

ARTICLE 17

TRANSPORTATION

221.3 Section 1. Minnesota Statutes 2017 Supplement, section 3.972, subdivision 4, is amended
221.4 to read:

221.5 Subd. 4. **Certain transit financial activity reporting.** (a) The legislative auditor must
221.6 perform a transit financial activity review of financial information for the Metropolitan
221.7 Council's Transportation Division ~~and the joint powers board under section 297A.992.~~
221.8 ~~Within 14 days of the end of each fiscal quarter, two times each year. The first report, due~~
221.9 April 1, must include the quarters ending on September 30 and December 31 of the previous
221.10 calendar year. The second report, due October 1, must include the quarters ending on March
221.11 31 and June 30 of the current year. The legislative auditor must submit the review to the
221.12 Legislative Audit Commission and the chairs and ranking minority members of the legislative
221.13 committees with jurisdiction over transportation policy and finance, finance, and ways and
221.14 means.

221.15 (b) At a minimum, each transit financial activity review must include:

221.16 (1) a summary of monthly financial statements, including balance sheets and operating
221.17 statements, that shows income, expenditures, and fund balance;

221.18 (2) a list of any obligations and agreements entered into related to transit purposes,
221.19 whether for capital or operating, including but not limited to bonds, notes, grants, and future
221.20 funding commitments;

221.21 (3) the amount of funds in clause (2) that has been committed;

221.22 (4) independent analysis by the fiscal oversight officer of the fiscal viability of revenues
221.23 and fund balance compared to expenditures, taking into account:

221.24 (i) all expenditure commitments;

221.25 (ii) cash flow;

221.26 (iii) sufficiency of estimated funds; and

221.27 (iv) financial solvency of anticipated transit projects; and

ARTICLE 14

TRANSPORTATION POLICY AND FINANCE

367.28 Section 1. Minnesota Statutes 2017 Supplement, section 3.972, subdivision 4, is amended
367.29 to read:

367.30 Subd. 4. **Certain transit financial activity reporting.** (a) The legislative auditor must
367.31 perform a transit financial activity review of financial information for the Metropolitan
367.32 Council's Transportation Division ~~and the joint powers board under section 297A.992.~~
368.1 Within 14 days of the end of each fiscal quarter, two times each year. The first report, due
368.2 April 1, must include the quarters ending on September 30 and December 31 of the previous
368.3 calendar year. The second report, due October 1, must include the quarters ending on March
368.4 31 and June 30 of the current year. The legislative auditor must submit the review to the
368.5 Legislative Audit Commission and the chairs and ranking minority members of the legislative
368.6 committees with jurisdiction over transportation policy and finance, finance, and ways and
368.7 means.

368.8 (b) At a minimum, each transit financial activity review must include:

368.9 (1) a summary of monthly financial statements, including balance sheets and operating
368.10 statements, that shows income, expenditures, and fund balance;

368.11 (2) a list of any obligations and agreements entered into related to transit purposes,
368.12 whether for capital or operating, including but not limited to bonds, notes, grants, and future
368.13 funding commitments;

368.14 (3) the amount of funds in clause (2) that has been committed;

368.15 (4) independent analysis by the fiscal oversight officer of the fiscal viability of revenues
368.16 and fund balance compared to expenditures, taking into account:

368.17 (i) all expenditure commitments;

368.18 (ii) cash flow;

368.19 (iii) sufficiency of estimated funds; and

368.20 (iv) financial solvency of anticipated transit projects; and

221.28 (5) a notification concerning whether the requirements under paragraph (c) have been
221.29 met.

222.1 (c) The Metropolitan Council ~~and the joint powers board under section 297A.992~~ must
222.2 produce monthly financial statements as necessary for the review under paragraph (b),
222.3 clause (1), and provide timely information as requested by the legislative auditor.

222.4 (d) This subdivision expires on April 15, 2023.

222.5 **EFFECTIVE DATE.** This section is effective June 1, 2018.

368.21 (5) a notification concerning whether the requirements under paragraph (c) have been
368.22 met.

368.23 (c) The Metropolitan Council ~~and the joint powers board under section 297A.992~~ must
368.24 produce monthly financial statements as necessary for the review under paragraph (b),
368.25 clause (1), and provide timely information as requested by the legislative auditor.

368.26 (d) This subdivision expires April 15, 2023.

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

368.28 Sec. 2. Minnesota Statutes 2016, section 13.461, is amended by adding a subdivision to
368.29 read:

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

369.3 **EFFECTIVE DATE.** This section is effective the day following final enactment and
369.4 applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

369.5 Sec. 3. Minnesota Statutes 2016, section 13.6905, subdivision 3, is amended to read:

369.6 Subd. 3. **Motor vehicle registration.** Various data on motor vehicle registrations are
369.7 classified under sections 168.327, subdivision 3, and 168.346. Use of vehicle registration
369.8 data is governed by section 168.345.

369.9 Sec. 4. Minnesota Statutes 2016, section 13.72, subdivision 10, is amended to read:

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

369.14 (b) Private transportation service data may be disclosed between the commissioner of
369.15 human services and the Metropolitan Council to administer and coordinate human services
369.16 programs and transportation services for individuals with disabilities and elderly individuals
369.17 under section 473.386.

369.18 **EFFECTIVE DATE.** This section is effective the day following final enactment and
369.19 applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

222.6 Sec. 2. Minnesota Statutes 2016, section 16A.88, subdivision 2, is amended to read:

222.7 Subd. 2. **Metropolitan area transit account.** The metropolitan area transit account is
222.8 established within the transit assistance fund in the state treasury. All money in the account
222.9 is annually appropriated to the Metropolitan Council for ~~the funding of transit systems~~
222.10 system operating expenditures within the metropolitan area under sections 473.384, 473.386,
222.11 473.387, 473.388, and 473.405 to 473.449.

222.12 **EFFECTIVE DATE; APPLICATION.** This section is effective June 1, 2018, and
222.13 applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

222.14 Sec. 3. Minnesota Statutes 2016, section 80E.13, is amended to read:

222.15 **80E.13 UNFAIR PRACTICES BY MANUFACTURERS, DISTRIBUTORS,**
222.16 **FACTORY BRANCHES.**

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

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

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

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

223.3 (d) increase prices of new motor vehicles which the new motor vehicle dealer had ordered
223.4 for private retail consumers prior to the dealer's receiving the written official price increase
223.5 notification. A sales contract signed by a private retail consumer shall constitute evidence
223.6 of each order if the vehicle is in fact delivered to that customer. In the event of manufacturer

223.7 price reductions, the amount of any reduction received by a dealer shall be passed on to the
223.8 private retail consumer by the dealer if the retail price was negotiated on the basis of the
223.9 previous higher price to the dealer;

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

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

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

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

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

224.1 (j) prevent a new motor vehicle dealer from transferring or assigning a new motor vehicle
224.2 dealership to a qualified transferee. There shall be no transfer, assignment of the franchise,
224.3 or major change in the executive management of the dealership, except as is otherwise
224.4 provided in sections 80E.01 to 80E.17, without consent of the manufacturer, which shall
224.5 not be withheld without good cause. In determining whether good cause exists for
224.6 withholding consent to a transfer or assignment, the manufacturer, distributor, factory
224.7 branch, or importer has the burden of proving that the transferee is a person who is not of
224.8 good moral character or does not meet the franchisor's existing and reasonable capital

224.9 standards and, considering the volume of sales and service of the new motor vehicle dealer,
224.10 reasonable business experience standards in the market area. Denial of the request must be
224.11 in writing and delivered to the new motor vehicle dealer within 60 days after the manufacturer
224.12 receives the completed application customarily used by the manufacturer, distributor, factory
224.13 branch, or importer for dealer appointments. If a denial is not sent within this period, the
224.14 manufacturer shall be deemed to have given its consent to the proposed transfer or change.
224.15 In the event of a proposed sale or transfer of a franchise, the manufacturer, distributor,
224.16 factory branch, or importer shall be permitted to exercise a right of first refusal to acquire
224.17 the franchisee's assets or ownership if:

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

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

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

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

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

225.5 (6) the manufacturer, distributor, factory branch, or importer agrees to pay the reasonable
225.6 expenses, including reasonable attorney fees, which do not exceed the usual customary and
225.7 reasonable fees charged for similar work done for other clients incurred by the proposed
225.8 new owner and transferee before the manufacturer, distributor, factory branch, or importer
225.9 exercises its right of first refusal, in negotiating and implementing the contract for the
225.10 proposed change of ownership or transfer of dealership assets. However, payment of such

225.11 expenses and attorney fees shall not be required if the dealer has not submitted or caused
225.12 to be submitted an accounting of those expenses within 20 days after the dealer's receipt of
225.13 the manufacturer, distributor, factory branch, or importer's written request for such an
225.14 accounting. The manufacturer, distributor, factory branch, or importer may request such an
225.15 accounting before exercising its right of first refusal. The obligation created under this clause
225.16 is enforceable by the transferee;

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

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

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

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

226.3 (o) require a dealer to adhere to performance standards that are not applied uniformly
226.4 to other similarly situated dealers.

226.5 A performance standard, sales objective, or program for measuring dealership performance
226.6 that may have a material effect on a dealer, including the dealer's right to payment under
226.7 any incentive or reimbursement program, and the application of the standard or program
226.8 by a manufacturer, distributor, or factory branch must be fair, reasonable, equitable, and
226.9 based on accurate information.

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

226.13 (p) unreasonably reduce a dealer's area of sales effectiveness without giving at least 90
226.14 days' notice of the proposed reduction. The change may not take effect if the dealer
226.15 commences a civil action to determine whether there is good cause for the change within
226.16 the 90 days' notice period. The burden of proof in such an action shall be on the manufacturer
226.17 or distributor; ~~or~~

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

226.28 (r) to implement a charge back or withhold payment to a dealer that is solely due to an
226.29 unreasonable delay by the registrar, as defined in section 168.002, subdivision 29, in the
226.30 transfer or registration of a new motor vehicle. The dealer must give the manufacturer notice
226.31 of the state's delay in writing. Within 30 days of any notice of a charge back, withholding
226.32 of payments, or denial of a claim, the dealer must transmit to the manufacturer (1)
226.33 documentation to demonstrate the vehicle sale and delivery as reported; and (2) a written
227.1 attestation signed by the dealer operator or general manager stating that the delay is
227.2 attributable to the state. This clause expires on June 30, 2021.

369.20 Sec. 5. Minnesota Statutes 2017 Supplement, section 160.02, subdivision 1a, is amended
369.21 to read:

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

369.26 Sec. 6. Minnesota Statutes 2016, section 160.263, subdivision 2, is amended to read:

369.27 Subd. 2. **Powers of political subdivisions.** (a) The governing body of any political
369.28 subdivision may by ordinance or resolution:

369.29 (1) designate any roadway or shoulder or portion thereof under its jurisdiction as a
369.30 bicycle lane or bicycle route;

- 370.1 (2) designate any sidewalk or portion thereof under its jurisdiction as a bicycle path
370.2 provided that the designation does not destroy a pedestrian way or pedestrian access;
- 370.3 (3) develop and designate bicycle paths;
- 370.4 (4) designate as bikeways all bicycle lanes, bicycle routes, and bicycle paths.
- 370.5 (b) A governing body may not prohibit or otherwise restrict operation of an
370.6 electric-assisted bicycle, as defined in section 169.011, subdivision 27, on any bikeway,
370.7 roadway, or shoulder, unless the governing body determines that operation of the
370.8 electric-assisted bicycle is not consistent with (1) the safety or general welfare of bikeway,
370.9 roadway, or shoulder users; or (2) the terms of any property conveyance.
- 370.10 (c) A governing body may not establish a bikeway in a segment of public road
370.11 right-of-way that results in elimination or relocation of any disability parking that is
370.12 designated under section 169.346, subdivision 2.
- 370.13 **EFFECTIVE DATE.** This section is effective the day following final enactment.
- 370.14 Sec. 7. Minnesota Statutes 2016, section 160.295, subdivision 5, is amended to read:
- 370.15 Subd. 5. **Rural agricultural business or tourist-oriented business.** (a) A rural
370.16 agricultural or tourist-oriented business serviced by a specific service sign must be open a
370.17 minimum of eight hours per day, six days per week, and 12 months per year. ~~However,~~
- 370.18 (b) A seasonal business may qualify if it is serviced by a specific service sign must be
370.19 open eight hours per day and six days per week during the normal seasonal period.
- 370.20 (c) A farm winery serviced by a specific service sign must:
- 370.21 (1) be licensed under section 340A.315;
- 370.22 (2) be licensed by the Department of Health under section 157.16 or by the commissioner
370.23 of agriculture under section 28A.04;
- 370.24 (3) provide continuous, staffed food service operation; and
- 370.25 (4) be open at least four hours per day and two days per week.
- 370.26 **EFFECTIVE DATE.** This section is effective the day following final enactment.

227.3 Sec. 4. Minnesota Statutes 2016, section 161.088, subdivision 2, is amended to read:

227.4 Subd. 2. **Program authority; funding.** (a) As provided in this section, the commissioner
227.5 shall establish a corridors of commerce program for trunk highway construction,
227.6 reconstruction, and improvement, including maintenance operations, that improves commerce
227.7 in the state.

227.8 (b) The commissioner may expend funds under the program from appropriations to the
227.9 commissioner that are:

227.10 (1) made specifically by law for use under this section;

227.11 (2) at the discretion of the commissioner, made for the budget activities in the state roads
227.12 program of operations and maintenance, program planning and delivery, or state road
227.13 construction; and

227.14 (3) made for the corridor investment management strategy program, unless specified
227.15 otherwise.

227.16 (c) The commissioner shall include in the program the cost participation policy for local
227.17 units of government.

227.18 (d) Program funds must be allocated so that no less than 49 percent are for projects
227.19 within the metropolitan area, as defined in section 473.121, subdivision 2, and no less than
227.20 49 percent are for projects outside the metropolitan area, as defined in section 473.121,
227.21 subdivision 2. Up to two percent of program funds may be allocated without regard to the
227.22 project's geographic location.

227.23 Sec. 5. Minnesota Statutes 2017 Supplement, section 161.088, subdivision 5, is amended
227.24 to read:

227.25 Subd. 5. **Project selection process; criteria.** (a) The commissioner must establish a
227.26 process to identify, evaluate, and select projects under the program. The process must be
227.27 consistent with the requirements of this subdivision and must not include any additional
227.28 evaluation criteria.

227.29 (b) As part of the project selection process, the commissioner must annually accept
227.30 recommendations on candidate projects from area transportation partnerships and other
227.31 interested stakeholders in each Department of Transportation district. The commissioner
228.1 must determine the eligibility for each candidate project identified under this paragraph.
228.2 For each eligible project, the commissioner must classify and evaluate the project for the
228.3 program, using all of the criteria established under paragraph (c).

228.4 (c) Projects must be evaluated using all of the following criteria:

228.5 (1) a return on investment measure that provides for comparison across eligible projects;

228.6 (2) measurable impacts on commerce and economic competitiveness;

228.7 (3) efficiency in the movement of freight, including but not limited to:

228.8 (i) measures of annual average daily traffic and commercial vehicle miles traveled, which

228.9 may include data near the project location on that trunk highway or on connecting trunk

228.10 and local highways; and

228.11 (ii) measures of congestion or travel time reliability, which may be within or near the

228.12 project limits, or both;

228.13 (4) improvements to traffic safety;

228.14 (5) connections to regional trade centers, local highway systems, and other transportation

228.15 modes;

228.16 (6) the extent to which the project addresses multiple transportation system policy

228.17 objectives and principles;

228.18 (7) support and consensus for the project among members of the surrounding community;

228.19 and

228.20 (8) regional balance throughout the state, subject to the funding allocation in subdivision

228.21 2, paragraph (d).

228.22 (d) The list of all projects evaluated must be made public and must include the score of

228.23 each project.

228.24 (e) As part of the project selection process, the commissioner may divide funding to be

228.25 separately available among projects within each classification under subdivision 3, and may

228.26 apply separate or modified criteria among those projects falling within each classification.

228.27 Sec. 6. Minnesota Statutes 2016, section 161.115, subdivision 111, is amended to read:

228.28 Subd. 111. **Route No. 180.** Beginning at a point on Route No. ~~392 southwest or west~~

228.29 ~~of Ashby 3~~ at or near Erdahl, thence extending in a general northerly or northeasterly

228.30 direction to a point on ~~Route No. 153 as herein established at or near Ashby, thence extending~~

370.27 Sec. 8. Minnesota Statutes 2016, section 161.115, subdivision 111, is amended to read:

370.28 Subd. 111. **Route No. 180.** Beginning at a point on Route No. ~~392 southwest or west~~

370.29 ~~of Ashby 3~~ at or near Erdahl, thence extending in a general northerly or northeasterly

370.30 direction to a point on ~~Route No. 153 as herein established at or near Ashby, thence extending~~

229.1 ~~in a northeasterly direction to a point on~~ Route No. 181 as herein established at or near
 229.2 Ottertail.

229.3 Sec. 7. Minnesota Statutes 2016, section 161.14, is amended by adding a subdivision to
 229.4 read:

229.5 Subd. 87. **Officer Bill Mathews Memorial Highway.** That segment of marked U.S.
 229.6 Highway 12 within the city limits of Wayzata is designated as "Officer Bill Mathews
 229.7 Memorial Highway." Subject to section 161.139, the commissioner shall adopt a suitable
 229.8 design to mark this highway and erect appropriate signs.

229.9 Sec. 8. Minnesota Statutes 2016, section 161.14, is amended by adding a subdivision to
 229.10 read:

229.11 Subd. 88. **Trooper Ray Krueger Memorial Highway.** That segment of marked Trunk
 229.12 Highway 210 within Cass County is designated as "Trooper Ray Krueger Memorial
 229.13 Highway." Subject to section 161.139, the commissioner shall adopt a suitable design to
 229.14 mark this highway and erect appropriate signs in the vicinity of the location where Trooper
 229.15 Krueger died.

229.16 Sec. 9. Minnesota Statutes 2016, section 161.14, is amended by adding a subdivision to
 229.17 read:

229.18 Subd. 89. **Trooper Dale G. Roehrich Memorial Highway.** That segment of marked
 229.19 U.S. Highway 61 from Lake City to Wabasha is designated as "Trooper Dale G. Roehrich
 229.20 Memorial Highway." Subject to section 161.139, the commissioner shall adopt a suitable
 229.21 design to mark this highway and erect appropriate signs.

229.22 Sec. 10. Minnesota Statutes 2016, section 161.14, is amended by adding a subdivision to
 229.23 read:

229.24 Subd. 90. **Warrant Officer Dennis A. Groth Memorial Bridge.** The bridge on marked
 229.25 U.S. Highway 52 over Dakota County State-Aid Highway 42, known as 145th Street within
 229.26 the city of Rosemount, is designated as "Warrant Officer Dennis A. Groth Memorial Bridge."
 229.27 Subject to section 161.139, the commissioner shall adopt a suitable design to mark the
 229.28 bridge and erect appropriate signs.

229.29 **EFFECTIVE DATE.** This section is effective June 1, 2018.

230.1 Sec. 11. Minnesota Statutes 2016, section 161.14, is amended by adding a subdivision to
 230.2 read:

371.1 ~~in a northeasterly direction to a point on~~ Route No. 181 as herein established at or near
 371.2 Ottertail.

371.9 Sec. 10. Minnesota Statutes 2016, section 161.14, is amended by adding a subdivision to
 371.10 read:

371.11 Subd. 88. **Officer Bill Mathews Memorial Highway.** That segment of marked U.S.
 371.12 Highway 12 within the city limits of Wayzata is designated as "Officer Bill Mathews
 371.13 Memorial Highway." Subject to section 161.139, the commissioner shall adopt a suitable
 371.14 design to mark this highway and erect appropriate signs.

371.23 Sec. 12. Minnesota Statutes 2016, section 161.14, is amended by adding a subdivision to
 371.24 read:

371.25 Subd. 90. **State Trooper Ray Krueger Memorial Highway.** That segment of marked
 371.26 Trunk Highway 210 within Cass County is designated as "State Trooper Ray Krueger
 371.27 Memorial Highway." Subject to section 161.139, the commissioner shall adopt a suitable
 371.28 design to mark this highway and erect appropriate signs in the vicinity of the location where
 371.29 Trooper Krueger died.

371.15 Sec. 11. Minnesota Statutes 2016, section 161.14, is amended by adding a subdivision to
 371.16 read:

371.17 Subd. 89. **Warrant Officer Dennis A. Groth Memorial Bridge.** The bridge on marked
 371.18 U.S. Highway 52 over Dakota County State-Aid Highway 42, known as 145th Street within
 371.19 the city of Rosemount, is designated as "Warrant Officer Dennis A. Groth Memorial Bridge."
 371.20 Subject to section 161.139, the commissioner shall adopt a suitable design to mark the
 371.21 bridge and erect appropriate signs.

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

371.3 Sec. 9. Minnesota Statutes 2016, section 161.14, is amended by adding a subdivision to
 371.4 read:

230.3 Subd. 91. **Specialist Noah Pierce Bridge.** The bridge on marked U.S. Highway 53 over
230.4 marked Trunk Highway 37 in the city of Eveleth is designated as "Specialist Noah Pierce
230.5 Bridge." Subject to section 161.139, the commissioner shall adopt a suitable design to mark
230.6 this bridge and erect appropriate signs.

230.7 Sec. 12. Minnesota Statutes 2016, section 161.32, subdivision 2, is amended to read:

230.8 Subd. 2. **Direct negotiation.** In cases where the estimated cost of construction work or
230.9 maintenance work does not exceed ~~\$150,000~~ \$250,000, the commissioner may enter into
230.10 a contract for the work by direct negotiation, by obtaining two or more quotations for the
230.11 work, and without advertising for bids or otherwise complying with the requirements of
230.12 competitive bidding if the total contractual obligation of the state for the directly negotiated
230.13 contract or contracts on any single project does not exceed ~~\$150,000~~ \$250,000. All quotations
230.14 obtained shall be kept on file for a period of at least one year after receipt of the quotation.

230.15 Sec. 13. [161.369] INDIAN EMPLOYMENT PREFERENCE.

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

230.23 Sec. 14. Minnesota Statutes 2017 Supplement, section 168.013, subdivision 1a, is amended
230.24 to read:

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

230.28 (b) Subject to the classification provisions herein, "base value" means the manufacturer's
230.29 suggested retail price of the vehicle including destination charge using list price information
230.30 published by the manufacturer or determined by the registrar if no suggested retail price
230.31 exists, and shall not include the cost of each accessory or item of optional equipment
230.32 separately added to the vehicle and the suggested retail price. In the case of the first
231.1 registration of a new vehicle sold or leased by a licensed dealer, the dealer may elect to
231.2 individually determine the base value of the vehicle using suggested retail price information
231.3 provided by the manufacturer. The registrar must use the base value determined by the
231.4 dealer to properly classify the vehicle. A dealer that elects to make the determination must

371.5 Subd. 87. **Specialist Noah Pierce Bridge.** The bridge on marked U.S. Highway 53 over
371.6 marked Trunk Highway 37 in the city of Eveleth is designated as "Specialist Noah Pierce
371.7 Bridge." Subject to section 161.139, the commissioner shall adopt a suitable design to mark
371.8 this bridge and erect appropriate signs.

372.1 Sec. 13. Minnesota Statutes 2016, section 161.32, subdivision 2, is amended to read:

372.2 Subd. 2. **Direct negotiation.** In cases where the estimated cost of construction work or
372.3 maintenance work does not exceed ~~\$150,000~~ \$250,000, the commissioner may enter into
372.4 a contract for the work by direct negotiation, by obtaining two or more quotations for the
372.5 work, and without advertising for bids or otherwise complying with the requirements of
372.6 competitive bidding if the total contractual obligation of the state for the directly negotiated
372.7 contract or contracts on any single project does not exceed ~~\$150,000~~ \$250,000. All quotations
372.8 obtained shall be kept on file for a period of at least one year after receipt of the quotation.

372.9 Sec. 14. [161.369] INDIAN EMPLOYMENT PREFERENCE.

372.10 (a) As authorized by United States Code, title 23, section 140(d), the commissioner of
372.11 transportation may implement an Indian employment preference for members of federally
372.12 recognized tribes on projects carried out under United States Code, title 23, near an Indian
372.13 reservation.

372.14 (b) For purposes of this section, a project is near a reservation if: (1) the project is within
372.15 the distance a person seeking employment could reasonably be expected to commute to and
372.16 from each work day; or (2) the commissioner, in consultation with federally recognized
372.17 Minnesota tribes, determines a project is near an Indian reservation.

231.5 retain a copy of the suggested retail price label or other supporting documentation with the
231.6 vehicle transaction records maintained under Minnesota Rules, part 7400.5200.

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

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

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

231.15	FROM	TO
231.16	\$ 0	\$ 199.99
231.17	\$ 200	\$ 399.99

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

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

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

231.32 (h) The annual additional tax must be computed upon a percentage of the base value as
231.33 follows: during the first year of vehicle life, upon 100 percent of the base value; for the
231.34 second year, 90 percent of such value; for the third year, 80 percent of such value; for the
232.1 fourth year, 70 percent of such value; for the fifth year, 60 percent of such value; for the

232.2 sixth year, 50 percent of such value; for the seventh year, 40 percent of such value; for the
232.3 eighth year, 30 percent of such value; for the ninth year, 20 percent of such value; for the
232.4 tenth year, ten percent of such value; for the 11th and each succeeding year, the sum of \$25.

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

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

232.9 Sec. 15. Minnesota Statutes 2016, section 168.013, subdivision 6, is amended to read:

232.10 Subd. 6. **Listing by dealers.** The owner of every motor vehicle not exempted by section
232.11 168.012 or 168.28, ~~shall~~ must, so long as it is subject to taxation within the state, annually
232.12 list and register the same and pay the tax herein provided annually under this section;
232.13 provided, however, that any dealer in motor vehicles, to whom dealer's plates have been
232.14 issued as provided in this chapter, coming into the possession of any such a motor vehicle
232.15 to be held solely for the purpose of sale or demonstration or both, shall be is entitled to
232.16 withhold the tax due on the vehicle from the prior registration period or becoming due on
232.17 such vehicle for the following year and no lien for registration tax as provided in section
232.18 168.31, subdivision 6, shall attach. When, thereafter, such the vehicle is otherwise used or
232.19 is sold, leased, or rented to another person, firm, corporation, or association, the tax for the
232.20 remainder of the year, prorated on a monthly basis, ~~shall become~~ becomes payable
232.21 immediately.

372.18 Sec. 15. Minnesota Statutes 2016, section 168.10, subdivision 1h, is amended to read:

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

372.21 (1) it is at least 20 years old;

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

372.27 (3) it is owned by a nonprofit organization and operated solely as a collector's vehicle.
372.28 For purposes of this subdivision, "nonprofit organization" means a corporation, society,
372.29 association, foundation, or institution organized and operated exclusively for historical or

372.30 educational purposes, no part of the net earnings of which inures to the benefit of a private
372.31 individual.

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

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

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

373.23 (1) does not exceed a gross weight of 15,000 pounds;

373.24 (2) otherwise conforms to registration, licensing, and safety laws and specifications;

373.25 (3) conforms to military specifications for appearance and identification;

373.26 (4) is intended to represent and does represent a military trailer; and

373.27 (5) carries registration plates on or in the trailer or the collector military vehicle towing
373.28 the trailer.

373.29 (e) This subdivision does not apply to a decommissioned military vehicle that (1) was
373.30 also manufactured and sold as a comparable civilian vehicle, and (2) has the same size
373.31 dimensions and vehicle weight as the comparable civilian vehicle. A decommissioned

232.22 Sec. 16. Minnesota Statutes 2016, section 168.101, subdivision 2a, is amended to read:

232.23 Subd. 2a. **Failure to send to registrar submit within ten days.** Any person who fails
232.24 to mail in the application for registration or transfer with appropriate taxes and fees to the
232.25 commissioner or a deputy registrar ~~of motor vehicles~~, or otherwise fails to submit ~~said the~~
232.26 forms and remittance to the registrar, within ten days following date of sale ~~shall be~~ is guilty
232.27 of a misdemeanor.

232.28 Sec. 17. Minnesota Statutes 2016, section 168.127, subdivision 4, is amended to read:

232.29 Subd. 4. **Filing registration applications.** Initial fleet applications for registration and
232.30 renewals must be filed with the registrar or ~~authorized a~~ deputy registrar.

233.1 Sec. 18. Minnesota Statutes 2016, section 168.127, subdivision 6, is amended to read:

233.2 Subd. 6. **Fee.** ~~Instead of the filing fee described in section 168.33, subdivision 7, For~~
233.3 ~~each vehicle in the fleet,~~ the applicant for fleet registration shall pay:

233.4 (1) the filing fee in section 168.33, subdivision 7, for transactions processed by a deputy
233.5 registrar; or

233.6 (2) an equivalent administrative fee ~~to the~~ for transactions processed by the commissioner
233.7 ~~for each vehicle in the fleet, which is imposed instead of the filing fee in section 168.33,~~
233.8 ~~subdivision 7.~~

233.9 Sec. 19. Minnesota Statutes 2016, section 168.27, is amended by adding a subdivision to
233.10 read:

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

373.32 military vehicle under this paragraph is eligible for a motor vehicle title under chapter 168A
374.1 and is subject to the same registration, insurance, equipment, and operating requirements
374.2 as a motor vehicle.

374.3 Sec. 16. Minnesota Statutes 2016, section 168.101, subdivision 2a, is amended to read:

374.4 Subd. 2a. **Failure to send to registrar submit within ten days.** Any person who fails
374.5 to mail in the application for registration or transfer with appropriate taxes and fees to the
374.6 commissioner or a deputy registrar ~~of motor vehicles~~, or otherwise fails to submit ~~said the~~
374.7 forms and remittance to the registrar, within ten days following date of sale ~~shall be~~ is guilty
374.8 of a misdemeanor.

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

374.10 Sec. 17. Minnesota Statutes 2016, section 168.127, subdivision 6, is amended to read:

374.11 Subd. 6. **Fee.** ~~Instead of the filing fee described in section 168.33, subdivision 7, For~~
374.12 ~~each vehicle in the fleet,~~ the applicant for fleet registration shall pay:

374.13 (1) the filing fee in section 168.33, subdivision 7, for transactions processed by a deputy
374.14 registrar; or

374.15 (2) an equivalent administrative fee ~~to the~~ for transactions processed by the commissioner
374.16 ~~for each vehicle in the fleet, which is imposed in lieu of but in the same amount as the filing~~
374.17 ~~fee in section 168.33, subdivision 7.~~

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

233.15 for sale of new vehicles by a licensee that is not authorized by the manufacturer to sell that
233.16 make of new vehicles.

233.17 Sec. 20. Minnesota Statutes 2016, section 168.27, is amended by adding a subdivision to
233.18 read:

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

233.23 Sec. 21. Minnesota Statutes 2016, section 168.301, subdivision 3, is amended to read:

233.24 Subd. 3. **Late fee.** In addition to any fee or tax otherwise authorized or imposed upon
233.25 the transfer of title for a motor vehicle, the commissioner of public safety shall impose a
233.26 \$2 additional fee for failure to deliver a title transfer within ten business days. This
233.27 subdivision does not apply to transfers from licensed vehicle dealers.

233.28 Sec. 22. Minnesota Statutes 2016, section 168.326, is amended to read:

233.29 **168.326 EXPEDITED DRIVER AND VEHICLE SERVICES; FEE.**

234.1 (a) When an applicant requests and pays an expedited service fee of \$20, in addition to
234.2 other specified and statutorily mandated fees and taxes, the commissioner or, if appropriate,
234.3 a driver's license agent or deputy registrar, shall expedite the processing of an application
234.4 for a driver's license, driving instruction permit, Minnesota identification card, or vehicle
234.5 title transaction.

234.6 (b) A driver's license agent or deputy registrar may retain \$10 of the expedited service
234.7 fee for each expedited service request processed by the licensing agent or deputy registrar.

234.8 (c) When expedited service is requested, materials must be mailed or delivered to the
234.9 requester within three days of receipt of the expedited service fee excluding Saturdays,
234.10 Sundays, or the holidays listed in section 645.44, subdivision 5. The requester shall comply
234.11 with all relevant requirements of the requested document.

234.12 (d) The commissioner may decline to accept an expedited service request if it is apparent
234.13 at the time it is made that the request cannot be granted. The commissioner must not decline
234.14 an expedited service request and must not prevent a driver's license agent or deputy from
234.15 accepting an expedited service request solely on the basis of limitations of the driver and
234.16 vehicle services information technology system.

374.19 Sec. 18. Minnesota Statutes 2016, section 168.326, is amended to read:

374.20 **168.326 EXPEDITED DRIVER AND VEHICLE SERVICES; FEE.**

374.21 (a) When an applicant requests and pays an expedited service fee of \$20, in addition to
374.22 other specified and statutorily mandated fees and taxes, the commissioner or, if appropriate,
374.23 a driver's license agent or deputy registrar, shall expedite the processing of an application
374.24 for a driver's license, driving instruction permit, Minnesota identification card, or vehicle
374.25 title transaction.

374.26 (b) A driver's license agent or deputy registrar may retain \$10 of the expedited service
374.27 fee for each expedited service request processed by the licensing agent or deputy registrar.

374.28 (c) When expedited service is requested, materials must be mailed or delivered to the
374.29 requester within three days of receipt of the expedited service fee excluding Saturdays,
375.1 Sundays, or the holidays listed in section 645.44, subdivision 5. The requester shall comply
375.2 with all relevant requirements of the requested document.

375.3 (d) The commissioner may decline to accept an expedited service request if it is apparent
375.4 at the time it is made that the request cannot be granted. The commissioner must not decline
375.5 an expedited service request and must not prevent a driver's license agent or deputy from
375.6 accepting an expedited service request solely on the basis of limitations of the driver and
375.7 vehicle services information technology system.

234.17 (e) The expedited service fees collected under this section for an application for a driver's
234.18 license, driving instruction permit, or Minnesota identification card minus any portion
234.19 retained by a licensing agent or deputy registrar under paragraph (b) must be paid into the
234.20 driver services operating account in the special revenue fund specified under section
234.21 299A.705.

234.22 (f) The expedited service fees collected under this section for a transaction for a vehicle
234.23 service minus any portion retained by a licensing agent or deputy registrar under paragraph
234.24 (b) must be paid into the vehicle services operating account in the special revenue fund
234.25 specified under section 299A.705.

234.26 **EFFECTIVE DATE.** This section is effective November 1, 2018.

234.27 Sec. 23. Minnesota Statutes 2016, section 168.33, subdivision 8a, is amended to read:

234.28 Subd. 8a. **Electronic transmission.** (a) If the commissioner accepts electronic
234.29 transmission of a motor vehicle transfer and registration by a new or used motor vehicle
234.30 dealer, a deputy registrar who is equipped with electronic transmission technology and
234.31 trained in its use shall receive the filing fee provided for in subdivision 7 and review the
234.32 transfer of each new or used motor vehicle to determine its genuineness and regularity
235.1 before issuance of a certificate of title, and shall receive and retain the filing fee under
235.2 subdivision 7, paragraph (a), clause ~~(1)~~ (2).

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

235.8 Sec. 24. Minnesota Statutes 2016, section 168.33, is amended by adding a subdivision to
235.9 read:

235.10 Subd. 8b. **Transactions by mail.** A deputy registrar may receive motor vehicle
235.11 applications and submissions under this chapter and chapter 168A by mail and may process
235.12 the transactions including retention of the appropriate filing fee under subdivision 7.

375.8 (e) The expedited service fees collected under this section for an application for a driver's
375.9 license, driving instruction permit, or Minnesota identification card minus any portion
375.10 retained by a licensing agent or deputy registrar under paragraph (b) must be paid into the
375.11 driver services operating account in the special revenue fund specified under section
375.12 299A.705.

375.13 (f) The expedited service fees collected under this section for a transaction for a vehicle
375.14 service minus any portion retained by a licensing agent or deputy registrar under paragraph
375.15 (b) must be paid into the vehicle services operating account in the special revenue fund
375.16 specified under section 299A.705.

375.17 **EFFECTIVE DATE.** This section is effective November 1, 2019.

375.18 Sec. 19. Minnesota Statutes 2016, section 168.33, is amended by adding a subdivision to
375.19 read:

375.20 Subd. 8b. **Transactions by mail.** A deputy registrar may receive motor vehicle
375.21 applications and submissions under this chapter and chapter 168A by mail, process the
375.22 transactions, and retain the appropriate filing fee under subdivision 7.

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

376.27 Sec. 21. Minnesota Statutes 2016, section 168.345, subdivision 2, is amended to read:

376.28 Subd. 2. **Lessees; information.** The commissioner may not furnish information about
376.29 registered owners of passenger automobiles who are lessees under a lease for a term of 180

235.13 Sec. 25. Minnesota Statutes 2016, section 168.346, subdivision 1, is amended to read:

235.14 Subdivision 1. **Vehicle registration data; federal compliance.** (a) Data on an individual
235.15 provided to register a vehicle shall be treated as provided by United States Code, title 18,
235.16 section 2721, as in effect on May 23, 2005, and shall be disclosed as required or permitted
235.17 by that section. The commissioner is prohibited from restricting the uses for which a licensed
235.18 dealer may obtain data as permitted by United States Code, title 18, section 2721, subsections
235.19 (b)(2), (3), (7), and (13). The commissioner shall disclose the data in bulk form to an
235.20 authorized recipient upon request for any of the permissible uses described in United States
235.21 Code, title 18, section 2721.

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

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

376.30 days or more to any person except the personnel of law enforcement agencies ~~and~~, trade
376.31 associations performing a member service under section 604.15, subdivision 4a, federal,
376.32 state, and local governmental units, and, at the commissioner's discretion, to persons who
376.33 use the information to notify lessees of automobile recalls. The commissioner may release
377.1 information about lessees in the form of summary data, as defined in section 13.02, to
377.2 persons who use the information in conducting statistical analysis and market research.

377.3 Sec. 22. Minnesota Statutes 2016, section 168A.02, subdivision 1, is amended to read:

377.4 Subdivision 1. **Application for certificate of title.** (a) Except as provided in section
377.5 168A.03, every owner of a vehicle which is in this state and for which no currently effective
377.6 certificate of title has been issued in this state shall make application to the department for
377.7 a certificate of title of the vehicle, pursuant to rules adopted by the department under section
377.8 168A.24, subdivision 2, clause ~~3~~ (3).

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

236.1 Sec. 26. Minnesota Statutes 2016, section 168A.05, is amended by adding a subdivision
236.2 to read:

236.3 Subd. 1d. **Issuance of certificate by deputy registrar.** (a) If an application for a vehicle's
236.4 certificate of title is received by a deputy registrar and the deputy registrar is satisfied as to
236.5 its genuineness and regularity and that the applicant is entitled to the issuance of a certificate
236.6 of title, the deputy registrar may issue a certificate of title for the vehicle.

236.7 (b) On or before August 1, 2019, the commissioner must authorize a deputy registrar to
236.8 issue a certificate of title, subject to procedures established by the commissioner.

236.9 Sec. 27. Minnesota Statutes 2016, section 168A.12, subdivision 2, is amended to read:

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

236.25 Sec. 28. Minnesota Statutes 2016, section 168A.151, subdivision 1, is amended to read:

236.26 Subdivision 1. **Salvage titles.** (a) When an insurer, licensed to conduct business in
236.27 Minnesota, acquires ownership of a ~~late model or high value~~ vehicle through payment of
236.28 damages, the insurer shall immediately apply for a salvage certificate of title or shall stamp
236.29 the existing certificate of title with the legend "SALVAGE CERTIFICATE OF TITLE" in
236.30 a manner prescribed by the department. Within ten days of obtaining the title of a vehicle
236.31 through payment of damages, an insurer must notify the department in a manner prescribed
236.32 by the department.

237.1 (b) A person shall immediately apply for a salvage certificate of title if the person acquires
237.2 a damaged ~~late model or high value~~ vehicle with an out-of-state title and the vehicle:

237.3 (1) is a vehicle that was acquired by an insurer through payment of damages;

377.12 Sec. 23. Minnesota Statutes 2016, section 168A.151, subdivision 1, is amended to read:

377.13 Subdivision 1. **Salvage titles.** (a) When an insurer, licensed to conduct business in
377.14 Minnesota, acquires ownership of a ~~late model or high value~~ vehicle through payment of
377.15 damages, the insurer shall immediately apply for a salvage certificate of title or shall stamp
377.16 the existing certificate of title with the legend "SALVAGE CERTIFICATE OF TITLE" in
377.17 a manner prescribed by the department. Within ten days of obtaining the title of a vehicle
377.18 through payment of damages, an insurer must notify the department in a manner prescribed
377.19 by the department.

377.20 (b) A person shall immediately apply for a salvage certificate of title if the person acquires
377.21 a damaged ~~late model or high value~~ vehicle with an out-of-state title and the vehicle:

377.22 (1) is a vehicle that was acquired by an insurer through payment of damages;

237.4 (2) is a vehicle for which the cost of repairs exceeds the value of the damaged vehicle;
237.5 or

237.6 (3) has an out-of-state salvage certificate of title as proof of ownership.

237.7 (c) A self-insured owner of a ~~late-model or high-value~~ vehicle that sustains damage by
237.8 collision or other occurrence which exceeds 80 percent of its actual cash value shall
237.9 immediately apply for a salvage certificate of title.

237.10 Sec. 29. Minnesota Statutes 2016, section 168A.17, is amended by adding a subdivision
237.11 to read:

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

237.18 Sec. 30. **[168A.241] MOTOR VEHICLE TITLE TRANSFER AND REGISTRATION**
237.19 **ADVISORY COMMITTEE.**

237.20 Subdivision 1. **Members.** (a) The Motor Vehicle Title and Registration Advisory
237.21 Committee consists of the following 13 members:

237.22 (1) two members of the house of representatives, one appointed by the speaker of the
237.23 house and one appointed by the minority leader;

237.24 (2) two members of the senate, one appointed by the majority leader and one appointed
237.25 by the minority leader;

237.26 (3) one representative from the Minnesota Deputy Registrar's Association;

237.27 (4) one representative from the Minnesota Automobile Dealers Association;

237.28 (5) one representative from the Northland Independent Automobile Dealers Association;

237.29 (6) one staff member from the Department of Public Safety Driver and Vehicle Services
237.30 Division;

238.1 (7) two representatives from deputy registrars, appointed by the commissioner;

377.23 (2) is a vehicle for which the cost of repairs exceeds the value of the damaged vehicle;
377.24 or

377.25 (3) has an out-of-state salvage certificate of title as proof of ownership.

377.26 (c) A self-insured owner of a ~~late-model or high-value~~ vehicle that sustains damage by
377.27 collision or other occurrence which exceeds 80 percent of its actual cash value shall
377.28 immediately apply for a salvage certificate of title.

238.2 (8) two representatives from dealers licensed under section 168.27, appointed by the
238.3 commissioner; and

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

238.7 (b) Section 15.059 governs the Motor Vehicle Title and Registration Advisory Committee.

238.8 (c) Members of the advisory committee must be compensated and reimbursed for
238.9 expenses as provided in section 15.059, subdivision 3.

238.10 Subd. 2. **Organization.** (a) The members of the advisory committee must annually elect
238.11 a chair and other officers as the members deem necessary.

238.12 (b) The advisory committee must meet at least two times per year.

238.13 Subd. 3. **Open meetings.** The advisory committee is subject to chapter 13D. An advisory
238.14 committee meeting occurs when a quorum is present and the members receive information,
238.15 discuss, or take action on any matter relating to the advisory committee's duties . The advisory
238.16 committee may conduct meetings as provided in section 13D.015 or 13D.02. The advisory
238.17 committee may conduct meetings at any location in the state that is appropriate for the
238.18 purposes of the advisory committee, provided the location is open and accessible to the
238.19 public. For legislative members of the advisory committee, enforcement of this subdivision
238.20 is governed by section 3.055, subdivision 2. For nonlegislative members of the advisory
238.21 committee, enforcement of this subdivision is governed by section 13D.06, subdivisions 1
238.22 and 2.

238.23 Subd. 4. **Staff.** The commissioner must provide support staff, office space, and
238.24 administrative services to the advisory committee.

238.25 Subd. 5. **Duties.** The advisory committee's duties include but are not limited to:

238.26 (1) serving in an advisory capacity to the commissioner of public safety and the director
238.27 of driver and vehicle services on matters relevant to:

238.28 (i) effective and efficient systems relating to the ownership, transfer, and registration of
238.29 motor vehicles; and

238.30 (ii) planning and implementing future changes and enhancements to vehicle registration
238.31 systems; and

239.1 (2) reviewing and making recommendations with respect to work plans, policy initiatives,
239.2 major activities, and strategic planning.

239.3 Subd. 6. **Report and recommendations.** Beginning February 15, 2019, and annually
239.4 thereafter, the commissioner must prepare and submit to the chairs and ranking minority
239.5 members of the committees of the house of representatives and the senate with jurisdiction
239.6 over motor vehicle title and registration a report that summarizes the advisory committee's
239.7 activities, issues identified by the advisory committee, methods taken to address the issues,
239.8 and recommendations for legislative action, if needed.

239.9 Subd. 7. **Expiration.** The advisory committee expires June 30, 2021.

239.10 Sec. 31. Minnesota Statutes 2016, section 168A.29, subdivision 1, is amended to read:

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

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

239.14 ~~(i) until December 31, 2016, \$6.25 of which \$3.25 must be paid into the vehicle services~~
239.15 ~~operating account of the special revenue fund under section 299A.705, and from July 1,~~
239.16 ~~2012, to June 30, 2016, a surcharge of \$1 must be added to the fee and credited to the driver~~
239.17 ~~and vehicle services technology account; and~~

239.18 ~~(ii) on and after January 1, 2017, \$8.25, of which \$4.15 must be paid into the vehicle~~
239.19 ~~services operating account under section 299A.705;~~

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

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

239.29 ~~(4)~~ (3) for each assignment of a security interest when first noted on a certificate of title,
239.30 unless noted concurrently with the security interest, ~~the sum of~~ \$1; and

377.29 Sec. 24. Minnesota Statutes 2016, section 168A.29, subdivision 1, is amended to read:

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

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

378.3 ~~(i) until December 31, 2016, \$6.25 of which \$3.25 must be paid into the vehicle services~~
378.4 ~~operating account of the special revenue fund under section 299A.705, and from July 1,~~
378.5 ~~2012, to June 30, 2016, a surcharge of \$1 must be added to the fee and credited to the driver~~
378.6 ~~and vehicle services technology account; and~~

378.7 ~~(ii) on and after January 1, 2017, \$8.25, of which \$4.15 must be paid into the vehicle~~
378.8 ~~services operating account under section 299A.705;~~

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

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

378.18 ~~(4)~~ (3) for each assignment of a security interest when first noted on a certificate of title,
378.19 unless noted concurrently with the security interest, ~~the sum of~~ \$1; and

239.31 ~~(5) (4)~~ for issuing a duplicate certificate of title, ~~the sum of \$7.25, of which \$3.25 must~~
239.32 ~~be paid into the vehicle services operating account of the special revenue fund under section~~
240.1 ~~299A.705; from July 1, 2012, to June 30, 2016, a surcharge of \$1 must be added to the fee~~
240.2 ~~and credited to the driver and vehicle services technology account.~~

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

240.7 Sec. 32. Minnesota Statutes 2016, section 169.011, subdivision 60, is amended to read:

240.8 Subd. 60. **Railroad train.** "Railroad train" means a steam engine, electric or other motor,
240.9 with or without cars coupled thereto, operated upon rails, except streetcars. Railroad train
240.10 includes on-track equipment or other rolling stock operated upon rails, whether self-propelled
240.11 or coupled to another device, if the on-track equipment or rolling stock actuates grade
240.12 crossing signals when signals are present.

378.20 ~~(5) (4)~~ for issuing a duplicate certificate of title, ~~the sum of \$7.25, of which \$3.25 must~~
378.21 ~~be paid into the vehicle services operating account of the special revenue fund under section~~
378.22 ~~299A.705; from July 1, 2012, to June 30, 2016, a surcharge of \$1 must be added to the fee~~
378.23 ~~and credited to the driver and vehicle services technology account.~~

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

378.28 **EFFECTIVE DATE.** This section is effective July 1, 2018.

378.29 Sec. 25. Minnesota Statutes 2016, section 169.011, subdivision 5, is amended to read:

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

379.3 Sec. 26. Minnesota Statutes 2016, section 169.011, subdivision 9, is amended to read:

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

379.7 Sec. 27. Minnesota Statutes 2016, section 169.011, subdivision 60, is amended to read:

379.8 Subd. 60. **Railroad train.** "Railroad train" means a steam engine, electric or other motor,
379.9 with or without cars coupled thereto, operated upon rails, except streetcars. Railroad train
379.10 includes on-track equipment or other rolling stock operated upon rails that activate automatic
379.11 railroad-highway grade crossing warning signals or gates, whether the on-track equipment
379.12 or rolling stock is self-propelled or coupled to another device. This definition applies only
379.13 to on-track equipment that activates automatic railroad-highway grade crossing warning
379.14 signals or gates. Equipment used on rails that does not activate automatic railroad-highway
379.15 grade crossing warning signals or gates is excluded from this definition, and operators must
379.16 exercise due regard for the safety of persons and vehicles using the railroad-highway grade
379.17 crossing.

379.18 Sec. 28. Minnesota Statutes 2016, section 169.06, subdivision 4a, is amended to read:

379.19 Subd. 4a. **Obedience to work zone flagger; violation, penalty.** (a) A flagger in a work
379.20 zone may stop vehicles and hold vehicles in place until it is safe for the vehicles to proceed.

379.21 A person operating a motor vehicle that has been stopped by a flagger in a work zone may
379.22 proceed after stopping only on instruction by the flagger or a police officer.

379.23 (b) A person convicted of operating a motor vehicle in violation of a speed limit in a
379.24 work zone, or any other provision of this section while in a work zone, ~~shall be required to~~
379.25 ~~must~~ pay a fine of \$300. This fine is in addition to the surcharge under section 357.021,
379.26 subdivision 6.

379.27 (c) If a motor vehicle is operated in violation of paragraph (a), the owner of the vehicle,
379.28 or for a leased motor vehicle the lessee of the vehicle, is guilty of a petty misdemeanor and
379.29 is subject to a fine as provided in paragraph (b). The owner or lessee may not be fined under
379.30 this paragraph if (1) another person is convicted for that violation, or (2) the motor vehicle
379.31 was stolen at the time of the violation. This paragraph does not apply to a lessor of a motor
379.32 vehicle if the lessor keeps a record of the name and address of the lessee.

380.1 (d) Paragraph (c) does not prohibit or limit the prosecution of a motor vehicle operator
380.2 for violating paragraph (a).

380.3 (e) A violation under paragraph (c) does not constitute grounds for revocation or
380.4 suspension of a driver's license.

380.5 (f) A road authority or its agent must place at the site of a work zone a temporary sign
380.6 that meets the requirements for uniform traffic-control devices under subdivision 1. At a
380.7 minimum, the sign must warn motorists of fines for a violation of this subdivision and
380.8 identify the fine amount established in paragraph (b).

380.9 **EFFECTIVE DATE.** This section is effective August 1, 2018, and applies to violations
380.10 that occur on or after that date.

240.13 Sec. 33. Minnesota Statutes 2016, section 169.14, subdivision 5, is amended to read:

240.14 Subd. 5. **Zoning within local area.** (a) When local authorities believe that the existing
240.15 speed limit upon any street or highway, or part thereof, within their respective jurisdictions
240.16 and not a part of the trunk highway system is greater or less than is reasonable or safe under
240.17 existing conditions, they may request the commissioner to authorize, upon the basis of an
240.18 engineering and traffic investigation, the erection of appropriate signs designating what
240.19 speed is reasonable and safe, and the commissioner may authorize the erection of appropriate
240.20 signs designating a reasonable and safe speed limit thereat, which speed limit shall be
240.21 effective when such signs are erected. Any speeds in excess of these speed limits shall be
240.22 prima facie evidence that the speed is not reasonable or prudent and that it is unlawful;
240.23 except that any speed limit within any municipality shall be a maximum limit and any speed
240.24 in excess thereof shall be unlawful. Alteration of speed limits on streets and highways shall
240.25 be made only upon authority of the commissioner except as provided in subdivision 5a.

240.26 (b) At the request of a county board, the commissioner may establish a speed limit in
240.27 excess of 55 miles per hour on a county road or county engineer state-aid highway upon
240.28 the basis of an engineering and traffic investigation. The county engineer must erect
240.29 appropriate signs and the increased speed limit is effective when the signs are erected.

240.30 (c) Notwithstanding paragraphs (a) and (b), a county board may by resolution increase
240.31 or decrease the speed limit of any street or highway within the county's jurisdiction by five
240.32 or ten miles per hour. The county engineer must erect appropriate signs to display the new
240.33 speed limit.

241.1 **EFFECTIVE DATE.** This section is effective June 1, 2018.

380.11 Sec. 29. Minnesota Statutes 2016, section 169.18, subdivision 3, is amended to read:

380.12 Subd. 3. **Passing.** ~~The following rules shall govern the overtaking and passing of vehicles~~
380.13 ~~proceeding in the same direction, subject to the limitations, exceptions, and special rules~~
380.14 ~~hereinafter stated:~~

380.15 ~~(1)~~ (a) The driver of a vehicle overtaking another vehicle proceeding in the same direction
380.16 ~~shall~~ must pass to the left ~~thereof~~ of the other vehicle at a safe distance and ~~shall not again~~
380.17 ~~drive is prohibited from returning~~ to the right side of the roadway until safely clear of the
380.18 overtaken vehicle;

380.19 ~~(2)~~ (b) Except when overtaking and passing on the right is permitted, the driver of an
380.20 overtaken vehicle ~~shall~~ must give way to the right in favor of the overtaking vehicle ~~on~~
380.21 ~~audible warning;~~ and ~~shall must~~ not increase the speed of the overtaken vehicle until
380.22 completely passed by the overtaking vehicle; ~~and.~~

380.23 ~~(3)~~ (c) The operator of a motor vehicle overtaking a bicycle or individual proceeding in
380.24 the same direction on the roadway ~~shall leave~~ or shoulder must:

380.25 (1) either (i) maintain a safe clearance distance while passing, but in no case less than
380.26 three feet clearance, when passing the bicycle or individual or one-half the width of the
380.27 motor vehicle, whichever is greater; or (ii) completely enter another lane of the roadway
380.28 while passing; and ~~shall~~

380.29 (2) maintain clearance until the motor vehicle has safely past passed the overtaken bicycle
380.30 or individual.

241.2 Sec. 34. Minnesota Statutes 2017 Supplement, section 169.18, subdivision 7, is amended
241.3 to read:

241.4 Subd. 7. **Laned highway.** When any roadway has been divided into two or more clearly
241.5 marked lanes for traffic, the following rules, in addition to all others consistent ~~herewith~~,
241.6 with this subdivision, shall apply:

241.7 ~~(a)~~ (1) A vehicle shall be driven as nearly as practicable entirely within a single lane
241.8 and shall not be moved from ~~such the~~ lane until the driver has first ascertained that ~~such the~~
241.9 movement can be made with safety;₂

241.10 ~~(b)~~ (2) Upon a roadway which is not a one-way roadway and which is divided into three
241.11 lanes, a vehicle shall not be driven in the center lane except when overtaking and passing
241.12 another vehicle where the roadway is clearly visible and ~~such the~~ center lane is clear of
241.13 traffic within a safe distance, or in preparation for a left turn or where ~~such the~~ center lane
241.14 is at the time allocated exclusively to traffic moving in the direction the vehicle is proceeding,
241.15 and is signposted to give notice of ~~such the~~ allocation. The left lane of a three-lane roadway
241.16 which is not a one-way roadway shall not be used for overtaking and passing another vehicle;₂

241.17 ~~(c)~~ (3) Official signs may be erected directing slow-moving traffic to use a designated
241.18 lane or allocating specified lanes to traffic moving in the same direction, and drivers of
241.19 vehicles shall obey the ~~directions of every such~~ sign;₂

241.20 ~~(d)~~ (4) Whenever a bicycle lane has been established on a roadway, any person operating
241.21 a motor vehicle on ~~such the~~ roadway shall not drive in the bicycle lane except to perform
241.22 parking maneuvers in order to park where parking is permitted, to enter or leave the highway,
241.23 to prepare for a turn as provided in section 169.19, subdivision 1, or to stop a school bus
241.24 for the purpose of receiving or discharging any person provided the school bus is equipped
241.25 and identified as provided in sections 169.441 and 169.442, subdivision 1, and the flashing
241.26 red signals are activated and stop-signal arm is extended; and

241.27 (5) notwithstanding clause (1), the operator of a vehicle or combination of vehicles with
241.28 a total length in excess of 40 feet or a total width exceeding ten feet may, with due regard
241.29 for all other traffic, deviate from the lane in which the operator is driving to the extent
241.30 necessary to approach and drive through a roundabout.

242.1 Sec. 35. Minnesota Statutes 2016, section 169.18, subdivision 10, is amended to read:

242.2 Subd. 10. **Slow-moving vehicle.** ~~Upon all roadways any~~ (a) A person operating a vehicle
242.3 proceeding at less than the normal speed of traffic at the time and place and under the
242.4 existing conditions then existing shall be driven must drive in the right-hand lane then

242.5 ~~available for traffic~~, or as close as practicable to the right-hand curb or edge of the roadway;
242.6 ~~except when~~. A person who violates this paragraph must pay a fine of not less than \$100.

242.7 (b) Paragraph (a) does not apply if:

242.8 (1) the vehicle is overtaking and passing another vehicle proceeding in the same direction;
242.9 ~~or when~~;

242.10 (2) the vehicle is preparing for a left to turn left at an intersection or into a private road
242.11 ~~or driveway, or when~~;

242.12 (3) a specific lane is designated and posted for a specific type of traffic; ~~or~~

242.13 (4) the vehicle is preparing to exit a controlled access highway by using an exit on the
242.14 left side of the road.

242.15 Sec. 36. Minnesota Statutes 2016, section 169.18, subdivision 11, is amended to read:

242.16 Subd. 11. **Passing parked emergency vehicle; citation; probable cause.** (a) When
242.17 approaching and before passing an authorized emergency vehicle with its emergency lights
242.18 activated that is parked or otherwise stopped on or next to a street or highway having two
242.19 lanes in the same direction, the driver of a vehicle shall safely move the vehicle to the lane
242.20 farthest away from the emergency vehicle, if it is possible to do so.

242.21 (b) When approaching and before passing an authorized emergency vehicle with its
242.22 emergency lights activated that is parked or otherwise stopped on or next to a street or
242.23 highway having more than two lanes in the same direction, the driver of a vehicle shall
242.24 safely move the vehicle so as to leave a full lane vacant between the driver and any lane in
242.25 which the emergency vehicle is completely or partially parked or otherwise stopped, if it is
242.26 possible to do so.

242.27 (c) If a lane change under paragraph (a) or (b) is impossible, or when approaching and
242.28 before passing an authorized emergency vehicle with its emergency lights activated that is
242.29 parked or otherwise stopped on or next to a street or highway having only one lane in the
242.30 same direction, the driver of a vehicle must reduce the speed of the motor vehicle to a speed
242.31 that is reasonable and prudent under the conditions until the motor vehicle has completely
242.32 passed the parked or stopped emergency vehicle, if it is possible to do so.

243.1 ~~(c)~~ (d) A peace officer may issue a citation to the driver of a motor vehicle if the peace
243.2 officer has probable cause to believe that the driver has operated the vehicle in violation of
243.3 this subdivision within the four-hour period following the termination of the incident or a

243.4 receipt of a report under paragraph ~~(d)~~ (e). The citation may be issued even though the
243.5 violation was not committed in the presence of the peace officer.

243.6 ~~(d)~~ (e) Although probable cause may be otherwise satisfied by other evidentiary elements
243.7 or factors, probable cause is sufficient for purposes of this subdivision when the person
243.8 cited is operating the vehicle described by a member of the crew of an authorized emergency
243.9 vehicle responding to an incident in a timely report of the violation of this subdivision,
243.10 which includes a description of the vehicle used to commit the offense and the vehicle's
243.11 license plate number. For the purposes of issuance of a citation under paragraph ~~(e)~~ (d),
243.12 "timely" means that the report must be made within a four-hour period following the
243.13 termination of the incident.

243.14 ~~(e)~~ (f) For purposes of paragraphs (a) ~~and (b)~~ to (c) only, the terms "authorized emergency
243.15 vehicle" and "emergency vehicle" include a towing vehicle defined in section 168B.011,
243.16 subdivision 12a, that has activated flashing lights authorized under section 169.64,
243.17 subdivision 3, in addition to the vehicles described in the definition for "authorized
243.18 emergency vehicle" in section 169.011, subdivision 3.

243.19 **EFFECTIVE DATE.** This section is effective August 1, 2018, and applies to offenses
243.20 committed on or after that date.

243.21 Sec. 37. Minnesota Statutes 2016, section 169.18, subdivision 12, is amended to read:

243.22 Subd. 12. **Passing certain parked vehicles.** (a) When approaching and before passing
243.23 a freeway service patrol vehicle, road maintenance vehicle, utility company vehicle, or
243.24 construction vehicle with its warning lights activated that is parked or otherwise stopped
243.25 on or next to a street or highway having two lanes in the same direction, the driver of a
243.26 vehicle shall safely move the vehicle to the lane farthest away from the parked or stopped
243.27 vehicle, if it is possible to do so.

243.28 (b) When approaching and before passing a freeway service patrol vehicle, road
243.29 maintenance vehicle, utility company vehicle, or construction vehicle with its warning lights
243.30 activated that is parked or otherwise stopped on or next to a street or highway having more
243.31 than two lanes in the same direction, the driver of a vehicle shall safely move the vehicle
243.32 so as to leave a full lane vacant between the driver and any lane in which the vehicle is
243.33 completely or partially parked or otherwise stopped, if it is possible to do so.

244.1 (c) If a lane change under paragraph (a) or (b) is impossible, or when approaching and
244.2 before passing a freeway service patrol vehicle, road maintenance vehicle, utility company
244.3 vehicle, or construction vehicle with its warning lights activated that is parked or otherwise
244.4 stopped on or next to a street or highway having only one lane in the same direction, the
244.5 driver of a vehicle must reduce the speed of the motor vehicle to a speed that is reasonable
244.6 and prudent under the conditions until the motor vehicle has completely passed the parked

244.7 or stopped freeway service patrol vehicle, road maintenance vehicle, utility company vehicle,
244.8 or construction vehicle, if it is possible to do so.

244.9 **EFFECTIVE DATE.** This section is effective August 1, 2018, and applies to crimes
244.10 committed on or after that date.

244.11 Sec. 38. Minnesota Statutes 2016, section 169.20, is amended by adding a subdivision to
244.12 read:

244.13 Subd. 8. **Roundabouts.** If two vehicles or combinations of vehicles each having a total
244.14 length in excess of 40 feet or a total width in excess of ten feet approach or drive through
244.15 a roundabout at approximately the same time or so closely as to constitute a hazard of
244.16 collision, the operator of the vehicle or combination of vehicles on the right must yield the
244.17 right-of-way to the vehicle or combination of vehicles on the left and, if necessary, must
244.18 reduce speed or stop in order to so yield.

381.1 Sec. 30. Minnesota Statutes 2016, section 169.222, subdivision 1, is amended to read:

381.2 Subdivision 1. **Traffic laws apply.** (a) Every person operating a bicycle ~~shall have~~ has
381.3 all of the rights and duties applicable to the driver of any other vehicle by this chapter,
381.4 except in respect to those provisions in this chapter relating expressly to bicycles and in
381.5 respect to those provisions of this chapter which by their nature cannot reasonably be applied
381.6 to bicycles. This subdivision applies to a bicycle operating on the shoulder of a roadway.

381.7 (b) A person lawfully operating a bicycle (1) on a sidewalk, or (2) across a roadway or
381.8 shoulder on a crosswalk, has all the rights and duties applicable to a pedestrian under the
381.9 same circumstances.

381.10 Sec. 31. Minnesota Statutes 2016, section 169.222, subdivision 4, is amended to read:

381.11 Subd. 4. **Riding rules.** (a) Every person operating a bicycle ~~upon a roadway shall on a~~
381.12 road must ride as close as practicable to the right-hand curb or edge of the roadway except
381.13 under any of the following situations road as the bicycle operator determines is safe. A
381.14 person operating a bicycle is not required to ride as close to the right-hand curb when:

381.15 (1) ~~when~~ overtaking and passing another vehicle proceeding in the same direction;

381.16 (2) ~~when~~ preparing for a left turn at an intersection or into a private road or driveway;

381.17 (3) ~~when~~ reasonably necessary to avoid conditions that make it unsafe to continue along
381.18 the right-hand curb or edge, including fixed or moving objects, vehicles, pedestrians, animals,

381.19 surface hazards, or narrow width lanes, ~~that make it unsafe to continue along the right-hand~~
381.20 ~~curb or edge, or~~

381.21 (4) ~~when~~ operating on the shoulder of a roadway or in a bicycle lane; or

381.22 (5) operating in a right-hand turn lane before entering an intersection.

381.23 (b) If a bicycle is traveling on a shoulder of a roadway, the bicycle ~~shall~~ operator must
381.24 travel in the same direction as adjacent vehicular traffic.

381.25 (c) Persons riding bicycles upon a roadway or shoulder shall not ride more than two
381.26 abreast and shall not impede the normal and reasonable movement of traffic and, on a laned
381.27 roadway, shall ride within a single lane.

381.28 (d) A person operating a bicycle upon a sidewalk, or across a roadway or shoulder on a
381.29 crosswalk, shall yield the right-of-way to any pedestrian and shall give an audible signal
381.30 when necessary before overtaking and passing any pedestrian. No person shall ride a bicycle
381.31 upon a sidewalk within a business district unless permitted by local authorities. Local
382.1 authorities may prohibit the operation of bicycles on any sidewalk or crosswalk under their
382.2 jurisdiction.

382.3 (e) An individual operating a bicycle or other vehicle on a bikeway shall leave a safe
382.4 distance when overtaking a bicycle or individual proceeding in the same direction on the
382.5 bikeway, and shall maintain clearance until safely past the overtaken bicycle or individual.

382.6 ~~(f) A person lawfully operating a bicycle on a sidewalk, or across a roadway or shoulder~~
382.7 ~~on a crosswalk, shall have all the rights and duties applicable to a pedestrian under the same~~
382.8 ~~circumstances.~~

382.9 ~~(g)~~ (f) A person may operate an electric-assisted bicycle on the shoulder of a roadway,
382.10 on a bikeway, or on a bicycle trail if not otherwise prohibited under section 85.015,
382.11 subdivision 1d; 85.018, subdivision 2, paragraph (d); or 160.263, subdivision 2, paragraph
382.12 (b), as applicable.

382.13 (g) Notwithstanding section 169.06, subdivision 4, a bicycle operator may cross an
382.14 intersection proceeding from a dedicated right-hand turn lane without turning right.

244.19 Sec. 39. Minnesota Statutes 2016, section 169.26, subdivision 1, is amended to read:

244.20 Subdivision 1. **Requirements.** (a) Except as provided in section 169.28, subdivision 1,
244.21 when any person driving a vehicle approaches a railroad grade crossing under any of the
244.22 circumstances stated in this paragraph, the driver shall stop the vehicle not less than ten feet

382.15 Sec. 32. Minnesota Statutes 2016, section 169.26, subdivision 1, is amended to read:

382.16 Subdivision 1. **Requirements.** (a) Except as provided in section 169.28, subdivision 1,
382.17 when any person driving a vehicle approaches a railroad grade crossing under any of the
382.18 circumstances stated in this paragraph, the driver shall stop the vehicle not less than ten feet

244.23 from the nearest railroad track and shall not proceed until safe to do so and until the roadway
244.24 is clear of traffic so that the vehicle can proceed without stopping until the rear of the vehicle
244.25 is at least ten feet past the farthest railroad track. These requirements apply when:

244.26 (1) a clearly visible electric or mechanical signal device warns of the immediate approach
244.27 of a railroad train; or

244.28 (2) an approaching railroad train is plainly visible and is in hazardous proximity.

244.29 (b) The fact that a moving railroad train approaching a railroad grade crossing is visible
244.30 from the crossing is prima facie evidence that it is not safe to proceed.

244.31 (c) The driver of a vehicle shall stop and remain stopped and not traverse the grade
244.32 crossing when a human flagger signals the approach or passage of a railroad train or when
245.1 a crossing gate is lowered warning of the immediate approach or passage of a railroad train.
245.2 No person may drive a vehicle past a flagger at a railroad crossing until the flagger signals
245.3 that the way is clear to proceed or drive a vehicle past a lowered crossing gate.

245.4 Sec. 40. Minnesota Statutes 2016, section 169.28, is amended to read:

245.5 **169.28 CERTAIN VEHICLES TO STOP AT RAILROAD CROSSING.**

245.6 Subdivision 1. **Requirements.** (a) The driver of any motor vehicle carrying passengers
245.7 for hire, or of any school bus whether carrying passengers or not, or of any Head Start bus
245.8 whether carrying passengers or not, or of any vehicle that is required to stop at railroad
245.9 grade crossings under Code of Federal Regulations, title 49, section 392.10, before crossing
245.10 at grade any track or tracks of a railroad, shall stop the vehicle not less than 15 feet nor more
245.11 than 50 feet from the nearest rail of the railroad and while so stopped shall listen and look
245.12 in both directions along the track for any approaching railroad train, and for signals indicating
245.13 the approach of a railroad train, except as ~~hereinafter~~ otherwise provided, ~~and in this section.~~
245.14 The driver shall not proceed until safe to do so and until the roadway is clear of traffic so
245.15 that the vehicle can proceed without stopping until the rear of the vehicle is at least ten feet
245.16 past the farthest railroad track. The driver must not shift gears while crossing the railroad
245.17 tracks.

245.18 (b) A school bus or Head Start bus shall not be flagged across railroad grade crossings
245.19 except at those railroad grade crossings that the local school administrative officer may
245.20 designate.

245.21 (c) A type III vehicle, as defined in section 169.011, is exempt from the requirement of
245.22 school buses to stop at railroad grade crossings.

382.19 from the nearest railroad track and shall not proceed until safe to do so and until the roadway
382.20 is clear of traffic so that the vehicle can proceed without stopping until the rear of the vehicle
382.21 is at least ten feet past the farthest railroad track. These requirements apply when:

382.22 (1) a clearly visible electric or mechanical signal device warns of the immediate approach
382.23 of a railroad train; or

382.24 (2) an approaching railroad train is plainly visible and is in hazardous proximity.

382.25 (b) The fact that a moving railroad train approaching a railroad grade crossing is visible
382.26 from the crossing is prima facie evidence that it is not safe to proceed.

382.27 (c) The driver of a vehicle shall stop and remain stopped and not traverse the grade
382.28 crossing when a human flagger signals the approach or passage of a railroad train or when
382.29 a crossing gate is lowered warning of the immediate approach or passage of a railroad train.
382.30 No person may drive a vehicle past a flagger at a railroad crossing until the flagger signals
382.31 that the way is clear to proceed or drive a vehicle past a lowered crossing gate.

383.1 Sec. 33. Minnesota Statutes 2016, section 169.28, is amended to read:

383.2 **169.28 CERTAIN VEHICLES TO STOP AT RAILROAD CROSSING.**

383.3 Subdivision 1. **Requirements.** (a) The driver of any motor vehicle carrying passengers
383.4 for hire, or of any school bus whether carrying passengers or not, or of any Head Start bus
383.5 whether carrying passengers or not, or of any vehicle that is required to stop at railroad
383.6 grade crossings under Code of Federal Regulations, title 49, section 392.10, before crossing
383.7 at grade any track or tracks of a railroad, shall stop the vehicle not less than 15 feet nor more
383.8 than 50 feet from the nearest rail of the railroad and while so stopped shall listen and look
383.9 in both directions along the track for any approaching railroad train, and for signals indicating
383.10 the approach of a railroad train, except as ~~hereinafter~~ otherwise provided, ~~and in this section.~~
383.11 The driver shall not proceed until safe to do so and until the roadway is clear of traffic so
383.12 that the vehicle can proceed without stopping until the rear of the vehicle is at least ten feet
383.13 past the farthest railroad track. The driver must not shift gears while crossing the railroad
383.14 tracks.

383.15 (b) A school bus or Head Start bus shall not be flagged across railroad grade crossings
383.16 except at those railroad grade crossings that the local school administrative officer may
383.17 designate.

383.18 (c) A type III vehicle, as defined in section 169.011, is exempt from the requirement of
383.19 school buses to stop at railroad grade crossings.

245.23 (d) The requirements of this subdivision do not apply to the crossing of light rail vehicle
245.24 track or tracks that are located in a public street when:

245.25 (1) the crossing occurs within the intersection of two or more public streets;

245.26 (2) the intersection is controlled by a traffic-control signal; and

245.27 (3) the intersection is marked with signs indicating to drivers that the requirements of
245.28 this subdivision do not apply. Notwithstanding any other provision of law, the owner or
245.29 operator of the track or tracks is authorized to place, maintain, and display the signs upon
245.30 and in the view of the public street or streets.

245.31 Subd. 2. **Exempt crossing.** (a) The commissioner may designate a crossing as an exempt
245.32 crossing:

246.1 (1) if the crossing is on a rail line on which service has been abandoned;

246.2 (2) if the crossing is on a rail line that carries fewer than five trains each year, traveling
246.3 at speeds of ten miles per hour or less; or

246.4 (3) as agreed to by the operating railroad and the Department of Transportation, following
246.5 a diagnostic review of the crossing.

246.6 (b) The commissioner shall direct the railroad to erect at the crossing signs bearing the
246.7 word "Exempt" that conform to section 169.06. The installation or presence of an exempt
246.8 sign does not relieve a driver of the duty to use due care.

246.9 (c) A railroad train must not proceed across an exempt crossing unless a police officer
246.10 is present to direct traffic or a railroad employee is on the ground to warn traffic until the
246.11 railroad train enters the crossing.

246.12 ~~(d)~~ (d) A vehicle that must stop at grade crossings under subdivision 1 is not required
246.13 to stop at a marked exempt crossing unless directed otherwise by a police officer or a railroad
246.14 employee.

246.15 Sec. 41. Minnesota Statutes 2016, section 169.29, is amended to read:

246.16 **169.29 CROSSING RAILROAD TRACKS WITH CERTAIN EQUIPMENT.**

246.17 (a) No person shall operate or move any caterpillar tractor, steam shovel, derrick, roller,
246.18 or any equipment or structure having a normal operating speed of six or less miles per hour
246.19 or a vertical body or load clearance of less than nine inches above the level surface of a

383.20 (d) The requirements of this subdivision do not apply to the crossing of light rail vehicle
383.21 track or tracks that are located in a public street when:

383.22 (1) the crossing occurs within the intersection of two or more public streets;

383.23 (2) the intersection is controlled by a traffic-control signal; and

383.24 (3) the intersection is marked with signs indicating to drivers that the requirements of
383.25 this subdivision do not apply. Notwithstanding any other provision of law, the owner or
383.26 operator of the track or tracks is authorized to place, maintain, and display the signs upon
383.27 and in the view of the public street or streets.

383.28 Subd. 2. **Exempt crossing.** (a) The commissioner may designate a crossing as an exempt
383.29 crossing:

383.30 (1) if the crossing is on a rail line on which service has been abandoned;

383.31 (2) if the crossing is on a rail line that carries fewer than five trains each year, traveling
383.32 at speeds of ten miles per hour or less; or

384.1 (3) as agreed to by the operating railroad and the Department of Transportation, following
384.2 a diagnostic review of the crossing.

384.3 (b) The commissioner shall direct the railroad to erect at the crossing signs bearing the
384.4 word "Exempt" that conform to section 169.06. The installation or presence of an exempt
384.5 sign does not relieve a driver of the duty to use due care.

384.6 (c) A railroad train must not proceed across an exempt crossing unless a police officer
384.7 is present to direct traffic or a railroad employee is on the ground to warn traffic until the
384.8 railroad train enters the crossing.

384.9 ~~(d)~~ (d) A vehicle that must stop at grade crossings under subdivision 1 is not required
384.10 to stop at a marked exempt crossing unless directed otherwise by a police officer or a railroad
384.11 employee.

384.12 Sec. 34. Minnesota Statutes 2016, section 169.29, is amended to read:

384.13 **169.29 CROSSING RAILROAD TRACKS WITH CERTAIN EQUIPMENT.**

384.14 (a) No person shall operate or move any caterpillar tractor, steam shovel, derrick, roller,
384.15 or any equipment or structure having a normal operating speed of six or less miles per hour
384.16 or a vertical body or load clearance of less than nine inches above the level surface of a

246.20 roadway upon or across any tracks at a railroad grade crossing without first complying with
246.21 this section.

246.22 (b) Before making any crossing, the person operating or moving any vehicle or equipment
246.23 set forth in this section shall first stop the same not less than ten, nor more than 50, feet
246.24 from the nearest rail of the railway, and while so stopped shall listen and look in both
246.25 directions along the track for any approaching railroad train and for signals indicating the
246.26 approach of a railroad train, and shall not proceed until the crossing can be made safely.

246.27 (c) No crossing shall be made when warning is given by automatic signal or crossing
246.28 gates or a flagger or otherwise of the immediate approach of a railroad train or car.

246.29 (d) No stop need be made at a crossing on a rail line on which service has been abandoned
246.30 and where a sign erected in conformance with section 169.06 and bearing the word "Exempt"
246.31 has been installed, unless directed otherwise by a flagger. The installation or presence of
246.32 an exempt sign shall not relieve any driver of the duty to use due care.

384.17 roadway upon or across any tracks at a railroad grade crossing without first complying with
384.18 this section.

384.19 (b) Before making any crossing, the person operating or moving any vehicle or equipment
384.20 set forth in this section shall first stop the same not less than ten, nor more than 50, feet
384.21 from the nearest rail of the railway, and while so stopped shall listen and look in both
384.22 directions along the track for any approaching railroad train and for signals indicating the
384.23 approach of a railroad train, and shall not proceed until the crossing can be made safely.

384.24 (c) No crossing shall be made when warning is given by automatic signal or crossing
384.25 gates or a flagger or otherwise of the immediate approach of a railroad train or car.

384.26 (d) No stop need be made at a crossing on a rail line on which service has been abandoned
384.27 and where a sign erected in conformance with section 169.06 and bearing the word "Exempt"
384.28 has been installed, unless directed otherwise by a flagger. The installation or presence of
384.29 an exempt sign shall not relieve any driver of the duty to use due care.

385.1 Sec. 35. Minnesota Statutes 2016, section 169.345, subdivision 2, is amended to read:

385.2 Subd. 2. **Definitions.** (a) For the purpose of section 168.021 and this section, the following
385.3 terms have the meanings given them in this subdivision.

385.4 (b) "Health professional" means a licensed physician, licensed physician assistant,
385.5 advanced practice registered nurse, licensed physical therapist, or licensed chiropractor.

385.6 (c) "Long-term certificate" means a certificate issued for a period greater than 12 months
385.7 but not greater than 71 months.

385.8 (d) "Organization certificate" means a certificate issued to an entity other than a natural
385.9 person for a period of three years.

385.10 (e) "Permit" refers to a permit that is issued for a period of 30 days, in lieu of the
385.11 certificate referred to in subdivision 3, while the application is being processed.

385.12 (f) "Physically disabled person" means a person who:

385.13 (1) because of disability cannot walk without significant risk of falling;

385.14 (2) because of disability cannot walk 200 feet without stopping to rest;

385.15 (3) because of disability cannot walk without the aid of another person, a walker, a cane,
385.16 crutches, braces, a prosthetic device, or a wheelchair;

385.17 (4) is restricted by a respiratory disease to such an extent that the person's forced
385.18 (respiratory) expiratory volume for one second, when measured by spirometry, is less than
385.19 one liter;

385.20 (5) has an arterial oxygen tension (PaO₂) of less than 60 mm/Hg on room air at rest;

385.21 (6) uses portable oxygen;

385.22 (7) has a cardiac condition to the extent that the person's functional limitations are
385.23 classified in severity as class III or class IV according to standards set by the American
385.24 Heart Association;

385.25 (8) has lost an arm or a leg and does not have or cannot use an artificial limb; or

385.26 (9) has a disability that would be aggravated by walking 200 feet under normal
385.27 environmental conditions to an extent that would be life threatening.

385.28 (g) "Short-term certificate" means a certificate issued for a period greater than six months
385.29 but not greater than 12 months.

385.30 (h) "Six-year certificate" means a certificate issued for a period of six years.

386.1 (i) "Temporary certificate" means a certificate issued for a period not greater than six
386.2 months.

386.3 Sec. 36. Minnesota Statutes 2017 Supplement, section 169.442, subdivision 5, is amended
386.4 to read:

386.5 Subd. 5. **White strobe lamps on certain buses transporting children.** ~~Notwithstanding~~
386.6 ~~section 169.55, subdivision 1, or 169.57, subdivision 3, paragraph (b), or other law to the~~
386.7 ~~contrary, A school bus that is subject to and complies with the equipment requirements of~~
386.8 ~~subdivision 1 and section 169.441, subdivision 1, or a Head Start bus, may be equipped~~
386.9 ~~with a flashing strobe lamp under section 169.64, subdivision 8.~~

386.10 Sec. 37. Minnesota Statutes 2016, section 169.442, is amended by adding a subdivision
386.11 to read:

386.12 Subd. 6. **Supplemental warning system.** In addition to the signals required under
386.13 subdivision 1, a type A, B, C, or D school bus may be equipped with a supplemental warning
386.14 system under section 169.4503, subdivision 31.

386.15 Sec. 38. Minnesota Statutes 2016, section 169.448, subdivision 1, is amended to read:

386.16 Subdivision 1. **Restrictions on appearance; misdemeanor.** (a) A bus that is not used
386.17 as a school bus may not be operated on a street or highway unless it is painted a color
386.18 significantly different than national school bus glossy yellow.

386.19 (b) A bus that is not used as a school bus or Head Start bus may not be operated if it is
386.20 equipped with school bus or Head Start bus-related equipment and printing.

386.21 (c) A violation of this subdivision is a misdemeanor.

386.22 (d) This subdivision does not apply to a school bus owned by or under contract to a
386.23 school district operated as a charter or leased bus.

386.24 (e) This subdivision does not apply to a school bus operated by a licensed child care
386.25 provider if:

386.26 (1) the ~~stop~~ stop-signal arm is removed;

386.27 (2) the ~~eight light system~~ lighting systems for prewarning flashing amber signals,
386.28 flashing red signals, and supplemental warnings under section 169.4503, subdivision 31,
386.29 are deactivated;

387.1 (3) the school bus is identified as a "child care bus" in letters at least eight inches high
387.2 on the front and rear top of the bus;

387.3 (4) the name, address, and telephone number of the owner or operator of the bus is
387.4 identified on each front door of the bus in letters not less than three inches high; and

387.5 (5) the conditions under section 171.02, subdivision 2a, paragraphs (a) ~~through~~ to (j);
387.6 ~~and (l), and (n)~~ have been met.

387.7 Sec. 39. Minnesota Statutes 2016, section 169.4503, subdivision 5, is amended to read:

387.8 Subd. 5. **Colors.** Fenderettes may be black. The beltline may be painted yellow over
387.9 black or black over yellow. The rub rails ~~shall~~ must be black or yellow. The area around
387.10 the lenses of alternately flashing signal lamps extending outward from the edge of the lamp
387.11 three inches, plus or minus one-quarter inch, to the sides and top and at least one inch to

387.12 the bottom, ~~shall~~ must be black. Visors or hoods, black in color, with a minimum of four
387.13 inches may be provided.

387.14 Sec. 40. Minnesota Statutes 2016, section 169.4503, subdivision 13, is amended to read:

387.15 Subd. 13. **Identification.** (a) Each bus ~~shall~~ must, in the beltline, identify the school
387.16 district serviced, or company name, or owner of the bus. Numbers necessary for identification
387.17 must appear on the sides and rear of the bus. Symbols or letters may be used on the outside
387.18 of the bus near the entrance door for student identification. A manufacturer's nameplate or
387.19 logo may be placed on the bus.

387.20 (b) ~~Effective December 31, 1994,~~ All type A, B, C, and D buses sold must display
387.21 lettering "Unlawful to pass when red lights are flashing" on the rear of the bus. The lettering
387.22 ~~shall~~ must be in two-inch black letters on school bus yellow background. This message ~~shall~~
387.23 must be displayed directly below the upper window of the rear door. On rear engine buses,
387.24 it ~~shall~~ must be centered at approximately the same location. Only signs and lettering
387.25 approved or required by state law ~~may~~ are permitted to be displayed.

387.26 (c) The requirements of paragraph (b) do not apply to a type A, B, C, or D school bus
387.27 that is equipped with a changeable electronic message sign on the rear of the bus that:

387.28 (1) displays one or more of the messages: "Caution / stopping," "Unlawful to pass,"
387.29 "Stop / do not pass," or similar messages approved by the commissioner;

387.30 (2) displays messages in conjunction with bus operation and activation of prewarning
387.31 flashing amber signals, flashing red signals, or stop-signal arm, as appropriate; and

388.1 (3) is a supplemental warning system under section 169.4503, subdivision 31.

388.2 Sec. 41. Minnesota Statutes 2016, section 169.4503, is amended by adding a subdivision
388.3 to read:

388.4 Subd. 31. **Supplemental warning system; temporary authority.** (a) Prior to August
388.5 1, 2021, the commissioner may approve a type A, B, C, or D school bus to be equipped
388.6 with a supplemental warning system. On and after that date, a school bus may continue to
388.7 be equipped with a previously approved supplemental warning system.

388.8 (b) To determine approval of a supplemental warning system, the commissioner must
388.9 consider:

388.10 (1) signal colors, which are limited to one or more of the colors white, amber, and red;

- 388.11 (2) flashing patterns;
- 388.12 (3) vehicle mounting and placement;
- 388.13 (4) supplemental warning system activation in conjunction with activation of prewarning
388.14 flashing amber signals, stop-signal arm, and flashing red signals;
- 388.15 (5) light intensity; and
- 388.16 (6) permissible text, signage, and graphics, if any.
- 388.17 (c) The commissioner must review relevant research findings and experience in other
388.18 jurisdictions, and must consult with interested stakeholders, including but not limited to
388.19 representatives from school district pupil transportation directors, private school bus
388.20 operators, and pupil transportation and traffic safety associations.
- 388.21 Sec. 42. Minnesota Statutes 2016, section 169.475, subdivision 2, is amended to read:
- 388.22 Subd. 2. ~~Prohibition~~ **Prohibitions on use; penalty.** (a) ~~No~~ When a motor vehicle is in
388.23 motion or a part of traffic, the person ~~may operate a motor~~ operating the vehicle ~~while is~~
388.24 prohibited from using a wireless communications device to compose, read, or send an
388.25 electronic message, ~~when the vehicle is in motion or a part of traffic.~~
- 388.26 (b) When a motor vehicle is in motion or a part of traffic while workers are present in
388.27 a work zone, the person operating the vehicle is prohibited from using a wireless
388.28 communications device for any purpose, including but not limited to making a cellular
388.29 phone call.
- 389.1 (c) A person who violates ~~paragraph (a)~~ this subdivision a second or subsequent time
389.2 must pay a fine of \$225, plus the amount specified in the uniform fine schedule established
389.3 by the Judicial Council.
- 389.4 **EFFECTIVE DATE.** This section is effective August 1, 2018, and applies to violations
389.5 that occur on or after that date.
- 389.6 Sec. 43. Minnesota Statutes 2016, section 169.475, subdivision 3, is amended to read:
- 389.7 Subd. 3. **Exceptions.** (a) This section does not apply if a wireless communications device
389.8 is used:
- 389.9 (1) solely in a voice-activated or other hands-free mode;

389.10 (2) ~~for making~~ to make a cellular phone call;

389.11 (3) ~~for obtaining~~ to obtain emergency assistance to (i) report a traffic accident, medical
389.12 emergency, or serious traffic hazard, or (ii) prevent a crime about to be committed;

389.13 (4) in the reasonable belief that a person's life or safety is in immediate danger; or

389.14 (5) in an authorized emergency vehicle while in the performance of official duties.

389.15 (b) The exception in paragraph (a), clause (2), does not apply to the prohibition in
389.16 subdivision 2, paragraph (b).

389.17 **EFFECTIVE DATE.** This section is effective August 1, 2018, and applies to violations
389.18 that occur on or after that date.

389.19 Sec. 44. Minnesota Statutes 2016, section 169.55, subdivision 1, is amended to read:

389.20 Subdivision 1. **Lights or reflectors required.** At the times when lighted lamps on
389.21 vehicles are required each vehicle including an animal-drawn vehicle and any vehicle
389.22 specifically excepted in sections 169.47 to 169.79, with respect to equipment and not
389.23 hereinbefore specifically required to be equipped with lamps, shall be equipped with one
389.24 or more lighted lamps or lanterns projecting a white light visible from a distance of 500 feet
389.25 to the front of the vehicle and with a lamp or lantern exhibiting a red light visible from a
389.26 distance of 500 feet to the rear, except that reflectors meeting the maximum requirements
389.27 of this chapter may be used in lieu of the lights required in this subdivision. ~~It shall be~~
389.28 ~~unlawful except as otherwise provided in this subdivision, to project a white light to the~~
389.29 ~~rear of any such vehicle while traveling on any street or highway, unless such vehicle is~~
389.30 ~~moving in reverse. A lighting device mounted on top of a vehicle engaged in deliveries to~~
389.31 ~~residences may project a white light to the rear if the sign projects one or more additional~~
390.1 ~~colors to the rear. An authorized emergency vehicle may display an oscillating, alternating,~~
390.2 ~~or rotating white light used in connection with an oscillating, alternating, or rotating red~~
390.3 ~~light when responding to emergency calls.~~

390.4 Sec. 45. Minnesota Statutes 2016, section 169.57, subdivision 3, is amended to read:

390.5 Subd. 3. **Maintenance.** (a) When a vehicle is equipped with stop lamps or signal lamps,
390.6 ~~such~~ the lamps shall must at all times be maintained in good working condition.

390.7 (b) ~~No stop lamps or signal lamp shall project a glaring or dazzling light.~~

390.8 ~~(c)~~ All mechanical signal devices shall must be self-illuminated when in use at the times
390.9 when lighted lamps on vehicles are required.

390.10 Sec. 46. Minnesota Statutes 2016, section 169.64, subdivision 3, is amended to read:

390.11 Subd. 3. **Flashing lights; glaring lights.** (a) Flashing lights are prohibited, except:

390.12 (1) on an authorized emergency vehicle, school bus, bicycle as provided in section
390.13 169.222, subdivision 6, road maintenance equipment, tow truck or towing vehicle as provided
390.14 in section 168B.16, service vehicle, farm tractor, self-propelled farm equipment, rural mail
390.15 carrier vehicle, or funeral home vehicle, or;

390.16 (2) on any vehicle as a means of indicating a right or left turn, or the presence of a
390.17 vehicular traffic hazard requiring unusual care in approaching, overtaking, or passing; or

390.18 (3) as otherwise provided in this section.

390.19 (b) All flashing warning lights ~~shall~~ must be of the type authorized by section 169.59,
390.20 subdivision 4, unless otherwise permitted or required in this chapter.

390.21 (c) A stop lamp or signal lamp is prohibited from projecting a glaring or dazzling light,
390.22 except for:

390.23 (1) strobe lamps as provided under subdivision 8 or section 169.59, subdivision 4; or

390.24 (2) a school bus equipped with a supplemental warning system under section 169.4503,
390.25 subdivision 31.

390.26 Sec. 47. Minnesota Statutes 2016, section 169.64, is amended by adding a subdivision to
390.27 read:

390.28 Subd. 4a. **White light.** (a) It is unlawful to project a white light at the rear of a vehicle
390.29 while traveling on any street or highway, except:

391.1 (1) for a vehicle moving in reverse;

391.2 (2) for a school bus equipped with a supplemental warning system under section
391.3 169.4503, subdivision 31;

391.4 (3) for a strobe lamp as provided under subdivision 8;

391.5 (4) as required for license plate illumination under section 169.50, subdivision 2;

391.6 (5) as provided in section 169.59, subdivision 4; and

391.7 (6) as otherwise provided in this subdivision.

391.8 (b) A lighting device mounted on top of a vehicle engaged in deliveries to residences
391.9 may project a white light to the rear if the sign projects one or more additional colors to the
391.10 rear.

391.11 (c) An authorized emergency vehicle may display an oscillating, alternating, or rotating
391.12 white light used in connection with an oscillating, alternating, or rotating red light when
391.13 responding to emergency calls.

391.14 Sec. 48. Minnesota Statutes 2017 Supplement, section 169.64, subdivision 8, is amended
391.15 to read:

391.16 Subd. 8. **Strobe lamp.** (a) Notwithstanding ~~sections 169.55, subdivision 1; 169.57,~~
391.17 ~~subdivision 3, paragraph (b); or~~ any other law to the contrary, a vehicle may be equipped
391.18 with a 360-degree flashing strobe lamp that emits a white light with a flash rate of 60 to
391.19 120 flashes a minute, and the lamp may be used as provided in this subdivision, if the vehicle
391.20 is:

391.21 (1) a school bus that is subject to and complies with the equipment requirements of
391.22 ~~sections 169.441, subdivision 1, and section~~ 169.442, subdivision 1, or a Head Start bus.
391.23 The lamp must operate from a separate switch containing an indicator lamp to show when
391.24 the strobe lamp is in use; or

391.25 (2) a road maintenance vehicle owned or under contract to the Department of
391.26 Transportation or a road authority of a county, home rule or statutory city, or town, but the
391.27 strobe lamp may only be operated while the vehicle is actually engaged in snow removal
391.28 during daylight hours.

391.29 (b) Notwithstanding ~~sections 169.55, subdivision 1; 169.57, subdivision 3, paragraph~~
391.30 ~~(b); or~~ any other law to the contrary, a vehicle may be equipped with a 360-degree flashing
391.31 strobe lamp that emits an amber light with a flash rate of 60 to 120 flashes a minute, and
391.32 the lamp may be used as provided in this subdivision, if the vehicle is a rural mail carrier
392.1 vehicle, provided that the strobe lamp is mounted at the highest practicable point on the
392.2 vehicle. The strobe lamp may only be operated while the vehicle is actually engaged during
392.3 daylight hours in the delivery of mail to residents on a rural mail route.

392.4 (c) A strobe lamp authorized by this ~~section shall~~ subdivision must be of a double flash
392.5 type certified to the commissioner of public safety by the manufacturer as being weatherproof
392.6 and having a minimum an effective light output of 200 candelas as measured by the

392.7 ~~Blondel-Rey formula~~ that meets or exceeds the most recent version of SAE International
392.8 standard J845, Class 2, or a subsequent standard.

247.1 Sec. 42. Minnesota Statutes 2016, section 169.71, subdivision 4, is amended to read:

247.2 Subd. 4. **Glazing material; prohibitions and exceptions.** (a) No person shall drive or
247.3 operate any motor vehicle required to be registered in the state of Minnesota upon any street
247.4 or highway under the following conditions:

247.5 (1) when the windshield is composed of, covered by, or treated with any material which
247.6 has the effect of making the windshield more reflective or in any other way reducing light
247.7 transmittance through the windshield;

247.8 (2) when any window on the vehicle is composed of, covered by, or treated with any
247.9 material that has a highly reflective or mirrored appearance;

247.10 (3) when any side window or rear window is composed of or treated with any material
247.11 so as to obstruct or substantially reduce the driver's clear view through the window or has
247.12 a light transmittance of less than 50 percent plus or minus three percent in the visible light
247.13 range or a luminous reflectance of more than 20 percent plus or minus three percent; or

247.14 (4) when any material has been applied after August 1, 1985, to any motor vehicle
247.15 window without an accompanying permanent marking which indicates the percent of
247.16 transmittance and the percent of reflectance afforded by the material. The marking must be
247.17 in a manner so as not to obscure vision and be readable when installed on the vehicle.

247.18 (b) This subdivision does not apply to glazing materials which:

247.19 (1) have not been modified since the original installation, nor to original replacement
247.20 windows and windshields, that were originally installed or replaced in conformance with
247.21 Federal Motor Vehicle Safety Standard 205;

247.22 (2) are required to satisfy prescription or medical needs of the driver of the vehicle or a
247.23 passenger if:

247.24 (i) the driver or passenger is in possession of the prescription or a physician's statement
247.25 of medical need;

247.26 (ii) the prescription or statement specifically states the minimum percentage that light
247.27 transmittance may be reduced to satisfy the prescription or medical needs of the patient;
247.28 and

247.29 (iii) the prescription or statement contains an expiration date, which must be no more
247.30 than two years after the date the prescription or statement was issued; or

247.31 (3) are applied to:

247.32 (i) the rear windows of a pickup truck as defined in section 168.002, subdivision 26;

248.1 (ii) the rear windows or the side windows on either side behind the driver's seat of a van
248.2 as defined in section 168.002, subdivision 40;

248.3 (iii) the side and rear windows of a vehicle used to transport human remains by a funeral
248.4 establishment holding a license under section 149A.50;

248.5 (iv) the side and rear windows of a limousine as defined in section 168.002, subdivision
248.6 15, that is registered in compliance with the requirements of section 168.128; or

248.7 (v) the rear and side windows of a police vehicle.

248.8 Sec. 43. Minnesota Statutes 2016, section 169.81, subdivision 5, is amended to read:

248.9 Subd. 5. **Manner of loading.** ~~No (a) A vehicle shall~~ must not be driven or moved on
248.10 any highway unless ~~such the~~ vehicle is so constructed, loaded, or the load securely covered
248.11 as to prevent any of its load from dropping, sifting, leaking, blowing, or otherwise escaping
248.12 ~~therefrom, except that.~~

248.13 (b) Notwithstanding paragraph (a), a vehicle or combination of vehicles may:

248.14 (1) drop sand may be dropped for the purpose of securing to secure traction, or;

248.15 (2) sprinkle water or other substances may be sprinkled on a roadway in cleaning or
248.16 maintaining such to clean or maintain the roadway; or

248.17 (3) leak liquid if transporting sugar beets.

248.18 (c) This subdivision shall does not apply to motor vehicles operated by a farmer or the
248.19 farmer's agent when transporting produce such as small grains, shelled corn, soybeans, or
248.20 other farm produce of a size and density not likely to cause injury to persons or damage to
248.21 property on escaping in small amounts from a vehicle.

248.22 (d) A violation of this subdivision by a vehicle that is carrying farm produce and that is
248.23 not exempted by the preceding sentence under paragraph (c) is a petty misdemeanor.

248.24 **EFFECTIVE DATE.** This section is effective June 1, 2018.

248.25 Sec. 44. Minnesota Statutes 2016, section 169.81, is amended by adding a subdivision to
248.26 read:

248.27 Subd. 11. **Automobile transporter.** (a) For purposes of this subdivision, the following
248.28 terms have the meanings given them:

248.29 (1) "automobile transporter" means any vehicle combination designed and used to
248.30 transport assembled highway vehicles, including truck camper units;

249.1 (2) "stinger-steered automobile transporter" means a truck tractor semitrailer having the
249.2 fifth wheel located on a drop frame located behind and below the rear-most axle of the
249.3 power unit; and

249.4 (3) "backhaul" means the return trip of a vehicle transporting cargo or general freight,
249.5 especially when carrying goods back over all or part of the same route.

249.6 (b) Stinger-steered combination automobile transporters having a length of 80 feet or
249.7 less may be operated on interstate highways and other highways designated in this section,
249.8 and may carry a load that extends four feet or less in the front of the vehicle and six feet or
249.9 less in the rear of the vehicle.

249.10 (c) An automobile transporter may transport cargo or general freight on a backhaul,
249.11 provided it complies with weight limitations for a truck tractor and semitrailer combination
249.12 under section 169.824.

249.13 Sec. 45. Minnesota Statutes 2016, section 169.8261, subdivision 2, is amended to read:

249.14 Subd. 2. **Conditions.** (a) A vehicle or combination of vehicles described in subdivision
249.15 1 must:

249.16 (1) comply with seasonal load restrictions in effect between the dates set by the
249.17 commissioner under section 169.87, subdivision 2;

249.18 (2) comply with bridge load limits posted under section 169.84;

249.19 (3) be equipped and operated with six or more axles and brakes on all wheels;

249.20 (4) not exceed 90,000 pounds gross vehicle weight, or 99,000 pounds gross vehicle
249.21 weight during the time when seasonal increases are authorized under section 169.826;

392.9 Sec. 49. Minnesota Statutes 2016, section 169.81, is amended by adding a subdivision to
392.10 read:

392.11 Subd. 11. **Automobile transporter.** (a) For purposes of this subdivision, the following
392.12 terms have the meanings given them:

392.13 (1) "automobile transporter" means any vehicle combination designed and used to
392.14 transport assembled highway vehicles, including truck camper units;

392.15 (2) "stinger-steered combination automobile transporter" means a truck tractor semitrailer
392.16 having the fifth wheel located on a drop frame located behind and below the rear-most axle
392.17 of the power unit; and

392.18 (3) "backhaul" means the return trip of a vehicle transporting cargo or general freight,
392.19 especially when carrying goods back over all or part of the same route.

392.20 (b) Stinger-steered combination automobile transporters having a length of 80 feet or
392.21 less may be operated on interstate highways and other highways designated in this section,
392.22 and in addition may carry a load that extends the length by four feet or less in the front of
392.23 the vehicle and six feet or less in the rear of the vehicle.

392.24 (c) An automobile transporter may transport cargo or general freight on a backhaul,
392.25 provided it complies with weight limitations for a truck tractor and semitrailer combination
392.26 under section 169.824.

392.27 Sec. 50. Minnesota Statutes 2016, section 169.8261, subdivision 2, is amended to read:

392.28 Subd. 2. **Conditions.** (a) A vehicle or combination of vehicles described in subdivision
392.29 1 must:

392.30 (1) comply with seasonal load restrictions in effect between the dates set by the
392.31 commissioner under section 169.87, subdivision 2;

393.1 (2) comply with bridge load limits posted under section 169.84;

393.2 (3) be equipped and operated with six or more axles and brakes on all wheels;

393.3 (4) not exceed 90,000 pounds gross vehicle weight, or 99,000 pounds gross vehicle
393.4 weight during the time when seasonal increases are authorized under section 169.826;

249.22 (5) not be operated on interstate highways;

249.23 (6) obtain an annual permit from the commissioner of transportation;

249.24 (7) obey all road postings; and

249.25 (8) not exceed 20,000 pounds gross weight on any single axle.

249.26 (b) A vehicle operated under this section may exceed the legal axle weight limits listed

249.27 in section 169.824 by not more than 12.5 percent; except that, the weight limits may be

249.28 exceeded by not more than 23.75 percent during the time when seasonal increases are

249.29 authorized under section 169.826, subdivision 1.

250.1 (c) Notwithstanding paragraph (a), clause (5), a vehicle or combination of vehicles

250.2 hauling raw or unfinished forest products may also operate on the segment of Interstate

250.3 Route 35 provided under United States Code, title 23, section 127.

250.4 Sec. 46. Minnesota Statutes 2017 Supplement, section 169.829, subdivision 4, is amended

250.5 to read:

250.6 Subd. 4. **Certain emergency vehicles.** (a) The provisions of sections 169.80 to 169.88

250.7 governing size, weight, and load do not apply to a fire apparatus, a law enforcement special

250.8 response vehicle, or a licensed land emergency ambulance service vehicle.

250.9 (b) Emergency vehicles designed to transport personnel and equipment to support the

250.10 suppression of fires and to mitigate other hazardous situations are subject to the following

250.11 weight limitations when operated on an interstate highway: (1) 24,000 pounds on a single

250.12 steering axle; (2) 33,500 pounds on a single drive axle; (3) 52,000 pounds on a tandem rear

250.13 drive steer axle; and (4) 62,000 pounds on a tandem axle. The gross weight of an emergency

250.14 vehicle operating on an interstate highway must not exceed 86,000 pounds.

393.5 (5) not be operated on interstate highways;

393.6 (6) obtain an annual permit from the commissioner of transportation;

393.7 (7) obey all road postings; and

393.8 (8) not exceed 20,000 pounds gross weight on any single axle.

393.9 (b) A vehicle operated under this section may exceed the legal axle weight limits listed

393.10 in section 169.824 by not more than 12.5 percent; except that, the weight limits may be

393.11 exceeded by not more than 23.75 percent during the time when seasonal increases are

393.12 authorized under section 169.826, subdivision 1.

393.13 (c) Notwithstanding paragraph (a), clause (5), a vehicle or combination of vehicles

393.14 hauling raw or unfinished forest products may also operate on the segment of marked

393.15 Interstate Highway 35 provided under United States Code, title 23, section 127(q)(2)(D).

393.16 Sec. 51. Minnesota Statutes 2017 Supplement, section 169.829, subdivision 4, is amended

393.17 to read:

393.18 Subd. 4. **Certain emergency vehicles.** (a) The provisions of sections 169.80 to 169.88

393.19 governing size, weight, and load do not apply to a fire apparatus, a law enforcement special

393.20 response vehicle, or a licensed land emergency ambulance service vehicle.

393.21 (b) Emergency vehicles designed to transport personnel and equipment to support the

393.22 suppression of fires and to mitigate other hazardous situations are subject to the following

393.23 weight limitations when operated on an interstate highway: (1) 24,000 pounds on a single

393.24 steering axle; (2) 33,500 pounds on a single drive axle; (3) 52,000 pounds on a tandem rear

393.25 drive steer axle; and (4) 62,000 pounds on a tandem axle. The gross weight of an emergency

393.26 vehicle operating on an interstate highway must not exceed 86,000 pounds.

393.27 Sec. 52. Minnesota Statutes 2016, section 169.829, is amended by adding a subdivision

393.28 to read:

393.29 Subd. 5. **Sewage septic tank trucks.** (a) Sections 169.823 and 169.826 to 169.828 do

393.30 not apply to a sewage septic tank truck used exclusively to transport sewage from septic or

393.31 holding tanks.

394.1 (b) The weight limitations under section 169.824 are increased by ten percent for a

394.2 single-unit vehicle transporting sewage from the point of service to (1) another point of

394.3 service, or (2) the point of unloading.

394.4 (c) Notwithstanding sections 169.824, subdivision 1, paragraph (d); 169.826, subdivision
394.5 3; or any other law to the contrary, a permit is not required to operate a vehicle under this
394.6 subdivision.

394.7 (d) The seasonal weight increases under section 169.826, subdivision 1, do not apply to
394.8 a vehicle operated under this subdivision.

394.9 (e) A vehicle operated under this subdivision is subject to bridge load limits posted under
394.10 section 169.84.

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

394.12 Sec. 53. Minnesota Statutes 2016, section 169.87, subdivision 6, is amended to read:

394.13 Subd. 6. **Recycling and garbage vehicles.** (a) ~~Except as provided in paragraph (b) While~~
394.14 ~~a vehicle is engaged in the type of collection the vehicle was designed to perform,~~ weight
394.15 restrictions imposed under subdivisions 1 and 2 do not apply to:

394.16 (1) a vehicle that does not exceed 20,000 pounds per single axle and is designed and
394.17 used exclusively for recycling, while ~~engaged in recycling~~ operating in a political subdivision
394.18 that mandates curbside recycling pickup;

394.19 ~~(b) Weight restrictions imposed under subdivisions 1 and 2 do not apply to: (1) (2) a~~
394.20 ~~vehicle that does not exceed 14,000 pounds per single axle and is used exclusively for~~
394.21 ~~recycling as described in paragraph (a);~~

394.22 ~~(2) (3) a vehicle that does not exceed 14,000 pounds per single axle and is designed and~~
394.23 ~~used exclusively for collecting mixed municipal solid waste, as defined in section 115A.03,~~
394.24 ~~subdivision 21, while engaged in such collection; or~~

394.25 ~~(3) (4) a portable toilet service vehicle that does not exceed 14,000 pounds per single~~
394.26 ~~axle or 26,000 pounds gross vehicle weight, and is designed and used exclusively for~~
394.27 ~~collecting liquid waste from portable toilets, while engaged in such collection; or~~

394.28 (5) a sewage septic tank truck that is designed and used exclusively to haul sewage from
394.29 septic or holding tanks.

394.30 ~~(e) (b) Notwithstanding section 169.80, subdivision 1, a violation of the owner or operator~~
394.31 ~~of a vehicle that violates the weight restrictions imposed under subdivisions 1 and 2 by a~~
394.32 ~~vehicle designed and used exclusively for recycling while engaged in recycling in a political~~
395.1 ~~subdivision that mandates curbside recycling pickup while engaged in such collection, by~~
395.2 ~~a vehicle that is designed and used exclusively for collecting mixed municipal solid waste~~

250.15 Sec. 47. Minnesota Statutes 2016, section 169.92, subdivision 4, is amended to read:

250.16 Subd. 4. **Suspension of driver's license.** (a) Upon receiving a report from the court, or
250.17 from the driver licensing authority of a state, district, territory, or possession of the United
250.18 States or a province of a foreign country which has an agreement in effect with this state
250.19 pursuant to section 169.91, that a resident of this state or a person licensed as a driver in
250.20 this state did not appear in court in compliance with the terms of a citation, the commissioner
250.21 of public safety shall notify the driver that the driver's license will be suspended unless the
250.22 commissioner receives notice within 30 days that the driver has appeared in the appropriate
250.23 court ~~or, if the offense is a petty misdemeanor for which a guilty plea was entered under~~
250.24 ~~section 609.491, that the person has paid any fine imposed by the court.~~ If the commissioner
250.25 does not receive notice of the appearance in the appropriate court ~~or payment of the fine~~
250.26 within 30 days of the date of the commissioner's notice to the driver, the commissioner may
250.27 suspend the driver's license, subject to the notice requirements of section 171.18, subdivision
250.28 2. Notwithstanding the requirements in this section, the commissioner is prohibited from
250.29 suspending the driver's license of a person based solely on the fact that the person did not
250.30 appear in court in compliance with the terms of a citation for a petty misdemeanor or for a
250.31 violation of section 171.24, subdivision 1.

251.1 (b) The order of suspension shall indicate the reason for the order and shall notify the
251.2 driver that the driver's license shall remain suspended until the driver has furnished evidence,
251.3 satisfactory to the commissioner, of compliance with any order entered by the court.

251.4 (c) Suspension shall be ordered under this subdivision only when the report clearly
251.5 identifies the person arrested; describes the violation, specifying the section of the traffic
251.6 law, ordinance or rule violated; indicates the location and date of the offense; and describes
251.7 the vehicle involved and its registration number.

251.8 Sec. 48. Minnesota Statutes 2016, section 169.974, subdivision 2, is amended to read:

395.3 ~~as defined in section 115A.03, subdivision 21, while engaged in such collection, or by a~~
395.4 ~~portable toilet service vehicle that is designed and used exclusively for collecting liquid~~
395.5 ~~waste from portable toilets, while engaged in such collection,~~ is not subject to criminal
395.6 penalties but is subject to a civil penalty for excess weight under section 169.871 if the
395.7 vehicle (1) meets the requirements under paragraph (a), and (2) is engaged in the type of
395.8 collection the vehicle was designed to perform.

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

H2856-3

22.17 Sec. 3. Minnesota Statutes 2016, section 169.92, subdivision 4, is amended to read:

22.18 Subd. 4. **Suspension of driver's license.** (a) Upon receiving a report from the court, or
22.19 from the driver licensing authority of a state, district, territory, or possession of the United
22.20 States or a province of a foreign country which has an agreement in effect with this state
22.21 pursuant to section 169.91, that a resident of this state or a person licensed as a driver in
22.22 this state did not appear in court in compliance with the terms of a citation, the commissioner
22.23 of public safety shall notify the driver that the driver's license will be suspended unless the
22.24 commissioner receives notice within 30 days that the driver has appeared in the appropriate
22.25 court ~~or, if the offense is a petty misdemeanor for which a guilty plea was entered under~~
22.26 ~~section 609.491, that the person has paid any fine imposed by the court.~~ If the commissioner
22.27 does not receive notice of the appearance in the appropriate court ~~or payment of the fine~~
22.28 within 30 days of the date of the commissioner's notice to the driver, the commissioner may
22.29 suspend the driver's license, subject to the notice requirements of section 171.18, subdivision
22.30 2. Notwithstanding the requirements in this section, the commissioner is prohibited from
22.31 suspending the driver's license of a person based solely on the fact that the person did not
22.32 appear in court in compliance with the terms of a citation for a petty misdemeanor or for a
22.33 violation of section 171.24, subdivision 1.

23.1 (b) The order of suspension shall indicate the reason for the order and shall notify the
23.2 driver that the driver's license shall remain suspended until the driver has furnished evidence,
23.3 satisfactory to the commissioner, of compliance with any order entered by the court.

23.4 (c) Suspension shall be ordered under this subdivision only when the report clearly
23.5 identifies the person arrested; describes the violation, specifying the section of the traffic
23.6 law, ordinance or rule violated; indicates the location and date of the offense; and describes
23.7 the vehicle involved and its registration number.

H3138-3

395.10 Sec. 54. Minnesota Statutes 2016, section 169.974, subdivision 2, is amended to read:

251.9 Subd. 2. **License endorsement and permit requirements.** (a) No person shall operate
251.10 a motorcycle on any street or highway without having a valid driver's license with a
251.11 two-wheeled vehicle endorsement as provided by law. A person may operate an autocycle
251.12 without a two-wheeled vehicle endorsement, provided the person has a valid driver's license
251.13 issued under section 171.02.

251.14 (b) The commissioner of public safety shall issue a two-wheeled vehicle endorsement
251.15 only if the applicant (1) has in possession a valid two-wheeled vehicle instruction permit
251.16 as provided in paragraph (c), (2) has passed a written examination and road test administered
251.17 by the Department of Public Safety for the endorsement, and (3) in the case of applicants
251.18 under 18 years of age, presents a certificate or other evidence of having successfully
251.19 completed an approved two-wheeled vehicle driver's safety course in this or another state,
251.20 in accordance with rules adopted by the commissioner of public safety for courses offered
251.21 by a public, private, or commercial school or institute. The commissioner of public safety
251.22 may waive the road test for any applicant on determining that the applicant possesses a valid
251.23 license to operate a two-wheeled vehicle issued by a jurisdiction that requires a comparable
251.24 road test for license issuance.

251.25 (c) The commissioner of public safety shall issue a two-wheeled vehicle instruction
251.26 permit to any person over 16 years of age who (1) is in possession of a valid driver's license,
251.27 (2) is enrolled in an approved two-wheeled vehicle driver's safety course, and (3) has passed
251.28 a written examination for the permit and paid a fee prescribed by the commissioner of public
251.29 safety. A two-wheeled vehicle instruction permit is effective for one year and may be
251.30 renewed under rules prescribed by the commissioner of public safety.

251.31 (d) No person who is operating by virtue of a two-wheeled vehicle instruction permit
251.32 shall:

252.1 (1) carry any passengers on the streets and highways of this state on the motorcycle
252.2 while the person is operating the motorcycle;

252.3 (2) drive the motorcycle at night; or

252.4 ~~(3) drive the motoreycle on any highway marked as an interstate highway pursuant to~~
252.5 ~~title 23 of the United States Code; or~~

252.6 ~~(4)~~ (3) drive the motorcycle without wearing protective headgear that complies with
252.7 standards established by the commissioner of public safety.

252.8 (e) Notwithstanding paragraphs (a) to (d), the commissioner of public safety may issue
252.9 a special motorcycle permit, restricted or qualified as the commissioner of public safety

395.11 Subd. 2. **License endorsement and permit requirements.** (a) No person shall operate
395.12 a motorcycle on any street or highway without having a valid driver's license with a
395.13 two-wheeled vehicle endorsement as provided by law. A person may operate an autocycle
395.14 without a two-wheeled vehicle endorsement, provided the person has a valid driver's license
395.15 issued under section 171.02.

395.16 (b) The commissioner of public safety shall issue a two-wheeled vehicle endorsement
395.17 only if the applicant (1) has in possession a valid two-wheeled vehicle instruction permit
395.18 as provided in paragraph (c), (2) has passed a written examination and road test administered
395.19 by the Department of Public Safety for the endorsement, and (3) in the case of applicants
395.20 under 18 years of age, presents a certificate or other evidence of having successfully
395.21 completed an approved two-wheeled vehicle driver's safety course in this or another state,
395.22 in accordance with rules adopted by the commissioner of public safety for courses offered
395.23 by a public, private, or commercial school or institute. The commissioner of public safety
395.24 may waive the road test for any applicant on determining that the applicant possesses a valid
395.25 license to operate a two-wheeled vehicle issued by a jurisdiction that requires a comparable
395.26 road test for license issuance.

395.27 (c) The commissioner of public safety shall issue a two-wheeled vehicle instruction
395.28 permit to any person over 16 years of age who (1) is in possession of a valid driver's license,
395.29 (2) is enrolled in an approved two-wheeled vehicle driver's safety course, and (3) has passed
395.30 a written examination for the permit and paid a fee prescribed by the commissioner of public
395.31 safety. A two-wheeled vehicle instruction permit is effective for one year and may be
395.32 renewed under rules prescribed by the commissioner of public safety.

395.33 (d) No person who is operating by virtue of a two-wheeled vehicle instruction permit
395.34 shall:

396.1 (1) carry any passengers on the streets and highways of this state on the motorcycle
396.2 while the person is operating the motorcycle;

396.3 (2) drive the motorcycle at night; or

396.4 ~~(3) drive the motoreycle on any highway marked as an interstate highway pursuant to~~
396.5 ~~title 23 of the United States Code; or~~

396.6 ~~(4)~~ (3) drive the motorcycle without wearing protective headgear that complies with
396.7 standards established by the commissioner of public safety.

396.8 (e) Notwithstanding paragraphs (a) to (d), the commissioner of public safety may issue
396.9 a special motorcycle permit, restricted or qualified as the commissioner of public safety

252.10 deems proper, to any person demonstrating a need for the permit and unable to qualify for
252.11 a driver's license.

252.12 Sec. 49. Minnesota Statutes 2016, section 171.041, is amended to read:

252.13 **171.041 RESTRICTED LICENSE FOR FARM WORK.**

252.14 (a) Notwithstanding any provisions of section 171.04 relating to the age of an applicant
252.15 to the contrary, the commissioner may issue a restricted farm work license to operate a
252.16 motor vehicle to a person who has attained the age of 15 years and who, except for age, is
252.17 qualified to hold a driver's license. The applicant is not required to comply with the six-month
252.18 instruction permit possession provisions of sections 171.04, subdivision 1, clause (2), and
252.19 171.05, subdivision 2a, or with the 12-month provisional license possession provision of
252.20 section 171.04, subdivision 1, clause (1), item (i).

252.21 (b) The restricted license ~~shall~~ must be issued solely for the purpose of authorizing the
252.22 person to whom the restricted license is issued to assist the person's parents or guardians
252.23 with farm work. An individual may perform farm work under the restricted license for any
252.24 entity authorized to farm under section 500.24. A person holding this restricted license may
252.25 operate a motor vehicle only during daylight hours and only within a radius of ~~20~~ 40 miles
252.26 of the parent's or guardian's farmhouse; however, in no case may a person holding the
252.27 restricted license operate a motor vehicle in a city of the first class.

252.28 (c) An applicant for a restricted license shall apply to the commissioner for the license
252.29 on forms prescribed by the commissioner. The application shall be accompanied by:

252.30 (1) a copy of a property tax statement showing that the applicant's parent or guardian
252.31 owns land that is classified as agricultural land or a copy of a rental statement or agreement
252.32 showing that the applicant's parent or guardian rents land classified as agricultural land; and

253.1 (2) a written verified statement by the applicant's parent or guardian setting forth the
253.2 necessity for the license.

253.3 **EFFECTIVE DATE.** This section is effective June 1, 2018.

253.4 Sec. 50. Minnesota Statutes 2017 Supplement, section 171.06, subdivision 2, is amended
253.5 to read:

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

396.10 deems proper, to any person demonstrating a need for the permit and unable to qualify for
396.11 a driver's license.

253.7	REAL ID Compliant or				
253.8	Noncompliant Classified				
253.9	Driver's License	D-\$17.25	C-\$21.25	B-\$28.25	A-\$36.25
253.10	REAL ID Compliant or				
253.11	Noncompliant Classified				
253.12	Under-21 D.L.	D-\$17.25	C-\$21.25	B-\$28.25	A-\$16.25
253.13	Enhanced Driver's License	D-\$32.25	C-\$36.25	B-\$43.25	A-\$51.25
253.14	REAL ID Compliant or				
253.15	Noncompliant Instruction				
253.16	Permit				\$5.25
253.17	Enhanced Instruction				
253.18	Permit				\$20.25
253.19	Commercial Learner's				
253.20	Permit				\$2.50
253.21	REAL ID Compliant or				
253.22	Noncompliant Provisional				
253.23	License				\$8.25
253.24	Enhanced Provisional				
253.25	License				\$23.25
253.26	Duplicate REAL ID				
253.27	Compliant or Noncompliant				
253.28	License or duplicate REAL				
253.29	ID Compliant or				
253.30	Noncompliant identification				
253.31	card				\$6.75
253.32	Enhanced Duplicate				
253.33	License or enhanced				
253.34	duplicate identification card				\$21.75
253.35	REAL ID Compliant or				
253.36	Noncompliant Minnesota				
253.37	identification card or REAL				
253.38	ID Compliant or				
253.39	Noncompliant Under-21				
253.40	Minnesota identification				
253.41	card, other than duplicate,				\$11.25

- 253.42 except as otherwise
253.43 provided in section 171.07,
253.44 subdivisions 3 and 3a
- 254.1 Enhanced Minnesota
254.2 identification card \$26.25
- 254.3 ~~In addition to each fee required in this paragraph, the commissioner shall collect a surcharge~~
254.4 ~~of: (1) \$1.75 until June 30, 2012; and (2) \$1.00 from July 1, 2012, to June 30, 2016.~~
254.5 ~~Surcharges collected under this paragraph must be credited to the driver and vehicle services~~
254.6 ~~technology account in the special revenue fund under section 299A.705.~~
- 254.7 (b) Notwithstanding paragraph (a), an individual who holds a provisional license and
254.8 has a driving record free of (1) convictions for a violation of section 169A.20, 169A.33,
254.9 169A.35, sections 169A.50 to 169A.53, or section 171.177, (2) convictions for crash-related
254.10 moving violations, and (3) convictions for moving violations that are not crash related, shall
254.11 have a \$3.50 credit toward the fee for any classified under-21 driver's license. "Moving
254.12 violation" has the meaning given it in section 171.04, subdivision 1.
- 254.13 (c) In addition to the driver's license fee required under paragraph (a), the commissioner
254.14 shall collect an additional \$4 processing fee from each new applicant or individual renewing
254.15 a license with a school bus endorsement to cover the costs for processing an applicant's
254.16 initial and biennial physical examination certificate. The department shall not charge these
254.17 applicants any other fee to receive or renew the endorsement.
- 254.18 (d) In addition to the fee required under paragraph (a), a driver's license agent may charge
254.19 and retain a filing fee as provided under section 171.061, subdivision 4.
- 254.20 (e) In addition to the fee required under paragraph (a), the commissioner shall charge a
254.21 filing fee at the same amount as a driver's license agent under section 171.061, subdivision
254.22 4. Revenue collected under this paragraph must be deposited in the driver services operating
254.23 account.
- 254.24 (f) An application for a Minnesota identification card, instruction permit, provisional
254.25 license, or driver's license, including an application for renewal, must contain a provision
254.26 that allows the applicant to add to the fee under paragraph (a), a \$2 donation for the purposes
254.27 of public information and education on anatomical gifts under section 171.075.

H2856-3

254.28 Sec. 51. Minnesota Statutes 2016, section 171.16, subdivision 2, is amended to read:

254.29 Subd. 2. **Commissioner shall suspend.** (a) The court may recommend the suspension
254.30 of the driver's license of the person so convicted, and the commissioner shall suspend such
254.31 license as recommended by the court, without a hearing ~~as provided herein.~~

254.32 (b) The commissioner is prohibited from suspending a person's driver's license if the
254.33 person was convicted only under section 171.24, subdivision 1 or 2.

255.1 Sec. 52. Minnesota Statutes 2016, section 171.16, subdivision 3, is amended to read:

255.2 Subd. 3. ~~Suspension for Failure to pay fine. When any court reports to~~ The
255.3 commissioner must not suspend a person's driver's license based solely on the fact that a
255.4 person: (1) has been convicted of violating a law of this state or an ordinance of a political
255.5 subdivision which regulates the operation or parking of motor vehicles, (2) has been
255.6 sentenced to the payment of a fine or had a surcharge levied against that person, or sentenced
255.7 to a fine upon which a surcharge was levied, and (3) has refused or failed to comply with
255.8 that sentence or to pay the surcharge, notwithstanding the fact that the court has determined
255.9 that the person has the ability to pay the fine or surcharge, the commissioner shall suspend
255.10 the driver's license of such person for 30 days for a refusal or failure to pay or until notified
255.11 by the court that the fine or surcharge, or both if a fine and surcharge were not paid, has
255.12 been paid.

255.13 Sec. 53. Minnesota Statutes 2016, section 171.18, subdivision 1, is amended to read:

255.14 Subdivision 1. **Offenses.** (a) The commissioner may suspend the license of a driver
255.15 without preliminary hearing upon a showing by department records or other sufficient
255.16 evidence that the licensee:

255.17 (1) has committed an offense for which mandatory revocation of license is required upon
255.18 conviction;

255.19 (2) has been convicted by a court for violating a provision of chapter 169 or an ordinance
255.20 regulating traffic, other than a conviction for a petty misdemeanor, and department records
255.21 show that the violation contributed in causing an accident resulting in the death or personal
255.22 injury of another, or serious property damage;

255.23 (3) is an habitually reckless or negligent driver of a motor vehicle;

255.24 (4) is an habitual violator of the traffic laws;

23.8 Sec. 4. Minnesota Statutes 2016, section 171.16, subdivision 2, is amended to read:

23.9 Subd. 2. **Commissioner shall suspend.** (a) The court may recommend the suspension
23.10 of the driver's license of the person so convicted, and the commissioner shall suspend such
23.11 license as recommended by the court, without a hearing ~~as provided herein.~~

23.12 (b) The commissioner is prohibited from suspending a person's driver's license if the
23.13 person was convicted only under section 171.24, subdivision 1 or 2.

23.14 Sec. 5. Minnesota Statutes 2016, section 171.16, subdivision 3, is amended to read:

23.15 Subd. 3. ~~Suspension for Failure to pay fine. When any court reports to~~ The
23.16 commissioner must not suspend a person's driver's license based solely on the fact that a
23.17 person: (1) has been convicted of violating a law of this state or an ordinance of a political
23.18 subdivision which regulates the operation or parking of motor vehicles, (2) has been
23.19 sentenced to the payment of a fine or had a surcharge levied against that person, or sentenced
23.20 to a fine upon which a surcharge was levied, and (3) has refused or failed to comply with
23.21 that sentence or to pay the surcharge, notwithstanding the fact that the court has determined
23.22 that the person has the ability to pay the fine or surcharge, the commissioner shall suspend
23.23 the driver's license of such person for 30 days for a refusal or failure to pay or until notified
23.24 by the court that the fine or surcharge, or both if a fine and surcharge were not paid, has
23.25 been paid.

23.26 Sec. 6. Minnesota Statutes 2016, section 171.18, subdivision 1, is amended to read:

23.27 Subdivision 1. **Offenses.** (a) The commissioner may suspend the license of a driver
23.28 without preliminary hearing upon a showing by department records or other sufficient
23.29 evidence that the licensee:

23.30 (1) has committed an offense for which mandatory revocation of license is required upon
23.31 conviction;

24.1 (2) has been convicted by a court for violating a provision of chapter 169 or an ordinance
24.2 regulating traffic, other than a conviction for a petty misdemeanor, and department records
24.3 show that the violation contributed in causing an accident resulting in the death or personal
24.4 injury of another, or serious property damage;

24.5 (3) is an habitually reckless or negligent driver of a motor vehicle;

24.6 (4) is an habitual violator of the traffic laws;

255.25 (5) is incompetent to drive a motor vehicle as determined in a judicial proceeding;

255.26 (6) has permitted an unlawful or fraudulent use of the license;

255.27 (7) has committed an offense in another state that, if committed in this state, would be
255.28 grounds for suspension;

255.29 (8) has committed a violation of section 169.444, subdivision 2, paragraph (a), within
255.30 five years of a prior conviction under that section;

256.1 (9) has committed a violation of section 171.22, except that the commissioner may not
256.2 suspend a person's driver's license based solely on the fact that the person possessed a
256.3 fictitious or fraudulently altered Minnesota identification card;

256.4 (10) has failed to appear in court as provided in section 169.92, subdivision 4;

256.5 (11) has failed to report a medical condition that, if reported, would have resulted in
256.6 cancellation of driving privileges;

256.7 (12) has been found to have committed an offense under section 169A.33; or

256.8 (13) has paid or attempted to pay a fee required under this chapter for a license or permit
256.9 by means of a dishonored check issued to the state or a driver's license agent, which must
256.10 be continued until the registrar determines or is informed by the agent that the dishonored
256.11 check has been paid in full.

256.12 However, an action taken by the commissioner under clause (2) or (5) must conform to the
256.13 recommendation of the court when made in connection with the prosecution of the licensee.

256.14 (b) The commissioner may suspend the license of a driver when any court reports to the
256.15 commissioner that a driver has four unpaid parking tickets within a 12-month period or five
256.16 unpaid parking tickets within a 24-month period.

256.17 ~~(b)~~ (c) The commissioner may not suspend is prohibited from suspending the driver's
256.18 license of an individual under paragraph (a) who was convicted of a violation of section
256.19 171.24, subdivision 1, whose license was under suspension at the time solely because of
256.20 the individual's failure to appear in court or failure to pay a fine or 2.

256.21 Sec. 54. Minnesota Statutes 2016, section 174.12, subdivision 8, is amended to read:

24.7 (5) is incompetent to drive a motor vehicle as determined in a judicial proceeding;

24.8 (6) has permitted an unlawful or fraudulent use of the license;

24.9 (7) has committed an offense in another state that, if committed in this state, would be
24.10 grounds for suspension;

24.11 (8) has committed a violation of section 169.444, subdivision 2, paragraph (a), within
24.12 five years of a prior conviction under that section;

24.13 (9) has committed a violation of section 171.22, except that the commissioner may not
24.14 suspend a person's driver's license based solely on the fact that the person possessed a
24.15 fictitious or fraudulently altered Minnesota identification card;

24.16 (10) has failed to appear in court as provided in section 169.92, subdivision 4;

24.17 (11) has failed to report a medical condition that, if reported, would have resulted in
24.18 cancellation of driving privileges;

24.19 (12) has been found to have committed an offense under section 169A.33; or

24.20 (13) has paid or attempted to pay a fee required under this chapter for a license or permit
24.21 by means of a dishonored check issued to the state or a driver's license agent, which must
24.22 be continued until the registrar determines or is informed by the agent that the dishonored
24.23 check has been paid in full.

24.24 However, an action taken by the commissioner under clause (2) or (5) must conform to the
24.25 recommendation of the court when made in connection with the prosecution of the licensee.

24.26 (b) The commissioner may not suspend is prohibited from suspending the driver's license
24.27 of an individual under paragraph (a) who was convicted of a violation of section 171.24,
24.28 subdivision 1, whose license was under suspension at the time solely because of the
24.29 individual's failure to appear in court or failure to pay a fine or 2.

256.22 Subd. 8. **Legislative report.** (a) By February 1 of each odd-numbered year, the
256.23 commissioner of transportation, with assistance from the commissioner of employment and
256.24 economic development, shall submit a report on the transportation economic development
256.25 program to the chairs and ranking minority members of the legislative committees with
256.26 jurisdiction over transportation policy and finance and economic development policy and
256.27 finance.

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

256.29 (1) summarize the requirements and implementation of the transportation economic
256.30 development program established in this section;

256.31 (2) review the criteria and economic impact performance measures used for evaluation,
256.32 prioritization, and selection of projects;

257.1 (3) provide a brief overview of each project that received financial assistance under the
257.2 program, which must at a minimum identify:

257.3 (i) basic project characteristics, such as funding recipient, geographic location, and type
257.4 of transportation modes served;

257.5 (ii) sources and respective amounts of project funding; and

257.6 (iii) the degree of economic benefit anticipated or observed, following the economic
257.7 impact performance measures established under subdivision 4;

257.8 (4) identify the allocation of funds, including but not limited to a breakdown of total
257.9 project funds by transportation mode, the amount expended for administrative costs, and
257.10 the amount transferred to the transportation economic development assistance account;

257.11 (5) evaluate the overall economic impact of the program; and

257.12 (6) provide recommendations for any legislative changes related to the program.

257.13 (c) Notwithstanding paragraph (a), a report is not required in an odd-numbered year if
257.14 no project received financial assistance during the preceding 24 months.

H3138-3

396.12 Sec. 55. [174.13] TRANSPORTATION FACILITIES CAPITAL PROGRAM.

396.13 Subdivision 1. **Program established.** (a) A transportation facilities capital program is
396.14 established to prioritize among eligible projects that:

396.15 (1) support the programmatic mission of the department;

396.16 (2) extend the useful life of existing buildings; or

396.17 (3) renovate or construct facilities to meet the department's current and future operational
396.18 needs.

396.19 (b) Projects under the transportation facilities capital program may be funded by proceeds
396.20 from the sale of trunk highway bonds or from other funds appropriated for the purposes of
396.21 this section.

396.22 Subd. 2. **Accounts.** (a) A transportation facilities capital account is established in the
396.23 trunk highway fund. The account consists of all money made available from the trunk
396.24 highway fund for the purposes of this section and any other money donated, allotted,
396.25 transferred, or otherwise provided to the account by law. Money in the account is appropriated
396.26 to the commissioner for the purposes specified and consistent with the standards and criteria
396.27 set forth in this section.

396.28 (b) A transportation facilities capital account is established in the bond proceeds account
396.29 of the trunk highway fund. The account consists of trunk highway bond proceeds appropriated
396.30 to the commissioner for the transportation facilities capital program. Money in the account
396.31 may only be expended on trunk highway purposes, which includes the purposes in this
396.32 section.

397.1 Subd. 3. **Standards.** (a) The legislature finds that many projects for preservation and
397.2 replacement of portions of existing capital assets constitute the construction, improvement,
397.3 and maintenance of the public highway system within the meaning of the Minnesota
397.4 Constitution, article XIV, section 11, and capital expenditures under generally accepted
397.5 accounting principles as applied to public expenditures. Projects can be financed more
397.6 efficiently and economically under the program than by direct appropriations for specific
397.7 projects.

397.8 (b) When allocating funding under this section, the commissioner must review the
397.9 projects deemed eligible under subdivision 4 and prioritize allocations using the criteria in
397.10 subdivision 5. Money allocated to a specific project in an appropriation or other law must
397.11 be allocated as provided by the law.

257.15 Sec. 55. Minnesota Statutes 2016, section 174.37, subdivision 6, is amended to read:

257.16 Subd. 6. **Expiration.** The committee expires June 30, ~~2018~~ 2022.

257.17 Sec. 56. Minnesota Statutes 2016, section 174.66, is amended to read:

257.18 **174.66 CONTINUATION OF CARRIER RULES.**

257.19 (a) Orders and directives in force, issued, or promulgated under authority of chapters
257.20 174A, 216A, 218, 219, 221, and 222 remain and continue in force and effect until repealed,
257.21 modified, or superseded by duly authorized orders or directives of the commissioner of
257.22 transportation. To the extent allowed under federal law or regulation, rules adopted under
257.23 authority of the following sections are transferred to the commissioner of transportation
257.24 and continue in force and effect until repealed, modified, or superseded by duly authorized
257.25 rules of the commissioner:

397.12 Subd. 4. **Eligible expenditures; limitations.** (a) A project is eligible under this section
397.13 only if it is a capital expenditure on a capital building asset owned or to be owned by the
397.14 state within the meaning of generally accepted accounting principles as applied to public
397.15 expenditures.

397.16 (b) Capital budget expenditures that are eligible under this section include but are not
397.17 limited to: (1) acquisition of land and buildings; and (2) the predesign, engineering,
397.18 construction, furnishing and equipping of district headquarter buildings, truck stations, salt
397.19 storage or other unheated storage buildings, deicing and anti-icing facilities, fuel dispensing
397.20 facilities, highway rest areas, and vehicle weigh and inspection stations.

397.21 Subd. 5. **Criteria for priorities.** When prioritizing funding allocation among projects
397.22 eligible under subdivision 4, the commissioner must consider:

397.23 (1) whether a project ensures the effective and efficient condition and operation of the
397.24 facility;

397.25 (2) the urgency in ensuring the safe use of existing buildings;

397.26 (3) the project's total life-cycle cost;

397.27 (4) additional criteria for priorities otherwise specified in state law, statute, or rule that
397.28 applies to a category listed in the act making an appropriation for the program; and

397.29 (5) any other criteria the commissioner deems necessary.

397.30 Sec. 56. Minnesota Statutes 2016, section 174.66, is amended to read:

397.31 **174.66 CONTINUATION OF CARRIER RULES.**

398.1 (a) Orders and directives in force, issued, or promulgated under authority of chapters
398.2 174A, 216A, 218, 219, 221, and 222 remain and continue in force and effect until repealed,
398.3 modified, or superseded by duly authorized orders or directives of the commissioner of
398.4 transportation. To the extent allowed under federal law or regulation, rules adopted under
398.5 authority of the following sections are transferred to the commissioner of transportation
398.6 and continue in force and effect until repealed, modified, or superseded by duly authorized
398.7 rules of the commissioner:

257.26 (1) section 218.041 except rules related to the form and manner of filing railroad rates,
257.27 railroad accounting rules, and safety rules;

257.28 (2) section 219.40;

257.29 (3) rules relating to rates or tariffs, or the granting, limiting, or modifying of permits
257.30 under section 221.031, subdivision 1; and

258.1 (4) ~~rules relating to rates, charges, and practices under section 221.161, subdivision 4;~~
258.2 ~~and~~

258.3 (5) rules relating to rates, tariffs, or the granting, limiting, or modifying of permits under
258.4 section 221.121.

258.5 (b) The commissioner shall review the transferred rules, orders, and directives and, when
258.6 appropriate, develop and adopt new rules, orders, or directives.

258.7 Sec. 57. Minnesota Statutes 2016, section 221.031, subdivision 2d, is amended to read:

258.8 Subd. 2d. **Hours of service exemptions.** The federal regulations incorporated in section
258.9 221.0314, subdivision 9, for ~~maximum driving and on-duty time~~, hours of service do not
258.10 apply to drivers engaged in intrastate transportation within a 150-air-mile radius from the
258.11 source of the commodities, or from the retail or wholesale distribution point of the farm
258.12 supplies, for:

258.13 (1) agricultural commodities; or

258.14 (2) farm supplies for agricultural purposes ~~from March 15 to December 15 of each year;~~
258.15 ~~or~~

258.16 (2) ~~sugar beets from September 1 to May 15 of each year.~~

398.8 (1) section 218.041 except rules related to the form and manner of filing railroad rates,
398.9 railroad accounting rules, and safety rules;

398.10 (2) section 219.40;

398.11 (3) rules relating to rates or tariffs, or the granting, limiting, or modifying of permits
398.12 under section 221.031, subdivision 1; and

398.13 (4) ~~rules relating to rates, charges, and practices under section 221.161, subdivision 4;~~
398.14 ~~and~~

398.15 (5) rules relating to rates, tariffs, or the granting, limiting, or modifying of permits under
398.16 section 221.121.

398.17 (b) The commissioner shall review the transferred rules, orders, and directives and, when
398.18 appropriate, develop and adopt new rules, orders, or directives.

398.19 Sec. 57. Minnesota Statutes 2016, section 221.031, subdivision 2d, is amended to read:

398.20 Subd. 2d. **Hours of service exemptions; agricultural purposes.** The federal regulations
398.21 incorporated in section 221.0314, subdivision 9, for ~~maximum driving and on-duty time~~,
398.22 hours of service do not apply to drivers engaged in intrastate transportation within a
398.23 150-air-mile radius from the source of the commodities, or from the retail or wholesale
398.24 distribution point of the farm supplies, for:

398.25 (1) agricultural commodities; or

398.26 (2) farm supplies for agricultural purposes ~~from March 15 to December 15 of each year;~~
398.27 ~~or~~

398.28 (2) ~~sugar beets from September 1 to May 15 of each year.~~

399.1 Sec. 58. Minnesota Statutes 2016, section 221.031, is amended by adding a subdivision
399.2 to read:

399.3 Subd. 2f. **Hours of service exemptions; utility construction.** (a) The federal regulations
399.4 incorporated in section 221.0314, subdivision 9, for hours of service do not apply to drivers
399.5 engaged in intrastate transportation of utility construction materials within a 50-mile radius
399.6 from the site of a construction or maintenance project.

399.7 (b) For purposes of this subdivision, utility construction materials includes supplies and
399.8 materials used in a project to construct or maintain (1) a street or highway; (2) equipment

258.17 Sec. 58. Minnesota Statutes 2016, section 221.0314, subdivision 9, is amended to read:

258.18 Subd. 9. **Hours of service of driver.** (a) Code of Federal Regulations, title 49, part 395,
258.19 is incorporated by reference, except that paragraphs (a), (c), (d), (f), (h), (i), ~~(k)~~, (m), and
258.20 (n) of section 395.1 of that part are not incorporated. In addition, cross-references to sections
258.21 or paragraphs not incorporated in this subdivision are not incorporated by reference.

258.22 (b) For purposes of Code of Federal Regulations, title 49, part 395.1, paragraph (k), the
258.23 planting and harvest period for Minnesota is from January 1 through December 31 of each
258.24 year.

258.25 (c) The requirements of Code of Federal Regulations, title 49, part 395, do not apply to
258.26 drivers of lightweight vehicles.

258.27 Sec. 59. Minnesota Statutes 2016, section 221.036, subdivision 1, is amended to read:

258.28 Subdivision 1. **Order.** The commissioner may issue an order requiring violations to be
258.29 corrected and administratively assessing monetary penalties for a violation of (1) section
258.30 221.021; (2) section 221.033, subdivision 2b; (3) section 221.171; (4) section 221.141; (5)
259.1 a federal, state, or local law, regulation, rule, or ordinance pertaining to railroad-highway
259.2 grade crossings; or (6) rules of the commissioner relating to the transportation of hazardous
259.3 waste, motor carrier operations, or insurance, ~~or tariffs and accounting~~. An order must be
259.4 issued as provided in this section.

259.5 Sec. 60. Minnesota Statutes 2016, section 221.036, subdivision 3, is amended to read:

259.6 Subd. 3. **Amount of penalty; considerations.** (a) The commissioner may issue an order
259.7 assessing a penalty of up to \$5,000 for all violations identified during a single audit or
259.8 investigation of (1) section 221.021; 221.141; or 221.171, or (2) rules of the commissioner
259.9 relating to motor carrier operations; or insurance, ~~or tariffs and accounting~~, identified during
259.10 a single inspection, audit, or investigation.

259.11 (b) The commissioner may issue an order assessing a penalty up to a maximum of
259.12 \$10,000 for all violations of section 221.033, subdivision 2b, identified during a single
259.13 inspection or audit.

259.14 (c) In determining the amount of a penalty, the commissioner shall consider:

399.9 or facilities to furnish electric transmission service; (3) a telecommunications system or
399.10 cable communications system; (4) a waterworks system, sanitary sewer, or storm sewer;
399.11 (5) a gas heating service line; (6) a pipeline; and (7) a facility for other similar utility service.

399.12 Sec. 59. Minnesota Statutes 2016, section 221.0314, subdivision 9, is amended to read:

399.13 Subd. 9. **Hours of service of driver.** (a) Code of Federal Regulations, title 49, part 395,
399.14 is incorporated by reference, except that paragraphs (a), (c), (d), (f), (h), (i), ~~(k)~~, (m), and
399.15 (n) of section 395.1 of that part are not incorporated. In addition, cross-references to sections
399.16 or paragraphs not incorporated in this subdivision are not incorporated by reference.

399.17 (b) For purposes of Code of Federal Regulations, title 49, part 395.1, paragraph (k), the
399.18 planting and harvest period for Minnesota is from January 1 through December 31 each
399.19 year.

399.20 (c) The requirements of Code of Federal Regulations, title 49, part 395, do not apply to
399.21 drivers of lightweight vehicles.

399.22 Sec. 60. Minnesota Statutes 2016, section 221.036, subdivision 1, is amended to read:

399.23 Subdivision 1. **Order.** The commissioner may issue an order requiring violations to be
399.24 corrected and administratively assessing monetary penalties for a violation of (1) section
399.25 221.021; (2) section 221.033, subdivision 2b; (3) section 221.171; (4) section 221.141; (5)
399.26 a federal, state, or local law, regulation, rule, or ordinance pertaining to railroad-highway
399.27 grade crossings; or (6) rules of the commissioner relating to the transportation of hazardous
399.28 waste, motor carrier operations, or insurance, ~~or tariffs and accounting~~. An order must be
399.29 issued as provided in this section.

400.1 Sec. 61. Minnesota Statutes 2016, section 221.036, subdivision 3, is amended to read:

400.2 Subd. 3. **Amount of penalty; considerations.** (a) The commissioner may issue an order
400.3 assessing a penalty of up to \$5,000 for all violations identified during a single audit or
400.4 investigation of (1) section 221.021; 221.141; or 221.171, or (2) rules of the commissioner
400.5 relating to motor carrier operations; or insurance, ~~or tariffs and accounting~~, identified during
400.6 a single inspection, audit, or investigation.

400.7 (b) The commissioner may issue an order assessing a penalty up to a maximum of
400.8 \$10,000 for all violations of section 221.033, subdivision 2b, identified during a single
400.9 inspection or audit.

400.10 (c) In determining the amount of a penalty, the commissioner shall consider:

259.15 (1) the willfulness of the violation;

259.16 (2) the gravity of the violation, including damage to humans, animals, air, water, land,
259.17 or other natural resources of the state;

259.18 (3) the history of past violations, including the similarity of the most recent violation
259.19 and the violation to be penalized, the time elapsed since the last violation, the number of
259.20 previous violations, and the response of the person to the most recent violation identified;

259.21 (4) the economic benefit gained by the person by allowing or committing the violation;
259.22 and

259.23 (5) other factors as justice may require, if the commissioner specifically identifies the
259.24 additional factors in the commissioner's order.

259.25 (d) The commissioner shall assess a penalty in accordance with Code of Federal
259.26 Regulations, title 49, section 383.53, against:

259.27 (1) a driver who is convicted of a violation of an out-of-service order;

259.28 (2) an employer who knowingly allows or requires an employee to operate a commercial
259.29 motor vehicle in violation of an out-of-service order; or

260.1 (3) an employer who knowingly allows or requires an employee to operate a commercial
260.2 motor vehicle in violation of a federal, state, or local law or regulation pertaining to
260.3 railroad-highway grade crossings.

260.4 Sec. 61. Minnesota Statutes 2016, section 221.122, subdivision 1, is amended to read:

260.5 Subdivision 1. **Registration, insurance, and filing requirements.** (a) An order issued
260.6 by the commissioner which grants a certificate or permit must contain a service date.

260.7 (b) The person to whom the order granting the certificate or permit is issued shall do
260.8 the following within 45 days from the service date of the order:

260.9 (1) register vehicles which will be used to provide transportation under the permit or
260.10 certificate with the commissioner and pay the vehicle registration fees required by law; and

260.11 (2) file and maintain insurance or bond as required by section 221.141 and rules of the
260.12 commissioner; ~~and.~~

400.11 (1) the willfulness of the violation;

400.12 (2) the gravity of the violation, including damage to humans, animals, air, water, land,
400.13 or other natural resources of the state;

400.14 (3) the history of past violations, including the similarity of the most recent violation
400.15 and the violation to be penalized, the time elapsed since the last violation, the number of
400.16 previous violations, and the response of the person to the most recent violation identified;

400.17 (4) the economic benefit gained by the person by allowing or committing the violation;
400.18 and

400.19 (5) other factors as justice may require, if the commissioner specifically identifies the
400.20 additional factors in the commissioner's order.

400.21 (d) The commissioner shall assess a penalty in accordance with Code of Federal
400.22 Regulations, title 49, section 383.53, against:

400.23 (1) a driver who is convicted of a violation of an out-of-service order;

400.24 (2) an employer who knowingly allows or requires an employee to operate a commercial
400.25 motor vehicle in violation of an out-of-service order; or

400.26 (3) an employer who knowingly allows or requires an employee to operate a commercial
400.27 motor vehicle in violation of a federal, state, or local law or regulation pertaining to
400.28 railroad-highway grade crossings.

400.29 Sec. 62. Minnesota Statutes 2016, section 221.122, subdivision 1, is amended to read:

400.30 Subdivision 1. **Registration, insurance, and filing requirements.** (a) An order issued
400.31 by the commissioner which grants a certificate or permit must contain a service date.

401.1 (b) The person to whom the order granting the certificate or permit is issued shall do
401.2 the following within 45 days from the service date of the order:

401.3 (1) register vehicles which will be used to provide transportation under the permit or
401.4 certificate with the commissioner and pay the vehicle registration fees required by law; and

401.5 (2) file and maintain insurance or bond as required by section 221.141 and rules of the
401.6 commissioner; ~~and.~~

260.13 ~~(2) file rates and tariffs as required by section 221.161 and rules of the commissioner.~~

260.14 Sec. 62. Minnesota Statutes 2016, section 221.161, subdivision 1, is amended to read:

260.15 Subdivision 1. ~~Filing; hearing upon commissioner initiative~~ **Tariff maintenance and**
260.16 **contents.** A household goods ~~carrier~~ mover shall ~~file and~~ maintain ~~with the commissioner~~
260.17 a tariff showing rates and charges for transporting household goods. ~~Tariffs must be prepared~~
260.18 ~~and filed in accordance with the rules of the commissioner. When tariffs are filed in~~
260.19 ~~accordance with the rules and accepted by the commissioner, the filing constitutes notice~~
260.20 ~~to the public and interested parties of the contents of the tariffs. The commissioner shall not~~
260.21 ~~accept for filing tariffs that are unjust, unreasonable, unjustly discriminatory, unduly~~
260.22 ~~preferential or prejudicial, or otherwise in violation of this section or rules adopted under~~
260.23 ~~this section. If the tariffs appear to be unjust, unreasonable, unjustly discriminatory, unduly~~
260.24 ~~preferential or prejudicial, or otherwise in violation of this section or rules adopted under~~
260.25 ~~this section, after notification and investigation by the department, the commissioner may~~
260.26 ~~suspend and postpone the effective date of the tariffs and assign the tariffs for hearing upon~~
260.27 ~~notice to the household goods carrier filing the proposed tariffs and to other interested~~
260.28 ~~parties, including users of the service and competitive carriers by motor vehicle and rail.~~
260.29 ~~At the hearing, the burden of proof is on the household goods carrier filing the proposed~~
260.30 ~~tariff to sustain the validity of the proposed schedule of rates and charges. The tariffs and~~
260.31 ~~subsequent supplements to them or reissues of them must state the effective date, which~~
260.32 ~~may not be less than ten days following the date of filing, unless the period of time is reduced~~
261.1 ~~by special permission of the commissioner. A household goods mover must prepare a tariff~~
261.2 ~~under this section in accordance with Code of Federal Regulations, title 49, part 1310.3,~~
261.3 ~~which is incorporated by reference.~~

261.4 Sec. 63. Minnesota Statutes 2016, section 221.161, is amended by adding a subdivision
261.5 to read:

261.6 Subd. 5. **Tariff availability.** (a) A household goods mover subject to this section must
261.7 maintain all of its effective tariffs at its principal place of business and at each of its terminal
261.8 locations, and must make the tariffs available to the public for inspection at all times the
261.9 household goods mover is open for business. Any publication referred to in a tariff must be
261.10 maintained with that tariff.

261.11 (b) Upon request, a household goods mover must provide copies of tariffs, specific tariff
261.12 provisions, or tariff subscriptions to the commissioner or any interested person.

261.13 Sec. 64. Minnesota Statutes 2016, section 221.171, subdivision 1, is amended to read:

261.14 Subdivision 1. **Compensation fixed by schedule on file.** ~~No~~ A household goods ~~carrier~~
261.15 ~~shall~~ mover must ~~not~~ charge or receive a greater, lesser, or different compensation for the
261.16 transportation ~~of persons or property~~ or ~~for related~~ service; provided than the rates and

401.7 ~~(2) file rates and tariffs as required by section 221.161 and rules of the commissioner.~~

401.8 Sec. 63. Minnesota Statutes 2016, section 221.161, subdivision 1, is amended to read:

401.9 Subdivision 1. ~~Filing; hearing upon commissioner initiative~~ **Tariff maintenance and**
401.10 **contents.** A household goods ~~carrier~~ mover must ~~maintain with the~~
401.11 ~~commissioner~~ a tariff showing rates and charges for transporting household goods. ~~Tariffs~~
401.12 ~~must be prepared and filed in accordance with the rules of the commissioner. When tariffs~~
401.13 ~~are filed in accordance with the rules and accepted by the commissioner, the filing constitutes~~
401.14 ~~notice to the public and interested parties of the contents of the tariffs. The commissioner~~
401.15 ~~shall not accept for filing tariffs that are unjust, unreasonable, unjustly discriminatory,~~
401.16 ~~unduly preferential or prejudicial, or otherwise in violation of this section or rules adopted~~
401.17 ~~under this section. If the tariffs appear to be unjust, unreasonable, unjustly discriminatory,~~
401.18 ~~unduly preferential or prejudicial, or otherwise in violation of this section or rules adopted~~
401.19 ~~under this section, after notification and investigation by the department, the commissioner~~
401.20 ~~may suspend and postpone the effective date of the tariffs and assign the tariffs for hearing~~
401.21 ~~upon notice to the household goods carrier filing the proposed tariffs and to other interested~~
401.22 ~~parties, including users of the service and competitive carriers by motor vehicle and rail.~~
401.23 ~~At the hearing, the burden of proof is on the household goods carrier filing the proposed~~
401.24 ~~tariff to sustain the validity of the proposed schedule of rates and charges. The tariffs and~~
401.25 ~~subsequent supplements to them or reissues of them must state the effective date, which~~
401.26 ~~may not be less than ten days following the date of filing, unless the period of time is reduced~~
401.27 ~~by special permission of the commissioner. A household goods mover must prepare a tariff~~
401.28 ~~under this section that complies with Code of Federal Regulations, title 49, part 1310.3.~~

401.29 Sec. 64. Minnesota Statutes 2016, section 221.161, is amended by adding a subdivision
401.30 to read:

401.31 Subd. 5. **Tariff availability.** (a) A household goods mover subject to this section must
401.32 maintain all of its effective tariffs at its principal place of business and at each of its terminal
401.33 locations, and must make the tariffs available to the public for inspection at all times the
402.1 household goods mover is open for business. Any publication referred to in a tariff must be
402.2 maintained with that tariff.

402.3 (b) Upon request, a household goods mover must provide copies of tariffs, specific tariff
402.4 provisions, or tariff subscriptions to the commissioner or any interested person.

402.5 Sec. 65. Minnesota Statutes 2016, section 221.171, subdivision 1, is amended to read:

402.6 Subdivision 1. **Compensation fixed by schedule on file.** ~~No~~ A household goods ~~carrier~~
402.7 ~~shall~~ mover must ~~not~~ charge or receive a greater, lesser, or different compensation for the
402.8 transportation ~~of persons or property~~ or ~~for related~~ service; provided than the rates and

261.17 charges ~~named in the carrier's schedule on file and in effect with the commissioner including~~
261.18 ~~any rate fixed by the commissioner~~ specified in the tariff under section 221.161; ~~nor shall~~.
261.19 A household goods carrier mover must not refund or remit in any manner or by any device,
261.20 directly or indirectly, the rates and charges required to be collected by the carrier mover
261.21 under the carrier's mover's schedules ~~or under the rates, if any, fixed by the commissioner.~~

402.9 charges ~~named in the carrier's schedule on file and in effect with the commissioner including~~
402.10 ~~any rate fixed by the commissioner~~ specified in the tariff under section 221.161; ~~nor shall~~.
402.11 A household goods carrier mover must not refund or remit in any manner or by any device,
402.12 directly or indirectly, the rates and charges required to be collected by the carrier mover
402.13 under the carrier's mover's schedules ~~or under the rates, if any, fixed by the commissioner.~~

402.14 Sec. 66. Minnesota Statutes 2016, section 222.46, is amended to read:

402.15 **222.46 FREIGHT RAIL SERVICE IMPROVEMENT ACT; PURPOSE.**

402.16 The legislature finds and determines that integrated transportation systems, including
402.17 railways, highways and airways, are necessary in order to meet the economic and energy
402.18 needs of the citizens of the state, both now and in the future. The legislature finds that a
402.19 portion of the present railroad system in the state does not provide adequate service to
402.20 citizens of the state. The legislature further finds and determines that it is in the best interest
402.21 of the state to establish and fund a freight rail service improvement economic development
402.22 program and to establish a railroad planning process in order to preserve and improve
402.23 essential rail service in the state.

402.24 **EFFECTIVE DATE.** This section is effective June 30, 2018.

402.25 Sec. 67. Minnesota Statutes 2016, section 222.50, subdivision 3, is amended to read:

402.26 Subd. 3. **Commissioner's powers; rules.** The commissioner ~~shall have~~ has the power
402.27 to:

402.28 (1) ~~set priorities for the allocation and expenditure of money or in-kind contributions~~
402.29 ~~authorized under the rail service improvement program and develop criteria for eligibility~~
402.30 ~~and approval of projects under the program. The criteria shall include the anticipated~~
403.1 ~~economic and social benefits to the state and to the area being served and the economic~~
403.2 ~~viability of the project;~~

403.3 ~~(2)~~ negotiate and enter into contracts for rail line rehabilitation or other rail service
403.4 improvement;

403.5 ~~(3)~~ (2) disburse state and federal money for rail service improvements; and

403.6 ~~(4)~~ (3) adopt rules necessary to carry out the purposes of sections 222.46 to 222.54.

403.7 **EFFECTIVE DATE.** This section is effective June 30, 2018.

403.8 Sec. 68. Minnesota Statutes 2016, section 222.50, subdivision 4, is amended to read:

403.9 Subd. 4. **Contract.** The commissioner may negotiate and enter into contracts for the
403.10 purpose of rail service improvement and may incorporate funds available from the federal
403.11 government. The participants in these contracts shall be railroads, rail users, and the
403.12 department, and may be political subdivisions of the state and the federal government. In
403.13 such contracts, participation by all parties shall be voluntary. The commissioner may provide
403.14 a portion of the money required to carry out the terms of any such contract by expenditure
403.15 from the freight rail service improvement account.

403.16 **EFFECTIVE DATE.** This section is effective June 30, 2018.

403.17 Sec. 69. **[222.505] FREIGHT RAIL ECONOMIC DEVELOPMENT PROGRAM.**

403.18 Subdivision 1. **Definition.** (a) For purposes of this section, "program" means the freight
403.19 rail economic development program established in this section.

403.20 Subd. 2. **Program established.** (a) The commissioner, in consultation with the
403.21 commissioner of employment and economic development, must establish a freight rail
403.22 economic development program as provided under this section.

403.23 (b) By January 1, 2019, the commissioners must implement the program and begin
403.24 accepting applications.

403.25 Subd. 3. **Freight rail accounts; appropriation.** (a) A freight rail account is established
403.26 in the special revenue fund. The account consists of funds provided under paragraphs (b)
403.27 and (c), section 222.63, subdivision 8, and any other money donated, allotted, transferred,
403.28 or otherwise provided to the account. The account must not include any bond proceeds
403.29 authorized by the Minnesota Constitution, article XI, section 5, clause (i). Funds in the
403.30 account are annually appropriated to the commissioner for the program under this section.

404.1 (b) All funds provided to the commissioner from agreements or loans under section
404.2 222.50 must be deposited in the freight rail account in the special revenue fund.

404.3 (c) All funds made available to the commissioner from the disposition of railroad
404.4 right-of-way or of any other property acquired pursuant to sections 222.46 to 222.62 must
404.5 be deposited in the freight rail account in the special revenue fund.

404.6 (d) A freight rail account is established in the bond proceeds fund. The account consists
404.7 of state bond proceeds appropriated to the commissioner for the program under this section.
404.8 Money in the account may be expended only for bond-eligible purposes.

404.9 Subd. 4. **Program administration.** (a) The commissioner, in consultation with the
404.10 commissioner of employment and economic development, must establish a project selection

404.11 process for financial assistance under the program. The process must include public notice
404.12 of available funds, procedures to submit applications, public access to information on project
404.13 evaluation and selection, and financial assistance awards. The process must minimize
404.14 applicant burdens and the length of time for application evaluation.

404.15 (b) The commissioner must maintain on an ongoing basis a project requests list that
404.16 identifies all eligible projects that have been evaluated for grant awards under the program.

404.17 (c) An applicant must apply for financial assistance in the manner and at the times
404.18 determined by the commissioners.

404.19 (d) The commissioner must make reasonable efforts to (1) publicize each solicitation
404.20 for applications among all eligible recipients, and (2) provide technical and informational
404.21 assistance related to applications.

404.22 Subd. 5. **Consultation.** In developing the program and on an ongoing basis, the
404.23 commissioner must consult with eligible recipients of financial assistance under subdivision
404.24 8 and with counties and statutory and home rule charter cities in which industrial parks are
404.25 located or proposed to be located. At a minimum, consultation must address:

404.26 (1) the project selection process, including project eligibility requirements, evaluation
404.27 criteria and prioritization, and any significant policies in the program;

404.28 (2) flexibility of evaluation criteria to address unique situations;

404.29 (3) timeliness of project evaluation and award of financial assistance;

404.30 (4) adequacy of the program funding level; and

404.31 (5) legislative proposals for program funding.

405.1 Subd. 6. **Financial assistance; grants and loans.** The commissioner may provide
405.2 financial assistance under the program through grants or through loans in the manner provided
405.3 under section 222.50, subdivisions 4 and 5.

405.4 Subd. 7. **Financial assistance; limitations.** (a) When calculated in conjunction with
405.5 any other state funding sources, a grant award under the program must not provide combined
405.6 state funding that exceeds 85 percent of the total project cost estimate.

405.7 (b) The commissioner must ensure that financial assistance is provided in a manner that
405.8 is balanced throughout the state, including with respect to (1) the number of projects receiving
405.9 funding in a particular geographic location or region of the state, and (2) the total amount

405.10 of financial assistance provided for projects in a particular geographic location or region of
405.11 the state.

405.12 Subd. 8. **Award recipient eligibility.** (a) Eligible recipients of financial assistance under
405.13 the program are:

405.14 (1) railroad companies that are classified by federal law or regulation as Class II railroads,
405.15 Class II rail carriers, Class III railroads, or Class III rail carriers;

405.16 (2) rail users; and

405.17 (3) political subdivisions.

405.18 (b) An eligible recipient may receive funds regardless of rail facility ownership.

405.19 Subd. 9. **Project eligibility.** (a) The commissioner, in consultation with the commissioner
405.20 of employment and economic development, must establish project eligibility criteria under
405.21 the program. At a minimum, an eligible project must:

405.22 (1) improve safety, efficiency, service, or capacity of railroad freight movement;

405.23 (2) provide for rail line capital maintenance, preservation, rehabilitation, or improvements;

405.24 (3) improve rail service for a rail user or rail carrier; or

405.25 (4) promote the development of industrial parks primarily or substantially served by rail
405.26 service.

405.27 (b) A project must be consistent with transportation plans adopted by the commissioner,
405.28 including the statewide freight and passenger rail plan under section 174.03, subdivision
405.29 1b.

405.30 Subd. 10. **Project evaluation and prioritization.** The commissioner, in consultation
405.31 with the commissioner of employment and economic development, must establish project
406.1 evaluation criteria for grant awards under the program. At a minimum, the criteria must
406.2 objectively prioritize projects based on:

406.3 (1) economic and employment impacts, including but not limited to responsiveness to
406.4 emergent market conditions;

- 406.5 (2) addressing rail lines that have deteriorated or are in danger of deteriorating to such
406.6 a degree that the rail line is unable to carry the speeds and weights necessary to efficiently
406.7 transport goods and products; and
- 406.8 (3) percentage commitment of funding or in-kind assistance for the project from nonpublic
406.9 sources.
- 406.10 Subd. 11. **Expenditures.** The commissioner may provide financial assistance and expend
406.11 funds under the program for:
- 406.12 (1) capital improvement projects designed to improve a rail user or a rail carrier's rail
406.13 service which includes but is not limited to rail track, track structures, and rail facilities and
406.14 buildings;
- 406.15 (2) rehabilitation projects designed to improve a rail user or a rail carrier's rail service;
- 406.16 (3) rail-related development of industrial parks primarily or substantially served by rail
406.17 service, which:
- 406.18 (i) includes capital improvements to or rehabilitation of main industrial lead track; and
- 406.19 (ii) excludes siding track designed to serve areas of an industrial park for which occupants
406.20 are unidentified or uncommitted;
- 406.21 (4) highway-rail grade crossing improvement or grade separation projects, including
406.22 but not limited to the local matching portion for federal grants;
- 406.23 (5) capital improvement projects designed to improve capacity or safety at rail yards;
- 406.24 (6) acquisition, maintenance, management, and disposition of railroad right-of-way
406.25 under the state rail bank program in section 222.63;
- 406.26 (7) acquisition of a rail line by a regional railroad authority established under chapter
406.27 398A;
- 406.28 (8) rail planning studies;
- 406.29 (9) costs related to contractual agreements under section 222.52; and
- 406.30 (10) financial assistance under this section.

407.1 Subd. 12. **Design, engineering, and construction standards.** (a) The commissioner is
407.2 prohibited from establishing specifications or engineering standards that are more restrictive
407.3 than federal track safety standards under Code of Federal Regulations, title 49, part 213, or
407.4 successor requirements, for track and track structures awarded financial assistance under
407.5 the program.

407.6 (b) Sections 16B.30 to 16B.355 do not apply to rail facilities and buildings awarded
407.7 financial assistance under the program.

407.8 Subd. 13. **Political subdivisions.** Any political subdivision may, with the approval of
407.9 the commissioner, appropriate money for freight rail or rail service improvement and may
407.10 participate in the freight rail economic development program and federal rail programs.

407.11 **EFFECTIVE DATE.** This section is effective June 30, 2018.

407.12 Sec. 70. Minnesota Statutes 2016, section 222.52, is amended to read:

407.13 **222.52 COOPERATION BETWEEN STATES.**

407.14 The commissioner may cooperate with other states in connection with the freight rail
407.15 service improvement economic development program under section 222.505 and the railroad
407.16 planning process. In exercising the authority conferred by this section, the commissioner
407.17 may enter into contractual agreements with other states, including multistate coalitions.

407.18 **EFFECTIVE DATE.** This section is effective June 30, 2018.

407.19 Sec. 71. Minnesota Statutes 2016, section 222.57, is amended to read:

407.20 **222.57 RAIL USER AND RAIL CARRIER LOAN GUARANTEE ACCOUNT.**

407.21 There is created a rail user and rail carrier loan guarantee account as a separate account
407.22 in the rail service improvement account, which shall be used by the commissioner for
407.23 carrying out the provisions of sections 222.55 to 222.62 with respect to loans insured under
407.24 section 222.58. The commissioner may transfer to the rail user and rail carrier loan guarantee
407.25 account from money otherwise available in the freight rail service improvement account
407.26 whatever amount is necessary to implement the rail user and rail carrier loan guarantee
407.27 program, except that bond proceeds may not be transferred to the account for insurance of
407.28 loans made for the purposes specified in section 222.58, subdivision 2, paragraph (b), clauses
407.29 (3) to (5). The commissioner may withdraw any amount from the rail user and rail carrier
407.30 loan guarantee account that is not required to insure outstanding loans as provided in section
407.31 222.60, subdivision 1.

408.1 **EFFECTIVE DATE.** This section is effective June 30, 2018.

261.22 Sec. 65. Minnesota Statutes 2016, section 299A.01, is amended by adding a subdivision
261.23 to read:

261.24 Subd. 8. **Highway user tax distribution fund use limitation.** The commissioner must
261.25 not spend any money from the highway user tax distribution fund for employees working
261.26 in the public information center or comparable customer service positions elsewhere in the
261.27 department.

261.28 Sec. 66. **[299A.704] DRIVER AND VEHICLE SERVICES FUND.**

261.29 A driver and vehicle services fund is established within the state treasury. The fund
261.30 consists of accounts and money as specified by law, and any other money otherwise donated,
261.31 allotted, appropriated, or legislated to the fund.

262.1 Sec. 67. Minnesota Statutes 2016, section 299A.705, is amended to read:

262.2 **299A.705 DRIVER AND VEHICLE SERVICES ACCOUNTS.**

408.2 Sec. 72. Minnesota Statutes 2016, section 222.63, subdivision 8, is amended to read:

408.3 Subd. 8. **Rail bank accounts; appropriation.** (a) ~~A special account shall be maintained~~
408.4 ~~in the state treasury, designated as the rail bank maintenance account, is established in the~~
408.5 special revenue fund to record the receipts and expenditures of the commissioner of
408.6 transportation for the maintenance of rail bank property. Funds received by the commissioner
408.7 of transportation from interest earnings, administrative payments, rentals, fees, or charges
408.8 for the use of rail bank property, or received from rail line rehabilitation contracts shall be
408.9 are credited to the rail bank maintenance account and must be used for the maintenance of
408.10 ~~that~~ to maintain the property and held as a reserve for maintenance expenses in an amount
408.11 determined by the commissioner, and. Amounts received in the rail bank maintenance
408.12 account in excess of the reserve requirements shall must be transferred to the freight rail
408.13 service improvement account under section 222.505, subdivision 3.

408.14 (b) All proceeds of the sale of abandoned rail lines ~~shall~~ must be deposited in the freight
408.15 rail service improvement account.

408.16 (c) All money ~~to be~~ deposited in ~~this the rail service improvement~~ bank maintenance
408.17 account as provided in this subdivision is appropriated to the commissioner of transportation
408.18 for the purposes of this section. The appropriations ~~shall~~ do not lapse but shall be and are
408.19 available until the purposes for which the funds are appropriated are accomplished.

408.20 **EFFECTIVE DATE.** This section is effective June 30, 2018.

408.21 Sec. 73. **[299A.704] DRIVER AND VEHICLE SERVICES FUND.**

408.22 A driver and vehicle services fund is established within the state treasury. The fund
408.23 consists of accounts and money as specified by law, and any other money otherwise donated,
408.24 allotted, appropriated, or legislated to the fund.

408.25 Sec. 74. Minnesota Statutes 2016, section 299A.705, is amended to read:

408.26 **299A.705 DRIVER AND VEHICLE SERVICES ACCOUNTS.**

262.3 Subdivision 1. **Vehicle services operating account.** (a) The vehicle services operating
262.4 account is created in the ~~special revenue~~ driver and vehicle services fund, consisting of all
262.5 money from the vehicle services fees specified in chapters 168, 168A, and 168D, and any
262.6 other money otherwise donated, allotted, appropriated, or legislated to ~~this~~ the account.

262.7 (b) Funds appropriated ~~are available~~ from this account must be used by the commissioner
262.8 of public safety to administer the vehicle services ~~as~~ specified in chapters 168, 168A, and
262.9 168D, and section 169.345, including:

262.10 (1) designing, producing, issuing, and mailing vehicle registrations, plates, emblems,
262.11 and titles;

262.12 (2) collecting title and registration taxes and fees;

262.13 (3) transferring vehicle registration plates and titles;

262.14 (4) maintaining vehicle records;

262.15 (5) issuing disability certificates and plates;

262.16 (6) licensing vehicle dealers;

262.17 (7) appointing, monitoring, and auditing deputy registrars; and

262.18 (8) inspecting vehicles when required by law.

262.19 Subd. 2. **Driver services operating account.** (a) The driver services operating account
262.20 is created in the ~~special revenue~~ driver and vehicle services fund, consisting of all money
262.21 collected under chapter 171 and any other money otherwise donated, allotted, appropriated,
262.22 or legislated to the account.

262.23 (b) ~~Money in the~~ Funds appropriated from this account must be used by the commissioner
262.24 of public safety to administer the driver services specified in chapters 169A and 171,
262.25 including the activities associated with producing and mailing drivers' licenses and
262.26 identification cards and notices relating to issuance, renewal, or withdrawal of driving and
262.27 identification card privileges for any fiscal year or years and for the testing and examination
262.28 of drivers.

262.29 Subd. 3. **Driver and vehicle services technology account.** (a) The driver and vehicle
262.30 services technology account is created in the ~~special revenue~~ driver and vehicle services
262.31 fund, consisting of the technology surcharge collected as specified in ~~chapters 168, 168A,~~

408.27 Subdivision 1. **Vehicle services operating account.** (a) The vehicle services operating
408.28 account is created in the ~~special revenue~~ driver and vehicle services fund, consisting of all
408.29 money from the vehicle services fees specified in chapters 168, 168A, and 168D, and any
408.30 other money otherwise donated, allotted, appropriated, or legislated to ~~this~~ the account.

409.1 (b) Funds appropriated ~~are available~~ from this account must be used by the commissioner
409.2 of public safety to administer the vehicle services ~~as~~ specified in chapters 168, 168A, and
409.3 168D, and section 169.345, including:

409.4 (1) designing, producing, issuing, and mailing vehicle registrations, plates, emblems,
409.5 and titles;

409.6 (2) collecting title and registration taxes and fees;

409.7 (3) transferring vehicle registration plates and titles;

409.8 (4) maintaining vehicle records;

409.9 (5) issuing disability certificates and plates;

409.10 (6) licensing vehicle dealers;

409.11 (7) appointing, monitoring, and auditing deputy registrars; and

409.12 (8) inspecting vehicles when required by law.

409.13 Subd. 2. **Driver services operating account.** (a) The driver services operating account
409.14 is created in the ~~special revenue~~ driver and vehicle services fund, consisting of all money
409.15 collected under chapter 171 and any other money otherwise donated, allotted, appropriated,
409.16 or legislated to the account.

409.17 (b) ~~Money in the~~ Funds appropriated from this account must be used by the commissioner
409.18 of public safety to administer the driver services specified in chapters 169A and 171,
409.19 including the activities associated with producing and mailing drivers' licenses and
409.20 identification cards and notices relating to issuance, renewal, or withdrawal of driving and
409.21 identification card privileges for any fiscal year or years and for the testing and examination
409.22 of drivers.

409.23 Subd. 3. **Driver and vehicle services technology account.** (a) The driver and vehicle
409.24 services technology account is created in the ~~special revenue~~ driver and vehicle services
409.25 fund, consisting of the technology surcharge collected as specified in ~~chapters 168, 168A,~~

263.1 ~~and 171; the filing fee revenue collected under section 168.33, subdivision 7; section 168.33~~
263.2 ~~and any other money otherwise donated, allotted, appropriated, or legislated to this account.~~

263.3 (b) Money in the account is annually appropriated to the commissioner of public safety
263.4 to support the research, development, deployment, and maintenance of a driver and vehicle
263.5 services information system.

263.6 (c) ~~Following completion of the deposit of filing fee revenue into the driver and vehicle~~
263.7 ~~services technology account as provided under section 168.33, subdivision 7. Annually by~~
263.8 ~~February 1, the commissioner shall must submit a notification report to the chairs and~~
263.9 ~~ranking minority members of the legislative committees with jurisdiction over transportation~~
263.10 ~~policy and finance concerning driver and vehicle services information system implementation,~~
263.11 ~~which must include information~~ on (1) total revenue deposited in the driver and vehicle
263.12 services technology account for the previous calendar year, with a breakdown by sources
263.13 of funds; (2) total project costs incurred through December 31 of the previous calendar year,
263.14 with a breakdown by key project components; and (3) an estimate of ongoing system
263.15 maintenance costs.

263.16 Subd. 4. **Prohibited expenditures.** The commissioner is prohibited from expending
263.17 money from driver and vehicle services accounts created in the ~~special revenue driver and~~
263.18 ~~vehicle services~~ fund for any purpose that is not specifically authorized in this section or in
263.19 the chapters specified in this section.

263.20 Sec. 68. Minnesota Statutes 2016, section 360.013, is amended by adding a subdivision
263.21 to read:

263.22 Subd. 46a. **Comprehensive plan.** "Comprehensive plan" has the meaning given in
263.23 section 394.22, subdivision 9, or 462.352, subdivision 5.

263.24 Sec. 69. Minnesota Statutes 2016, section 360.017, subdivision 1, is amended to read:

263.25 Subdivision 1. **Creation; authorized disbursements.** (a) There is hereby created a
263.26 fund to be known as the state airports fund. The fund shall consist of all money appropriated
263.27 to it, or directed to be paid into it, by the legislature.

263.28 (b) The state airports fund shall be paid out on authorization of the commissioner and
263.29 shall be used:

263.30 (1) to acquire, construct, improve, maintain, and operate airports and other air navigation
263.31 facilities;

409.26 ~~and 171; the filing fee revenue collected under section 168.33, subdivision 7; section 168.33~~
409.27 ~~and any other money otherwise donated, allotted, appropriated, or legislated to this account.~~

409.28 (b) Money in the account is annually appropriated to the commissioner of public safety
409.29 to support the research, development, deployment, and maintenance of a driver and vehicle
409.30 services information system.

409.31 (c) Following completion of the deposit of filing fee revenue into the driver and vehicle
409.32 services technology account as provided under section 168.33, subdivision 7, the
410.1 commissioner shall submit a notification to the chairs and ranking minority members of the
410.2 legislative committees with jurisdiction over transportation policy and finance concerning
410.3 driver and vehicle services information system implementation, which must include
410.4 information on (1) total revenue deposited in the driver and vehicle services technology
410.5 account, with a breakdown by sources of funds; (2) total project costs incurred, with a
410.6 breakdown by key project components; and (3) an estimate of ongoing system maintenance
410.7 costs.

410.8 Subd. 4. **Prohibited expenditures.** The commissioner is prohibited from expending
410.9 money from driver and vehicle services accounts created in the ~~special revenue driver and~~
410.10 ~~vehicle services~~ fund for any purpose that is not specifically authorized in this section or in
410.11 the chapters specified in this section.

410.12 Sec. 75. Minnesota Statutes 2016, section 360.013, is amended by adding a subdivision
410.13 to read:

410.14 Subd. 46a. **Comprehensive plan.** "Comprehensive plan" has the meaning given in
410.15 section 394.22, subdivision 9, or 462.352, subdivision 5.

410.16 Sec. 76. Minnesota Statutes 2016, section 360.017, subdivision 1, is amended to read:

410.17 Subdivision 1. **Creation; authorized disbursements.** (a) There is hereby created a
410.18 fund to be known as the state airports fund. The fund shall consist of all money appropriated
410.19 to it, or directed to be paid into it, by the legislature.

410.20 (b) The state airports fund shall be paid out on authorization of the commissioner and
410.21 shall be used:

410.22 (1) to acquire, construct, improve, maintain, and operate airports and other air navigation
410.23 facilities;

264.1 (2) to assist municipalities in the planning, acquisition, construction, improvement, and
264.2 maintenance of airports and other air navigation facilities;

264.3 (3) to assist municipalities to initiate, enhance, and market scheduled air service at their
264.4 airports;

264.5 (4) to promote interest and safety in aeronautics through education and information; and

264.6 (5) to pay the salaries and expenses of the Department of Transportation related to
264.7 aeronautic planning, administration, and operation. All allotments of money from the state
264.8 airports fund for salaries and expenses shall be approved by the commissioner of management
264.9 and budget.

264.10 ~~(e) A municipality that adopts a comprehensive plan that the commissioner finds is~~
264.11 ~~incompatible with the state aviation plan is not eligible for assistance from the state airports~~
264.12 ~~fund.~~

264.13 Sec. 70. Minnesota Statutes 2016, section 360.021, subdivision 1, is amended to read:

264.14 Subdivision 1. **Authority to establish.** The commissioner is authorized and empowered,
264.15 on behalf of and in the name of this state, within the limitation of available appropriations,
264.16 to acquire, by purchase, gift, devise, lease, condemnation proceedings, or otherwise, property,
264.17 real or personal, for the purpose of establishing and constructing restricted landing areas
264.18 and other air navigation facilities and to acquire in like manner, own, control, establish,
264.19 construct, enlarge, improve, maintain, equip, operate, regulate, and police such restricted
264.20 landing areas and other air navigation facilities, either within or without this state; and to
264.21 make, prior to any such acquisition, investigations, surveys, and plans. The commissioner
264.22 may maintain, equip, operate, regulate, and police airports, either within or without this
264.23 state. The operation and maintenance of airports is an essential public service. The
264.24 commissioner may maintain at such airports facilities for the servicing of aircraft and for
264.25 the comfort and accommodation of air travelers. The commissioner may dispose of any
264.26 such property, airport, restricted landing area, or any other air navigation facility, by sale,
264.27 lease, or otherwise, in accordance with the laws of this state governing the disposition of
264.28 other like property of the state. The commissioner may not acquire or take over any restricted
264.29 landing area, or other air navigation facility without the consent of the owner. The
264.30 commissioner shall not acquire any additional state airports nor establish any additional
264.31 state-owned airports. The commissioner may erect, equip, operate, and maintain on any
264.32 airport buildings and equipment necessary and proper to maintain, and conduct such airport
264.33 and air navigation facilities connected therewith. The commissioner shall not expend money
264.34 for land acquisition, or for the construction, improvement, or maintenance of airports, or
265.1 for air navigation facilities for an airport, unless the governmental unit municipality, county,
265.2 or joint airport zoning board involved has or is establishing a zoning authority for that
265.3 airport, and the authority has made a good-faith showing that it is in the process of and will

410.24 (2) to assist municipalities in the planning, acquisition, construction, improvement, and
410.25 maintenance of airports and other air navigation facilities;

410.26 (3) to assist municipalities to initiate, enhance, and market scheduled air service at their
410.27 airports;

410.28 (4) to promote interest and safety in aeronautics through education and information; and

410.29 (5) to pay the salaries and expenses of the Department of Transportation related to
410.30 aeronautic planning, administration, and operation. All allotments of money from the state
411.1 airports fund for salaries and expenses shall be approved by the commissioner of management
411.2 and budget.

411.3 ~~(e) A municipality that adopts a comprehensive plan that the commissioner finds is~~
411.4 ~~incompatible with the state aviation plan is not eligible for assistance from the state airports~~
411.5 ~~fund.~~

411.6 Sec. 77. Minnesota Statutes 2016, section 360.021, subdivision 1, is amended to read:

411.7 Subdivision 1. **Authority to establish.** The commissioner is authorized and empowered,
411.8 on behalf of and in the name of this state, within the limitation of available appropriations,
411.9 to acquire, by purchase, gift, devise, lease, condemnation proceedings, or otherwise, property,
411.10 real or personal, for the purpose of establishing and constructing restricted landing areas
411.11 and other air navigation facilities and to acquire in like manner, own, control, establish,
411.12 construct, enlarge, improve, maintain, equip, operate, regulate, and police such restricted
411.13 landing areas and other air navigation facilities, either within or without this state; and to
411.14 make, prior to any such acquisition, investigations, surveys, and plans. The commissioner
411.15 may maintain, equip, operate, regulate, and police airports, either within or without this
411.16 state. The operation and maintenance of airports is an essential public service. The
411.17 commissioner may maintain at such airports facilities for the servicing of aircraft and for
411.18 the comfort and accommodation of air travelers. The commissioner may dispose of any
411.19 such property, airport, restricted landing area, or any other air navigation facility, by sale,
411.20 lease, or otherwise, in accordance with the laws of this state governing the disposition of
411.21 other like property of the state. The commissioner may not acquire or take over any restricted
411.22 landing area, or other air navigation facility without the consent of the owner. The
411.23 commissioner shall not acquire any additional state airports nor establish any additional
411.24 state-owned airports. The commissioner may erect, equip, operate, and maintain on any
411.25 airport buildings and equipment necessary and proper to maintain, and conduct such airport
411.26 and air navigation facilities connected therewith. The commissioner shall not expend money
411.27 for land acquisition, or for the construction, improvement, or maintenance of airports, or
411.28 for air navigation facilities for an airport, unless the governmental unit municipality, county,
411.29 or joint airport zoning board involved has or is establishing a zoning authority for that
411.30 airport, and the authority has made a good-faith showing that it is in the process of and will

265.4 complete with due diligence, an airport zoning ordinance in accordance with sections 360.061
265.5 to 360.074. The commissioner may provide funds to support airport safety projects that
265.6 maintain existing infrastructure, regardless of a zoning authority's efforts to complete a
265.7 zoning regulation. The commissioner may withhold funding from only the airport subject
265.8 to the proposed zoning ordinance. Notwithstanding the foregoing prohibition, the
265.9 commissioner may continue to maintain the state-owned airport at Pine Creek.

265.10 Sec. 71. Minnesota Statutes 2016, section 360.062, is amended to read:

265.11 **360.062 AIRPORT HAZARD PREVENTION; PROTECTING EXISTING**
265.12 **NEIGHBORHOOD LAND USES.**

265.13 (a) It is hereby found that an airport hazard endangers the lives and property of users of
265.14 the airport and of occupants of land in its vicinity, and may reduce the size of the area
265.15 available for the landing, takeoff, and maneuvering of aircraft, thereby impairing the utility
265.16 of the airport and the public investment therein. It is also found that the social and financial
265.17 costs of disrupting existing land uses around airports ~~in built-up urban areas, particularly~~
265.18 ~~established residential neighborhoods~~, often outweigh the benefits of a reduction in airport
265.19 hazards that might result from the elimination or removal of those uses.

411.31 complete with due diligence, an airport zoning ordinance in accordance with sections 360.061
411.32 to 360.074. The commissioner may provide funds to support airport safety projects that
411.33 maintain existing infrastructure, regardless of a zoning authority's efforts to complete a
411.34 zoning regulation. The commissioner may withhold funding from only the airport subject
412.1 to the proposed zoning ordinance. Notwithstanding the foregoing prohibition, the
412.2 commissioner may continue to maintain the state-owned airport at Pine Creek.

412.3 Sec. 78. Minnesota Statutes 2016, section 360.024, is amended to read:

412.4 **360.024 AIR TRANSPORTATION SERVICE ~~CHARGE~~.**

412.5 Subdivision 1. **Charges.** (a) The commissioner shall charge users of air transportation
412.6 services provided by the commissioner for direct operating costs, excluding pilot salary
412.7 and.

412.8 (b) The commissioner may charge users for a portion of aircraft acquisition, replacement,
412.9 or leasing costs.

412.10 Subd. 2. **Accounts; appropriation.** (a) An air transportation services account is
412.11 established in the state airports fund. The account consists of money collected under
412.12 subdivision 1, paragraph (a), and any other money donated, allotted, transferred, or otherwise
412.13 provided to the account. All receipts for these services shall be deposited in the air
412.14 transportation services account in the state airports fund and Funds in the account are
412.15 annually appropriated to the commissioner to pay these direct air service operating costs.

412.16 (b) An aircraft capital account is established in the state airports fund. The account
412.17 consists of collections under subdivision 1, paragraph (b), proceeds from the sale of aircraft
412.18 under jurisdiction of the department, and any other money donated, allotted, transferred, or
412.19 otherwise provided to the account. Except as provided by law, the commissioner must not
412.20 transfer funds into or out of the account.

412.21 Sec. 79. Minnesota Statutes 2016, section 360.062, is amended to read:

412.22 **360.062 AIRPORT HAZARD PREVENTION; PROTECTING EXISTING**
412.23 **NEIGHBORHOOD LAND USES.**

412.24 (a) It is hereby found that an airport hazard endangers the lives and property of users of
412.25 the airport and of occupants of land in its vicinity, and may reduce the size of the area
412.26 available for the landing, takeoff, and maneuvering of aircraft, thereby impairing the utility
412.27 of the airport and the public investment therein. It is also found that the social and financial
412.28 costs of disrupting existing land uses around airports ~~in built-up urban areas, particularly~~
412.29 ~~established residential neighborhoods~~, often outweigh the benefits of a reduction in airport
412.30 hazards that might result from the elimination or removal of those uses.

265.20 (b) Accordingly, it is hereby declared: (1) ~~that~~ the creation or establishment of an airport
265.21 hazard is a public nuisance and an injury to the community served by the airport in question;
265.22 (2) ~~that it is therefor~~ necessary in the interest of the public health, public safety, and general
265.23 welfare that the creation or establishment of airport hazards be prevented and that this should
265.24 be accomplished to the extent legally possible, by exercise of the police power, without
265.25 compensation; and (3) ~~that the elimination or removal of existing land uses, particularly~~
265.26 ~~established residential neighborhoods in built-up urban areas,~~ or their designation as
265.27 nonconforming uses is not in the public interest and should be avoided whenever possible
265.28 consistent with reasonable standards of safety.

265.29 (c) It is further declared that the prevention of the creation or establishment of airport
265.30 hazards and the elimination, removal, alteration, mitigation, or marking and lighting of
265.31 existing airport hazards are essential public purposes services for which political subdivisions
265.32 may raise and expend public funds and acquire land or property interests therein.

266.1 Sec. 72. Minnesota Statutes 2016, section 360.063, subdivision 1, is amended to read:

266.2 Subdivision 1. **Enforcement under police power.** (a) In order to prevent the creation
266.3 or establishment of airport hazards, every municipality having an airport hazard area within
266.4 its territorial limits may, unless a joint airport zoning board is permitted under subdivision
266.5 3, adopt, amend from time to time, administer, and enforce, under the police power and in
266.6 the manner and upon the conditions hereinafter prescribed, airport zoning regulations for
266.7 such airport hazard area, which regulations may divide such area into zones, and, within
266.8 such zones, specify the land uses permitted and regulate and restrict the height to which
266.9 structures and trees may be erected or allowed to grow.

266.10 (b) ~~For the purpose of promoting~~ In order to promote health, safety, order, convenience,
266.11 prosperity, general welfare and ~~for conserving to conserve~~ property values and ~~encouraging~~
266.12 ~~encourage~~ the most appropriate use of land, the municipality may regulate ~~the location, size~~
266.13 ~~and use of buildings and the density of population in that portion of an airport hazard area~~
266.14 ~~under approach zones for a distance not to exceed two miles from the airport boundary and~~
266.15 ~~in other portions of an in airport hazard area may regulate by land use zoning for a distance~~
266.16 ~~not to exceed one mile from the airport boundary, and by height restriction zoning for a~~
266.17 ~~distance not to exceed 1 1/2 miles from the airport boundary areas: (1) land use; (2) height~~
266.18 ~~restrictions; (3) the location, size, and use of buildings; and (4) the density of population.~~

266.19 (c) The powers granted by this subdivision may be exercised by metropolitan airports
266.20 commissions in contiguous cities of the first class in and for which they have been created.

266.21 (d) In the case of airports owned or operated by the state of Minnesota such powers shall
266.22 be exercised by the state airport zoning boards or by the commissioner of transportation as
266.23 authorized herein.

412.31 (b) Accordingly, it is hereby declared: (1) ~~that~~ the creation or establishment of an airport
412.32 hazard is a public nuisance and an injury to the community served by the airport in question;
413.1 (2) ~~that it is therefor~~ necessary in the interest of the public health, public safety, and general
413.2 welfare that the creation or establishment of airport hazards be prevented and that this should
413.3 be accomplished to the extent legally possible, by exercise of the police power, without
413.4 compensation; and (3) ~~that the elimination or removal of existing land uses, particularly~~
413.5 ~~established residential neighborhoods in built-up urban areas,~~ or their designation as
413.6 nonconforming uses is not in the public interest and should be avoided whenever possible
413.7 consistent with reasonable standards of safety.

413.8 (c) It is further declared that the prevention of the creation or establishment of airport
413.9 hazards and the elimination, removal, alteration, mitigation, or marking and lighting of
413.10 existing airport hazards are essential public purposes services for which political subdivisions
413.11 may raise and expend public funds and acquire land or property interests therein.

413.12 Sec. 80. Minnesota Statutes 2016, section 360.063, subdivision 1, is amended to read:

413.13 Subdivision 1. **Enforcement under police power.** (a) In order to prevent the creation
413.14 or establishment of airport hazards, every municipality having an airport hazard area within
413.15 its territorial limits may, unless a joint airport zoning board is permitted under subdivision
413.16 3, adopt, amend from time to time, administer, and enforce, under the police power and in
413.17 the manner and upon the conditions hereinafter prescribed, airport zoning regulations for
413.18 such airport hazard area, which regulations may divide such area into zones, and, within
413.19 such zones, specify the land uses permitted and regulate and restrict the height to which
413.20 structures and trees may be erected or allowed to grow.

413.21 (b) ~~For the purpose of promoting~~ In order to promote health, safety, order, convenience,
413.22 prosperity, general welfare and ~~for conserving to conserve~~ property values and ~~encouraging~~
413.23 ~~encourage~~ the most appropriate use of land, the municipality may regulate ~~the location, size~~
413.24 ~~and use of buildings and the density of population in that portion of an airport hazard area~~
413.25 ~~under approach zones for a distance not to exceed two miles from the airport boundary and~~
413.26 ~~in other portions of an in airport hazard area may regulate by land use zoning for a distance~~
413.27 ~~not to exceed one mile from the airport boundary, and by height restriction zoning for a~~
413.28 ~~distance not to exceed 1 1/2 miles from the airport boundary areas: (1) land use; (2) height~~
413.29 ~~restrictions; (3) the location, size, and use of buildings; and (4) the density of population.~~

413.30 (c) The powers granted by this subdivision may be exercised by metropolitan airports
413.31 commissions in contiguous cities of the first class in and for which they have been created.

413.32 (d) In the case of airports owned or operated by the state of Minnesota such powers shall
413.33 be exercised by the state airport zoning boards or by the commissioner of transportation as
413.34 authorized herein.

266.24 Sec. 73. Minnesota Statutes 2016, section 360.063, subdivision 3, is amended to read:

266.25 Subd. 3. **Joint airport zoning board.** (a) Where an airport is owned or controlled by a
266.26 municipality and an airport hazard area appertaining to the airport is located within the
266.27 territorial limits of another county or municipality, the municipality owning or controlling
266.28 the airport may request a county or municipality in which an airport hazard area is located:

266.29 (1) to adopt and enforce airport zoning regulations for the area in question ~~that conform~~
266.30 ~~to standards prescribed by the commissioner pursuant to subdivision 4~~ under sections
266.31 360.0655 and 360.0656; or

266.32 (2) to join in creating a joint airport zoning board pursuant to paragraph (b). The owning
266.33 or controlling municipality shall determine which of these actions it shall request, except
267.1 as provided in paragraph (e) for the Metropolitan Airports Commission. The request shall
267.2 be made by certified mail to the governing body of each county and municipality in which
267.3 an airport hazard area is located.

267.4 (b) Where an airport is owned or controlled by a municipality and an airport hazard area
267.5 appertaining to the airport is located within the territorial limits of another county or
267.6 municipality, the municipality owning or controlling the airport and the county or other
267.7 municipality within which the airport hazard area is located may, by ordinance or resolution
267.8 duly adopted, create a joint airport zoning board, which board shall have the same power
267.9 to adopt, administer, and enforce airport zoning regulations applicable to the airport hazard
267.10 area in question as that vested by subdivision 1 in the municipality within which the area
267.11 is located. A joint board shall have as members two representatives appointed by the
267.12 municipality owning or controlling the airport and two from the county or municipality, or
267.13 in case more than one county or municipality is involved two from each county or
267.14 municipality, in which the airport hazard is located, and in addition a chair elected by a
267.15 majority of the members so appointed. All members shall serve at the pleasure of their
267.16 respective appointing authority. Notwithstanding any other provision of law to the contrary,
267.17 if the owning and controlling municipality is a city of the first class it shall appoint four
267.18 members to the board, and the chair of the board shall be elected from the membership of
267.19 the board.

267.20 (c) If a county or municipality, within 60 days of receiving a request from an owning
267.21 or controlling municipality pursuant to paragraph (a), fails to adopt, or thereafter fails to
267.22 enforce, the zoning regulations or fails to join in creating a joint airport zoning board, the
267.23 owning or controlling municipality, or a joint airport zoning board created without
267.24 participation by the subdivisions which fail to join the board, may itself adopt, administer,
267.25 and enforce airport zoning regulations for the airport hazard area in question. In the event
267.26 of conflict between the regulations and airport zoning regulations adopted by the county or
267.27 municipality within which the airport hazard area is located, section 360.064, subdivision
267.28 2, applies.

414.1 Sec. 81. Minnesota Statutes 2016, section 360.063, subdivision 3, is amended to read:

414.2 Subd. 3. **Joint airport zoning board.** (a) Where an airport is owned or controlled by a
414.3 municipality and an airport hazard area appertaining to the airport is located within the
414.4 territorial limits of another county or municipality, the municipality owning or controlling
414.5 the airport may request a county or municipality in which an airport hazard area is located:

414.6 (1) to adopt and enforce airport zoning regulations for the area in question ~~that conform~~
414.7 ~~to standards prescribed by the commissioner pursuant to subdivision 4~~ under sections
414.8 360.0655 and 360.0656; or

414.9 (2) to join in creating a joint airport zoning board pursuant to paragraph (b). The owning
414.10 or controlling municipality shall determine which of these actions it shall request, except
414.11 as provided in paragraph (e) for the Metropolitan Airports Commission. The request shall
414.12 be made by certified mail to the governing body of each county and municipality in which
414.13 an airport hazard area is located.

414.14 (b) Where an airport is owned or controlled by a municipality and an airport hazard area
414.15 appertaining to the airport is located within the territorial limits of another county or
414.16 municipality, the municipality owning or controlling the airport and the county or other
414.17 municipality within which the airport hazard area is located may, by ordinance or resolution
414.18 duly adopted, create a joint airport zoning board, which board shall have the same power
414.19 to adopt, administer, and enforce airport zoning regulations applicable to the airport hazard
414.20 area in question as that vested by subdivision 1 in the municipality within which the area
414.21 is located. A joint board shall have as members two representatives appointed by the
414.22 municipality owning or controlling the airport and two from the county or municipality, or
414.23 in case more than one county or municipality is involved two from each county or
414.24 municipality, in which the airport hazard is located, and in addition a chair elected by a
414.25 majority of the members so appointed. All members shall serve at the pleasure of their
414.26 respective appointing authority. Notwithstanding any other provision of law to the contrary,
414.27 if the owning and controlling municipality is a city of the first class it shall appoint four
414.28 members to the board, and the chair of the board shall be elected from the membership of
414.29 the board.

414.30 (c) If a county or municipality, within 60 days of receiving a request from an owning
414.31 or controlling municipality pursuant to paragraph (a), fails to adopt, or thereafter fails to
414.32 enforce, the zoning regulations or fails to join in creating a joint airport zoning board, the
414.33 owning or controlling municipality, or a joint airport zoning board created without
414.34 participation by the subdivisions which fail to join the board, may itself adopt, administer,
415.1 and enforce airport zoning regulations for the airport hazard area in question. In the event
415.2 of conflict between the regulations and airport zoning regulations adopted by the county or
415.3 municipality within which the airport hazard area is located, section 360.064, subdivision
415.4 2, applies.

267.29 (d) "Owning or controlling municipality," as used in this subdivision, includes:

267.30 (1) a joint airport operating board created pursuant to section 360.042 that has been
267.31 granted all the powers of a municipality in zoning matters under the agreement creating the
267.32 board;

267.33 (2) a joint airport operating board created pursuant to section 360.042 that has not been
267.34 granted zoning powers under the agreement creating the board; provided that the board shall
268.1 not itself adopt zoning regulations nor shall a joint airport zoning board created at its request
268.2 adopt zoning regulations unless all municipalities that created the joint operating board join
268.3 to create the joint zoning board; and

268.4 (3) the Metropolitan Airports Commission established and operated pursuant to chapter
268.5 473.

268.6 (e) The Metropolitan Airports Commission shall request creation of one joint airport
268.7 zoning board for each airport operated under its authority.

268.8 Sec. 74. Minnesota Statutes 2016, section 360.064, subdivision 1, is amended to read:

268.9 Subdivision 1. **Comprehensive regulations.** In the event that a municipality has adopted,
268.10 or hereafter adopts, a comprehensive zoning ordinance regulating, among other things the
268.11 height of buildings, any airport zoning regulations applicable to the same area or portion
268.12 thereof ~~may~~ must be incorporated by reference or incorporated in and made a part of such
268.13 comprehensive zoning regulations and be administered and enforced in connection therewith.

268.14 Sec. 75. Minnesota Statutes 2016, section 360.065, subdivision 1, is amended to read:

268.15 Subdivision 1. **Notice of proposed zoning regulations, hearing.** (a) No airport zoning
268.16 regulations shall be adopted, amended, or changed under sections 360.011 to 360.076,
268.17 except by action of the governing body of the municipality ~~or, county in question, or joint~~
268.18 airport zoning board under section 360.0655 or 360.0656, or the boards provided for in
268.19 section 360.063, subdivisions 3 and 7, or by the commissioner as provided in subdivisions
268.20 6 and 8, after public hearings, at which parties in interest and citizens shall have an
268.21 opportunity to be heard.

268.22 (b) A public hearing ~~shall~~ must be held on the proposed airport zoning regulations
268.23 proposed by a municipality, county, or joint airport zoning board before they are submitted
268.24 for approval to the commissioner and after that approval but before final adoption by the
268.25 local zoning authority for approval. If any changes that alter the regulations placed on a
268.26 parcel of land are made to the proposed airport zoning regulations after the initial public
268.27 hearing, the municipality, county, or joint airport zoning board must hold a second public

415.5 (d) "Owning or controlling municipality," as used in this subdivision, includes:

415.6 (1) a joint airport operating board created pursuant to section 360.042 that has been
415.7 granted all the powers of a municipality in zoning matters under the agreement creating the
415.8 board;

415.9 (2) a joint airport operating board created pursuant to section 360.042 that has not been
415.10 granted zoning powers under the agreement creating the board; provided that the board shall
415.11 not itself adopt zoning regulations nor shall a joint airport zoning board created at its request
415.12 adopt zoning regulations unless all municipalities that created the joint operating board join
415.13 to create the joint zoning board; and

415.14 (3) the Metropolitan Airports Commission established and operated pursuant to chapter
415.15 473.

415.16 (e) The Metropolitan Airports Commission shall request creation of one joint airport
415.17 zoning board for each airport operated under its authority.

415.18 Sec. 82. Minnesota Statutes 2016, section 360.064, subdivision 1, is amended to read:

415.19 Subdivision 1. **Comprehensive regulations.** In the event that a municipality has adopted,
415.20 or hereafter adopts, a comprehensive zoning ordinance regulating, among other things the
415.21 height of buildings, any airport zoning regulations applicable to the same area or portion
415.22 thereof ~~may~~ must be incorporated by reference or incorporated in and made a part of such
415.23 comprehensive zoning regulations and be administered and enforced in connection therewith.

415.24 Sec. 83. Minnesota Statutes 2016, section 360.065, subdivision 1, is amended to read:

415.25 Subdivision 1. **Notice of proposed zoning regulations, hearing.** (a) No airport zoning
415.26 regulations shall be adopted, amended, or changed under sections 360.011 to 360.076,
415.27 except by action of the governing body of the municipality ~~or, county in question, or joint~~
415.28 airport zoning board under section 360.0655 or 360.0656, or the boards provided for in
415.29 section 360.063, subdivisions 3 and 7, or by the commissioner as provided in subdivisions
415.30 6 and 8, after public hearings, at which parties in interest and citizens shall have an
415.31 opportunity to be heard.

416.1 (b) A public hearing ~~shall~~ must be held on the proposed airport zoning regulations
416.2 proposed by a municipality, county, or joint airport zoning board before they are submitted
416.3 for approval to the commissioner and after that approval but before final adoption by the
416.4 local zoning authority for approval. If any changes that alter the regulations placed on a
416.5 parcel of land are made to the proposed airport zoning regulations after the initial public
416.6 hearing, the municipality, county, or joint airport zoning board must hold a second public

268.28 hearing before final adoption of the regulation. The commissioner may require a second
 268.29 hearing as determined necessary.

268.30 (c) Notice of a hearing required pursuant to this subdivision shall must be published by
 268.31 the local zoning authority municipality, county, or joint airport zoning board at least three
 268.32 times during the period between 15 days and five days before the hearing in an official
 269.1 newspaper and in a second newspaper designated by that authority which has a wide general
 269.2 circulation in the area affected by the proposed regulations and posted on the municipality's,
 269.3 county's, or joint airport zoning board's Web site. If there is not a second newspaper of wide
 269.4 general circulation in the area that the municipality, county, or joint airport zoning board
 269.5 can designate for the notice, the municipality, county, or joint airport zoning board is only
 269.6 required to publish the notice one in the official newspaper of the jurisdiction. The notice
 269.7 shall not be published in the legal notice section of a newspaper. The notice must specify
 269.8 the time, location, and purpose of the hearing, and must identify any additional location and
 269.9 time the proposed regulations will be available for public inspection. A copy of the published
 269.10 notice must be added to the record of the proceedings.

269.11 (d) Notice of a hearing shall also be mailed to the governing body of each political
 269.12 subdivision in which property affected by the regulations is located. Notice shall must be
 269.13 given by mail at least 15 ten days before each hearing to any persons in municipalities that
 269.14 own land proposed to be included in safety zone A or B as provided in the rules of the
 269.15 Department of Transportation and landowners where the location or size of a building, or
 269.16 the density of population, will be regulated. Mailed notice must also be provided at least
 269.17 ten days before each hearing to persons or municipalities that have previously requested
 269.18 such notice from the authority municipality, county, or joint airport zoning board. The notice
 269.19 must specify the time, location, and purpose of the hearing, and must identify any additional
 269.20 location and time the proposed regulations will be made available for public inspection.
 269.21 Mailed notice must also identify the property affected by the regulations. For the purpose
 269.22 of giving providing mailed notice, the authority municipality, county, or joint airport zoning
 269.23 board may use any appropriate records to determine the names and addresses of owners. A
 269.24 copy of the notice and a list of the owners and addresses to which the notice was sent shall
 269.25 be attested to by the responsible person and shall must be made a part of added to the records
 269.26 of the proceedings. The Failure to give provide mailed notice to individual property owners;
 269.27 or defects a defect in the notice, shall does not invalidate the proceedings; provided if a
 269.28 bona fide attempt to comply with this subdivision has been was made. A notice shall describe
 269.29 the property affected by the proposed regulations and the restrictions to be imposed on the
 269.30 property by the regulations and shall state the place and time at which the proposed
 269.31 regulations are available for public inspection.

269.32 Sec. 76. [360.0655] AIRPORT ZONING REGULATIONS BASED ON
 269.33 COMMISSIONER'S STANDARDS; SUBMISSION PROCESS.

416.7 hearing before final adoption of the regulation. The commissioner may require a second
 416.8 hearing as determined necessary.

416.9 (c) Notice of a hearing required pursuant to this subdivision shall must be published by
 416.10 the local zoning authority municipality, county, or joint airport zoning board at least three
 416.11 times during the period between 15 days and five days before the hearing in an official
 416.12 newspaper and in a second newspaper designated by that authority which has a wide general
 416.13 circulation in the area affected by the proposed regulations- and posted on the municipality's,
 416.14 county's, or joint airport zoning board's Web site. If there is not a second newspaper of wide
 416.15 general circulation in the area that the municipality, county, or joint airport zoning board
 416.16 can designate for the notice, the municipality, county, or joint airport zoning board is only
 416.17 required to publish the notice once in the official newspaper of the jurisdiction. The notice
 416.18 shall not be published in the legal notice section of a newspaper. The notice must specify
 416.19 the time, location, and purpose of the hearing, and must identify any additional location and
 416.20 time the proposed regulations will be available for public inspection. A copy of the published
 416.21 notice must be added to the record of the proceedings.

416.22 (d) Notice of a hearing shall also be mailed to the governing body of each political
 416.23 subdivision in which property affected by the regulations is located. Notice shall must be
 416.24 given by mail at least 15 ten days before each hearing to any persons in municipalities that
 416.25 own land proposed to be included in safety zone A or B as provided in the rules of the
 416.26 Department of Transportation and landowners where the location or size of a building, or
 416.27 the density of population, will be regulated. Mailed notice must also be provided at least
 416.28 ten days before each hearing to persons or municipalities that have previously requested
 416.29 such notice from the authority- municipality, county, or joint airport zoning board. The
 416.30 notice must specify the time, location, and purpose of the hearing, and must identify any
 416.31 additional location and time the proposed regulations will be made available for public
 416.32 inspection. Mailed notice must also identify the property affected by the regulations. For
 416.33 the purpose of giving providing mailed notice, the authority municipality, county, or joint
 416.34 airport zoning board may use any appropriate records to determine the names and addresses
 416.35 of owners. A copy of the notice and a list of the owners and addresses to which the notice
 417.1 was sent shall be attested to by the responsible person and shall must be made a part of
 417.2 added to the records of the proceedings. The Failure to give provide mailed notice to
 417.3 individual property owners; or defects a defect in the notice, shall does not invalidate the
 417.4 proceedings; provided if a bona fide attempt to comply with this subdivision has been was
 417.5 made. A notice shall describe the property affected by the proposed regulations and the
 417.6 restrictions to be imposed on the property by the regulations and shall state the place and
 417.7 time at which the proposed regulations are available for public inspection.

417.8 Sec. 84. [360.0655] AIRPORT ZONING REGULATIONS BASED ON
 417.9 COMMISSIONER'S STANDARDS; SUBMISSION PROCESS.

269.34 Subdivision 1. **Submission to commissioner; review.** (a) Except as provided in section
269.35 360.0656, prior to adopting zoning regulations, the municipality, county, or joint airport
270.1 zoning board must submit the proposed regulations to the commissioner for the commissioner
270.2 to determine whether the regulations conform to the standards prescribed by the
270.3 commissioner. The municipality, county, or joint airport zoning board may elect to complete
270.4 custom airport zoning under section 360.0656 instead of using the commissioner's standard,
270.5 but only after providing written notice to the commissioner.

270.6 (b) Notwithstanding section 15.99, the commissioner must examine the proposed
270.7 regulations within 90 days of receipt of the regulations and report to the municipality, county,
270.8 or joint airport zoning board the commissioner's approval or objections, if any. Failure to
270.9 respond within 90 days is deemed an approval. The commissioner may request additional
270.10 information from the municipality, county, or joint airport zoning board within the 90-day
270.11 review period. If the commissioner requests additional information, the 90-day review period
270.12 is tolled until the commissioner receives information and deems the information satisfactory.

270.13 (c) If the commissioner objects on the grounds that the regulations do not conform to
270.14 the standards prescribed by the commissioner, the municipality, county, or joint airport
270.15 zoning board must make amendments necessary to resolve the objections or provide written
270.16 notice to the commissioner that the municipality, county, or joint airport zoning board will
270.17 proceed with zoning under section 360.0656.

270.18 (d) If the municipality, county, or joint airport zoning board makes revisions to the
270.19 proposed regulations after its initial public hearing, the municipality, county, or joint airport
270.20 zoning board must conduct a second public hearing on the revisions and resubmit the revised
270.21 proposed regulations to the commissioner for review. The commissioner must examine the
270.22 revised proposed regulations within 90 days of receipt to determine whether the revised
270.23 proposed regulations conform to the standards prescribed by the commissioner.

270.24 (e) If, after a second review period, the commissioner determines that the municipality,
270.25 county, or joint airport zoning board failed to submit proposed regulations that conform to
270.26 the commissioner's standards, the commissioner must provide a final written decision to
270.27 the municipality, county, or joint airport zoning board.

270.28 (f) The municipality, county, or joint airport zoning board must not adopt regulations
270.29 or take other action until the proposed regulations are approved by the commissioner.

270.30 (g) The commissioner may approve local zoning ordinances that are more stringent than
270.31 the commissioner's standards.

417.10 Subdivision 1. **Submission to commissioner; review.** (a) Except as provided in section
417.11 360.0656, prior to adopting zoning regulations the municipality, county, or joint airport
417.12 zoning board must submit the proposed regulations to the commissioner for the commissioner
417.13 to determine whether the regulations conform to the standards prescribed by the
417.14 commissioner. The municipality, county, or joint airport zoning board may elect to complete
417.15 custom airport zoning under section 360.0656 instead of using the commissioner's standard,
417.16 but only after providing written notice to the commissioner.

417.17 (b) Notwithstanding section 15.99, the commissioner must examine the proposed
417.18 regulations within 90 days of receipt of the regulations and report to the municipality, county,
417.19 or joint airport zoning board the commissioner's approval or objections, if any. Failure to
417.20 respond within 90 days is deemed an approval. The commissioner may request additional
417.21 information from the municipality, county, or joint airport zoning board within the 90-day
417.22 review period. If the commissioner requests additional information, the 90-day review period
417.23 is tolled until the commissioner receives information and deems the information satisfactory.

417.24 (c) If the commissioner objects on the grounds that the regulations do not conform to
417.25 the standards prescribed by the commissioner, the municipality, county, or joint airport
417.26 zoning board must make amendments necessary to resolve the objections or provide written
417.27 notice to the commissioner that the municipality, county, or joint airport zoning board has
417.28 elected to proceed with zoning under section 360.0656.

417.29 (d) If the municipality, county, or joint airport zoning board makes revisions to the
417.30 proposed regulations after its initial public hearing, the municipality, county, or joint airport
417.31 zoning board must conduct a second public hearing on the revisions and resubmit the revised
417.32 proposed regulations to the commissioner for review. The commissioner must examine the
417.33 revised proposed regulations within 90 days of receipt to determine whether the revised
417.34 proposed regulations conform to the standards prescribed by the commissioner.

418.1 (e) If, after a second review period, the commissioner determines that the municipality,
418.2 county, or joint airport zoning board failed to submit proposed regulations that conform to
418.3 the commissioner's standards, the commissioner must provide a final written decision to
418.4 the municipality, county, or joint airport zoning board.

418.5 (f) The municipality, county, or joint airport zoning board must not adopt regulations
418.6 or take other action until the proposed regulations are approved by the commissioner.

418.7 (g) The commissioner may approve local zoning ordinances that are more stringent than
418.8 the commissioner's standards.

270.32 (h) If the commissioner approves the proposed regulations, the municipality, county, or
270.33 joint airport zoning board may adopt the regulations.

271.1 (i) A copy of the adopted regulations must be filed with the county recorder in each
271.2 county that contains a zoned area subject to the regulations.

271.3 (j) Substantive rights that existed and had been exercised prior to August 1, 2018, are
271.4 not affected by the filing of the regulations.

271.5 Subd. 2. **Protection of existing land uses.** (a) In order to ensure minimum disruption
271.6 of existing land uses, the commissioner's airport zoning standards and local airport zoning
271.7 ordinances or regulations adopted under section 360.0655 must distinguish between the
271.8 creation or establishment of a use and the elimination of an existing use, and must avoid
271.9 the elimination, removal, or reclassification of existing uses to the extent consistent with
271.10 reasonable safety standards. The commissioner's standards must include criteria for
271.11 determining when an existing land use may constitute an airport hazard so severe that public
271.12 safety considerations outweigh the public interest in preventing disruption to that land use.

271.13 (b) Airport zoning regulations that classify as a nonconforming use or require
271.14 nonconforming use classification with respect to any existing low-density structure or
271.15 existing isolated low-density building lots must be adopted under sections 360.061 to
271.16 360.074.

271.17 (c) A local airport zoning authority may classify a land use described in paragraph (b)
271.18 as an airport hazard if the authority finds that the classification is justified by public safety
271.19 considerations and is consistent with the commissioner's airport zoning standards. Any land
271.20 use described in paragraph (b) that is classified as an airport hazard must be acquired, altered,
271.21 or removed at public expense.

271.22 (d) This subdivision must not be construed to affect the classification of any land use
271.23 under any zoning ordinances or regulations not adopted under sections 360.061 to 360.074.

