

# HOUSE RESEARCH

## Bill Summary

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**Version:** First engrossment

**Authors:** Hornstein and others

**Subject:** Requirement for toll facilities plan

**Analyst:** John Williams, 651-296-5045

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### Overview

This bill requires MnDOT to prepare a toll facilities plan before it may proceed with developing toll roads.

#### Section

- 1** **Toll facility definition.** Defines "toll facility" to include toll lanes.  
**2** **Plan.** Requires a toll facilities plan.

**Subd. 1. Plan required.** Requires the Department of Transportation to draft a toll facilities plan by June 30, 2005, covering a 20-year period. Requires the plan to ensure that toll facilities are consistent with regional transportation plans, be coordinated with other transportation improvements, and be constructed only to meet needs that cannot be met by other means.

Requires the plan to include:

- all toll facilities that have been identified in responses to project proposals for toll facility development
- all toll facilities that the department determines are under active consideration for toll facility development agreements.

Prohibits the department and local authorities from entering into any development

## Section

agreement for a toll facility until the plan has been completed and approved under subdivision 5.

**Subd. 2. Cost-benefit analysis.** Requires the plan to require that a cost-benefit analysis be performed for any toll facility project before its development agreement may be signed. Requires the analysis to compare the total costs and benefits of a toll project compared to costs and benefits of constructing the project without tolls.

**Subd. 3. Transit advantages.** Requires the plan to require that each toll facility development agreement made by the department must provide significant advantages, benefits, or preferences to transit and high-occupancy vehicles.

**Subd. 4. Approval.** Requires the draft plan to be approved by metropolitan planning organizations in each metropolitan area in which a toll facility is or may be located before the plan is effective. Requires submission of the plan by July 15, 2005. Provides that failure by an MPO to act on the draft plan by December 31, 2005, constitutes approval.

**Subd. 5. Operational aspects.** Requires the plan to specify not only locations of toll facilities but also operational aspects, including design standards, toll collection methods, toll determination, facility maintenance, law enforcement, and standards to be met before a facility is turned over to a road authority.

**3 Non-compete clauses.** Prohibits a toll facility development agreement from containing a non-compete clause that (1) prohibits or restricts the road authority from constructing, improving, or maintaining a highway, or (2) prohibits or restricts development, design, construction, or operation of transit facilities or service.

**4 Additional planning requirements.** Adds planning requirements for toll facilities.

**Subd. 1. Inclusion in STIP.** Requires a toll facility to be included in the statewide transportation program (STIP) before a development agreement may be signed.

**Subd. 2. Budget submission.** Requires the department to include in its biennial budget a description of each toll facility under a development agreement between the department and a private developer that is likely to be constructed in the biennium.