

1.1 moves to amend H.F. No. 1284, the first engrossment, as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "Section 1. Minnesota Statutes 2010, section 85.015, is amended by adding a
1.4 subdivision to read:

1.5 Subd. 1d. **Bicycle use of trails.** The commissioner may not prohibit operation of an
1.6 electric-assisted bicycle, as defined in section 169.011, subdivision 27, on any trail under
1.7 this section for which bicycle use is permitted, unless the commissioner determines that
1.8 operation of the electric-assisted bicycle is not consistent with safe use and enjoyment of
1.9 the trail.

1.10 Sec. 2. Minnesota Statutes 2010, section 85.018, subdivision 2, is amended to read:

1.11 Subd. 2. **Authority of local government.** (a) A local government unit that receives
1.12 state grants-in-aid for any trail, with the concurrence of the commissioner, and the
1.13 landowner or land lessee, may:

1.14 (1) designate the trail for use by snowmobiles or for nonmotorized use from
1.15 December 1 to April 1 of any year; and

1.16 (2) issue any permit required under subdivisions 3 to 5.

1.17 (b) A local government unit that receives state grants-in-aid under section 84.794,
1.18 subdivision 2, 84.803, subdivision 2, or 84.927, subdivision 2, for any trail, with the
1.19 concurrence of the commissioner, and landowner or land lessee, may:

1.20 (1) designate the trail specifically for use at various times of the year by all-terrain or
1.21 off-road vehicles or off-highway motorcycles, for nonmotorized use such as ski touring,
1.22 snowshoeing, and hiking, and for multiple use, but not for motorized and nonmotorized
1.23 use at the same time; and

1.24 (2) issue any permit required under subdivisions 3 to 5.

1.25 (c) A local unit of government that receives state grants-in-aid for any trail, with the
1.26 concurrence of the commissioner and landowner or land lessee, may designate certain

2.1 trails for joint use by snowmobiles, off-highway motorcycles, all-terrain vehicles, and
 2.2 off-road vehicles.

2.3 (d) A local unit of government may not prohibit operation of an electric-assisted
 2.4 bicycle, as defined in section 169.011, subdivision 27, on any trail under this section
 2.5 designated for bicycle use or nonmotorized use that includes bicycles, unless the local unit
 2.6 of government determines that operation of the electric-assisted bicycle is not consistent
 2.7 with safe use and enjoyment of the trail.

2.8 Sec. 3. Minnesota Statutes 2010, section 85.018, subdivision 4, is amended to read:

2.9 Subd. 4. **Nonmotorized use trails.** No motorized vehicle shall be operated on a
 2.10 trail designated for nonmotorized use. This subdivision does not apply to (1) motorized
 2.11 wheelchairs or other motorized devices operated by an individual who is physically
 2.12 disabled or (2) electric-assisted bicycles, as defined in section 169.011, subdivision 27.

2.13 Sec. 4. Minnesota Statutes 2010, section 160.263, subdivision 2, is amended to read:

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

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

2.18 (2) designate any sidewalk or portion thereof under its jurisdiction as a bicycle path
 2.19 provided that the designation does not destroy a pedestrian way or pedestrian access;

2.20 (3) develop and designate bicycle paths;

2.21 (4) designate as bikeways all bicycle lanes, bicycle routes, and bicycle paths.

2.22 (b) A governing body may not prohibit operation of an electric-assisted bicycle,
 2.23 as defined in section 169.011, subdivision 27, on any bikeway, roadway, or shoulder,
 2.24 unless the governing body determines that operation of the electric-assisted bicycle is not
 2.25 consistent with safe use and enjoyment of the bikeway, roadway, or shoulder.

2.26 Sec. 5. **[160.266] MISSISSIPPI RIVER TRAIL.**

2.27 Subdivision 1. **Definitions.** For the purposes of this section:

2.28 (1) "bicycle path" has the meaning given in section 169.011, subdivision 6; and

2.29 (2) "bikeway" has the meaning given in section 169.011, subdivision 9.

2.30 Subd. 2. **Creation.** The commissioner, in cooperation with road and trail authorities
 2.31 including the commissioner of natural resources, shall identify a bikeway that originates at
 2.32 Itasca State Park in Clearwater, Beltrami, and Hubbard Counties, then generally parallels
 2.33 the Mississippi River through the cities of Bemidji in Beltrami County, Grand Rapids in

3.1 Itasca County, Brainerd in Crow Wing County, Little Falls in Morrison County, Sauk
 3.2 Rapids in Benton County, St. Cloud in Stearns County, Minneapolis in Hennepin County,
 3.3 St. Paul in Ramsey County, Hastings in Dakota County, Red Wing in Goodhue County,
 3.4 Wabasha in Wabasha County, Winona in Winona County, and La Crescent in Houston
 3.5 County to Minnesota's boundary with Iowa and there terminates. Where opportunities
 3.6 exist, the bikeway may be designated on both sides of the Mississippi River.

3.7 Subd. 3. **Connections with other bikeways.** (a) The commissioner, in cooperation
 3.8 with road and trail authorities including the commissioner of natural resources, shall:

3.9 (1) identify existing bikeways of regional significance that are in reasonable
 3.10 proximity but not connected to the bikeway established in this section, including but not
 3.11 limited to the Lake Wobegon Trail in the counties of Stearns and Todd; and

3.12 (2) support development of linkages between bikeways identified under clause (1)
 3.13 and the bikeway established in this section.

3.14 (b) The requirements of this subdivision are a secondary priority for use of funds
 3.15 available under this section following establishment and enhancement of the bikeway
 3.16 under subdivision 1.

3.17 Subd. 4. **Cooperation with other entities.** The commissioner may contract and
 3.18 enter into agreements with federal agencies, other state agencies, and local governments to
 3.19 establish, develop, maintain, and operate the bikeway and to interpret associated natural
 3.20 and cultural resources.

3.21 Subd. 5. **Funding.** Bicycle paths included within the bikeway and not administered
 3.22 by the commissioner of natural resources are eligible for funding from the environment
 3.23 and natural resources trust fund under chapter 116P, from the parks and trails grant
 3.24 program under section 85.535, from the local recreation grants program under section
 3.25 85.019, subdivision 4b, and from other sources.

3.26 Sec. 6. Minnesota Statutes 2010, section 161.14, subdivision 66, is amended to read:

3.27 Subd. 66. **Veterans Memorial Highway.** ~~Legislative Route No. 31, signed as~~
 3.28 Trunk Highway marked 200 as of July 1, 2010, from the border with North Dakota to the
 3.29 city of Mahanomen, is designated as the "Veterans Memorial Highway." The commissioner
 3.30 shall adopt a suitable design to mark this highway and erect appropriate signs, subject
 3.31 to section 161.139.

3.32 Sec. 7. Minnesota Statutes 2010, section 161.14, is amended by adding a subdivision
 3.33 to read:

4.1 Subd. 70. Arianna Celeste Macnamara Memorial Bridge. The pedestrian
 4.2 bridge over Route No. 7, signed as Trunk Highway 14 on the effective date of this
 4.3 section, located in the city of Rochester west of Route No. 20, signed as U.S. Highway
 4.4 52 on the effective date of this section, is designated as "Arianna Celeste Macnamara
 4.5 Memorial Bridge." Subject to section 161.139, the commissioner shall adopt a suitable
 4.6 marking design to memorialize the bridge and shall erect the appropriate signs as close as
 4.7 practicable to the bridge.

4.8 Sec. 8. Minnesota Statutes 2010, section 161.14, is amended by adding a subdivision
 4.9 to read:

4.10 Subd. 71. Deputy John W. Liebenstein Memorial Highway. (a) That segment of
 4.11 Route No. 390, signed as Interstate Highway 35 on the effective date of this section and
 4.12 located in Rice County, is designated as "Deputy John W. Liebenstein Memorial Highway."
 4.13 Subject to section 161.139, the commissioner shall adopt a suitable marking design to
 4.14 mark this highway and shall erect the appropriate signs as provided in paragraph (b).

4.15 (b) The commissioner of transportation shall erect suitable signs on signed Interstate
 4.16 Highway 35 as close as practicable to the following locations:

4.17 (1) one southbound sign at the Rice County State-Aid Highway 86 overpass;

4.18 (2) one sign on the southbound off-ramp of the interchange with Rice County
 4.19 State-Aid Highway 1, at the closest reasonable location to the site at which Deputy John
 4.20 W. Liebenstein was killed in the line of duty;

4.21 (3) one sign on the northbound off-ramp of the interchange with Rice County
 4.22 State-Aid Highway 1; and

4.23 (4) one northbound sign near the intersection to the east of Rice County State-Aid
 4.24 Highways 21 and 45.

4.25 Sec. 9. Minnesota Statutes 2010, section 162.081, subdivision 4, is amended to read:

4.26 **Subd. 4. Formula for distribution to towns; purposes.** (a) Money apportioned to a
 4.27 county from the town road account must be distributed to the treasurer of each town within
 4.28 the county, according to a distribution formula adopted by the county board. The formula
 4.29 must take into account each town's levy for road and bridge purposes, its population and
 4.30 town road mileage, and other factors the county board deems advisable in the interests
 4.31 of achieving equity among the towns. Distribution of town road funds to each town
 4.32 treasurer must be made by March 1, annually, or within 30 days after receipt of payment
 4.33 from the commissioner. Distribution of funds to town treasurers in a county which has
 4.34 not adopted a distribution formula under this subdivision must be made according to a

5.1 formula prescribed by the commissioner by rule. ~~A formula adopted by a county board or~~
 5.2 ~~by the commissioner must provide that a town, in order to be eligible for distribution of~~
 5.3 ~~funds from the town road account in a calendar year, must have levied for taxes payable in~~
 5.4 ~~the previous year for road and bridge purposes at least 0.04835 percent of taxable market~~
 5.5 ~~value. For purposes of this eligibility requirement, taxable market value means taxable~~
 5.6 ~~market value for taxes payable two years prior to the aid distribution year.~~

5.7 (b) Money distributed to a town under this subdivision may be expended by the
 5.8 town only for the construction, reconstruction, and gravel maintenance of town roads
 5.9 within the town.

5.10 Sec. 10. Minnesota Statutes 2010, section 162.09, is amended by adding a subdivision
 5.11 to read:

5.12 Subd. 4a. **Municipal state-aid transition.** (a) Notwithstanding subdivision 4, any
 5.13 city that has a population of less than 5,000 according to a federal decennial census, and
 5.14 that has had a population of 5,000 or more as determined by the most recent population
 5.15 estimate of the Metropolitan Council or state demographer made prior to the census, is
 5.16 deemed for purposes of this chapter to have a population that is the greater of (1) 5,000, or
 5.17 (2) as otherwise determined under subdivision 4, paragraph (b), (c), or (d).

