

# HOUSE RESEARCH

## Bill Summary

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## Section

### Article 1

#### Department of Transportation

#### Overview

This article makes various changes with respect to the Department of Transportation, county state-aid highway system, and municipal state-aid street system:

- ▶ expands eligibility of food service business for logo (slat) sign program
- ▶ allows expedited state-aid rules
- ▶ reduces time period for comment on requests for variances on state-aid rules
- ▶ expands authority of cities to make advances of municipal state-aid funds
- ▶ makes various changes in pedestrian law
- ▶ allows MnDOT and railroads to agree to designate an exempt crossing where stopping is not required
  
- ▶ preventing sunseting of commuter rail corridor coordinating committees
- ▶ changing laws on sounding of train signals to conform to federal law

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- 1 1 Slat sign program.** Amends the requirements of a food business in order to be eligible for a sign under the logo sign panel program, by deleting the requirement that such a business must serve meals prepared on the premises.
- 2 County state-aid rules advisory committee.** Allows the county state-aid rules advisory committee to use the procedure in the Administrative Procedures Act for expedited rules. The expedited process allows adoption 30 days after first publication in the State Register and approval by the Office of Administrative Hearings.
- 3 Variances from state-aid rules.** Reduces from 20 to 7 days after notice the time period for submitting written objections to a request for a variance from a county state-aid rule.
- 4 Municipal state-aid rules committee.** Allows the municipal state-aid rules advisory committee to use the procedure in the Administrative Procedures Act for expedited rules.
- 5 Variances from municipal state-aid rules.** Reduces from 20 to 7 days after notice the time period for submitting written objections to a request for a variance from a municipal state-aid rule.
- 6 Advances from municipal state-aid apportionment.** Repeals the provision that limits advances by a city from its municipal state-aid street apportionment to total estimated apportionments for the next three years.
- 7 Construction across another county.** Allows a county to spend county state-aid funds on a state-aid highway that cuts across another county or state, when allowed by the department. Requires the other county to approve the construction.
- 8 Construction across another city or county.** Allows a city to spend county state-aid funds

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on a state-aid highway that cuts across another city or county, when allowed by the department. Requires the other city to approve the construction.

**9 Traffic control signals.** Specifies that traffic control signals include colored lighted arrows.

Requires pedestrians walking with a green light to yield the right-of-way to vehicles that were lawfully in the intersection when the light turned green.

Provides that when an official sign has been erected that permits a turn on a red arrow signal, vehicles may enter the intersection against the red arrow to turn right, or to turn left from one one-way street to another on which traffic is moving to the left. Requires a stop in such cases. Requires such turning vehicles to yield to pedestrians and other traffic lawfully in the intersection.

**10 Pedestrian control signal.** Allows symbols of a walking person or upraised hand to serve as pedestrian "walk" and "don't walk" signs.

Provides that a person walking with a walk or walking-person sign may cross the roadway in the direction of the signal, "possibly in conflict with turning vehicles." Requires drivers to yield to such pedestrians, except that the pedestrian is required to yield to a vehicle lawfully in the intersection when the walk signal turns on.

**11 Designation of exempt crossing.** Allows MnDOT to designate an exempt rail crossing on agreement with the railroad after a diagnostic review of the crossing.

**12 Continuation of commuter rail corridor coordinating committee.** Exempts commuter rail corridor coordinating committees from mandatory sunset law.

**13 Quiet zones.** Deletes the provision that allows cities and towns to establish quiet zones (where train whistles and signals are restricted) by ordinance, and substitutes authorization to apply to the Federal Railroad Administration (FRA) for establishment of a quiet zone.

**14 Violations.** Repeals law that makes it a misdemeanor for a railroads to fail to sound bells or whistles at grade crossings, and substitutes a prohibition against failure to sound bells or whistles in violation of FRA regulations.

**15 Rule change.** Directs the Revisor of Statutes to change a rule on comments on state-aid variance requests to incorporate the changes in sections 3 and 5.

## Article 2

### Transportation Policy

#### Overview

This article makes various transportation policy changes:

- ▶ allowing highway logo signs to display availability of E85
- ▶ designating Purple Heart Highway, Veterans Memorial Bridge, Biauswah Bridge, and Roussain cemetery
- ▶ adopting federal definitions of commercial motor vehicle
- ▶ allowing day activity center buses to use school bus warning systems
- ▶ allowing certain slow-moving vehicle emblems to be used at night
- ▶ extending duration of instruction permits from one to two years
- ▶ allowing vehicles up to 80,000 lbs. gross weight to leave designated routes for up to three miles for facilities
- ▶ prohibiting certain people who are ineligible for driver's licenses from obtaining limited licenses (work permits)
- ▶ providing for deputy registrar offices in Minneapolis and Chanhassan

Repealing obsolete statutes on motor bicycle rental businesses.

