

# HOUSE RESEARCH

## Bill Summary

**FILE NUMBER:** H.F. 2461

**DATE:** May 16, 2005

**Version:** Sixth Engrossment

**Authors:** Holberg and others

**Subject:** Transportation appropriations

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

This publication can be made available in alternative formats upon request. Please call 651-296-6753 (voice); or the Minnesota State Relay Service at 1-800-627-3529 (TTY) for assistance. Summaries are also available on our website at: [www.house.mn/hrd](http://www.house.mn/hrd).

---

### Article 1: Appropriations

#### Overview

This article appropriates \$3.848 billion to the Department of Transportation, Metropolitan Council transit, and administration and transportation-related activities of the Department of Public Safety in the 2006-2007 biennium.

**1 1 Total appropriation.**

**2 2 Transportation.** Appropriates \$1.669 billion in FY 2006 and \$1.797 billion in FY 2007 to the Department of Transportation.

**Subd. 1. Total appropriation.**

**Subd. 2. Multi-modal systems.** Makes appropriations for airport development and assistance available for five years after appropriation. Cancels \$1.9 million of the appropriation for airport development and assistance for FY 2004-2005, effective immediately.

Requires a study of incentives for non-subsidized regular route transit from outside to inside the metropolitan area.

**Subd. 3. State roads.** Provides for specific amounts for metropolitan area and greater Minnesota planning grants. Provides for a research contingent account for research

## Section

that is paid from federal or other sources by reimbursement. Authorizes transfer of up to \$15 million each year to the transportation revolving loan fund. Requires a study of bus transit on freeways.

**Subd. 4. Local roads.** Allows for expenditure of unappropriated balances in the county state-aid highway fund and municipal state-aid street funds, after notice to legislative committees.

**Subd. 5. General support and services.**

**Subd. 6. Transfers.** Allows transfers among appropriations from trunk highway fund and state airports fund, but not between funds. Provides for transfers from the flexible account in the county state-aid highway fund to the county and municipal turnback accounts and to the trunk highway fund.

**Subd. 7. Use of state road construction appropriation.** Allows expenditure of prior appropriations for state road construction.

**Subd. 8. Contingent.** Allows expenditure of unappropriated balance in trunk highway fund, with legislative advisory commission review, for trunk highway construction, emergency maintenance, and tort or environmental claims.

**3 Metropolitan council .** Appropriates \$58.3 million in FY 2006 and \$59.553 million in FY 2007 for bus and light rail transit.

Establishes the 2008-09 general fund budget base at \$53.953 million each year.

Provides that the \$3.550 million in 2006 and \$4.8 million in 2007 are intended to pay 50 percent of Hiawatha LRT operations after operating revenue (fares) and federal funds. Requires the remainder to be provided up to those amounts from the Hennepin county regional rail authority, using county tax revenues, the authority's reserves, or taxes levied by the authority.

Requires the council to spend money allocated from fiscal disparities pool under section 7 to eliminate the council's targeted service reductions in the 2006-07 biennium. Requires the council to cancel its targeted service reductions in the biennium, using the appropriation, fiscal disparities money, fare increase revenues, administrative reductions, cost containment, and operating efficiencies.

Requires the council to transfer half of FY 2005 unanticipated revenues and cost savings from LRT to the Hennepin county regional rail authority and half to the general fund.

Prohibits reduction in Metro Mobility service area.

Requires the council to charge fully allocated costs for contracts made to provide bus service.

**4 Public safety.** Appropriates \$136.694 million in 2006 and \$131.065 million in 2007 for

**Section**

public safety administration and transportation-related divisions

**Subd. 1. Total appropriation.**

**Subd. 2. Administration.** Specifies transfer of \$375,000 the first year and \$380,000 the second year for public safety officer survivor benefit reimbursements. Specifies transfer of \$314,000 each year for continued health insurance coverage for public safety officers or their survivors. Specifies \$508,000 each year for soft body armor reimbursements. Makes transfers to the trunk highway fund and highway user tax distribution fund to reimburse them for non-highway expenditures. Transfers \$716,000 each year from the highway user tax distribution fund to the general fund for criminal justice data network costs relating to drivers and vehicles.

**Subd. 3. State patrol.** Specifies \$3.7 million the first year for adding patrol positions. Provides that if money transferred to the trunk highway fund from revenues from the 2 a.m. bar permit are less than this amount the department must make up the difference by transferring federal repeat offender money to the trunk highway fund.

Prohibits:

- spending any money from the trunk highway fund for capital security
- permanently transferring state troopers from patrolling highways to capital security
- transferring any money appropriated for DPS administration, patrolling highways, commercial vehicle enforcement, or driver and vehicle services to capital security
- transferring any money from capital security.

**Subd. 4. Driver and vehicle services.** Transfer funding of this activity from the trunk highway fund and highway user tax distribution fund to the driver services operating account and vehicle services operating account in the special revenue fund.

Requires the department to contract with a consultant to perform an audit of the security of the department's on-line vehicle registration web site. Requires the department to notify persons whose security of personal information may have been breached.

**Subd. 5. Traffic safety.** Allows the department to spend half of money available to the state under federal repeat offender program and transfer the other half to MnDOT for hazard elimination activities.

**Subd. 6. Pipeline safety.**

**5 General contingent accounts.** Provides for contingent accounts in the trunk highway, state airports, and highway user tax distribution funds.

**6 Tort claims.** To the commissioner of finance.

**7 Fiscal disparities.** Adds public transit to pollution cleanup as a permissible use of \$5 million transferred annually to the Metropolitan Council from fiscal disparities pool.

**8 Surcharge.** Imposes a \$20 surcharge on fines for failing to pay fares on LRT and

## Section

appropriates the revenue to the Metropolitan Council for LRT operations.

### **Article 2: Public Safety Activities, Fees, Accounts**

#### **Overview**

This article increases various fees for driver and vehicle services, including a \$3 increase in most driver license fees and a \$1 increase in filing fees for vehicle registration applications other than renewals. It creates new dedicated accounts in the special revenue fund to receive driver and vehicle service fees and appropriates money in these accounts to the Department of Public Safety for these activities, replacing legislative appropriations for these purposes. It allows applicants for driver's licenses and title transfers to pay an additional \$20 fee for expedited (three-day) service.

Article 2 also imposes new restrictions on driving by persons with provisional (under-18) licenses.

- 1 **1 Central mailing system.** Allows Department of Administration to approve performance of mail functions by an agency outside the central mail-handling unit if the agency demonstrates that doing so will increase efficiency.
- 2 **Title transfer fee.** Increases title transfer fee for motor vehicles from \$4 to \$8.
- 3 **Definition.** Defines "commissioner" in vehicle registration law as commissioner of public safety.
- 4 **Deposit of registration tax revenue.** Provides that proceeds of motor vehicle registration fees (not taxes) will be deposited in the vehicle services operating account in the special revenue fund rather than the highway user tax distribution fund.
- 5 **Temporary permits.** Makes technical corrections in law on temporary permits before special license plates are issued.
- 6 **Classic motorcycles.** Makes technical corrections in law governing classic motorcycle plates.
- 7 **Classic motorcycles.** Makes technical corrections in law governing classic motorcycle plates.
- 8 **Return of plates.** Deletes the requirement that classic motorcycle plates be returned to the department before the owner replaces them with original plates.
- 9 **Plates.** Changes references to license plates and number plates to references to plates. Makes technical corrections. Deletes provisions requiring plate fees be paid in the highway user tax distribution fund. Deletes requirement that persons receiving various special plates return the vehicle's current plates to the department. Changes the fee for replacing personalized plates from an amount determined by the department to cover cost of replacement to the fee schedule for replacement plates in general law (\$14 for double plate, \$10 for single plate).
- 10 **Veterans plates.** Changes references to license plates to references to plates. Deletes limit of two sets of veterans plates per qualified applicant, and substitutes provision prohibiting issuance of veterans plates for more than two vehicles owned by the same owner. Deletes requirements that commissioner of veterans affairs estimate number of veterans plates needed. Deletes provisions requiring plate fees be paid in the highway user tax distribution fund.

## Section

- 11 Veterans service group plates.** Changes "veterans service group plates" to "veterans service group emblems." Makes technical corrections. Changes references to stickers to references to emblems on veterans service group plates. Deletes provision requiring commissioner of veterans affairs to determine documentation required for eligibility for veterans service group plates, and substitutes a requirement that applicants must show membership card for American Legion, Disabled American Veterans, or Veterans of Foreign Wars.
- 12 Medal of Honor plates.** Makes technical corrections. Allows single special plate for motorcycle owned by Medal of Honor winner.
- 13 Ex-POW plates.** Makes technical corrections. Allows single special plate for motorcycle owned by Ex-POW.
- 14 Proud to be a Veteran plates.** Makes technical corrections. Deletes provisions requiring plate fees be paid in the highway user tax distribution fund. Provides that the design of the plate is a design for an emblem.
- 15 Fleet registration fees.** Makes technical corrections. Deletes provisions requiring fleet registration administrative fees be paid in the highway user tax distribution fund.
- 16 Limousine plates.** Makes technical corrections. Deletes provisions requiring limousine plate fees be paid in the highway user tax distribution fund.
- 17 Collegiate plates.** Makes technical corrections. Deletes provisions requiring plate fees be paid in the highway user tax distribution fund. Provides that the design is a design for an emblem.
- 18 Design of special plates.** Makes technical corrections. Replaces references to unique symbols to unique emblems for special plates.
- 19 Authorization and discontinuance of special plates.** Amends the law that requires organizations requesting special license plates to submit certain information and an application fee to the Department of Public Safety before the legislative session, and requires sale of a certain number of each type of special plate in specified amounts in order to prevent discontinuance of the plate. The existing law applies to all special license plates, but excludes various veterans' plates from the discontinuance provisions. This section would make the law apply only to the following plates:

- Firefighter plates
- Ambulance attendant plates
- veterans service group plates
- collegiate fund-raising plates

Veterans plates, Medal of Honor and Ex-POW plates, critical habitat plates, Rotary member plates, and Proud to be a Veteran plates would no longer be subject to the law. The current law making Rotary Member plates subject to most provisions of this law is retained in section 0.

Any future special plates authorized by law would not be subject to the authorization and discontinuance law unless otherwise specified.

## Section

- 20 Critical habitat plates.** Makes technical corrections. Provides that plate fees collected must be deposited in the vehicle services account in the special revenue fund rather than in the highway user tax distribution fund.
- 21 Rotary Member plates.** Deletes reference to unique symbol and substitutes unique emblem. Makes technical corrections.
- 22 Dealer licenses.** