

HF3858 - 0 - Active Transportation Related Changes

Chief Author: **Lucille Rehm**
 Committee: **Transportation Finance**
 Date Completed: **3/1/2024 9:48:21 AM**
 Lead Agency: **Public Safety Dept**
 Other Agencies:
 Transportation Dept

State Fiscal Impact	Yes	No
Expenditures	X	
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions shown in the parentheses.

State Cost (Savings)	Biennium			Biennium		
	Dollars in Thousands	FY2023	FY2024	FY2025	FY2026	FY2027
Public Safety Dept						
Restrict Misc. Special Revenue	-	-	6	-	-	-
Transportation Dept						
Trunk Highway	-	-	245	245	245	245
State Total						
Restrict Misc. Special Revenue	-	-	6	-	-	-
Trunk Highway	-	-	245	245	245	245
Total	-	-	251	245	245	245
Biennial Total			251			490

Full Time Equivalent Positions (FTE)	Biennium			Biennium	
	FY2023	FY2024	FY2025	FY2026	FY2027
Public Safety Dept					
Restrict Misc. Special Revenue	-	-	-	-	-
Transportation Dept					
Trunk Highway	-	-	1	1	1
Total	-	-	1	1	1

Lead LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Laura Cecko **Date:** 3/1/2024 9:48:21 AM
Phone: 651-284-6543 **Email:** laura.cecko@lbo.mn.gov

State Cost (Savings) Calculation Details

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

*Transfers In/Out and Absorbed Costs are only displayed when reported.

State Cost (Savings) = 1-2		Biennium			Biennium	
Dollars in Thousands		FY2023	FY2024	FY2025	FY2026	FY2027
Public Safety Dept						
Restrict Misc. Special Revenue		-	-	6	-	-
Transportation Dept						
Trunk Highway		-	-	245	245	245
	Total	-	-	251	245	245
	Biennial Total			251		490
1 - Expenditures, Absorbed Costs*, Transfers Out*						
Public Safety Dept						
Restrict Misc. Special Revenue		-	-	6	-	-
Transportation Dept						
Trunk Highway		-	-	245	245	245
	Total	-	-	251	245	245
	Biennial Total			251		490
2 - Revenues, Transfers In*						
Public Safety Dept						
Restrict Misc. Special Revenue		-	-	-	-	-
Transportation Dept						
Trunk Highway		-	-	-	-	-
	Total	-	-	-	-	-
	Biennial Total			-		-

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Expenditures	X	
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Tax Revenue		X
Information Technology		X
Local Fiscal Impact		
		X

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State Cost (Savings)	Biennium			Biennium		
	Dollars in Thousands	FY2023	FY2024	FY2025	FY2026	FY2027
Restrict Misc. Special Revenue	-	-	6	-	-	-
Total	-	-	6	-	-	-
Biennial Total			6			-

Full Time Equivalent Positions (FTE)	Biennium			Biennium	
	FY2023	FY2024	FY2025	FY2026	FY2027
Restrict Misc. Special Revenue	-	-	-	-	-
Total	-	-	-	-	-

LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Laura Cecko **Date:** 2/23/2024 2:44:54 PM
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State Cost (Savings) Calculation Details

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State Cost (Savings) = 1-2		Biennium			Biennium	
Dollars in Thousands		FY2023	FY2024	FY2025	FY2026	FY2027
Restrict Misc. Special Revenue	-	-	-	6	-	-
Total	-	-	-	6	-	-
Biennial Total				6		-
1 - Expenditures, Absorbed Costs*, Transfers Out*						
Restrict Misc. Special Revenue	-	-	-	6	-	-
Total	-	-	-	6	-	-
Biennial Total				6		-
2 - Revenues, Transfers In*						
Restrict Misc. Special Revenue	-	-	-	-	-	-
Total	-	-	-	-	-	-
Biennial Total				-		-

Bill Description

Relating to transportation; amending requirements related to active transportation, including regulation of electric-assisted bicycles and sales, requirements on complete streets, driver's education, and authority to issue certain citations; amending Minnesota Statutes 2022, sections 169.011, by adding subdivisions; 169.06, subdivisions 5, 6; 169.14, subdivision 2; 169.21, subdivisions 3, 6; 169.222, subdivision 6b; 174.75, subdivisions 1, 2, by adding a subdivision; Minnesota Statutes 2023 Supplement, sections 169.011, subdivision 27; 171.0705, subdivision 2; 171.13, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 325F.

Assumptions

Assume the Department of Public Safety, Driver and Vehicle Services Division (DVS) will revise and update the Class D Driver's Manual upon final enactment of the bill. Assume the revisions and updates to the manual will require changes to approximately eight pages of the Class D Driver's Manual. Assume the current Test Maintenance Committee comprising DVS staff will complete the revisions as part of existing duties and costs will be absorbed by the department.

Assume new version of Class D Driver's Manual will be made available in all existing formats and languages and the new pages will require new translations.

The English language Class D Driver's Manual is translated into nine languages (Somali, Hmong, Russian, Vietnamese, Karen, Dari, Pashto, Ukrainian, and Spanish). Assume changes to the Class D Driver's Manual must be translated into those same nine languages.

Assume DVS will contract with existing vendors at current rates to conduct translations.

Assume Class D manual update translations will cost of \$6,032. (Spanish \$438 + Somali \$766 + Hmong \$613 +

Russian \$503 + Vietnamese \$591 + Karen \$984 + Dari \$649 + Pashto \$700 + Ukrainian \$788 = \$6,032).

The Class D Driver's Manual is also available via audio recording in English. Assume audio recording in English for Class D Driver's Manual can be re-recorded by Minnesota Department of Employment and Economic Development (DEED) at a cost of \$50.

Assume total cost of updates to manual is \$6,082 from the Driver and Vehicle Services Operating Account (\$6,032 + \$50 = \$6,082)

Expenditure and/or Revenue Formula

FY25

Translating Class D manual = 6,032 (translations for Spanish \$438 + Somali \$766 + Hmong \$613 + Russian \$503 + Vietnamese \$591 + Karen \$984 + Dari \$649 + Pashto \$700 + Ukrainian \$788 = \$6,032).

Audio recording in English for Class D Driver's Manual and knowledge test = \$50.

Total Restricted Misc. Special Revenue Fund Driver and Vehicle Services Operating Account FY25 = \$6,082

Long-Term Fiscal Considerations

Local Fiscal Impact

References/Sources

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 Agency: **Transportation Dept**

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Expenditures	X	
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

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Total	-	-	245	245	245	245
Biennial Total			245			490

Full Time Equivalent Positions (FTE)	Biennium			Biennium	
	FY2023	FY2024	FY2025	FY2026	FY2027
Trunk Highway	-	-	1	1	1
Total	-	-	1	1	1

LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Laura Cecko **Date:** 3/1/2024 9:47:42 AM
Phone: 651-284-6543 **Email:** laura.cecko@lbo.mn.gov

State Cost (Savings) Calculation Details

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*Transfers In/Out and Absorbed Costs are only displayed when reported.

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Dollars in Thousands		FY2023	FY2024	FY2025	FY2026	FY2027
Trunk Highway	-	-	-	245	245	245
Total		-	-	245	245	245
Biennial Total					245	490
1 - Expenditures, Absorbed Costs*, Transfers Out*						
Trunk Highway	-	-	-	245	245	245
Total		-	-	245	245	245
Biennial Total					245	490
2 - Revenues, Transfers In*						
Trunk Highway	-	-	-	-	-	-
Total		-	-	-	-	-
Biennial Total					-	-

Bill Description

This bill relates to pedestrians as well as users, sellers and manufacturers of electric-assisted bicycles and powered cycles. The bill narrows definitions for electric-assisted bicycles and requires sellers and manufacturers to inform a consumer of the class of electric bicycle or powered cycle the consumer intends to purchase and/or modify. The bill requires the commissioner to expand drivers education on vulnerable road users as well as include outlined specifications in and maintain implementation guidance for the complete streets policy. The bill prohibits peace officers from accosting pedestrians for not complying with certain crossing law, and the bill sets a speed limit for school zones.

