

114.9

ARTICLE 7

114.10

NONMOTORIZED AND ACTIVE TRANSPORTATION

114.11 Section 1. Minnesota Statutes 2022, section 123B.90, subdivision 2, is amended to read:

114.12 Subd. 2. **Student training.** (a) Each district must provide public school pupils enrolled
114.13 in kindergarten through grade 10 with age-appropriate school bus safety training, as described
114.14 in this section, of the following concepts:

114.15 (1) transportation by school bus is a privilege and not a right;

114.16 (2) district policies for student conduct and school bus safety;

114.17 (3) appropriate conduct while on the school bus;

114.18 (4) the danger zones surrounding a school bus;

114.19 (5) procedures for safely boarding and leaving a school bus;

114.20 (6) procedures for safe street or road crossing; and

114.21 (7) school bus evacuation.

114.22 (b) Each nonpublic school located within the district must provide all nonpublic school
114.23 pupils enrolled in kindergarten through grade 10 who are transported by school bus at public
114.24 expense and attend school within the district's boundaries with training as required in
114.25 paragraph (a).

114.26 (c) Students enrolled in kindergarten through grade 6 who are transported by school bus
114.27 and are enrolled during the first or second week of school must receive the school bus safety
114.28 training competencies by the end of the third week of school. Students enrolled in grades
114.29 7 through 10 who are transported by school bus and are enrolled during the first or second
114.30 week of school and have not previously received school bus safety training must receive
115.1 the training or receive bus safety instructional materials by the end of the sixth week of
115.2 school. Students taking driver's training instructional classes must receive training in the
115.3 laws and proper procedures when operating a motor vehicle in the vicinity of a school bus
115.4 as required by section 169.446, subdivisions 2 and 3. Students enrolled in kindergarten
115.5 through grade 10 who enroll in a school after the second week of school and are transported
115.6 by school bus and have not received training in their previous school district shall undergo
115.7 school bus safety training or receive bus safety instructional materials within four weeks
115.8 of the first day of attendance. Upon request of the superintendent of schools, the school
115.9 transportation safety director in each district must certify to the superintendent that all
115.10 students transported by school bus within the district have received the school bus safety
115.11 training according to this section. Upon request of the superintendent of the school district
115.12 where the nonpublic school is located, the principal or other chief administrator of each
115.13 nonpublic school must certify to the school transportation safety director of the district in

115.14 which the school is located that the school's students transported by school bus at public
115.15 expense have received training according to this section.

115.16 (d) A district and a nonpublic school with students transported by school bus at public
115.17 expense may provide kindergarten pupils with bus safety training before the first day of
115.18 school.

115.19 ~~(e) A district and a nonpublic school with students transported by school bus at public~~
115.20 ~~expense may also provide student safety education for bicycling and pedestrian safety, for~~
115.21 ~~students enrolled in kindergarten through grade 5.~~

115.22 ~~(f)~~ (e) A district and a nonpublic school with students transported by school bus at public
115.23 expense must make reasonable accommodations for the school bus safety training of pupils
115.24 known to speak English as a second language and pupils with disabilities.

115.25 ~~(g)~~ (f) The district and a nonpublic school with students transported by school bus at
115.26 public expense must provide students enrolled in kindergarten through grade 3 school bus
115.27 safety training twice during the school year.

115.28 ~~(h)~~ (g) A district and a nonpublic school with students transported by school bus at public
115.29 expense must conduct a school bus evacuation drill at least once during the school year.

115.30 **EFFECTIVE DATE.** This section is effective August 1, 2023.

115.31 Sec. 2. **[123B.935] ACTIVE TRANSPORTATION SAFETY TRAINING.**

115.32 Subdivision 1. **Training required.** (a) Each district must provide public school pupils
115.33 enrolled in kindergarten through grade 3 with age-appropriate active transportation safety
116.1 training. At a minimum, the training must include pedestrian safety, including crossing
116.2 roads.