5.18 (b) This subdivision applies only to the first four consecutive calendar years for
 5.19 which population is determined for purposes of this chapter on the basis of a federal
 5.20 decennial census.

5.21 Sec. 11. Minnesota Statutes 2010, section 168.012, subdivision 1, is amended to read:

5.22 Subdivision 1. **Vehicles exempt from tax, fees, or plate display.** (a) The following
 5.23 vehicles are exempt from the provisions of this chapter requiring payment of tax and
 5.24 registration fees, except as provided in subdivision 1c:

5.25 (1) vehicles owned and used solely in the transaction of official business by the
 5.26 federal government, the state, or any political subdivision;

5.27 (2) vehicles owned and used exclusively by educational institutions and used solely
 5.28 in the transportation of pupils to and from those institutions;

5.29 (3) vehicles used solely in driver education programs at nonpublic high schools;

5.30 (4) vehicles owned by nonprofit charities and used exclusively to transport disabled
 5.31 persons for charitable, religious, or educational purposes;

5.32 (5) vehicles owned by nonprofit charities and used exclusively for disaster response
 5.33 and related activities;

6.1 (6) vehicles owned by ambulance services licensed under section 144E.10 that
6.2 are equipped and specifically intended for emergency response or providing ambulance
6.3 services; and

6.4 (7) vehicles owned by a commercial driving school licensed under section 171.34,
6.5 or an employee of a commercial driving school licensed under section 171.34, and the
6.6 vehicle is used exclusively for driver education and training.

6.7 (b) Provided the general appearance of the vehicle is unmistakable, the following
6.8 vehicles are not required to register or display number plates:

6.9 (1) vehicles owned by the federal government;

6.10 (2) fire apparatuses, including fire-suppression support vehicles, owned or leased by
6.11 the state or a political subdivision;

6.12 (3) police patrols owned or leased by the state or a political subdivision; and

6.13 (4) ambulances owned or leased by the state or a political subdivision.

6.14 (c) Unmarked vehicles used in general police work, liquor investigations, or arson
6.15 investigations, and passenger automobiles, pickup trucks, and buses owned or operated by
6.16 the Department of Corrections or by conservation officers of the Division of Enforcement
6.17 and Field Service of the Department of Natural Resources, must be registered and must
6.18 display appropriate license number plates, furnished by the registrar at cost. Original and
6.19 renewal applications for these license plates authorized for use in general police work and
6.20 for use by the Department of Corrections or by conservation officers must be accompanied
6.21 by a certification signed by the appropriate chief of police if issued to a police vehicle,
6.22 the appropriate sheriff if issued to a sheriff's vehicle, the commissioner of corrections if
6.23 issued to a Department of Corrections vehicle, or the appropriate officer in charge if
6.24 issued to a vehicle of any other law enforcement agency. The certification must be on a
6.25 form prescribed by the commissioner and state that the vehicle will be used exclusively
6.26 for a purpose authorized by this section.

6.27 (d) Unmarked vehicles used by the Departments of Revenue and Labor and Industry,
6.28 fraud unit, in conducting seizures or criminal investigations must be registered and must
6.29 display passenger vehicle classification license number plates, furnished at cost by the
6.30 registrar. Original and renewal applications for these passenger vehicle license plates
6.31 must be accompanied by a certification signed by the commissioner of revenue or the
6.32 commissioner of labor and industry. The certification must be on a form prescribed by
6.33 the commissioner and state that the vehicles will be used exclusively for the purposes
6.34 authorized by this section.

6.35 (e) Unmarked vehicles used by the Division of Disease Prevention and Control of the
6.36 Department of Health must be registered and must display passenger vehicle classification

7.1 license number plates. These plates must be furnished at cost by the registrar. Original
7.2 and renewal applications for these passenger vehicle license plates must be accompanied
7.3 by a certification signed by the commissioner of health. The certification must be on a
7.4 form prescribed by the commissioner and state that the vehicles will be used exclusively
7.5 for the official duties of the Division of Disease Prevention and Control.

7.6 (f) Unmarked vehicles used by staff of the Gambling Control Board in gambling
7.7 investigations and reviews must be registered and must display passenger vehicle
7.8 classification license number plates. These plates must be furnished at cost by the
7.9 registrar. Original and renewal applications for these passenger vehicle license plates must
7.10 be accompanied by a certification signed by the board chair. The certification must be on a
7.11 form prescribed by the commissioner and state that the vehicles will be used exclusively
7.12 for the official duties of the Gambling Control Board.

7.13 (g) Unmarked vehicles used in general investigation, surveillance, supervision,
7.14 and monitoring by the staff of the Department of Human Services Office of Special
7.15 Investigations and the executive director of the Minnesota sex offender program must
7.16 be registered and must display passenger vehicle classification license number plates,
7.17 furnished by the registrar at cost. Original and renewal applications for passenger vehicle
7.18 license plates must be accompanied by a certification signed by the commissioner of
7.19 human services. The certification must be on a form prescribed by the commissioner and
7.20 state that the vehicles must be used exclusively for the official duties of the Office of
7.21 Special Investigations and the executive director of the Minnesota sex offender program.

7.22 (h) Each state hospital and institution for persons who are mentally ill and
7.23 developmentally disabled may have one vehicle without the required identification on
7.24 the sides of the vehicle. The vehicle must be registered and must display passenger
7.25 vehicle classification license number plates. These plates must be furnished at cost by the
7.26 registrar. Original and renewal applications for these passenger vehicle license plates must
7.27 be accompanied by a certification signed by the hospital administrator. The certification
7.28 must be on a form prescribed by the commissioner and state that the vehicles will be used
7.29 exclusively for the official duties of the state hospital or institution.

7.30 (i) Each county social service agency may have vehicles used for child and
7.31 vulnerable adult protective services without the required identification on the sides of the
7.32 vehicle. The vehicles must be registered and must display passenger vehicle classification
7.33 license number plates. These plates must be furnished at cost by the registrar. Original
7.34 and renewal applications for these passenger vehicle license plates must be accompanied
7.35 by a certification signed by the agency administrator. The certification must be on a form

8.1 prescribed by the commissioner and state that the vehicles will be used exclusively for the
8.2 official duties of the social service agency.

8.3 (j) All other motor vehicles must be registered and display tax-exempt number
8.4 plates, furnished by the registrar at cost, except as provided in subdivision 1c. All
8.5 vehicles required to display tax-exempt number plates must have the name of the state
8.6 department or political subdivision, nonpublic high school operating a driver education
8.7 program, licensed commercial driving school, or other qualifying organization or entity,
8.8 plainly displayed on both sides of the vehicle. This identification must be in a color
8.9 giving contrast with that of the part of the vehicle on which it is placed and must endure
8.10 throughout the term of the registration. The identification must not be on a removable
8.11 plate or placard and must be kept clean and visible at all times; except that a removable
8.12 plate or placard may be utilized on vehicles leased or loaned to a political subdivision or
8.13 to a nonpublic high school driver education program.

8.14 Sec. 12. Minnesota Statutes 2010, section 168.013, is amended by adding a subdivision
8.15 to read:

8.16 Subd. 22. **Anatomical gift donation.** As part of procedures for payment of the
8.17 tax under this section, the commissioner shall include a method for a vehicle owner to
8.18 add to the tax, a \$2 donation for the purposes of public information and education on
8.19 anatomical gifts under section 171.075.

8.20 Sec. 13. Minnesota Statutes 2010, section 168B.011, subdivision 12, is amended to
8.21 read:

8.22 Subd. 12. **Public impound lot.** "Public impound lot" means an impound lot owned
8.23 by or ~~contracting with~~ exclusively contracted solely for public use by a unit of government
8.24 under section 168B.09.

8.25 Sec. 14. Minnesota Statutes 2010, section 169.011, subdivision 27, is amended to read:

8.26 Subd. 27. **Electric-assisted bicycle.** "Electric-assisted bicycle" means a ~~motor~~
8.27 ~~vehicle~~ bicycle with two or three wheels that:

8.28 (1) has a saddle and fully operable pedals for human propulsion;

8.29 (2) meets the requirements:

8.30 (i) of federal motor vehicle safety standards for a motor-driven cycle in Code of
8.31 Federal Regulations, title 49, sections 571.1 et seq.; or

8.32 (ii) for bicycles under Code of Federal Regulations, title 16, part 1512, or successor
8.33 requirements; and

9.1 (3) has an electric motor that (i) has a power output of not more than 1,000 watts, (ii)
 9.2 is incapable of propelling the vehicle at a speed of more than 20 miles per hour, (iii) is
 9.3 incapable of further increasing the speed of the device when human power alone is used
 9.4 to propel the vehicle at a speed of more than 20 miles per hour, and (iv) disengages or
 9.5 ceases to function when the vehicle's brakes are applied.

9.6 Sec. 15. Minnesota Statutes 2010, section 169.035, subdivision 1, is amended to read:

9.7 Subdivision 1. **Working on highway.** (a) The provisions of this chapter shall not
 9.8 apply to persons, motor vehicles, and other equipment while actually engaged in work
 9.9 upon the highway, except as provided in paragraphs (b) and (c).

9.10 (b) This chapter shall apply to those persons and vehicles when traveling to or
 9.11 from such work, except that persons operating equipment owned, rented or hired by
 9.12 road authorities shall be exempt from the width, height and length provisions of sections
 9.13 169.80 and 169.81 and shall be exempt from the weight limitations of this chapter while
 9.14 performing the following actions on behalf of the state or a local governmental unit:

9.15 (1) while loading, readying, or moving the vehicles or equipment in preparation for
 9.16 combating anticipated slippery road conditions or removing snow or ice;

9.17 (2) while actually engaged in snow or ice removal and or combating slippery road
 9.18 conditions, including but not limited to pretreatment and anti-icing activities; or

9.19 (3) while engaged in flood control operations ~~on behalf of the state or a local~~
 9.20 ~~governmental unit.~~

9.21 (c) Chapter 169A and section 169.444 apply to persons while actually engaged in
 9.22 work upon the highway.

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

9.24 Sec. 16. Minnesota Statutes 2010, section 169.035, is amended by adding a subdivision
 9.25 to read:

9.26 Subd. 4. **Trains.** (a) For purposes of this subdivision, "railroad operator" means
 9.27 a person who is a locomotive engineer, conductor, member of the crew of a railroad
 9.28 locomotive or train, or an operator of on-track equipment.

9.29 (b) A peace officer may not issue a citation for violation of this chapter or chapter
 9.30 171 to a railroad operator involving the operation of a railroad locomotive or train, or
 9.31 on-track equipment while being operated upon rails.

9.32 (c) Notwithstanding section 171.08, a railroad operator is not required to display or
 9.33 furnish a driver's license to a peace officer in connection with the operation of a railroad
 9.34 locomotive or train, or on-track equipment while being operated upon rails.

10.1 Sec. 17. Minnesota Statutes 2010, section 169.06, subdivision 5, is amended to read:

10.2 Subd. 5. **Traffic-control signal.** (a) Whenever traffic is controlled by traffic-control
10.3 signals exhibiting different colored lights, or colored lighted arrows, successively one at a
10.4 time or in combination, only the colors Green, Red, and Yellow shall be used, except for
10.5 special pedestrian signals carrying a word or legend. The traffic-control signal lights or
10.6 colored lighted arrows indicate and apply to drivers of vehicles and pedestrians as follows:

10.7 (1) Green indication:

10.8 (i) Vehicular traffic facing a circular green signal may proceed straight through or
10.9 turn right or left unless a sign ~~at such place~~ prohibits either turn. But vehicular traffic,
10.10 including vehicles turning right or left, shall yield the right-of-way to other vehicles and to
10.11 pedestrians lawfully within the intersection or adjacent crosswalk at the time this signal
10.12 is exhibited. Vehicular traffic turning left or making a U-turn to the left shall yield the
10.13 right-of-way to other vehicles approaching from the opposite direction so closely as to
10.14 constitute an immediate hazard.

10.15 (ii) Vehicular traffic facing a green arrow signal, shown alone or in combination with
10.16 another indication, may cautiously enter the intersection only to make the movement
10.17 indicated by the arrow, or other movement as permitted by other indications shown at the
10.18 same time. ~~Such~~ Vehicular traffic shall yield the right-of-way to pedestrians lawfully
10.19 within an adjacent crosswalk and to other traffic lawfully using the intersection.

10.20 (iii) Unless otherwise directed by a pedestrian-control signal as provided in
10.21 subdivision 6, pedestrians facing any green signal, except when the sole green signal is a
10.22 turn arrow, may proceed across the roadway within any marked or unmarked crosswalk.
10.23 Every driver of a vehicle shall yield the right-of-way to such pedestrian, except that the
10.24 pedestrian shall yield the right-of-way to vehicles lawfully within the intersection at the
10.25 time that the green signal indication is first shown.

10.26 (2) Steady yellow indication:

10.27 (i) Vehicular traffic facing a steady circular yellow or yellow arrow signal is thereby
10.28 warned that the related green movement is being terminated or that a red indication will be
10.29 exhibited immediately thereafter when vehicular traffic must not enter the intersection,
10.30 except for the continued movement allowed by any green arrow indication simultaneously
10.31 exhibited.

10.32 (ii) Pedestrians facing a circular yellow signal, unless otherwise directed by a
10.33 pedestrian-control signal as provided in subdivision 6, are thereby advised that there is
10.34 insufficient time to cross the roadway before a red indication is shown and no pedestrian
10.35 shall then start to cross the roadway.

10.36 (3) Steady red indication:

11.1 (i) Vehicular traffic facing a circular red signal alone must stop at a clearly marked
11.2 stop line but, if none, before entering the crosswalk on the near side of the intersection
11.3 or, if none, then before entering the intersection and shall remain standing until a green
11.4 indication is shown, except as follows: (A) the driver of a vehicle stopped as close
11.5 as practicable at the entrance to the crosswalk on the near side of the intersection or,
11.6 if none, then at the entrance to the intersection in obedience to a red or stop signal,
11.7 and with the intention of making a right turn may make the right turn, after stopping,
11.8 unless an official sign has been erected prohibiting such movement, but shall yield the
11.9 right-of-way to pedestrians and other traffic lawfully proceeding as directed by the signal
11.10 at that intersection; or (B) the driver of a vehicle on a one-way street intersecting another
11.11 one-way street on which traffic moves to the left shall stop in obedience to a red or stop
11.12 signal and may then make a left turn into the one-way street, unless an official sign has
11.13 been erected prohibiting the movement, but shall yield the right-of-way to pedestrians and
11.14 other traffic lawfully proceeding as directed by the signal at that intersection.

11.15 (ii) Unless otherwise directed by a pedestrian-control signal as provided in
11.16 subdivision 6, pedestrians facing a steady red signal alone shall not enter the roadway.

11.17 (iii) Vehicular traffic facing a steady red arrow signal, with the intention of making a
11.18 movement indicated by the arrow, must stop at a clearly marked stop line but, if none,
11.19 before entering the crosswalk on the near side of the intersection or, if none, then before
11.20 entering the intersection and must remain standing until a permissive signal indication
11.21 permitting the movement indicated by the red arrow is displayed, except as follows: when
11.22 an official sign has been erected permitting a turn on a red arrow signal, the vehicular
11.23 traffic facing a red arrow signal indication is permitted to enter the intersection to turn
11.24 right, or to turn left from a one-way street into a one-way street on which traffic moves
11.25 to the left, after stopping, but must yield the right-of-way to pedestrians and other traffic
11.26 lawfully proceeding as directed by the signal at that intersection.

11.27 (b) In the event an official traffic-control signal is erected and maintained at a place
11.28 other than an intersection, the provisions of this section are applicable except those which
11.29 can have no application. Any stop required must be made at a sign or marking on the
11.30 pavement indicating where the stop must be made, but in the absence of any such sign or
11.31 marking the stop must be made at the signal.

11.32 (c) When a traffic-control signal indication or indications placed to control a certain
11.33 movement or lane are so identified by placing a sign near the indication or indications,
11.34 no other traffic-control signal indication or indications within the intersection controls
11.35 vehicular traffic for that movement or lane.

12.1 Sec. 18. Minnesota Statutes 2010, section 169.06, subdivision 7, is amended to read:

12.2 Subd. 7. **Flashing signal.** When flashing red or yellow signals are used they shall
12.3 require obedience by vehicular traffic as follows:

12.4 (a) When a circular red lens is illuminated with rapid intermittent flashes, drivers of
12.5 vehicles shall stop at a clearly marked stop line, but if none, before entering the crosswalk
12.6 on the near side of the intersection, or if none, then at the point nearest the intersecting
12.7 roadway where the driver has a view of approaching traffic on the intersecting roadway
12.8 before entering the intersection, and the right to proceed shall be subject to the rules
12.9 applicable after making a stop at a stop sign.

12.10 (b) When a red arrow lens is illuminated with rapid intermittent flashes drivers of
12.11 vehicles with the intention of making a movement indicated by the arrow shall stop at a
12.12 clearly marked stop line, but if none, before entering the crosswalk on the near side of
12.13 the intersection, or if none, then at the point nearest the intersecting roadway where the
12.14 driver has a view of approaching traffic on the intersecting roadway before entering the
12.15 intersection, and the right to proceed shall be subject to the rules applicable after making a
12.16 stop at a stop sign.

12.17 (c) When a circular yellow lens is illuminated with rapid intermittent flashes, drivers
12.18 of vehicles may proceed through the intersection or past the signals only with caution. But
12.19 vehicular traffic, including vehicles turning right or left, shall yield the right-of-way to
12.20 other vehicles and to pedestrians lawfully within the intersection or adjacent crosswalk at
12.21 the time this signal is exhibited. Vehicular traffic turning left or making a U-turn to the left
12.22 shall yield the right-of-way to other vehicles approaching from the opposite direction so
12.23 closely as to constitute an immediate hazard.

12.24 (d) When a yellow arrow indication is illuminated with rapid intermittent flashes,
12.25 drivers of vehicles with the intention of making a movement indicated by the arrow may
12.26 proceed through the intersection or past the signals only with caution; but shall yield
12.27 the right-of-way to other vehicles and to pedestrians lawfully within the intersection or
12.28 adjacent crosswalk at the time this signal is exhibited. Vehicular traffic turning left or
12.29 making a U-turn to the left shall yield the right-of-way to other vehicles approaching from
12.30 the opposite direction so closely as to constitute an immediate hazard.

12.31 Sec. 19. Minnesota Statutes 2010, section 169.19, subdivision 5, is amended to read:

12.32 Subd. 5. **Signal to turn.** A signal of intention to turn right or left shall be given
12.33 continuously during not less than the last 100 feet traveled by the vehicle before turning.
12.34 A person whose vehicle is exiting a roundabout is exempt from the requirement in this
12.35 subdivision.

13.1 Sec. 20. Minnesota Statutes 2010, section 169.223, subdivision 5, is amended to read:

13.2 Subd. 5. **Other operation requirements and prohibitions.** (a) A person operating
13.3 a motorized bicycle on a roadway shall ride as close as practicable to the right-hand curb
13.4 or edge of the roadway except in one of the following situations:

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

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

13.8 (3) when reasonably necessary to avoid conditions, including fixed or moving
13.9 objects, vehicles, pedestrians, animals, surface hazards, or narrow width lanes, that make
13.10 it unsafe to continue along the right-hand curb or edge.

13.11 (b) Persons operating motorized bicycles on a roadway may not ride more than two
13.12 abreast and may not impede the normal and reasonable movement of traffic. On a laned
13.13 roadway, a person operating a motorized bicycle shall ride within a single lane.

13.14 (c) This section does not permit the operation of a motorized bicycle on a bicycle
13.15 path or bicycle lane that is reserved for the exclusive use of nonmotorized traffic, except
13.16 that an electric-assisted bicycle may be operated on the path or lane if not otherwise
13.17 prohibited under section 85.015, subdivision 1d; 85.018, subdivision 2, paragraph (d);
13.18 or 160.263, subdivision 2, paragraph (b), as applicable.

13.19 ~~(d) Subject to the provisions of section 160.263, subdivision 3,~~ A person may
13.20 operate an electric-assisted bicycle on a bikeway or bicycle lane trail. A person may
13.21 operate an electric-assisted bicycle on the shoulder of a roadway if the electric-assisted
13.22 bicycle is traveling in the same direction as the adjacent vehicular traffic.

13.23 Sec. 21. Minnesota Statutes 2010, section 169.306, is amended to read:

13.24 **169.306 USE OF SHOULDERS BY BUSES.**

13.25 (a) ~~The commissioner of transportation~~ A road authority, as defined in section
13.26 160.02, subdivision 25, is authorized to permit ~~the use by~~ transit buses and Metro Mobility
13.27 buses use of a shoulder, as designated by the ~~commissioner~~ road authority, of a freeway or
13.28 expressway, as defined in section 160.02, in Minnesota.

13.29 (b) ~~If the commissioner~~ a road authority permits the use of a freeway or expressway
13.30 shoulder by transit buses, the ~~commissioner~~ road authority shall permit the use on that
13.31 shoulder of a bus (1) with a seating capacity of 40 passengers or more operated by a motor
13.32 carrier of passengers, as defined in section 221.012, subdivision 26, while operating in
13.33 intrastate commerce or (2) providing regular route transit service, as defined in section
13.34 174.22, subdivision 8, or Metro Mobility services, and operated by or under contract
13.35 with the Metropolitan Council, a local transit authority, or a transit authority created by

14.1 the legislature. Drivers of these buses must have adequate training in the requirements of
 14.2 paragraph (c), as determined by the commissioner.

14.3 (c) Buses authorized to use the shoulder under this section may be operated on
 14.4 the shoulder only when main-line traffic speeds are less than 35 miles per hour, except
 14.5 as provided for in paragraph (f). Drivers of buses being operated on the shoulder may
 14.6 not exceed the speed of main-line traffic by more than 15 miles per hour and may never
 14.7 exceed 35 miles per hour, except as provided for in paragraph (f). Drivers of buses being
 14.8 operated on the shoulder must yield to merging, entering, and exiting traffic and must yield
 14.9 to other vehicles on the shoulder. Buses operated on the shoulder must be registered with
 14.10 the Department of Transportation.

14.11 (d) For the purposes of this section, the term "Metro Mobility bus" means a motor
 14.12 vehicle of not less than 20 feet in length engaged in providing special transportation
 14.13 services under section 473.386 that is:

14.14 (1) operated by or under contract with a public or private entity receiving financial
 14.15 assistance to provide transit services from the Metropolitan Council or the commissioner
 14.16 of transportation; and

14.17 (2) authorized by ~~the commissioner~~ a road authority to use freeway or expressway
 14.18 shoulders.

14.19 (e) This section does not apply to the operation of buses on dynamic shoulder lanes.

14.20 (f) The commissioner may authorize different operating conditions and maximum
 14.21 speeds, not to exceed the posted speed limit, based upon an engineering study and
 14.22 recommendation by the road authority. The engineering study must be conducted by the
 14.23 road authority and must conform with the manual and specifications adopted under section
 14.24 169.06, subdivision 1, and applicable state and federal standards. The road authority shall
 14.25 consult the public transit operator before recommending operating conditions different
 14.26 from those authorized by law.

14.27 Sec. 22. Minnesota Statutes 2010, section 169.64, subdivision 2, is amended to read:

14.28 Subd. 2. **Colored light.** (a) Unless otherwise authorized by the commissioner of
 14.29 public safety, no vehicle shall be equipped, nor shall any person drive or move any vehicle
 14.30 or equipment upon any highway with any lamp or device displaying a red light or any
 14.31 colored light other than those required or permitted in this chapter.

14.32 (b) A vehicle manufactured for use as an emergency vehicle may display and use
 14.33 colored lights that are not otherwise required or permitted in this chapter, provided that
 14.34 the vehicle is owned and operated according to section 168.10, is owned and operated
 14.35 solely as a collector's item and not for general transportation purposes, and is registered

15.1 under section 168.10, subdivision 1a, 1b, 1c, 1d, 1g, or 1h. A person may not activate the
 15.2 colored lights authorized under this paragraph on streets or highways except as part of
 15.3 a parade or other special event.

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

15.5 Sec. 23. Minnesota Statutes 2010, section 169.685, subdivision 6, is amended to read:

15.6 Subd. 6. **Exceptions.** (a) This section does not apply to:

15.7 (1) a person transporting a child in an emergency medical vehicle while in the
 15.8 performance of official duties and when the physical or medical needs of the child make
 15.9 the use of a child passenger restraint system unreasonable or when a child passenger
 15.10 restraint system is not available;

15.11 (2) a peace officer transporting a child while in the performance of official duties
 15.12 and when a child passenger restraint system is not available, provided that a seat belt
 15.13 must be substituted;

15.14 (3) a person while operating a motor vehicle for hire, including a taxi, airport
 15.15 limousine, and bus, but excluding a rented, leased, or borrowed motor vehicle; and

15.16 (4) a person while operating a school bus; ~~and~~ that has a gross vehicle weight rating
 15.17 of greater than 10,000 pounds.

15.18 ~~(5) a person while operating a type III vehicle described in section 169.011,~~
 15.19 ~~subdivision 71, paragraph (h), if the vehicle meets the seating and crash protection~~
 15.20 ~~requirements of Federal Motor Vehicle Safety Standard 222, Code of Federal Regulations,~~
 15.21 ~~title 49, part 571.~~

15.22 (b) A child passenger restraint system is not required for a child who cannot, in the
 15.23 judgment of a licensed physician, be safely transported in a child passenger restraint
 15.24 system because of a medical condition, body size, or physical disability. A motor vehicle
 15.25 operator claiming exemption for a child under this paragraph must possess a typewritten
 15.26 statement from the physician stating that the child cannot be safely transported in a child
 15.27 passenger restraint system. The statement must give the name and birth date of the child,
 15.28 be dated within the previous six months, and be made on the physician's letterhead or
 15.29 contain the physician's name, address, and telephone number. A person charged with
 15.30 violating subdivision 5 may not be convicted if the person produces the physician's
 15.31 statement in court or in the office of the arresting officer.

15.32 (c) A person offering a motor vehicle for rent or lease shall provide a child passenger
 15.33 restraint device to a customer renting or leasing the motor vehicle who requests the device.
 15.34 A reasonable rent or fee may be charged for use of the child passenger restraint device.

16.1 Sec. 24. Minnesota Statutes 2010, section 169.86, subdivision 4, is amended to read:

16.2 Subd. 4. **Display and inspection of permit.** ~~Every such~~ A permit shall must be
16.3 carried in the vehicle or combination of vehicles to which it refers and ~~shall~~ must be open
16.4 to inspection by any ~~police~~ peace officer or authorized agent of any authority granting
16.5 ~~such the permit, and.~~ A permit may be carried in electronic format if it is easily read. No
16.6 person shall violate any of the terms or conditions of ~~such~~ a special permit.

16.7 Sec. 25. Minnesota Statutes 2011 Supplement, section 169.86, subdivision 5, is
16.8 amended to read:

16.9 Subd. 5. **Fees; proceeds deposited; appropriation.** The commissioner, with
16.10 respect to highways under the commissioner's jurisdiction, may charge a fee for each
16.11 permit issued. All ~~such~~ fees for permits issued by the commissioner of transportation ~~shall~~
16.12 must be deposited in the state treasury and credited to the trunk highway fund. Except
16.13 for those annual permits for which the permit fees are specified elsewhere in this chapter,
16.14 the fees ~~shall be~~ are:

16.15 (a) \$15 for each single trip permit.

16.16 (b) \$36 for each job permit. A job permit may be issued for like loads carried on
16.17 a specific route for a period not to exceed two months. "Like loads" means loads of the
16.18 same product, weight, and dimension.

16.19 (c) \$60 for an annual permit to be issued for a period not to exceed 12 consecutive
16.20 months. Annual permits may be issued for:

16.21 (1) motor vehicles used to alleviate a temporary crisis adversely affecting the safety
16.22 or well-being of the public;

16.23 (2) motor vehicles ~~which~~ that travel on interstate highways and carry loads
16.24 authorized under subdivision 1a;

16.25 (3) motor vehicles operating with gross weights authorized under section 169.826,
16.26 subdivision 1a;

16.27 (4) special pulpwood vehicles described in section 169.863;

16.28 (5) motor vehicles bearing snowplow blades not exceeding ten feet in width;

16.29 (6) noncommercial transportation of a boat by the owner or user of the boat;

16.30 (7) motor vehicles carrying bales of agricultural products authorized under section
16.31 169.862; and

16.32 (8) special milk-hauling vehicles authorized under section 169.867.

16.33 (d) \$120 for an oversize annual permit to be issued for a period not to exceed 12
16.34 consecutive months. Annual permits may be issued for:

16.35 (1) mobile cranes;

- 17.1 (2) construction equipment, machinery, and supplies;
- 17.2 (3) manufactured homes and manufactured storage buildings;
- 17.3 (4) implements of husbandry;
- 17.4 (5) double-deck buses;
- 17.5 (6) commercial boat hauling and transporting waterfront structures, including, but
- 17.6 not limited to, portable boat docks and boat lifts;
- 17.7 (7) three-vehicle combinations consisting of two empty, newly manufactured trailers
- 17.8 for cargo, horses, or livestock, not to exceed 28-1/2 feet per trailer; provided, however,
- 17.9 the permit allows the vehicles to be moved from a trailer manufacturer to a trailer dealer
- 17.10 only while operating on twin-trailer routes designated under section 169.81, subdivision 3,
- 17.11 paragraph (c); and

17.12 (8) vehicles operating on that portion of marked Trunk Highway 36 described in

17.13 section 169.81, subdivision 3, paragraph (e).

17.14 (e) For vehicles ~~which~~ that have axle weights exceeding the weight limitations of

17.15 sections 169.823 to 169.829, an additional cost added to the fees listed above. However,

17.16 this paragraph applies to any vehicle described in section 168.013, subdivision 3,

17.17 paragraph (b), but only when the vehicle exceeds its gross weight allowance set forth in

17.18 that paragraph, and then the additional cost is for all weight, including the allowance

17.19 weight, in excess of the permitted maximum axle weight. The additional cost is equal

17.20 to the product of the distance traveled times the sum of the overweight axle group cost

17.21 factors shown in the following chart:

Overweight Axle Group Cost Factors			
Weight (pounds)	Cost Per Mile For Each Group Of:		
exceeding weight limitations on axles	Two consecutive axles spaced within 8 feet or less	Three consecutive axles spaced within 9 feet or less	Four consecutive axles spaced within 14 feet or less
0-2,000	.12	.05	.04
2,001-4,000	.14	.06	.05
4,001-6,000	.18	.07	.06
6,001-8,000	.21	.09	.07
8,001-10,000	.26	.10	.08
10,001-12,000	.30	.12	.09
12,001-14,000	Not permitted	.14	.11
14,001-16,000	Not permitted	.17	.12
16,001-18,000	Not permitted	.19	.15

18.1		Not	Not	
18.2	18,001-20,000	permitted	permitted	.16
18.3		Not	Not	
18.4	20,001-22,000	permitted	permitted	.20

18.5 The amounts added are rounded to the nearest cent for each axle or axle group. The
18.6 additional cost does not apply to paragraph (c), clauses (1) and (3).

18.7 For a vehicle found to exceed the appropriate maximum permitted weight, a cost-per-mile
18.8 fee of 22 cents per ton, or fraction of a ton, over the permitted maximum weight is imposed
18.9 in addition to the normal permit fee. Miles must be calculated based on the distance
18.10 already traveled in the state plus the distance from the point of detection to a transportation
18.11 loading site or unloading site within the state or to the point of exit from the state.

