliant driver's license or identification card, secondary documents under Minnesota Rules, part 7410.0400, subpart 3, or successor rules, include the following:

(1) a second document listed under subdivision 9, paragraph (a);

(2) a notice of action on or proof of submission of a completed Application for Asylum and for Withholding of Removal issued by the United States Department of Homeland Security, Form I-589;

(3) a certificate of eligibility for nonimmigrant student status issued by the United States Department of Homeland Security, Form I-20;

(4) a certificate of eligibility for exchange visitor status issued by the United States Department of State, Form DS-2019;

(5) a Deferred Action for Childhood Arrival approval notice issued by the United States Department of Homeland Security;

(6) an employment authorization document issued by the United States Department of Homeland Security, Form I-688, Form I-688A, Form I-688B, or Form I-766;

(7) a document issued by the Social Security Administration with an individual taxpayer identification number;

(8) mortgage documents for the applicant's residence;

(9) a filed property deed or title for the applicant's residence;

(10) a United States high school identification card with a certified transcript from the school;

(11) a Minnesota college or university identification card with a certified transcript from the college or university;

(12) a Social Security card;

(13) a Minnesota unemployment insurance benefit statement issued no more than 90 days before the application;

(14) a valid identification card for health benefits or an assistance or social services program;

(15) a Minnesota vehicle certificate of title issued no more than 12 months before the application;

(16) an unexpired Selective Service card;

(17) military orders that are still in effect at the time of application;

(18) a certified copy of the applicant's certificate of marriage;

(19) a certified copy of a court order that specifies the applicant's name change;

(20) a certified copy of a divorce decree or dissolution of marriage that specifies the applicant's name change, issued by a court;

(21) any of the following documents issued by a foreign jurisdiction:

(i) a driver's license that is current or has been expired for five years or less;

(ii) a high school, college, or university student identification card with a certified transcript from the school;

(iii) an official high school, college, or university transcript that includes the applicant's date of birth and a photograph of the applicant at the age the record was issued; and

(iv) a federal electoral photographic card issued on or after January 1, 1991; and

(22) additional documents as determined by the commissioner.

(b) A document submitted as a primary document under subdivision 9, paragraph (a), clause (3), may not be submitted as a secondary document under this subdivision.

(c) Submission of more than one secondary document is not required under this subdivision.

Sec. 8. Minnesota Statutes 2018, section 171.07, subdivision 1, is amended to read:

Subdivision 1. **License; contents and design.** (a) Upon the payment of the required fee, the department shall issue to every qualifying applicant a license designating the type or class of vehicles the applicant is authorized to drive as applied for. This license must bear: (1) a distinguishing number assigned to the licensee; (2) the licensee's full name and date of birth; (3) either (i) the licensee's residence address, or (ii) the designated address under section 5B.05; (4) a description of the licensee in a manner as the commissioner deems necessary; (5) the usual signature of the licensee; and (6) designations and markings as provided in this section. No license is valid unless it bears the usual signature of the licensee. Every license must bear a colored photograph or an electronically produced image of the licensee.

(b) If the United States Postal Service will not deliver mail to the applicant's residence address as listed on the license, then the applicant shall provide verification from the United States Postal Service that mail will not be delivered to the applicant's residence address and that mail will be delivered to a specified alternate mailing address. When an applicant provides an alternate mailing address under this subdivision, the commissioner shall use the alternate mailing address in lieu of the applicant's residence address for all notices and mailings to the applicant.

(c) Every license issued to an applicant under the age of 21 must be of a distinguishing color and plainly marked "Under-21."

(d) A license issued to an applicant age 65 or over must be plainly marked "senior" if requested by the applicant.

(e) Except for an enhanced driver's license or a noncompliant license, a license must bear a distinguishing indicator for compliance with requirements of the REAL ID Act.

(f) A noncompliant license must:

(1) be marked "not for federal identification" on the face and in the machine-readable portion; and

(2) have a unique design or color indicator for purposes of the REAL ID Act.

(g) A noncompliant license issued under any of the following circumstances must be marked "not for voting" on the back side and must bear no other indication regarding lawful presence of the license holder:

(1) the application is for first-time issuance of a license in Minnesota, and the applicant has not demonstrated United States citizenship;

(2) the applicant's most recently issued noncompliant license or identification card is marked as required under this paragraph or subdivision 3, paragraph (g), and the applicant has not demonstrated United States citizenship; or

(3) the applicant submits a document that identifies a temporary lawful status or admission period.

(h) A REAL ID compliant license issued to a person with temporary lawful status or admission period must be marked "temporary" on the face and in the machine-readable portion.

~~(i)~~ (i) A license must display the licensee's full name or no fewer than 39 characters of the name. Any necessary truncation must begin with the last character of the middle name and proceed through the second letter of the middle name, followed by the last character of the first name and proceeding through the second letter of the first name.

Sec. 9. Minnesota Statutes 2018, section 171.07, subdivision 3, is amended to read:

Subd. 3. **Identification card; content and design; fee.** (a) Upon payment of the required fee, the department shall issue to every qualifying applicant a Minnesota identification card. The department may not issue a Minnesota identification card to an individual who has a driver's license, other than a limited license. The department may not issue an enhanced identification card to an individual who is under 16 years of age, not a resident of this state, or not a citizen of the United States of America. The card must bear: (1) a distinguishing number assigned to the applicant; (2) a colored photograph or an electronically produced image of the applicant; (3) the applicant's full name and date of birth; (4) either (i) the licensee's residence address, or (ii) the designated address under section 5B.05; (5) a description of the applicant in the manner as the commissioner deems necessary; (6) the usual signature of the applicant; and (7) designations and markings provided under this section.

(b) If the United States Postal Service will not deliver mail to the applicant's residence address as listed on the Minnesota identification card, then the applicant shall provide verification from the United States Postal Service that mail will not be delivered to the applicant's residence address and that mail will be delivered to a specified alternate mailing address. When an applicant provides an alternate mailing address under this subdivision, the commissioner shall use the alternate mailing address in lieu of the applicant's residence address for all notices and mailings to the applicant.

(c) Each identification card issued to an applicant under the age of 21 must be of a distinguishing color and plainly marked "Under-21."

(d) Each Minnesota identification card must be plainly marked "Minnesota identification card - not a driver's license."

(e) Except for an enhanced identification card or a noncompliant identification card, a Minnesota identification card must bear a distinguishing indicator for compliance with requirements of the REAL ID Act.

(f) A noncompliant identification card must:

(1) be marked "not for federal identification" on the face and in the machine-readable portion; and

(2) have a unique design or color indicator for purposes of the REAL ID Act.

(g) A noncompliant identification card issued under any of the following circumstances must be marked "not for voting" on the back side and must bear no other indication regarding lawful presence of the identification card holder:

(1) the application is for first-time issuance of a Minnesota identification card, and the applicant has not demonstrated United States citizenship;

(2) the applicant's most recently issued noncompliant license or identification card is marked as required under this paragraph or subdivision 1, paragraph (g), and the applicant has not demonstrated United States citizenship; or

(3) the applicant submits a document that identifies a temporary lawful status or admission period.

(h) A ~~Minnesota~~ REAL ID compliant identification card issued to a person with temporary lawful status or admission period must be marked "temporary" on the face and in the machine-readable portion.

~~(i)~~ (i) A Minnesota identification card must display the cardholder's full name or no fewer than 39 characters of the name. Any necessary truncation must begin with the last character of the middle name and proceed through the second letter of the middle name, followed by the last character of the first name and proceeding through the second letter of the first name.

(+) (j) The fee for a Minnesota identification card is 50 cents when issued to a person who is developmentally disabled, as defined in section 252A.02, subdivision 2; a physically disabled person, as defined in section 169.345, subdivision 2; or, a person with mental illness, as described in section 245.462, subdivision 20, paragraph (c).

Sec. 10. Minnesota Statutes 2018, section 171.12, subdivision 7a, is amended to read:

Subd. 7a. **Disclosure of personal information.** (a) The commissioner shall disclose personal information where the use is related to the operation of a motor vehicle or to public safety. The use of personal information is related to public safety if it concerns the physical safety or security of drivers, vehicles, pedestrians, or property. The commissioner may refuse to disclose data under this subdivision when the commissioner concludes that the requester is likely to use the data for illegal, improper, or noninvestigative purposes. Nothing in this paragraph authorizes disclosure of data restricted under subdivision 11.

(b) The commissioner shall disclose personal information to the secretary of state for the purpose of increasing voter registration and improving the accuracy of voter registration records in the statewide voter registration system. The secretary of state may not retain data provided by the commissioner under this subdivision for more than 60 days.

Sec. 11. Minnesota Statutes 2018, section 171.12, subdivision 9, is amended to read:

Subd. 9. **Driving record disclosure to law enforcement.** Except as restricted under subdivision 11, the commissioner shall also furnish driving records, without charge, to chiefs of police, county sheriffs, prosecuting attorneys, and other law enforcement agencies with the power to arrest.

Sec. 12. Minnesota Statutes 2018, section 171.12, is amended by adding a subdivision to read:

Subd. 11. **Certain data on noncompliant license or identification card; department and agents.** (a) The commissioner must not share or disseminate outside of the division of the department administering driver licensing any data on individuals indicating or otherwise having the effect of identifying that the individual applied for, was denied, or was issued a noncompliant driver's license or identification card without demonstrating United States citizenship or lawful presence in the United States.

(b) A driver's license agent must not share or disseminate, other than to the division of the department administering driver licensing, any data on individuals indicating or otherwise having the effect of identifying that the individual applied for, was denied, or was issued a noncompliant driver's license or identification card without demonstrating United States citizenship or lawful presence in the United States.

(c) Data under paragraphs (a) and (b) includes but is not limited to information related to documents submitted under section 171.06, subdivision 8, 9, or 10.

(d) Notwithstanding any law to the contrary, this subdivision prohibits the commissioner and a driver's license agent from sharing or disseminating the data described in paragraphs (a) to (c) with any entity otherwise authorized to obtain data under subdivision 7, any political subdivision, any state agency as defined in section 13.02, subdivision 17, or any federal entity.

Sec. 13. Minnesota Statutes 2018, section 171.12, is amended by adding a subdivision to read:

Subd. 12. **Certain data on noncompliant license or identification card; criminal justice.** (a) A criminal justice agency, as defined in section 13.02, subdivision 3a, must not take any action on the basis of a marking under section 171.07, subdivision 1, paragraph (g), or 3, paragraph (g).

(b) The prohibition in paragraph (a) includes but is not limited to:

(1) criminal investigation;

(2) detention, search, or arrest;

(3) evaluation of citizenship or immigration status; and

(4) recording, maintenance, sharing, or disseminating data indicating or otherwise having the effect of identifying that the individual was issued a noncompliant driver's license or identification card under section 171.06, subdivision 7.

(c) Nothing in this subdivision prevents a criminal justice agency from the performance of official duties independent of using the data described in paragraph (a).

Sec. 14. Minnesota Statutes 2018, section 171.12, is amended by adding a subdivision to read:

Subd. 13. **Noncompliant license or identification card; nondiscrimination.** It is a violation under sections 363A.09, 363A.11, 363A.12, and 363A.13, to discriminate against a person because the person:

(1) applied for, was denied, or was issued a noncompliant driver's license or identification card without demonstrating United States citizenship or lawful presence in the United States; or

(2) presents a noncompliant driver's license or identification card marked as provided in section 171.07, subdivision 1, paragraph (g), or 3, paragraph (g).

Sec. 15. Minnesota Statutes 2018, section 171.12, is amended by adding a subdivision to read:

Subd. 14. **Civil penalty.** (a) A person or entity is subject to a civil penalty if the person or entity:

(1) shares or disseminates any data in violation of subdivision 11 or 12;

(2) shares or disseminates any data described in subdivision 11 or 12 in violation of state or federal law or policies of the department; or

(3) performs an act in violation of subdivision 13.

(b) Consistent with the provisions of chapter 14, the commissioner of human rights may impose a civil penalty in an amount up to \$10,000, if upon investigation and determination under the authority granted in section 363A.06 the commissioner determines a violation under this subdivision has occurred. This penalty is in addition to any rights available or duties imposed under section 363A.28.

Sec. 16. Minnesota Statutes 2018, section 201.061, subdivision 3, is amended to read:

Subd. 3. **Election day registration.** (a) An individual who is eligible to vote may register on election day by appearing in person at the polling place for the precinct in which the individual maintains residence, by completing a registration application, making an oath in the form prescribed by the secretary of state and providing proof of residence. An individual may prove residence for purposes of registering by:

(1) presenting a driver's license or Minnesota identification card issued pursuant to section 171.07 that is not marked as provided in section 171.07, subdivision 1, paragraph (g), or 3, paragraph (g);

(2) presenting any document approved by the secretary of state as proper identification;

(3) presenting one of the following:

(i) a current valid student identification card from a postsecondary educational institution in Minnesota, if a list of students from that institution has been prepared under section 135A.17 and certified to the county auditor in the manner provided in rules of the secretary of state; or

(ii) a current student fee statement that contains the student's valid address in the precinct together with a picture identification card; or

(4) having a voter who is registered to vote in the precinct, or an employee employed by and working in a residential facility in the precinct and vouching for a resident in the facility, sign an oath in the presence of the election judge vouching that the voter or employee personally knows that the individual is a resident of the precinct. A voter who has been vouched for on election day may not sign a proof of residence oath vouching for any other individual on that election day. A voter who is registered to vote in the precinct may sign up to eight proof-of-residence oaths on any election day. This limitation does not apply to an employee of a residential facility described in this clause. The secretary of state shall provide a form for election judges to use in recording the number of individuals for whom a voter signs proof-of-residence oaths on election day. The form must include space for the maximum number of individuals for whom a voter may sign proof-of-residence oaths. For each proof-of-residence oath, the form must include a statement that the individual: (i) is registered to vote in the precinct or is an employee of a residential facility in the precinct, (ii) personally knows that the voter is a resident of the precinct, and (iii) is making the statement on oath. The form must include a space for the voter's printed name, signature, telephone number, and address.

The oath required by this subdivision and Minnesota Rules, part 8200.9939, must be attached to the voter registration application.

(b) The operator of a residential facility shall prepare a list of the names of its employees currently working in the residential facility and the address of the residential facility. The operator shall certify the list and provide it to the appropriate county auditor no less than 20 days before each election for use in election day registration.

(c) "Residential facility" means transitional housing as defined in section 256E.33, subdivision 1; a supervised living facility licensed by the commissioner of health under section 144.50, subdivision 6; a nursing home as defined in section 144A.01, subdivision 5; a residence registered with the commissioner of health as a housing with services establishment as defined in section 144D.01, subdivision 4; a veterans home operated by the board of directors of the Minnesota Veterans Homes under chapter 198; a residence licensed by the commissioner of human services to provide a residential program as defined in section 245A.02, subdivision 14; a residential facility for persons with a developmental disability licensed by the commissioner of human services under section 252.28; setting authorized to provide housing support as defined in section 256I.03, subdivision 3; a shelter for battered women as defined in section 611A.37, subdivision 4; or a supervised publicly or privately operated shelter or dwelling designed to provide temporary living accommodations for the homeless.

(d) For tribal band members, an individual may prove residence for purposes of registering by:

(1) presenting an identification card issued by the tribal government of a tribe recognized by the Bureau of Indian Affairs, United States Department of the Interior, that contains the name, address, signature, and picture of the individual; or

(2) presenting an identification card issued by the tribal government of a tribe recognized by the Bureau of Indian Affairs, United States Department of the Interior, that contains the name, signature, and picture of the individual and also presenting one of the documents listed in Minnesota Rules, part 8200.5100, subpart 2, item B.

(e) A county, school district, or municipality may require that an election judge responsible for election day registration initial each completed registration application.

Sec. 17. Minnesota Statutes 2018, section 363A.28, is amended by adding a subdivision to read:

Subd. 11. **National origin discrimination; evidence.** Discrimination prohibited by this chapter that is based on application for a noncompliant driver's license or identification card without demonstrating United States citizenship or lawful presence in the United States, or based on use of a noncompliant driver's license or identification card marked as provided in section 171.07, subdivision 1, paragraph (g), or 3, paragraph (g), is prima facie evidence of national origin discrimination.

Sec. 18. **COUNTY NOTIFICATION; ELECTION JUDGE TRAINING.**

(a) The secretary of state shall inform each county auditor that a driver's license or Minnesota identification card must not be used or accepted for voter registration purposes under Minnesota Statutes, section 201.061, if it is marked as provided in Minnesota Statutes, section 171.07, subdivision 1, paragraph (g), or 3, paragraph (g).

(b) Each county auditor must inform all election officials and election judges hired for an election that driver's licenses and Minnesota identification cards identified under paragraph (a) must not be used or accepted for voter registration purposes under Minnesota Statutes, section 201.061. County auditors and municipal clerks must include this information in all election judge training courses.

EFFECTIVE DATE. This section is effective January 1, 2020.

Sec. 19. **REPEALER.**

Minnesota Statutes 2018, section 171.015, subdivision 7, is repealed.

Sec. 20. **EFFECTIVE DATE.**

Unless provided otherwise, this article is effective August 1, 2019, for driver's license and Minnesota identification card applications and issuance on or after that date.

ARTICLE 6 TRANSPORTATION FINANCE AND POLICY

Section 1. Minnesota Statutes 2018, section 13.461, is amended by adding a subdivision to read:

Subd. 33. **Metropolitan Council special transportation service.** Data sharing between the commissioner of human services and the Metropolitan Council to administer and coordinate transportation services for individuals with disabilities and elderly individuals is governed by section 473.386, subdivision 9.

EFFECTIVE DATE; APPLICATION. This section is effective June 1, 2019, and applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

Sec. 2. Minnesota Statutes 2018, section 13.72, subdivision 10, is amended to read:

Subd. 10. **Transportation service data.** (a) Personal, medical, financial, familial, or locational information data pertaining to applicants for or users of services providing transportation for ~~the disabled~~ individuals with disabilities or elderly individuals are private data on individuals.

(b) Private transportation service data may be disclosed between the commissioner of human services and the Metropolitan Council to administer and coordinate human services programs and transportation services for individuals with disabilities and elderly individuals as provided in section 473.386, subdivision 9.

EFFECTIVE DATE; APPLICATION. This section is effective June 1, 2019, and applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

Sec. 3. Minnesota Statutes 2018, section 80E.13, is amended to read:

80E.13 UNFAIR PRACTICES BY MANUFACTURERS, DISTRIBUTORS, FACTORY BRANCHES.

It is unlawful and an unfair practice for a manufacturer, distributor, or factory branch to engage in any of the following practices:

(a) delay, refuse, or fail to deliver new motor vehicles or new motor vehicle parts or accessories in reasonable time and in reasonable quantity relative to the new motor vehicle dealer's facilities and sales potential in the dealer's relevant market area, after having accepted an order from a new motor vehicle dealer having a franchise for the retail sale of any new motor vehicle sold or distributed by the manufacturer or distributor, if the new motor vehicle or new motor vehicle parts or accessories are publicly advertised as being available for delivery or actually being delivered. This clause is not violated, however, if the failure is caused by acts or causes beyond the control of the manufacturer;

(b) refuse to disclose to any new motor vehicle dealer handling the same line make, the manner and mode of distribution of that line make within the relevant market area;

(c) obtain money, goods, service, or any other benefit from any other person with whom the dealer does business, on account of, or in relation to, the transaction between the dealer and the other person, other than for compensation for services rendered, unless the benefit is promptly accounted for, and transmitted to, the new motor vehicle dealer;

(d) increase prices of new motor vehicles which the new motor vehicle dealer had ordered for private retail consumers prior to the dealer's receiving the written official price increase notification. A sales contract signed by a private retail consumer shall constitute evidence of each order if the vehicle is in fact delivered to that customer. In the event of manufacturer price reductions, the amount of any reduction received by a dealer shall be passed on to the private retail consumer by the dealer if the retail price was negotiated on the basis of the previous higher price to the dealer;

(e) offer any refunds or other types of inducements to any new motor vehicle dealer for the purchase of new motor vehicles of a certain line make without making the same offer to all other new motor vehicle dealers in the same line make within geographic areas reasonably determined by the manufacturer;

(f) release to any outside party, except under subpoena or in an administrative or judicial proceeding involving the manufacturer or dealer, any business, financial, or personal information which may be provided by the dealer to the manufacturer, without the express written consent of the dealer or unless pertinent to judicial or governmental administrative proceedings or to arbitration proceedings of any kind;

(g) deny any new motor vehicle dealer the right of free association with any other new motor vehicle dealer for any lawful purpose;

(h) unfairly discriminate among its new motor vehicle dealers with respect to warranty reimbursement or authority granted its new vehicle dealers to make warranty adjustments with retail customers;

(i) compete with a new motor vehicle dealer in the same line make operating under an agreement or franchise from the same manufacturer, distributor, or factory branch. A manufacturer, distributor, or factory branch is considered to be competing when it has an ownership interest, other than a passive interest held for investment purposes, in a dealership of its line make located within the state. A manufacturer, distributor, or factory branch shall not, however, be deemed to be competing when operating a dealership, either temporarily or for a reasonable period, which is for sale to any qualified independent person at a fair and reasonable price, or when involved in a bona fide relationship in which an independent person has made a significant investment subject to loss in the dealership and can reasonably expect to acquire full ownership and full management and operational control of the dealership within a reasonable time on reasonable terms and conditions;

(j) prevent a new motor vehicle dealer from transferring or assigning a new motor vehicle dealership to a qualified transferee. There shall be no transfer, assignment of the franchise, or major change in the executive management of the dealership, except as is otherwise provided in sections 80E.01 to 80E.17, without consent of the manufacturer, which shall not be withheld without good cause. In determining whether good cause exists for withholding consent to a transfer or assignment, the manufacturer, distributor, factory branch, or importer has the burden of proving that the transferee is a person who is not of good moral character or does not meet the franchisor's existing and reasonable capital standards and, considering the volume of sales and service of the new motor vehicle dealer, reasonable business experience standards in the market area. Denial of the request must be in writing and delivered to the new motor vehicle dealer within 60 days after the manufacturer receives the completed application customarily used by the manufacturer, distributor, factory branch, or importer for dealer appointments. If a denial is not sent within this period, the manufacturer shall be deemed to have given its consent to the proposed transfer or change. In the event of a proposed sale or transfer of a franchise, the manufacturer, distributor, factory branch, or importer shall be permitted to exercise a right of first refusal to acquire the franchisee's assets or ownership if:

(1) the franchise agreement permits the manufacturer, distributor, factory branch, or importer to exercise a right of first refusal to acquire the franchisee's assets or ownership in the event of a proposed sale or transfer;

(2) the proposed transfer of the dealership or its assets is of more than 50 percent of the ownership or assets;

(3) the manufacturer, distributor, factory branch, or importer notifies the dealer in writing within 60 days of its receipt of the complete written proposal for the proposed sale or transfer on forms generally utilized by the manufacturer, distributor, factory branch, or importer for such purposes and containing the information required therein and all documents and agreements relating to the proposed sale or transfer;

(4) the exercise of the right of first refusal will result in the dealer and dealer's owners receiving the same or greater consideration with equivalent terms of sale as is provided in the documents and agreements submitted to the manufacturer, distributor, factory branch, or importer under clause (3);

(5) the proposed change of 50 percent or more of the ownership or of the dealership assets does not involve the transfer or sale of assets or the transfer or issuance of stock by the dealer or one or more dealer owners to a family member, including a spouse, child, stepchild, grandchild, spouse of a child or grandchild, brother, sister, or parent of the dealer owner; to a manager who has been employed in the dealership for at least four years and is otherwise qualified as a dealer operator; or to a partnership or corporation owned and controlled by one or more of such persons; and

(6) the manufacturer, distributor, factory branch, or importer agrees to pay the reasonable expenses, including reasonable attorney fees, which do not exceed the usual customary and reasonable fees charged for similar work done for other clients incurred by the proposed new owner and transferee before the manufacturer, distributor, factory branch, or importer exercises its right of first refusal, in negotiating and implementing the contract for the proposed change of ownership or transfer of dealership assets. However, payment of such expenses and attorney fees shall not be required if the dealer has not submitted or caused to be submitted an accounting of those expenses within 20 days after the dealer's receipt of the manufacturer, distributor, factory branch, or importer's written request for such an accounting. The manufacturer, distributor, factory branch, or importer may request such an accounting before exercising its right of first refusal. The obligation created under this clause is enforceable by the transferee;

(k) threaten to modify or replace or modify or replace a franchise with a succeeding franchise that would adversely alter the rights or obligations of a new motor vehicle dealer under an existing franchise or that substantially impairs the sales or service obligations or investments of the motor vehicle dealer;

(l) unreasonably deny the right to acquire factory program vehicles to any dealer holding a valid franchise from the manufacturer to sell the same line make of vehicles, provided that the manufacturer may impose reasonable restrictions and limitations on the purchase or resale of program vehicles to be applied equitably to all of its franchised dealers. For the purposes of this paragraph, "factory program vehicle" has the meaning given the term in section 80E.06, subdivision 2;

(m) fail or refuse to offer to its same line make franchised dealers all models manufactured for that line make, other than alternative fuel vehicles as defined in section 216C.01, subdivision 1b. Failure to offer a model is not a violation of this section if the failure is not arbitrary and is due to a lack of manufacturing capacity, a strike, labor difficulty, or other cause over which the manufacturer, distributor, or factory branch has no control;

(n) require a dealer to pay an extra fee, or remodel, renovate, or recondition the dealer's existing facilities, or purchase unreasonable advertising displays, training, tools, or other materials, or to require the dealer to establish exclusive facilities or dedicated personnel as a prerequisite to receiving a model or a series of vehicles;

(o) require a dealer by program, incentive provision, or otherwise to adhere to performance standards that are not applied uniformly to other similarly situated dealers.