116.3 (b) Each district must provide public school pupils enrolled in grades 4 through 8 with
116.4 age-appropriate active transportation safety training. At a minimum, the training must
116.5 include:

116.6 (1) pedestrian safety, including crossing roads safely using the searching left, right, left
116.7 for vehicles in traffic technique; and

116.8 (2) bicycle safety, including relevant traffic laws, use and proper fit of protective
116.9 headgear, bicycle parts and safety features, and safe biking techniques.

116.10 (c) A nonpublic school may provide nonpublic school pupils enrolled in kindergarten
116.11 through grade 8 with training as specified in paragraphs (a) and (b).

116.12 Subd. 2. **Deadlines.** (a) Students under subdivision 1, paragraph (a), who are enrolled
116.13 during the first or second week of school and have not previously received active
116.14 transportation safety training specified in that paragraph must receive the safety training by
116.15 the end of the third week of school.

116.16 (b) Students under subdivision 1, paragraph (b), who are enrolled during the first or
116.17 second week of school and have not previously received active transportation safety training
116.18 specified in that paragraph must receive the safety training by the end of the sixth week of
116.19 school.

116.20 (c) Students under subdivision 1, paragraph (a) or (b), who enroll in a school after the
116.21 second week of school and have not received the appropriate active transportation safety
116.22 training in their previous school district must undergo the training or receive active
116.23 transportation safety instructional materials within four weeks of the first day of attendance.

116.24 (d) A district and a nonpublic school may provide kindergarten pupils with active
116.25 transportation safety training before the first day of school.

116.26 Subd. 3. **Instruction.** (a) A district may provide active transportation safety training
116.27 through distance learning.

116.28 (b) A district and a nonpublic school must make reasonable accommodations for the
116.29 active transportation safety training of pupils known to speak English as a second language
116.30 and pupils with disabilities.

117.1 Subd. 4. **Model program.** The commissioner of transportation must maintain a
117.2 comprehensive collection of active transportation safety training materials that meets the
117.3 requirements under this section.

117.4 **EFFECTIVE DATE.** This section is effective August 1, 2023.

117.5 Sec. 3. Minnesota Statutes 2022, section 160.262, subdivision 3, is amended to read:

117.6 Subd. 3. **Cooperation among agencies and governments.** (a) The departments and
117.7 agencies on the active transportation advisory committee identified in section 174.375 must
117.8 provide information and advice for the bikeway design guidelines maintained by the
117.9 commissioner.

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

117.12 (1) local planning and development of bikeways;

117.13 (2) establishing connections to state bicycle routes; and

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

117.15 (c) The commissioner may cooperate with and enter into agreements with the United
117.16 States government, any department of the state of Minnesota, any unit of local government,
117.17 any tribal government, or any public or private corporation in order to effect the purposes
117.18 of this section.

117.19 **EFFECTIVE DATE.** This section is effective August 1, 2023.

117.20 Sec. 4. Minnesota Statutes 2022, section 160.266, subdivision 1b, is amended to read:

117.21 Subd. 1b. **State bicycle routes.** The commissioner of transportation must identify state
117.22 bicycle routes primarily on existing road right-of-way and trails. State bicycle routes must
117.23 be identified in cooperation with road and trail authorities, including the commissioner of
117.24 natural resources, and with the advice of the active transportation advisory committee under
117.25 section 174.375. In a metropolitan area, state bicycle routes must be identified in coordination
117.26 with the plans and priorities established by metropolitan planning organizations, as defined
117.27 in United States Code, title 23, section 134.

117.28 **EFFECTIVE DATE.** This section is effective August 1, 2023.

118.1 Sec. 5. Minnesota Statutes 2022, section 160.266, subdivision 6, is amended to read:

118.2 Subd. 6. **Mississippi River Trail.** The Mississippi River Trail bikeway is designated as
118.3 a state bicycle route. It must originate at Itasca State Park in Clearwater, Beltrami, and
118.4 Hubbard Counties, then generally parallel the Mississippi River through the cities of Bemidji
118.5 in Beltrami County, Grand Rapids in Itasca County, Brainerd in Crow Wing County, Little
118.6 Falls in Morrison County, Sauk Rapids in Benton County, St. Cloud in Stearns County,
118.7 Minneapolis in Hennepin County, St. Paul in Ramsey County, Hastings in Dakota County,
118.8 Red Wing in Goodhue County, Wabasha in Wabasha County, Winona in Winona County,
118.9 and La Crescent in Houston County to Minnesota's boundary with Iowa and there terminate.
118.10 Where opportunities exist, the bikeway may be designated on both sides of the Mississippi
118.11 River.

118.12 **EFFECTIVE DATE.** This section is effective August 1, 2023.

118.13 Sec. 6. Minnesota Statutes 2022, section 160.266, is amended by adding a subdivision to
118.14 read:

118.15 Subd. 7. **Jim Oberstar Bikeway.** The Jim Oberstar Bikeway is designated as a state
118.16 bicycle route. It must originate in the city of St. Paul in Ramsey County, then proceed north
118.17 and east to Duluth in St. Louis County, then proceed north and east along the shore of Lake
118.18 Superior through Grand Marais in Cook County to Minnesota's boundary with Canada, and
118.19 there terminate.

118.20 **EFFECTIVE DATE.** This section is effective August 1, 2023.

118.21 Sec. 7. Minnesota Statutes 2022, section 169.18, subdivision 3, is amended to read:

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

118.25 ~~(+)~~ (a) The driver of a vehicle overtaking another vehicle proceeding in the same direction
118.26 ~~shall~~ must pass to the left ~~thereof~~ of the other vehicle at a safe distance and ~~shall not again~~

- 118.27 ~~drive is prohibited from returning~~ to the right side of the roadway until safely clear of the
118.28 overtaken vehicle;
- 118.29 ~~(2)~~ (b) Except when overtaking and passing on the right is permitted, the driver of an
118.30 overtaken vehicle ~~shall~~ must give way to the right in favor of the overtaking vehicle ~~on~~
118.31 ~~audible warning;~~ and ~~shall~~ must not increase the speed of the overtaken vehicle until
118.32 completely passed by the overtaking vehicle; ~~and.~~
- 119.1 ~~(3)~~ (c) The operator of a motor vehicle overtaking a bicycle or individual proceeding in
119.2 the same direction on the roadway ~~shall leave~~ or shoulder must:
- 119.3 (1) either:
- 119.4 (i) maintain a safe clearance distance while passing, but in no case less than which must
119.5 be at least the greater of three feet clearance, when passing the bicycle or individual or
119.6 one-half the width of the motor vehicle; or
- 119.7 (ii) completely enter another lane of the roadway while passing; and shall
- 119.8 (2) maintain clearance until the motor vehicle has safely past passed the overtaken bicycle
119.9 or individual.
- 119.10 **EFFECTIVE DATE.** This section is effective August 1, 2023.
- 119.11 Sec. 8. Minnesota Statutes 2022, section 169.222, subdivision 4, is amended to read:
- 119.12 Subd. 4. **Riding rules.** (a) Every person operating a bicycle ~~upon a roadway shall on a~~
119.13 road must ride as close as practicable to the right-hand curb or edge of the roadway except
119.14 under any of the following situations road as the bicycle operator determines is safe. A
119.15 person operating a bicycle is not required to ride as close to the right-hand curb or edge
119.16 when:
- 119.17 (1) ~~when~~ overtaking and passing another vehicle proceeding in the same direction;
- 119.18 (2) ~~when~~ preparing for a left turn at an intersection or into a private road or driveway;
- 119.19 (3) ~~when~~ reasonably necessary to avoid conditions that make it unsafe to continue along
119.20 the right-hand curb or edge, including fixed or moving objects, vehicles, pedestrians, animals,
119.21 surface hazards, or narrow width narrow-width lanes, that make it unsafe to continue along
119.22 the right-hand curb or edge; or;
- 119.23 (4) ~~when~~ operating on the shoulder of a roadway or in a bicycle lane; or
- 119.24 (5) operating in a right-hand turn lane before entering an intersection.
- 119.25 (b) If a bicycle is traveling on a shoulder of a roadway, the bicycle ~~shall~~ operator must
119.26 travel in the same direction as adjacent vehicular traffic.