18.12 (f) As an alternative to paragraph (e), an annual permit may be issued for overweight,
18.13 or oversize and overweight, mobile cranes; construction equipment, machinery, and
18.14 supplies; implements of husbandry; and commercial boat hauling. The fees for the permit
18.15 are as follows:

18.16	Gross Weight (pounds) of Vehicle	Annual Permit Fee
18.17	90,000 or less	\$200
18.18	90,001 - 100,000	\$300
18.19	100,001 - 110,000	\$400
18.20	110,001 - 120,000	\$500
18.21	120,001 - 130,000	\$600
18.22	130,001 - 140,000	\$700
18.23	140,001 - 145,000	\$800
18.24	<u>145,001 - 155,000</u>	<u>\$900</u>

18.25 If the gross weight of the vehicle is more than ~~145,000~~ 155,000 pounds the permit fee is
18.26 determined under paragraph (e).

18.27 (g) For vehicles which exceed the width limitations set forth in section 169.80 by
18.28 more than 72 inches, an additional cost equal to \$120 added to the amount in paragraph (a)
18.29 when the permit is issued while seasonal load restrictions pursuant to section 169.87 are
18.30 in effect.

18.31 (h) \$85 for an annual permit to be issued for a period not to exceed 12 months, for
18.32 refuse-compactor vehicles that carry a gross weight of not more than: 22,000 pounds on
18.33 a single rear axle; 38,000 pounds on a tandem rear axle; or, subject to section 169.828,
18.34 subdivision 2, 46,000 pounds on a tridem rear axle. A permit issued for up to 46,000
18.35 pounds on a tridem rear axle must limit the gross vehicle weight to not more than 62,000
18.36 pounds.

18.37 (i) \$300 for a motor vehicle described in section 169.8261. The fee under this
18.38 paragraph must be deposited ~~as follows:~~

19.1 ~~(1) in fiscal years 2005 through 2010:~~

19.2 ~~(i) the first \$50,000 in each fiscal year must be deposited in the trunk highway fund~~
 19.3 ~~for costs related to administering the permit program and inspecting and posting bridges;~~

19.4 ~~(ii) all remaining money in each fiscal year must be deposited in a bridge inspection~~
 19.5 ~~and signing account in the special revenue fund. Money in the account is appropriated~~
 19.6 ~~to the commissioner for:~~

19.7 ~~(A) inspection of local bridges and identification of local bridges to be posted,~~
 19.8 ~~including contracting with a consultant for some or all of these functions; and~~

19.9 ~~(B) erection of weight-posting signs on local bridges; and~~

19.10 ~~(2) in fiscal year 2011 and subsequent years must be deposited in the trunk highway~~
 19.11 ~~fund.~~

19.12 (j) Beginning August 1, 2006, \$200 for an annual permit for a vehicle operating
 19.13 under authority of section 169.824, subdivision 2, paragraph (a), clause (2).

19.14 Sec. 26. Minnesota Statutes 2010, section 169.99, subdivision 1b, is amended to read:

19.15 Subd. 1b. **Speed.** The uniform traffic ticket must provide a blank or space wherein
 19.16 an officer who issues a citation for a violation of a speed limit of 55 or 60 miles per
 19.17 hour must specify whether the speed was greater than ten miles per hour in excess of ~~a~~
 19.18 ~~55 miles per hour speed limit, or more than five miles per hour in excess of a 60 miles~~
 19.19 ~~per hour~~ the speed limit.

19.20 Sec. 27. Minnesota Statutes 2010, section 169A.54, subdivision 1, is amended to read:

19.21 Subdivision 1. **Revocation periods for DWI convictions.** Except as provided in
 19.22 subdivision 7, the commissioner shall revoke the driver's license of a person convicted
 19.23 of violating section 169A.20 (driving while impaired) or an ordinance in conformity
 19.24 with it, as follows:

19.25 (1) not less than 30 days for an offense under section 169A.20, subdivision 1
 19.26 (driving while impaired crime), ~~not less than 30 days;~~

19.27 (2) not less than 90 days for an offense under section 169A.20, subdivision 2 (refusal
 19.28 to submit to chemical test crime), ~~not less than 90 days;~~

19.29 (3) not less than one year for:

19.30 (i) an offense occurring within ten years of a qualified prior impaired driving
 19.31 incident, ~~or;~~

19.32 (ii) an offense occurring after two qualified prior impaired driving incidents, ~~not~~
 19.33 ~~less than one year;~~ or if

20.1 (iii) an offense occurring when a person has an alcohol concentration of twice the
 20.2 legal limit or more as measured at the time, or within two hours of the time, of the offense
 20.3 and the person has no qualified prior impaired driving incident within ten years;

20.4 (4) not less than two years for an offense occurring under clause (3), item (i) or (ii),
 20.5 and the test results indicate an alcohol concentration of twice the legal limit or more,
 20.6 ~~not less than two years~~ and until the court has certified that treatment or rehabilitation
 20.7 has been successfully completed where prescribed in accordance with section 169A.70
 20.8 (chemical use assessments);

20.9 ~~(4)~~ (5) not less than three years for an offense occurring within ten years of the
 20.10 first of two qualified prior impaired driving incidents or occurring after three qualified
 20.11 prior impaired driving incidents, ~~not less than three years, together~~ and with denial under
 20.12 section 171.04, subdivision 1, clause (10), until rehabilitation is established according to
 20.13 standards established by the commissioner; and

20.14 ~~(5)~~ (6) not less than four years for an offense occurring within ten years of the first of
 20.15 three qualified prior impaired driving incidents, ~~not less than four years, together~~ and with
 20.16 denial under section 171.04, subdivision 1, clause (10), until rehabilitation is established
 20.17 according to standards established by the commissioner; or

20.18 ~~(6)~~ (7) not less than six years for an offense occurring after four or more qualified
 20.19 prior impaired driving incidents, ~~not less than six years, together~~ and with denial under
 20.20 section 171.04, subdivision 1, clause (10), until rehabilitation is established according to
 20.21 standards established by the commissioner.

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

20.23 Sec. 28. Minnesota Statutes 2010, section 169A.54, subdivision 6, is amended to read:

20.24 Subd. 6. **Applicability of implied consent revocation.** (a) Any person whose
 20.25 license has been revoked pursuant to section 169A.52 (license revocation for test failure
 20.26 or refusal) as the result of the same incident, and who does not have a qualified prior
 20.27 impaired driving incident, is subject to the mandatory revocation provisions of subdivision
 20.28 1, clause (1) or (2), in lieu of the mandatory revocation provisions of section 169A.52.

20.29 (b) Paragraph (a) does not apply to:

20.30 (1) a person whose license has been revoked under subdivision 2 (driving while
 20.31 impaired by person under age 21); or

20.32 (2) a person whose driver's license has been revoked for, or who is charged with,
 20.33 (i) an alcohol concentration of twice the legal limit or more as measured at the time, or
 20.34 within two hours, of the time of the offense; or (ii) a violation of section 169A.20 (driving

21.1 while impaired) with an aggravating factor described in section 169A.03, subdivision
 21.2 3, clause ~~(2)~~ or (3).

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

21.4 Sec. 29. Minnesota Statutes 2010, section 171.03, is amended to read:

21.5 **171.03 PERSONS EXEMPT.**

21.6 The following persons are exempt from license hereunder:

21.7 (a) A person in the employ or service of the United States federal government is
 21.8 exempt while driving or operating a motor vehicle owned by or leased to the United
 21.9 States federal government.

21.10 (b) A person in the employ or service of the United States federal government is
 21.11 exempt from the requirement to possess a valid class A, class B, or class C commercial
 21.12 driver's license while driving or operating for military purposes a commercial motor
 21.13 vehicle for the United States federal government if the person is:

21.14 (1) on active duty in the U. S. Coast Guard;

21.15 (2) on active duty in a branch of the U. S. armed forces, which includes the Army,
 21.16 Air Force, Navy, and Marine Corps;

21.17 (3) a member of a reserve component of the U. S. armed forces; or

21.18 (4) on active duty in the Army National Guard or Air National Guard, which
 21.19 includes (i) a member on full-time National Guard duty, (ii) a member undergoing
 21.20 part-time National Guard training, and (iii) a National Guard military technician, who is a
 21.21 civilian required to wear a military uniform.

21.22 The exemption provided under this paragraph does not apply to a U. S. armed forces
 21.23 reserve technician.

21.24 (c) Any person while driving or operating any farm tractor or implement of
 21.25 husbandry temporarily on a highway is exempt. For purposes of this section, an all-terrain
 21.26 vehicle, as defined in section 84.92, subdivision 8, an off-highway motorcycle, as defined
 21.27 in section 84.787, subdivision 7, and an off-road vehicle, as defined in section 84.797,
 21.28 subdivision 7, are not implements of husbandry.

21.29 (d) A nonresident who is at least 15 years of age and who has in immediate
 21.30 possession a valid driver's license issued to the nonresident in the home state or country
 21.31 may operate a motor vehicle in this state only as a driver.

21.32 (e) A nonresident who has in immediate possession a valid commercial driver's
 21.33 license issued by a state or jurisdiction in accordance with the standards of Code of

22.1 Federal Regulations, title 49, part 383, and who is operating in Minnesota the class of
 22.2 commercial motor vehicle authorized by the issuing state or jurisdiction is exempt.

22.3 (f) Any nonresident who is at least 18 years of age, whose home state or country does
 22.4 not require the licensing of drivers may operate a motor vehicle as a driver, but only for a
 22.5 period of not more than 90 days in any calendar year, if the motor vehicle so operated is
 22.6 duly registered for the current calendar year in the home state or country of the nonresident.

22.7 (g) Any person who becomes a resident of the state of Minnesota and who has in
 22.8 possession a valid driver's license issued to the person under and pursuant to the laws of
 22.9 some other state or jurisdiction or by military authorities of the United States may operate
 22.10 a motor vehicle as a driver, but only for a period of not more than 60 days after becoming
 22.11 a resident of this state, without being required to have a Minnesota driver's license as
 22.12 provided in this chapter.

22.13 (h) Any person who becomes a resident of the state of Minnesota and who has in
 22.14 possession a valid commercial driver's license issued by another state or jurisdiction in
 22.15 accordance with the standards of Code of Federal Regulations, title 49, part 383, is exempt
 22.16 for not more than 30 days after becoming a resident of this state.

22.17 (i) Any person operating a snowmobile, as defined in section 84.81, is exempt.

22.18 (j) A railroad operator, as defined in section 169.035, subdivision 4, paragraph (a),
 22.19 is exempt while operating a railroad locomotive or train, or on-track equipment while
 22.20 being operated upon rails. This exemption includes operation while crossing a street or
 22.21 highway, whether public or private.

