

HOUSE RESEARCH

Bill Summary

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Article 1 - Transportation Policy

Overview

This article makes numerous changes in transportation policy, including:

- ▶ new restrictions on tolls and toll facility development
- ▶ direction to MnDOT to begin studying a second beltway around the metropolitan area
- ▶ requiring MnDOT to consider shoulder bus lanes in residential areas in its criteria for noise walls and other sound abatement measures
- ▶ requiring MnDOT to study some rural trunk highways to determine if their speed limits can safely be raised from 55 to 60 miles per hour, and rural Interstate highways to see if their speed limits can safely be raised from 70 to 75 miles per hour
- ▶ setting the speed limit on I-35E in St. Paul at 55 miles per hour
- ▶ authorizing gross vehicle weights for 6-axle combinations carrying livestock on non-Interstate trunk highways, with a \$200 annual permit
- ▶ authorizing vehicles hauling forest products to have gross vehicle weights of 90,000 pounds with permit
- ▶ allowing day activity center to have some school bus warning equipment
- ▶ extending duration of instruction (learner's) permits from one to two years
- ▶ allowing commercial vehicle disqualification for certain violations committed in private vehicles

- ▶ designating public safety radio operators as essential employees
 - ▶ requiring MnDOT to prepare a 20-year state aviation plan
 - ▶ allowing the Department of Public Safety's driver and vehicle services division to seize property when used in driver license fraud
 - ▶ directing Metro Mobility to establish a taxi-fare subsidy program for persons denied same-day reservations
 - ▶ requiring MnDOT to use centerline rumble strips in rural two-lane highway improvements
 - ▶ repealing the "seat belt gag" law
- 1 1** **Second beltway.** Requires MnDOT to evaluate principal arterial corridors surrounding the metropolitan area with attention to evaluating them in the context of planning for a second beltway around the area. Requires coordination with the Metropolitan Council's transportation policy plan. Requires a report to the legislature by January 1, 2005, including an evaluation of feasibility and desirability of a comprehensive plan for a second beltway.
- 2 2** **St. Cloud transportation planning.** Requires MnDOT to evaluate further development of the transportation component of the St. Cloud area transportation planning district plan. Requires the development of the transportation component to include resolution of the conceptual design for the area's roadway and transit systems and feasibility and desirability of developing a St. Cloud beltway.
- 3 3** **Rumble strips.** Directs MnDOT to conduct a study of the feasibility and desirability of including centerline rumble strips in construction, reconstruction, or resurfacing of two-lane trunk highways outside urban districts where the design speed is 55 m.p.h. or more, and insuring that county-state aid projects on two-lane county state-aid highways outside urban districts where the design speed is 55 m.p.h. or more include centerline rumble strips. Requires a report by January 5, 2005. Requires formation of advisory committee with representatives of MnDOT and the county engineers.
- 4 4** **Metro mobility premium paratransit.** Requires the Metropolitan Council to establish a premium paratransit service for certified Metro Mobility riders who have been denied same-day reservations. Requires the council to contract with taxi companies and other small-vehicle passenger service providers for the program. Provides that under the program the rider pays the first \$7 of the fare, the council pays the next \$13, and the rider pays the remainder. Prohibits the council from entering into provider contracts for Metro Mobility that are in effect in FY 2006 or 2007 until the report has been submitted.
- 5 5** **Central mailing system.** Allows the commissioner of administration to approve performance of mail-related functions by a state agency outside the state's central mailing system if it would further program effectiveness, better use of services, or greater efficiency or economy.
- 6 6** **County proposal for toll facility.** Allows a road authority to solicit or accept proposals for toll facilities from counties.
- 7 7** **Informational meeting.** Requires the commissioner of transportation to make a proposed development agreement for a toll facility available for a reasonable period of time before the required public hearing on the agreement.
- 8 8** **Non-compete clauses.** Prohibits a toll facility agreement from containing a provision that prohibits a road authority from constructing or maintaining a highway within its

jurisdiction, or that prohibits or restricts transit facilities and services.

9 9 Planning requirements. Imposes new planning requirements on toll facilities.

