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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FOURTH SESSION

H. F. No. 3080

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The bill was read for the first time and referred to the Committee on Transportation Finance and Policy

1.1 A bill for an act
1.2 relating to transportation; modifying certain trunk highway project development
1.3 transparency requirements, including to require a transportation project activity
1.4 portal; modifying certain legislative reports; appropriating money; amending
1.5 Minnesota Statutes 2024, sections 161.178, subdivision 1; 174.03, subdivision 12;
1.6 174.07, subdivision 3; 174.56; proposing coding for new law in Minnesota Statutes,
1.7 chapter 174.

1.8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.9 Section 1. Minnesota Statutes 2024, section 161.178, subdivision 1, is amended to read:

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

1.12 (b) "Applicable entity" means the commissioner with respect to a project or portfolio
1.13 for inclusion in the state transportation improvement program or a metropolitan planning
1.14 organization with respect to a project or portfolio for inclusion in the appropriate metropolitan
1.15 transportation improvement program.

1.16 (c) "Assessment" means the impact assessment under this section.

1.17 (d) "Capacity expansion project" means a project for trunk highway construction or
1.18 reconstruction that:

1.19 (1) is a major highway project, as defined in section ~~174.56~~ 174.034, subdivision 1,
1.20 paragraph ~~(b)~~ (c); and

1.21 (2) adds highway traffic capacity or provides for grade separation of motor vehicle traffic
1.22 at an intersection, excluding auxiliary lanes with a length of less than 2,500 feet.

2.1 (e) "Greenhouse gas emissions" includes those emissions described in section 216H.01,
2.2 subdivision 2.

2.3 Sec. 2. Minnesota Statutes 2024, section 174.03, subdivision 12, is amended to read:

2.4 Subd. 12. **Trunk highway performance, resiliency, and sustainability.** (a) The
2.5 commissioner must implement performance measures and targets for the trunk highway
2.6 system in order to construct resilient infrastructure, enhance the project selection for all
2.7 transportation modes, improve economic security, and achieve the state transportation goals
2.8 established in section 174.01.

2.9 (b) At a minimum, the transportation planning process must include:

2.10 (1) an inventory of transportation assets, including but not limited to bridge, pavement,
2.11 geotechnical, pedestrian, bicycle, and transit asset categories;

2.12 (2) establishment of statewide performance measures and targets, reporting of
2.13 performance measure results, and where possible, performance forecasts that are:

2.14 (i) statewide and, where data allow, district-specific;

2.15 (ii) for assets in each asset category specified in clause (1); and

2.16 (iii) identified in collaboration with the public;

2.17 (3) gap identification and an explanation of the difference between performance targets
2.18 and current status; and

2.19 (4) life cycle assessment and corridor risk assessment as part of asset management
2.20 programs in each district of the department.

2.21 (c) At a minimum, the ten-year capital highway investment plan in each district of the
2.22 department must:

2.23 (1) be based on expected funding during the plan period and, to the extent feasible,
2.24 maximize long-term benefits;

2.25 (2) estimate the funding necessary to make optimal life cycle investments;

2.26 (3) identify investments within each of the asset categories specified in paragraph (b),
2.27 clause (1), that are funded through the trunk highway capital program;

2.28 (4) identify specific trunk highway segments programmed to be removed from the trunk
2.29 highway system; and

(5) deliver annual progress toward achieving the state transportation goals established in section 174.01.

~~(d) Annually by December 15, the commissioner must report trunk highway performance measures and targets and identify gaps, including information detailing the department's progress on achieving the state transportation goals, to the chairs and ranking minority members of the legislative committees having jurisdiction over transportation policy and finance. The report must be signed by the commissioner.~~

Sec. 3. **[174.034] TRANSPORTATION PROJECT ACTIVITY PORTAL.**

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

(b) "Analysis activity" means an undertaking to analyze or study a highway or a corridor prior to project identification or as part of project development. Analysis activity includes but is not limited to: (1) planning, assessment, project scoping, project development, land acquisition, environmental review, and project-related public engagement; and (2) a safety study or audit, a corridor analysis or study, a planning study, a feasibility analysis, a purpose and need assessment, or similar assessment or analysis.

(c) "Major highway project" means a highway project that has a total cost for all segments that the commissioner most recently estimates to be at least (1) \$15,000,000 in the metropolitan highway construction district, or (2) \$5,000,000 in any nonmetropolitan highway construction district.