The bill defines “multiple mode electric-assisted bicycle” and “vulnerable road user.” Class D and drivers education classroom curriculum as well as MnDOT’s driver’s manual must now include a section on vulnerable road users with specifics further outlined in the bill. The bill sets specific requirements for the commissioner’s complete streets policy including a subdivision that requires the commissioner to maintain implementation guidance for the policy.

The bill excludes vehicles that have been modified to no longer meet the requirements for an electric-assisted bicycle from the definition of electric-assisted bicycles. The bill includes updates to ensure that multiple mode electric assisted bicycles follow preexisting requirements for all those classes the bicycles can operate within. The bill prohibits a multiple mode electric bicycle equipped with a throttle from being capable of exceeding 20 miles per hour on motorized propulsion alone in any mode when the throttle is engaged. Those who modify electric-assisted bicycles to no longer meet the requirements for the labeled class may remove the inaccurate label instead of replacing it. The electric motor of electric bicycles now only needs to stop when a rider applies the brakes rather than when they stop pedaling unless the vehicle qualifies as class 2.

A peace officer may not stop, detain, or issue a citation to a pedestrian solely for crossing on a yellow or red signal. The same applies for a pedestrian crossing outside of a marked crosswalk between adjacent intersections at which traffic-control signals are in operation. The potential for collision with an oncoming vehicle in either circumstance is the exception. The bill adds a 15-mile-per-hour speed limit to school zones following erection of signs designating the speed limit. A road authority must erect such signs no later than in the normal course of speed limit sign replacement.

The bill adds section 15 which defines “powered cycle” and reiterates related definitions. The section requires electric bicycle sellers to disclose in written form to a consumer certain specifications about the purchased bicycle. The section also prohibits sellers from selling a powered cycle with an electric bicycle classification before providing to a consumer the current or intended classification as well as a statement defining the bicycle as a motor vehicle not an electric bicycle. It is now unlawful to advertise, offer for sale, or sell a powered cycle using electric bicycle descriptors without providing the aforementioned disclosure.

The bill is effective on August 1, 2024 with the exception of the update to the driver’s manual, which is effective the day following final enactment.

Assumptions

MnDOT assumes the Department of Public Safety would bear the fiscal impact of the updates to driver’s education.

Developing and delivering statewide Complete Streets training to MnDOT staff, local partners, and consultants would cost an estimated \$400,000 based on similar work with consultants completing various training programs. This work would be funded through trunk highway fund and be completed in Fiscal Year 2028.

The training would also require staff time to administer the training consultant contract and facilitate technical assistance for implementation with MnDOT staff and partners. MnDOT anticipates 1 FTE at a rate of \$69.54 per hour, including overhead and fringe benefits, would be sufficient to manage these and other responsibilities.

Expenditure and/or Revenue Formula

	FY2025	FY2026	FY2027	FY2028
Developing and Delivering Training (Consultant)	\$100,000	\$100,000	\$100,000	\$100,000
Staff Salary (\$69.54 per hour, including overhead and fringe benefits X 2,080 Hours)	\$144,650	\$144,650	\$144,650	\$144,650
Total	\$244,650 Rounded (\$245,000)	\$244,650 Rounded (\$245,000)	\$244,650 Rounded (\$245,000)	\$244,650 Rounded (\$245,000)
FTE	1.0	1.0	1.0	1.0

Long-Term Fiscal Considerations

None

Local Fiscal Impact

None

References/Sources

MnDOT Office of Transit and Active Transportation

MnDOT Office of Sustainability and Public Health

MnDOT Office of Traffic Engineering

Agency Contact:

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