Subd. 1. STIP. Prohibits MnDOT from making a development agreement for a toll facility unless the facility is included in the Statewide Transportation Improvement Program for the year in which construction will begin.

Subd. 2. Biennial report. Requires MnDOT to send a status report on toll facility activities to legislative transportation committees every even-numbered year.

Subd. 3. Report of toll facility corridor selection. Requires MnDOT to report to legislative committees each time it selects a corridor for solicitation of toll facility proposals.

10 10 Limit on collection of tolls. Allows tolls to be collected only until all costs related to construction, including right-of-way and debt service, have been paid. Allows tolls to be used only for construction, maintenance, and operation costs of the facility.

11 11 Limit on number of agreements. Allows MnDOT to make not more than 2 toll facility development agreements until July 1, 2006.

12 12 Compatibility of collection systems. Requires MnDOT to take steps to insure that toll facilities use only electronic toll collection systems, and that collection systems in the state are compatible with each other.

13 13 Sound abatement measures. Requires MnDOT to consider in its criteria for sound abatement measures the presence of bus shoulder lanes in residential areas.

14 14 Weights in excess of registered weight. Amends the law that exempts vehicles hauling unfinished forest products from penalties for exceeding registered gross weight if the weight is not more than 5 percent above the registered gross weight, by making the exemption not apply during periods of winter weight increases. The change means that during the winter weight increase periods the allowance for these vehicles would be 4 percent.

15 15 Registration denial for prohibited vehicle. Requires the Department of Public Safety to refuse to register a vehicle that is assigned to a motor carrier that has been prohibited by a federal agency from operating in interstate commerce. Allows the department to revoke the registration of a vehicle assigned to such a carrier. Allows reinstatement of registration if the federal prohibition is rescinded.

16 16 Dealer bonds. Reduces from \$50,000 to \$5,000 the bond required for dealers in trailers with a manufacturer's rated carrying capacity below 15,000 pounds and designed to transport sham construction or farm machinery.

Exempts dealers in such trailers from bonding regardless of carrying capacity if their annual sales are below \$500,000, or in the case of new dealers if the Department of Public Safety reasonably determines that their first-year sales will be below \$500,000.

17 17 Notice of vehicle removed from state. Deletes the requirement that a motor vehicle dealer who buys a vehicle for resale must procure the title from the seller in order to avoid the necessity of applying for a new title.

Requires dealers who sell a vehicle for removal from the state to remove the plates, issue a 31-day temporary permit, and notify the Department of Public Safety of the

removal within 48 hours of the sale. Allows a dealer to contract with a deputy registrar to make the notification, and allows the deputy registrar to charge a \$7 fee for the service.

18 18 **Notice of vehicle held for resale.** Requires a dealer who acquires a vehicle that is already registered and titled in Minnesota to notify the department within 48 hours of the acquisition that the dealer is holding the vehicle for resale. Allows a dealer to contract with a deputy registrar to make the notification, and allows the deputy registrar to charge a \$7 fee for the service.

19 19 **Recreational vehicle combination.** Redefines "recreational vehicle combination" to allow the third vehicle in a 60-foot recreational vehicle combination to be a trailer carrying equestrian equipment and supplies. Changes the second vehicle in the combination from a camper-semitrailer to a recreational trailer.

20 20 **Speed limit on I-35E.** Directs MnDOT to set a speed limit of 55 m.p.h. on Interstate highway 35E between West 7th Street and I-94 in St. Paul, unless the department determines on the basis of an engineering and traffic investigation that a different speed limit is reasonable and safe. Makes any violation of the limit unlawful.

21 21 **Bus driver duty of care.** Provides that the duty of care of a driver of a public transit bus to a passenger, including passengers who are K-12 pupils, applies only when the passenger is on the bus or embarking or disembarking. Specifies that the duty of care owed by a driver of a paratransit vehicle to a passenger, including K-12 pupils, applies only when the passenger is on the bus or embarking or disembarking, and also as provided in the local passenger assistance policy.

Specifies that at other times the passenger is a pedestrian, and that the bus driver owes the passenger only the same duty of care the bus driver owes to other pedestrians.