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

119.30 (d) A person operating a bicycle upon a sidewalk, or across a roadway or shoulder on a
119.31 crosswalk, ~~shall~~ must yield the right-of-way to any pedestrian and ~~shall~~ give an audible
120.1 signal when necessary before overtaking and passing any pedestrian. ~~No A person shall~~
120.2 must not ride a bicycle upon a sidewalk within a business district unless permitted by local
120.3 authorities. Local authorities may prohibit the operation of bicycles on any sidewalk or
120.4 crosswalk under their jurisdiction.

120.5 (e) An individual operating a bicycle or other vehicle on a bikeway ~~shall~~ must (1) give
120.6 an audible signal a safe distance prior to overtaking a bicycle or individual, (2) leave a safe
120.7 clearance distance when overtaking a bicycle or individual proceeding in the same direction
120.8 ~~on the bikeway,~~ and ~~shall~~ (3) maintain clearance until safely past the overtaken bicycle or
120.9 individual.

120.10 (f) Notwithstanding section 169.06, subdivision 4, a bicycle operator may cross an
120.11 intersection proceeding from the leftmost one-third of a dedicated right-hand turn lane
120.12 without turning right.

120.13 **EFFECTIVE DATE.** This section is effective August 1, 2023.

120.14 Sec. 9. Minnesota Statutes 2022, section 169.222, is amended by adding a subdivision to
120.15 read:

120.16 Subd. 4a. **Stopping requirements.** (a) For purposes of this subdivision, "in the vicinity"
120.17 means located in an intersection or approaching an intersection in a manner that constitutes
120.18 a hazard of collision during the time that a bicycle operator would occupy the intersection.

120.19 (b) A bicycle operator who approaches a stop sign must slow to a speed that allows for
120.20 stopping before entering the intersection or the nearest crosswalk. Notwithstanding
120.21 subdivision 1 and section 169.06, subdivision 4, if there is not a vehicle in the vicinity, the
120.22 operator may make a turn or proceed through the intersection without stopping.

120.23 (c) A bicycle operator who approaches a traffic-control signal with a steady red indication,
120.24 including a circular red signal or red arrow signal, must slow to a speed that allows for
120.25 stopping before entering the intersection or the nearest crosswalk. Notwithstanding
120.26 subdivision 1 and section 169.06, subdivision 5, if there is not a vehicle in the vicinity, the
120.27 operator:

120.28 (1) may make a right-hand turn, or a left-hand turn onto a one-way roadway, without
120.29 stopping; and

120.30 (2) must otherwise perform a complete stop and then may make a turn or proceed through
120.31 the intersection before the traffic-control signal indication changes to green.

- 121.1 (d) Nothing in this subdivision alters the right-of-way requirements under section 169.20.
121.2 The provisions under this subdivision do not apply when traffic is controlled by a peace
121.3 officer or a person authorized to control traffic under section 169.06.
- 121.4 **EFFECTIVE DATE.** This section is effective August 1, 2023.
- 121.5 **Sec. 10. [174.375] ACTIVE TRANSPORTATION ADVISORY COMMITTEE.**
- 121.6 **Subdivision 1. Committee established; duties.** (a) The commissioner of transportation
121.7 must establish an active transportation advisory committee. The advisory committee must
121.8 make recommendations to the commissioner on items related to:
- 121.9 (1) active transportation, including safety, education, and development programs;
121.10 (2) the active transportation program under section 174.38; and
121.11 (3) the safe routes to school program under section 174.40.
- 121.12 (b) The committee must review and analyze issues and needs relating to active
121.13 transportation on public rights-of-way and identify solutions and goals for addressing
121.14 identified issues and needs.
- 121.15 (c) For purposes of this section, "active transportation" includes bicycling, pedestrian
121.16 activities, and other forms of nonmotorized transportation.
- 121.17 **Subd. 2. Membership.** (a) The advisory committee consists of the members specified
121.18 in this subdivision.
- 121.19 (b) The commissioner of transportation must appoint up to 18 public members as follows:
121.20 one member from each of the department's seven greater Minnesota districts; four members
121.21 from the department's metropolitan district; and no more than seven members at large. Each
121.22 of the members at large must represent nonmotorized interests or organizations.
- 121.23 (c) The commissioners of each of the following state agencies must appoint an employee
121.24 of the agency to serve as a member: administration, education, health, natural resources,
121.25 public safety, transportation, and pollution control. The chair of the Metropolitan Council
121.26 must appoint an employee of the council to serve as a member. The director of Explore
121.27 Minnesota Tourism must appoint an employee of the agency to serve as a member.
- 121.28 (d) The division administrator of the Federal Highway Administration may appoint an
121.29 employee of the agency to serve as a member.
- 121.30 (e) Each member of the committee serves a four-year term at the pleasure of the
121.31 appointing authority.
- 122.1 (f) The committee must select a chair from its membership.
- 122.2 **Subd. 3. Meetings; staffing.** (a) The advisory committee must establish a meeting
122.3 schedule and meet at least annually.

- 122.4 (b) The commissioner of transportation must provide department staff support to the
122.5 advisory committee.
- 122.6 **Subd. 4. Expenses.** (a) Members of the advisory committee serve without compensation,
122.7 but members who are not employees of government agencies must be reimbursed for
122.8 expenses in the same manner and amount as authorized by the commissioner's plan adopted
122.9 under section 43A.18, subdivision 2.
- 122.10 (b) To provide compensation under paragraph (a), the commissioner of transportation
122.11 may expend the amount necessary from general fund appropriations.
- 122.12 **Subd. 5. Reports.** The advisory committee must submit an annual report to the
122.13 commissioner of transportation.
- 122.14 **Subd. 6. Expiration.** The advisory committee expires June 30, 2033.
- 122.15 **EFFECTIVE DATE.** This section is effective the day following final enactment. The
122.16 commissioner of transportation must convene the first meeting by October 15, 2023.
- 122.17 Sec. 11. Minnesota Statutes 2022, section 174.38, subdivision 6, is amended to read:
- 122.18 **Subd. 6. Use of funds.** (a) The commissioner must determine permissible uses of financial
122.19 assistance under this section, which are limited to:
- 122.20 (1) construction and maintenance of bicycle, trail, and pedestrian infrastructure, including
122.21 but not limited to safe routes to school infrastructure and bicycle facilities and centers; and
- 122.22 (2) noninfrastructure programming, including activities as specified in section 174.40,
122.23 subdivision 7a, paragraph (b).
- 122.24 (b) Of the amount made available in each fiscal year, the first \$500,000 is for grants to
122.25 develop, maintain, and implement active transportation safety curriculum for youth ages
122.26 five to 14 years old, and if remaining funds are available, for (1) youth ages 15 to 17 years
122.27 old, (2) adult active transportation safety programs, and (3) adult learn-to-ride programs.
122.28 The curriculum must include resources for teachers and must meet the model training
122.29 materials requirements under section 123B.935, subdivision 4.
- 122.30 **EFFECTIVE DATE.** This section is effective August 1, 2023.