22.22 Sec. 30. Minnesota Statutes 2011 Supplement, section 171.05, subdivision 2, is
 22.23 amended to read:

22.24 Subd. 2. **Person less than 18 years of age.** (a) Notwithstanding any provision
 22.25 in subdivision 1 to the contrary, the department may issue an instruction permit to an
 22.26 applicant who is 15, 16, or 17 years of age and who:

22.27 (1) has completed a course of driver education in another state, has a previously
 22.28 issued valid license from another state, or ~~is enrolled in either:~~

22.29 (i) the applicant is enrolled in behind-the-wheel training in a public, private, or
 22.30 commercial driver education program that utilizes simulation or behind-the-wheel
 22.31 instruction and that is approved by the commissioner of public safety; and

22.32 (ii) the applicant:

22.33 (A) has completed the classroom phase of instruction in a public, private, or
 22.34 commercial driver education program that is approved by the commissioner of public
 22.35 safety and that includes classroom and behind-the-wheel training; or

23.1 ~~(ii) an approved behind-the-wheel driver education program~~

23.2 (B) has completed home-school driver training, when the student is receiving
 23.3 full-time instruction in a home school within the meaning of sections 120A.22 and
 23.4 120A.24, the student is working toward a ~~homeschool~~ home-school diploma, the
 23.5 student is taking home-classroom driver training with classroom materials approved by
 23.6 the commissioner of public safety, and the student's parent has certified the student's
 23.7 ~~homeschool~~ home-school and home-classroom driver training status on the form approved
 23.8 by the commissioner; or

23.9 (C) has completed an Internet-based theory driver education program that is
 23.10 approved by the commissioner of public safety;

23.11 ~~(2) has completed the classroom phase of instruction in the driver education program;~~

23.12 ~~(3)~~ (2) has passed a test of the applicant's eyesight;

23.13 ~~(4)~~ (3) has passed a department-administered test of the applicant's knowledge
 23.14 of traffic laws;

23.15 ~~(5)~~ (4) has completed the required application, which must be approved by (i) either
 23.16 parent when both reside in the same household as the minor applicant or, if otherwise,
 23.17 then (ii) the parent or spouse of the parent having custody or, in the event there is no
 23.18 court order for custody, then (iii) the parent or spouse of the parent with whom the minor
 23.19 is living or, if items (i) to (iii) do not apply, then (iv) the guardian having custody of the
 23.20 minor, (v) the foster parent or the director of the transitional living program in which the
 23.21 child resides or, in the event a person under the age of 18 has no living father, mother,
 23.22 or guardian, or is married or otherwise legally emancipated, then (vi) the applicant's
 23.23 adult spouse, adult close family member, or adult employer; provided, that the approval
 23.24 required by this clause contains a verification of the age of the applicant and the identity of
 23.25 the parent, guardian, adult spouse, adult close family member, or adult employer; and

23.26 ~~(6)~~ (5) has paid the fee required in section 171.06, subdivision 2.

23.27 (b) For the purposes of determining compliance with the certification of paragraph
 23.28 (a), clause (1), item (ii) (B), the commissioner may request verification of a student's
 23.29 ~~homeschool~~ home-school status from the superintendent of the school district in which the
 23.30 student resides and the superintendent shall provide that verification.

23.31 (c) The instruction permit is valid for two years from the date of application and
 23.32 may be renewed upon payment of a fee equal to the fee for issuance of an instruction
 23.33 permit under section 171.06, subdivision 2.

23.34 (d) A provider of an Internet-based theory driver education program approved by
 23.35 the commissioner shall issue a certificate of completion to each person who successfully
 23.36 completes the program. The commissioner shall furnish numbered certificate forms to

24.1 approved providers who shall pay the commissioner a fee of \$2 for each certificate. The
 24.2 commissioner shall deposit proceeds of the fee in the driver services operating account in
 24.3 the special revenue fund. The commissioner shall terminate the fee when the department
 24.4 has fully recovered its costs to implement Internet driver education under this section.
 24.5 Proceeds from the fee under this paragraph are annually appropriated to the commissioner
 24.6 from the driver services operating account for administrative costs to implement Internet
 24.7 driver education.

24.8 Sec. 31. Minnesota Statutes 2010, section 171.061, subdivision 4, is amended to read:

24.9 Subd. 4. **Fee; equipment.** (a) The agent may charge and retain a filing fee of \$5 for
 24.10 each application. Except as provided in paragraph ~~(b)~~ (c), the fee shall cover all expenses
 24.11 involved in receiving, accepting, or forwarding to the department the applications and
 24.12 fees required under sections 171.02, subdivision 3; 171.06, subdivisions 2 and 2a; and
 24.13 171.07, subdivisions 3 and 3a.

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

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

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

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

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

25.6 Sec. 32. **[171.0703] INTERNET-BASED DRIVER EDUCATION.**

25.7 The commissioner shall include in administrative rules on Internet-based theory
 25.8 driver education programs a requirement that a program may offer no more than three
 25.9 hours of instruction per day to a student.

25.10 Sec. 33. Minnesota Statutes 2010, section 171.12, subdivision 6, is amended to read:

25.11 Subd. 6. **Certain convictions not recorded.** (a) Except as provided in paragraph
 25.12 (b), the department shall not keep on the record of a driver any conviction for a violation
 25.13 of a speed limit of 55 or 60 miles per hour unless the violation consisted of a speed greater
 25.14 than ten miles per hour in excess of ~~a 55 miles per hour~~ the speed limit, ~~or more than five~~
 25.15 ~~miles per hour in excess of a 60 miles per hour speed limit.~~

25.16 (b) This subdivision does not apply to (1) a violation that occurs in a commercial
 25.17 motor vehicle, or (2) a violation committed by a holder of a class A, B, or C commercial
 25.18 driver's license, without regard to whether the violation was committed in a commercial
 25.19 motor vehicle or another vehicle.

25.20 Sec. 34. Minnesota Statutes 2010, section 171.30, subdivision 1, is amended to read:

25.21 Subdivision 1. **Conditions of issuance.** (a) The commissioner may issue a limited
 25.22 license to the driver under the conditions in paragraph (b) in any case where a person's
 25.23 license has been:

25.24 (1) suspended under section 171.18, 171.173, or 171.186;

25.25 (2) revoked, canceled, or denied under section:

25.26 (i) 169.792;

25.27 (ii) 169.797;

25.28 (iii) 169A.52:

25.29 (A) subdivision 3, paragraph (a), clause (1) or (2);

25.30 (B) subdivision 3, paragraph (a), clause (4), (5), or (6), if in compliance with section
 25.31 171.306;

25.32 (C) subdivision 4, paragraph (a), clause (1) or (2), if the test results indicate an
 25.33 alcohol concentration of less than twice the legal limit;

26.1 (D) subdivision 4, paragraph (a), clause (4), (5), or (6), if in compliance with section
26.2 171.306;

26.3 (iv) 171.17; or

26.4 (v) 171.172; or

26.5 (3) revoked, canceled, or denied under section 169A.54:

26.6 (i) subdivision 1, clause (1), if the test results indicate an alcohol concentration
26.7 of less than twice the legal limit;

26.8 (ii) subdivision 1, clause (2);

26.9 (iii) subdivision 1, clause ~~(4)~~, (5), ~~or~~ (6), or (7), if in compliance with section
26.10 171.306; or

26.11 (iv) subdivision 2, if the person does not have a qualified prior impaired driving
26.12 incident as defined in section 169A.03, subdivision 22, on the person's record, and the test
26.13 results indicate an alcohol concentration of less than twice the legal limit.

26.14 (b) The following conditions for a limited license under paragraph (a) include:

26.15 (1) if the driver's livelihood or attendance at a chemical dependency treatment or
26.16 counseling program depends upon the use of the driver's license;

26.17 (2) if the use of a driver's license by a homemaker is necessary to prevent the
26.18 substantial disruption of the education, medical, or nutritional needs of the family of
26.19 the homemaker; or

26.20 (3) if attendance at a postsecondary institution of education by an enrolled student of
26.21 that institution depends upon the use of the driver's license.

26.22 (c) The commissioner in issuing a limited license may impose such conditions and
26.23 limitations as in the commissioner's judgment are necessary to the interests of the public
26.24 safety and welfare including reexamination as to the driver's qualifications. The license
26.25 may be limited to the operation of particular vehicles, to particular classes and times of
26.26 operation, and to particular conditions of traffic. The commissioner may require that an
26.27 applicant for a limited license affirmatively demonstrate that use of public transportation
26.28 or carpooling as an alternative to a limited license would be a significant hardship.

26.29 (d) For purposes of this subdivision:

26.30 (1) "homemaker" refers to the person primarily performing the domestic tasks in a
26.31 household of residents consisting of at least the person and the person's dependent child
26.32 or other dependents; and

26.33 (2) "twice the legal limit" means an alcohol concentration of two times the limit
26.34 specified in section 169A.20, subdivision 1, clause (5).

27.1 (e) The limited license issued by the commissioner shall clearly indicate the
 27.2 limitations imposed and the driver operating under the limited license shall have the
 27.3 license in possession at all times when operating as a driver.

27.4 (f) In determining whether to issue a limited license, the commissioner shall consider
 27.5 the number and the seriousness of prior convictions and the entire driving record of the
 27.6 driver and shall consider the number of miles driven by the driver annually.

27.7 (g) If the person's driver's license or permit to drive has been revoked under
 27.8 section 169.792 or 169.797, the commissioner may only issue a limited license to the
 27.9 person after the person has presented an insurance identification card, policy, or written
 27.10 statement indicating that the driver or owner has insurance coverage satisfactory to
 27.11 the commissioner of public safety. The commissioner of public safety may require
 27.12 the insurance identification card provided to satisfy this subdivision be certified by the
 27.13 insurance company to be noncancelable for a period not to exceed 12 months.

27.14 (h) The limited license issued by the commissioner to a person under section
 27.15 171.186, subdivision 4, must expire 90 days after the date it is issued. The commissioner
 27.16 must not issue a limited license to a person who previously has been issued a limited
 27.17 license under section 171.186, subdivision 4.

27.18 (i) The commissioner shall not issue a limited driver's license to any person
 27.19 described in section 171.04, subdivision 1, clause (6), (7), (8), (11), or (14).

27.20 (j) The commissioner shall not issue a class A, class B, or class C limited license.

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

27.22 Sec. 35. Minnesota Statutes 2010, section 171.306, subdivision 4, is amended to read:

27.23 Subd. 4. **Issuance of restricted license.** (a) The commissioner shall issue a class
 27.24 D driver's license, subject to the applicable limitations and restrictions of this section,
 27.25 to a program participant who meets the requirements of this section and the program
 27.26 guidelines. The commissioner shall not issue a license unless the program participant has
 27.27 provided satisfactory proof that:

27.28 (1) a certified ignition interlock device has been installed on the participant's motor
 27.29 vehicle at an installation service center designated by the device's manufacturer; and

27.30 (2) the participant has insurance coverage on the vehicle equipped with the ignition
 27.31 interlock device. The commissioner shall require the participant to present an insurance
 27.32 identification card, policy, or written statement as proof of insurance coverage, and may
 27.33 require the insurance identification card provided be certified by the insurance company to
 27.34 be noncancelable for a period not to exceed 12 months.

28.1 (b) A license issued under authority of this section must contain a restriction
28.2 prohibiting the program participant from driving, operating, or being in physical control of
28.3 any motor vehicle not equipped with a functioning ignition interlock device certified by
28.4 the commissioner. A participant may drive an employer-owned vehicle not equipped with
28.5 an interlock device while in the normal course and scope of employment duties pursuant
28.6 to the program guidelines established by the commissioner and with the employer's
28.7 written consent.

28.8 (c) A program participant whose driver's license has been revoked under section
28.9 169A.52, subdivision 3, paragraph (a), clause (1), (2), or (3), or subdivision 4, paragraph
28.10 (a), clause (1), (2), or (3), or section 169A.54, subdivision 1, clause (1), (2), ~~or (3)~~, or (4),
28.11 may apply for conditional reinstatement of the driver's license, subject to the ignition
28.12 interlock restriction.

28.13 (d) A program participant whose driver's license has been revoked, canceled, or
28.14 denied under section 169A.52, subdivision 3, paragraph (a), clause (4), (5), or (6), or
28.15 subdivision 4, paragraph (a), clause (4), (5), or (6), or section 169A.54, subdivision 1,
28.16 clause ~~(4)~~, (5), ~~or (6)~~, or (7), may apply for a limited license, subject to the ignition
28.17 interlock restriction, if the program participant is enrolled in a licensed chemical
28.18 dependency treatment or rehabilitation program as recommended in a chemical use
28.19 assessment, and if the participant meets the other applicable requirements of section
28.20 171.30. After completing a licensed chemical dependency treatment or rehabilitation
28.21 program and one year of limited license use without violating the ignition interlock
28.22 restriction, the conditions of limited license use, or program guidelines, the participant
28.23 may apply for conditional reinstatement of the driver's license, subject to the ignition
28.24 interlock restriction. If the program participant's ignition interlock device subsequently
28.25 registers a positive breath alcohol concentration of 0.02 or higher, the commissioner shall
28.26 cancel the driver's license, and the program participant may apply for another limited
28.27 license according to this paragraph.

28.28 (e) Notwithstanding any statute or rule to the contrary, the commissioner has
28.29 authority to determine when a program participant is eligible for restoration of full driving
28.30 privileges, except that the commissioner shall not reinstate full driving privileges until the
28.31 program participant has met all applicable prerequisites for reinstatement under section
28.32 169A.55 and until the program participant's device has registered no positive breath
28.33 alcohol concentrations of 0.02 or higher during the preceding 90 days.

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

29.1 Sec. 36. Minnesota Statutes 2010, section 174.02, is amended by adding a subdivision
29.2 to read:

29.3 **Subd. 9. Alternative financing and investment in a pilot transportation**
29.4 **project.** (a) The commissioner may select one pilot transportation project on the trunk
29.5 highway system to implement the authority granted in this subdivision. In connection
29.6 with this pilot project, the commissioner may enter into agreements with governmental
29.7 or nongovernmental entities, including private and nonprofit entities, to finance or invest
29.8 in the transportation project, including repayment agreements. An agreement under this
29.9 subdivision is subject to (1) the availability of state money or other dedicated revenue or
29.10 resources; and (2) the approval of the commissioner of management and budget.

29.11 (b) The commissioner shall submit to the chairs and ranking minority members of
29.12 the house of representatives and senate committees having jurisdiction over transportation
29.13 policy and finance, a listing of all agreements executed under this subdivision. The listing
29.14 must identify each agreement, the contracting entities, contract amount, duration, and any
29.15 repayment requirements. The listing may be submitted electronically, and is subject
29.16 to section 3.195, subdivision 1.

29.17 (c) The pilot project is subject to transportation planning, programming, and
29.18 procurement requirements. Use of this subdivision must not result in the delay of any
29.19 project programmed in the statewide transportation improvement program.

29.20 (d) This subdivision does not preempt any other statute or provide any new toll
29.21 facility authority or design-build contracting authority.

29.22 (e) Any repayment agreement under this subdivision must comply with all applicable
29.23 debt and other financial policies and requirements.

29.24 Sec. 37. Minnesota Statutes 2010, section 174.56, is amended to read:

29.25 **174.56 REPORT ON MAJOR HIGHWAY PROJECTS AND TRUNK**
29.26 **HIGHWAY FUND EXPENDITURES.**

29.27 Subdivision 1. **Report required.** (a) The commissioner of transportation shall
29.28 submit a report ~~on January 15, 2009, and on January~~ by December 15 of each year
29.29 ~~thereafter~~, on (1) the status of major highway projects completed during the previous two
29.30 years or under construction or planned during the year of the report and for the ensuing 15
29.31 years; and (2) trunk highway fund expenditures.

29.32 (b) For purposes of this section, a "major highway project" is a highway project that
29.33 has a total cost for all segments that the commissioner estimates at the time of the report to
29.34 be at least (1) ~~\$25,000,000~~ \$15,000,000 in the metropolitan highway construction district,
29.35 or (2) ~~\$10,000,000~~ \$5,000,000 in any nonmetropolitan highway construction district.

30.1 Subd. 2. **Report contents; major highway projects.** For each major highway
30.2 project the report must include:

30.3 (1) a description of the project sufficient to specify its scope and location;

30.4 (2) a history of the project, including, but not limited to, previous official actions
30.5 by the department or the appropriate area transportation partnership, or both, the date on
30.6 which the project was first included in the state transportation improvement plan, the cost
30.7 of the project at that time, the planning estimate for the project, the engineer's estimate, the
30.8 award price, the final cost as of six months after substantial completion, including any
30.9 supplemental agreements and cost overruns or cost savings, the dates of environmental
30.10 approval, the dates of municipal approval, the date of final geometric layout, and the date
30.11 of establishment of any construction limits;

30.12 (3) the project's priority listing or rank within its construction district, if any, as
30.13 well as the reasons for that listing or rank, the criteria used in prioritization or rank, any
30.14 changes in that prioritization or rank since the project was first included in a department
30.15 work plan, and the reasons for those changes; ~~and~~

30.16 (4) past and potential future reasons for delay in letting or completing the project,
30.17 details of all project cost changes that exceed \$500,000, and specific modifications to the
30.18 overall program that are made as a result of delays and project cost changes;

30.19 (5) two representative trunk highway construction projects, one each from the
30.20 department's metropolitan district and from greater Minnesota, and for each project report
30.21 the cost of environmental mitigation and compliance; and

30.22 (6) the annual budget for products and services for each Department of
30.23 Transportation district and office, with comparison to actual spending and including
30.24 measures of productivity for the previous fiscal year.

30.25 Subd. 2a. **Report contents; trunk highway fund expenditures.** The commissioner
30.26 shall include in the report information on the total expenditures from the trunk highway
30.27 fund during the previous fiscal year, for each Department of Transportation district, in
30.28 the following categories: road construction; planning; design and engineering; labor;
30.29 compliance with environmental regulations; administration; acquisition of right-of-way,
30.30 including costs for attorney fees and other compensation for property owners; litigation
30.31 costs, including payment of claims, settlements, and judgments; maintenance; and road
30.32 operations.

30.33 Subd. 3. **Department resources.** The commissioner shall prepare and submit the
30.34 report with existing department staff and resources.

30.35 **EFFECTIVE DATE.** This section is effective August 1, 2012, except that (1) the
30.36 changes in subdivision 2, clause (2), apply to projects that are substantially completed

31.1 on or after July 1, 2012; and (2) subdivision 2, clause (6), is effective beginning with the
31.2 report due by December 15, 2013.

31.3 Sec. 38. Minnesota Statutes 2010, section 221.0314, subdivision 3a, is amended to
31.4 read:

31.5 Subd. 3a. **Waiver for other medical condition.** (a) The commissioner may grant
31.6 a waiver to a person who is not physically qualified to drive under Code of Federal
31.7 Regulations, title 49, section 391.41, paragraph (b)(3) to (b)(13). A waiver granted under
31.8 this subdivision applies to intrastate transportation only.

31.9 (b) A person who wishes to obtain a waiver under this subdivision must give the
31.10 commissioner the following information:

31.11 (1) the applicant's name, address, and telephone number;

31.12 (2) the name, address, and telephone number of an employer coapplicant, if any;

31.13 (3) a description of the applicant's experience in driving the type of vehicle to be
31.14 operated under the waiver;

31.15 (4) a description of the type of driving to be done under the waiver;

31.16 (5) a description of any modifications to the vehicle the applicant intends to drive
31.17 under the waiver that are designed to accommodate the applicant's medical condition or
31.18 disability;

31.19 (6) whether the applicant has been granted another waiver under this subdivision;

31.20 (7) a copy of the applicant's current driver's license;

31.21 (8) a copy of a medical examiner's certificate showing that the applicant is medically
31.22 unqualified to drive unless a waiver is granted;

31.23 (9) a statement from the applicant's treating physician that includes:

31.24 (i) the extent to which the physician is familiar with the applicant's medical history;

31.25 (ii) a description of the applicant's medical condition for which a waiver is necessary;

31.26 (iii) assurance that the applicant has the ability and willingness to follow any course
31.27 of treatment prescribed by the physician, including the ability to self-monitor or manage
31.28 the medical condition; and

31.29 (iv) the physician's professional opinion that the applicant's condition will not
31.30 adversely affect the applicant's ability to operate a motor vehicle safely; and

31.31 (10) any other information considered necessary by the commissioner including
31.32 requiring a physical examination or medical report from a physician who specializes
31.33 in a particular field of medical practice.

32.1 (c) In granting a waiver under this subdivision, the commissioner may impose
 32.2 conditions the commissioner considers necessary to ensure that an applicant is able to
 32.3 operate a motor vehicle safely and that the safety of the general public is protected.