Defines "public transit" as "general or specific transportation service provided to the public on a regular and continuing basis." Defines "paratransit" as transportation on a regular and continuing basis other than regular route, including car pool and commuter van, point deviation and route deviation services, shared-ride taxi service, dial-a-ride service, and other similar services.

22 22 **Day activity center buses.** Allows a vehicle used to transport adults to and from a day activity center to have use of prewarning flashing amber signals (of the type used on school buses) and a stop-arm if:

- the driver has a school bus endorsement
- the vehicle picks up and drops off passengers at locations predesignated by the center
- the vehicle is prominently marked as a day activity center bus
- the name, address, and telephone number of the operator is identified on the front door
- the vehicle is painted school bus yellow

Makes the duty of care of motorists toward a school bus apply to these vehicles. Makes school bus driver duty of care applicable to drivers of these vehicles except where

inapplicable.

23 23 **Recreational vehicle combinations.** Amends the law allowing operation of recreational vehicle combinations to incorporate the definition change in section 19.

24 24 **Articulated buses.** Allows a motor carrier of passengers to operate an articulated bus up to 61 feet without a permit.

25 25 **Livestock haulers.** Allows vehicles and combinations hauling livestock and having 6 or more axles to have a gross vehicle weight of 88,000 pounds on non-Interstate trunk highways, if they have a \$200 annual permit.

26 26 **Gross weight limits on vehicle hauling forest products.** Allows a vehicle or combination hauling raw or unfinished forest products by the most direct route to the nearest ten-ton highway, to be operated under an annual permit on any nine-ton route with gross vehicle weight up to 90,000 pounds, or 98,000 pounds during winter weight increases, except that:

- seasonal weight limits must be observed
- road and bridge postings must be observed
- operation is not permitted on interstate highways
- a permit is required under section 27

27 27 **Permits.** Allows a \$200 annual permit for livestock-hauling vehicles operating at 88,000 pounds gross weight under section 25 at a fee of \$200.

Provides for a \$300 annual permit for vehicles hauling forest products under section 26. Provides allocation of revenue from the fee:

- **FY 2005 through 2010, first \$50,000 to the trunk highway fund, remainder to a special revenue account appropriated to the commissioner of transportation for local bridge inspection, identification of local bridges requiring posting, erection of posting signs**

- **FY 2011 and after, 100 percent to trunk highway fund**

- **28** **Vehicles transporting milk.** Allows, until June 1, 2005, a vehicle transporting milk to exceed seasonal weight restrictions if the vehicle is carrying milk from only one farm to the point of processing, except that such a vehicle may not exceed a five ton per axle weight restriction by more than two tons.

- **29** **Recycling and garbage-hauling vehicles, weight limits.** Provides that until July 1, 2005, seasonal weight limits (both statutory and posted) for trucks do not apply to garbage trucks that collect municipal mixed solid waste if they do not exceed 7 tons per axle. After that date these vehicles would go back to being subject to spring weight restrictions.

Amends the existing law that allows recycling vehicles engaged in locally-mandated curbside pickup to carry up to 10 tons per axle during spring weight restrictions, by reducing their maximum legal axle load to 7 tons until July 1, 2005. After that date the maximum legal axle load for these vehicles during spring weight restrictions would

revert to 10 tons.

Provides that violations of spring weight restrictions by either recycling or garbage trucks are not subject to criminal penalties but only to civil fines for overweight.

