



constitutes an increase in the base appropriation).

## **Article 2: Transportation Policy**

### **Overview**

This articles contains various transportation policy provisions, including: prohibiting certain acts at rest stops; establishing memorial highways; making changes to traffic regulations at intersections; modifying towing authority; amending Minnesota Department of Transportation (MnDOT) mission and goals; adding requirements concerning driver’s license recordkeeping; modifying membership on a commuter rail committee; regulating certain carriers who transport rail passengers; and modifying a loan program for land acquisition.

- 1     **Mitigation of transportation construction impacts on business.** Amends a 2009 provision to require a transportation authority to designate a business liaison in cases of substantial business impacts caused by transportation construction work, to include rail transit projects. Exempts the Central Corridor light rail transit line from the requirements.
  
- 2     **Prohibited activities at rest areas.** Prohibits certain acts at rest stops, which include:
  - Failure to dispose of travel-related trash except if depositing in a designated receptacle;
  - Dumping household or commercial trash; and
  - Draining or dumping refuse, except for trash intended for waste receptacles.

Violation of the prohibitions is a petty misdemeanor (which carries no prison sentence and a maximum fine of \$300).
  
- 3     **Clearwater County Veterans Memorial Highway.** Clarifies the route for a named highway established in the 2009 session.
  
- 4     **Veterans Memorial Highway.** Designates a segment of Trunk Highway 200 from the North Dakota border to Mahnommen as the “Veterans Memorial Highway.”
  
- 5     **Becker County Veterans Memorial Highway.** Designates segments of marked Trunk Highways 34 and 87 in Becker County as the “Becker County Veterans Memorial Highway.”
  
- 6     **Granite City Crossing.** Officially names the bridge over the Mississippi River on marked Trunk Highway 23 in St. Cloud the “Granite City Crossing.” Signs must be paid for by nonstate sources.
  
- 7     **Prioritization of bridge projects.** Requires bridge projects in the trunk highway bridge improvement program to include bicycle and pedestrian accommodations if the bridge is in a city or if it links walkways, paths, trails, or bikeways. Exceptions can be made if an assessment shows no need for bicycle or pedestrian accommodations, or if there is a bicycle and pedestrian crossing within one-quarter mile of the bridge. Pedestrian facilities must meet federal accessibility requirements.

- 8 Statewide transportation planning report.** Requires the commissioner of transportation’s statewide transportation planning report to include analysis of compliance with accessibility requirements.
- 9 Special plates.** Defines “special plates” in the chapter on vehicle registration and plates.
- 10 Eligibility; combat wounded plate.** Authorizes issuance of special “combat wounded” plates to a recipient of the purple heart medal whose service qualifies the person to be a *veteran* but who continues to serve in active military service and thus, technically, is not yet a *veteran* (pending discharge from the military, or separation from active duty). Directs the commissioner of public safety to distribute information to deputy registrars on how to determine proof of eligibility required of an applicant who is a serving member of the military (since a service member in active duty status generally would not yet have been issued a DD-214 discharge paper).
- 11 Certain special plates; authorization, discontinuance.** Makes various changes and clarifications to the requirements governing new special plates being proposed and recently enacted.

**Subd. 1. Definition.** Defines terms. “New special plate” or “proposed special plate” is a special plate that does not yet exist in law and is proposed to the legislature in a bill or amendment.

**Subd. 1a. Establishment of plate.** Clarifies that special plates can only be established under law, except in the case of additional or alternative designs for an existing plate.

**Subd. 2. Submissions to commissioner.** Clarifies that certain procedures for requesting or proposing a new special plate apply to all proponents of the plate. Waives the \$20,000 application fee if the proposed special plate legislation contains a mechanism for Driver and Vehicle Services (DVS) to recoup its administrative costs in implementing the plate.

**Subd. 2a. Information for legislature.** Requires that DVS provide a briefing to the legislature on all special plate bills covering whether the application requirements have been met, and that DVS seek to provide testimony on the special plate application when the plate is discussed at a legislative hearing.