32.4 (d) A person who is granted a waiver under this subdivision must:

32.5 (1) at intervals specified in the waiver, give the commissioner periodic reports from
 32.6 the person's treating physician, or a medical specialist if the commissioner so requires in
 32.7 the waiver, that contain the information described in paragraph (b), clause (9), together
 32.8 with a description of any episode that involved the person's loss of consciousness or loss
 32.9 of ability to operate a motor vehicle safely; and

32.10 (2) immediately report the person's involvement in an accident for which a report is
 32.11 required under section 169.09, subdivision 7.

32.12 (e) The commissioner shall deny an application if, during the three years preceding
 32.13 the application:

32.14 (1) the applicant's driver's license has been suspended under section 171.18,
 32.15 paragraph (a), clauses (1) to (9), (11), and (12), canceled under section 171.14, or revoked
 32.16 under section 171.17, 171.172, or 171.174; ~~or~~

32.17 (2) the applicant has been convicted of a violation under section 171.24; or

32.18 ~~(2)~~ (3) the applicant has been convicted of a disqualifying offense, as defined in
 32.19 Code of Federal Regulations, title 49, section 383.51, paragraph (b), which is incorporated
 32.20 by reference.

32.21 (f) The commissioner may deny an application or may immediately revoke a
 32.22 waiver granted under this subdivision. Notice of the commissioner's reasons for denying
 32.23 an application or for revoking a waiver must be in writing and must be mailed to
 32.24 the applicant's or waiver holder's last known address by certified mail, return receipt
 32.25 requested. A person whose application is denied or whose waiver is revoked is entitled to
 32.26 a hearing under chapter 14.

32.27 (g) A waiver granted under this subdivision expires on the date of expiration shown
 32.28 on the medical examiner's certificate described in paragraph (b), clause (8).

32.29 Sec. 39. Minnesota Statutes 2010, section 222.50, subdivision 4, is amended to read:

32.30 Subd. 4. **Contract.** The commissioner may negotiate and enter into contracts for the
 32.31 purpose of rail service improvement and may incorporate funds available from the federal
 32.32 ~~rail service continuation program government.~~ The participants in these contracts shall be
 32.33 railroads, rail users, and the department, and may be political subdivisions of the state and
 32.34 the federal government. In such contracts, participation by all parties shall be voluntary.

33.1 The commissioner may provide a portion of the money required to carry out the terms of
 33.2 any such contract by expenditure from the rail service improvement account.

33.3 Sec. 40. Minnesota Statutes 2010, section 222.51, is amended to read:

33.4 **222.51 PARTICIPATION BY POLITICAL SUBDIVISION.**

33.5 The governing body of any political subdivision of the state may, with the approval
 33.6 of the commissioner, appropriate money for rail service improvement and may participate
 33.7 in the state rail service improvement program and ~~the federal rail service continuation~~
 33.8 ~~program~~ programs.

33.9 Sec. 41. Minnesota Statutes 2010, section 222.53, is amended to read:

33.10 **222.53 ACCEPTANCE OF FEDERAL MONEY.**

33.11 The commissioner may exercise those powers necessary for the state to qualify
 33.12 for, accept, and disburse any federal money ~~that may be made available pursuant to the~~
 33.13 ~~provisions of the federal rail service continuation program~~, including the power to:

33.14 (1) establish an adequate plan for rail service in the state as part of an overall
 33.15 planning process for all transportation services in the state, including a suitable process for
 33.16 updating, revising, and amending the plan;

33.17 (2) administer and coordinate the plan with other state agencies, and provide for the
 33.18 equitable distribution of resources;

33.19 (3) develop, promote, and support safe, adequate, and efficient rail transportation
 33.20 services; employ qualified personnel; maintain adequate programs of investigation,
 33.21 research, promotion, and development, with provisions for public participation; and take
 33.22 all practical steps to improve transportation safety and reduce transportation-related
 33.23 energy utilization and pollution;

33.24 (4) adopt and maintain adequate procedures for financial control, accounting, and
 33.25 performance evaluation in order to assure proper use of state and federal money;

33.26 (5) do all things otherwise necessary to maximize federal assistance to the state
 33.27 ~~under the federal rail service continuation program~~.

33.28 Sec. 42. Minnesota Statutes 2010, section 222.63, subdivision 9, is amended to read:

33.29 Subd. 9. **Rail bank property use; petty misdemeanors.** (a) Except for the
 33.30 actions of road authorities and their agents, employees, and contractors, and of utilities,
 33.31 in carrying out their duties imposed by permit, law, or contract, and except as otherwise
 33.32 provided in this section, it is unlawful to knowingly perform any of the following activities
 33.33 on rail bank property:

- 34.1 (1) obstruct any trail;
- 34.2 (2) deposit snow or ice;
- 34.3 (3) remove or place any earth, vegetation, gravel, or rock without authorization;
- 34.4 (4) obstruct or remove any ditch-draining device, or drain any harmful or dangerous
- 34.5 materials;
- 34.6 (5) erect a fence, or place or maintain any advertising, sign, or memorial, except
- 34.7 upon authorization by the commissioner of transportation;
- 34.8 (6) remove, injure, displace, or destroy right-of-way markers or reference or witness
- 34.9 monuments or markers placed to preserve section or quarter-section corners defining
- 34.10 rail bank property limits;
- 34.11 (7) drive upon any portion of rail bank property, except at approved crossings, and
- 34.12 except where authorized for snowmobiles, emergency vehicles, maintenance vehicles, or
- 34.13 other vehicles authorized to use rail bank property;
- 34.14 (8) deface, mar, damage, or tamper with any structure, work, material, sign, marker,
- 34.15 paving, guardrail, drain, or any other rail bank appurtenance; ~~or~~
- 34.16 (9) park, overhang, or abandon any unauthorized vehicle or implement of husbandry
- 34.17 on, across, or over the limits of rail bank property;
- 34.18 (10) plow, disc, or perform any other detrimental operation; or
- 34.19 (11) place or maintain any building or structure.
- 34.20 (b) Unless a greater penalty is provided elsewhere in statute, any violation of this
- 34.21 subdivision is a ~~petty~~ misdemeanor.
- 34.22 (c) The cost to remove, repair, or perform any other corrective action necessitated by
- 34.23 a violation of this subdivision may be charged to the violator.

34.24 Sec. 43. **PAYNESVILLE AIRPORT.**

- 34.25 (a) Notwithstanding any law, rule, or agreement to the contrary, the commissioner of
- 34.26 transportation may enter into an agreement with the city of Paynesville to allow funds
- 34.27 granted by the state to the city for land acquisition purposes for the marked Trunk
- 34.28 Highway 23 bypass project to instead be used by June 30, 2015, as the state's share of
- 34.29 funds for airport improvements and other aeronautical purposes at the city's airport.
- 34.30 (b) Funds not spent pursuant to paragraph (a) by June 30, 2015, must be paid to the
- 34.31 commissioner of transportation and deposited in the state airports fund.

34.32 Sec. 44. **VARIANCE; SEAPLANE BASE.**

- 34.33 The commissioner of transportation shall grant a variance for Elbow Lake
- 34.34 Municipal-Pride of the Prairie Airport, airport code Y63, to be licensed as a public

35.1 seaplane base on Flekkefjord Lake. The commissioner may establish conditions or
 35.2 limitations as may be necessary, except that the variance must be provided notwithstanding
 35.3 the requirements of any rule to the contrary.

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

35.5 Sec. 45. **ADDITIONS TO REPORTS ON MAJOR HIGHWAY PROJECTS AND**
 35.6 **TRUNK HIGHWAY FUND EXPENDITURES.**

35.7 For 2013 and 2014 reports required under Minnesota Statutes, section 174.56, the
 35.8 commissioner of transportation shall include the results of evaluations of management
 35.9 systems currently used by the Department of Transportation. The evaluations must specify
 35.10 the extent to which the management of data in these systems is consistent with existing
 35.11 policies and the need for statewide, reliable, and verifiable information. The evaluations
 35.12 must be performed either by the department's office of internal audit or by an independent
 35.13 external auditor. The 2013 report must include the evaluation of construction management
 35.14 systems and the program and project management system. The 2014 report must include
 35.15 the evaluation of pavement management systems and bridge management systems.

35.16 Sec. 46. **REPEALER.**

35.17 (a) Minnesota Statutes 2010, section 161.08, subdivision 2, is repealed.

35.18 (b) Minnesota Statutes 2010, section 168.012, subdivision 1b, is repealed.

35.19 (c) Minnesota Statutes 2010, section 169A.54, subdivision 5, is repealed.

35.20 (d) Minnesota Statutes 2010, section 222.48, subdivision 3a, is repealed.

35.21 Sec. 47. **EFFECTIVE DATE.**

35.22 Unless otherwise specified, this act is effective August 1, 2012."

35.23 Delete the title and insert:

35.24 "A bill for an act
 35.25 relating to transportation; modifying provisions governing transportation and
 35.26 public safety policies, including bicycles and bikeways, highways and bridges,
 35.27 motor vehicles, motor vehicle markings and equipment, traffic regulations,
 35.28 driver education, driver licensing, driver's license exemptions, DWI violations,
 35.29 alternative financing for transportation projects, bus operations, railroads, motor
 35.30 carriers and commercial drivers, aeronautics and airports, and agency reporting;
 35.31 appropriating money; providing for rulemaking; removing obsolete language;
 35.32 making technical and clarifying changes; repealing certain provisions; amending
 35.33 Minnesota Statutes 2010, sections 85.015, by adding a subdivision; 85.018,
 35.34 subdivisions 2, 4; 160.263, subdivision 2; 161.14, subdivision 66, by adding
 35.35 subdivisions; 162.081, subdivision 4; 162.09, by adding a subdivision; 168.012,
 35.36 subdivision 1; 168.013, by adding a subdivision; 168B.011, subdivision 12;
 35.37 169.011, subdivision 27; 169.035, subdivision 1, by adding a subdivision;
 35.38 169.06, subdivisions 5, 7; 169.19, subdivision 5; 169.223, subdivision 5;

36.1 169.306; 169.64, subdivision 2; 169.685, subdivision 6; 169.86, subdivision 4;
36.2 169.99, subdivision 1b; 169A.54, subdivisions 1, 6; 171.03; 171.061, subdivision
36.3 4; 171.12, subdivision 6; 171.30, subdivision 1; 171.306, subdivision 4; 174.02,
36.4 by adding a subdivision; 174.56; 221.0314, subdivision 3a; 222.50, subdivision
36.5 4; 222.51; 222.53; 222.63, subdivision 9; Minnesota Statutes 2011 Supplement,
36.6 sections 169.86, subdivision 5; 171.05, subdivision 2; proposing coding for new
36.7 law in Minnesota Statutes, chapters 160; 171; repealing Minnesota Statutes 2010,
36.8 sections 161.08, subdivision 2; 168.012, subdivision 1b; 169A.54, subdivision 5;
36.9 222.48, subdivision 3a."