A performance standard, sales objective, or program for measuring dealership performance that may have a material effect on a dealer, including the dealer's right to payment under any incentive or reimbursement program, and the application of the standard or program by a manufacturer, distributor, or factory branch must be fair, reasonable, equitable, and based on accurate information. Upon written request by any of its franchised dealers located within Minnesota, a manufacturer, distributor, or factory branch must provide the method or formula used by the manufacturer in establishing the sales volumes for receiving a rebate or incentive and the specific calculations for determining the required sales volumes of the inquiring dealer and any of the manufacturer's other Minnesota-franchised new motor vehicle dealers of the same line-make located within 75 miles of the inquiring dealer. Nothing contained in this section requires a manufacturer, distributor, or factory branch to disclose confidential business information of any of its franchised dealers or the required numerical sales volumes that any of its franchised dealers must attain to receive a rebate or incentive. An inquiring dealer may file a civil action as provided in section 80E.17 without a showing of injury if a manufacturer, distributor, or factory branch fails to make the disclosure required by this section.

A manufacturer, distributor, or factory branch has the burden of proving that the performance standard, sales objective, or program for measuring dealership performance is fair, reasonable, and uniformly applied under this section;

(p) assign or change a dealer's area of sales effectiveness arbitrarily or without due regard to the present pattern of motor vehicle sales and registrations within the dealer's market. The manufacturer, distributor, or factory branch must provide at least 90 days' notice of the proposed change. The change may not take effect if the dealer commences a civil action within the 90 days' notice period to determine whether the manufacturer, distributor, or factory branch met its obligations under this section. The burden of proof in such an action shall be on the manufacturer or distributor. In determining at the evidentiary hearing whether a manufacturer, distributor, or factory branch has assigned or changed the dealer's area of sales effectiveness or is proposing to assign or change the dealer's area of sales effectiveness arbitrarily or without due regard to the present pattern of motor vehicle sales and registrations within the dealer's market, the court may take into consideration the relevant circumstances, including, but not limited to:

(1) the traffic patterns between consumers and the same line-make franchised dealers of the affected manufacturer, distributor, or factory branch who are located within the market;

(2) the pattern of new vehicle sales and registrations of the affected manufacturer, distributor, or factory branch within various portions of the area of sales effectiveness and within the market as a whole;

(3) the growth or decline in population, density of population, and new car registrations in the market;

(4) the presence or absence of natural geographical obstacles or boundaries, such as rivers;

(5) the proximity of census tracts or other geographic units used by the affected manufacturer, factory branch, distributor, or distributor branch in determining the same line-make dealers' respective areas of sales effectiveness; and

(6) the reasonableness of the change or proposed change to the dealer's area of sales effectiveness, considering the benefits and harm to the petitioning dealer, other same line-make dealers, and the manufacturer, distributor, or factory branch;

(q) to charge back, withhold payment, deny vehicle allocation, or take any other adverse action against a dealer when a new vehicle sold by the dealer has been exported to a foreign country, unless the manufacturer, distributor, or factory branch can show that at the time of sale, the customer's information was listed on a known or suspected exporter list made available to the dealer, or the dealer knew or reasonably should have known of the purchaser's intention to export or resell the motor vehicle in violation of the manufacturer's export policy. There is a rebuttable presumption that the dealer did not know or should not have reasonably known that the vehicle would be exported or resold in violation of the manufacturer's export policy if the vehicle is titled and registered in any state of the United States; ~~or~~

(r) to implement a charge back or withhold payment to a dealer that is solely due to an unreasonable delay by the registrar, as defined in section 168.002, subdivision 29, in the transfer or registration of a new motor vehicle. The dealer must give the manufacturer notice of the state's delay in writing. Within 30 days of any notice of a charge back, withholding of payments, or denial of a claim, the dealer must transmit to the manufacturer: (1) documentation to demonstrate the vehicle sale and delivery as reported; and (2) a written attestation signed by the dealer operator or general manager stating that the delay is attributable to the state. This clause expires on June 30, 2022; or

~~(s)~~ (s) to require a dealer or prospective dealer by program, incentive provision, or otherwise to construct improvements to its or a predecessor's facilities or to install new signs or other franchisor image elements that replace or substantially alter improvements, signs, or franchisor image elements completed within the preceding ten years that were required and approved by the manufacturer, distributor, or factory branch, including any such improvements, signs, or franchisor image elements that were required as a condition of the dealer or predecessor dealer receiving an incentive or other compensation from the manufacturer, distributor, or factory branch.

This paragraph shall not apply to a program or agreement that provides lump sum payments to assist dealers in making facility improvements or to pay for signs or franchisor image elements when such payments are not dependent on the dealer selling or purchasing specific numbers of new vehicles and shall not apply to a program that is in effect with more than one Minnesota dealer on August 1, 2018, nor to any renewal of such program, nor to a modification that is not a substantial modification of a material term or condition of such program.

Sec. 4. Minnesota Statutes 2018, section 160.02, subdivision 1a, is amended to read:

Subd. 1a. **Bikeway.** "~~Bikeway" means a bicycle lane, bicycle path, shared use path, bicycle route, or similar bicycle facility, regardless of whether designed for the exclusive use of bicycles or for shared use with other transportation modes~~ has the meaning given in section 169.011, subdivision 9.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 5. Minnesota Statutes 2018, section 160.262, subdivision 3, is amended to read:

Subd. 3. **Cooperation among agencies and governments; assistance.** ~~(a)~~ (a) The departments and agencies on the ~~nonmotorized~~ active transportation advisory committee identified in section 174.37 must provide information and advice for the bikeway design guidelines maintained by the commissioner of transportation. The commissioner may cooperate with and enter into agreements with the United States government, any department of the state of Minnesota, any unit of local government, any tribal government, or any public or private corporation in order to effect the purposes of this section.

(b) The commissioner must provide technical assistance to local units of government in:

(1) local planning and development of bikeways;

(2) establishing connections to state bicycle routes; and

(3) implementing statewide bicycle plans maintained by the commissioner.

Sec. 6. Minnesota Statutes 2018, section 160.266, subdivision 1b, is amended to read:

Subd. 1b. **State bicycle routes.** The commissioner of transportation must identify state bicycle routes primarily on existing road right-of-way and trails. State bicycle routes must be identified in cooperation with road and trail authorities, including the commissioner of natural resources, and with the advice of the advisory committee on ~~nonmotorized~~ active transportation under section 174.37. In a metropolitan area, state bicycle routes must be identified in coordination with the plans and priorities established by metropolitan planning organizations, as defined in United States Code, title 23, section 134.

Sec. 7. Minnesota Statutes 2018, section 160.266, is amended by adding a subdivision to read:

Subd. 7. **Jim Oberstar Bikeway.** The Jim Oberstar Bikeway must originate in the city of St. Paul in Ramsey County, then proceed north and east to Duluth in St. Louis County, then proceed north and east along the shore of Lake Superior through Grand Marais in Cook County to Minnesota's boundary with Canada, and there terminate.

Sec. 8. Minnesota Statutes 2018, section 161.115, subdivision 46, is amended to read:

Subd. 46. **Route No. 115.** Beginning at a point on Route No. ~~412~~ 102 as herein established in St. Paul thence extending in a southerly direction to a point on Route No. 1 southerly of Wescott.

Sec. 9. Minnesota Statutes 2018, section 161.14, subdivision 16, is amended to read:

Subd. 16. **Eisenhower Memorial Bridge of Valor.** The bridge over the Mississippi River at the city of Red Wing, being part of Legislative Route No. 161, is ~~hereby named and~~ designated the "~~Eisenhower Memorial Bridge.~~" ~~Any plaques or signs memorializing this bridge should be furnished by other than the Minnesota Department of Transportation and approved by the commissioner of transportation, as the "Eisenhower Bridge of Valor."~~ Subject to section 161.139, the commissioner must adopt a suitable design to mark this bridge and erect appropriate signs.

Sec. 10. Minnesota Statutes 2018, section 161.14, is amended by adding a subdivision to read:

Subd. 88. **Corrections Officer Joseph Gomm Memorial Highway.** That segment of marked Trunk Highway 95 in West Lakeland Township, Bayport, and Oak Park Heights from the intersection with marked Interstate Highway 94 to the intersection with marked Trunk Highway 36 is designated "Corrections Officer Joseph Gomm Memorial Highway." Subject to section 161.139, the commissioner must adopt a suitable design to mark this highway and erect appropriate signs.

Sec. 11. Minnesota Statutes 2018, section 161.14, is amended by adding a subdivision to read:

Subd. 89. **Tom Rukavina Memorial Bridge.** The bridge on marked U.S. Highway 53 over a mining area easterly of 2nd Avenue West in the city of Virginia is designated as "Tom Rukavina Memorial Bridge." Subject to section 161.139, the commissioner must adopt a suitable design to mark this bridge and erect appropriate signs.

Sec. 12. Minnesota Statutes 2018, section 161.14, is amended by adding a subdivision to read:

Subd. 90. **Captain Jeffrey Vollmer Memorial Highway.** That segment of marked Trunk Highway 25 from marked Trunk Highway 7 to Carver County State-Aid Highway 30 is designated as "Captain Jeffrey Vollmer Memorial Highway." Subject to section 161.139, the commissioner must adopt a suitable design to mark this highway and erect appropriate signs.

Sec. 13. Minnesota Statutes 2018, section 161.14, is amended by adding a subdivision to read:

Subd. 91. **Richard J. Ames Memorial Highway.** (a) The following route between the city of Jordan and marked U.S. Highway 61 is designated as the "Richard J. Ames Memorial Highway":

Beginning at a point at the eastern city limits of Jordan; thence extending easterly along marked Trunk Highway 282 to its junction with marked Trunk Highway 13; thence extending northerly along marked Trunk Highway 13 to its junction with Eagle Creek Avenue in the city limits of Prior Lake; thence extending easterly along Eagle Creek Avenue and 185th Street East to its junction with Kenwood Trail and Dakota County State-Aid Highway 50; thence extending easterly and southerly along Kenwood Trail and Dakota County State-Aid Highway 50 to its junction with marked Trunk Highway 3 in the city limits of Farmington; thence extending southerly along marked Trunk Highway 3 to its junction with marked Trunk Highway 50; thence extending easterly along marked Trunk Highway 50 to its terminus at its junction with marked Trunk Highway 20 and marked U.S. Highway 61 near Miesville.

(b) Subject to section 161.139, the commissioner must adopt a suitable design to mark this highway and erect appropriate signs on the trunk highway portions of the route, and the local road authorities must erect appropriate signs on the local roadway portions of the route, with the cost of the signs to be paid by nonpublic sources of funds.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 14. Minnesota Statutes 2018, section 161.14, is amended by adding a subdivision to read:

Subd. 92. **Kenneth E. Sellon and Eugene B. Schlotfeldt Memorial Highway.** That segment of marked Interstate Highway 94 from Sauk Centre to Alexandria is designated as "Kenneth E. Sellon and Eugene B. Schlotfeldt Memorial Highway." Subject to section 161.139, the commissioner must adopt a suitable design to mark this highway and erect appropriate signs.

Sec. 15. Minnesota Statutes 2018, section 161.14, is amended by adding a subdivision to read:

Subd. 93. **Ryane Clark Memorial Highway.** That segment of marked Trunk Highway 23 in Kandiyohi County between New London and Spicer is designated as "Ryane Clark Memorial Highway." Subject to section 161.139, the commissioner must adopt a suitable design to mark this highway and erect appropriate signs.

Sec. 16. **[161.369] INDIAN EMPLOYMENT PREFERENCE.**

As authorized by United States Code, title 23, section 140(d), the commissioner of transportation may implement an Indian employment preference for members of federally recognized tribes on projects carried out under United States Code, title 23, on or near an Indian reservation. For purposes of this section, a project is near a reservation if (1) the project is within the distance a person seeking employment could reasonably be expected to commute to and from each work day, or (2) the commissioner, in consultation with federally recognized Minnesota tribes, determines a project is near an Indian reservation.

Sec. 17. Minnesota Statutes 2018, section 161.45, subdivision 2, is amended to read:

Subd. 2. **Relocation of utility.** Whenever the relocation of any utility facility is necessitated by the construction of a project on a trunk highway ~~routes other than those described in section 161.46, subdivision 2 route~~, the relocation work may be made a part of the state highway construction contract or let as a separate contract as provided by law if the owner or operator of the facility requests the commissioner to act as its agent for the purpose of relocating the facilities and if the commissioner determines that such action is in the best interests of the state. Payment by the utility owner or operator to the state shall be in accordance with applicable statutes and the rules for utilities on trunk highways.

Sec. 18. Minnesota Statutes 2018, section 161.46, subdivision 2, is amended to read:

Subd. 2. **Relocation of facilities; reimbursement.** (a) Whenever the commissioner shall determine the relocation of any utility facility is necessitated by the construction of a project on the routes of federally aided state trunk highways, including urban extensions thereof, which routes are included within the National System of Interstate Highways, the owner or operator of such utility facility shall relocate the same in accordance with the order of the commissioner. After the completion of such relocation the cost thereof shall be ascertained and paid by the state out of trunk highway funds; provided, however, the amount to be paid by the state for such reimbursement shall not exceed the amount on which the federal government bases its reimbursement for said interstate system.

(b) Notwithstanding paragraph (a), any utility facility installed after August 1, 2019, is not eligible for relocation reimbursement.

Sec. 19. Minnesota Statutes 2018, section 168.013, subdivision 1a, is amended to read:

Subd. 1a. **Passenger automobile; hearse.** (a) On passenger automobiles as defined in section 168.002, subdivision 24, and hearses, except as otherwise provided, the tax is \$10 plus an additional tax equal to 1.25 percent of the base value.

(b) Subject to the classification provisions herein, "base value" means the manufacturer's suggested retail price of the vehicle including destination charge using list price information published by the manufacturer or determined by the registrar if no suggested retail price exists, and shall not include the cost of each accessory or item of optional equipment separately added to the vehicle and the suggested retail price. In the case of the first registration of a new vehicle sold or leased by a licensed dealer, the dealer may elect to individually determine the base value of the vehicle using suggested retail price information provided by the manufacturer. The registrar must use the base value determined by the dealer to properly classify the vehicle. A dealer that elects to make the determination must retain a copy of the suggested retail price label or other supporting documentation with the vehicle transaction records maintained under Minnesota Rules, part 7400.5200.

(c) If the manufacturer's list price information contains a single vehicle identification number followed by various descriptions and suggested retail prices, the registrar shall select from those listings only the lowest price for determining base value.

(d) If unable to determine the base value because the vehicle is specially constructed, or for any other reason, the registrar may establish such value upon the cost price to the purchaser or owner as evidenced by a certificate of cost but not including Minnesota sales or use tax or any local sales or other local tax.

(e) The registrar shall classify every vehicle in its proper base value class as follows:

FROM	TO
\$0	\$199.99
\$200	\$399.99

and thereafter a series of classes successively set in brackets having a spread of \$200 consisting of such number of classes as will permit classification of all vehicles.

(f) The base value for purposes of this section shall be the middle point between the extremes of its class.

(g) The registrar shall establish the base value, when new, of every passenger automobile and hearse registered prior to the effective date of Extra Session Laws 1971, chapter 31, using list price information published by the manufacturer or any nationally recognized firm or association compiling such data for the automotive industry. If unable to ascertain the base value of any registered vehicle in the foregoing manner, the registrar may use any other available source or method. The registrar shall calculate tax using base value information available to dealers and deputy registrars at the time the application for registration is submitted. The tax on all previously registered vehicles shall be computed upon the base value thus determined taking into account the depreciation provisions of paragraph (h).

(h) The annual additional tax must be computed upon a percentage of the base value as follows: during the first year of vehicle life, upon 100 percent of the base value; for the second year, 90 percent of such value; for the third year, 80 percent of such value; for the fourth year, 70 percent of such value; for the fifth year, 60 percent of such value; for the sixth year, 50 percent of such value; for the seventh year, 40 percent of such value; for the eighth year, 30 percent of such value; for the ninth year, 20 percent of such value; for the tenth year, ten percent of such value; for the 11th and each succeeding year, the sum of \$25.

(i) In no event shall the annual additional tax be less than \$25.

(j) For any vehicle previously registered in Minnesota and regardless of prior ownership, the total amount due under this subdivision and subdivision 1m must not exceed the smallest total amount previously paid or due on the vehicle.

Sec. 20. Minnesota Statutes 2018, section 168.013, subdivision 6, is amended to read:

Subd. 6. **Listing by dealers.** The owner of every motor vehicle not exempted by section 168.012 or 168.28, ~~shall~~ must, so long as it is subject to taxation within the state, annually list and register the same and pay the tax ~~herein provided annually under this section~~; provided, however, that any dealer in motor vehicles, to whom dealer's plates have been issued as provided in this chapter, coming into the possession of ~~any such a~~ motor vehicle to be held solely for the purpose of sale or demonstration or both, ~~shall be~~ is entitled to withhold the tax due on the vehicle from the prior registration period or becoming due on such vehicle for the following year and no lien for registration tax as provided in section 168.31, subdivision 6, shall attach. When, thereafter, ~~such the~~ vehicle is otherwise used or is sold, leased, or rented to another person, firm, corporation, or association, the tax for the remainder of the year, prorated on a monthly basis, ~~shall become~~ becomes payable immediately.

Sec. 21. Minnesota Statutes 2018, section 168.10, subdivision 1h, is amended to read:

Subd. 1h. **Collector military vehicle.** (a) A motor vehicle, including a truck, shall be listed and registered under this section if it meets the following conditions:

(1) it is at least 20 years old;

(2) its first owner following its manufacture was a branch of the armed forces of the United States and it presently conforms to the vehicle specifications required during the time of military ownership, or it has been restored and presently conforms to the specifications required by a branch of the armed forces for the model year that the restored vehicle could have been owned by that branch of the armed forces; and

(3) it is owned by a nonprofit organization and operated solely as a collector's vehicle. For purposes of this subdivision, "nonprofit organization" means a corporation, society, association, foundation, or institution organized and operated exclusively for historical or educational purposes, no part of the net earnings of which inures to the benefit of a private individual.

(b) The owner of the vehicle shall execute an affidavit stating the name and address of the person from whom purchased and of the new owner; the make, year, and model number of the motor vehicle; the manufacturer's identification number; and the collector military vehicle identification number, if any, located on the exterior of the vehicle. The affidavit must affirm that the vehicle is owned by a nonprofit organization and is operated solely as a collector's item and not for general transportation purposes. If the commissioner is satisfied that the affidavit is true and correct and the owner pays a \$25 tax and the plate fee authorized under section 168.12, the commissioner shall list the vehicle for taxation and registration and shall issue number plates. The number plates shall bear the inscriptions "Collector" and "Minnesota" and the registration number, but no date. The number plates are valid without renewal as long as the vehicle is in existence in Minnesota. The commissioner may revoke the plates for failure to comply with this subdivision.

(c) Notwithstanding section 168.09, 168.12, or other law to the contrary, the owner of a registered collector military vehicle is not required to display registration plates on the exterior of the vehicle if the vehicle has an exterior number identification that conforms to the identifying system for military vehicles in effect when the vehicle was last owned by the branch of the armed forces of the United States or in effect in the year to which the collector military vehicle has been restored. However, the state registration plates must be carried in or on the collector military vehicle at all times.

(d) The owner of a registered collector military vehicle that is not required to display registration plates under paragraph (c) may tow a registered trailer behind it. The trailer is not required to display registration plates if the trailer:

- (1) does not exceed a gross weight of 15,000 pounds;
- (2) otherwise conforms to registration, licensing, and safety laws and specifications;
- (3) conforms to military specifications for appearance and identification;
- (4) is intended to represent and does represent a military trailer; and
- (5) carries registration plates on or in the trailer or the collector military vehicle towing the trailer.

(e) This subdivision does not apply to a decommissioned military vehicle that (1) was also manufactured and sold as a comparable civilian vehicle, and (2) has the same size dimensions and vehicle weight as the comparable civilian vehicle. A decommissioned military vehicle under this paragraph is eligible for a motor vehicle title under chapter 168A and is subject to the same registration, insurance, equipment, and operating requirements as a motor vehicle.

Sec. 22. Minnesota Statutes 2018, section 168.123, subdivision 2, is amended to read:

Subd. 2. **Design.** The commissioner of veterans affairs shall design the emblem for the veterans' special plates, subject to the approval of the commissioner, that satisfy the following requirements:

(a) For a Vietnam veteran who served after July 1, 1961, and before July 1, 1978, in the active military service in a branch of the armed forces of the United States or a nation or society allied with the United States the special plates must bear the inscription "VIETNAM VET."

(b) For a veteran stationed on the island of Oahu, Hawaii, or offshore, during the attack on Pearl Harbor on December 7, 1941, the special plates must bear the inscription "PEARL HARBOR SURVIVOR."

(c) For a veteran who served during World War II, the plates must bear the inscription "WORLD WAR VET."

(d) For a veteran who served during the Korean Conflict, the special plates must bear the inscription "KOREAN VET."

(e) For a combat wounded veteran who is a recipient of the Purple Heart medal, the plates must bear the inscription "COMBAT WOUNDED VET" and have a facsimile or an emblem of the official Purple Heart medal.