- **30 Uniform traffic ticket.** Amends the law that requires a space on the uniform traffic ticket for the citing officer to indicate that a violation of a 55 m.p.h. speed limit was not more than 10 m.p.h. over the limit, by:
 - adding a space to indicate that a violation of a 60 m.p.h. limit was not more than 5 m.p.h. over the limit
 - adding a space to indicate that a violation of a 65 or 70 m.p.h. limit was not more than 10 m.p.h. over the limit
- **31 Duration of learner's permits.** Extends from one to two years the duration of a learner's permit issued to a person age 18 or older.
- **32 Duration of learner's permits.** Extends from one to two years the duration of a learner's permit issued to a person under age 18.
- **33 Driving record.** Amends the law that prohibits placing on a driving record a violation of a 55 m.p.h. speed limit that was not more than 10 m.p.h. over the limit, by:
 - prohibiting placing on the record a violation of a 60 m.p.h. limit that was not more than 5 m.p.h. over the limit
 - prohibiting placing on the record a violation of a 65 or 70 m.p.h. limit that was not more than 10 m.p.h. over the limit
- **34 Commercial vehicle disqualifications, first offense.** Amends the law that allows the Department of Public Safety to disqualify for a year a commercial vehicle driver who commits a disqualifying offense (DWI, leaving the scene, any felony, driving after revocation or disqualification, causing death through negligent or criminal operation of commercial vehicle) in a commercial vehicle, by expanding it to include disqualifying offenses committed in any motor vehicle.
- **35 Commercial vehicle disqualifications, serious traffic violation.** Amends the law that allows the Department of Public Safety to disqualify for a year a commercial vehicle driver who commits a serious traffic violation in a commercial vehicle, by expanding it to include serious traffic violations committed in any motor vehicle.
- **36 Adoption of federal regulation.** Adopts by reference federal regulations governing disqualification of commercial vehicle drivers.
- **37 Reinstatement fee.** Deletes a reference to paying a reinstatement fee for a driver's license revoked for failure to maintain insurance. (Licenses that are revoked are not reinstated but must be reissued.)
- **38 Hazardous materials endorsement.** Requires applicants for a hazardous materials endorsement on a driver's license to comply with federal regulations governing such transportation. Allows the Department of Public Safety to charge a fee of up to \$100 for the actual costs of conducting a background check on endorsement applicants. Provides for deposit of the fee in the special revenue fund and appropriates the proceeds to the department for the cost of the background checks. Allows the department to adopt rules to implement this section.

- **39** **Promotion of bicycle commuting.** Requires MnDOT to promote bicycle commuting by, among other things, considering it in design of transportation facilities, and encouraging employers to insubsidize it and include design elements in their buildings that facilitate it.
- **40** **Ten-ton road plan.** Requires MnDOT to develop a plan for a statewide system of ten-ton county and county state-aid highways to, in order of priority:
 - support MnDOT's interregional corridor system
 - provide greater efficiencies for agriculture, forestry, and other industries in transporting products to market
 - provide new and existing industries with new growth opportunities
- **41** **Essential employee.** Designates state employees who are public safety radio communications operators as "essential" employees for purposes of the Public Employment Labor Relations Act (PELRA).

(Essential employees do not have the right to strike. At the request of the employer or the exclusive representative, impasses in bargaining are resolved through arbitration.)

Effective July 1, 2004.

- **42** **Bargaining unit.** Creates a new state bargaining unit, containing the employees who are designated essential employees under the previous section. Effective July 1, 2004.
- **43** **Citation quotas.** Extends to all law enforcement agencies the current prohibition against the State Patrol ordering, mandating, requiring, or suggesting a traffic citation quota for state troopers. Extends the prohibition to include commercial vehicle inspectors and law compliance representatives.
- **44** **State aviation plan.** Requires MnDOT to prepare a 20-year state aviation plan addressing key and intermediate airports in Minnesota. Requires consultation with Metropolitan Airports Commission in preparing the plan. Requires the plan to be adopted by January 1, 2006, and updated every five years thereafter.
- **45** **Seizure of property.** Adds the driver and vehicle services division of the Department of Public Safety to the list of state and local agencies that may seize property associated with certain offenses. Allows the agency to seize property only as a result of fraud and other unlawful acts relating to driver's licenses.
- **46** **Transition.** Requires the Commissioner of Mediation Services to assign job classifications and positions to the bargaining unit established under section 42. Provides for current terms and conditions of employment to remain in effect pending negotiations on a successor agreement. Provides for the current exclusive representative to remain in place.
- **47** **Report; engineering and traffic investigations.** Requires MnDOT to conduct engineering and traffic investigations on (1) non-Interstate trunk highways that have U.S. highway numbers and a speed limit of 55 m.p.h, and (2) Interstate highways that have a speed limit of 70 m.p.h.

Requires MnDOT to designate a speed limit of 60 m.p.h. on highways described in clause (1), and 75 m.p.h. on highways described in clause (2), if the engineering and

traffic investigation shows that such a limit is reasonable and safe.