**Subd. 3. Design; redesign.** Makes conforming changes.

**Subd. 4. Refund of fee.** Makes conforming changes.

**Subd. 5. Discontinuance of plate.** Applies discontinuance provisions to all future special plates that are established, which directs DVS to (1) discontinue special plates if there are fewer than 1,000 issued in its first six years or in any subsequent two-year period, and (2) discontinue special plates for various reasons related to any required donation associated with the plate. Clarifies that the discontinuance applies to future issuances of plates and duplicates, so that people already having a discontinued plate can keep it on their vehicle for the remaining normal length of time (typically seven years total).

**Subd. 6. Use of contributions.** Applies a contributions provision to all future

special plates that are established, so that contributions made in association with a special plate can not be spent for commercial or for-profit purposes.

**Subd. 7. Deposit of fee; appropriations.** No changes made.

- 12 Deputy registrars.** Eliminates a 2012 sunset for a private corporation to be able to be appointed as a deputy registrar to handle motor vehicle registration and titling transactions, and makes conforming changes. Authorizes non-profits to become deputy registrars. Under current law, after January 1, 2012, a private corporation will not be able to become a deputy registrar; certain previously appointed deputy registrars can only be removed for cause.
- 13 Written notice of impound.** Deals with the notice an impound lot operator must provide to the impounded vehicle owner. This section removes the requirement that the lot operator include in the notice a statement that the person with a household income below a stated threshold is eligible to retrieve contents from an impounded vehicle.
- 14 Retrieval of contents.** Removes the household income threshold from the conditions of owner eligibility to retrieve contents from an impounded vehicle.
- 15 Towing prohibited.** Deletes the four-hour waiting period before a vehicle may be towed for expired registration or multiple unpaid parking tickets. (Much of the language in the provision is moved from a subdivision that is being repealed in section 36 of the bill.)
- 16 Impeding traffic; intersection gridlock.** Prohibits driving into an intersection controlled by a signal light until the vehicle is able to move completely through without blocking cross traffic, with exceptions: (1) under direction by a traffic control agent or peace officer, (2) to accommodate an emergency vehicle, and (3) to make a turn. This provision goes into effect January 1, 2011.
- 17 Use of shoulders by buses.** Expands MnDOT's authority to authorize use of shoulders on divided highways, so that such use can be allowed throughout the state by certain transit buses and motor carrier buses. Under current law, the authority is restricted to the seven-county metropolitan area.
- 18 Prohibitions generally; exceptions.** Authorizes mounting driver feedback and safety-monitoring equipment behind or near the rearview mirror.
- 19 Six-axle vehicles.** Retroactively corrects an internal statutory reference.
- 20 Cargo tank vehicles.** Exempts from seasonal weight restrictions imposed by MnDOT cargo tank vehicles with two or three permanent axles when they are delivering propane for heating or dyed fuel oil if the tank is loaded at a maximum of 50 percent capacity. To be exempt, a cargo tank vehicle used for propane must: utilize the forward two tank compartments; have a gauge on the tank that shows propane content; and, if it carries dyed fuel oil, must carry documentation of the empty weight of the cargo tank vehicle. To the extent practicable, exempt vehicles must complete deliveries on restricted roads by noon and before the last week of April.
- 21 Department created.** Amends the section of statute that creates the Department of Transportation to add the purpose of creating an integrated transportation system, including walking and bicycling facilities.