A member of the United States armed forces who is serving actively in the military and who is a recipient of the Purple Heart medal is also eligible for this license plate. The commissioner of public safety shall ensure that information regarding the required proof of eligibility for any applicant under this paragraph who has not yet been issued military discharge papers is distributed to the public officials responsible for administering this section.

(f) For a Persian Gulf War veteran, the plates must bear the inscription "GULF WAR VET." For the purposes of this section, "Persian Gulf War veteran" means a person who served on active duty after August 1, 1990, in a branch of the armed forces of the United States or a nation or society allied with the United States or the United Nations during Operation Desert Shield, Operation Desert Storm, or other military operation in the Persian Gulf area combat zone as designated in United States Presidential Executive Order No. 12744, dated January 21, 1991.

(g) For a veteran who served in the Laos War after July 1, 1961, and before July 1, 1978, the special plates must bear the inscription "LAOS WAR VET."

(h) For a veteran who is the recipient of:

(1) the Iraq Campaign Medal, the special plates must be inscribed with a facsimile of that medal and must bear the inscription "IRAQ WAR VET" directly below the special plate number;

(2) the Afghanistan Campaign Medal, the special plates must be inscribed with a facsimile of that medal and must bear the inscription "AFGHAN WAR VET" directly below the special plate number;

(3) the Global War on Terrorism Expeditionary Medal, the special plates must be inscribed with a facsimile of that medal and must bear the inscription "GWOT VETERAN" directly below the special plate number; or

(4) the Armed Forces Expeditionary Medal, the special plates must bear an appropriate inscription that includes a facsimile of that medal.

(i) For a veteran who is the recipient of the Global War on Terrorism Service Medal, the special plates must be inscribed with a facsimile of that medal and must bear the inscription "GWOT VETERAN" directly below the special plate number. In addition, any member of the National Guard or other military reserves who has been ordered to federally funded state active service under United States Code, title 32, as defined in section 190.05, subdivision 5b, and who is the recipient of the Global War on Terrorism Service Medal, is eligible for the license plate described in this paragraph, irrespective of whether that person qualifies as a veteran under section 197.447.

(j) For a veteran who is the recipient of the Korean Defense Service Medal, the special plates must be inscribed with a facsimile of that medal and must bear the inscription "KOREAN DEFENSE SERVICE" directly below the special plate number.

(k) For a veteran who is a recipient of the Bronze Star medal, the plates must bear the inscription "BRONZE STAR VET" and have a facsimile or an emblem of the official Bronze Star medal.

(l) For a veteran who is a recipient of the Silver Star medal, the plates must bear the inscription "SILVER STAR VET" and have a facsimile or an emblem of the official Silver Star medal.

(m) For a woman veteran, the plates must bear the inscription "WOMAN VETERAN" and have a facsimile or an emblem as designated by the commissioners of veterans affairs and public safety.

(n) For a veteran who served as a multinational peacekeeper in Beirut, Lebanon, between August 1, 1982, and July 31, 1984, the plates must bear the inscription "MULTINATIONAL PEACEKEEPERS BEIRUT, LEBANON."

Sec. 23. **[168.1283] MINNESOTA AGRICULTURE PLATES.**

Subdivision 1. **Issuance of plates.** The commissioner must issue Minnesota agriculture special plates or a single motorcycle plate to an applicant who:

(1) is a registered owner of a passenger automobile, noncommercial one-ton pickup truck, motorcycle, or recreational vehicle;

(2) pays an additional fee in the amount specified under section 168.12, subdivision 5, for each set of plates;

(3) pays the registration tax as required under section 168.013, along with any other fees required by this chapter;

(4) contributes a minimum of \$20 annually to the Minnesota agriculture account; and

(5) complies with this chapter and rules governing registration of motor vehicles and licensing of drivers.

Subd. 2. **Design.** In consultation with the commissioner of agriculture, the commissioner must adopt a suitable plate design that includes a depiction of lands and activity related to agriculture.

Subd. 3. **Plates transfer.** On application to the commissioner and payment of a transfer fee of \$5, special plates issued under this section may be transferred to another motor vehicle if the subsequent vehicle is:

- (1) qualified under subdivision 1, clause (1), to bear the special plates; and
- (2) registered to the same individual to whom the special plates were originally issued.

Subd. 4. **Exemption.** Special plates issued under this section are not subject to section 168.1293, subdivision 2.

Subd. 5. **Contributions; account; appropriation.** Contributions collected under subdivision 1, clause (4), must be deposited in the Minnesota agriculture account, which is established in the special revenue fund. Money in the account is appropriated to the commissioner of public safety. This appropriation is first for the annual cost of administering the account funds, and the remaining funds are for distribution to (1) the Minnesota FFA Foundation to support the mission of the foundation, and (2) the University of Minnesota Extension Service to support Minnesota 4-H programming and activities. The commissioner must annually consult with the Minnesota FFA Foundation and the University of Minnesota Extension Service for recommendations regarding how to allocate funds.

EFFECTIVE DATE. This section is effective July 1, 2020, for Minnesota agriculture special plates issued on or after that date.

Sec. 24. **[168.1284] LIONS CLUBS INTERNATIONAL PLATES.**

Subdivision 1. **Issuance of plates.** The commissioner must issue Lions Clubs International special plates or a single motorcycle plate to an applicant who:

- (1) is a registered owner of a passenger automobile, noncommercial one-ton pickup truck, motorcycle, or recreational vehicle;
- (2) pays an additional fee in the amount specified under section 168.12, subdivision 5, for each set of plates;
- (3) pays the registration tax as required under section 168.013, along with any other fees required by this chapter;
- (4) contributes a minimum of \$25 upon initial application and \$5 annually to the Lions Clubs International account; and
- (5) complies with this chapter and rules governing registration of motor vehicles and licensing of drivers.

Subd. 2. **Design.** The commissioner must adopt a suitable plate design that includes the recognized emblem of Lions Clubs International and the inscription "We Serve."

Subd. 3. **Plates transfer.** On application to the commissioner and payment of a transfer fee of \$5, special plates issued under this section may be transferred to another motor vehicle if the subsequent vehicle is:

- (1) qualified under subdivision 1, clause (1), to bear the special plates; and
- (2) registered to the same individual to whom the special plates were originally issued.

Subd. 4. **Exemption.** Special plates issued under this section are not subject to section 168.1293, subdivision 2.

Subd. 5. **Contributions; account; appropriation.** Contributions collected under subdivision 1, clause (4), must be deposited in the Lions Clubs International account, which is established in the special revenue fund. Money in the account is appropriated to the commissioner of public safety. This appropriation is first for the annual cost of administering the account funds, and the remaining funds are for distribution to Lions Clubs International to further the organization's mission of service, fellowship, diversity, integrity, and leadership.

EFFECTIVE DATE. This section is effective July 1, 2020, for Lions Clubs International special plates issued on or after that date.

Sec. 25. **[168.1285] ROTARY INTERNATIONAL PLATES.**

Subdivision 1. Issuance of plates. The commissioner shall issue Rotary International special plates or a single motorcycle plate to an applicant who:

(1) is a registered owner of a passenger automobile, noncommercial one-ton pickup truck, motorcycle, or recreational motor vehicle;

(2) pays an additional fee in the amount specified under section 168.12, subdivision 5, for each set of plates;

(3) pays the registration tax required under section 168.013, along with any other fees required by this chapter;

(4) contributes \$25 upon initial application and a minimum of \$5 annually to the Rotary Foundation account; and

(5) complies with this chapter and rules governing registration of motor vehicles and licensing of drivers.

Subd. 2. **Design.** The commissioner shall adopt a suitable design for the plate that must include the Rotary International symbol and the phrase "Service Above Self."

Subd. 3. **Plates transfer.** On application to the commissioner and payment of a transfer fee of \$5, special plates may be transferred to another qualified motor vehicle that is registered to the same individual to whom the special plates were originally issued.

Subd. 4. **Exemption.** Special plates issued under this section are not subject to section 168.1293, subdivision 2.

Subd. 5. **Contributions; account; appropriation.** Contributions collected under subdivision 1, clause (4), must be deposited in the Rotary Foundation account, which is established in the special revenue fund. Money in the account is appropriated to the commissioner of public safety. This appropriation must first pay for the annual cost of administering the account funds, and the remaining funds must be distributed to Rotary Foundation to further the rotary's mission of service, fellowship, diversity, integrity, and leadership.

EFFECTIVE DATE. This section is effective July 1, 2020, for Rotary International special plates issued on or after that date.

Sec. 26. Minnesota Statutes 2018, section 168.27, is amended by adding a subdivision to read:

Subd. 32. **Multiple licenses.** If a single legal entity holds more than one new or used vehicle dealer license, new and used vehicles owned by the entity may be held and offered for sale at any of the licensed dealership locations without assigning vehicle ownership or title from one licensee to another. This subdivision does not authorize the sale or offering for sale of new vehicles by a licensee that is not authorized by the manufacturer to sell that make of new vehicles.

Sec. 27. Minnesota Statutes 2018, section 168.27, is amended by adding a subdivision to read:

Subd. 33. Designated dealer title and registration liaison. The registrar must designate by name and provide contact information for one or more registrar employees as needed to (1) promptly and effectively respond to questions from licensed dealers, and (2) troubleshoot dealer issues related to vehicle titling and registration.

Sec. 28. Minnesota Statutes 2018, section 168.301, subdivision 3, is amended to read:

Subd. 3. **Late fee.** In addition to any fee or tax otherwise authorized or imposed upon the transfer of title for a motor vehicle, the commissioner of public safety shall impose a \$2 additional fee for failure to deliver a title transfer within ten business days. This subdivision does not apply to transfers from licensed vehicle dealers.

EFFECTIVE DATE. This section is effective July 1, 2020, or upon completion of the necessary programming changes to the driver and vehicle services information system, whichever is earlier.

Sec. 29. Minnesota Statutes 2018, section 168.33, subdivision 8a, is amended to read:

Subd. 8a. **Electronic transmission.** (a) If the commissioner accepts electronic transmission of a motor vehicle transfer and registration by a new or used motor vehicle dealer, a deputy registrar who is equipped with electronic transmission technology and trained in its use shall receive the filing fee provided for in subdivision 7 and review the transfer of each new or used motor vehicle to determine its genuineness and regularity before issuance of a certificate of title, and shall receive and retain the filing fee under subdivision 7, paragraph (a), clause ~~(ii)~~ (2).

(b) The commissioner must establish reasonable performance, security, technical, and financial standards to approve companies that provide computer software and services to motor vehicle dealers to electronically transmit vehicle title transfer and registration information. An approved company must be offered access to department facilities, staff, and technology on a fair and reasonable basis.

EFFECTIVE DATE. This section is effective July 1, 2020, or upon completion of the necessary programming changes to the driver and vehicle services information system, whichever is earlier.

Sec. 30. Minnesota Statutes 2018, section 168.346, subdivision 1, is amended to read:

Subdivision 1. **Vehicle registration data; federal compliance.** (a) Data on an individual provided to register a vehicle shall be treated as provided by United States Code, title 18, section 2721, as in effect on May 23, 2005, and shall be disclosed as required or permitted by that section. Licensed dealers may obtain data for uses as permitted by United States Code, title 18, section 2721, subsections (b)(2), for use in connection with matters of motor vehicle or driver safety and theft, motor vehicle emissions, or motor vehicle product alterations, recalls, or advisories, (3), and (13). The commissioner shall disclose the data in bulk form to an authorized recipient upon request for any of the permissible uses described in United States Code, title 18, section 2721.

(b) The registered owner of a vehicle who is an individual may consent in writing to the commissioner to disclose the individual's personal information exempted by United States Code, title 18, section 2721, to any person who makes a written request for the personal information. If the registered owner is an individual and so authorizes disclosure, the commissioner shall implement the request.

(c) If authorized by the registered owner as indicated in paragraph (b), the registered owner's personal information may be used, rented, or sold solely for bulk distribution by organizations for business purposes including surveys, marketing, or solicitation.

Sec. 31. Minnesota Statutes 2018, section 168A.02, subdivision 1, is amended to read:

Subdivision 1. **Application for certificate of title.** (a) Except as provided in section 168A.03, every owner of a vehicle which is in this state and for which no currently effective certificate of title has been issued in this state shall make application must apply to the department for a certificate of title of the vehicle, pursuant to rules adopted by the department under section 168A.24, subdivision 2, clause 3 (3).

(b) A decommissioned military vehicle that (1) was also manufactured and sold as a comparable civilian vehicle, and (2) has the same size dimensions and vehicle weight as the comparable civilian vehicle, is eligible for a certificate of title under this chapter.

Sec. 32. Minnesota Statutes 2018, section 168A.085, is amended by adding a subdivision to read:

Subd. 3. **Consular identification card.** A valid and unexpired consular identification card issued to the applicant by the recognized consulate of a jurisdiction other than the United States is a primary document for purposes of Minnesota Rules, part 7410.0400, and successor rules, when the applicant is an individual who is applying as the owner for a vehicle title or registration.

EFFECTIVE DATE. This section is effective the day following final enactment and applies retroactively to motor vehicle title applications and registrations submitted on or after October 1, 2018.

Sec. 33. Minnesota Statutes 2018, section 168A.09, subdivision 1, is amended to read:

Subdivision 1. **Application, issuance, form, bond, and notice.** (a) In the event a certificate of title is lost, stolen, mutilated, destroyed, or becomes illegible, the owner or legal representative of the owner named in the certificate may submit an application to the department or a deputy registrar for a duplicate in a format prescribed by the department. The department or deputy registrar must issue a duplicate certificate of title if satisfied that the applicant is entitled to the duplicate certificate of title. The duplicate certificate of title must be plainly marked as a duplicate and mailed or delivered to the owner. The department or deputy registrar must indicate in the driver and vehicle information system records that a duplicate certificate of title has been issued. As a condition to issuing a duplicate certificate of title, the department may require a bond from the applicant in the manner and format prescribed in section 168A.07, subdivision 1, clause (2). The duplicate certificate of title must contain the legend: "This duplicate certificate of title may be subject to the rights of a person under the original certificate."

~~(b) On and after August 1, 2018,~~ The commissioner must allow duplicate certificate of title issuance by a deputy registrar, subject to procedures established by the commissioner. Such issuance is an expedited service, provided that the fee imposed is in the amount specified under section 168.326, paragraph (b), for retention as provided in that paragraph.

Sec. 34. Minnesota Statutes 2018, section 168A.12, subdivision 2, is amended to read:

Subd. 2. **Owner's interest terminated or vehicle sold by secured party.** If the interest of the owner is terminated or the vehicle is sold under a security agreement by a secured party named in the certificate of title or an assignee of the secured party, the transferee shall promptly mail or deliver to the department the last certificate of title, if available, an application for a new certificate in the format the department prescribes, and an affidavit made by or on behalf of the secured party or assignee that the interest of the owner was lawfully terminated or the vehicle sold pursuant to the terms of the security agreement. If the secured party or assignee succeeds to the interest of the owner and holds the vehicle for resale, the secured party or assignee need not secure a new certificate of title provided that a notice thereof in a format designated by the department is mailed or delivered by the secured party or assignee to the department in duplicate within 48 hours, but upon transfer to another person the secured party or assignee shall promptly execute assignment and warranty of title and mail or deliver to the transferee or the department the certificate, if available, the affidavit, and other documents required to be sent to the department by the transferee.

Sec. 35. Minnesota Statutes 2018, section 168A.17, is amended by adding a subdivision to read:

Subd. 4. **Notice of perfection by dealer.** When a security interest in a vehicle sold by a dealer licensed under section 168.27 is perfected under subdivision 2, the dealer may provide a statement of perfection to the secured party on a form provided by the department. The statement must certify compliance with subdivision 2 and contain the date of delivery to the department. The information provided in the dealer's statement is considered prima facie evidence of the facts contained in it.

Sec. 36. **[168A.241] DRIVER AND VEHICLE SERVICES EXECUTIVE STEERING COMMITTEE.**

Subdivision 1. **Definition.** For purposes of this section, "committee" means the Driver and Vehicle Services Executive Steering Committee established in this section.

Subd. 2. **Establishment; purpose.** A Driver and Vehicle Services Executive Steering Committee is established in the Department of Public Safety. The purpose of the committee is to provide input within the governance structure for the driver and vehicle services information system on matters relevant to:

(1) effective and efficient systems relating to the licensing of drivers, and the ownership, transfer, and registration of motor vehicles;

(2) planning and implementing future changes and enhancements to driver and vehicle services information systems; and

(3) proposed legislation related to the areas identified in clauses (1) and (2), including but not limited to business processes and distribution of work.

Subd. 3. **Members.** (a) The committee consists of:

(1) four senior leaders or appointees from the Department of Public Safety Driver and Vehicle Services Division;

(2) one senior leader or appointee from the Bureau of Criminal Apprehension;

(3) two senior leaders or appointees from the Minnesota Automobile Dealers Association;

(4) one senior leader or appointee from the Northland Independent Automobile Dealers Association;

(5) four senior leaders or appointees from the Minnesota Deputy Registrars Association;

(6) two senior leaders or appointees from the Minnesota Deputy Registrar Business Owners Association; and

(7) one representative who performs auctions exclusively for dealers licensed under section 168.27 and not for the general public, appointed by the commissioner following consultation with eligible auto auctions.

(b) Section 15.059 governs the committee, except that committee members must not receive compensation for serving on the committee.

Subd. 4. **Meetings.** (a) The committee must meet at least two times per year.

(b) The committee is subject to chapter 13D.

Subd. 5. **Staff.** The commissioner must provide support staff, office space, and administrative services for the committee.

Subd. 6. **Duties.** The committee's duties include but are not limited to:

(1) serving in an advisory capacity to the commissioner of public safety and the director of driver and vehicle services on matters relevant to oversight and accountability of projects within driver and vehicle services that impact the information systems used to issue identification cards and motor vehicle titles and registrations by:

(i) creating working groups to encourage participation with stakeholders and driver and vehicle services staff on information system changes used for the issuance of identification cards and motor vehicle titles and registrations; and

(ii) reviewing status reports from independent verification and validation services for projects and audits that impact driver and vehicle services information systems; and

(2) reviewing and making recommendations with respect to work plans, policy initiatives, major activities, and strategic planning, with regard to the issuance of identification cards and providing motor vehicle title and registration services.

Subd. 7. **Report and recommendations.** By February 15 annually, the commissioner must submit a report to the chairs, ranking minority members, and staff of the legislative committees with jurisdiction over driver and vehicle services that summarizes the committee's activities, issues identified by the committee, methods taken to address the issues, and recommendations for legislative action, if needed.

Subd. 8. **Expiration.** The committee expires June 30, 2026.

Sec. 37. Minnesota Statutes 2018, section 169.011, is amended by adding a subdivision to read:

Subd. 3b. **Automated driving system.** "Automated driving system" means hardware and software that allow a motor vehicle to perform all the functions of a human driver within the conditions for which the system is designed.

Sec. 38. Minnesota Statutes 2018, section 169.011, subdivision 5, is amended to read:

Subd. 5. **Bicycle lane.** "Bicycle lane" means a portion of a roadway ~~or shoulder~~ designed for exclusive or preferential use by persons using bicycles. Bicycle lanes are to be distinguished from the portion of the roadway ~~or shoulder~~ used for motor vehicle traffic by physical barrier, striping, marking, or other similar device.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 39. Minnesota Statutes 2018, section 169.011, subdivision 9, is amended to read:

Subd. 9. **Bikeway.** "Bikeway" means a bicycle lane, bicycle path, ~~or~~ bicycle route, shared use path, or similar bicycle facility, regardless of whether it is designed for the exclusive use of bicycles or ~~is to be~~ for shared use with other transportation modes.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 40. Minnesota Statutes 2018, section 169.011, is amended by adding a subdivision to read:

Subd. 29a. **Federal motor vehicle safety standards automated vehicle exemption.** "Federal motor vehicle safety standards automated vehicle exemption" means an exemption from the United States Secretary of Transportation from the motor vehicle safety standards under the National Traffic and Motor Vehicle Safety Act.

Sec. 41. Minnesota Statutes 2018, section 169.011, is amended by adding a subdivision to read:

Subd. 34a. **Highly automated vehicle.** "Highly automated vehicle" means a motor vehicle equipped with an automated driving system designed to function without a human operator physically present in the vehicle. A highly automated vehicle does not include a vehicle enabled with active safety systems or operator assistance systems, including but not limited to a system to provide electronic blind spot assistance, crash avoidance, emergency braking, parking assistance, adaptive cruise control, lane-keeping assistance, lane departure warning, or traffic jam and queuing assistance, unless these technologies alone or in combination with other systems enable the vehicle to test without any control or monitoring by an operator.

Sec. 42. Minnesota Statutes 2018, section 169.011, is amended by adding a subdivision to read:

Subd. 40b. **Minimal risk condition.** "Minimal risk condition" means a low risk operating mode in a highly automated vehicle that allows the vehicle to reach a reasonably safe state such as bringing the vehicle to a complete stop or activating the hazard lamps if the automated driving system experiences failures or operates outside of its design parameters.

Sec. 43. Minnesota Statutes 2018, section 169.011, is amended by adding a subdivision to read:

Subd. 40c. **Operator.** "Operator" in the following order of precedence means:

- (1) the person who drives while physically present in a vehicle or who is in actual physical control of a vehicle;
- (2) the natural person who is remotely testing a highly automated vehicle; or
- (3) the natural person who engages an automated driving system.

Sec. 44. Minnesota Statutes 2018, section 169.011, is amended by adding a subdivision to read:

Subd. 46b. **Narrow-width lane.** "Narrow-width lane" means a traffic lane that is too narrow to allow persons operating a bicycle and persons operating a motor vehicle within the same lane to operate side-by-side in compliance with the minimum safe passing clearance set forth in section 169.18.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 45. Minnesota Statutes 2018, section 169.011, is amended by adding a subdivision to read:

Subd. 54b. **Platooning system.** "Platooning system" means driver-assisted vehicle-to-vehicle technology that integrates electronic communications between and among multiple vehicles to synchronize speed, acceleration, and braking while leaving system monitoring and intervention in the control of each vehicle's human operator.

Sec. 46. Minnesota Statutes 2018, section 169.011, is amended by adding a subdivision to read:

Subd. 62a. **Recycling vehicle.** "Recycling vehicle" means a vehicle hauling recyclable materials as authorized by section 115A.93, subdivision 1.

Sec. 47. Minnesota Statutes 2018, section 169.011, subdivision 64, is amended to read:

Subd. 64. **Residential roadway.** "Residential roadway" means a city street or town road that is either (1) less than one-half mile in total length, or (2) in an area zoned exclusively for housing that is not a collector or arterial street.

Sec. 48. Minnesota Statutes 2018, section 169.011, is amended by adding a subdivision to read:

Subd. 76a. **Solid waste vehicle.** "Solid waste vehicle" means a vehicle hauling solid waste as authorized by section 115A.93, subdivision 1.

Sec. 49. Minnesota Statutes 2018, section 169.011, is amended by adding a subdivision to read:

Subd. 92a. **Vehicle platoon.** "Vehicle platoon" means a group of commercial vehicles traveling in a unified manner through use of a platooning system or systems. A vehicle platoon consists of a lead vehicle and following vehicles. Notwithstanding section 169.81, a vehicle platoon may consist of up to three vehicles. A vehicle platoon is not a combination vehicle under this chapter.

Sec. 50. Minnesota Statutes 2018, section 169.035, is amended by adding a subdivision to read:

Subd. 5. **Automated vehicle.** An operator who is not driving while physically present in a vehicle or is not in actual physical control of a vehicle has all the rights and duties applicable to a driver or operator of any other vehicle under Minnesota law.