271.24 Sec. 77. **[360.0656] CUSTOM AIRPORT ZONING STANDARDS.**

271.25 Subdivision 1. **Custom airport zoning standards; factors.** (a) Notwithstanding section
271.26 360.0655, a municipality, county, or joint airport zoning board must provide notice to the
271.27 commissioner when the municipality, county, or joint airport zoning board intends to establish
271.28 and adopt custom airport zoning regulations under this section.

418.9 (h) If the commissioner approves the proposed regulations, the municipality, county, or
418.10 joint airport zoning board may adopt the regulations.

418.11 (i) A copy of the adopted regulations must be filed with the county recorder in each
418.12 county that contains a zoned area subject to the regulations.

418.13 (j) Substantive rights that existed and had been exercised prior to August 1, 2018, are
418.14 not affected by the filing of the regulations.

418.15 Subd. 2. **Protection of existing land uses.** (a) In order to ensure minimum disruption
418.16 of existing land uses, the commissioner's airport zoning standards and local airport zoning
418.17 ordinances or regulations adopted under this section must distinguish between the creation
418.18 or establishment of a use and the elimination of an existing use, and must avoid the
418.19 elimination, removal, or reclassification of existing uses to the extent consistent with
418.20 reasonable safety standards. The commissioner's standards must include criteria for
418.21 determining when an existing land use may constitute an airport hazard so severe that public
418.22 safety considerations outweigh the public interest in preventing disruption to that land use.

418.23 (b) Airport zoning regulations that classify as a nonconforming use or require
418.24 nonconforming use classification with respect to any existing low-density structure or
418.25 existing isolated low-density building lots must be adopted under sections 360.061 to
418.26 360.074.

418.27 (c) A local airport zoning authority may classify a land use described in paragraph (b)
418.28 as an airport hazard if the authority finds that the classification is justified by public safety
418.29 considerations and is consistent with the commissioner's airport zoning standards. Any land
418.30 use described in paragraph (b) that is classified as an airport hazard must be acquired, altered,
418.31 or removed at public expense.

418.32 (d) This subdivision must not be construed to affect the classification of any land use
418.33 under any zoning ordinances or regulations not adopted under sections 360.061 to 360.074.

419.1 Sec. 85. **[360.0656] CUSTOM AIRPORT ZONING STANDARDS.**

419.2 Subdivision 1. **Custom airport zoning standards; factors.** (a) Notwithstanding section
419.3 360.0655, a municipality, county, or joint airport zoning board must provide notice to the
419.4 commissioner when the municipality, county, or joint airport zoning board intends to establish
419.5 and adopt custom airport zoning regulations under this section.

271.29 (b) Airport zoning regulations submitted to the commissioner under this subdivision are
271.30 not subject to the commissioner's zoning regulations under section 360.0655 or Minnesota
271.31 Rules, part 8800.2400.

271.32 (c) When developing and adopting custom airport zoning regulations under this section,
271.33 the municipality, county, or joint airport zoning board must include in the record a detailed
272.1 analysis that explains how the proposed custom airport zoning regulations addressed the
272.2 following factors to ensure a reasonable level of safety:

272.3 (1) the location of the airport, the surrounding land uses, and the character of
272.4 neighborhoods in the vicinity of the airport, including:

272.5 (i) the location of vulnerable populations, including schools, hospitals, and nursing
272.6 homes, in the airport hazard area;

272.7 (ii) the location of land uses that attract large assemblies of people in the airport hazard
272.8 area;

272.9 (iii) the availability of contiguous open spaces in the airport hazard area;

272.10 (iv) the location of wildlife attractants in the airport hazard area;

272.11 (v) airport ownership or control of the federal Runway Protection Zone and the
272.12 department's Clear Zone;

272.13 (vi) land uses that create or cause interference with the operation of radio or electronic
272.14 facilities used by the airport or aircraft;

272.15 (vii) land uses that make it difficult for pilots to distinguish between airport lights and
272.16 other lights, result in glare in the eyes of pilots using the airport, or impair visibility in the
272.17 vicinity of the airport;

272.18 (viii) land uses that otherwise inhibit a pilot's ability to land, take off, or maneuver the
272.19 aircraft;

272.20 (ix) airspace protection to prevent the creation of air navigation hazards in the airport
272.21 hazard area; and

272.22 (x) the social and economic costs of restricting land uses;

419.6 (b) Airport zoning regulations submitted to the commissioner under this subdivision are
419.7 not subject to the commissioner's zoning regulations under section 360.0655 or Minnesota
419.8 Rules, part 8800.2400.

419.9 (c) When developing and adopting custom airport zoning regulations under this section,
419.10 the municipality, county, or joint airport zoning board must include in the record a detailed
419.11 analysis that explains how the proposed custom airport zoning regulations addressed the
419.12 following factors to ensure a reasonable level of safety:

419.13 (1) the location of the airport, the surrounding land uses, and the character of
419.14 neighborhoods in the vicinity of the airport, including:

419.15 (i) the location of vulnerable populations, including schools, hospitals, and nursing
419.16 homes, in the airport hazard area;

419.17 (ii) the location of land uses that attract large assemblies of people in the airport hazard
419.18 area;

419.19 (iii) the availability of contiguous open spaces in the airport hazard area;

419.20 (iv) the location of wildlife attractants in the airport hazard area;

419.21 (v) airport ownership or control of the federal Runway Protection Zone and the
419.22 department's Clear Zone;

419.23 (vi) land uses that create or cause interference with the operation of radio or electronic
419.24 facilities used by the airport or aircraft;

419.25 (vii) land uses that make it difficult for pilots to distinguish between airport lights and
419.26 other lights, result in glare in the eyes of pilots using the airport, or impair visibility in the
419.27 vicinity of the airport;

419.28 (viii) land uses that otherwise inhibit a pilot's ability to land, take off, or maneuver the
419.29 aircraft;

419.30 (ix) airspace protection to prevent the creation of air navigation hazards in the airport
419.31 hazard area; and

420.1 (x) the social and economic costs of restricting land uses;

272.23 (2) the airport's type of operations and how the operations affect safety surrounding the
272.24 airport;

272.25 (3) the accident rate at the airport compared to a statistically significant sample, including
272.26 an analysis of accident distribution based on the rate with a higher accident incidence;

272.27 (4) the planned land uses within an airport hazard area, including any applicable platting,
272.28 zoning, comprehensive plan, or transportation plan; and

272.29 (5) any other information relevant to safety or the airport.

272.30 Subd. 2. **Submission to commissioner; review.** (a) Except as provided in section
272.31 360.0655, prior to adopting zoning regulations, the municipality, county, or joint airport
273.1 zoning board must submit its proposed regulations and the supporting record to the
273.2 commissioner for review. The commissioner must determine whether the proposed custom
273.3 airport zoning regulations and supporting record (1) evaluate the criteria under subdivision
273.4 1, and (2) provide a reasonable level of safety.

273.5 (b) Notwithstanding section 15.99, the commissioner must examine the proposed
273.6 regulations within 90 days of receipt of the regulations and report to the municipality, county,
273.7 or joint airport zoning board the commissioner's approval or objections, if any. Failure to
273.8 respond within 90 days is deemed an approval. The commissioner may request additional
273.9 information from the municipality, county, or joint airport zoning board within the 90-day
273.10 review period.

273.11 (c) If the commissioner objects on the grounds that the regulations do not provide a
273.12 reasonable level of safety, the municipality, county, or joint airport zoning board must
273.13 review, consider, and provide a detailed explanation demonstrating how it evaluated the
273.14 objections and what action it took or did not take in response to the objections. If the
273.15 municipality, county, or joint airport zoning board submits amended regulations after its
273.16 initial public hearing, the municipality, county, or joint airport zoning board must conduct
273.17 a second public hearing on the revisions and resubmit the revised proposed regulations to
273.18 the commissioner for review. The commissioner must examine the revised proposed
273.19 regulations within 90 days of receipt of the regulations. If the commissioner requests
273.20 additional information, the 90-day review period is tolled until satisfactory information is
273.21 received by the commissioner. Failure to respond within 90 days is deemed an approval.

273.22 (d) If, after the second review period, the commissioner determines that the municipality,
273.23 county, or joint airport zoning board failed to submit proposed regulations that provide a
273.24 reasonable safety level, the commissioner must provide a final written decision to the
273.25 municipality, county, or joint airport zoning board.

420.2 (2) the airport's type of operations and how the operations affect safety surrounding the
420.3 airport;

420.4 (3) the accident rate at the airport compared to a statistically significant sample, including
420.5 an analysis of accident distribution based on the rate with a higher accident incidence;

420.6 (4) the planned land uses within an airport hazard area, including any applicable platting,
420.7 zoning, comprehensive plan, or transportation plan; and

420.8 (5) any other information relevant to safety or the airport.

420.9 Subd. 2. **Submission to commissioner; review.** (a) Except as provided in section
420.10 360.0655, prior to adopting zoning regulations, the municipality, county, or joint airport
420.11 zoning board must submit its proposed regulations and the supporting record to the
420.12 commissioner for review. The commissioner must determine whether the proposed custom
420.13 airport zoning regulations and supporting record (1) evaluate the criteria under subdivision
420.14 1, and (2) provide a reasonable level of safety.

420.15 (b) Notwithstanding section 15.99, the commissioner must examine the proposed
420.16 regulations within 90 days of receipt of the regulations and report to the municipality, county,
420.17 or joint airport zoning board the commissioner's approval or objections, if any. Failure to
420.18 respond within 90 days is deemed an approval. The commissioner may request additional
420.19 information from the municipality, county, or joint airport zoning board within the 90-day
420.20 review period.

420.21 (c) If the commissioner objects on the grounds that the regulations do not provide a
420.22 reasonable level of safety, the municipality, county, or joint airport zoning board must
420.23 review, consider, and provide a detailed explanation demonstrating how it evaluated the
420.24 objections and what action it took or did not take in response to the objections. If the
420.25 municipality, county, or joint airport zoning board submits amended regulations after its
420.26 initial public hearing, the municipality, county, or joint airport zoning board must conduct
420.27 a second public hearing on the revisions and resubmit the revised proposed regulations to
420.28 the commissioner for review. The commissioner must examine the revised proposed
420.29 regulations within 90 days of receipt of the regulations. If the commissioner requests
420.30 additional information, the 90-day review period is tolled until satisfactory information is
420.31 received by the commissioner. Failure to respond within 90 days is deemed an approval.

420.32 (d) If, after the second review period, the commissioner determines that the municipality,
420.33 county, or joint airport zoning board failed to submit proposed regulations that provide a
421.1 reasonable safety level, the commissioner must provide a final written decision to the
421.2 municipality, county, or joint airport zoning board.

273.26 (e) A municipality, county, or joint airport zoning board is prohibited from adopting
273.27 custom regulations or taking other action until the proposed regulations are approved by
273.28 the commissioner.

273.29 (f) If the commissioner approves the proposed regulations, the municipality, county, or
273.30 joint airport zoning board may adopt the regulations.

273.31 (g) A copy of the adopted regulations must be filed with the county recorder in each
273.32 county that contains a zoned area subject to the regulations.

273.33 (h) Substantive rights that existed and had been exercised prior to August 1, 2018, are
273.34 not affected by the filing of the regulations.

274.1 Sec. 78. Minnesota Statutes 2016, section 360.066, subdivision 1, is amended to read:

274.2 Subdivision 1. ~~Reasonableness. Standards of the commissioner~~ Zoning standards defining
274.3 airport hazard areas and the categories of uses permitted and airport zoning regulations
274.4 adopted under sections 360.011 to 360.076, shall be reasonable, and none shall impose a
274.5 requirement or restriction which is not reasonably necessary to effectuate the purposes of
274.6 sections 360.011 to 360.076. ~~In determining what minimum airport zoning regulations may~~
274.7 ~~be adopted, the commissioner and a local airport zoning authority shall consider, among~~
274.8 ~~other things, the character of the flying operations expected to be conducted at the airport,~~
274.9 ~~the location of the airport, the nature of the terrain within the airport hazard area, the existing~~
274.10 ~~land uses and character of the neighborhood around the airport, the uses to which the property~~
274.11 ~~to be zoned are planned and adaptable, and the social and economic costs of restricting land~~
274.12 ~~uses versus the benefits derived from a strict application of the standards of the commissioner.~~

274.13 Sec. 79. Minnesota Statutes 2016, section 360.067, is amended by adding a subdivision
274.14 to read:

274.15 Subd. 5. Federal no hazard determination. (a) Notwithstanding subdivisions 1 and 2,
274.16 a municipality, county, or joint airport zoning board may include in its custom airport zoning
274.17 regulations adopted under section 360.0656 an option to permit construction of a structure,
274.18 an increase or alteration of the height of a structure, or the growth of an existing tree without
274.19 a variance from height restrictions if the Federal Aviation Administration has analyzed the
274.20 proposed construction, alteration, or growth under Code of Federal Regulations, title 14,
274.21 part 77, and has determined the proposed construction, alteration, or growth does not:

274.22 (1) pose a hazard to air navigation;

274.23 (2) require changes to airport or aircraft operations; or

421.3 (e) A municipality, county, or joint airport zoning board is prohibited from adopting
421.4 custom regulations or taking other action until the proposed regulations are approved by
421.5 the commissioner.

421.6 (f) If the commissioner approves the proposed regulations, the municipality, county, or
421.7 joint airport zoning board may adopt the regulations.

421.8 (g) A copy of the adopted regulations must be filed with the county recorder in each
421.9 county that contains a zoned area subject to the regulations.

421.10 (h) Substantive rights that existed and had been exercised prior to August 1, 2018, are
421.11 not affected by the filing of the regulations.

421.12 Sec. 86. Minnesota Statutes 2016, section 360.066, subdivision 1, is amended to read:

421.13 Subdivision 1. ~~Reasonableness. Standards of the commissioner~~ Zoning standards defining
421.14 airport hazard areas and the categories of uses permitted and airport zoning regulations
421.15 adopted under sections 360.011 to 360.076, ~~shall~~ must be reasonable, and none shall impose
421.16 a requirement or restriction ~~which~~ that is not reasonably necessary to effectuate the purposes
421.17 of sections 360.011 to 360.076. ~~In determining what minimum airport zoning regulations~~
421.18 ~~may be adopted, the commissioner and a local airport zoning authority shall consider, among~~
421.19 ~~other things, the character of the flying operations expected to be conducted at the airport,~~
421.20 ~~the location of the airport, the nature of the terrain within the airport hazard area, the existing~~
421.21 ~~land uses and character of the neighborhood around the airport, the uses to which the property~~
421.22 ~~to be zoned are planned and adaptable, and the social and economic costs of restricting land~~
421.23 ~~uses versus the benefits derived from a strict application of the standards of the commissioner.~~

421.24 Sec. 87. Minnesota Statutes 2016, section 360.067, is amended by adding a subdivision
421.25 to read:

421.26 Subd. 5. Federal no hazard determination. (a) Notwithstanding subdivisions 1 and 2,
421.27 a municipality, county, or joint airport zoning board may include in its custom airport zoning
421.28 regulations adopted under section 360.0656 an option to permit construction of a structure,
421.29 an increase or alteration of the height of a structure, or the growth of an existing tree without
421.30 a variance from height restrictions if the Federal Aviation Administration has analyzed the
421.31 proposed construction, alteration, or growth under Code of Federal Regulations, title 14,
421.32 part 77, and has determined the proposed construction, alteration, or growth does not:

422.1 (1) pose a hazard to air navigation;

422.2 (2) require changes to airport or aircraft operations; or

274.24 (3) require any mitigation conditions by the Federal Aviation Administration that cannot
274.25 be satisfied by the landowner.

274.26 (b) A municipality, county, or joint airport zoning board that permits an exception to
274.27 height restrictions under this subdivision must require the applicant to file the Federal
274.28 Aviation Administration's no hazard determination with the applicable zoning administrator.
274.29 The applicant must obtain written approval of the zoning administrator before construction,
274.30 alteration, or growth may occur. Failure of the administrator to respond within 60 days to
274.31 a filing under this subdivision is deemed a denial. The Federal Aviation Administration's
274.32 no hazard determination does not apply to requests for variation from land use, density, or
274.33 any other requirement unrelated to the height of structures or the growth of trees.

275.1 Sec. 80. Minnesota Statutes 2016, section 360.071, subdivision 2, is amended to read:

275.2 Subd. 2. **Memberships.** (a) Where a zoning board of appeals or adjustment already exists,
275.3 it may be appointed as the board of adjustment. Otherwise, the board of adjustment shall
275.4 consist of five members, each to be appointed for a term of three years by the authority
275.5 adopting the regulations and to be removable by the appointing authority for cause, upon
275.6 written charges and after public hearing. The length of initial appointments may be staggered.

275.7 (b) In the case of a Metropolitan Airports Commission, five members shall be appointed
275.8 by the commission chair from the area in and for which the commission was created, any
275.9 of whom may be members of the commission. In the case of an airport owned or operated
275.10 by the state of Minnesota, the board of commissioners of the county, or counties, in which
275.11 the airport hazard area is located shall constitute the airport board of adjustment and shall
275.12 exercise the powers and duties of such board as provided herein.

275.13 Sec. 81. Minnesota Statutes 2016, section 360.305, subdivision 6, is amended to read:

275.14 Subd. 6. **Zoning required.** The commissioner ~~shall~~ must not expend money for planning
275.15 or land acquisition, or for the construction, improvement, or maintenance of airports, or for
275.16 air navigation facilities for an airport, unless the governmental unit municipality, county,
275.17 or joint airport zoning board involved has or is establishing a zoning authority for that
275.18 airport, and the authority has made a good-faith showing that it is in the process of and will
275.19 complete with due diligence, an airport zoning ordinance in accordance with sections 360.061
275.20 to 360.074. The commissioner may provide funds to support airport safety projects that
275.21 maintain existing infrastructure, regardless of a zoning authority's efforts to complete a
275.22 zoning regulation. The commissioner shall must make maximum use of zoning and easements
275.23 to eliminate runway and other potential airport hazards rather than land acquisition in fee.

275.24 Sec. 82. Minnesota Statutes 2016, section 394.22, is amended by adding a subdivision to
275.25 read:

422.3 (3) require any mitigation conditions by the Federal Aviation Administration that cannot
422.4 be satisfied by the landowner.

422.5 (b) A municipality, county, or joint airport zoning board that permits an exception to
422.6 height restrictions under this subdivision must require the applicant to file the Federal
422.7 Aviation Administration's no hazard determination with the applicable zoning administrator.
422.8 The applicant must obtain written approval of the zoning administrator before construction,
422.9 alteration, or growth may occur. Failure of the administrator to respond within 60 days to
422.10 a filing under this subdivision is deemed a denial. The Federal Aviation Administration's
422.11 no hazard determination does not apply to requests for variation from land use, density, or
422.12 any other requirement unrelated to the height of structures or the growth of trees.

422.13 Sec. 88. Minnesota Statutes 2016, section 360.071, subdivision 2, is amended to read:

422.14 Subd. 2. **Memberships.** (a) Where a zoning board of appeals or adjustment already exists,
422.15 it may be appointed as the board of adjustment. Otherwise, the board of adjustment shall
422.16 consist of five members, each to be appointed for a term of three years by the authority
422.17 adopting the regulations and to be removable by the appointing authority for cause, upon
422.18 written charges and after public hearing. The length of initial appointments may be staggered.

422.19 (b) In the case of a Metropolitan Airports Commission, five members shall be appointed
422.20 by the commission chair from the area in and for which the commission was created, any
422.21 of whom may be members of the commission. In the case of an airport owned or operated
422.22 by the state of Minnesota, the board of commissioners of the county, or counties, in which
422.23 the airport hazard area is located shall constitute the airport board of adjustment and shall
422.24 exercise the powers and duties of such board as provided herein.

422.25 Sec. 89. Minnesota Statutes 2016, section 360.305, subdivision 6, is amended to read:

422.26 Subd. 6. **Zoning required.** The commissioner ~~shall~~ must not expend money for planning
422.27 or land acquisition, or for the construction, improvement, or maintenance of airports, or for
422.28 air navigation facilities for an airport, unless the governmental unit municipality, county,
422.29 or joint airport zoning board involved has or is establishing a zoning authority for that
422.30 airport, and the authority has made a good-faith showing that it is in the process of and will
422.31 complete with due diligence, an airport zoning ordinance in accordance with sections 360.061
422.32 to 360.074. The commissioner may provide funds to support airport safety projects that
423.1 maintain existing infrastructure, regardless of a zoning authority's efforts to complete a
423.2 zoning regulation. The commissioner shall must make maximum use of zoning and easements
423.3 to eliminate runway and other potential airport hazards rather than land acquisition in fee.

423.4 Sec. 90. Minnesota Statutes 2016, section 394.22, is amended by adding a subdivision to
423.5 read:

275.26 Subd. 1a. **Airport safety zone.** "Airport safety zone" means an area subject to land use
275.27 zoning controls adopted under sections 360.061 to 360.074 if the zoning controls regulate
275.28 (1) the size or location of buildings, or (2) the density of population.

275.29 Sec. 83. Minnesota Statutes 2016, section 394.23, is amended to read:

275.30 **394.23 COMPREHENSIVE PLAN.**

275.31 The board has the power and authority to prepare and adopt by ordinance, a
275.32 comprehensive plan. A comprehensive plan or plans when adopted by ordinance must be
276.1 the basis for official controls adopted under the provisions of sections 394.21 to 394.37.
276.2 The commissioner of natural resources must provide the natural heritage data from the
276.3 county biological survey, if available, to each county for use in the comprehensive plan.
276.4 When adopting or updating the comprehensive plan, the board must, if the data is available
276.5 to the county, consider natural heritage data resulting from the county biological survey. In
276.6 a county that is not a greater than 80 percent area, as defined in section 103G.005, subdivision
276.7 10b, the board must consider adopting goals and objectives that will protect open space and
276.8 the environment. The board must consider the location and dimensions of airport safety
276.9 zones in any portion of the county, and of any airport improvements, identified in the airport's
276.10 most recent approved airport layout plan.

276.11 Sec. 84. Minnesota Statutes 2016, section 394.231, is amended to read:

276.12 **394.231 COMPREHENSIVE PLANS IN GREATER MINNESOTA; OPEN SPACE.**

276.13 A county adopting or updating a comprehensive plan in a county outside the metropolitan
276.14 area as defined by section 473.121, subdivision 2, and that is not a greater than 80 percent
276.15 area, as defined in section 103G.005, subdivision 10b, shall consider adopting goals and
276.16 objectives for the preservation of agricultural, forest, wildlife, and open space land, and
276.17 minimizing development in sensitive shoreland areas. Within three years of updating the
276.18 comprehensive plan, the county shall consider adopting ordinances as part of the county's
276.19 official controls that encourage the implementation of the goals and objectives. The county
276.20 shall consider the following goals and objectives:

276.21 (1) minimizing the fragmentation and development of agricultural, forest, wildlife, and
276.22 open space lands, including consideration of appropriate minimum lot sizes;

276.23 (2) minimizing further development in sensitive shoreland areas;

276.24 (3) minimizing development near wildlife management areas, scientific and natural
276.25 areas, and nature centers;

423.6 Subd. 1a. **Airport safety zone.** "Airport safety zone" means an area subject to land use
423.7 zoning controls adopted under sections 360.061 to 360.074 if the zoning controls regulate
423.8 (1) the size or location of buildings, or (2) the density of population.

423.9 Sec. 91. Minnesota Statutes 2016, section 394.23, is amended to read:

423.10 **394.23 COMPREHENSIVE PLAN.**

423.11 The board has the power and authority to prepare and adopt by ordinance, a
423.12 comprehensive plan. A comprehensive plan or plans when adopted by ordinance must be
423.13 the basis for official controls adopted under the provisions of sections 394.21 to 394.37.
423.14 The commissioner of natural resources must provide the natural heritage data from the
423.15 county biological survey, if available, to each county for use in the comprehensive plan.
423.16 When adopting or updating the comprehensive plan, the board must, if the data is available
423.17 to the county, consider natural heritage data resulting from the county biological survey. In
423.18 a county that is not a greater than 80 percent area, as defined in section 103G.005, subdivision
423.19 10b, the board must consider adopting goals and objectives that will protect open space and
423.20 the environment. The board must consider the location and dimensions of airport safety
423.21 zones in any portion of the county, and of any airport improvements, identified in the airport's
423.22 most recent approved airport layout plan.

423.23 Sec. 92. Minnesota Statutes 2016, section 394.231, is amended to read:

423.24 **394.231 COMPREHENSIVE PLANS IN GREATER MINNESOTA; OPEN SPACE.**

423.25 A county adopting or updating a comprehensive plan in a county outside the metropolitan
423.26 area as defined by section 473.121, subdivision 2, and that is not a greater than 80 percent
423.27 area, as defined in section 103G.005, subdivision 10b, shall consider adopting goals and
423.28 objectives for the preservation of agricultural, forest, wildlife, and open space land, and
423.29 minimizing development in sensitive shoreland areas. Within three years of updating the
423.30 comprehensive plan, the county shall consider adopting ordinances as part of the county's
423.31 official controls that encourage the implementation of the goals and objectives. The county
423.32 shall consider the following goals and objectives:

424.1 (1) minimizing the fragmentation and development of agricultural, forest, wildlife, and
424.2 open space lands, including consideration of appropriate minimum lot sizes;

424.3 (2) minimizing further development in sensitive shoreland areas;

424.4 (3) minimizing development near wildlife management areas, scientific and natural
424.5 areas, and nature centers;

276.26 (4) encouraging land uses in airport safety zones that are compatible with the safe
276.27 operation of the airport and the safety of people in the vicinity of the airport;

276.28 ~~(4)~~ (5) identification of areas of preference for higher density, including consideration
276.29 of existing and necessary water and wastewater services, infrastructure, other services, and
276.30 to the extent feasible, encouraging full development of areas previously zoned for
276.31 nonagricultural uses;

276.32 ~~(5)~~ (6) encouraging development close to places of employment, shopping centers,
276.33 schools, mass transit, and other public and private service centers;

277.1 ~~(6)~~ (7) identification of areas where other developments are appropriate; and

277.2 ~~(7)~~ (8) other goals and objectives a county may identify.

277.3 Sec. 85. Minnesota Statutes 2016, section 394.25, subdivision 3, is amended to read:

277.4 Subd. 3. **In district zoning, maps.** Within each such district zoning ordinances or maps
277.5 may also be adopted designating or limiting the location, height, width, bulk, type of
277.6 foundation, number of stories, size of, and the specific uses for which dwellings, buildings,
277.7 and structures may be erected or altered; the minimum and maximum size of yards, courts,
277.8 or other open spaces; setback from existing roads and highways and roads and highways
277.9 designated on an official map; protective measures necessary to protect the public interest
277.10 including but not limited to controls relating to appearance, signs, lighting, hours of operation
277.11 and other aesthetic performance characteristics including but not limited to noise, heat,
277.12 glare, vibrations and smoke; the area required to provide for off street loading and parking
277.13 facilities; heights of trees and structures near airports; and to avoid too great concentration
277.14 or scattering of the population. All such provisions shall be uniform for each class of land
277.15 or building throughout each district, but the provisions in one district may differ from those
277.16 in other districts. No provision may prohibit earth sheltered construction as defined in section
277.17 216C.06, subdivision 14, or manufactured homes built in conformance with sections 327.31
277.18 to 327.35 that comply with all other zoning ordinances promulgated pursuant to this section.
277.19 Airport safety zones must be included on maps that illustrate boundaries of zoning districts
277.20 and that are adopted as official controls.

277.21 **EFFECTIVE DATE.** This section is effective August 1, 2018, and applies to maps
277.22 created or updated under this section on or after that date.

277.23 Sec. 86. Minnesota Statutes 2016, section 462.352, is amended by adding a subdivision
277.24 to read:

424.6 (4) encouraging land uses in airport safety zones that are compatible with the safe
424.7 operation of the airport and the safety of people in the vicinity of the airport;

424.8 ~~(4)~~ (5) identification of areas of preference for higher density, including consideration
424.9 of existing and necessary water and wastewater services, infrastructure, other services, and
424.10 to the extent feasible, encouraging full development of areas previously zoned for
424.11 nonagricultural uses;

424.12 ~~(5)~~ (6) encouraging development close to places of employment, shopping centers,
424.13 schools, mass transit, and other public and private service centers;

424.14 ~~(6)~~ (7) identification of areas where other developments are appropriate; and

424.15 ~~(7)~~ (8) other goals and objectives a county may identify.

424.16 Sec. 93. Minnesota Statutes 2016, section 394.25, subdivision 3, is amended to read:

424.17 Subd. 3. **In district zoning, maps.** Within each such district zoning ordinances or maps
424.18 may also be adopted designating or limiting the location, height, width, bulk, type of
424.19 foundation, number of stories, size of, and the specific uses for which dwellings, buildings,
424.20 and structures may be erected or altered; the minimum and maximum size of yards, courts,
424.21 or other open spaces; setback from existing roads and highways and roads and highways
424.22 designated on an official map; protective measures necessary to protect the public interest
424.23 including but not limited to controls relating to appearance, signs, lighting, hours of operation
424.24 and other aesthetic performance characteristics including but not limited to noise, heat,
424.25 glare, vibrations and smoke; the area required to provide for off street loading and parking
424.26 facilities; heights of trees and structures near airports; and to avoid too great concentration
424.27 or scattering of the population. All such provisions shall be uniform for each class of land
424.28 or building throughout each district, but the provisions in one district may differ from those
424.29 in other districts. No provision may prohibit earth sheltered construction as defined in section
424.30 216C.06, subdivision 14, or manufactured homes built in conformance with sections 327.31
424.31 to 327.35 that comply with all other zoning ordinances promulgated pursuant to this section.
424.32 Airport safety zones must be included on maps that illustrate boundaries of zoning districts
424.33 and that are adopted as official controls.

425.1 **EFFECTIVE DATE.** This section is effective August 1, 2018, and applies to maps
425.2 created or updated under this section on or after that date.

425.3 Sec. 94. Minnesota Statutes 2016, section 462.352, is amended by adding a subdivision
425.4 to read:

277.25 Subd. 1a. **Airport safety zone.** "Airport safety zone" has the meaning given in section
277.26 394.22, subdivision 1a.

277.27 Sec. 87. Minnesota Statutes 2016, section 462.355, subdivision 1, is amended to read:

277.28 Subdivision 1. **Preparation and review.** The planning agency shall prepare the
277.29 comprehensive municipal plan. In discharging this duty the planning agency shall consult
277.30 with and coordinate the planning activities of other departments and agencies of the
277.31 municipality to insure conformity with and to assist in the development of the comprehensive
277.32 municipal plan. In its planning activities the planning agency shall take due cognizance of
278.1 the planning activities of adjacent units of government and other affected public agencies.
278.2 The planning agency shall periodically review the plan and recommend amendments
278.3 whenever necessary. When preparing or recommending amendments to the comprehensive
278.4 plan, the planning agency of a municipality located within a county that is not a greater than
278.5 80 percent area, as defined in section 103G.005, subdivision 10b, must consider adopting
278.6 goals and objectives that will protect open space and the environment. When preparing or
278.7 recommending amendments to the comprehensive plan, the planning agency must consider
278.8 (1) the location and dimensions of airport safety zones in any portion of the municipality,
278.9 and (2) any airport improvements identified in the airport's most recent approved airport
278.10 layout plan.

278.11 Sec. 88. Minnesota Statutes 2016, section 462.357, is amended by adding a subdivision
278.12 to read:

278.13 Subd. 1i. **Airport safety zones on zoning maps.** Airport safety zones must be included
278.14 on maps that illustrate boundaries of zoning districts and that are adopted as official controls.

278.15 **EFFECTIVE DATE.** This section is effective August 1, 2018, and applies to maps
278.16 created or updated under this section on or after that date.

278.17 Sec. 89. Minnesota Statutes 2016, section 462.357, subdivision 9, is amended to read:

278.18 Subd. 9. **Development goals and objectives.** In adopting official controls after July 1,
278.19 2008, in a municipality outside the metropolitan area, as defined by section 473.121,
278.20 subdivision 2, the municipality shall consider restricting new residential, commercial, and
278.21 industrial development so that the new development takes place in areas subject to the
278.22 following goals and objectives:

278.23 (1) minimizing the fragmentation and development of agricultural, forest, wildlife, and
278.24 open space lands, including consideration of appropriate minimum lot sizes;

278.25 (2) minimizing further development in sensitive shoreland areas;

425.5 Subd. 1a. **Airport safety zone.** "Airport safety zone" has the meaning given in section
425.6 394.22, subdivision 1a.

425.7 Sec. 95. Minnesota Statutes 2016, section 462.355, subdivision 1, is amended to read:

425.8 Subdivision 1. **Preparation and review.** The planning agency shall prepare the
425.9 comprehensive municipal plan. In discharging this duty the planning agency shall consult
425.10 with and coordinate the planning activities of other departments and agencies of the
425.11 municipality to insure conformity with and to assist in the development of the comprehensive
425.12 municipal plan. In its planning activities the planning agency shall take due cognizance of
425.13 the planning activities of adjacent units of government and other affected public agencies.
425.14 The planning agency shall periodically review the plan and recommend amendments
425.15 whenever necessary. When preparing or recommending amendments to the comprehensive
425.16 plan, the planning agency of a municipality located within a county that is not a greater than
425.17 80 percent area, as defined in section 103G.005, subdivision 10b, must consider adopting
425.18 goals and objectives that will protect open space and the environment. When preparing or
425.19 recommending amendments to the comprehensive plan, the planning agency must consider
425.20 (1) the location and dimensions of airport safety zones in any portion of the municipality,
425.21 and (2) any airport improvements identified in the airport's most recent approved airport
425.22 layout plan.

425.23 Sec. 96. Minnesota Statutes 2016, section 462.357, is amended by adding a subdivision
425.24 to read:

425.25 Subd. 1i. **Airport safety zones on zoning maps.** Airport safety zones must be included
425.26 on maps that illustrate boundaries of zoning districts and that are adopted as official controls.

425.27 **EFFECTIVE DATE.** This section is effective August 1, 2018, and applies to maps
425.28 created or updated under this section on or after that date.

425.29 Sec. 97. Minnesota Statutes 2016, section 462.357, subdivision 9, is amended to read:

425.30 Subd. 9. **Development goals and objectives.** In adopting official controls after July 1,
425.31 2008, in a municipality outside the metropolitan area, as defined by section 473.121,
426.1 subdivision 2, the municipality shall consider restricting new residential, commercial, and
426.2 industrial development so that the new development takes place in areas subject to the
426.3 following goals and objectives:

426.4 (1) minimizing the fragmentation and development of agricultural, forest, wildlife, and
426.5 open space lands, including consideration of appropriate minimum lot sizes;

426.6 (2) minimizing further development in sensitive shoreland areas;

278.26 (3) minimizing development near wildlife management areas, scientific and natural
278.27 areas, and nature centers;

278.28 (4) encouraging land uses in airport safety zones that are compatible with the safe
278.29 operation of the airport and the safety of people in the vicinity of the airport;

278.30 ~~(4)~~ (5) identification of areas of preference for higher density, including consideration
278.31 of existing and necessary water and wastewater services, infrastructure, other services, and
279.1 to the extent feasible, encouraging full development of areas previously zoned for
279.2 nonagricultural uses;

279.3 ~~(5)~~ (6) encouraging development close to places of employment, shopping centers,
279.4 schools, mass transit, and other public and private service centers;

279.5 ~~(6)~~ (7) identification of areas where other developments are appropriate; and

279.6 ~~(7)~~ (8) other goals and objectives a municipality may identify.

279.7 Sec. 90. Minnesota Statutes 2016, section 473.13, is amended by adding a subdivision to
279.8 read:

279.9 Subd. 1d. **Budget changes or variances; reports.** At least quarterly by January 1, April
279.10 1, July 1, and October 1, the council must submit a summary to the chairs and ranking
279.11 minority members of the house of representatives and senate committees with jurisdiction
279.12 over transportation policy and finance and to the Legislative Commission on Metropolitan
279.13 Government on any changes to or variances from the budget adopted under subdivision 1.

279.14 **EFFECTIVE DATE; APPLICATION.** This section is effective June 1, 2018, and
279.15 applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

426.7 (3) minimizing development near wildlife management areas, scientific and natural
426.8 areas, and nature centers;

426.9 (4) encouraging land uses in airport safety zones that are compatible with the safe
426.10 operation of the airport and the safety of people in the vicinity of the airport;

426.11 ~~(4)~~ (5) identification of areas of preference for higher density, including consideration
426.12 of existing and necessary water and wastewater services, infrastructure, other services, and
426.13 to the extent feasible, encouraging full development of areas previously zoned for
426.14 nonagricultural uses;

426.15 ~~(5)~~ (6) encouraging development close to places of employment, shopping centers,
426.16 schools, mass transit, and other public and private service centers;

426.17 ~~(6)~~ (7) identification of areas where other developments are appropriate; and

426.18 ~~(7)~~ (8) other goals and objectives a municipality may identify.

426.19 Sec. 98. Minnesota Statutes 2016, section 473.13, is amended by adding a subdivision to
426.20 read:

426.21 Subd. 1d. **Budget amendments.** In conjunction with the adoption of any amendment
426.22 to a budget under subdivision 1, the council must submit a summary of the budget changes
426.23 and a copy of the amended budget to the members and staff of the legislative committees
426.24 with jurisdiction over transportation policy and finance and to the Legislative Commission
426.25 on Metropolitan Government.

426.26 **EFFECTIVE DATE; APPLICATION.** This section is effective the day following
426.27 final enactment and applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey,
426.28 Scott, and Washington.

427.1 Sec. 99. Minnesota Statutes 2016, section 473.13, is amended by adding a subdivision to
427.2 read:

427.3 Subd. 6. **Overview of revenues and expenditures; forecast.** (a) In cooperation with
427.4 the Department of Management and Budget and as required by section 16A.103, in February
427.5 and November of each year the council must prepare a financial overview and forecast of
427.6 revenues and expenditures for the transportation components of the council's budget.

427.7 (b) At a minimum, the financial overview and forecast must identify:

- 427.8 (1) actual revenues, expenditures, transfers, reserves, and balances for each of the previous
427.9 four budget years;
- 427.10 (2) budgeted and forecasted revenues, expenditures, transfers, reserves, and balances
427.11 for each year within the state forecast period; and
- 427.12 (3) a comparison of the information under clause (2) to the prior forecast, including any
427.13 changes made.
- 427.14 (c) The information under paragraph (b), clauses (1) and (2), must include:
- 427.15 (1) a breakdown for each transportation operating budget category established by the
427.16 council, including but not limited to bus, light rail transit, commuter rail, planning, special
427.17 transportation service under section 473.386, and assistance to replacement service providers
427.18 under section 473.388;
- 427.19 (2) data for both transportation operating and capital expenditures; and
- 427.20 (3) fund balances for each replacement service provider under section 473.388.
- 427.21 (d) The financial overview and forecast must summarize reserve policies, identify the
427.22 methodology for cost allocation, and review revenue assumptions and variables affecting
427.23 the assumptions.
- 427.24 (e) The council must review the financial overview and forecast information with the
427.25 chairs, ranking minority members, and staff of the legislative committees with jurisdiction
427.26 over finance, ways and means, and transportation finance no later than two weeks following
427.27 the release of the forecast.
- 427.28 **EFFECTIVE DATE; APPLICATION.** This section is effective the day following
427.29 final enactment and applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey,
427.30 Scott, and Washington.

279.16 Sec. 91. Minnesota Statutes 2016, section 473.13, is amended by adding a subdivision to
279.17 read:

279.18 Subd. 7. **Budget assumptions.** (a) As part of the budget submission to the legislature
279.19 under section 16A.11, the council must explicitly identify the assumptions used (1) to prepare
279.20 the budget submission, and (2) for any underlying documentation or plans regarding
279.21 transportation and transit.

279.22 (b) As part of the budget submission to the legislature under section 16A.11, the council
279.23 must include copies of any report, application, or related document submitted to the Federal
279.24 Transit Administration since the previous budget submission was provided to the legislature.
279.25 In the budget submission, the council must explicitly identify the assumptions used to
279.26 prepare each of the reports, applications, or related documents.

279.27 (c) In the budget submission to the legislature under section 16A.11, the council must
279.28 include a section that provides a detailed explanation of the impact each assumption identified
279.29 in paragraphs (a) and (b) has on the council's financial forecast.

428.1 Sec. 100. Minnesota Statutes 2016, section 473.386, subdivision 3, is amended to read:

428.2 Subd. 3. **Duties of council.** In implementing the special transportation service, the council
428.3 shall:

428.4 (a) encourage participation in the service by public, private, and private nonprofit
428.5 providers of special transportation currently receiving capital or operating assistance from
428.6 a public agency;

428.7 (b) when feasible and cost-efficient, contract with public, private, and private nonprofit
428.8 providers that have demonstrated their ability to effectively provide service at a reasonable
428.9 cost;

428.10 (c) encourage individuals using special transportation to use the type of service most
428.11 appropriate to their particular needs;

428.12 (d) encourage shared rides to the greatest extent practicable;

428.13 (e) encourage public agencies that provide transportation to eligible individuals as a
428.14 component of human services and educational programs to coordinate with this service and
428.15 to allow reimbursement for transportation provided through the service at rates that reflect
428.16 the public cost of providing that transportation;

428.17 (f) establish criteria to be used in determining individual eligibility for special
428.18 transportation services;

428.19 (g) consult with the Transportation Accessibility Advisory Committee in a timely manner
428.20 before changes are made in the provision of special transportation services;

428.21 (h) provide for effective administration and enforcement of council policies and standards;
428.22 and

428.23 (i) ensure that, taken as a whole including contracts with public, private, and private
428.24 nonprofit providers, the geographic coverage area of the special transportation service is
428.25 continuous within the boundaries of the transit taxing district, as defined as of March 1,
428.26 2006, in section 473.446, subdivision 2, and any area added to the transit taxing district
428.27 under section 473.4461 that received capital improvements financed in part by the Minnesota
428.28 Urban Partnership Agreement (UPA) under the United States Department of Transportation
428.29 UPA program.

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

429.1 Sec. 101. Minnesota Statutes 2016, section 473.386, is amended by adding a subdivision
429.2 to read:

429.3 Subd. 9. **Data practices.** (a) For purposes of administering this section, and only with
429.4 the consent of the data subject, the commissioner of human services and the Metropolitan
429.5 Council may share the following private data on individuals eligible for special transportation
429.6 services:

429.7 (1) name;

429.8 (2) date of birth;

429.9 (3) residential address; and

429.10 (4) program eligibility status with expiration date, to inform the other party of program
429.11 eligibility.

429.12 (b) The commissioner of human services and the Metropolitan Council must provide
429.13 notice regarding data sharing to each individual applying for or renewing eligibility to use
429.14 special transportation services. The notice must seek consent to engage in data sharing under
429.15 paragraph (a), and must state how and for what purposes the individual's private data will
429.16 be shared between the commissioner of human services and the Metropolitan Council. A
429.17 consent to engage in data sharing is effective until the individual's eligibility expires, but
429.18 may be renewed if the individual applies to renew eligibility.