Requires MnDOT to report to legislative transportation policy and finance committees by February 1, 2005, on each such investigation and its outcome.

- **48** **Weight increases not to affect bridge postings.** Provides that the additional gross weights allowed under sections 25 and 26 do not allow operation in violation of posted weights on bridges.
- **49** **Northstar commuter coach.** Directs MnDOT to attempt to do everything possible to continue the Northstar commuter coach for another year, including raising fares.
- **50** **Repealer.** Repeals the law that prohibits introduction of evidence of use or failure to use a seat belt in any civil action for damages arising from a motor vehicle accident. Effective July 1, 2005, for actions commenced on and after that date.

Article 2 - Land Management

Overview

This article makes various changes in the law government the acquisition and management of property acquired for transportation purposes. It also makes a broader change in condemnation law to set a heightened standard of evidence of public purpose when land is taken for conveyance to an entity that does not have condemnation authority, and allows recovery of legal costs in cases where public purpose is not found.

- 1 1** **Appraisal data.** Provides that appraised values of individual parcels of land that are made by an appraiser who is working for a landowner who has received an offer from the state to buy the land is private data on individuals or nonpublic data.

(Under current law "nonpublic data" is data that does not identify an individual and that is available only to the subject of the data.)

Deletes the requirement that land appraisals by government agencies for land acquired by eminent domain for transportation projects become public data when the negotiating parties exchange appraisals or the appraisal data is submitted to the owner.

- 2** **Property acquisition for transportation projects.** Amends the 2003 law that regulates acquisition of property for transportation projects. Provides for obtaining appraisals on land required for transportation projects.

Subd. 1. Application. No change.

Subd. 2. Appraisal. Requires an acquiring authority to obtain at least one appraisal for property being acquired before acquiring an interest in the property, rather than before beginning condemnation procedures as under current law. Requires the acquiring authority to provide the fee owner or contract purchaser with a copy of the appraisal at least 20 days before filing a condemnation petition with the court.

Expands the requirement that the acquiring authority's appraiser confer with one or

more of the owners if possible, by specifying that "owners" means fee owners and by making the requirement apply to contract purchasers of the property as well.

Requires the acquiring authority to make available to the fee owner or contract purchaser all appraisals of the property on their request.

Requires the acquiring authority to pay reimbursement of appraisal fees to the fee owner or contract purchaser within 30 days of receiving the owner's appraisal. Allows payment of the reimbursement directly to the appraiser.

Subd. 3. Negotiation. Requires the acquiring authority in making the negotiation to consider appraisals obtained and furnished by the fee owner or contract purchaser if they are available .

Subd. 4. Commissioners' hearing. Provides that an owner's appraisal may not be used or considered in the condemnation commissioner's hearing unless a copy of the owner's appraisal has been given to the acquiring authority at least 5 days before the hearing.

Provides that an acquiring authority's appraisal may not be used or considered in the condemnation commissioner's hearing unless a copy of the authority's appraisal has been given to the owner or contract purchaser at least 5 days before the hearing.

Subd. 5. Information prepared. Requires the commissioner of transportation, in consultation with the attorney general and professional appraisers' associations, to prepare a two-page publication setting out the eminent domain process and property owner rights. Requires the commissioner to make the publication available to all persons whose property has been appraised by the department.

3 Necessity of taking. Establishes a heightened standard of proof for condemnation of property for transfer to an entity that does not have eminent domain authority. Requires the acquiring authority to prove by preponderance of the evidence that the proposed taking is reasonably necessary and authorized by law, and that the final use of the property is for a primarily public purpose.

Permits a landowner to recover attorney fees and other costs and expenses if the court denies the taking under the heightened standard of proof.

Excludes from these provisions public service corporations (utilities and railroads), cooperatives, the Metropolitan Council's environmental services division, and municipal utilities.

Provides that the above provisions are effective August 1, 2004, and apply to takings for which the acquiring authority obtained its first appraisal on or after that date.

4 Preserving corners. Makes various technical and substantive changes in marker preservation law.

Subd. 1. Technical. Makes technical and stylistic changes.

Subd. 2. Manner of placement. Deletes specific size requirements for corner markings and witness monuments placed to mark section and quarter-section corners when the original markers are destroyed or obliterated by highway construction or maintenance. Requires such markers to be placed in such a way that they will not be disturbed by routine maintenance. Deletes the requirement that a metal plug be inserted in a paved highway and substitutes a requirement for a supplemental marker placed over the durable monument, visible from the surface and set to be protected from routine snowplowing. Allows a durable metal marker to be set as a permanent witness monument on the section or quarter-section line when a corner marker in a highway surface is not practical or safe.

Subd. 3. Technical. Deletes the requirement that a reference or witness monument for a corner must be of stone, concrete, or cast iron, and substitutes a requirement that it be a durable stone or metal marker.

Subd. 4. Filing of certificate. Deletes a reference to engineers filing certificates of markers and monuments with the county recorder. Allows such filing to be in the office of the county surveyor in counties that have a surveyor, rather than in the office of the county recorder.

Subd. 5. Certificate. Makes technical and stylistic changes.

Subd. 6. Cost of placing markers. Makes a technical change.

5 **Appropriation.** Requires proceeds from sale of real estate and buildings under the law authorizing the Department of Transportation to sell surplus trunk highway property to be deposited in the trunk highway fund. Appropriates the money to the department for the cost of selling the property, real estate brokerage fees, and trunk highway construction costs including paying consultants, acquiring other real property, paying lessees, paying interest subsidies, and relocation expenses.

6 **Reconveyance to former owner.** Amends the law that allows the Department of Transportation to reconvey real property acquired by eminent domain to the former owner, to allow such a reconveyance without the owner's consent if it for good cause and with the consent of the court having jurisdiction over the action. Effective immediately.

7 **Acceptance of process.** Requires an association of housing unit owners to accept service of process of eminent domain actions on behalf of all unit owners.

8 **Easements.** Allows an association of housing unit owners to grant transportation easements through, over, or under common elements in the same manner as utility easements.

9 **Exemption.** Exempts conveyances of property to the state for transportation purposes from the law that provides that (1) a condominium or cooperative association must record an amended plat showing the common interest community without the conveyed property, and (2) in all common interest communities the declaration that created the community is deemed released and terminated as to the conveyed property when the instrument of conveyance is recorded.

10 **Report.** Requires the Department of Transportation to report to legislative committees by January 15, 2005, on conveyance of excess real estate. Requires the report to include current

timelines for conveyance and reconveyance of excess property, administration of excess property including staffing levels, recommendations for streamlining the process, and identification of necessary statutory changes.

11 Repealer. Repeals the following statutes:

- Minn. Stat. 161.44, subdivision 9 (providing for deposit in trunk highway fund of money received from sale of surplus trunk highway property; substantially recodified in section 0along with open and standing appropriation).
- Minn. Stat. 161.115, subdivision 199 (deleting marked Trunk Highway No. 268 from trunk highway system, upon its transfer to Pipestone county).

Article 3 - Rest areas

Overview

This bill makes various changes in the laws governing highway rest areas to allow leases to public or private entities and sale of items at rest areas.

- 1 1 Commercial establishments in rest areas.** Amends the law that prohibits commercial establishments within the right-of-way of a controlled-access highway by allowing acknowledgement signs under sections 2and **Error! Reference source not found. Error! Reference source not found.** . Changes a reference to tourist information centers to travel information centers.
- 2 2 Leases of rest areas.** Allows the Department of Transportation to make leases for highway rest areas.

Subd. 1. Lease agreements. Allows the Department of Transportation to make lease agreements, through negotiations with public or nonprofit entities or best-value with private entities, relating to use of rest areas and travel information centers. Defines "private entities" as chambers of commerce, tourist bureaus, and other tourism and economic development agencies.

Allows leases to:

- be for up to 20 years,
- allow a lessee to operate a rest area wholly or partly,
- allow the lessee to sell products or services appropriate to the rest area,
- allow the lessee to make leasehold improvements with department approval.

Requires lease agreements to promote and encourage employment of needy elderly persons. Allows acknowledgement signs for lessee.

Subd. 2. Lease revenues. Requires lease revenue to be deposited in the safety rest

area account.