Subd. 2. Portal establishment. The commissioner must maintain a centralized portal on the department's website that provides comprehensive information on highway projects, project development, studies and assessments, and related activity.

Subd. 3. Portal design. The portal must:

(1) provide a geographic information system interface that allows for identification of projects and analysis activity through interactive mapping;

(2) identify:

(i) each trunk highway project that is specified in the state transportation improvement program, excluding general or maintenance set-asides; the statewide multimodal transportation plan; the Minnesota state highway investment plan; or a ten-year capital highway investment plan in a district;

4.1 (ii) each trunk highway project that reached substantial completion in the current or
4.2 previous two calendar years;

4.3 (iii) each trunk highway project that is planned for the ensuing 15 years; and

4.4 (iv) each trunk highway segment or corridor for which the commissioner: (A) is
4.5 undertaking analysis activity; or (B) has completed an analysis activity under subitem (A)
4.6 within the previous five years;

4.7 (3) identify department districts, jurisdictions of local units of government, state and
4.8 local road systems, major geographic features, and relevant local landmarks;

4.9 (4) provide the ability to search, filter, and apply mapping layer visibility based on
4.10 location, dates, status, and common transportation categories;

4.11 (5) present information in a manner that is readily understood by the general public;

4.12 (6) allow for future extension to incorporate local road projects; and

4.13 (7) provide access to the information required under subdivision 4 and the dashboard
4.14 required under subdivision 5.

4.15 Subd. 4. **Information contents.** (a) The commissioner must provide information on the
4.16 department's website for each project or analysis activity identified under subdivision 3,
4.17 clause (2). At a minimum, the information must include:

4.18 (1) a plain language description of the nature and scope of the project or analysis activity;

4.19 (2) as appropriate, the state project number and bridge number;

4.20 (3) as appropriate, an explanation of the project purpose and need;

4.21 (4) at least one map that identifies the project limits, corridor, or general location;

4.22 (5) a timeline that provides any key milestones;

4.23 (6) the primary documentation for the project or analysis activity, including but not
4.24 limited to project layout and design plans, data and results from relevant modeling, and any
4.25 studies or reports;

4.26 (7) a fiscal overview that includes project or analysis activity cost and funding sources;

4.27 (8) notice of any scheduled public meetings, and if testimony is being taken, the ability
4.28 for an individual to arrange to testify;

4.29 (9) details on each previous public meeting, including but not limited to meeting minutes,
4.30 presentations, associated documents, and recordings;

5.1 (10) identification of a project or analysis activity contact; and

5.2 (11) for each major highway project, project details that at a minimum include:

5.3 (i) project purposes relative to objectives in the statewide multimodal transportation
5.4 plan and investment priority areas established in the Minnesota state highway investment
5.5 plan;

5.6 (ii) a history of the project, including but not limited to previous official actions by the
5.7 department or the appropriate area transportation partnership, or both; the date on which
5.8 the project was first included in the state transportation improvement plan; the cost of the
5.9 project at that time; the planning estimate for the project; the engineer's estimate; the award
5.10 price; the final cost as of six months after substantial completion, including any supplemental
5.11 agreements and cost overruns or cost savings; the dates of environmental approval; the dates
5.12 of municipal approval; the date of final geometric layout; and the date of establishment of
5.13 any construction limits;

5.14 (iii) the project's priority listing or rank within its construction district, if any, as well
5.15 as the reasons for that listing or rank, the criteria used in prioritization or rank, any changes
5.16 in that prioritization or rank since the project was first included in a department work plan,
5.17 and the reasons for those changes; and

5.18 (iv) past and potential future reasons for delay in letting or completing the project, details
5.19 of all project cost changes that exceed \$500,000, and specific modifications to the overall
5.20 program that are made as a result of delays and project cost changes.

5.21 (b) The commissioner must maintain and revise the information required under this
5.22 subdivision in a timely manner, and must publish the public meeting information required
5.23 under paragraph (a), clause (8), within two weeks of the meeting.

5.24 Subd. 5. **Fiscal transparency dashboard.** The commissioner must provide a fiscal
5.25 transparency dashboard on the department's website that summarizes fiscal information for
5.26 the current fiscal year and each year in the state transportation improvement program. At a
5.27 minimum, the dashboard must include:

5.28 (1) a summary of total amounts by funding source and for projects;

5.29 (2) identification of total expenditures associated with each objective in the statewide
5.30 multimodal transportation plan under section 174.03, subdivision 1a, and resulting impacts
5.31 on associated performance targets; and

5.32 (3) an overview of expenditures by investment priority area established in the Minnesota
5.33 state highway investment plan under section 174.03, subdivision 1c.