Sec. 51. Minnesota Statutes 2018, section 169.06, subdivision 4a, is amended to read:

Subd. 4a. **Obedience to work zone flagger; violation, penalty.** (a) A flagger in a work zone may stop vehicles and hold vehicles in place ~~until it is safe for the vehicles to proceed. A person operating a motor vehicle that has been stopped by a flagger in a work zone may proceed after stopping only on instruction by the flagger or a police officer, and direct vehicles to proceed when it is safe.~~ A driver who does not comply with an instruction made by a flagger in a work zone under this paragraph is guilty of a petty misdemeanor and must pay a fine of \$300 in addition to the surcharge under section 357.021, subdivision 6.

(b) A person convicted of operating a motor vehicle in violation of a speed limit in a work zone, or any other provision of this section while in a work zone, shall be required to pay a fine of \$300. This fine is in addition to the surcharge under section 357.021, subdivision 6.

(c) If a motor vehicle is operated in violation of paragraph (a), the owner of the vehicle, or for a leased motor vehicle the lessee of the vehicle, is guilty of a petty misdemeanor and is subject to a fine as provided in paragraph ~~(b)~~ (a). The owner or lessee may not be fined under this paragraph if (1) another person is convicted for that violation, or (2) the motor vehicle was stolen at the time of the violation. This paragraph does not apply to a lessor of a motor vehicle if the lessor keeps a record of the name and address of the lessee.

(d) Paragraph (c) does not prohibit or limit the prosecution of a motor vehicle operator for violating paragraph (a).

(e) A violation under paragraph (c) does not constitute grounds for revocation or suspension of a driver's license.

(f) A peace officer may issue a citation to the operator of a motor vehicle if the peace officer has probable cause to believe that the person has operated the vehicle in violation of paragraph (a). In addition to other evidentiary elements or factors, a peace officer has probable cause under this subdivision if:

(1) a qualified work zone flagger has provided a report of a violation of paragraph (a) that includes a description and the license plate number of the vehicle used to commit the offense, and the time of the incident;

(2) the person is operating the vehicle described in the report; and

(3) it is within the four-hour period following the time of the incident, as specified in the report.

(g) A work zone flagger is qualified to provide a report under paragraph (f) if each flagger involved in the reporting has completed training that includes information on flagging operations, equipment, traffic laws, observation and accurate identification of motor vehicles, and delegation of duties involving a report under paragraph (f).

EFFECTIVE DATE. This section is effective August 1, 2019, and applies to violations that occur on or after that date.

Sec. 52. Minnesota Statutes 2018, section 169.18, subdivision 3, is amended to read:

Subd. 3. **Passing.** ~~The following rules shall govern the overtaking and passing of vehicles proceeding in the same direction, subject to the limitations, exceptions, and special rules hereinafter stated:~~

~~(1) (a)~~ (a) The driver of a vehicle overtaking another vehicle proceeding in the same direction ~~shall~~ must pass to the left ~~thereof of the other vehicle~~ at a safe distance and ~~shall not again drive~~ is prohibited from returning to the right side of the roadway until safely clear of the overtaken vehicle; ~~and~~

~~(2) (b)~~ (b) Except when overtaking and passing on the right is permitted, the driver of an overtaken vehicle ~~shall~~ must give way to the right in favor of the overtaking vehicle ~~on audible warning~~, and ~~shall~~ must not increase the speed ~~of the overtaken vehicle~~ until completely passed by the overtaking vehicle; ~~and~~

~~(3) (c)~~ (c) The operator of a motor vehicle overtaking a bicycle or individual proceeding in the same direction on the roadway ~~shall leave~~ or shoulder must:

(1) either (i) maintain a safe clearance distance while passing, but in no case less than three feet clearance, when passing the bicycle or individual or one-half the width of the motor vehicle, whichever is greater; or (ii) completely enter another lane of the roadway while passing; and shall

(2) maintain clearance until the motor vehicle has safely past passed the overtaken bicycle or individual.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 53. Minnesota Statutes 2018, section 169.18, subdivision 8, is amended to read:

Subd. 8. **Following vehicle too closely.** (a) The driver of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of such vehicles and the traffic upon and the conditions of the highway.

(b) The driver of any motor vehicle drawing another vehicle, or the driver of any motor truck or bus, when traveling upon a roadway outside of a business or residence district, shall not follow within 500 feet of another vehicle. The provisions of this paragraph shall not be construed to prevent overtaking and passing nor shall the same apply upon any lane specially designated for use by motor trucks. This paragraph does not apply to following vehicles in a vehicle platoon if the operator has an approved plan in compliance with section 169.881.

(c) The driver of a motor vehicle shall not follow within 500 feet of an authorized emergency vehicle that is traveling in response to an emergency.

Sec. 54. Minnesota Statutes 2018, section 169.18, subdivision 11, is amended to read:

Subd. 11. **Passing parked emergency authorized vehicle; citation; probable cause.** (a) For purposes of this subdivision, "authorized vehicle" means an authorized emergency vehicle, as defined under section 169.011, subdivision 3; a tow truck or towing vehicle, as defined under section 168B.011, subdivision 12a; a freeway service patrol vehicle; a road maintenance vehicle; a utility company vehicle; a construction vehicle; a solid waste vehicle; or a recycling vehicle.

(b) When approaching and before passing an authorized emergency vehicle with its emergency, flashing, or warning lights activated that is parked or otherwise stopped on or next to a street or highway having two lanes in the same direction, the driver of a vehicle shall safely move the vehicle to the lane farthest away from the emergency authorized vehicle, if it is possible to do so.

~~(b)~~ (c) When approaching and before passing an authorized emergency vehicle with its emergency, flashing, or warning lights activated that is parked or otherwise stopped on or next to a street or highway having more than two lanes in the same direction, the driver of a vehicle shall safely move the vehicle so as to leave a full lane vacant between the driver and any lane in which the emergency authorized vehicle is completely or partially parked or otherwise stopped, if it is possible to do so.

~~(c)~~ (d) If a lane change under paragraph ~~(a)~~ (b) or ~~(b)~~ (c) is impossible, or when approaching and before passing an authorized emergency vehicle with its emergency, flashing, or warning lights activated that is parked or otherwise stopped on or next to a street or highway having only one lane in the same direction, the driver of a vehicle must reduce the speed of the motor vehicle to a speed that is reasonable and prudent under the conditions until the motor vehicle has completely passed the parked or stopped emergency authorized vehicle, if it is possible to do so.

~~(d)~~ (e) A peace officer may issue a citation to the driver of a motor vehicle if the peace officer has probable cause to believe that the driver has operated the vehicle in violation of this subdivision within the four-hour period following the termination of the incident or a receipt of a report under paragraph ~~(e)~~ (f). The citation may be issued even though the violation was not committed in the presence of the peace officer.

~~(e)~~ (f) Although probable cause may be otherwise satisfied by other evidentiary elements or factors, probable cause is sufficient for purposes of this subdivision when the person cited is operating the vehicle described by a member of the crew of an authorized emergency vehicle responding to an incident or performing work alongside the roadway in a timely report of the violation of this subdivision, which includes a description of the vehicle used to commit the offense and the vehicle's license plate number. For the purposes of issuance of a citation under paragraph ~~(d)~~ (e), "timely" means that the report must be made within a four-hour period following the termination of the incident.

~~(f)~~ For purposes of paragraphs (a) to (c) only, "authorized emergency vehicle" and "emergency vehicle" include a towing vehicle defined in section 168B.011, subdivision 12a, that has activated flashing lights authorized under section 169.64, subdivision 3, in addition to the vehicles described in the definition for "authorized emergency vehicle" in section 169.011, subdivision 3.

Sec. 55. Minnesota Statutes 2018, section 169.20, subdivision 7, is amended to read:

Subd. 7. **Transit bus; school bus.** (a) The driver of a vehicle traveling in the right-hand lane of traffic shall yield the right-of-way to any transit bus attempting to enter that lane from a bus stop or shoulder, as indicated by a flashing left turn signal.

(b) The driver of a vehicle traveling in the right-hand lane of traffic shall yield the right-of-way to any school bus attempting to enter that lane from a shoulder, right-turn lane, or other location where the school bus has stopped to load or unload passengers. The school bus must indicate the intent to enter the right-hand lane of traffic by activating a flashing left turn signal.

Sec. 56. Minnesota Statutes 2018, section 169.222, subdivision 1, is amended to read:

Subdivision 1. **Traffic laws apply.** (a) Every person operating a bicycle ~~shall have~~ has all of the rights and duties applicable to the driver of any other vehicle by this chapter, except in respect to those provisions in this chapter relating expressly to bicycles and in respect to those provisions of this chapter which by their nature cannot reasonably be applied to bicycles. This subdivision applies to a bicycle operating on the shoulder of a roadway.

(b) A person lawfully operating a bicycle (1) on a sidewalk, or (2) across a roadway or shoulder while using a crosswalk, has all the rights and duties applicable to a pedestrian under the same circumstances.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 57. Minnesota Statutes 2018, section 169.222, subdivision 4, is amended to read:

Subd. 4. **Riding rules.** (a) Every person operating a bicycle ~~upon a roadway shall~~ on a road must ride as close as practicable to the right-hand curb or edge of the ~~roadway except under any of the following situations~~ road as the bicycle operator determines is safe. A person operating a bicycle is not required to ride as close to the right-hand curb or edge when:

(1) ~~when~~ overtaking and passing another vehicle proceeding in the same direction;

(2) ~~when~~ preparing for a left turn at an intersection or into a private road or driveway;

(3) ~~when~~ reasonably necessary to avoid conditions that make it unsafe to continue along the right-hand curb or edge, including fixed or moving objects, vehicles, pedestrians, animals, surface hazards, or narrow-width narrow-width lanes, that make it unsafe to continue along the right hand curb or edge; or;

(4) ~~when~~ operating on the shoulder of a roadway or in a bicycle lane-; or

(5) operating in a right-hand turn lane before entering an intersection.

(b) If a bicycle is traveling on a shoulder of a roadway, the bicycle ~~shall~~ operator must travel in the same direction as adjacent vehicular traffic.

(c) Persons riding bicycles upon a roadway or shoulder ~~shall~~ must not ride more than two abreast and ~~shall not impede the normal and reasonable movement of traffic and,~~ on a laned roadway, shall ride within a single lane.

(d) A person operating a bicycle upon a sidewalk, or across a roadway or shoulder on a crosswalk, ~~shall~~ must yield the right-of-way to any pedestrian and ~~shall~~ give an audible signal when necessary before overtaking and passing any pedestrian. ~~No~~ A person ~~shall~~ must not ride a bicycle upon a sidewalk within a business district unless permitted by local authorities. Local authorities may prohibit the operation of bicycles on any sidewalk or crosswalk under their jurisdiction.

(e) An individual operating a bicycle or other vehicle on a bikeway ~~shall~~ must (1) give an audible signal a safe distance prior to overtaking a bicycle or individual, (2) leave a safe clearance distance when overtaking a bicycle or individual proceeding in the same direction on the bikeway, and ~~shall~~ (3) maintain clearance until safely past the overtaken bicycle or individual.

~~(f) A person lawfully operating a bicycle on a sidewalk, or across a roadway or shoulder on a crosswalk, shall have all the rights and duties applicable to a pedestrian under the same circumstances.~~

~~(g)~~ (f) A person may operate an electric-assisted bicycle on the shoulder of a roadway, on a bikeway, or on a bicycle trail if not otherwise prohibited under section 85.015, subdivision 1d; 85.018, subdivision 2, paragraph (d); or 160.263, subdivision 2, paragraph (b), as applicable.

(g) Notwithstanding section 169.06, subdivision 4, a bicycle operator may cross an intersection proceeding from the leftmost one-third of a dedicated right-hand turn lane without turning right.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 58. Minnesota Statutes 2018, section 169.26, subdivision 1, is amended to read:

Subdivision 1. **Requirements.** (a) Except as provided in section 169.28, subdivision 1, when any person driving a vehicle approaches a railroad grade crossing under any of the circumstances stated in this paragraph, the driver shall stop the vehicle not less than ten feet from the nearest railroad track and shall not proceed until safe to do so and until the roadway is clear of traffic so that the vehicle can proceed without stopping until the rear of the vehicle is at least ten feet past the farthest railroad track. These requirements apply when:

(1) a clearly visible electric or mechanical signal device warns of the immediate approach of a railroad train or other on-track equipment; or

(2) an approaching railroad train or other on-track equipment is plainly visible and is in hazardous proximity.

(b) The fact that a moving railroad train or other on-track equipment approaching a railroad grade crossing is visible from the crossing is prima facie evidence that it is not safe to proceed.

(c) The driver of a vehicle shall stop and remain stopped and not traverse the grade crossing when (1) a human flagger signals the approach or passage of a railroad train or other on-track equipment or ~~when~~ (2) a crossing gate is lowered warning of the immediate approach or passage of a railroad train or other on-track equipment. No person may drive a vehicle past a flagger at a railroad crossing until the flagger signals that the way is clear to proceed or drive a vehicle past a lowered crossing gate.

Sec. 59. Minnesota Statutes 2018, section 169.26, subdivision 4, is amended to read:

Subd. 4. **Pedestrians; penalty.** (a) A pedestrian shall not pass through, around, over, or under any crossing gate or barrier at a railroad grade crossing while the gate or barrier is closed or is being opened or closed.

(b) A pedestrian shall not enter, remain upon, or traverse over a railroad track, grade crossing, or pedestrian walkway crossing a railroad track when an audible bell or clearly visible electric or mechanical signal device is operational and warning of the presence, approach, passage, or departure of a railroad train or other on-track equipment.

(c) A person who violates this subdivision is subject to a fine of up to \$100.

Sec. 60. Minnesota Statutes 2018, section 169.28, is amended to read:

169.28 CERTAIN VEHICLES TO STOP AT RAILROAD CROSSING.

Subdivision 1. **Requirements.** (a) The driver of any motor vehicle carrying passengers for hire, or of any school bus whether carrying passengers or not, or of any Head Start bus whether carrying passengers or not, or of any vehicle that is required to stop at railroad grade crossings under Code of Federal Regulations, title 49, section

392.10, before crossing at grade any track or tracks of a railroad, shall stop the vehicle not less than 15 feet nor more than 50 feet from the nearest rail of the railroad and while so stopped shall listen and look in both directions along the track for any approaching railroad train or other on-track equipment, and for signals indicating the approach of a railroad train or other on-track equipment, except as ~~hereinafter otherwise provided, and shall~~ in this section. The driver must not proceed until safe to do so and until the roadway is clear of traffic so that the vehicle can proceed without stopping until the rear of the vehicle is at least ten feet past the farthest railroad track. The driver must not shift gears while crossing the railroad tracks.

(b) A school bus or Head Start bus shall not be flagged across railroad grade crossings except at those railroad grade crossings that the local school administrative officer may designate.

(c) A type III vehicle, as defined in section 169.011, is exempt from the requirement of school buses to stop at railroad grade crossings.

(d) The requirements of this subdivision do not apply to the crossing of light rail vehicle track or tracks that are located in a public street when:

(1) the crossing occurs within the intersection of two or more public streets;

(2) the intersection is controlled by a traffic-control signal; and

(3) the intersection is marked with signs indicating to drivers that the requirements of this subdivision do not apply. Notwithstanding any other provision of law, the owner or operator of the track or tracks is authorized to place, maintain, and display the signs upon and in the view of the public street or streets.

Subd. 2. **Exempt crossing.** (a) The commissioner may designate a crossing as an exempt crossing:

(1) if the crossing is on a rail line on which service has been abandoned;

(2) if the crossing is on a rail line that carries fewer than five railroad trains each year, traveling at speeds of ten miles per hour or less; or

(3) as agreed to by the operating railroad and the Department of Transportation, following a diagnostic review of the crossing.

(b) The commissioner shall direct the railroad to erect at the crossing signs bearing the word "Exempt" that conform to section 169.06. The installation or presence of an exempt sign does not relieve a driver of the duty to use due care.

(c) A railroad train or other on-track equipment must not proceed across an exempt crossing unless a police officer is present to direct traffic or a railroad employee is on the ground to warn traffic until the railroad train enters the crossing.

(~~e~~) (d) A vehicle that must stop at grade crossings under subdivision 1 is not required to stop at a marked exempt crossing unless directed otherwise by a police officer or a railroad employee.

Sec. 61. Minnesota Statutes 2018, section 169.29, is amended to read:

169.29 CROSSING RAILROAD TRACKS WITH CERTAIN EQUIPMENT.

(a) No person shall operate or move any caterpillar tractor, steam shovel, derrick, roller, or any equipment or structure having a normal operating speed of six or less miles per hour or a vertical body or load clearance of less than nine inches above the level surface of a roadway upon or across any tracks at a railroad grade crossing without first complying with this section.

(b) Before making any crossing, the person operating or moving any vehicle or equipment set forth in this section shall first stop the same not less than ten, nor more than 50, feet from the nearest rail of the railway, and while so stopped shall listen and look in both directions along the track for any approaching railroad train or other on-track equipment and for signals indicating the approach of a railroad train or other on-track equipment, and shall not proceed until the crossing can be made safely.

(c) No crossing shall be made when warning is given by automatic signal or crossing gates or a flagger or otherwise of the immediate approach of a railroad train or other on-track equipment or car.

(d) ~~No A stop need be made~~ is not required at a crossing on a rail line on which service has been abandoned and where a sign erected in conformance with section 169.06 and bearing the word "Exempt" has been installed, unless directed otherwise by a flagger. The installation or presence of an exempt sign shall not relieve any driver of the duty to use due care.

Sec. 62. Minnesota Statutes 2018, section 169.443, subdivision 2, is amended to read:

Subd. 2. **Use of stop-signal arm.** (a) The stop-signal arm system of a school bus must be used in conjunction with the flashing red signals only when the school bus is stopped on a street or highway to load or unload school children.

(b) A local authority, including the governing body of an Indian tribe, may by ordinance require that a school bus activate the stop-signal arm system and flashing red signals while stopped to unload school children at a location other than a location on a street or highway. The ordinance must designate each location where the requirement is imposed. The requirement is effective only if the local authority has erected signs at or near the location to provide adequate notice that other vehicles are required to obey section 169.444, subdivision 1, when those signals are activated.

(c) A school bus driver is prohibited from loading or unloading passengers in a designated right-turn lane or in a lane immediately adjacent to a designated right-turn lane unless:

(1) a school bus stop designated by the district transportation safety director is located in the right-turn lane;

(2) the driver stops the bus at the extreme right side of the right-turn lane; and

(3) the driver activates the prewarning flashing amber signals, flashing red signals, and stop-signal arm, unless the school board or its designee, based on safety considerations, provides written direction to the driver not to do so.

After loading or unloading passengers, the school bus driver may re-enter the right-hand lane of traffic without turning right. The school bus must indicate the intent to enter the right-hand lane of traffic by activating a flashing left turn signal.

Sec. 63. Minnesota Statutes 2018, section 169.4503, subdivision 5, is amended to read:

Subd. 5. **Colors.** Fenderettes may be black. The beltline may be painted yellow over black or black over yellow. The rub rails ~~shall adjacent to the beltline may be black or yellow.~~ All other rub rails must be black. The area around the lenses of alternately flashing signal lamps extending outward from the edge of the lamp three inches, plus or minus one-quarter inch, to the sides and top and at least one inch to the bottom, ~~shall must~~ be black. Visors or hoods, black in color, with a minimum of four inches may be provided.

Sec. 64. Minnesota Statutes 2018, section 169.64, subdivision 9, is amended to read:

Subd. 9. **Warning lamp on vehicles collecting solid waste or recycling.** ~~A vehicle used to collect solid waste vehicle or recycling vehicle~~ may be equipped with a single amber ~~gaseous discharge~~ warning lamp that meets the most current Society of Automotive Engineers standard ~~J-1318~~ for authorized maintenance and service vehicles, Class 2. The lamp may be operated only when the collection vehicle is in the process of collecting solid waste or recycling and is either:

- (1) stopped at an establishment where solid waste or recycling is to be collected; or
- (2) traveling at a speed that is at least ten miles per hour below the posted speed limit and moving between establishments where solid waste or recycling is to be collected.

Sec. 65. Minnesota Statutes 2018, section 169.71, subdivision 4, is amended to read:

Subd. 4. **Glazing material; prohibitions and exceptions.** ~~(a) No~~ A person ~~shall~~ must not drive or operate any motor vehicle required to be registered in the state of Minnesota upon any street or highway under the following conditions:

- (1) when the windshield is composed of, covered by, or treated with any material which has the effect of making the windshield more reflective or in any other way reducing light transmittance through the windshield;
- (2) when any window on the vehicle is composed of, covered by, or treated with any material that has a highly reflective or mirrored appearance;
- (3) when any side window or rear window is composed of or treated with any material so as to obstruct or substantially reduce the driver's clear view through the window or has a light transmittance of less than 50 percent plus or minus three percent in the visible light range or a luminous reflectance of more than 20 percent plus or minus three percent; or
- (4) when any material has been applied after August 1, 1985, to any motor vehicle window without an accompanying permanent marking which indicates the percent of transmittance and the percent of reflectance afforded by the material. The marking must be in a manner so as not to obscure vision and be readable when installed on the vehicle.

Subd. 4a. Glazing material; exceptions. ~~(b) This (a) Subdivision 4 does not apply to glazing materials which that:~~

- (1) have not been modified since the original installation, nor to original replacement windows and windshields, that were originally installed or replaced in ~~conformance~~ conformity with Federal Motor Vehicle Safety Standard 205;
- (2) are required to satisfy prescription or medical needs ~~of the driver of the vehicle or a passenger if, provided:~~

(i) the vehicle's driver or a passenger is in possession of the possesses a prescription or a physician's statement of medical need;

(ii) the prescription or statement specifically states the minimum percentage that light transmittance may be reduced to satisfy the prescription or medical needs of the patient; and

(iii) the prescription or statement contains an expiration date, which must be no more than two years after the date the prescription or statement was issued; or

(3) are applied to:

(i) the rear windows of a pickup truck as defined in section 168.002, subdivision 26;

(ii) the rear windows or the side windows on either side behind the driver's seat of a van as defined in section 168.002, subdivision 40;

(iii) the side and rear windows of a vehicle used to transport human remains by a funeral establishment holding a license under section 149A.50;

(iv) the side and rear windows of a limousine as defined in section 168.002, subdivision 15; or

(v) the rear and side windows of a police vehicle.

(b) For the purposes of paragraph (a), clause (2), a driver of a vehicle may rely on a prescription or physician's statement of medical need issued to a person not present in the vehicle if:

(1) the prescription or physician's statement of medical need is issued to (i) the driver's parent, child, grandparent, grandchild, sibling, or spouse, or (ii) a person for whom the driver is a personal care attendant;

(2) the prescription or physician's statement of medical need specifies the make, model, and license plate of one or two vehicles that will have tinted windows; and

(3) the driver is in possession of the prescription or physician's statement of medical need.

EFFECTIVE DATE. Paragraph (b) is effective November 1, 2019.

Sec. 66. Minnesota Statutes 2018, section 169.81, is amended by adding a subdivision to read:

Subd. 12. Towaway trailer transporter combinations. An unladen power unit may tow two trailers or semitrailers when the combination (1) is not used to carry property, (2) does not exceed 82 feet in length, and (3) has a total gross weight that does not exceed 26,000 pounds. The trailers or semitrailers must consist of inventory property of a manufacturer, distributor, or dealer of the trailers or semitrailers.