- 1 1** **Roadside vegetation.** Encourages road authorities to utilize, when feasible, low maintenance, native vegetation that reduces need to mow, provides wildlife habitat, and maintains public safety. Directs the DNR to cooperate with MnDOT to provide enhanced habitat for nesting birds and other small wildlife.
- 2 2** **Paul Bunyan Expressway.** Changes the statutory definition of the Paul Bunyan Expressway to delete portion renamed under section 3.
- 3 3** **Purple Heart Highway.** Designates T. H. 371 from Little Falls to Cass Lake, except for the Brainerd bypass already designated as the C. Elmer Anderson Memorial Highway, as the Purple Heart Memorial Highway. Directs the Department of Transportation to erect signs marking the highway, subject to the general law that requires the cost of signs to mark highways and bridges named by law to be paid from nonstate sources.
- 4 4** **Veterans Memorial Bridge.** Designates new T. H. 10 bridge between Moorhead and Fargo, N. D., as Veterans Memorial Bridge. Directs the Department of Transportation to erect signs marking the bridge, subject to the general law that requires the cost of signs to mark highways and bridges named by law to be paid from nonstate sources.
- 5 5** **Biauswah Bridge.** Designates T. H. 23 bridge over St. Louis River as "Biauswah Bridge in Honor of Native American Veterans." Directs the Department of Transportation to erect signs marking the bridge, subject to the general law that requires the cost of signs to mark highways and bridges named by law to be paid from nonstate sources.
- 6 6** **Commercial motor vehicle definition.** Redefines "commercial motor vehicle" in traffic law to conform to federal definition, by including all vehicles carrying hazardous materials. The exception in present law for trucks less than 26,000 pounds carrying up to 200 gallons of liquid fertilizer and petroleum products would be repealed.

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**7 7** **Passing on right.** Amends the law that prohibits passing on the right by traveling off the pavement, to add a prohibition against passing on the right by traveling on the shoulder whether paved or unpaved.

**8 8** **Day activity center buses.** Allows a vehicle used to transport adults to and from a day activity center to use 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

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.

**9 9** **Slow-moving vehicle emblem.** Allows a slow-moving vehicle emblem to be an illuminated red-orange triangle. Deletes expired law.

**10 10** **Mud flaps.** Amends law requiring mud flaps on all trucks and trailers by:

- deleting exemption for military vehicles
- deleting requirement that mud flaps have clearance of not more than 1/5 of horizontal distance from center of back axle to the back flap, and substituting requirement that mud flaps have clearance of not more than 9 inches from ground when the vehicle is empty.
- deleting requirement that trucks and trailers carrying sand, gravel, aggregate, dirt, lime rock, silica, or similar materials must have flaps that are mounted to the rear of the axles and that cover the entire width of the vehicle, and substituting requirement that such trucks and trailers have a center flap between the wheel flaps with ground clearance of six inches or less when loaded.
- deleting prohibition against lamps or wiring being attached to fender flaps.

**11 11** **80,000-pound vehicles off designated routes.** Allows a five-axle vehicle or combination that exceeds 73,280 pounds gross vehicle weight, but not 80,000 pounds, may operate on a highway that is not designated for 80,000-pound operation if the vehicle or combination needs reasonable access to food, fuel, repair, and rest facilities within three miles of such a designated highway.

**12 12** **Signs for portable scales.** Specifies that any portable scales used for truck weight enforcement must have signs giving notice of the weighing operation must be posted within the highway right-of-way and adjacent to the roadway within two miles of the operation.

**13 13** **Peace officers.** Defines "officer," in the law requiring vehicles to stop for weighing when required to do so by an officer, to include local peace officers that are trained for weight

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enforcement by the Department of Public Safety.

**14 14** **Commercial motor vehicle definition.** Makes same change as in section 6 in driver's license law.

**15-16** **Duration of instruction permit.** Extends from one year to two years the duration of instruction (learner's) permits.

**17 17** **Limited licenses.** Prohibits the Department of Public Safety from issuing limited driver's licenses (work permits) to certain classes of persons to whom regular driver's licenses may not be issued:

- drug-dependent person
- any person who has been "adjudged legally incompetent by reason of mental illness, mental deficiency, or inebriation, and has not been restored to capacity, unless the department is satisfied that the person is competent to operate a motor vehicle with safety to persons or property"
- any person required to take a vision, written, or behind-the-wheel test, unless the person passes the test
- person whom the department has good cause to believe would be inimical to public safety or welfare while driving on highways
- any person when, in the opinion of the department, the person "is afflicted with or suffering from a physical or mental disability or disease that will affect the person in a manner as to prevent the person from exercising reasonable and ordinary control over a motor vehicle while operating it upon the highways"
- any person whose license has been canceled, during the period of cancellation

Prohibits issuance of a commercial (class A, B, or C) limited driver's license.

**18 18** **Roussain cemetery.** Directs the city of Duluth DNR to name and dedicate the cemetery on land in the city leased to the Fond Du Lac Band of Lake Superior Chippewa as "Roussain Cemetery," on agreement with the band. Directs the city to adopt a suitable marking and erect signs, after consultation with the band and assurance of the availability of noncity funds for the signs. Requires approval by Duluth city council.

**19 19** **Repealer.** Repeals obsolete statutes regulating motor bicycle rental business:

- licensing required
- rental only to licensed drivers
- insurance required
- maintenance of motor bicycles required

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- local ordinances allowed
- operation by unlicensed persons prohibited