6.1 Subd. 6. **Implementation.** The commissioner must implement the requirements of this
6.2 section by the earlier of January 1, 2027, or completion of necessary information technology
6.3 changes.

6.4 Sec. 4. Minnesota Statutes 2024, section 174.07, subdivision 3, is amended to read:

6.5 Subd. 3. **Exceptions.** This section does not apply to:

6.6 (1) a law that establishes a requirement with general applicability for an agency or
6.7 agencies to submit a report, including but not limited to reports and information under
6.8 sections 14.05, subdivision 5, and 14.116;

6.9 (2) a law that specifies a reporting expiration date or a date for the submission of a final
6.10 report;

6.11 (3) information required by law to be included in a budget submission to the legislature
6.12 under section 16A.11;

6.13 (4) the plans required under section 174.03, subdivisions 1a, 1b, and 1c;

6.14 (5) the forecast information requirements under section 174.03, subdivision 9; and

6.15 (6) the reports required under sections 161.088, subdivision 7; 161.089; 161.3203,
6.16 subdivision 4; 165.03, subdivision 8; ~~174.03, subdivision 12;~~ 174.185, subdivision 3;
6.17 174.247; 174.56, subdivisions 1 and 2; and 174.75, subdivision 3.

6.18 Sec. 5. Minnesota Statutes 2024, section 174.56, is amended to read:

6.19 **174.56 REPORT ON MAJOR HIGHWAY PROJECTS, TRUNK HIGHWAY**
6.20 **FUND PERFORMANCE, EXPENDITURES, AND EFFICIENCIES.**

6.21 Subdivision 1. **Report required.** ~~(a)~~ The commissioner of transportation ~~shall~~ must
6.22 submit a report by December 15 of each year on ~~(1) the status of major highway projects~~
6.23 ~~completed during the previous two years or under construction or planned during the year~~
6.24 ~~of the report and for the ensuing 15 years, (2) trunk highway fund expenditures, and (3)~~
6.25 ~~efficiencies achieved during the previous two fiscal years~~ trunk highway system performance
6.26 and department activity.

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

7.1 ~~Subd. 2. Report contents; major highway projects.~~ For each major highway project
7.2 the report must include:

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

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

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

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

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

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

7.25 Subd. 2a. **Report contents; trunk highway fund expenditures.** The commissioner
7.26 ~~shall~~ must include in the report:

7.27 (1) a review of trunk highway performance measures and targets under section 174.03,
7.28 subdivisions 1c and 12, including identification of gaps;

7.29 (2) details on the department's progress on achieving the state transportation goals under
7.30 section 174.01;

7.31 (3) the annual budget for products and services for each Department of Transportation
7.32 district and office, including a comparison to actual spending and measures of productivity
7.33 for the previous fiscal year;

8.1 (4) information on the total expenditures from the trunk highway fund during the previous
8.2 fiscal year, which must include:

8.3 (i) a breakout for each Department of Transportation district, in the following categories:
8.4 road construction; planning; design and engineering; labor; compliance with environmental
8.5 regulations; administration; acquisition of right-of-way, including costs for attorney fees
8.6 and other compensation for property owners; litigation costs, including payment of claims,
8.7 settlements, and judgments; maintenance; and road operations; and

8.8 (ii) any other categories or information identified by the commissioner to provide for
8.9 expenditure overlap across the categories under item (i) and comparison to other fiscal
8.10 reporting; and

8.11 (5) efficiencies achieved during the previous two fiscal years.

8.12 Subd. 3. **Department resources.** The commissioner ~~shall~~ must prepare and submit the
8.13 report with existing department staff and resources.

8.14 ~~Subd. 4. **Availability of information.** The commissioner must maintain an Internet~~
8.15 ~~website that displays information for each major highway project. At a minimum, the~~
8.16 ~~information must include the report contents identified in subdivision 2.~~

8.17 Sec. 6. **APPROPRIATION; PROJECT ACTIVITY PORTAL.**

8.18 \$..... in fiscal year 2026 is appropriated from the trunk highway fund to the commissioner
8.19 of transportation to implement the requirements under Minnesota Statutes, section 174.034.