Sec. 67. Minnesota Statutes 2018, section 169.864, is amended to read:

169.864 SPECIAL PAPER PRODUCTS VEHICLE PERMITS.

Subdivision 1. **Special three-unit vehicle permit.** The commissioner may issue a permit for a vehicle that transports paper products or iron ore tailings and meets the following requirements:

(1) is a combination of vehicles, including a truck-tractor and a semitrailer drawing one additional semitrailer, which may be equipped with an auxiliary dolly, and no semitrailer used in the three-vehicle combination has an overall length in excess of 28-1/2 feet;

(2) has a maximum gross vehicle weight of 108,000 pounds;

(3) complies with the axle weight limits in section 169.824;

(4) complies with the tire weight limits in section 169.823 or the tire manufacturers' recommended load, whichever is less;

(5) is operated only in this state on Trunk Highway marked 2 between Grand Rapids and the port of Duluth; on Trunk Highway marked 169 between Grand Rapids and its junction with Trunk Highway marked 53; on Trunk Highway marked 194 between Trunk Highway marked 2 and Trunk Highway marked 53; and on Trunk Highway marked 53 ~~between Virginia and the port of Duluth~~; and

(6) the seasonal weight increases authorized under section 169.826, subdivision 1, do not apply.

Subd. 2. **Special two-unit vehicle permit.** The commissioner may issue a permit for a vehicle that transports paper products or iron ore tailings and meets the following requirements:

(1) is a combination of vehicles consisting of a truck-tractor and a single semitrailer that may exceed 48 feet, but not 53 feet, if the distance from the kingpin to the centerline of the rear axle group of the semitrailer does not exceed 43 feet;

(2) has a maximum gross vehicle weight of 90,000 pounds if the vehicle combination has a total of six or more axles or 97,000 pounds if the vehicle combination has a total of seven or more axles;

(3) has a maximum gross vehicle weight of 99,000 pounds during the time when seasonal weight increases authorized under section 169.826, subdivision 1, are in effect;

(4) complies with the axle weight limits in section 169.824;

(5) complies with the tire weight limits in section 169.823 or the tire manufacturers' recommended load, whichever is less; and

(6) is operated only on the highways specified in subdivision 1, clause (5).

Subd. 2a. **Special tire-hauling permit.** (a) The commissioner may issue a permit authorizing a vehicle used exclusively to haul earthmover tires, if the vehicle:

(1) is a combination of vehicles with seven or more axles, consisting of a truck with loader and trailer, which may be equipped with an auxiliary dolly;

(2) has a maximum gross vehicle weight of 108,000 pounds;

(3) has a maximum width of 144 inches;

(4) does not exceed the axle weight limits in sections 169.823, subdivision 1, clause (2), and 169.824, by more than 22 percent;

(5) complies with the tire weight limits in section 169.823, or the tire manufacturer's recommended load, whichever is less; and

(6) is operated only ~~on the highways specified in subdivision 1, clause (5) in this state~~ on Trunk Highway marked 2 between Grand Rapids and the port of Duluth; on Trunk Highway marked 169 between Grand Rapids and its junction with Trunk Highway marked 53; on Trunk Highway marked 194 between Trunk Highway marked 2 and Trunk Highway marked 53; and on Trunk Highway marked 53 between Virginia and the port of Duluth.

(b) The seasonal weight increases authorized under section 169.826, subdivision 1, do not apply to permits issued under this subdivision.

Subd. 3. **Restrictions.** Vehicles issued permits under subdivisions 1, 2, and 2a, must comply with the following restrictions:

(1) the vehicle must be operated in compliance with seasonal load restrictions under section 169.87;

(2) the vehicle may not be operated on the interstate highway system; and

(3) the vehicle may be operated on streets or highways under the control of local authorities only upon the approval of the local authority; however, vehicles may have reasonable access to terminals and facilities for food, fuel, repairs, and rest and for continuity of route within one mile of the national network as provided by section 169.81, subdivision 3, and by Code of Federal Regulations, title 23, section 658.19.

Subd. 4. **Permit fee; appropriation.** Vehicle permits issued under subdivision 1, clause (1), must be annual permits. The fee is \$850 for each vehicle combination and must be deposited in the trunk highway fund. The fee for annual permits issued under subdivision 2 is \$300 for a 90,000-pound vehicle combination or \$500 for a 97,000-pound vehicle combination. The fee for annual permits issued under subdivision 2a is \$850. An amount sufficient to administer the permit program is appropriated from the trunk highway fund to the commissioner for the costs of administering the permit program.

Sec. 68. Minnesota Statutes 2018, section 169.865, subdivision 1, is amended to read:

Subdivision 1. **Six-axle vehicles.** (a) A road authority may issue an annual permit authorizing a vehicle or combination of vehicles with a total of six or more axles to haul ~~raw or unprocessed~~ qualifying agricultural products and be operated with a gross vehicle weight of up to:

(1) 90,000 pounds; and

(2) 99,000 pounds during the period set by the commissioner under section 169.826, subdivision 1.

(b) Notwithstanding subdivision 3, paragraph (a), clause (4), a vehicle or combination of vehicles operated under this subdivision and transporting only sealed intermodal containers may be operated on an interstate highway if allowed by the United States Department of Transportation.

(c) The fee for a permit issued under this subdivision is \$300, or a proportional amount as provided in section 169.86, subdivision 5.

Sec. 69. Minnesota Statutes 2018, section 169.865, is amended by adding a subdivision to read:

Subd. 1a. **Definition.** For purposes of this section, "qualifying agricultural products" means:

(1) agricultural crops, including but not limited to corn, soybeans, oats, grain, and by-products of agricultural crops;

(2) livestock, including but not limited to cattle, hogs, and poultry;

(3) food crops, including but not limited to sugar beets, potatoes, carrots, and onions;

(4) fluid milk; and

(5) seed and material used for or in livestock and poultry feed.

Sec. 70. Minnesota Statutes 2018, section 169.865, subdivision 2, is amended to read:

Subd. 2. **Seven-axle vehicles.** (a) A road authority may issue an annual permit authorizing a vehicle or combination of vehicles with a total of seven or more axles to haul ~~raw or unprocessed~~ qualifying agricultural products and be operated with a gross weight of up to:

(1) 97,000 pounds; and

(2) 99,000 pounds during the period set by the commissioner under section 169.826, subdivision 1.

(b) Drivers of vehicles operating under this subdivision must comply with driver qualification requirements adopted under section 221.0314, subdivisions 2 to 5, and Code of Federal Regulations, title 49, parts 40 and 382, unless exempt under section 221.031, subdivision 2c.

(c) The fee for a permit issued under this subdivision is \$500, or a proportional amount as provided in section 169.86, subdivision 5.

Sec. 71. **[169.881] VEHICLE PLATOONS.**

Subdivision 1. **Vehicle platoon plan.** A person may use a platooning system on trunk highway freeways and expressways, as the terms are defined in section 160.02, subdivisions 18b and 19, if a plan has been approved by the commissioner of transportation. The commissioner of transportation must consult with the commissioner of public safety prior to approving the plan.

Subd. 2. **Required information.** The plan must include but is not limited to the following information submitted in the manner prescribed by the commissioner of transportation:

(1) total length of the vehicle platoon;

(2) the configuration of the vehicle platoon, including spacing between vehicles;

(3) proposed route and section of freeway or expressway;

(4) proposed time frames the vehicle platoon will be operating;

(5) certification that each human driver in the vehicle platoon has a valid driver's license for the type or class of vehicle being driven;

(6) certification that the vehicle height, width, and load limits conform to this chapter; and

(7) vehicle identification information.

Subd. 3. **Authority to approve plan.** (a) The commissioner of transportation may grant or deny a vehicle platoon plan. The approved plan may include conditions and restrictions to ensure public safety, minimize congestion, or prevent undue damage to roads or structures.

(b) Notice of the reasons for denying a plan must be provided in writing.

(c) Failure to approve a plan within 60 days does not constitute an approval of the plan.

Subd. 4. **Restrictions.** Vehicle platoons must meet the following restrictions:

(1) each vehicle in the vehicle platoon must have a platooning system installed;

(2) while platooning, each vehicle must have the platooning system engaged;

(3) each vehicle in the vehicle platoon must have a human driver present and in the driver seat who is monitoring performance of the vehicle at all times and who holds a valid driver's license for the type or class of vehicle being driven;

(4) each vehicle in the vehicle platoon must meet the vehicle height, width, and weight limits under this chapter; and

(5) each vehicle in the platoon must be covered by minimum liability insurance.

Subd. 5. **Operations.** Notwithstanding any other law to the contrary, a vehicle platoon must allow reasonable access for the movement of other motor vehicles to change lanes and enter or exit the roadway. A paper or electronic copy of the approved plan must be kept in each vehicle of the vehicle platoon.

Sec. 72. Minnesota Statutes 2018, section 169.92, subdivision 4, is amended to read:

Subd. 4. **Suspension of driver's license.** (a) Upon receiving a report from the court, or from the driver licensing authority of a state, district, territory, or possession of the United States or a province of a foreign country which has an agreement in effect with this state pursuant to section 169.91, that a resident of this state or a person licensed as a driver in this state did not appear in court in compliance with the terms of a citation, the commissioner of public safety shall notify the driver that the driver's license will be suspended unless the commissioner receives notice within 30 days that the driver has appeared in the appropriate court ~~or, if the offense is a petty misdemeanor for which a guilty plea was entered under section 609.491, that the person has paid any fine imposed by the court.~~ If the commissioner does not receive notice of the appearance in the appropriate court or payment of the fine within 30 days of the date of the commissioner's notice to the driver, the commissioner may suspend the driver's license, subject to the notice requirements of section 171.18, subdivision 2. Notwithstanding the requirements in this section, the commissioner is prohibited from suspending the driver's license of a person based solely on the fact that the person did not appear in court (1) in compliance with the terms of a citation for a petty misdemeanor, or (2) for a violation of section 171.24, subdivision 1.

(b) The order of suspension shall indicate the reason for the order and shall notify the driver that the driver's license ~~shall remain~~ remains suspended until the driver has furnished evidence, satisfactory to the commissioner, of compliance with any order entered by the court.

(c) Suspension shall be ordered under this subdivision only when the report clearly identifies the person arrested; describes the violation, specifying the section of the traffic law, ordinance or rule violated; indicates the location and date of the offense; and describes the vehicle involved and its registration number.

Sec. 73. Minnesota Statutes 2018, section 171.01, is amended by adding a subdivision to read:

Subd. 48c. **Third-party tester.** "Third-party tester" means an individual who is an employee of a third-party testing program who has qualified for a third-party tester certificate issued by the commissioner granting the individual authorization to conduct road tests or skills tests.

Sec. 74. Minnesota Statutes 2018, section 171.01, is amended by adding a subdivision to read:

Subd. 48d. **Third-party testing program.** "Third-party testing program" means a program authorized by the commissioner to administer to an individual the road test or skills test.

Sec. 75. Minnesota Statutes 2018, section 171.06, subdivision 3, is amended to read:

Subd. 3. **Contents of application; other information.** (a) An application must:

(1) state the full name, date of birth, sex, and either (i) the residence address of the applicant, or (ii) designated address under section 5B.05;

(2) as may be required by the commissioner, contain a description of the applicant and any other facts pertaining to the applicant, the applicant's driving privileges, and the applicant's ability to operate a motor vehicle with safety;

(3) state:

(i) the applicant's Social Security number; or

(ii) if the applicant does not have a Social Security number and is applying for a Minnesota identification card, instruction permit, or class D provisional or driver's license, that the applicant certifies that the applicant is not eligible for a Social Security number;

(4) contain a notification to the applicant of the availability of a living will/health care directive designation on the license under section 171.07, subdivision 7; and

(5) ~~contain spaces where~~ include a method for the applicant may to:

(i) request a veteran designation on the license under section 171.07, subdivision 15, and the driving record under section 171.12, subdivision 5a;

(ii) indicate a desire to make an anatomical gift under paragraph (d); ~~and~~

(iii) as applicable, designate document retention as provided under section 171.12, subdivision 3c; ~~and~~

(iv) indicate emergency contacts as provided under section 171.12, subdivision 5b.

(b) Applications must be accompanied by satisfactory evidence demonstrating:

(1) identity, date of birth, and any legal name change if applicable; and

(2) for driver's licenses and Minnesota identification cards that meet all requirements of the REAL ID Act:

(i) principal residence address in Minnesota, including application for a change of address, unless the applicant provides a designated address under section 5B.05;

- (ii) Social Security number, or related documentation as applicable; and
- (iii) lawful status, as defined in Code of Federal Regulations, title 6, section 37.3.
- (c) An application for an enhanced driver's license or enhanced identification card must be accompanied by:
 - (1) satisfactory evidence demonstrating the applicant's full legal name and United States citizenship; and
 - (2) a photographic identity document.

EFFECTIVE DATE. This section is effective July 1, 2020.

Sec. 76. Minnesota Statutes 2018, section 171.07, is amended by adding a subdivision to read:

Subd. 6a. **Autism spectrum or mental health identifier.** Upon the written request of the applicant, the department shall issue a driver's license or Minnesota identification card bearing a graphic or written identifier for an autism spectrum disorder, as defined in section 62A.3094, subdivision 1, paragraph (b), or mental health condition. The applicant must submit the written request for the identifier at the time the photograph or electronically produced image is taken. The commissioner must not include any specific medical information on the driver's license or Minnesota identification card.

EFFECTIVE DATE. This section is effective July 1, 2020.

Sec. 77. Minnesota Statutes 2018, section 171.12, is amended by adding a subdivision to read:

Subd. 5b. **Emergency contacts.** (a) Upon a request by an applicant for a driver's license, instruction permit, or Minnesota identification card under section 171.06, subdivision 3, the commissioner must maintain electronic records of names and contact information for up to three emergency contacts for the applicant.

(b) A person who has provided emergency contact information under this subdivision may change, add, or delete the information at any point. Notwithstanding sections 171.06, subdivision 2, and 171.061, the commissioner or a driver's license agent must not charge a fee for a transaction described in this paragraph.

(c) Emergency contact data are classified as private data on individuals, as defined in section 13.02, subdivision 12, except that the commissioner may share emergency contact information with law enforcement agencies to notify the emergency contacts regarding an emergency.

EFFECTIVE DATE. This section is effective July 1, 2020, or upon completion of the necessary programming changes to the driver and vehicle services information system, whichever is earlier.

Sec. 78. Minnesota Statutes 2018, section 171.16, subdivision 2, is amended to read:

Subd. 2. **Commissioner shall suspend.** (a) The court may recommend the suspension of the driver's license of the person so convicted, and the commissioner shall suspend such license as recommended by the court, without a hearing as provided herein.

(b) The commissioner is prohibited from suspending a person's driver's license if the person was convicted only under section 171.24, subdivision 1 or 2.

Sec. 79. Minnesota Statutes 2018, section 171.16, subdivision 3, is amended to read:

Subd. 3. **Suspension for Failure to pay fine.** ~~When any court reports to~~ The commissioner must not suspend a person's driver's license based solely on the fact that a person: (1) has been convicted of violating a law of this state or an ordinance of a political subdivision which regulates the operation or parking of motor vehicles, (2) has been sentenced to the payment of a fine or had a surcharge levied against that person, or sentenced to a fine upon which a surcharge was levied, and (3) has refused or failed to comply with that sentence or to pay the surcharge; ~~notwithstanding the fact that the court has determined that the person has the ability to pay the fine or surcharge, the commissioner shall suspend the driver's license of such person for 30 days for a refusal or failure to pay or until notified by the court that the fine or surcharge, or both if a fine and surcharge were not paid, has been paid.~~

Sec. 80. Minnesota Statutes 2018, section 171.18, subdivision 1, is amended to read:

Subdivision 1. **Offenses.** (a) The commissioner may suspend the license of a driver without preliminary hearing upon a showing by department records or other sufficient evidence that the licensee:

- (1) has committed an offense for which mandatory revocation of license is required upon conviction;
- (2) has been convicted by a court for violating a provision of chapter 169 or an ordinance regulating traffic, other than a conviction for a petty misdemeanor, and department records show that the violation contributed in causing an accident resulting in the death or personal injury of another, or serious property damage;
- (3) is an habitually reckless or negligent driver of a motor vehicle;
- (4) is an habitual violator of the traffic laws;
- (5) is incompetent to drive a motor vehicle as determined in a judicial proceeding;
- (6) has permitted an unlawful or fraudulent use of the license;
- (7) has committed an offense in another state that, if committed in this state, would be grounds for suspension;
- (8) has committed a violation of section 169.444, subdivision 2, paragraph (a), within five years of a prior conviction under that section;
- (9) has committed a violation of section 171.22, except that the commissioner may not suspend a person's driver's license based solely on the fact that the person possessed a fictitious or fraudulently altered Minnesota identification card;
- (10) has failed to appear in court as provided in section 169.92, subdivision 4;
- (11) has failed to report a medical condition that, if reported, would have resulted in cancellation of driving privileges;
- (12) has been found to have committed an offense under section 169A.33; or
- (13) has paid or attempted to pay a fee required under this chapter for a license or permit by means of a dishonored check issued to the state or a driver's license agent, which must be continued until the registrar determines or is informed by the agent that the dishonored check has been paid in full.

However, an action taken by the commissioner under clause (2) or (5) must conform to the recommendation of the court when made in connection with the prosecution of the licensee.

(b) The commissioner ~~may not suspend~~ is prohibited from suspending the driver's license of an individual under paragraph (a) who was convicted of a violation of section 171.24, subdivision 1, ~~whose license was under suspension at the time solely because of the individual's failure to appear in court or failure to pay a fine or~~ 2.

Sec. 81. **[171.3213] THIRD-PARTY TESTING OF SCHOOL BUS DRIVERS.**

A school district that is a third-party testing program and owns or operates school buses may enter into an agreement with other school districts to test the other districts' school bus driver employees. A school bus company that is a third-party testing program and owns or operates school buses may enter into an agreement with other school bus companies to test the other companies' school bus driver employees. A third-party testing program may be reimbursed by the tested driver's school district or company. The agreement must be submitted to the commissioner for approval. A certified third-party tester must be employed by a school district or a school bus company providing the testing services.

Sec. 82. **[171.325] DRIVER'S LICENSE SUSPENSIONS AND REVOCATIONS; REPORTS.**

Subdivision 1. **Issuance, suspensions, and revocations.** (a) Annually by February 15, the commissioner of public safety must report to the chairs and ranking minority members of the house of representatives and senate committees with jurisdiction over public safety and transportation on the status of driver's licenses issued, suspended, and revoked. The commissioner must make the report available on the department's website.

(b) At a minimum, the report must include:

(1) the total number of driver's licenses issued, suspended, and revoked as of January 1 the year the report is submitted, broken down by county;

(2) for each of the previous eight calendar years, the total number of driver's licenses suspended and the number of suspended licenses reinstated; and

(3) for each of the previous eight calendar years, the total number of driver's licenses revoked and the number of revoked licenses reinstated.

(c) For purposes of paragraph (b), clauses (1), (2), and (3), the report must identify each type of suspension or revocation authorized by statute or rule and include the number of licenses suspended or revoked for each type.

Subd. 2. **Charges, convictions, and fines.** (a) Annually by February 15, the state court administrator must report to the chairs and ranking minority members of the house of representatives and senate committees with jurisdiction over public safety and transportation on (1) charges and convictions for driving after suspension or revocation, and (2) payment of fines for violations related to operation of a motor vehicle. The administrator must make the report available on the state court's website.

(b) At a minimum, the report must include:

(1) for each of the previous eight calendar years, the number of charges under section 171.24, subdivisions 1 and 2, broken down by the charges for each subdivision and indicating whether the court appointed the public defender to represent the defendant;

(2) for each of the previous eight calendar years, the number of convictions under section 171.24, subdivisions 1 and 2, broken down by the convictions for each subdivision and indicating whether the court appointed the public defender to represent the defendant; and

(3) for the past calendar year, for all charges on violations related to the operation of a motor vehicle and included on the uniform fine schedule authorized under section 609.101, subdivision 4, the percentage of fines, broken down by whether the court appointed the public defender to represent the defendant, which:

(i) were paid in full by the due date on the citation;

(ii) were paid in full through a payment plan;

(iii) accrued late charges;

(iv) were sent to court collections; and

(v) were sent to the Department of Revenue for collection.

Sec. 83. Minnesota Statutes 2018, section 174.03, is amended by adding a subdivision to read:

Subd. 2a. **State transportation improvement program.** (a) The commissioner must establish a statewide prioritization process for selecting transportation projects. The process must be used for the development of the four-year state transportation improvement program and must consider, at a minimum, highway, transit, rail, roadway, technology operational improvements, and transportation demand management strategies.

(b) The prioritization process must be based on an objective and quantifiable analysis that considers, at a minimum, the following factors relative to the cost of the project or strategy: congestion mitigation; economic development; accessibility; safety; and environmental quality.

(c) The commissioner must assign a weight to each of the factors used in paragraph (b) for each of the department's districts. The commissioner may assign different weights to the factors within each district, based on the unique needs and qualities of the district.

(d) The commissioner must solicit input from local governments, metropolitan planning organizations, transit authorities, transportation authorities, and other stakeholders in its development of the prioritization process pursuant to this section. In developing the weighting of factors pursuant to paragraph (c) for the metropolitan area, as defined in section 473.121, subdivision 2, the commissioner must consider input provided by the Metropolitan Council.

Sec. 84. Minnesota Statutes 2018, section 174.03, is amended by adding a subdivision to read:

Subd. 12. **Asset management.** The commissioner must maintain an inventory of transportation assets, including but not limited to bridge, pavement, geotechnical, pedestrian, bicycle, and transit asset categories.

EFFECTIVE DATE. This section is effective July 1, 2019. The initial inventory under this section must be completed by December 15, 2021.

Sec. 85. Minnesota Statutes 2018, section 174.24, subdivision 2, is amended to read:

Subd. 2. **Eligibility; application.** Any legislatively established public transit commission or authority, any county or statutory or home rule charter city providing financial assistance to or operating public transit, any private operator of public transit, any tribal government, or any combination thereof is eligible to receive financial assistance through the public transit participation program. Except as provided in subdivision 2b for assistance provided from federal funds, eligible recipients must be located outside of the metropolitan area.

Sec. 86. Minnesota Statutes 2018, section 174.37, is amended to read:

174.37 ADVISORY COMMITTEE ON ~~NONMOTORIZED~~ ACTIVE TRANSPORTATION.

Subdivision 1. **Purpose.** (a) The commissioner of transportation shall establish an advisory committee on ~~nonmotorized active~~ transportation. The committee shall make recommendations to the commissioner on items related to:

(1) active transportation and nonmotorized transportation, including safety, education, and development programs;

(2) the active transportation program under section 174.38; and

(3) the safe routes to school program under section 174.40.

(b) The committee shall review and analyze issues and needs relating to ~~operating nonmotorized active~~ transportation on public rights-of-way, and identify solutions and goals for addressing identified issues and needs.

(~~b~~) (c) For purposes of this section, "~~nonmotorized active~~ transportation" includes bicycling, pedestrian activities, and other forms of nonmotorized transportation.

Subd. 2. **Members.** (a) The advisory committee must consist of the following members:

(~~a~~) (b) The commissioner of transportation shall appoint up to 18 public members, as follows: one member from each of the department's seven greater Minnesota districts; four members from the department's metropolitan district; and no more than seven members at large. Each of the members at large must represent nonmotorized interests or organizations.

(~~b~~) (c) The commissioners of each of the following state agencies shall appoint an employee of the agency to serve as a member: administration, education, health, natural resources, public safety, transportation, and pollution control. The chair of the Metropolitan Council shall appoint an employee of the council to serve as a member. The director of Explore Minnesota Tourism shall appoint an employee of the agency to serve as a member. The division administrator of the Federal Highway Administration may appoint an employee of the agency to serve as a member.

(~~c~~) (d) Members of the committee shall serve four-year terms.

Subd. 3. **Meetings.** ~~The commissioner of transportation's designee shall convene the first meeting by January 15, 2009.~~ The committee shall elect a chair from its membership, and shall establish a meeting schedule and meet at least annually.

Subd. 4. **Reports.** The committee shall issue an annual report to the commissioner of transportation.

Subd. 5. **Expenses.** Members of the advisory committee serve without compensation, but members who are not employees of government agencies must be reimbursed for expenses in the same manner and amount as authorized by the commissioner's plan adopted under section 43A.18, subdivision 2. The commissioner of transportation shall provide department staff support to the committee.

Subd. 6. **Expiration.** The committee expires June 30, ~~2018~~ 2023.

EFFECTIVE DATE. This section is effective the day following final enactment. The commissioner of transportation must convene the next meeting by October 15, 2019.

Sec. 87. **[174.46] AUTOMATED VEHICLE TESTING.**

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

(b) "Automated driving system" has the meaning given in section 169.011, subdivision 3b.

(c) "Commissioner" means the commissioner of transportation.

(d) "Federal motor vehicle safety standards automated vehicle exemption" has the meaning given in section 169.011, subdivision 29a.

(e) "Highly automated vehicle" has the meaning given in section 169.011, subdivision 34a.

(f) "Minimal risk condition" has the meaning given in section 169.011, subdivision 40b.

(g) "Operator" has the meaning given in section 169.011, subdivision 40c.

Subd. 2. **Permit required.** A permit issued by the commissioner is required to engage an automated driving system on a highly automated vehicle on the public roads of this state. The permit may include conditions and restrictions to ensure safety, minimize congestion, and address other transportation needs.

Subd. 3. **License and vehicle registration requirements.** (a) A license to lawfully operate a motor vehicle is not required if the highly automated vehicle does not have the ability to be operated by a human.

(b) Commercial vehicles, as defined in section 169.011, subdivision 16, must have a human operator present in the highly automated vehicle able to immediately assume control of the vehicle.

(c) The highly automated vehicle must be registered in accordance with state law or lawfully registered outside of this state.

Subd. 4. **Permit to test.** (a) The commissioner may grant or deny a permit application for the testing of a highly automated vehicle. To obtain a permit for the testing of a highly automated vehicle a person must submit an application on a form prescribed by the commissioner. An application must include:

(1) dates and locations of the proposed test;

(2) certification that the highly automated vehicle meets federal safety standards, has received a federal motor vehicle safety standards automated vehicle exemption, or is otherwise in compliance with federal safety regulations;

(3) a description of safety procedures to be used during testing;

(4) certification that operators meet the license requirements of subdivision 3;

(5) identification of the owner on the proof of insurance of the highly automated vehicle to determine liability;

(6) proof that the highly automated vehicle is lawfully registered;

(7) a description of previous testing experience and results of previous tests, including causes of crashes with the automated driving system engaged;

(8) whether or not a human safety operator will be present in the vehicle during testing of the highly automated vehicle;

(9) whether an exemption from any state law is being requested;

(10) proof of valid and sufficient insurance, surety bond, or self-insurance in an amount specified by the commissioner; and

(11) any additional information deemed necessary by the commissioner.

(b) The commissioner may require the highly automated vehicle to be tested at a closed facility before the vehicle is allowed to operate on public roadways.

(c) The commissioner must obtain approval from the commissioner of public safety before granting a permit.

(d) The commissioner must notify and coordinate with local and tribal governments if the proposed testing route is located on local or tribal roads. A local road authority may require a permit for testing if a permit would be otherwise required for a vehicle other than a highly automated vehicle.

(e) If there are any material changes to the information provided in the permit application, the applicant must immediately report the changes to the commissioner.

(f) The commissioner may deny an application. Notice of the reasons for denying an application must be provided in writing. Failure to approve a permit application within 60 days does not constitute an approval of the application.

(g) Permits with a testing route that includes railroad crossings may be approved where grade separated railroad crossings are available. When grade separated crossings are not available, a highly automated vehicle must be capable of interacting properly with at-grade railroad crossing signalization and operations. Prior to granting a permit with a testing route that includes an at-grade railroad crossing, the commissioner must consult with the railroad companies operating the railroad and include necessary restrictions within the permit.

Subd. 5. **Restrictions.** A highly automated vehicle may be tested with the automated driving system engaged with or without a human driver being present in the vehicle if:

(1) the owner or operator has been granted a permit under this section;

(2) the vehicle has the capability to meet the applicable requirements of traffic and motor vehicle safety laws and regulations of this state unless an exemption, as requested in subdivision 4, has been granted by the commissioner of public safety for the limited purpose of testing highly automated vehicles under this section;

(3) the vehicle is capable of achieving a minimal risk condition if the operator does not or is unable to take control of the vehicle; and

(4) the operator continuously monitors the vehicle's performance while it is being operated and, if necessary, immediately takes control of the vehicle's movements.

Subd. 6. **Collision reporting and data.** (a) In the event of a collision with the automated driving system engaged, the operator or owner of a highly automated vehicle must promptly contact law enforcement to report the accident, and the highly automated vehicle and its operator must remain at the scene of the accident as otherwise required by law. If the highly automated vehicle is being operated remotely, the operator must make reasonable efforts to establish and maintain communication with law enforcement. The operator or owner must comply with collision reporting requirements as otherwise required by law.

(b) In the event of a collision involving a highly automated vehicle, the operator must submit information to the commissioners of transportation and public safety on whether the automated driving system was engaged at the time of the collision and what specific component of the automated driving system failed at the time of the collision, if known.

Subd. 7. **Public safety.** (a) A person may not engage the automated driving system of a highly automated vehicle without a permit in accordance with this section.

(b) The commissioners of public safety or transportation may immediately prohibit testing of a highly automated vehicle if it poses a risk to public safety or fails to comply with the conditions of the approved permit.

Subd. 8. **Reporting.** (a) The tester must meet with the commissioner and the Minnesota Council on Disability to discuss lessons learned and best practices.

(b) No later than October 31 each year until 2024, the commissioner must submit a report to the chairs, ranking minority members, and staff of the legislative committees with jurisdiction over transportation on highly automated vehicle testing. The report must include the number of highly automated vehicles on the road, testing locations, whether the highly automated vehicles were on public roads, and whether any collisions occurred.

Subd. 9. **Uniform laws.** (a) Unless otherwise provided in this section, highly automated vehicles, automated driving systems, and any commercial use or operation of highly automated vehicles is governed by this section, notwithstanding any other provision of law or rule to the contrary. No rules, laws, ordinances, or regulations relative to the operation of highly automated vehicles or automated driving systems shall be adopted which limit the authority to operate such vehicles or systems conferred by this section or which conflict with this section.

(b) This section does not limit a local unit of government's authority to enforce:

(1) local parking; and

(2) land use and traffic ordinances, if a local unit of government's ordinance would otherwise apply to a vehicle other than a highly automated vehicle.

Sec. 88. Minnesota Statutes 2018, section 174.57, is amended to read:

174.57 SNOW AND ICE CONTROL; APPROPRIATION.

(a) In a fiscal year in which the commissioner expends more than ~~44~~ 100 percent of the established ~~biennial~~ annual expenditure level for snow and ice management, the commissioner may use an additional amount for this purpose that does not exceed 50 percent of the unappropriated balance in the trunk highway fund. The amount identified by the commissioner under this paragraph is appropriated from the trunk highway fund to the commissioner for snow and ice management purposes.

(b) Upon using the appropriation authority in this section, the commissioner must notify the commissioner of management and budget and the chairs, ranking minority members, and staff of the house of representatives and senate committees having jurisdiction over transportation finance. The notification must at a minimum identify the established ~~biennial~~ expenditure level for snow and ice management and the amount appropriated under this section.

(c) In each budget submission to the legislature under section 16A.11, the commissioner must include:

(1) the proposed ~~biennial~~ annual expenditure level for snow and ice management for the next budget biennium; and

(2) the total annual amount expended or estimated to be expended under the appropriation in this section for the budget biennium that is ending.

Sec. 89. Minnesota Statutes 2018, section 219.015, subdivision 1, is amended to read:

Subdivision 1. **Positions Program established; inspector powers and duties.** (a) The commissioner of transportation ~~shall~~ must establish ~~three~~ a state rail safety inspector positions in the Office of Freight and Commercial Vehicle Operations of the Minnesota Department of Transportation. ~~On or after July 1, 2015, the commissioner may establish a fourth state rail safety inspector position following consultation with railroad companies~~ inspection program consisting of up to six positions, which may include state rail safety inspectors and a program supervisor. The commissioner shall apply to and enter into agreements with the Federal Railroad Administration (FRA) of the United States Department of Transportation to participate in the federal State Rail Safety Participation Program ~~for training and certification of an inspector~~ to train and certify inspectors under authority of United States Code, title 49, sections 20103, 20105, 20106, and 20113, and Code of Federal Regulations, title 49, part 212.

(b) A state rail safety inspector ~~shall~~ must perform one or more of the following:

- (1) inspect mainline track, secondary track, and yard and industry track;
- (2) inspect railroad right-of-way, including adjacent or intersecting drainage, culverts, bridges, overhead structures, and traffic and other public crossings;
- (3) inspect yards and physical plants;
- (4) inspect train equipment;
- (5) inspect railroad operations;
- (6) review and enforce safety requirements;
- (7) review maintenance and repair records; and
- (8) review railroad security measures.

(c) A state rail safety inspector may perform, but is not limited to, the duties described in the federal State Rail Safety Participation Program. An inspector may train, be certified, and participate in any of the federal State Rail Safety Participation Program disciplines, including: track, signal and train control, motive power and equipment, operating practices compliance, hazardous materials, and highway-rail grade crossings.

(d) To the extent delegated by the Federal Railroad Administration and authorized by the commissioner, an inspector may issue citations for violations of this chapter, or to ensure railroad employee and public safety and welfare.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 90. Minnesota Statutes 2018, section 219.015, is amended by adding a subdivision to read:

Subd. 1a. **Inspection program requirements.** (a) State rail safety inspectors must enforce state railroad safety provisions under chapters 218 and 219 after conducting an investigation using the procedures established by the commissioner under paragraph (c). State railroad safety provisions in this chapter include railroad main line, auxiliary, yard, or industry track; track support structure; drainage; temporary or permanent clearance conditions; track obstructions; walkways; lighting; and railroad and industry yard conditions generally.

(b) The state rail safety inspection program must supply state inspectors with measurement tools required to properly inspect and analyze state railroad safety provisions under this chapter.

(c) The commissioner must establish a standardized process to receive and investigate complaints of noncompliance of state rail safety provisions in this chapter. Urgent or emergency reports of unsafe conditions must be reported by an established means for expedited communication as determined by the commissioner.

(d) Substantiated reports of noncompliance of state rail safety regulations must be promptly conveyed by the commissioner or the commissioner's designee to the respective rail carrier.

(e) Reports of noncompliance submitted in this manner must be investigated and enforced by the commissioner using the powers established under section 218.041 or other appropriate powers. The commissioner must notify the rail carrier of an investigation of a reported noncompliant statutory or regulatory condition on the carrier's property. Investigative conclusions or actions taken to rectify the noncompliant safety conditions may be provided to the reporting party or designated safety representative in the manner established by the commissioner.

(f) Nothing in this section prohibits or limits any other rights and remedies available under an application for enforcement under section 218.041.

Sec. 91. Minnesota Statutes 2018, section 219.015, subdivision 2, is amended to read:

Subd. 2. **Railroad company assessment; account; appropriation.** (a) As provided in this subdivision, the commissioner shall annually assess railroad companies that are (1) defined as common carriers under section 218.011; (2) classified by federal law or regulation as Class I Railroads, Class I Rail Carriers, Class II Railroads, or Class II Carriers; and (3) operating in this state.

(b) The assessment must be ~~by a division of~~ calculated to allocate state rail safety ~~inspector~~ inspection program costs in equal proportion between proportionally among carriers based on route miles operated in Minnesota, assessed in equal amounts for 365 days of the calendar year at the time of assessment. The commissioner ~~shall assess~~ must include in the assessment calculation all start-up or re-establishment costs, all related costs of initiating the state rail safety ~~inspector~~ inspection program costs, including but not limited to administration, supervision, travel, equipment, training, and ongoing state rail inspector duties.

(c) The assessments collected under this subdivision must be deposited in a ~~special account in the special revenue fund, to be known as the~~ state rail safety inspection account, which is established in the special revenue fund. The account consists of funds provided by this subdivision, and any other money donated, allotted, transferred, or otherwise provided to the account. Money in the account is appropriated to the commissioner for the establishment and ongoing responsibilities of to administer the state rail safety ~~inspector~~ inspection program.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 92. Minnesota Statutes 2018, section 219.1651, is amended to read:

219.1651 GRADE CROSSING SAFETY ACCOUNT.

A Minnesota grade crossing safety account is created in the special revenue fund, consisting of money credited to the account by law. Money in the account is appropriated to the commissioner of transportation for rail-highway grade crossing safety projects on public streets and highways, including engineering costs and other costs associated with administration and delivery of grade crossing safety projects. At the discretion of the commissioner of transportation, money in the account at the end of each biennium may cancel to the trunk highway fund.

Sec. 93. **[219.752] MINIMUM CREW SIZE.**

No Class I or Class II railroad shall operate a railroad train or locomotive in connection with the movement of freight or passengers in Minnesota without a crew composed of a minimum of two individuals. This section does not apply to hostling and helper operations, remote control locomotives in yards, and as otherwise provided by Code of Federal Regulations, title 49, part 218, subpart B. A railroad that violates this section is guilty of a misdemeanor and must pay a fine of at least \$250 for a first-time violation of this section or \$1,000 for each subsequent violation, in addition to any other sanctions authorized by law.

EFFECTIVE DATE. This section is effective August 1, 2019, and applies to crimes committed on or after that date.

Sec. 94. Minnesota Statutes 2018, section 221.031, is amended by adding a subdivision to read:

Subd. 2f. **Hours of service exemptions; utility construction.** (a) The federal regulations incorporated in section 221.0314, subdivision 9, for hours of service do not apply to drivers engaged in intrastate transportation of utility construction materials within a 50-mile radius from the site of a construction or maintenance project.

(b) For purposes of this subdivision, "utility construction materials" includes supplies and materials used in a project to construct or maintain (1) a street or highway; (2) equipment or facilities to furnish electric transmission service; (3) a telecommunications system or cable communications system; (4) a waterworks system, sanitary sewer, or storm sewer; (5) a gas heating service line; (6) a pipeline; and (7) a facility for other similar utility service.

Sec. 95. Minnesota Statutes 2018, section 299A.12, subdivision 1, is amended to read:

Subdivision 1. **General requirements.** Except as provided in subdivision 4, Any vehicle used by an operator to provide transportation service shall ~~must~~ be equipped with wheelchair securement devices ~~which are approved by the commissioner of public safety as meeting that meet~~ the specifications of subdivisions 1 and 2. ~~Only securement devices that meet the requirements of the Americans with Disabilities Act may be used. A wheelchair securement device shall prevent any forward, backward, or lateral movement of an occupied wheelchair when the device is engaged and the vehicle is in motion, accelerating or braking, and shall attach to the frame of the wheelchair without damaging it~~ ~~must~~ be installed and used according to the manufacturer's instructions and Code of Federal Regulations, title 49, section 38.23. Wheelchair securement devices installed in any vehicle ~~shall~~ ~~must~~ be maintained in working order ~~and according to the manufacturer's recommendations.~~

Sec. 96. Minnesota Statutes 2018, section 299A.12, subdivision 2, is amended to read:

Subd. 2. **Strength Design requirements.** The ~~strength design~~ requirements for securing the part of a wheelchair that is forward in the vehicle ~~shall be one half of those required for the rear. Where the wheelchair securement device and the seat belt are combined in a common system, those parts which provide the combined restraining force shall have a combined strength of both according to the strength requirements of each as adopted by the commissioner of public safety~~ ~~securement devices must meet the specifications in Code of Federal Regulations, title 49, section 38.23.~~

Sec. 97. Minnesota Statutes 2018, section 299A.12, subdivision 3, is amended to read:

Subd. 3. **Maximum number of persons transported.** A vehicle used to provide transportation service ~~shall~~ ~~must~~ carry only as many persons seated in wheelchairs as the number of securement devices approved by the commissioner of public safety as meeting the specifications of subdivisions 1 and 2 with which the vehicle is equipped, and each occupied wheelchair ~~shall~~ ~~must~~ be secured by such a securement device before the vehicle is set in motion.

Sec. 98. Minnesota Statutes 2018, section 299A.13, is amended to read:

299A.13 ADDITIONAL SAFETY REQUIREMENTS.

Subdivision 1. **Seat belt.** Any vehicle used to provide transportation service ~~shall~~ must be equipped with seat belts ~~which that~~ are approved by the commissioner of public safety. The seat belts required by this subdivision ~~shall~~ must be adequate to secure the occupant of a wheelchair who is being transported by the vehicle. ~~These~~ The seat belts ~~shall~~ must be used only to secure the person and ~~shall~~ must not be used to secure the wheelchair unless the wheelchair securement force is not cumulative to the seat belt. The seat belts ~~shall~~ must meet all other applicable state and federal requirements for safety.

Subd. 2. **Electric wheelchair.** When transportation service is provided to an individual in an electrically powered wheelchair, the main power switch of the wheelchair ~~shall~~ must be placed in the "off" position at all times while the vehicle is in motion.

Subd. 3. **Mobility aid accessibility.** (a) Vehicles equipped with wheelchair securement devices must provide a level-change mechanism or boarding device such as a lift or ramp that complies with Code of Federal Regulations, title 49, section 38.23.

(b) Wheelchair lifts must comply with the National Highway Traffic Safety Administration's Federal Motor Vehicle Safety Standards for public use lifts as outlined in Code of Federal Regulations, title 49, sections 571.403 and 571.404.

Subd. 4. **Driver's responsibility.** (a) The driver of a vehicle equipped with a wheelchair securement device has the duties outlined in this subdivision.

(b) The driver or a person designated by the driver must ensure that an occupied wheelchair is properly secured before the driver sets the vehicle in motion.

(c) The driver or a person designated by the driver must ensure that the seat belt assembly is properly adjusted and fastened around the wheelchair user in a manner consistent with the manufacturer's recommendations before the driver sets the vehicle in motion when:

- (1) requested by the wheelchair user;
- (2) the wheelchair user is unable to communicate;
- (3) seat belt usage is required of all passengers in the vehicle; or
- (4) the vehicle is a school bus.

The seat belt assembly must not be fastened if the wheelchair user or other responsible person advises the driver that to do so would aggravate a physical condition of the wheelchair user. If a restraint device is available that would not aggravate the physical condition of the user, it must be fastened in the required manner.

(d) The driver or a person designated by the driver shall ensure that securement devices and seat belt assemblies are retracted, removed, or otherwise stored when not in use to prevent tripping of persons and damage to devices.

Sec. 99. Minnesota Statutes 2018, section 299A.14, subdivision 3, is amended to read:

Subd. 3. **Standards.** The inspection shall be made to determine that (1) the vehicle complies with the provisions of sections 299A.12, subdivisions 1 and 4, and 299A.13, subdivision 1; that, and (2) the securement device is and level-change mechanism or boarding device, such as a lift or ramp, are in working order; and that the securement device is not in need of obvious repair. The inspection may include testing the use of a securement device while the vehicle is in motion.

Sec. 100. Minnesota Statutes 2018, section 299D.03, subdivision 5, is amended to read:

Subd. 5. **Traffic fines and forfeited bail money.** (a) All fines and forfeited bail money collected from persons apprehended or arrested by officers of the State Patrol shall be transmitted by the person or officer collecting the fines, forfeited bail money, or installments thereof, on or before the tenth day after the last day of the month in which these moneys were collected, to the commissioner of management and budget. Except where a different disposition is required in this subdivision or section 387.213, or otherwise provided by law, three-eighths of these receipts must be deposited in the state treasury and credited to the state general fund. The other five-eighths of these receipts must be deposited in the state treasury and credited as follows: (1) the first ~~\$1,000,000~~ \$1,750,000 in fiscal year 2020 and \$2,500,000 in each fiscal year thereafter must be credited to the Minnesota grade crossing safety account in the special revenue fund, and (2) remaining receipts must be credited to the state trunk highway fund. If, however, the violation occurs within a municipality and the city attorney prosecutes the offense, and a plea of not guilty is entered, one-third of the receipts shall be deposited in the state treasury and credited to the state general fund, one-third of the receipts shall be paid to the municipality prosecuting the offense, and one-third shall be deposited in the state treasury and credited to the Minnesota grade crossing safety account or the state trunk highway fund as provided in this paragraph. When section 387.213 also is applicable to the fine, section 387.213 shall be applied before this paragraph is applied. All costs of participation in a nationwide police communication system chargeable to the state of Minnesota shall be paid from appropriations for that purpose.

(b) All fines and forfeited bail money from violations of statutes governing the maximum weight of motor vehicles, collected from persons apprehended or arrested by employees of the state of Minnesota, by means of stationary or portable scales operated by these employees, shall be transmitted by the person or officer collecting the fines or forfeited bail money, on or before the tenth day after the last day of the month in which the collections were made, to the commissioner of management and budget. Five-eighths of these receipts shall be deposited in the state treasury and credited to the state highway user tax distribution fund. Three-eighths of these receipts shall be deposited in the state treasury and credited to the state general fund.

Sec. 101. Minnesota Statutes 2018, section 325F.185, is amended to read:

325F.185 ELECTRIC VEHICLE INFRASTRUCTURE.

Any electric vehicle infrastructure installed ~~in this~~ by state departments must without significant upgrading of the electric vehicle infrastructure:

- (1) allow for utilization of the electric vehicle infrastructure by any make, model, or type of electric vehicle;
- (2) be in compliance with section 326B.35 and standards set by the Society of Automotive Engineers; and
- (3) be capable of providing bidirectional charging, once electrical utilities achieve a cost-effective capability to draw electricity from electric vehicles connected to the utility grid.

Sec. 102. Minnesota Statutes 2018, section 360.013, is amended by adding a subdivision to read:

Subd. 62. **Unmanned aircraft.** "Unmanned aircraft" means an aircraft, as defined in subdivision 37, that is operated without the possibility of human intervention from within or on the aircraft.

Sec. 103. Minnesota Statutes 2018, section 360.013, is amended by adding a subdivision to read:

Subd. 63. **Unmanned aircraft system.** "Unmanned aircraft system" means an unmanned aircraft and all of its associated elements, including components and communication links, that are required to control and operate the aircraft.

Sec. 104. Minnesota Statutes 2018, section 360.024, is amended to read:

360.024 AIR TRANSPORTATION SERVICE CHARGE.

Subdivision 1. **Charges.** (a) The commissioner ~~shall~~ **must** charge users of air transportation services provided by the commissioner for ~~direct~~ operating costs, ~~excluding pilot salary and~~ as allowed by federal aviation regulations.

(b) The commissioner may charge users for a portion of aircraft acquisition, replacement, or leasing costs. ~~All receipts for these services shall be deposited in the air transportation services account in the state airports fund and are appropriated to the commissioner to pay these direct air service operating costs.~~

Subd. 2. **Accounts; appropriation.** (a) An air transportation services account is established in the state airports fund. The account consists of collections under subdivision 1, paragraph (a), and any other money donated, allotted, transferred, or otherwise provided to the account. Funds in the account are annually appropriated to the commissioner to pay air service operating costs.