429.19 **EFFECTIVE DATE; APPLICATION.** This section is effective the day following
429.20 final enactment and applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey,
429.21 Scott, and Washington. Within 60 days of this section's effective date, the commissioner

280.1 Sec. 92. Minnesota Statutes 2016, section 473.3994, is amended by adding a subdivision
280.2 to read:

280.3 Subd. 15. **Rail colocation prohibition.** The responsible authority is prohibited from
280.4 constructing a light rail transit line or extension in a shared use rail corridor for freight rail
280.5 and light rail transit.

280.6 **EFFECTIVE DATE; APPLICATION.** This section is effective June 1, 2018. The
280.7 portion of this section applicable to the Metropolitan Council applies in the counties of
280.8 Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

280.9 Sec. 93. Minnesota Statutes 2017 Supplement, section 473.4051, subdivision 2, is amended
280.10 to read:

280.11 Subd. 2. **Operating costs.** (a) After operating revenue and federal money have been
280.12 used to pay for light rail transit operations, 50 percent of the remaining operating costs must
280.13 be paid by the state.

280.14 (b) Notwithstanding paragraph (a), all operating and ongoing capital maintenance costs
280.15 must be paid from nonstate sources for a segment of a light rail transit line or line extension
280.16 project that formally entered the engineering phase of the Federal Transit Administration's
280.17 "New Starts" capital investment grant program between August 1, 2016, and December 31,
280.18 2016.

280.19 (c) For purposes of this subdivision, operating costs consist of the costs associated with
280.20 light rail system daily operations and the maintenance costs associated with keeping light
280.21 rail services and facilities operating. Operating costs do not include costs incurred to enhance
280.22 or expand the existing system, construct new buildings or facilities, purchase new vehicles,
280.23 or make technology improvements.

429.22 of human services and the Metropolitan Council must provide notice regarding data sharing
429.23 to each individual who is currently receiving special transportation services under Minnesota
429.24 Statutes, section 473.386. The notice must provide an opportunity to opt out of data sharing
429.25 under paragraph (a) of this section, and must state how and for what purposes the individual's
429.26 private data will be shared between the commissioner of human services and the Metropolitan
429.27 Council. An individual who is currently receiving special transportation services on this
429.28 section's effective date is presumed to have consented to data sharing under paragraph (a)
429.29 unless, within 60 days of the dissemination of the notice, the individual appropriately informs
429.30 the commissioner of human services or the Metropolitan Council that the individual opts
429.31 out of data sharing.

430.1 Sec. 102. Minnesota Statutes 2017 Supplement, section 473.4051, subdivision 2, is amended
430.2 to read:

430.3 Subd. 2. **Operating costs.** (a) After operating revenue and federal money have been
430.4 used to pay for light rail transit operations, 50 percent of the remaining operating costs must
430.5 be paid by the state.

430.6 (b) Notwithstanding paragraph (a), all operating and ongoing capital maintenance costs
430.7 must be paid from nonstate sources for a segment of a light rail transit line or line extension
430.8 project that formally entered the engineering phase of the Federal Transit Administration's
430.9 "New Starts" capital investment grant program between August 1, 2016, and December 31,
430.10 2016.

430.11 (c) For purposes of this subdivision, operating costs consist of the costs associated with
430.12 light rail system daily operations and the maintenance costs associated with keeping light
430.13 rail services and facilities operating. Operating costs do not include costs incurred to construct
430.14 new buildings or facilities, purchase new vehicles, or make technology improvements.

280.24 Sec. 94. Minnesota Statutes 2017 Supplement, section 473.4485, subdivision 2, is amended
280.25 to read:

280.26 Subd. 2. **Legislative report.** (a) By October 15 in every even-numbered year, the council
280.27 must prepare, in collaboration with the commissioner, a report on comprehensive transit
280.28 finance in the metropolitan area. The council must submit the report electronically to the
280.29 chairs and ranking minority members of the legislative committees with jurisdiction over
280.30 transportation policy and finance.

280.31 (b) The report must be structured to provide financial information in six-month increments
280.32 corresponding to state and local fiscal years, and must use consistent assumptions and
281.1 methodologies. The report must explicitly identify and explain the assumptions and
281.2 methodologies used to prepare the report. The report must comprehensively identify all
281.3 funding sources and expenditures related to transit in the metropolitan area, including but
281.4 not limited to:

281.5 (1) sources and uses of funds from regional railroad authorities, joint powers agreements,
281.6 counties, and cities;

281.7 (2) expenditures for transit planning, feasibility studies, alternatives analysis, and other
281.8 transit project development; and

281.9 (3) expenditures for guideways, busways, regular route bus service, demand-response
281.10 service, and special transportation service under section 473.386.

281.11 (c) The report must include a section that summarizes the status of (1) guideways in
281.12 revenue operation, and (2) guideway projects (i) currently in study, planning, development,
281.13 or construction; (ii) identified in the transportation policy plan under section 473.146; or

430.15 **EFFECTIVE DATE; APPLICATION.** This section is effective the day following
430.16 final enactment and applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey,
430.17 Scott, and Washington.

430.18 Sec. 103. Minnesota Statutes 2016, section 473.4051, subdivision 3, is amended to read:

430.19 Subd. 3. **Capital costs.** State money ~~may~~ must not be used ~~to pay more than ten percent~~
430.20 ~~of for the total~~ capital cost of a light rail transit project.

430.21 **EFFECTIVE DATE; APPLICATION.** This section is effective the day following
430.22 final enactment for appropriations encumbered on or after that date and applies in the
430.23 counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

281.14 (iii) identified in the comprehensive statewide freight and passenger rail plan under section
281.15 174.03, subdivision 1b.

281.16 (d) At a minimum, the guideways status section of the report must provide for each
281.17 guideway project wholly or partially in the metropolitan area:

281.18 (1) a brief description of the project, including projected ridership;

281.19 (2) a summary of the overall status and current phase of the project;

281.20 (3) a timeline that includes (i) project phases or milestones, including any federal
281.21 approvals; (ii) expected and known dates of commencement of each phase or milestone;
281.22 and (iii) expected and known dates of completion of each phase or milestone;

281.23 (4) a brief progress update on specific project phases or milestones completed since the
281.24 last previous submission of a report under this subdivision; and

281.25 (5) a summary financial plan that identifies, as reflected by the data and level of detail
281.26 available in the latest phase of project development and to the extent available:

281.27 (i) capital expenditures, including expenditures to date and total projected expenditures,
281.28 with a breakdown by committed and proposed sources of funds for the project;

281.29 (ii) estimated annual operations and maintenance expenditures reflecting the level of
281.30 detail available in the current phase of the project development, with a breakdown by
281.31 committed and proposed sources of funds for the project; and

281.32 (iii) if feasible, project expenditures by budget activity.

282.1 (e) The report must include a section that summarizes the status of (1) busways in revenue
282.2 operation, and (2) busway projects currently in study, planning, development, or construction.

282.3 (f) The report must include a section that identifies the total ridership, farebox recovery
282.4 ratio, and per-passenger operating subsidy for (1) each route and line in revenue operation
282.5 by a transit provider, including guideways, busways, and regular route bus service; and (2)
282.6 demand-response service and special transportation service. The section must provide data,
282.7 as available on a per-passenger mile basis and must provide information for at least the
282.8 previous three years. The section must identify performance standards for farebox recovery
282.9 and identify each route and line that does not meet the standards.

282.10 (g) The report must also include a systemwide capacity analysis for transit operations
282.11 and investment in expansion and maintenance that:

282.12 (1) provides a funding projection, annually over the ensuing ten years, and with a
282.13 breakdown by committed and proposed sources of funds, of:

282.14 (i) total capital expenditures for guideways and for busways;

282.15 (ii) total operations and maintenance expenditures for guideways and for busways;

282.16 (iii) total funding available for guideways and for busways, including from projected or
282.17 estimated farebox recovery; and

282.18 (iv) total funding available for transit service in the metropolitan area; and

282.19 (2) evaluates the availability of funds and distribution of sources of funds for guideway
282.20 and for busway investments.

282.21 (h) The capacity analysis under paragraph (g) must include all guideway and busway
282.22 lines for which public funds are reasonably expected to be expended in planning,
282.23 development, construction, revenue operation, or capital maintenance during the ensuing
282.24 ten years.

282.25 (i) Local units of government must provide assistance and information in a timely manner
282.26 as requested by the commissioner or council for completion of the report.

282.27 Sec. 95. Minnesota Statutes 2016, section 473.606, subdivision 5, is amended to read:

282.28 Subd. 5. **Employees, others, affirmative action; prevailing wage.** The corporation
282.29 shall have the power to appoint engineers and other consultants, attorneys, and such other
282.30 officers, agents, and employees as it may see fit, who shall perform such duties and receive
282.31 such compensation as the corporation may determine notwithstanding the provisions of
282.32 section 43A.17, subdivision 9, and be removable at the pleasure of the corporation. The
283.1 corporation must adopt an affirmative action plan, which shall be submitted to the appropriate
283.2 agency or office of the state for review and approval. The plan must include a yearly progress
283.3 report to the agency or office. Whenever the corporation performs any work within the
283.4 limits of a city of the first class, or establishes a minimum wage for skilled or unskilled
283.5 labor in the specifications or any contract for work within one of the cities, the rate of pay
283.6 to such skilled and unskilled labor must be the prevailing rate of wage for such labor in that
283.7 city.

283.8 Sec. 96. Minnesota Statutes 2016, section 574.26, subdivision 1a, is amended to read:

283.9 Subd. 1a. **Exemptions: certain manufacturers; commissioner of transportation;**
283.10 **road maintenance.** (a) Sections 574.26 to 574.32 do not apply to a manufacturer of public

430.24 Sec. 104. Minnesota Statutes 2016, section 473.606, subdivision 5, is amended to read:

430.25 Subd. 5. **Employees, others, affirmative action; prevailing wage.** The corporation
430.26 shall have the power to appoint engineers and other consultants, attorneys, and such other
430.27 officers, agents, and employees as it may see fit, who shall perform such duties and receive
430.28 such compensation as the corporation may determine notwithstanding the provisions of
430.29 section 43A.17, subdivision 9, and be removable at the pleasure of the corporation. The
430.30 corporation must adopt an affirmative action plan, which shall be submitted to the appropriate
430.31 agency or office of the state for review and approval. The plan must include a yearly progress
430.32 report to the agency or office. Whenever the corporation performs any work within the
431.1 limits of a city of the first class, or establishes a minimum wage for skilled or unskilled
431.2 labor in the specifications or any contract for work within one of the cities, the rate of pay
431.3 to such skilled and unskilled labor must be the prevailing rate of wage for such labor in that
431.4 city.

431.5 Sec. 105. Minnesota Statutes 2016, section 574.26, subdivision 1a, is amended to read:

431.6 Subd. 1a. **Exemptions: certain manufacturers; commissioner of transportation;**
431.7 **road maintenance.** (a) Sections 574.26 to 574.32 do not apply to a manufacturer of public

283.11 transit buses that manufactures at least 100 public transit buses in a calendar year. For
283.12 purposes of this section, "public transit bus" means a motor vehicle designed to transport
283.13 people, with a design capacity for carrying more than 40 passengers, including the driver.
283.14 The term "public transit bus" does not include a school bus, as defined in section 169.011,
283.15 subdivision 71.

283.16 (b) At the discretion of the commissioner of transportation, sections 574.26 to 574.32
283.17 do not apply to any projects of the Department of Transportation (1) costing less than the
283.18 amount in section 471.345, subdivision 3, ~~or~~ (2) involving the permanent or semipermanent
283.19 installation of heavy machinery, fixtures, or other capital equipment to be used primarily
283.20 for maintenance or repair, or (3) awarded under section 161.32, subdivision 2.

283.21 (c) Sections 574.26 to 574.32 do not apply to contracts for snow removal, ice removal,
283.22 grading, or other similar routine road maintenance on town roads.

431.8 transit buses that manufactures at least 100 public transit buses in a calendar year. For
431.9 purposes of this section, "public transit bus" means a motor vehicle designed to transport
431.10 people, with a design capacity for carrying more than 40 passengers, including the driver.
431.11 The term "public transit bus" does not include a school bus, as defined in section 169.011,
431.12 subdivision 71.

431.13 (b) At the discretion of the commissioner of transportation, sections 574.26 to 574.32
431.14 do not apply to any projects of the Department of Transportation (1) costing less than the
431.15 amount in section 471.345, subdivision 3, ~~or~~ (2) involving the permanent or semipermanent
431.16 installation of heavy machinery, fixtures, or other capital equipment to be used primarily
431.17 for maintenance or repair, or (3) awarded under section 161.32, subdivision 2.

431.18 (c) Sections 574.26 to 574.32 do not apply to contracts for snow removal, ice removal,
431.19 grading, or other similar routine road maintenance on town roads.

434.1 Sec. 109. Laws 2014, chapter 312, article 11, section 38, subdivision 5, is amended to
434.2 read:

434.3 Subd. 5. **Pilot program evaluation.** In coordination with the city, the commissioner of
434.4 transportation shall evaluate effectiveness of the pilot program under this section, which
434.5 must include analysis of traffic safety impacts, utility to motorists and tourists, costs and
434.6 expenditures, extent of community support, and pilot program termination or continuation.
434.7 By January 15, ~~2021~~ 2024, the commissioner shall submit a report on the evaluation to the
434.8 ~~chairs and ranking minority members and staff~~ of the legislative committees with jurisdiction
434.9 over transportation policy and finance.

434.10 Sec. 110. Laws 2014, chapter 312, article 11, section 38, subdivision 6, is amended to
434.11 read:

434.12 Subd. 6. **Expiration.** The pilot program under this section expires January 1, ~~2022~~ 2025.

357.4 Sec. 5. Laws 2017, First Special Session chapter 3, article 1, section 2, subdivision 2, is
357.5 amended to read:

357.6 Subd. 2. **Multimodal Systems**

357.7 (a) **Aeronautics**

357.8 (1) Airport Development and Assistance	26,001,000	16,598,000
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357.9 This appropriation is from the state airports
357.10 fund and must be spent according to
357.11 Minnesota Statutes, section 360.305,
357.12 subdivision 4.

357.13 Notwithstanding Minnesota Statutes, section
357.14 16A.28, subdivision 6, this appropriation is
357.15 available for five years after the year of the
357.16 appropriation. If the appropriation for either
357.17 year is insufficient, the appropriation for the
357.18 other year is available for it.

357.19 \$6,619,000 in the first year is for a grant to
357.20 the Duluth Airport Authority for
357.21 improvements at the Duluth International
357.22 Airport and the Sky Harbor Airport in
357.23 accordance with Minnesota Statutes, section
357.24 360.017. For the purposes of this
357.25 appropriation, the commissioner may waive
357.26 the requirements of Minnesota Statutes,
357.27 section 360.305, subdivision 4, paragraph (b).
357.28 This appropriation may be used to reimburse
357.29 the Authority for costs incurred after March
357.30 1, 2015. This is a onetime appropriation.

357.31 \$2,334,000 in the first year is for a grant to
357.32 the city of Rochester for improvements to the
357.33 passenger terminal building at the Rochester
358.1 International Airport in accordance with
358.2 Minnesota Statutes, section 360.017. For the
358.3 purposes of this appropriation, the
358.4 commissioner of transportation may waive the
358.5 requirements of Minnesota Statutes, section
358.6 360.305, subdivision 4, paragraph (b). This
358.7 appropriation may be used to reimburse the
358.8 city for costs incurred after May 1, 2016. This
358.9 is a onetime appropriation.

358.10 Notwithstanding Minnesota Statutes, section
358.11 360.017, \$250,000 in the first year is for a
358.12 grant to the city of St. Cloud for an air
358.13 transport optimization planning study for the
358.14 St. Cloud Regional Airport. The study must

358.15 be comprehensive and market-based, using
358.16 economic development and air service
358.17 expertise to research, analyze, and develop
358.18 models and strategies that maximize the return
358.19 on investments made to enhance the use and
358.20 impact of the St. Cloud Regional Airport. By
358.21 January 5, 2018, the city of St. Cloud shall
358.22 submit a report to the governor and the
358.23 members and staff of the legislative
358.24 committees with jurisdiction over capital
358.25 investment, transportation, and economic
358.26 development with recommendations based on
358.27 the findings of the study. This is a onetime
358.28 appropriation.

358.29 If the commissioner of transportation
358.30 determines that a balance remains in the state
358.31 airports fund following the appropriations
358.32 made in this article and that the appropriations
358.33 made are insufficient for advancing airport
358.34 development and assistance projects, an
358.35 amount necessary to advance the projects, not
359.1 to exceed the balance in the state airports fund,
359.2 is appropriated in each year to the
359.3 commissioner and must be spent according to
359.4 Minnesota Statutes, section 360.305,
359.5 subdivision 4. Within two weeks of a
359.6 determination under this contingent
359.7 appropriation, the commissioner of
359.8 transportation must notify the commissioner
359.9 of management and budget and the chairs,
359.10 ranking minority members, and staff of the
359.11 legislative committees with jurisdiction over
359.12 transportation finance concerning the funds
359.13 appropriated. Funds appropriated under this
359.14 contingent appropriation do not adjust the base
359.15 for fiscal years 2020 and 2021.

359.16 The base is \$15,298,000 in each of fiscal years
359.17 2020 and 2021.

359.18	(2) Aviation Support and Services	6,710,000	6,854,000
359.19	Appropriations by Fund		
359.20	2018 2019		
359.21	Airports 5,231,000 5,231,000		
359.22	Trunk Highway 1,479,000 1,623,000		
359.23	(3) Civil Air Patrol	3,580,000	80,000
359.24	This appropriation is from the state airports		
359.25	fund for the Civil Air Patrol.		
359.26	\$3,500,000 in the first year is for a grant to:		
359.27	<u>(1) perform site selection and analysis; (2)</u>		
359.28	<u>purchase, renovate a portion of and, or</u>		
359.29	<u>construct an addition to the training and</u>		
359.30	<u>maintenance facility located at the South St.</u>		
359.31	<u>Paul airport, facilities; and to (3) furnish and</u>		
359.32	<u>equip the facility facilities, including</u>		
359.33	<u>communications equipment. If the Civil Air</u>		
359.34	<u>Patrol purchases an existing facility, predesign</u>		
359.35	<u>requirements are waived. The facilities must</u>		
360.1	<u>be located at an airport in Minnesota.</u>		
360.2	<u>Notwithstanding the matching requirements</u>		
360.3	<u>in Minnesota Statutes, section 360.305,</u>		
360.4	<u>subdivision 4, a nonstate contribution is not</u>		
360.5	<u>required for this appropriation.</u>		
360.6	<u>Notwithstanding Minnesota Statutes, section</u>		
360.7	<u>16A.28, subdivision 6, this appropriation is</u>		
360.8	<u>available for five six years after the year of</u>		
360.9	<u>the appropriation. This is a onetime</u>		
360.10	<u>appropriation.</u>		
360.11	(b) Transit	1,416,000	18,268,000

360.12	Appropriations by Fund		
360.13		2018	2019
360.14	General	570,000	17,395,000
360.15	Trunk Highway	846,000	873,000
360.16	\$150,000 in each year is from the general fund		
360.17	for grants to transportation management		
360.18	organizations that provide services exclusively		
360.19	or primarily in the city located along the		
360.20	marked Interstate Highway 494 corridor		
360.21	having the highest population as of the		
360.22	effective date of this section. The		
360.23	commissioner must not retain any portion of		
360.24	the funds appropriated under this section.		
360.25	From the appropriation in each fiscal year, the		
360.26	commissioner must make grant payments in		
360.27	full by July 31. Permissible uses of funds		
360.28	under this grant include administrative		
360.29	expenses and programming and service		
360.30	expansion, including but not limited to		
360.31	staffing, communications, outreach and		
360.32	education program development, and		
360.33	operations management. This is a onetime		
360.34	appropriation.		
361.1	The base from the general fund is \$17,245,000		
361.2	in each year for fiscal years 2020 and 2021.		
361.3	(c) Safe Routes to School	500,000	500,000
361.4	This appropriation is from the general fund		
361.5	for the safe routes to school program under		
361.6	Minnesota Statutes, section 174.40.		
361.7	(d) Passenger Rail	500,000	500,000

Senate Language S3656-2

Transportation Policy and Finance

May 07, 2018 10:39 AM

House Language H3138-3

361.8

This appropriation is from the general fund

361.9

for passenger rail system planning, alternatives

361.10

analysis, environmental analysis, design, and

361.11

preliminary engineering under Minnesota

361.12

Statutes, sections 174.632 to 174.636.

361.13

(e) **Freight**

361.14

Freight and Commercial Vehicle Operations

8,506,000

6,578,000

361.15

Appropriations by Fund

361.16

2018

2019

361.17

General

3,156,000

1,056,000

361.18

Trunk Highway

5,350,000

5,522,000

361.19

\$1,100,000 in the first year is from the general

361.20

fund for port development assistance grants

361.21

under Minnesota Statutes, chapter 457A, to

361.22

the city of Red Wing and to the Port Authority

361.23

of Winona. Any improvements made with the

361.24

proceeds of the grants must be publicly owned.

361.25

This is a onetime appropriation and is

361.26

available in the second year.

361.27

\$800,000 in each year is from the general fund

361.28

for additional rail safety and rail service

361.29

activities.

361.30

\$1,000,000 in the first year is from the general

361.31

fund for a grant to the city of Grand Rapids to

361.32

fund rail planning studies, design, and

361.33

preliminary engineering relating to the

361.34

construction of a freight rail line located in the

362.1

counties of Itasca, St. Louis, and Lake to serve

362.2

local producers and shippers. The city of

362.3

Grand Rapids shall collaborate with the Itasca

362.4

Economic Development Corporation and the

362.5 Itasca County Regional Railroad Authority in
362.6 the activities funded with the proceeds of this
362.7 grant. This is a onetime appropriation and is
362.8 available until June 30, 2019.

287.13 Sec. 101. EDITING MNLARS TRANSACTIONS.

287.14 (a) The commissioner of public safety must ensure deputy registrars are able to edit, at
287.15 a minimum, the following information as part of a Minnesota Licensing and Registration
287.16 System (MNLARS) transaction:

287.17 (1) personal information of the applicant;

287.18 (2) vehicle classification and information about a vehicle or trailer;

287.19 (3) sale price of a vehicle or trailer;

287.20 (4) the amount of taxes and fees; and

287.21 (5) the base value of a vehicle or trailer.

287.22 The ability to edit the transactions in this paragraph must be available until the end of the
287.23 business day following the day the transaction was initially completed.

287.24 (b) For each transaction edited, MNLARS must record which individual edited the
287.25 record, the date and time the record was edited, what information was edited, and include
287.26 a notation that the transaction was edited.

287.27 Sec. 102. ENGINE BRAKES; REGULATION BY BURNSVILLE.

287.28 Notwithstanding any other law or ordinance, the governing body of the city of Burnsville
287.29 may by ordinance restrict or prohibit the use of an engine brake on motor vehicles along
287.30 Legislative Route No. 117, also known as marked Trunk Highway 13, between Nicollet
287.31 Avenue and Portland Avenue. Upon notification by the city of Burnsville to the commissioner
288.1 of transportation of the city's adoption of the ordinance, the commissioner of transportation
288.2 shall erect the appropriate signs, with the cost of the signs to be paid by the city. For purposes
288.3 of this section, "engine brake" means any device that uses the engine and transmission to
288.4 impede the forward motion of the motor vehicle by compression of the engine.

288.5 **EFFECTIVE DATE.** This section is effective June 1, 2018.

288.6 Sec. 103. ENGINE BRAKES; REGULATION BY MINNEAPOLIS.

288.7 Notwithstanding any other law or charter provision, the governing body of the city of
288.8 Minneapolis may by ordinance restrict or prohibit the use of an engine brake on motor
288.9 vehicles along Legislative Route No. 392, also known as marked Interstate Highway 94, in
288.10 the westbound lane beginning at LaSalle Avenue and extending west to the Lowry Tunnel.
288.11 Upon notification by the city of Minneapolis to the commissioner of transportation of the
288.12 city's adoption of the ordinance, the commissioner of transportation shall erect the appropriate
288.13 signs, with the cost of the signs to be paid by the city. For purposes of this section, "engine
288.14 brake" means any device that uses the engine and transmission to impede the forward motion
288.15 of the motor vehicle by compression of the engine.

288.16 EFFECTIVE DATE. This section is effective June 1, 2018.

288.25 Sec. 105. LEGISLATIVE ROUTE NO. 180 TURNBACK; SPEED LIMIT.

288.26 If the commissioner of transportation turns back any portion of Legislative Route No.
288.27 180 to Grant County, the speed limit on that portion of the road after it is turned back must
288.28 remain 60 miles per hour.

288.29 EFFECTIVE DATE. This section is effective June 1, 2018.

289.1 Sec. 106. LEGISLATIVE ROUTE NO. 222 REMOVED.

289.2 (a) Minnesota Statutes, section 161.115, subdivision 153, is repealed effective the day
289.3 after the commissioner of transportation receives a copy of the agreement between the
289.4 commissioner and the governing body of Red Lake County to transfer jurisdiction of
289.5 Legislative Route No. 222 and after the commissioner notifies the revisor of statutes under
289.6 paragraph (b).

289.7 (b) The revisor of statutes shall delete the route identified in paragraph (a) from Minnesota
289.8 Statutes when the commissioner of transportation sends notice to the revisor electronically
289.9 or in writing that the conditions required to transfer the route have been satisfied.

289.10 Sec. 107. LEGISLATIVE ROUTE NO. 253 REMOVED.

289.11 (a) Minnesota Statutes, section 161.115, subdivision 184, is repealed effective the day
289.12 after the commissioner of transportation receives a copy of the agreement between the
289.13 commissioner and the governing body of Faribault County to transfer jurisdiction of
289.14 Legislative Route No. 253 and after the commissioner notifies the revisor of statutes under
289.15 paragraph (b).

434.13 Sec. 111. LEGISLATIVE ROUTE NO. 222 REMOVED.

434.14 (a) Minnesota Statutes, section 161.115, subdivision 153, is repealed effective the day
434.15 after the commissioner of transportation receives a copy of the agreement between the
434.16 commissioner and the governing body of Red Lake County to transfer jurisdiction of
434.17 Legislative Route No. 222 and after the commissioner notifies the revisor of statutes under
434.18 paragraph (b).

434.19 (b) The revisor of statutes shall delete the route identified in paragraph (a) from Minnesota
434.20 Statutes when the commissioner of transportation sends notice to the revisor electronically
434.21 or in writing that the conditions required to transfer the route have been satisfied.

434.22 Sec. 112. LEGISLATIVE ROUTE NO. 253 REMOVED.

434.23 (a) Minnesota Statutes, section 161.115, subdivision 184, is repealed effective the day
434.24 after the commissioner of transportation receives a copy of the agreement between the
434.25 commissioner and the governing body of Faribault County to transfer jurisdiction of
434.26 Legislative Route No. 253 and after the commissioner notifies the revisor of statutes under
434.27 paragraph (b).

289.16 (b) The revisor of statutes shall delete the route identified in paragraph (a) from Minnesota
289.17 Statutes when the commissioner of transportation sends notice to the revisor electronically
289.18 or in writing that the conditions required to transfer the route have been satisfied.

289.19 Sec. 108. **LEGISLATIVE ROUTE NO. 254 REMOVED.**

289.20 (a) Minnesota Statutes, section 161.115, subdivision 185, is repealed effective the day
289.21 after the commissioner of transportation receives a copy of the agreement between the
289.22 commissioner and the governing body of Faribault County to transfer jurisdiction of
289.23 Legislative Route No. 254 and after the commissioner notifies the revisor of statutes under
289.24 paragraph (b).

289.25 (b) The revisor of statutes shall delete the route identified in paragraph (a) from Minnesota
289.26 Statutes when the commissioner of transportation sends notice to the revisor electronically
289.27 or in writing that the conditions required to transfer the route have been satisfied.

289.28 Sec. 109. **LEGISLATIVE ROUTE NO. 277 REMOVED.**

289.29 (a) Minnesota Statutes, section 161.115, subdivision 208, is repealed effective the latter
289.30 of June 1, 2018, or the day after the commissioner of transportation receives a copy of the
289.31 agreement between the commissioner and the governing body of Chippewa County to
290.1 transfer jurisdiction of Legislative Route No. 277 and after the commissioner notifies the
290.2 revisor of statutes under paragraph (b).

290.3 (b) The revisor of statutes shall delete the route identified in paragraph (a) from Minnesota
290.4 Statutes when the commissioner of transportation sends notice to the revisor electronically
290.5 or in writing that the conditions required to transfer the route have been satisfied.

290.6 Sec. 110. **LEGISLATIVE ROUTE NO. 298 REMOVED.**

290.7 (a) Minnesota Statutes, section 161.115, subdivision 229, is repealed effective the day
290.8 after the commissioner of transportation receives a copy of the agreement between the
290.9 commissioner and the governing body of the city of Faribault to transfer jurisdiction of
290.10 Legislative Route No. 298 and after the commissioner notifies the revisor of statutes under
290.11 paragraph (b).

290.12 (b) The revisor of statutes shall delete the route identified in paragraph (a) from Minnesota
290.13 Statutes when the commissioner of transportation sends notice to the revisor electronically
290.14 or in writing that the conditions required to transfer the route have been satisfied.

290.15 Sec. 111. **LEGISLATIVE ROUTE NO. 299 REMOVED.**

434.28 (b) The revisor of statutes shall delete the route identified in paragraph (a) from Minnesota
434.29 Statutes when the commissioner of transportation sends notice to the revisor electronically
434.30 or in writing that the conditions required to transfer the route have been satisfied.

435.1 Sec. 113. **LEGISLATIVE ROUTE NO. 254 REMOVED.**

435.2 (a) Minnesota Statutes, section 161.115, subdivision 185, is repealed effective the day
435.3 after the commissioner of transportation receives a copy of the agreement between the
435.4 commissioner and the governing body of Faribault County to transfer jurisdiction of
435.5 Legislative Route No. 254 and after the commissioner notifies the revisor of statutes under
435.6 paragraph (b).

435.7 (b) The revisor of statutes shall delete the route identified in paragraph (a) from Minnesota
435.8 Statutes when the commissioner of transportation sends notice to the revisor electronically
435.9 or in writing that the conditions required to transfer the route have been satisfied.

435.10 Sec. 114. **LEGISLATIVE ROUTE NO. 277 REMOVED.**

435.11 (a) Minnesota Statutes, section 161.115, subdivision 208, is repealed effective the day
435.12 after the commissioner of transportation receives a copy of the agreement between the
435.13 commissioner and the governing body of Chippewa County to transfer jurisdiction of
435.14 Legislative Route No. 277 and after the commissioner notifies the revisor of statutes under
435.15 paragraph (b).

435.16 (b) The revisor of statutes shall delete the route identified in paragraph (a) from Minnesota
435.17 Statutes when the commissioner of transportation sends notice to the revisor electronically
435.18 or in writing that the conditions required to transfer the route have been satisfied.

435.19 Sec. 115. **LEGISLATIVE ROUTE NO. 298 REMOVED.**

435.20 (a) Minnesota Statutes, section 161.115, subdivision 229, is repealed effective the day
435.21 after the commissioner of transportation receives a copy of the agreement between the
435.22 commissioner and the governing body of the city of Faribault to transfer jurisdiction of
435.23 Legislative Route No. 298 and after the commissioner notifies the revisor of statutes under
435.24 paragraph (b).

435.25 (b) The revisor of statutes shall delete the route identified in paragraph (a) from Minnesota
435.26 Statutes when the commissioner of transportation sends notice to the revisor electronically
435.27 or in writing that the conditions required to transfer the route have been satisfied.

435.28 Sec. 116. **LEGISLATIVE ROUTE NO. 299 REMOVED.**

290.16 (a) Minnesota Statutes, section 161.115, subdivision 230, is repealed effective the day
290.17 after the commissioner of transportation receives a copy of the agreement between the
290.18 commissioner and the governing body of the city of Faribault to transfer jurisdiction of
290.19 Legislative Route No. 299 and after the commissioner notifies the revisor of statutes under
290.20 paragraph (b).

290.21 (b) The revisor of statutes shall delete the route identified in paragraph (a) from Minnesota
290.22 Statutes when the commissioner of transportation sends notice to the revisor electronically
290.23 or in writing that the conditions required to transfer the route have been satisfied.

290.24 Sec. 112. **LEGISLATIVE ROUTE NO. 323 REMOVED.**

290.25 (a) Minnesota Statutes, section 161.115, subdivision 254, is repealed effective the day
290.26 after the commissioner of transportation receives a copy of the agreement between the
290.27 commissioner and the governing body of the city of Faribault to transfer jurisdiction of
290.28 Legislative Route No. 323 and after the commissioner notifies the revisor of statutes under
290.29 paragraph (b).

291.1 (b) The revisor of statutes shall delete the route identified in paragraph (a) from Minnesota
291.2 Statutes when the commissioner of transportation sends notice to the revisor electronically
291.3 or in writing that the conditions required to transfer the route have been satisfied.

435.29 (a) Minnesota Statutes, section 161.115, subdivision 230, is repealed effective the day
435.30 after the commissioner of transportation receives a copy of the agreement between the
435.31 commissioner and the governing body of the city of Faribault to transfer jurisdiction of
436.1 Legislative Route No. 299 and after the commissioner notifies the revisor of statutes under
436.2 paragraph (b).

436.3 (b) The revisor of statutes shall delete the route identified in paragraph (a) from Minnesota
436.4 Statutes when the commissioner of transportation sends notice to the revisor electronically
436.5 or in writing that the conditions required to transfer the route have been satisfied.

436.6 Sec. 117. **LEGISLATIVE ROUTE NO. 323 REMOVED.**

436.7 (a) Minnesota Statutes, section 161.115, subdivision 254, is repealed effective the day
436.8 after the commissioner of transportation receives a copy of the agreement between the
436.9 commissioner and the governing body of the city of Faribault to transfer jurisdiction of
436.10 Legislative Route No. 323 and after the commissioner notifies the revisor of statutes under
436.11 paragraph (b).

436.12 (b) The revisor of statutes shall delete the route identified in paragraph (a) from Minnesota
436.13 Statutes when the commissioner of transportation sends notice to the revisor electronically
436.14 or in writing that the conditions required to transfer the route have been satisfied.

436.15 Sec. 118. **DEPARTMENT OF TRANSPORTATION LOAN CONVERSION AND**
436.16 **LIEN RELEASE.**

436.17 The commissioner of transportation must (1) convert to a grant the remaining balance
436.18 on Minnesota Department of Transportation Contract No. 1000714, originally executed as
436.19 of June 1, 2015, with Minnesota Commercial Railway Company; (2) cancel all future
436.20 payments under the contract; (3) release liens on the locomotives designated as MNNR 49
436.21 and MNNR 84; and (4) perform the appropriate filing. The commissioner is prohibited from
436.22 requiring or accepting additional payments under the contract as of the effective date of this
436.23 section. Notwithstanding the loan conversion and payment cancellation under this section,
436.24 all other terms and conditions under Contract No. 1000714 remain effective for the duration
436.25 of the period specified in the contract.

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

437.27 Sec. 120. **NORTHSTAR COMMUTER RAIL OPERATING COSTS; EXCEPTION.**

291.4 Sec. 113. **MARKED INTERSTATE HIGHWAY 35 SIGNS.**

291.5 The commissioner of transportation must erect signs that identify and direct motorists
291.6 to the campuses of Minnesota State Academy for the Deaf and Minnesota State Academy
291.7 for the Blind under Minnesota Statutes, sections 125A.61 to 125A.73. At least one sign in
291.8 each direction of travel must be placed on marked Interstate Highway 35, located as near
291.9 as practical to exits that reasonably access the campuses. The commissioner is prohibited
291.10 from removing signs for the campuses posted on marked Trunk Highway 60.

291.11 **EFFECTIVE DATE.** This section is effective June 1, 2018.

291.19 Sec. 115. **MNLARS REIMBURSEMENT FROM THE JOINT HOUSE AND SENATE**
291.20 **SUBCOMMITTEE ON CLAIMS.**

291.21 Any person may seek reimbursement from the joint house and senate Subcommittee on
291.22 Claims for any personal or business costs that would not have been incurred but for an
291.23 unreasonable delay caused by the Minnesota Licensing and Registration System (MNLARS)
291.24 or improper functioning of MNLARS. The subcommittee must determine whether a delay
291.25 is unreasonable compared to the length of time it took to complete a similar transaction
291.26 prior to the use of MNLARS.

291.27 **EFFECTIVE DATE.** This section is effective June 1, 2018.

292.1 Sec. 116. **MOTOR VEHICLE TITLE TRANSFER AND REGISTRATION**
292.2 **ADVISORY COMMITTEE; FIRST APPOINTMENTS; FIRST MEETING.**

292.3 Subdivision 1. **First appointments.** Appointment authorities must make first
292.4 appointments to the Motor Vehicle Title Transfer and Registration Advisory Committee by
292.5 September 15, 2018.

292.6 Subd. 2. **First meeting.** The commissioner of public safety or a designee shall convene
292.7 the first meeting of the advisory committee by November 1, 2018.

292.8 Sec. 117. **PUBLIC AWARENESS CAMPAIGN.**

437.28 (a) Minnesota Statutes, section 398A.10, subdivision 2, does not apply for reserve funds
437.29 available to the Anoka County Regional Railroad Authority as of June 30, 2018, that are
437.30 used to pay operating and maintenance costs of Northstar Commuter Rail.

437.31 (b) This section expires on January 1, 2021.

438.1 Sec. 121. **MARKED INTERSTATE HIGHWAY 35 SIGNS.**

438.2 The commissioner of transportation must erect signs that identify and direct motorists
438.3 to the campuses of Minnesota State Academy for the Deaf and Minnesota State Academy
438.4 for the Blind under Minnesota Statutes, sections 125A.61 to 125A.73. At least one sign in
438.5 each direction of travel must be placed on marked Interstate Highway 35, located as near
438.6 as practical to exits that reasonably access the campuses. The commissioner is prohibited
438.7 from removing signs for the campuses posted on marked Trunk Highway 60.

292.9 The commissioner of public safety shall conduct a public awareness campaign to increase
292.10 public knowledge about Minnesota Statutes, section 169.18, subdivision 10.

292.11 Sec. 118. **RETROACTIVE DRIVER'S LICENSE REINSTATEMENT.**

292.12 (a) The commissioner of public safety must make an individual's driver's license eligible
292.13 for reinstatement if the license is solely suspended pursuant to:

292.14 (1) Minnesota Statutes 2016, section 171.16, subdivision 2, if the person was convicted
292.15 only under Minnesota Statutes, section 171.24, subdivision 1 or 2;

292.16 (2) Minnesota Statutes 2016, section 171.16, subdivision 3; or

292.17 (3) both clauses (1) and (2).

292.18 (b) By May 1, 2019, the commissioner must provide written notice to an individual
292.19 whose license has been made eligible for reinstatement under paragraph (a), addressed to
292.20 the licensee at the licensee's last known address.

292.21 (c) Before the license is reinstated, an individual whose driver's license is eligible for
292.22 reinstatement under paragraph (a) must pay the reinstatement fee under Minnesota Statutes,
292.23 section 171.20, subdivision 4.

292.24 (d) The following applies for an individual who is eligible for reinstatement under
292.25 paragraph (a), clause (1), (2), or (3), and whose license was suspended, revoked, or canceled
292.26 under any other provision in Minnesota Statutes:

292.27 (1) the suspension, revocation, or cancellation under any other provision in Minnesota
292.28 Statutes remains in effect;

292.29 (2) subject to clause (1), the individual may become eligible for reinstatement under
292.30 paragraph (a), clause (1), (2), or (3); and

293.1 (3) the commissioner is not required to send the notice described in paragraph (b).

293.2 (e) Paragraph (a) applies notwithstanding Minnesota Statutes 2016, sections 169.92,
293.3 subdivision 4; 171.16, subdivision 2 or 3; or any other law to the contrary.

H2856-3

37.1 Sec. 21. **RETROACTIVE DRIVER'S LICENSE REINSTATEMENT.**

37.2 (a) The commissioner of public safety must make an individual's driver's license eligible
37.3 for reinstatement if the license is solely suspended pursuant to:

37.4 (1) Minnesota Statutes 2016, section 171.16, subdivision 2, if the person was convicted
37.5 only under Minnesota Statutes, section 171.24, subdivision 1 or 2;

37.6 (2) Minnesota Statutes 2016, section 171.16, subdivision 3; or

37.7 (3) both clauses (1) and (2).

37.8 (b) By May 1, 2019, the commissioner must provide written notice to an individual
37.9 whose license has been made eligible for reinstatement under paragraph (a), addressed to
37.10 the licensee at the licensee's last known address.

37.11 (c) Before the license is reinstated, an individual whose driver's license is eligible for
37.12 reinstatement under paragraph (a) must pay the reinstatement fee under Minnesota Statutes,
37.13 section 171.20, subdivision 4.

37.14 (d) The following applies for an individual who is eligible for reinstatement under
37.15 paragraph (a), clause (1), (2), or (3), and whose license was suspended, revoked, or canceled
37.16 under any other provision in Minnesota Statutes:

37.17 (1) the suspension, revocation, or cancellation under any other provision in Minnesota
37.18 Statutes remains in effect;

37.19 (2) subject to clause (1), the individual may become eligible for reinstatement under
37.20 paragraph (a), clause (1), (2), or (3); and

37.21 (3) the commissioner is not required to send the notice described in paragraph (b).

37.22 (e) Paragraph (a) applies notwithstanding Minnesota Statutes 2016, sections 169.92,
37.23 subdivision 4; 171.16, subdivision 2 or 3; or any other law to the contrary.

293.4 **EFFECTIVE DATE.** This section is effective April 1, 2019.

296.1 Sec. 126. **REVISOR'S INSTRUCTION.**

296.2 The revisor of statutes shall change the term "special revenue fund" to "driver and vehicle
296.3 services fund" wherever the term appears in Minnesota Statutes when referring to the
296.4 accounts under Minnesota Statutes, section 299A.705.

296.5 Sec. 127. **REPEALER.**

296.6 (a) Minnesota Statutes 2016, sections 168.013, subdivision 21; and 221.161, subdivisions
296.7 2, 3, and 4, are repealed.

296.8 (b) Minnesota Statutes 2016, sections 360.063, subdivision 4; 360.065, subdivision 2;
296.9 and 360.066, subdivisions 1a and 1b, are repealed.

296.10 Sec. 128. **APPLICATION.**

37.24 **EFFECTIVE DATE.** This section is effective April 1, 2019.

H3138-3

438.8 Sec. 122. **COMMERCIAL DRIVER'S LICENSE FEDERAL REGULATION**
438.9 **WAIVER REQUEST.**

438.10 The commissioner of public safety must apply to the Federal Motor Carrier Safety
438.11 Administration for a waiver from the federal regulation that requires a person to have a
438.12 passenger endorsement to drive a bus with no passengers for the sole purpose of delivering
438.13 the bus to the purchaser.

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

438.15 Sec. 123. **REVISOR INSTRUCTIONS.**

438.16 (a) The revisor of statutes shall renumber Minnesota Statutes, section 160.02, subdivision
438.17 27a, as Minnesota Statutes, section 169.011, subdivision 73a. The revisor shall correct any
438.18 cross-references made necessary by this renumbering.

438.19 (b) The revisor of statutes shall change the term "special revenue fund" to "driver and
438.20 vehicle services fund" wherever the term appears in Minnesota Statutes when referring to
438.21 the accounts under Minnesota Statutes, section 299A.705.

438.22 Sec. 124. **REPEALER.**

438.23 (a) Minnesota Statutes 2016, section 168.013, subdivision 21, is repealed.