- 22 Transportation goals.** Amends the goals for the state's transportation system to consist of minimizing fatalities and injuries, increasing access, ensuring economic well-being and quality of life, enhancing economic development, enhancing appeal of tourist destinations, providing transit services to all counties, promoting accountability, ensuring maintenance of the system, and increasing walking, bicycling, and use of transit as a percentage of all trips.
- 23 Mission; efficiency; legislative report; recommendations.** Includes in MnDOT's mission the reduction of greenhouse gas emissions.
- 24 [174.285] Minnesota Council on Transportation Access.** Creates the Minnesota Council on Transportation Access to improve coordination, availability, cost-effectiveness, and safety of transit services to the transit-dependent. The section establishes the duties and membership of the council and requires an annual report beginning in 2012. The section expires June 30, 2014.
- 25 Commuter Rail Corridor Coordinating Committee.** Modifies membership of a MnDOT committee to provide advice on commuter rail, to include two ex-officio members from labor organizations that are involved with freight and commuter rail lines (one appointed by the House and one by the Senate).
- 26 Track safety standards; safety technology grants.** Directs the commissioner of transportation to apply in timely fashion to the Federal Railroad Administration for railroad safety technology grants. The commissioner must solicit grant requests from eligible railroads and prioritize grant requests for installation of switch indicator signals where posted speeds are over 20 mph and apply annually for grant funding until all nonsignalized track territory in the state has switch indicator signals installed and in operation. The commissioner must report to the legislative transportation chairs acceptance by a class I or class II railroad of federal grant program funding.
- The section requires participating railroads to: provide the 20 percent nonfederal match; cooperate with the commissioner by providing technical documentation; and install rail safety technology obtained under this section in compliance with federal requirements.
- 27 Motor carrier of railroad employees.** Defines “motor carrier of railroad employees” as a motor carrier that provides transport of railroad employees under contract with a class I or class II railroad, using vehicles that can transport seven or fewer people including the driver.
- Carriers who transport people for-hire in vehicles that can carry eight or more persons (including the driver) are regulated under current law as motor carriers of passengers.
- 28 Small vehicle passenger service.** Excludes a motor carrier of railroad employees from the definition of “small vehicle passenger service,” which is a category that encompasses taxis and is regulated by local units of government rather than the state.
- 29 [221.0255] Motor carrier of railroad employees.** Establishes regulations for motor carriers of motor carrier of railroad employees, similar to other motor carriers, including:
- Licensing and physical examination
  - Annual training and certification

- Background checks and annual driver's license verification
- Liability insurance
- Certain restrictions of allowed drivers based on past convictions
- Mandatory controlled substance and alcohol testing
- Hours of service requirements

States that motor carriers of railroad carriers are subject to the section of statute dealing with violations and misdemeanors committed by motor carriers.

- 30 Municipality.** Modifies the definition of “municipality” that applies to sections of law relating to zoning, which has the effect of extending certain zoning authority to airport authorities.
- 31 Loans for acquisition and relocation.** Broadens the capability of the Metropolitan Council to be able to make loans to counties, cities, and towns to purchase homestead property in anticipation of a trunk highway project. It removes a requirement that the property owner has to be facing certain hardship circumstances, and allows purchase of manufactured homes. Loans under this provision are part of the right-of-way acquisition loan fund (RALF) program.
- 32 Use of public roadways and appurtenances.** Allows Metropolitan Council buses to use parkways adjacent to the city of Minneapolis for regular route transit service, subject to permission of a joint board consisting of two representatives of the Metropolitan Council, two representatives of the park board, and a fifth member jointly selected by the other members. The joint board must also include one member from the council of the contiguous city who is non-voting.
- 33 Towed motor vehicles.** Makes a conforming change related to towing language changes in section 15.
- 34 Nullification of expedited town road extinguishment.** Modifies a 2008 law that nullified certain abandonment of town roads by towns. The provision clarifies the criteria for when the nullification is to take place, so that the state or a political subdivision may have either itself constructed or paid the costs of construction of a road or bridge improvement within the right-of-way.
- 35 Additional deputy registrar of motor vehicles for city of Farmington.** Directs the commissioner of public safety to appoint a municipal deputy registrar for the city of Farmington, subject to local approval by the city.
- 36 Repealer.** Repeals two statutory subdivisions related to towing that are superseded by the towing authority language in section 15.
- 37 Effective date.** Makes the provisions in this article effective August 1, 2010, unless another date is specified.