(b) An aircraft capital account is established in the state airports fund. The account consists of collections under subdivision 1, paragraph (b), proceeds from the sale of aircraft under jurisdiction of the department, and any other money donated, allotted, transferred, or otherwise provided to the account. Funds in the account are annually appropriated to the commissioner to pay aircraft acquisition, replacement, or leasing costs.

Sec. 105. **[360.026] UNMANNED AIRCRAFT LOCAL ORDINANCES.**

A political subdivision must (1) allow the commissioner to review a proposed ordinance affecting the operation of an unmanned aircraft, and (2) notify the commissioner whenever the political subdivision adopts an ordinance affecting the operation of unmanned aircraft.

Sec. 106. Minnesota Statutes 2018, section 360.55, is amended by adding a subdivision to read:

Subd. 9. **Unmanned aircraft systems.** (a) Any unmanned aircraft system in which the unmanned aircraft weighs less than 55 pounds at takeoff, including payload and anything affixed to the aircraft, either:

(1) must be registered in the state for an annual fee of \$25; or

(2) is not subject to registration or an annual fee, if the unmanned aircraft system is owned and operated solely for recreational purposes.

(b) An unmanned aircraft system that meets the requirements under paragraph (a) is exempt from aircraft registration tax under sections 360.511 to 360.67.

Sec. 107. Minnesota Statutes 2018, section 360.59, subdivision 10, is amended to read:

Subd. 10. **Certificate of insurance.** (a) Every owner of aircraft in this state when applying for registration, reregistration, or transfer of ownership shall supply any information the commissioner reasonably requires to determine that the aircraft during the period of its contemplated operation is covered by an insurance policy with limits of not less than \$100,000 per passenger seat liability both for passenger bodily injury or death and for property damage; not less than \$100,000 for bodily injury or death to each nonpassenger in any one accident; and not less than \$300,000 per occurrence for bodily injury or death to nonpassengers in any one accident. The insurance must comply with section 60A.081, unless that section is inapplicable under section 60A.081, subdivision 3.

The information supplied to the commissioner must include but is not limited to the name and address of the owner, the period of contemplated use or operation, if any, and, if insurance coverage is then presently required, the name of the insurer, the insurance policy number, the term of the coverage, policy limits, and any other data the commissioner requires. No certificate of registration shall be issued pursuant to subdivision 3 in the absence of the information required by this subdivision.

(b) In the event of cancellation of aircraft insurance by the insurer, the insurer shall notify the Department of Transportation at least ten days prior to the date on which the insurance coverage is to be terminated. Unless proof of a new policy of insurance is filed with the department meeting the requirements of this subdivision during the period of the aircraft's contemplated use or operation, the registration certificate for the aircraft shall be revoked forthwith.

(c) Nothing in this subdivision shall be construed to require an owner of aircraft to maintain passenger seat liability coverage (1) on aircraft for which an experimental certificate has been issued by the administrator of the Federal Aviation Administration pursuant to Code of Federal Regulations, title 14, sections 21.191 to 21.195 and 91.42, whereunder persons operating the aircraft are prohibited from carrying passengers in the aircraft, or (2) for an unmanned aircraft. Whenever the aircraft becomes certificated to carry passengers, passenger seat liability coverage shall be required as provided in this subdivision.

(d) The requirements of this subdivision shall not apply to any aircraft built by the original manufacturer prior to December 31, 1939, and owned and operated solely as a collector's item, if the owner files an affidavit with the commissioner. The affidavit shall state the owner's name and address, the name and address of the person from whom the aircraft was purchased, the make, year, and model number of the aircraft, the federal aircraft registration number, the manufacturer's identification number, and that the aircraft is owned and operated solely as a collector's item and not for general transportation purposes.

(e) An unmanned aircraft system that meets the requirements of section 360.55, subdivision 9, is not required to meet the requirements under paragraphs (a) and (b). An owner of an unmanned aircraft system that must be registered as required under section 360.55, subdivision 9, must at the time of registration provide proof of insurability using an on-demand insurance product in a form acceptable to the commissioner. Additionally, such operators must maintain records and proof that each flight was insured to the limits of paragraph (a).

Sec. 108. Minnesota Statutes 2018, section 360.62, is amended to read:

360.62 TAX REFUND.

Except as provided herein the tax upon any aircraft which has been paid for any year, shall be refunded only for errors made in computing the tax or fees or for the error on the part of an owner who may in error have registered an aircraft that was not before, nor at the time of such registration, nor at any time thereafter during the tax period, subject to such tax in this state; provided that after more than 24 months after such tax was paid no refund shall be made for any tax paid on any aircraft. Refunds as provided by sections 360.511 to 360.67 shall be made in the

manner provided by Laws 1947, chapter 416. The former owner of a transferred aircraft by an assignment in writing endorsed upon the former owner's registration certificate and delivered to the commissioner within the time provided herein may sell and assign to the new owner thereof the right to have the tax paid by the former owner accredited to such new owner who duly registers such aircraft. Any owner whose aircraft ~~shall be~~ is destroyed or permanently removed from the state ~~shall be~~ is entitled to a refund for the unused portion of the tax paid upon the ~~destroyed or removed~~ aircraft so destroyed or removed from the state, such. The refund ~~to~~ must be computed pro rata by the month, and to be equal to the monthly tax rate multiplied by the number of full calendar months remaining in the fiscal year, or multiplied by the number of full calendar months remaining in that period between January 1, 1966, to and including June 30, 1967, whichever period is applicable. An unmanned aircraft system that is destroyed or permanently removed from the state is not entitled to a tax refund under this section.

In order to secure such refund, the aircraft owner shall submit a signed statement that such aircraft has either been sold out of state or destroyed, the date of such sale or destruction, and such other information as the commissioner may require. Any false statement willfully and knowingly made in regard thereto shall be deemed a perjury and punished accordingly. No refund shall be made if application is not made within 12 months after the date the aircraft was sold out of state or destroyed.

Sec. 109. Minnesota Statutes 2018, section 473.386, subdivision 3, is amended to read:

Subd. 3. **Duties of council.** In implementing the special transportation service, the council ~~shall~~ must:

(~~a~~) (1) encourage participation in the service by public, private, and private nonprofit providers of special transportation currently receiving capital or operating assistance from a public agency;

(~~b~~) (2) when feasible and cost-efficient, contract with public, private, and private nonprofit providers that have demonstrated their ability to effectively provide service at a reasonable cost;

(~~c~~) (3) encourage individuals using special transportation to use the type of service most appropriate to their particular needs;

(~~d~~) (4) encourage shared rides to the greatest extent practicable;

(~~e~~) (5) encourage public agencies that provide transportation to eligible individuals as a component of human services and educational programs to coordinate with this service and to allow reimbursement for transportation provided through the service at rates that reflect the public cost of providing that transportation;

(~~f~~) (6) establish criteria to be used in determining individual eligibility for special transportation services;

(~~g~~) (7) consult with the Transportation Accessibility Advisory Committee in a timely manner before changes are made in the provision of special transportation services;

(~~h~~) (8) provide for effective administration and enforcement of council policies and standards; and

(~~i~~) (9) ensure that, taken as a whole including contracts with public, private, and private nonprofit providers, the geographic coverage area of the special transportation service is continuous within the boundaries of the transit taxing district, as defined as of March 1, 2006, in section 473.446, subdivision 2, and any area added to the transit taxing district under section 473.4461 that received capital improvements financed in part under the United States Department of Transportation Urban Partnership Agreement program.

EFFECTIVE DATE; APPLICATION. This section is effective January 1, 2020, and applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

Sec. 110. Minnesota Statutes 2018, section 473.386, is amended by adding a subdivision to read:

Subd. 9. **Data practices.** (a) For purposes of administering this section, and only with the consent of the data subject, the commissioner of human services and the Metropolitan Council may share the following private data on individuals eligible for special transportation services:

(1) name;

(2) date of birth;

(3) residential address; and

(4) program eligibility status with expiration date, to inform the other party of program eligibility.

(b) The commissioner of human services and the Metropolitan Council must provide notice regarding data sharing to each individual applying for or renewing eligibility to use special transportation services. The notice must seek consent to engage in data sharing under paragraph (a), and must state how and for what purposes the individual's private data will be shared between the commissioner of human services and the Metropolitan Council. A consent to engage in data sharing is effective until the individual's eligibility expires, but may be renewed if the individual applies to renew eligibility.

EFFECTIVE DATE; APPLICATION. This section is effective June 1, 2019, and applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington. Within 60 days of this section's effective date, the commissioner of human services and the Metropolitan Council must provide notice regarding data sharing to each individual who is currently receiving special transportation services under Minnesota Statutes, section 473.386. The notice must provide an opportunity to opt out of data sharing under paragraph (a) of this section and must state how and for what purposes the individual's private data will be shared between the commissioner of human services and the Metropolitan Council. An individual who is currently receiving special transportation services on this section's effective date is presumed to have consented to data sharing under paragraph (a) unless, within 60 days of the dissemination of the notice, the individual appropriately informs the commissioner of human services or the Metropolitan Council that the individual opts out of data sharing.

Sec. 111. Minnesota Statutes 2018, section 473.388, subdivision 4a, is amended to read:

Subd. 4a. **Financial assistance; regional allocation.** (a) In addition to the assistance under subdivision 4, paragraph (c), ~~for fiscal years 2018 and 2019~~ the council must annually provide financial assistance through regional allocation to replacement service municipalities. The amount of financial assistance under this paragraph must equal at least 0.35 percent of the total state revenues generated from the taxes imposed under chapter 297B for the current fiscal year.

(b) The council must establish a process to regionally allocate financial assistance under this subdivision. At a minimum, the council must:

(1) adopt and implement a regional allocation policy that specifies funding priorities, identifies decision-making procedures, and establishes criteria to determine the amount allocated to a replacement service municipality; and

(2) ensure transparency and stakeholder input, which must include publishing on the council's website the policy adopted under clause (1), a summary of the regional allocation process, and financial information on the allocations.

(c) The regional allocation policy may specify eligibility requirements based on a replacement service municipality's transit service operating reserves.

(d) The council must provide financial assistance under this subdivision using funds appropriated to the council from the metropolitan area transit account in the transit assistance fund.

EFFECTIVE DATE; APPLICATION. This section is effective the day following final enactment and applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

Sec. 112. Minnesota Statutes 2018, section 473.39, is amended by adding a subdivision to read:

Subd. 1v. Obligations. In addition to other authority in this section, the council may issue certificates of indebtedness, bonds, or other obligations under this section in an amount not exceeding \$92,300,000 for capital expenditures as prescribed in the council's transit capital improvement program and for related costs, including the costs of issuance and sale of the obligations. Of this authorization, after July 1, 2019, the council may issue certificates of indebtedness, bonds, or other obligations in an amount not exceeding \$45,400,000 and after July 1, 2020, the council may issue certificates of indebtedness, bonds, or other obligations in an additional amount not exceeding \$46,900,000.

EFFECTIVE DATE; APPLICATION. This section is effective July 1, 2019, and applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

Sec. 113. Minnesota Statutes 2018, section 473.39, subdivision 6, is amended to read:

Subd. 6. Limitation; light rail transit. The council is prohibited from expending any proceeds from certificates of indebtedness, bonds, or other obligations under ~~this section~~ subdivision 1u for project development, land acquisition, or construction to (1) establish a light rail transit line; or (2) expand a light rail transit line, including by extending a line or adding additional stops.

EFFECTIVE DATE; APPLICATION. This section is effective the day following final enactment and applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

Sec. 114. Minnesota Statutes 2018, section 473.391, is amended by adding a subdivision to read:

Subd. 3. Air quality, emissions, bus deployment. (a) The council must coordinate with the commissioner of the Pollution Control Agency to identify locales in the metropolitan area with poor air quality. The analysis may use modeling based on air quality monitoring data, and must use the highest level of detail available. The council must categorize each bus in its fleet based on estimated or measured air quality impacts from vehicle emissions.

(b) For regular route bus service excluding arterial or highway bus rapid transit, the council must deploy buses with the lowest emissions on routes that serve locales with poor air quality.

(c) Analysis under this subdivision must be revised at least once every three years.

EFFECTIVE DATE; APPLICATION. This section is effective the day following final enactment and applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

Sec. 115. Minnesota Statutes 2018, section 473.4052, subdivision 4, is amended to read:

Subd. 4. Application. The liability limits under subdivision 2 and the insurance requirements under subdivision 3 apply only for that segment of a light rail transit line or line extension in which the project formally entered the engineering phase of the Federal Transit Administration's "New Starts" capital investment grant program between August 1, 2016, and ~~December 31, 2016~~ February 1, 2017.

EFFECTIVE DATE; APPLICATION. This section is effective the day following final enactment and applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

Sec. 116. Minnesota Statutes 2018, section 480.15, is amended by adding a subdivision to read:

Subd. 8a. **Motor vehicle charges and conviction data; report.** The court administrator shall collect, compile, and report the data on (1) charges and convictions for driving after suspension or revocation, and (2) payment of fines for violations related to operation of a motor vehicle, as required under section 171.325.

Sec. 117. Laws 1994, chapter 643, section 15, subdivision 8, is amended to read:

Subd. 8. Trunk Highway Facility Projects	13,016,000
To the commissioner of transportation for the purposes specified in this subdivision. The appropriations in this subdivision are from the trunk highway fund.	
(a) Installation of automatic fire sprinkler systems at maintenance headquarters in Virginia, Owatonna, and Windom	365,000
(b) Repair, replace, or construct chemical and salt storage buildings at 36 department of transportation locations statewide	1,030,000
(c) Construct, furnish, and equip a truck enforcement site and weigh scale in the Albert Lea area to replace the Lakeville site	886,000
(d) Construct, furnish, and equip a truck station and maintenance facility in Hutchinson on a new site to replace the current facility	897,000
(e) Construct, furnish, and equip a new truck station on Maryland Avenue in St. Paul to replace the current facility	5,440,000
(f) Construct an addition to the Detroit Lakes welding shop	355,000
(g) Remodel facilities and construct additions to truck stations in Ely, Montgomery, and Forest Lake	302,000
(h) Purchase, remodel, and expand the Minnesota National Guard truck maintenance facility in Tracy to fit the needs of a department of transportation truck station	359,000
(i) Build an unheated equipment storage building at the Golden Valley headquarters site	435,000
(j) Construct, furnish, and equip a truck station in Wadena on a new site to replace the current facility	527,000
(k) Remodel facility and construct an addition to the Preston truck station	174,000
(l) Construct, furnish, and equip class II safety rest areas in Darwin Winter park, Preston/Fountain vicinity, Pioneer monument, Camp Release historic monument, and Lake Shetek	200,000
(m) Land acquisition for new replacement truck station sites at Illgen City, Rushford, Gaylord, Madelia, Sherburne, and Litchfield	250,000
(n) Design fees to complete construction drawings for projects at Windom, Maplewood, Hastings, central services building, Arden Hills training center, and Albert Lea weigh scale	371,000
(o) Construct pole type storage buildings at department of transportation locations throughout the state	611,000

(p) Remove asbestos from various department of transportation buildings statewide	150,000
(q) Remodel facility and construct an addition to the Carlton truck station	259,000
(r) Remodel facility and construct an addition to the Sauk Centre truck station	255,000
(s) Remodel the old Burlington Northern train depot in Floodwood into a safety information center and rest area and phase out the wayside rest at Trunk Highways 2 and 73	150,000

After completion of the project, the commissioner of transportation shall convey the newly remodeled rest area for no or nominal consideration to the city of Floodwood, ~~which thereafter shall operate and maintain it.~~

(t) The commissioner may use the balance of funds appropriated by Laws 1985, first special session chapter 15, section 9, subdivision 6, paragraph (c), for land acquisition for a weigh station on interstate highway 94 at Moorhead to supplement funds appropriated by Laws of 1989, chapter 269, section 2, subdivision 11, paragraph (d), for construction of the Moorhead weigh station.

Sec. 118. **TEMPORARY MOTOR VEHICLE PERMITS.**

(a) Notwithstanding Minnesota Statutes, sections 168.09, subdivision 7; 168.091, subdivision 1; and 168.092, subdivision 1, a temporary permit under any of those sections may be issued for a period of up to 180 days with the approval of the commissioner of public safety.

(b) A temporary permit may only be issued under this section due to inability of the driver and vehicle information system to complete a motor vehicle transaction in a timely manner.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 119. **PRESCRIPTION FOR GLAZED WINDOWS.**

Until November 1, 2019, for the purposes of Minnesota Statutes, section 169.71, subdivision 4a, paragraph (a), clause (2), a driver of a vehicle may rely on a prescription or physician's statement of medical need issued to a person not present in the vehicle if:

(1) the prescription or physician's statement of medical need is issued to (i) a family member of the driver, or (ii) a person for whom the driver is a personal care attendant; and

(2) the driver is in possession of the prescription or physician's statement of medical need.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 120. **RETROACTIVE DRIVER'S LICENSE REINSTATEMENT.**

(a) The commissioner of public safety must make an individual's driver's license eligible for reinstatement if the license is solely suspended pursuant to:

(1) Minnesota Statutes 2018, section 169.92, subdivision 4;

(2) Minnesota Statutes 2018, section 171.16, subdivision 2, if the person was convicted only under Minnesota Statutes, section 171.24, subdivision 1 or 2;

(3) Minnesota Statutes 2018, section 171.16, subdivision 3; or

(4) any combination of clauses (1), (2), and (3).

(b) By December 1, 2019, the commissioner must provide written notice to an individual whose license has been made eligible for reinstatement under paragraph (a), addressed to the licensee at the licensee's last known address.

(c) Notwithstanding any law to the contrary, before the license is reinstated, an individual whose driver's license is eligible for reinstatement under paragraph (a) must pay a reinstatement fee of \$20.

(d) The following applies for an individual who is eligible for reinstatement under paragraph (a), and whose license was suspended, revoked, or canceled under any other provision in Minnesota Statutes:

(1) the suspension, revocation, or cancellation under any other provision in Minnesota Statutes remains in effect;

(2) subject to clause (1), the individual may become eligible for reinstatement under paragraph (a); and

(3) the commissioner is not required to send the notice described in paragraph (b).

(e) Paragraph (a) applies notwithstanding Minnesota Statutes 2018, sections 169.92, subdivision 4; 171.16, subdivision 2 or 3; or any other law to the contrary.

EFFECTIVE DATE. This section is effective August 1, 2019.

Sec. 121. **CONVEYANCE OF STATE LAND; STEARNS COUNTY.**

(a) Notwithstanding Minnesota Statutes, section 222.63, or any other law to the contrary, the commissioner of transportation may convey and quitclaim to a private party all right, title, and interest of the state of Minnesota, in the land described in paragraph (e).

(b) The conveyance may take place only upon conditions determined by the commissioner of transportation and is not subject to restrictions on disposition, sale, lease, or otherwise contained in Minnesota Statutes, section 222.63.

(c) The consideration for a conveyance made under this section shall be the fair market value of the land conveyed hereunder. Proceeds from the sale of real estate or buildings under this section shall be deposited in the rail bank maintenance account established in Minnesota Statutes, section 222.63, subdivision 8.

(d) The conveyance may reduce the width of the rail bank corridor to less than 100 feet, provided the conveyance does not reduce the width of the rail bank corridor to less than ten feet.

(e) The land to be conveyed is located in Stearns County and is described as:

That part of Tract A described below:

Tract A. Outlot "A," Railroad Ridge, according to the plat thereof on file and of record in the Office of the County Recorder in and for Stearns County, Minnesota; which lies northerly of a line run parallel with and distant 33 feet southerly of the northerly line of said Outlot "A" and westerly of the southerly extension of westerly right of way line of 5th Street as shown on said Railroad Ridge; together with that part of Tract A, herein before described, adjoining and southerly of the above described strip which lies northerly of a line run parallel with and distant 40 feet southerly of the northerly line of said Outlot "A" and westerly of the following described line: beginning at a point on the southerly line of said Outlot "A," distant 436.36 feet easterly of the southwest corner thereof; thence northerly at right angles from said southerly line for 50 feet and there terminating; containing 29,925 square feet, more or less.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 122. **LEGISLATIVE ROUTE NO. 112 REMOVED.**

(a) Minnesota Statutes, section 161.115, subdivision 43, is repealed effective the day after the commissioner of transportation receives copies of the agreements between the commissioner and the governing bodies of Dakota County, the city of South St. Paul, and the city of St. Paul to transfer jurisdiction of Legislative Route No. 112 and after the commissioner notifies the revisor of statutes under paragraph (b).

(b) The revisor of statutes shall delete the route identified in paragraph (a) from Minnesota Statutes when the commissioner of transportation sends notice to the revisor electronically or in writing that the conditions required to transfer the route have been satisfied.

Sec. 123. **METROPOLITAN COUNCIL AND CALHOUN ISLES CONDOMINIUM ASSOCIATION FACILITATED MEETING.**

The Office of Collaboration and Dispute Resolution must facilitate a meeting or series of meetings with the Metropolitan Council and the Calhoun Isles Condominium Association to discuss issues related to vibration impacts to the Calhoun Isles property in Minneapolis, including the high-rise building, townhomes, and parking ramp, due to Southwest light rail transit project construction activities and operations. The council and the association must both be allowed to present any evidence or research on the issue. The goal of the meeting is to agree on how to avoid damage to the buildings due to the vibrations from the project.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 124. **RAIL SAFETY MEETINGS.**

At least once in each calendar year in which construction work is performed on the Southwest light rail transit project within the city limits of Minneapolis, the city must host a meeting on rail safety, with invitations to city fire officials, emergency services personnel, representatives from freight railroads using tracks that are colocated with Southwest light rail transit, the Metropolitan Council, and neighborhood associations in the impacted areas. Each meeting is to address rail safety concerns during construction, including but not limited to preparedness for the general public, assessment of risks, and emergency evacuation planning in the event of a derailment.

Sec. 125. **MINNESOTA STATE ACADEMIES SIGNS; MARKED INTERSTATE HIGHWAY 35.**

The commissioner of transportation must erect signs that identify and direct motorists to the campuses of Minnesota State Academy for the Deaf and Minnesota State Academy for the Blind under Minnesota Statutes, sections 125A.61 to 125A.73. At least one sign in each direction of travel must be placed on marked Interstate Highway 35, located as near as practical to exits that reasonably access the campuses. The commissioner is prohibited from removing signs for the campuses posted on marked Trunk Highway 60.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 126. **MILEAGE-BASED USER FEE PILOT PROGRAM.**

Subdivision 1. **Pilot program established.** As provided in this section, the commissioner of transportation must develop a mileage-based user fee pilot program to facilitate development of a feasible mileage-based user fee system in Minnesota.

Subd. 2. **Objectives.** The pilot program under this section must:

(1) consider the analysis, findings, and recommendations from previous research in Minnesota, including but not limited to: (i) the Mileage-Based User Fee Policy Task Force report; (ii) mileage-based user fee policy study materials; and (iii) the Minnesota Road Fee Test;

(2) identify and implement the steps necessary to develop a mileage-based user fee system in Minnesota;

(3) demonstrate and evaluate technical approaches in hardware and devices, data management, and fee collection;

(4) demonstrate and evaluate approaches in program operations;

(5) analyze options and policy questions in mileage-based user fee system design; and

(6) result in a near-term capacity to implement or phase in a statewide mileage-based user fee system.

Subd. 3. **Administration.** Under the pilot program, the commissioner of transportation may:

(1) establish an advisory panel of stakeholders;

(2) enter into one or more agreements for pilot program implementation, administration, or evaluation;

(3) partner with other states;

(4) develop recommendations for mileage-based user fee system design; and

(5) produce an implementation plan or framework approach for implementing a statewide mileage-based user fee system.

Subd. 4. **Pilot program data.** (a) The following data pertaining to participation in the pilot program are classified as nonpublic data, as defined in Minnesota Statutes, section 13.02, subdivision 9, or private data on individuals, as defined in Minnesota Statutes, section 13.02, subdivision 12:

(1) names of participants, participants' contact information, and data contained in any applications to participate in the pilot program;

(2) participants' applications for the purchase, lease, or rental of a global positioning system navigation device;

(3) participants' vehicle identification data;

(4) participants' financial and credit data; and

(5) participants' road usage data.

(b) Nothing in this section prohibits the production of summary data, as defined in Minnesota Statutes, section 13.02, subdivision 19, pertaining to types of vehicles used and road usage data, provided the participants' identities or any other unique identifying characteristics are not ascertainable.

(c) Notwithstanding Minnesota Statutes, section 13.03, subdivision 6, the commissioner may provide the nonpublic data under this subdivision to a federal, state, and local law enforcement authority only if the law enforcement authority is acting pursuant to a valid probable cause search warrant.

Subd. 5. **Legislative report.** By December 1, 2021, the commissioner of transportation must submit a report on the pilot program to the chairs, ranking minority members, and staff of the legislative committees with jurisdiction over transportation policy and finance. At a minimum, the report must include a summary of the pilot program, a review of system design options and recommendations, and any other key outcomes and findings.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 127. **TRAFFIC STOP STUDY.**

Subdivision 1. Grant. The commissioner of public safety must provide a grant to a qualified research organization to conduct a study of traffic stops in Minnesota consistent with the requirements in subdivision 2 and to provide a report to the legislature.

Subd. 2. Study requirements. (a) The grant recipient must conduct a study to determine what impact, if any, changes in traffic laws since 2003 have had on traffic stops in Minnesota including whether changes resulted in a disproportionate impact in any geographic area or on any demographic group.

(b) The study must identify significant changes in traffic law enacted since 2003, including but not limited to:

(1) the adoption of Minnesota Statutes, section 169.475;

(2) amendments to Minnesota Statutes, section 169.475, effective August 1, 2019;

(3) changes to Minnesota Statutes, section 169.686, enacted pursuant to Laws 2009, chapter 165, section 2; and

(4) changes to Minnesota Statutes, section 169A.20, enacted pursuant to Laws 2004, chapter 283, section 3.

(c) The grant recipient must coordinate with local law enforcement agencies and the Minnesota State Patrol to obtain and collect relevant data on traffic stops. Data shall be collected as provided by law, rule, or policy of the law enforcement agency. Nothing in this section requires any law enforcement agency to collect additional data.

(d) The grant recipient must analyze the data obtained or collected based on factors including but not limited to the geographic area in which the stop took place and demographic information of the driver.

(e) To the extent possible, the study must compare data obtained and collected under paragraph (c) with data collected pursuant to Laws 2001, First Special Session chapter 8, article 7, section 6.

(f) The grant recipient must coordinate with the commissioner of public safety and law enforcement agencies to ensure the confidentiality of data obtained or collected.

Subd. 3. Report. By February 15, 2021, the grant recipient must provide a report to the commissioner of public safety and the chairs, ranking minority members, and staff of the legislative committees with jurisdiction over transportation and criminal justice policy on the results of the study.

Sec. 128. **LEGISLATIVE REPORT ON TRANSPORTATION INFORMATION AVAILABILITY.**

(a) By December 1, 2020, the commissioner of transportation must submit a report on Department of Transportation reporting and public information availability to the members and staff of the legislative committees with jurisdiction over transportation policy and finance.

(b) As part of analysis and development of recommendations in the report, the commissioner must at a minimum:

(1) consult with and take into account comments from interested stakeholders, which must at least include:

(i) two representatives each from the house of representatives majority caucus and largest minority caucus;

(ii) two senators each from the senate majority caucus and largest minority caucus;

(iii) representatives of advocacy and public interest groups that are related at a minimum to public health, the environment, and the economy;

(iv) representatives of persons with disabilities including from the Transportation Accessibility Advisory Committee under Minnesota Statutes, section 473.375, subdivision 9a;

(v) representatives from each of the ethnic councils under Minnesota Statutes, section 15.0145;

(vi) representatives from traditionally underrepresented or underserved populations;

(vii) representatives of labor and industry related to transportation projects;

(viii) representatives for each transportation mode including highways, transit, bicycling, and pedestrian;

(ix) representatives from the advisory committee on nonmotorized transportation under Minnesota Statutes, section 174.37;

(x) representatives from state agencies, local units of government, and tribal nations; and

(xi) members of the general public;

(2) evaluate the utility, necessity, and format of legislatively mandated reports;

(3) identify informational gaps in the reports, including analysis of effective methods to communicate the information;

(4) examine identical or similar information from the reports as available in alternative formats, including on the department's website and in planning documents created by the department in compliance with state and federal law;

(5) review the format and ease of use of the reports for the legislature and the general public; and

(6) take into account administrative costs of creating each report.

(c) The report must summarize the work of the department and stakeholder input and must provide a legislative proposal that identifies any legislative reports, as required of the commissioner by law, to repeal, change the frequency of submission, or otherwise modify. The commissioner may include recommendations for changes in law regarding transportation planning that comply with applicable federal requirements.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 129. **REVISOR INSTRUCTION.**

(a) The revisor of statutes must renumber Minnesota Statutes, section 160.02, subdivision 27a, as Minnesota Statutes, section 169.011, subdivision 73a. The revisor must correct any cross-references made necessary by this renumbering.

(b) The revisor of statutes must recodify Minnesota Statutes, section 169.865, subdivision 1, as Minnesota Statutes, section 169.865, subdivision 1b. The revisor must correct any cross-references made necessary by this recodification.

Sec. 130. **REPEALER.**

(a) Minnesota Statutes 2018, sections 169.18, subdivision 12; 299A.12, subdivision 4; and 299A.18, are repealed.

(b) Laws 2002, chapter 393, section 85, is repealed."

Delete the title and insert:

"A bill for an act relating to transportation; establishing a budget for transportation; appropriating money for transportation purposes, including Department of Transportation, Metropolitan Council, and Department of Public Safety activities; modifying driver's licenses and identification cards; modifying motor vehicle taxes and fees; modifying various provisions governing transportation policy and finance; allocating certain sales and use tax revenue; establishing accounts; making technical changes; authorizing the sale and issuance of state bonds; requiring reports; amending Minnesota Statutes 2018, sections 13.461, by adding a subdivision; 13.6905, by adding a subdivision; 13.72, subdivision 10; 80E.13; 160.02, subdivision 1a; 160.262, subdivision 3; 160.266, subdivision 1b, by adding a subdivision; 161.115, subdivision 46; 161.14, subdivision 16, by adding subdivisions; 161.45, subdivision 2; 161.46, subdivision 2; 168.013, subdivisions 1a, 1m, 6, 21; 168.10, subdivision 1h; 168.123, subdivision 2; 168.27, by adding subdivisions; 168.301, subdivision 3; 168.33, subdivisions 7, 8a; 168.346, subdivision 1; 168A.02, subdivision 1; 168A.085, by adding a subdivision; 168A.09, subdivision 1; 168A.12, subdivision 2; 168A.17, by adding a subdivision; 168A.29, subdivision 1; 169.011, subdivisions 5, 9, 64, by adding subdivisions; 169.035, by adding a subdivision; 169.06, subdivision 4a; 169.18, subdivisions 3, 8, 11; 169.20, subdivision 7; 169.222, subdivisions 1, 4; 169.26, subdivisions 1, 4; 169.28; 169.29; 169.443, subdivision 2; 169.4503, subdivision 5; 169.64, subdivision 9; 169.71, subdivision 4; 169.81, by adding a subdivision; 169.864; 169.865, subdivisions 1, 2, by adding a subdivision; 169.92, subdivision 4; 171.01, by adding subdivisions; 171.04, subdivision 5; 171.06, subdivisions 2, 3, by adding subdivisions; 171.061, subdivision 4; 171.07, subdivisions 1, 3, by adding a subdivision; 171.12, subdivisions 7a, 9, by adding subdivisions; 171.16, subdivisions 2, 3; 171.18, subdivision 1; 174.01, subdivision 2; 174.03, subdivision 7, by adding subdivisions; 174.24, subdivision 2; 174.37; 174.57; 201.061, subdivision 3; 219.015, subdivisions 1, 2, by adding a subdivision; 219.1651; 221.031, by adding a subdivision; 296A.07, subdivision 3; 296A.08, subdivision 2; 297A.815, subdivision 3; 297A.94; 297A.99, subdivision 1; 297B.02, subdivision 1; 297B.09; 299A.12, subdivisions 1, 2, 3; 299A.13; 299A.14, subdivision 3; 299D.03, subdivision 5; 325F.185; 360.013, by adding subdivisions; 360.024; 360.55, by adding a subdivision; 360.59, subdivision 10; 360.62; 363A.28, by adding a subdivision; 473.386, subdivision 3, by adding a subdivision; 473.388, subdivision 4a; 473.39, subdivision 6, by adding a subdivision; 473.391, by adding a subdivision; 473.4052, subdivision 4; 480.15, by adding a subdivision; Laws 1994, chapter 643, section 15, subdivision 8; proposing coding for new law in Minnesota Statutes, chapters 161; 168; 168A; 169; 171; 174; 219; 297A; 360; repealing Minnesota Statutes 2018, sections 169.18, subdivision 12; 171.015, subdivision 7; 299A.12, subdivision 4; 299A.18; Laws 2002, chapter 393, section 85."

With the recommendation that when so amended the bill be re-referred to the Committee on Taxes.

The report was adopted.

Carlson, L., from the Committee on Ways and Means to which was referred:

H. F. No. 2208, A bill for an act relating to state government; establishing a budget for economic development, telecommunications, and energy; appropriating money to the broadband grant program; establishing a budget to finance energy-related activities; creating renewable energy grant programs; modifying and establishing various provisions governing energy policy and finance; strengthening requirements for clean energy and energy

conservation in Minnesota; appropriating money for jobs and economic development; establishing paid family leave insurance; modifying economic development programs; establishing wage theft prevention; providing for earned sick and safe time; modifying labor and industry policy provisions; modifying commerce policy provisions; adopting Unemployment Insurance Advisory Council provisions; modifying unemployment insurance policy; modifying Bureau of Mediation Services policy; establishing guidelines relating to unclaimed property; modifying fees; increasing civil and criminal penalties; authorizing rulemaking; requiring reports; appropriating money; amending Minnesota Statutes 2018, sections 13.43, subdivision 6; 13.685; 13.719, by adding a subdivision; 15.72, subdivision 2; 16C.285, subdivision 3; 47.59, subdivision 2; 47.60, subdivision 2; 47.601, subdivisions 2, 6; 53.04, subdivision 3a; 56.131, subdivision 1; 116C.7792; 116J.8731, subdivision 5; 116J.8748, subdivisions 4, 6; 175.46, subdivisions 3, 13; 176.1812, subdivision 2; 176.231, subdivision 1; 177.27, subdivisions 2, 4, 7, by adding subdivisions; 177.30; 177.32, subdivision 1; 179.86, subdivisions 1, 3; 179A.041, by adding a subdivision; 181.03, subdivision 1, by adding subdivisions; 181.032; 181.101; 181.635, subdivision 2; 181.942, subdivision 1; 182.659, subdivision 8; 182.666, subdivisions 1, 2, 3, 4, 5, by adding a subdivision; 216B.16, subdivision 13, by adding a subdivision; 216B.1641; 216B.1645, subdivisions 1, 2; 216B.1691, subdivisions 1, 2b, 9, by adding a subdivision; 216B.2401; 216B.241, subdivisions 1a, 1c, 1d, 1f, 2, 2b, 3, 5, 7, 9, by adding a subdivision; 216B.2422, subdivisions 1, 2, 3, 4, 5, by adding subdivisions; 216B.243, subdivisions 3, 3a; 216B.62, subdivision 3b; 216C.435, subdivisions 3a, 8; 216C.436, subdivision 4, by adding a subdivision; 216F.04; 216F.08; 256J.561, by adding a subdivision; 256J.95, subdivisions 3, 11; 256P.01, subdivision 3; 268.035, subdivisions 4, 12, 15, 20; 268.044, subdivisions 2, 3; 268.046, subdivision 1; 268.047, subdivision 3; 268.051, subdivision 2a; 268.057, subdivision 5; 268.069, subdivision 1; 268.07, subdivision 1; 268.085, subdivisions 3, 3a, 8, 13a, by adding subdivisions; 268.095, subdivisions 6, 6a; 268.105, subdivision 6; 268.145, subdivision 1; 268.18, subdivisions 2b, 5; 268.19, subdivision 1; 326B.082, subdivisions 6, 8, 12; 326B.103, subdivision 11; 326B.106, subdivision 9, by adding a subdivision; 326B.46, by adding a subdivision; 326B.475, subdivision 4; 326B.802, subdivision 15; 326B.815, subdivision 1; 326B.821, subdivision 21; 326B.84; 327.31, by adding a subdivision; 327B.041; 327C.095, subdivision 6, by adding a subdivision; 337.10, subdivision 4; 341.30, subdivision 1; 341.32, subdivision 1; 341.321; 345.515; 345.53, by adding a subdivision; 609.52, subdivisions 1, 2, 3; Laws 2014, chapter 211, section 13, as amended; Laws 2017, chapter 94, article 1, section 2, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 13; 16C; 116J; 116L; 177; 181; 216B; 216C; 325F; 327; proposing coding for new law as Minnesota Statutes, chapters 58B; 268B; 345A; repealing Minnesota Statutes 2018, sections 181.9413; 216B.241, subdivisions 1, 2c, 4; 325F.75.

Reported the same back with the recommendation that the bill be placed on the General Register.

The report was adopted.

Lesch from the Judiciary Finance and Civil Law Division to which was referred:

S. F. No. 1257, A bill for an act relating to health care; authorizing the use of epinephrine auto-injectors by certain individuals who complete a training program; amending Minnesota Statutes 2018, section 144.999.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2018, section 144.999, is amended to read:

144.999 EPINEPHRINE AUTO-INJECTOR.

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

(b) "Administer" means the direct application of an epinephrine auto-injector to the body of an individual.

(c) "Authorized entity" means entities that fall in the categories of recreation camps, colleges and universities, preschools and daycares, and any other category of entities or organizations that the commissioner authorizes to obtain and administer epinephrine auto-injectors without a prescription. This definition does not include a school covered under section 121A.2207.

(d) "Authorized individual" means an individual who has successfully completed the training program under subdivision 5.

~~(d)~~ (e) "Commissioner" means the commissioner of health.

~~(e)~~ (f) "Epinephrine auto-injector" means a single-use device used for the automatic injection of a premeasured dose of epinephrine into the human body or another epinephrine delivery system approved by the Food and Drug Administration for public use.

~~(f)~~ (g) "Provide" means to supply one or more epinephrine auto-injectors to an individual or the individual's parent, legal guardian, or caretaker.

Subd. 2. **Commissioner duties.** The commissioner may identify additional categories of entities or organizations to be authorized entities if the commissioner determines that individuals may come in contact with allergens capable of causing anaphylaxis. Beginning July 1, 2016, the commissioner may annually review the categories of authorized entities and may authorize additional categories of authorized entities as the commissioner deems appropriate. The commissioner may contract with a vendor to perform the review and identification of authorized entities.

Subd. 3. **Obtaining and storing epinephrine auto-injectors.** (a) Notwithstanding section 151.37, an authorized entity or authorized individual may obtain and possess epinephrine auto-injectors to be provided or administered to an individual if, in good faith, an owner, manager, employee, or agent of an authorized entity or authorized individual believes that the individual is experiencing anaphylaxis regardless of whether the individual has a prescription for an epinephrine auto-injector. The administration of an epinephrine auto-injector in accordance with this section is not the practice of medicine.

(b) An authorized entity or authorized individual may obtain epinephrine auto-injectors from pharmacies licensed as wholesale drug distributors pursuant to section 151.47. Prior to obtaining an epinephrine auto-injector, an owner, manager, or authorized agent of the entity or authorized individual must present to the pharmacy a valid certificate of training obtained pursuant to subdivision 5.

(c) An authorized entity shall store epinephrine auto-injectors in a location readily accessible in an emergency and in accordance with the epinephrine auto-injector's instructions for use and any additional requirements that may be established by the commissioner. An authorized entity shall designate employees or agents who have completed the training program required under subdivision 5 to be responsible for the storage, maintenance, and control of epinephrine auto-injectors obtained and possessed by the authorized entity. The authorized individual shall be responsible for the storage, maintenance, and control of epinephrine auto-injectors obtained and possessed by the authorized individual.

Subd. 4. **Use of epinephrine auto-injectors.** (a) An owner, manager, employee, or agent of an authorized entity or an authorized individual who has completed the training required under subdivision 5 may:

(1) provide an epinephrine auto-injector for immediate administration to an individual or the individual's parent, legal guardian, or caregiver if the owner, manager, employee, ~~or agent,~~ or the authorized individual believes, in good faith, the individual is experiencing anaphylaxis, regardless of whether the individual has a prescription for an epinephrine auto-injector or has previously been diagnosed with an allergy; or

(2) administer an epinephrine auto-injector to an individual who the owner, manager, employee, ~~or agent,~~ or authorized individual believes, in good faith, is experiencing anaphylaxis, regardless of whether the individual has a prescription for an epinephrine auto-injector or has previously been diagnosed with an allergy.

(b) Nothing in this section shall be construed to require any authorized entity or authorized individual to maintain a stock of epinephrine auto-injectors.

(c) Nothing in this section shall be construed to permit an authorized individual to possess or administer an epinephrine auto-injector to a student while on school property. The possession and administration of an epinephrine auto-injector at a public school shall be determined by the school district in accordance with sections 121A.2205 to 121A.2207.

Subd. 5. **Training.** (a) In order to use an epinephrine auto-injector as authorized under subdivision 4, an individual must complete, every two years, an anaphylaxis training program conducted by a nationally recognized organization experienced in training laypersons in emergency health treatment, a statewide organization with experience providing training on allergies and anaphylaxis under the supervision of board-certified allergy medical advisors, or an entity or individual approved by the commissioner to provide an anaphylaxis training program. The commissioner may approve specific entities or individuals to conduct the training program or may approve categories of entities or individuals to conduct the training program. Training may be conducted online or in person and, at a minimum, must cover:

- (1) how to recognize signs and symptoms of severe allergic reactions, including anaphylaxis;
- (2) standards and procedures for the storage and administration of an epinephrine auto-injector; and
- (3) emergency follow-up procedures.

(b) The entity or individual conducting the training shall issue a certificate to each person who successfully completes the anaphylaxis training program. The commissioner may develop, approve, and disseminate a standard certificate of completion. The certificate of completion shall be valid for two years from the date issued.

Subd. 6. **Good samaritan protections.** Any act or omission taken pursuant to this section by any of the following entities or individuals shall be considered emergency care, advice, or assistance under section 604A.01: (1) an authorized entity that possesses and makes available epinephrine auto-injectors and its employees or agents; (2) an authorized individual who possesses, makes available, and administers epinephrine auto-injectors; (3) a pharmacy or manufacturer that dispenses epinephrine auto-injectors to an authorized entity; or authorized individual; or (4) an individual or entity that conducts the training described in subdivision 5 ~~is considered "emergency care, advice, or assistance" under section 604A.01.~~

Delete the title and insert:

"A bill for an act relating to health care; authorizing the use of epinephrine auto-injectors by certain individuals who complete a training program; amending Minnesota Statutes 2018, section 144.999."

With the recommendation that when so amended the bill be placed on the General Register.

The report was adopted.

Pursuant to Joint Rule 2.03 and in accordance with House Concurrent Resolution No. 1, S. F. No. 1257 was re-referred to the Committee on Rules and Legislative Administration.

SECOND READING OF HOUSE BILLS

H. F. No. 2208 was read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Gunther introduced:

H. F. No. 2832, A bill for an act relating to economic development; appropriating money for infrastructure improvements in Waldorf.

The bill was read for the first time and referred to the Committee on Ways and Means.

Richardson introduced:

H. F. No. 2833, A bill for an act relating to retirement; Public Employees Retirement Association local government correctional service retirement plan; providing coverage for probation officers; amending Minnesota Statutes 2018, section 353E.02, subdivision 1, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Government Operations.

Stephenson, Murphy, Long and Mahoney introduced:

H. F. No. 2834, A bill for an act relating to capital investment; appropriating money for rail grade warning devices; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Ways and Means.

Christensen introduced:

H. F. No. 2835, A bill for an act relating to education finance; authorizing the Professional Educator Licensing and Standards Board to make teacher recruitment grants; appropriating money.

The bill was read for the first time and referred to the Committee on Ways and Means.

Hornstein; Davnie; Mariani; Long; Gomez; Her; Lippert; Hausman; Dehn; Xiong, T.; Bahner; Fischer; Hassan and Howard introduced:

H. F. No. 2836, A bill for an act relating to climate change; establishing a Minnesota Green New Deal; requiring reports; amending Minnesota Statutes 2018, sections 216B.1691, subdivisions 1, 9, by adding a subdivision; 216B.243, by adding a subdivision; 216C.18; proposing coding for new law in Minnesota Statutes, chapters 116; 175; 216B.

The bill was read for the first time and referred to the Committee on Ways and Means.

MOTIONS AND RESOLUTIONS

Dettmer moved that the name of Johnson be added as an author on H. F. No. 204. The motion prevailed.

Franson moved that the name of Robbins be added as an author on H. F. No. 373. The motion prevailed.

Franson moved that the name of Robbins be added as an author on H. F. No. 791. The motion prevailed.

Morrison moved that the name of Christensen be added as an author on H. F. No. 1079. The motion prevailed.

Hansen moved that the name of Christensen be added as an author on H. F. No. 1081. The motion prevailed.

Persell moved that the name of Christensen be added as an author on H. F. No. 1284. The motion prevailed.

Davnie moved that the name of Runbeck be added as an author on H. F. No. 1504. The motion prevailed.

Lippert moved that the name of Christensen be added as an author on H. F. No. 1569. The motion prevailed.

Demuth moved that the name of Robbins be added as an author on H. F. No. 1680. The motion prevailed.

Zerwas moved that the name of Bahner be added as an author on H. F. No. 1741. The motion prevailed.

Albright moved that the name of Robbins be added as an author on H. F. No. 1874. The motion prevailed.

Heintzeman moved that the name of Robbins be added as an author on H. F. No. 1881. The motion prevailed.

Wolgamott moved that the name of Lee be added as an author on H. F. No. 2490. The motion prevailed.

Pierson moved that the name of Moran be added as an author on H. F. No. 2500. The motion prevailed.

Murphy moved that the name of Lee be added as an author on H. F. No. 2529. The motion prevailed.

Bernardy moved that the name of Nornes be added as an author on H. F. No. 2551. The motion prevailed.

Fischer moved that the name of Christensen be added as an author on H. F. No. 2740. The motion prevailed.

Gomez moved that the name of Moran be added as an author on H. F. No. 2807. The motion prevailed.

ADJOURNMENT

Winkler moved that when the House adjourns today it adjourn until 9:30 a.m., Friday, April 12, 2019. The motion prevailed.

Winkler moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 9:30 a.m., Friday, April 12, 2019.

PATRICK D. MURPHY, Chief Clerk, House of Representatives