Subd. 3. Other law. Specifies that the bill does not affect contracts made for operation of vending machines by the blind.

3 3 **Sales at rest areas.** Regulates sales at rest areas.

Subd. 1. Sales authorized. Allows the department to sell travel and tourism-related publications and maps and travel and tourism-related merchandise and services. Allows the department to rent or sell items for the convenience of rest area users, including lottery tickets, tickets to local attractions, and governmental permits and licenses. Allows the department to collect a service fee for tickets, permits, and licenses.

Subd. 2. Advertising. Allows the department to advertise availability of program or item offered at a rest area.

Subd. 3. Software sales. Allows the department to sell or license intellectual property and software products or services developed by a government unit, or custom-developed by a vendor for a government unit.

Subd. 4. Revenues. Requires money received for sales under this section to be deposited in the safety rest area account.

Subd. 5. Competing merchandise. Requires the department and State Services for the Blind to make an agreement defining and regulating sale of merchandise that competes with sales made by the blind.

4 4 **Sponsorship.** Provides for sponsorship of rest areas.

Subd. 1. Sponsorship program. Allows the department to make agreements for public or private sponsorship of rest areas by transportation and tourism-related entities. Allows acknowledgement signs on highways.

Subd. 2. Revenue. Requires deposit of revenue from sponsorships in the safety rest area account.

Subd. 3. Prohibition. Prohibits action under this section that would result in loss or repayment of federal funds.

5 5 **Sale of surplus property.** Provides for sale of surplus rest area property.

Subd. 1. Conveyance of land. Allows MnDOT to sell surplus rest area land, subject to the laws that require the department to offer surplus land to previous owners.

Subd. 2. Proceeds. Requires proceeds from sale of surplus rest area land and buildings to be deposited in the safety rest area account. Appropriates the proceeds to the department for the actual cost of selling the property, real estate brokerage fees,

fees, and any other expenditure authorized from that account.

Subd. 3. Prohibition. Prohibits action under this section that would result in loss or repayment of federal funds.

6 6 **Safety rest area account.** Creates a safety rest area account.

Subd. 1. Established. Creates a safety rest area account in the trunk highway fund.

Subd. 2. Deposits. Requires revenues from rest area leases, sponsorships, advertising, sale of surplus rest area property, and other rest area revenue to be deposited in the account.

Subd. 3. Expenditures. Appropriates money in the account to the commissioner of transportation. Allows the department to spend money in the account to fund rest areas, including administration, maintenance, operations, development, improvements, customer services, and other activities.

7 7 **Advertising program.** Repeals the law authorizing the department to establish a franchise program to lease space in travel information centers and rest areas, and substitutes an authorization to lease advertising space in them. Repeals a reference to the initial phase of the franchise program. Allows the department to make contracts to permit vendors to construct, operate, and maintain additional information structures on rest area land.

8 8 **Franchise agreements.** Repeals references to franchises for travel information at rest areas, and replaces them with references to agreements and vendors. Requires that revenues from travel information agreements be deposited in the safety rest area account. Allows the Department of Transportation and Office of Tourism to make an agreement to define distribution of revenues.

9 9 **Additional franchise provisions.** Deletes references to franchises for travel information at rest areas, and replaces them with references to agreements and vendors. Corrects a reference to federal law. Changes tourist information centers to travel information centers.

10 10 **Plans for public travel facilities.** Allows vending machines at rest areas to sell other items besides food, nonalcoholic beverages, and milk.

11 11 **Franchise agreements.** Deletes a reference to franchises in the law that exempts travel information agreements from general law on DOT leases.

12 12 **Franchise agreements.** Deletes a reference to franchises in the law that exempts travel information agreements from general law on leases of airspace or subspace over or under highways.

13 13 **Franchise agreements.** Deletes a reference to franchises in the law that exempts travel information agreements from general law that prohibits erection of permanent buildings on highway right-of-way.

14 14 **Moratorium.** Until July 1, 2005, prohibits MnDOT from closing any rest area that was open on January 1, 2004, or reducing the hours at a rest area substantially below the hours in effect on January 1, 2004. Effective immediately.

15 15 **Revisor instruction.** Directs the Revisor of Statutes to renumber statutes and correct cross-references.