438.24 (b) Minnesota Statutes 2016, section 221.161, subdivisions 2, 3, and 4, are repealed.

438.25 (c) Minnesota Statutes 2016, sections 360.063, subdivision 4; 360.065, subdivision 2;
438.26 and 360.066, subdivisions 1a and 1b, are repealed.

438.27 (d) Minnesota Statutes 2016, sections 222.47; 222.50, subdivisions 1 and 7; and 222.51,
438.28 are repealed.

438.29 (e) Minnesota Statutes 2017 Supplement, sections 222.49; and 222.50, subdivision 6,
438.30 are repealed.

439.1 Sec. 125. **EFFECTIVE DATE; APPLICATION.**

296.11 (a) Sections 68 to 89 and section 124, paragraph (b), are effective August 1, 2018, and
296.12 apply to airport sponsors that make or plan to make changes to runway lengths or
296.13 configurations on or after that date.

296.14 (b) Sections 68 to 89 and section 124, paragraph (b), do not apply to airports that (1)
296.15 have airport safety zoning ordinances approved by this commissioner in effect on August
296.16 1, 2018; (2) have not made and are not planning to make changes to runway lengths or
296.17 configurations; and (3) are not required to update airport safety zoning ordinances.

439.2 (a) Sections 75 to 77, 79 to 97, and section 124, paragraph (c), are effective August 1,
439.3 2018, and apply to airport sponsors that make or plan to make changes to runway lengths
439.4 or configurations on or after that date.

439.5 (b) Sections 75 to 77, 79 to 97, and section 124, paragraph (c), do not apply to airports
439.6 that (1) have airport safety zoning ordinances approved by this commissioner in effect on
439.7 August 1, 2018; (2) have not made and are not planning to make changes to runway lengths
439.8 or configurations; and (3) are not required to update airport safety zoning ordinances.

349.18 **ARTICLE 12**
349.19 **TRANSPORTATION APPROPRIATIONS**

349.20 Section 1. **APPROPRIATIONS.**

349.21 The sums shown in the column under "Appropriations" are added to the appropriations
349.22 in Laws 2017, First Special Session chapter 3, article 1, to the agencies and for the purposes
349.23 specified in this article. The appropriations are from the general fund, or another named
349.24 fund, and are available for the fiscal years indicated for each purpose. Amounts for "Total
349.25 Appropriation" and sums shown in the corresponding columns marked "Appropriations by
349.26 Fund" are summary only and do not have legal effect. The figures "2018" and "2019" used
349.27 in this article mean that the addition to the appropriation listed under them is available for
349.28 the fiscal year ending June 30, 2018, or June 30, 2019, respectively.

349.29	<u>APPROPRIATIONS</u>		
349.30	<u>Available for the Year</u>		
350.1	<u>Ending June 30</u>		
350.2	<u>2018</u>	<u>2019</u>	

350.3 Sec. 2. **DEPARTMENT OF**
350.4 **TRANSPORTATION**

350.5	<u>Subdivision 1. Total Appropriation</u>	<u>\$</u>	<u>-0-</u>	<u>\$</u>	<u>135,539,000</u>
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350.6	<u>Appropriations by Fund</u>	
350.7	<u>2018</u>	<u>2019</u>
350.8	<u>General</u>	<u>-0-</u> <u>22,230,000</u>
350.9	<u>Special Revenue</u>	<u>-0-</u> <u>1,550,000</u>
350.10	<u>C.S.A.H.</u>	<u>-0-</u> <u>24,945,000</u>
350.11	<u>M.S.A.S.</u>	<u>-0-</u> <u>6,552,000</u>
350.12	<u>Trunk Highway</u>	<u>-0-</u> <u>80,750,000</u>

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

350.17	<u>Subd. 2. Aeronautics</u>	<u>-0-</u>	<u>3,000,000</u>
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350.18	<u>Appropriations by Fund</u>	
350.19	<u>2018</u>	<u>2019</u>
350.20	<u>General</u>	<u>-0-</u> <u>2,000,000</u>
350.21	<u>Airports</u>	<u>-0-</u> <u>1,000,000</u>

295.16 Sec. 124. **APPROPRIATION; CAT II APPROACH SYSTEM; ROCHESTER.**
295.17 (a) \$285,000 in fiscal year 2019 is appropriated from the state airport fund to the
295.18 commissioner of transportation for a grant to the city of Rochester to acquire and install a
295.19 CAT II approach system at the Rochester International Airport. This is a onetime
295.20 appropriation.
295.21 (b) This appropriation is available when the commissioner of management and budget
295.22 determines that sufficient resources have been committed to complete the project, as required
295.23 by Minnesota Statutes, section 16A.502, and is available until June 30, 2023, subject to
295.24 Minnesota Statutes, section 16A.642.

350.22 This appropriation is for a grant to the city of
350.23 Rochester to acquire and install a CAT II
350.24 approach system at the Rochester International
350.25 Airport. This appropriation is available when
350.26 the commissioner of management and budget
350.27 determines that sufficient resources have been
350.28 committed to complete the project, as required
350.29 by Minnesota Statutes, section 16A.502, and
350.30 is available until the project is completed or
350.31 abandoned, subject to Minnesota Statutes,

350.32	<u>section 16A.642. This is a onetime</u>		
350.33	<u>appropriation.</u>		
350.34	<u>Subd. 3. Freight Rail</u>		
350.35	<u>(a) Freight Rail Economic Development (FRED)</u>	<u>-0-</u>	<u>5,000,000</u>
351.1	<u>This appropriation is for the freight rail</u>		
351.2	<u>economic development program under</u>		
351.3	<u>Minnesota Statutes, section 222.505.</u>		
351.4	<u>The base is \$2,000,000 in each of fiscal years</u>		
351.5	<u>2020 and 2021.</u>		
351.6	<u>(b) Rice Creek Railroad Bridge</u>	<u>-0-</u>	<u>1,550,000</u>
351.7	<u>This appropriation is from the freight rail</u>		
351.8	<u>account in the special revenue fund under the</u>		
351.9	<u>freight rail economic development program</u>		
351.10	<u>in Minnesota Statutes, section 222.505, for</u>		
351.11	<u>the grant under section 11. This appropriation</u>		
351.12	<u>is available when the commissioner of</u>		
351.13	<u>management and budget determines that</u>		
351.14	<u>sufficient resources have been committed to</u>		
351.15	<u>complete the project, as required by Minnesota</u>		
351.16	<u>Statutes, section 16A.502, and is available</u>		
351.17	<u>until the project is completed or abandoned</u>		
351.18	<u>subject to Minnesota Statutes, section</u>		
351.19	<u>16A.642. This is a onetime appropriation.</u>		
351.20	<u>Subd. 4. State Roads</u>		
351.21	<u>Unless otherwise specified, the appropriations</u>		
351.22	<u>in this subdivision are from the trunk highway</u>		
351.23	<u>fund.</u>		

288.17 Sec. 104. INTERSTATE HIGHWAY 35 AT COUNTY ROAD 9 IN RICE COUNTY
288.18 INTERCHANGE FEASIBILITY STUDY; APPROPRIATION.
288.19 \$600,000 in fiscal year 2019 is appropriated to the commissioner of transportation to
288.20 conduct a study on the feasibility of an interchange at marked Interstate Highway 35 and
288.21 County Road 9 in Rice County. Of this appropriation, \$100,000 is from the general fund
288.22 and \$500,000 is from the trunk highway fund. At a minimum, the commissioner's study
288.23 must include estimated construction costs, traffic modeling, an environmental analysis, and
288.24 a potential design layout for an interchange. This is a onetime appropriation.

291.12 Sec. 114. MARKED INTERSTATE HIGHWAY 94 STUDY; APPROPRIATION.
291.13 \$1,450,000 in fiscal year 2019 is appropriated to the commissioner of transportation to
291.14 conduct a study on the feasibility of expanding or reconstructing marked Interstate Highway
291.15 94 from the city of St. Michael to the city of St. Cloud. Of this appropriation, \$950,000 is
291.16 from the general fund and \$500,000 is from the trunk highway fund. At a minimum, the
291.17 commissioner's study must include traffic modeling and an environmental analysis. This is
291.18 a onetime appropriation.

351.24	<u>(a) Operations and Maintenance</u>	-0-	<u>11,095,000</u>
351.25	<u>This is a onetime appropriation.</u>		
351.26	<u>(b) Program Planning and Delivery</u>		
351.27	<u>(1) Planning and Research</u>	-0-	<u>2,094,000</u>
351.28	<u>If a balance remains of this appropriation, the</u>		
351.29	<u>commissioner may transfer up to that amount</u>		
351.30	<u>for program delivery under clause (2).</u>		
351.31	<u>\$500,000 in the second year is to conduct a</u>		
351.32	<u>study on the feasibility of an interchange at</u>		
351.33	<u>marked Interstate Highway 35 and County</u>		
352.1	<u>Road 9 in Rice County. At a minimum, the</u>		
352.2	<u>study must include estimated construction</u>		
352.3	<u>costs, traffic modeling, an environmental</u>		
352.4	<u>analysis, and a potential design layout for an</u>		
352.5	<u>interchange.</u>		
352.6	<u>\$500,000 in the second year is to conduct a</u>		
352.7	<u>study on the feasibility of expanding or</u>		
352.8	<u>reconstructing marked Interstate Highway 94</u>		
352.9	<u>from the city of St. Michael to the city of St.</u>		
352.10	<u>Cloud. At a minimum, the study must include</u>		
352.11	<u>traffic modeling and an environmental</u>		
352.12	<u>analysis.</u>		
352.13	<u>This is a onetime appropriation.</u>		
352.14	<u>(2) Program Delivery</u>	-0-	<u>13,317,000</u>

352.15	<u>Appropriations by Fund</u>		
352.16		<u>2018</u>	<u>2019</u>
352.17	<u>General</u>	<u>-0-</u>	<u>6,230,000</u>
352.18	<u>Trunk Highway</u>	<u>-0-</u>	<u>7,087,000</u>
352.19	<u>This appropriation includes use of consultants</u>		
352.20	<u>to support development and management of</u>		
352.21	<u>projects. This is a onetime appropriation.</u>		
352.22	<u>\$5,400,000 in the second year is from the</u>		
352.23	<u>general fund for a grant to the city of Virginia</u>		
352.24	<u>to repay loans incurred by the city for costs</u>		
352.25	<u>related to utility relocation for the U.S.</u>		
352.26	<u>Highway 53 project. This is a onetime</u>		
352.27	<u>appropriation.</u>		
352.28	<u>\$830,000 in the second year is from the</u>		
352.29	<u>general fund for a grant to the city of Mankato</u>		
352.30	<u>for a project to increase the height of a levee</u>		
352.31	<u>and related construction on a segment of</u>		
352.32	<u>marked Trunk Highway 169 north of the</u>		
352.33	<u>Highway 14 interchange to accommodate the</u>		
352.34	<u>raising of a levee. This appropriation is for the</u>		
353.1	<u>local share the city of Mankato would be</u>		
353.2	<u>responsible for under the state's Cost</u>		
353.3	<u>Participation and Maintenance with Local</u>		
353.4	<u>Units of Government Manual, or any contract</u>		
353.5	<u>between the state and the city of Mankato.</u>		
353.6	<u>This is a onetime appropriation and is</u>		
353.7	<u>available when the commissioner of</u>		
353.8	<u>management and budget determines that</u>		
353.9	<u>sufficient resources have been committed to</u>		
353.10	<u>complete the project, as required by Minnesota</u>		
353.11	<u>Statutes, section 16A.502.</u>		
353.12	<u>(c) State Road Construction</u>	<u>-0-</u>	<u>48,155,000</u>

353.13 This appropriation is for the actual
353.14 construction, reconstruction, and improvement
353.15 of trunk highways, including design-build
353.16 contracts, internal department costs associated
353.17 with delivering the construction program,
353.18 consultant use to support the activities, and
353.19 the cost of actual payments to landowners for
353.20 lands acquired for highway rights-of-way,
353.21 payment to lessees, interest subsidies, and
353.22 relocation expenses. This is a onetime
353.23 appropriation.

353.24 For any trunk highway reconstruction or
353.25 resurfacing project in 2020 or 2021 that
353.26 includes establishment of one or more
353.27 temporary lanes of travel, the commissioner
353.28 must establish additional permanent general
353.29 purpose lanes for that segment if (1) the
353.30 project is on an Interstate Highway; (2) the
353.31 total project cost estimate is at least
353.32 \$30,000,000; and (3) the annual average daily
353.33 traffic is at least 40,000 at any point within
353.34 the project limits.

353.35	<u>(d) Corridors of Commerce</u>	<u>-0-</u>	<u>10,000,000</u>
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354.1 This appropriation is for the corridors of
354.2 commerce program under Minnesota Statutes,
354.3 section 161.088. This is a onetime
354.4 appropriation.

354.5	<u>(e) Highway Debt Service</u>	<u>-0-</u>	<u>2,319,000</u>
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354.6 \$2,319,000 in fiscal year 2019 is for transfer
354.7 to the state bond fund. If this appropriation is
354.8 insufficient to make all transfers required in
354.9 the year for which it is made, the
354.10 commissioner of management and budget must
354.11 transfer the deficiency amount under the
354.12 statutory open appropriation and notify the

Senate Language S3656-2		Transportation Policy and Finance	May 07, 2018 10:39 AM	House Language H3138-3	
354.13	<u>chairs, ranking minority members, and staff</u>				
354.14	<u>of the legislative committees with jurisdiction</u>				
354.15	<u>over transportation finance and the chairs of</u>				
354.16	<u>the senate Finance Committee and the house</u>				
354.17	<u>of representatives Ways and Means Committee</u>				
354.18	<u>of the amount of the deficiency. Any excess</u>				
354.19	<u>appropriation cancels to the trunk highway</u>				
354.20	<u>fund.</u>				
354.21	<u>Subd. 5. Local Roads</u>				
354.22	<u>(a) County State-Aid Roads</u>		-0-	<u>24,945,000</u>	
354.23	<u>This appropriation is from the county state-aid</u>				
354.24	<u>highway fund under Minnesota Statutes,</u>				
354.25	<u>sections 161.081 and 297A.815, subdivision</u>				
354.26	<u>3, and Minnesota Statutes, chapter 162, and</u>				
354.27	<u>is available until June 30, 2027. This is a</u>				
354.28	<u>onetime appropriation.</u>				
354.29	<u>(b) Municipal State-Aid Roads</u>		-0-	<u>6,552,000</u>	
354.30	<u>This appropriation is from the municipal</u>				
354.31	<u>state-aid street fund under Minnesota Statutes,</u>				
354.32	<u>chapter 162, and is available until June 30,</u>				
354.33	<u>2027. This is a onetime appropriation.</u>				
354.34	<u>(c) Small Cities Assistance</u>		-0-	<u>7,000,000</u>	
355.1	<u>This appropriation is for the small cities</u>				
355.2	<u>assistance program under Minnesota Statutes,</u>				
355.3	<u>section 162.145.</u>				
355.4	<u>The base is \$8,081,000 in fiscal year 2020 and</u>				
355.5	<u>\$8,082,000 in fiscal year 2021.</u>				

355.6 If a constitutional amendment that dedicates
355.7 revenue from the state general sales tax
355.8 attributable to motor vehicle repair and
355.9 replacement parts is ratified in 2018, the base
355.10 is \$549,000 in fiscal year 2021 and \$0 in fiscal
355.11 years 2022 and thereafter.

355.12 (d) Town Roads -0- 2,000,000

355.13 This appropriation is for town roads, to be
355.14 distributed in the manner provided under
355.15 Minnesota Statutes, section 162.081. This is
355.16 a onetime appropriation.

355.17 Subd. 6. Tribal Training Program

355.18 The commissioner must implement
355.19 interagency billing to state agencies for costs
355.20 related to that agency's participation in tribal
355.21 training activities provided by the Department
355.22 of Transportation.

355.23 Sec. 3. METROPOLITAN COUNCIL \$ -0- \$ 3,500,000

355.24 This appropriation is for financial assistance
355.25 to replacement service providers under
355.26 Minnesota Statutes, section 473.388, for the
355.27 purposes of the suburb-to-suburb transit
355.28 project authorized under Laws 2015, chapter
355.29 75, article 1, section 4. Of the amount in the
355.30 second year, \$2,500,000 is for capital
355.31 improvements, including bus replacement,
355.32 associated with the project. The replacement
355.33 service providers must collectively identify
356.1 and notify the Metropolitan Council of the
356.2 capital expenditures under this rider, and the
356.3 Metropolitan Council must allocate funds as
356.4 directed by the replacement service providers.

283.23 Sec. 97. Laws 2017, First Special Session chapter 3, article 1, section 4, subdivision 1, is
283.24 amended to read:

283.25	Subdivision 1. Total Appropriation	\$	199,838,000	\$	199,407,000
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283.26	Appropriations by Fund		
283.27		2018	2019
283.28	General	19,971,000	14,381,000
283.29			65,087,000
283.30	Special Revenue	63,945,000	<u>1,439,000</u>
283.31	H.U.T.D.	10,474,000	10,486,000
283.32	Trunk Highway	105,448,000	109,453,000
283.33	<u>Driver and Vehicle</u>		
283.34	<u>Services</u>	0	63,648,000

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

284.5 Sec. 98. Laws 2017, First Special Session chapter 3, article 1, section 4, subdivision 2, is
284.6 amended to read:

356.5 The council is prohibited from retaining any
356.6 portion of the funds under this appropriation.
356.7 This is a onetime appropriation.

356.8 Notwithstanding Laws 2017, First Special
356.9 Session chapter 3, article 1, section 3, the base
356.10 is \$90,747,000 in fiscal year 2020 and
356.11 \$90,730,000 in fiscal year 2021.

362.9 Sec. 6. Laws 2017, First Special Session chapter 3, article 1, section 4, subdivision 1, is
362.10 amended to read:

362.11	199,407,000
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362.12 Subdivision 1. Total Appropriation	\$	199,838,000	\$	<u>198,041,000</u>
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362.13	Appropriations by Fund		
362.14		2018	2019
362.15	General	19,971,000	14,381,000
362.16	Special Revenue	63,945,000	65,087,000
362.17			10,486,000
362.18	H.U.T.D.	10,474,000	<u>9,120,000</u>
362.19	Trunk Highway	105,448,000	109,453,000

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

362.24 Sec. 7. Laws 2017, First Special Session chapter 3, article 1, section 4, subdivision 2, is
362.25 amended to read:

284.7 Subd. 2. **Administration and Related Services**

284.8 (a) **Office of Communications** 553,000 573,000

284.9 Appropriations by Fund

284.10 2018 2019

284.11 General 127,000 130,000

284.12 Trunk Highway 426,000 443,000

284.13 (b) **Public Safety Support** 6,372,000 6,569,000

284.14 Appropriations by Fund

284.15 2018 2019

284.16 General 1,225,000 1,235,000

284.17 H.U.T.D. 1,366,000 1,366,000

284.18 Trunk Highway 3,781,000 3,968,000

284.19 The commissioner must not spend any money
284.20 from the highway user tax distribution fund
284.21 for employees working at the public
284.22 information center or comparable customer
284.23 service positions elsewhere in the department.

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

362.26 Subd. 2. **Administration and Related Services**

362.27 (a) **Office of Communications** 553,000 573,000

362.28 Appropriations by Fund

362.29 2018 2019

362.30 General 127,000 130,000

362.31 Trunk Highway 426,000 443,000

362.32 6,569,000

362.33 (b) **Public Safety Support** 6,372,000 5,203,000

362.34 Appropriations by Fund

363.1 2018 2019

363.2 General 1,225,000 1,235,000

363.3 ~~1,366,000~~

363.4 H.U.T.D. 1,366,000 -0-

363.5 Trunk Highway 3,781,000 3,968,000

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

284.25 This appropriation is from the general fund
284.26 for payment of public safety officer survivor
284.27 benefits under Minnesota Statutes, section
284.28 299A.44.

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

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

285.1 This appropriation is from the general fund to
285.2 be deposited in the public safety officer's
285.3 benefit account. This money is available for
285.4 reimbursements under Minnesota Statutes,
285.5 section 299A.465.

285.6 (e) **Soft Body Armor Reimbursements** 700,000 700,000

285.7 Appropriations by Fund

285.8	2018	2019
285.9 General	600,000	600,000
285.10 Trunk Highway	100,000	100,000

285.11 This appropriation is for soft body armor
285.12 reimbursements under Minnesota Statutes,
285.13 section 299A.38.

285.14 (f) **Technology and Support Service** 3,777,000 3,814,000

285.15 Appropriations by Fund

285.16	2018	2019
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363.7 This appropriation is from the general fund
363.8 for payment of public safety officer survivor
363.9 benefits under Minnesota Statutes, section
363.10 299A.44.

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

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

363.15 This appropriation is from the general fund to
363.16 be deposited in the public safety officer's
363.17 benefit account. This money is available for
363.18 reimbursements under Minnesota Statutes,
363.19 section 299A.465.

363.20 (e) **Soft Body Armor Reimbursements** 700,000 700,000

363.21 Appropriations by Fund

363.22	2018	2019
363.23 General	600,000	600,000
363.24 Trunk Highway	100,000	100,000

363.25 This appropriation is for soft body armor
363.26 reimbursements under Minnesota Statutes,
363.27 section 299A.38.

363.28 (f) **Technology and Support Service** 3,777,000 3,814,000

363.29 Appropriations by Fund

363.30	2018	2019
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285.17	General	1,353,000	1,365,000
285.18	H.U.T.D.	19,000	19,000
285.19	Trunk Highway	2,405,000	2,430,000

363.31	General	1,353,000	1,365,000
363.32	H.U.T.D.	19,000	19,000
363.33	Trunk Highway	2,405,000	2,430,000

285.20 Sec. 99. Laws 2017, First Special Session chapter 3, article 1, section 4, subdivision 4, is
285.21 amended to read:

285.22 Subd. 4. **Driver and Vehicle Services**

285.23 (a) **Vehicle Services** 30,745,000 31,159,000

285.24	Appropriations by Fund		
285.25	2018	2019	
285.26		22,923,000	
285.27	Special Revenue	22,509,000	<u>0</u>
285.28	H.U.T.D.	8,236,000	8,236,000
285.29	<u>Driver and Vehicle</u>		
285.30	<u>Services</u>	<u>0</u>	<u>22,923,000</u>

285.31 The special revenue fund appropriation in
285.32 fiscal year 2018 is from the vehicle services
285.33 operating account. The driver and vehicle
285.34 services fund appropriation in fiscal year 2019
285.35 is from the vehicle services operating account.

286.1 (b) **Driver Services** 32,014,000 32,725,000

286.2 Appropriations by Fund

286.3		<u>2018</u>	<u>2019</u>
286.4	<u>Special Revenue</u>	<u>32,014,000</u>	<u>0</u>
286.5	<u>Driver and Vehicle</u>		
286.6	<u>Services</u>	<u>0</u>	<u>32,725,000</u>
286.7	This appropriation is from the driver services		
286.8	operating account in the special revenue fund		
286.9	<u>under Minnesota Statutes, section 299A.705.</u>		
286.10	\$156,000 in each year is to maintain the		
286.11	automated knowledge test system.		
286.12	(c) Minnesota Licensing and Registration System		
286.13	(MNLARS)	8,000,000	8,000,000
286.14	<u>Appropriations by Fund</u>		
286.15		<u>2018</u>	<u>2019</u>
286.16	<u>Special Revenue</u>	<u>8,000,000</u>	<u>0</u>
286.17	<u>Driver and Vehicle</u>		
286.18	<u>Services</u>	<u>0</u>	<u>8,000,000</u>
286.19	This appropriation is for operations and		
286.20	maintenance of the driver and vehicle		
286.21	information system known as the Minnesota		
286.22	Licensing and Registration System.		
286.23	\$1,000,000 in the first year and \$5,265,000 in		
286.24	the second year are from the driver services		
286.25	operating account in the special revenue fund		
286.26	<u>under Minnesota Statutes, section 299A.705.</u>		
286.27	This is a onetime appropriation.		
286.28	\$7,000,000 in the first year and \$2,735,000 in		
286.29	the second year are from the vehicle services		

286.30 operating account ~~in the special revenue fund~~
286.31 ~~under Minnesota Statutes, section 299A.705.~~
286.32 This is a onetime appropriation.

287.1 Sec. 100. **CANCELLATION AND TRANSFER; PUBLIC SAFETY.**

287.2 (a) By June 30, 2018, the commissioner of management and budget, in consultation with
287.3 the commissioner of public safety, must cancel \$1,900,000 of fiscal year 2018 appropriations
287.4 to the commissioner of public safety from the general fund and special revenue fund in
287.5 Laws 2017, First Special Session chapter 3. The commissioner must exclude any
287.6 appropriations made for state patrol, homeland security and emergency management, criminal
287.7 apprehension, fire marshal, the Firefighter Training and Education Board, alcohol and
287.8 gambling enforcement, the Office of Justice Programs, and emergency communication
287.9 networks.

287.10 (b) On July 1, 2018, the commissioner of management and budget must transfer the total
287.11 amounts canceled under paragraph (a) to the driver and vehicle services technology account
287.12 under Minnesota Statutes, section 299A.705.

293.5 Sec. 119. **TRANSFER; DRIVER AND VEHICLE SERVICES TECHNOLOGY**
293.6 **ACCOUNT.**

293.7 On July 1, 2018, the remaining balance in the driver and vehicle services technology
293.8 account in the special revenue fund is transferred to the driver and vehicle services technology
293.9 account in the driver and vehicle services fund.

293.10 Sec. 120. **TRANSFER; DRIVER SERVICES OPERATING ACCOUNT.**

293.11 On July 1, 2018, the remaining balance in the driver services operating account in the
293.12 special revenue fund is transferred to the driver services operating account in the driver and
293.13 vehicle services fund.

293.14 Sec. 121. **TRANSFER; VEHICLE SERVICES OPERATING ACCOUNT.**

293.15 On July 1, 2018, the remaining balance in the vehicle services operating account in the
293.16 special revenue fund is transferred to the vehicle services operating account in the driver
293.17 and vehicle services fund.

364.10 Sec. 10. **DRIVER AND VEHICLE SERVICES FUND.**

364.11 (a) On July 1, 2018, the commissioner of public safety must transfer the entire account
364.12 balances as follows: (1) from the driver services operating account in the special revenue
364.13 fund to the driver services operating account in the driver and vehicle services fund; (2)
364.14 from the vehicle services operating account in the special revenue fund to the vehicle services
364.15 operating account in the driver and vehicle services fund; and (3) from the driver and vehicle
364.16 services technology account in the special revenue fund to the driver and vehicle services
364.17 technology account in the driver and vehicle services fund.

364.18 (b) Any encumbrance from an account identified in paragraph (a) made before the
364.19 transfer remains in effect from the corresponding account following the transfer.

364.20 (c) The appropriations in fiscal year 2019 from the driver services operating account
364.21 and from the vehicle services operating account under Laws 2017, First Special Session
364.22 chapter 3, article 1, section 4, are available from the corresponding account in the driver
364.23 and vehicle services fund under Minnesota Statutes, sections 299A.704 and 299A.705, for
364.24 the purposes specified under Laws 2017, First Special Session chapter 3, article 1, section
364.25 4.

356.12 Sec. 4. **DEPARTMENT OF MANAGEMENT**
356.13 **AND BUDGET**

\$ 9,000,000 \$ -0-

293.19 (a) \$9,000,000 in fiscal year 2018 is appropriated from the special revenue fund to the
293.20 commissioner of management and budget for grants to deputy registrars under Minnesota
293.21 Statutes, section 168.33. Of this amount, \$3,000,000 is from the vehicle services operating
293.22 account and \$6,000,000 is from the driver services operating account. This is a onetime
293.23 appropriation and is available until June 30, 2019.

294.22 (g) The commissioner of management and budget must make efforts to reimburse deputy
294.23 registrars within 30 days of the effective date of this section. The commissioner must use
294.24 existing resources to administer the reimbursements.

293.18 Sec. 122. APPROPRIATION; DEPUTY REGISTRAR REIMBURSEMENTS.

293.24 (b) The reimbursement to each deputy registrar is calculated as follows:

356.14 This appropriation is for reimbursement grants
356.15 to deputy registrars under Minnesota Statutes,
356.16 section 168.335, provided that the time period
356.17 under Minnesota Statutes, section 168.335,
356.18 subdivision 3, paragraph (a), clause (1), is
356.19 August 1, 2017, through January 31, 2018.

356.20 \$6,265,000 in the first year is from the driver
356.21 services operating account and \$2,735,000 in
356.22 the first year is from the vehicle services
356.23 operating account.

356.24 For the appropriation in the first year, the
356.25 commissioner of management and budget must
356.26 make efforts to reimburse deputy registrars
356.27 within 30 days of the effective date of this
356.28 section.

356.29 The base from the general fund is \$9,000,000
356.30 in each of fiscal years 2020 and 2021. The
356.31 base from the driver services operating
356.32 account is \$0 in each of fiscal years 2020 and
356.33 2021. The base from the vehicle services
357.1 operating account is \$0 in each of fiscal years
357.2 2020 and 2021.

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

375.24 Sec. 20. [168.335] DEPUTY REGISTRAR REIMBURSEMENTS.

375.25 Subdivision 1. **Reimbursement grants.** (a) By August 1 of a fiscal year in which funds
375.26 are specifically made available for purposes of this section, the commissioner of management
375.27 and budget must provide reimbursement grants to deputy registrars.

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

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

293.25 (1) 50 percent of available funds allocated proportionally based on (i) the number of
293.26 transactions where a filing fee under Minnesota Statutes, section 168.33, subdivision 7, is
293.27 retained by each deputy registrar from August 1, 2017, through January 31, 2018, compared
293.28 to (ii) the total number of transactions where a filing fee is retained by all deputy registrars
293.29 during that time period; and

294.1 (2) 50 percent of available funds, or 100 percent of available funds if there is insufficient
294.2 data to perform the calculation under clause (1), allocated proportionally based on (i) the
294.3 number of transactions where a filing fee is retained by each deputy registrar from July 1,
294.4 2014, through June 30, 2017, compared to (ii) the total number of transactions where a filing
294.5 fee is retained by all deputy registrars during that time period.

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

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

294.16 (e) Except as provided in paragraph (c), in the calculations under paragraph (b) the
294.17 commissioner of management and budget must exclude transactions for (1) a deputy registrar
294.18 that is no longer operating as of the effective date of this section, and (2) a deputy registrar
294.19 office operated by the state.

294.20 (f) A deputy registrar office operated by the state is not eligible to receive funds under
294.21 this section.

294.25 **EFFECTIVE DATE.** This section is effective June 1, 2018.

294.26 Sec. 123. **APPROPRIATION; MNLARS FUNDING.**

294.27 Subdivision 1. **Appropriations.** \$13,200,000 in fiscal year 2019 is appropriated to the
294.28 commissioner of public safety for contracted technical staff and technical costs related to
294.29 continued development, improvement, operations, and deployment of MNLARS. Of this
294.30 appropriation, \$12,600,000 is from the general fund, \$200,000 is from the vehicle services
294.31 operating account in the driver and vehicle services fund, and \$400,000 is from the driver
294.32 services operating account in the driver and vehicle services fund. The base for this

376.4 (1) 50 percent of available funds allocated proportionally based on (i) the number of
376.5 transactions where a filing fee under section 168.33, subdivision 7, is retained by each
376.6 deputy registrar during the preceding fiscal year, compared to (ii) the total number of
376.7 transactions where a filing fee is retained by all deputy registrars during that time period;
376.8 and

376.9 (2) 50 percent of available funds allocated proportionally based on (i) the number of
376.10 transactions where a filing fee is retained by each deputy registrar from July 1, 2014, through
376.11 June 30, 2017, compared to (ii) the total number of transactions where a filing fee is retained
376.12 by all deputy registrars during that time period.

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

376.18 (c) For a deputy registrar appointed after July 1, 2014, for which paragraph (b) does not
376.19 apply, the commissioner of management and budget must calculate that deputy registrar's
376.20 proportional share under paragraph (a), clause (2), based on the average number of
376.21 transactions where a filing fee is retained among the deputy registrars, as calculated excluding
376.22 any deputy registrars for which this paragraph applies.

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

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

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

294.33 appropriation from the general fund is \$1,400,000 in fiscal year 2020 and \$0 in fiscal year
295.1 2021. The base for this appropriation from the vehicle services operating account is
295.2 \$1,300,000 in fiscal year 2020 and \$0 in fiscal year 2021. The base for this appropriation
295.3 from the driver services operating account is \$2,800,000 in fiscal year 2020 and \$0 in fiscal
295.4 year 2021. The planning estimates in fiscal year 2020 may only be used for a FAST
295.5 Enterprise contract payment related to the driver licensing system.

295.6 Subd. 2. **Quarterly funding review.** The appropriations in this section are subject to
295.7 the quarterly review process established in Laws 2018, chapter 101, section 5, subdivision
295.8 5.

295.9 Subd. 3. **Use of funds.** The appropriation in subdivision 1 for fiscal year 2019 may be
295.10 expended only for:

295.11 (1) contracting to perform software development on the vehicle services component of
295.12 MNLARS; and

295.13 (2) technology costs.

295.14 The appropriation in this paragraph must not be expended on additional full or part-time
295.15 employees employed by the Department of Public Safety.

295.25 Sec. 125. **APPROPRIATION; NORTHSTAR COMMUTER RAIL STUDY.**

295.26 \$850,000 in fiscal year 2019 is appropriated from the general fund to the commissioner
295.27 of transportation to study and report on the extension of the Northstar Commuter Rail line
295.28 from Big Lake to St. Cloud. This is a onetime appropriation.

436.27 Sec. 119. **NORTHSTAR CORRIDOR EXTENSION; NEGOTIATIONS.**

436.28 The Department of Transportation must contact Burlington Northern Santa Fe Railway
436.29 (BNSF) to negotiate an extension of the Northstar Corridor between Big Lake and St. Cloud.
436.30 Negotiations under this section are subject to the following conditions:

437.1 (1) the Northstar Corridor will add at least one morning round trip departure between
437.2 the St. Cloud Amtrak Depot and Big Lake Station with continuing service to Target Station
437.3 each weekday, plus one evening round trip between Big Lake Station and St. Cloud Amtrak
437.4 Depot that must begin at Target Station, with the departure and arrival times set so that
437.5 approximately ten or more hours elapse between the morning departure and evening return
437.6 each day for both round trips. The Department of Transportation may also negotiate weekend
437.7 departures and arrivals between St. Cloud and Target Station;

437.8 (2) the Department of Transportation may negotiate for fewer round trip departures from
437.9 Big Lake to Target Station each weekday, and fewer round trip departures on weekends;

437.10 (3) BNSF must continue to crew and dispatch all trains and provide other track-related
437.11 services;

437.12 (4) the St. Cloud Metropolitan Transit Commission (MTC) must be responsible for fare
437.13 collection in St. Cloud and must negotiate with Amtrak for using the Amtrak station. The
437.14 MTC must negotiate an agreement with the Metropolitan Council, which is subject to
437.15 approval by the city of St. Cloud, regarding the sharing of revenues and expenses related
437.16 to the Amtrak Depot, fare collection, and advertising. The MTC, city of St. Cloud, and
437.17 Stearns, Benton, and Sherburne Counties are prohibited from entering into agreements with
437.18 the Metropolitan Council on any subject other than the operation of the Northstar Corridor;

437.19 (5) the Department of Transportation is prohibited from committing to spend any state
437.20 funds on capital expenditures;

437.21 (6) the Department of Transportation is prohibited from committing to spend any more
437.22 state funds on operating costs than the total sum it and the Metropolitan Council have
437.23 budgeted for the Northstar Corridor; and

437.24 (7) the Department of Transportation may negotiate with the federal government, counties
437.25 and cities, or the Northstar Corridor Development Authority to provide additional funding
437.26 for services necessary to extend the Northstar Corridor.

364.1 Sec. 8. **HIGHWAY USER TAX DISTRIBUTION FUND TRANSFER.**

364.2 \$75,270,000 in fiscal year 2019 is transferred from the general fund to the commissioner
364.3 of transportation for deposit in the highway user tax distribution fund.

364.4 Sec. 9. **RAIL SERVICE IMPROVEMENT ACCOUNT TRANSFER.**

364.5 On June 30, 2018, the commissioner of transportation must transfer the entire balance
364.6 in the rail service improvement account to the freight rail account in the special revenue
364.7 fund. Any encumbrance from the rail service improvement account made before the transfer
364.8 remains in effect from the freight rail account following the transfer.

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

364.26 Sec. 11. **RICE CREEK RAILROAD BRIDGE.**

364.27 (a) From funds specifically made available for purposes of this section, the commissioner
364.28 of transportation must provide a grant to Minnesota Commercial Railway Company to
364.29 demolish the existing railroad bridge over Rice Creek in New Brighton and to predesign,
364.30 design, acquire any needed right-of-way, engineer, construct, and equip a replacement
364.31 railroad bridge to meet the needs of the railroad operators that use the bridge.

365.1 (b) The grant under this section is contingent on:

365.2 (1) review and approval of the railway company's design, engineering, and plans for the
365.3 project by Ramsey County to ensure the project does not interfere with recreational use of
365.4 adjacent park property and Rice Creek, and by the Rice Creek Watershed District to ensure
365.5 that the project's impact on flows in the creek complies with the watershed district's adopted
365.6 rules. These reviews and approvals are in addition to any other reviews, permits, or approvals
365.7 required for the project;

365.8 (2) Minnesota Commercial Railway Company removing all structures related to the
365.9 existing bridge, including any pilings, footings, or water control structures placed to protect
365.10 the existing bridge structures, from the Rice Creek streambed as part of the demolition and
365.11 removal of the existing bridge, except to the extent prohibited by a permitting authority,
365.12 including but not limited to the Department of Natural Resources and the United States
365.13 Army Corps of Engineers. The replacement bridge and structures are the property of the
365.14 owner of the railroad right-of-way and railroad operator, as may be arranged between them;
365.15 and

365.16 (3) Minnesota Commercial Railway Company entering into an agreement with Ramsey
365.17 County that: (i) grants the company access to both construct and perform ongoing
365.18 maintenance on the bridge; and (ii) provides for repair of the county trail damaged by railway
365.19 maintenance work that occurred on the two years before the effective date of this section,
365.20 as well as immediately after construction and any subsequent maintenance activities.

365.21 (c) By entering into a grant agreement with the commissioner of transportation, Minnesota
365.22 Commercial Railway Company agrees to cooperate with the city of New Brighton and
365.23 Ramsey County to develop crossings and trails in or near to the railway right-of-way in the
365.24 city.

365.25 Sec. 12. **EFFECT OF DUPLICATE APPROPRIATIONS.**

365.26 If an appropriation in this act is enacted more than once in the 2018 legislative session
365.27 for the same purpose, the appropriation must be given effect only once.

365.28 **ARTICLE 13**
365.29 **TRANSPORTATION BONDS**

365.30 Section 1. **BOND APPROPRIATIONS.**

365.31 The sums shown in the column under "Appropriations" are appropriated from the bond
365.32 proceeds account in the trunk highway fund to the state agencies or officials indicated, to

Senate Language S3656-2	Transportation Policy and Finance	May 07, 2018 10:39 AM	House Language H3138-3
366.1	be spent for public purposes. Appropriations of bond proceeds must be spent as authorized		
366.2	by the Minnesota Constitution, articles XI and XIV. Unless otherwise specified, money		
366.3	appropriated in this article for a capital program or project may be used to pay state agency		
366.4	staff costs that are attributed directly to the capital program or project in accordance with		
366.5	accounting policies adopted by the commissioner of management and budget.		
366.6	<u>SUMMARY</u>		
366.7	<u>Department of Transportation</u>	\$	<u>250,000,000</u>
366.8	<u>Department of Management and Budget</u>		<u>250,000</u>
366.9	<u>TOTAL</u>	\$	<u>250,250,000</u>
366.10			<u>APPROPRIATIONS</u>
366.11	Sec. 2. <u>DEPARTMENT OF</u>		
366.12	<u>TRANSPORTATION</u>		
366.13	Subdivision 1. <u>Corridors of Commerce</u>	\$	<u>145,000,000</u>
366.14	<u>This appropriation is to the commissioner of</u>		
366.15	<u>transportation for the corridors of commerce</u>		
366.16	<u>program under Minnesota Statutes, section</u>		
366.17	<u>161.088.</u>		
366.18	<u>The commissioner may use up to 17 percent</u>		
366.19	<u>of the amount for program delivery.</u>		
366.20	Subd. 2. <u>Trunk Highway-Rail Grade Separations</u>	\$	<u>75,000,000</u>
366.21	<u>This appropriation is to the commissioner of</u>		
366.22	<u>transportation for trunk highway-rail grade</u>		
366.23	<u>separation projects (1) identified as priority</u>		
366.24	<u>grade separation recommendations in the final</u>		
366.25	<u>report on highway-rail grade crossing</u>		

Senate Language S3656-2	Transportation Policy and Finance	May 07, 2018 10:39 AM	House Language H3138-3
366.26	<u>improvements submitted under Laws 2014,</u>		
366.27	<u>chapter 312, article 10, section 10; and (2) for</u>		
366.28	<u>which trunk highway bond proceeds are a</u>		
366.29	<u>permissible use. The commissioner must first</u>		
366.30	<u>prioritize grade separation projects that</u>		
366.31	<u>eliminate a skewed intersection of two trunk</u>		
366.32	<u>highways.</u>		
366.33	<u>If any proceeds under this subdivision remain</u>		
366.34	<u>following a determination by the</u>		
367.1	<u>commissioner that sufficient resources have</u>		
367.2	<u>been committed to complete all eligible</u>		
367.3	<u>projects, the remaining amount is available</u>		
367.4	<u>for the corridors of commerce program under</u>		
367.5	<u>Minnesota Statutes, section 161.088.</u>		
367.6	<u>Subd. 3. Transportation Facilities Capital</u>	<u>\$</u>	<u>30,000,000</u>
367.7	<u>This appropriation is to the commissioner of</u>		
367.8	<u>transportation for the transportation facilities</u>		
367.9	<u>capital program under Minnesota Statutes,</u>		
367.10	<u>section 174.13.</u>		
367.11	<u>Sec. 3. BOND SALE EXPENSES</u>	<u>\$</u>	<u>250,000</u>
367.12	<u>This appropriation is to the commissioner of</u>		
367.13	<u>management and budget for bond sale</u>		
367.14	<u>expenses under Minnesota Statutes, sections</u>		
367.15	<u>16A.641, subdivision 8, and 167.50,</u>		
367.16	<u>subdivision 4.</u>		
367.17	<u>Sec. 4. BOND SALE AUTHORIZATION.</u>		
367.18	<u>To provide the money appropriated in this article from the bond proceeds account in the</u>		
367.19	<u>trunk highway fund, the commissioner of management and budget shall sell and issue bonds</u>		
367.20	<u>of the state in an amount up to \$250,250,000 in the manner, upon the terms, and with the</u>		
367.21	<u>effect prescribed by Minnesota Statutes, sections 167.50 to 167.52, and by the Minnesota</u>		
367.22	<u>Constitution, article XIV, section 11, at the times and in the amounts requested by the</u>		

367.23 commissioner of transportation. The proceeds of the bonds, except accrued interest and any
367.24 premium received from the sale of the bonds, must be deposited in the bond proceeds account
367.25 in the trunk highway fund.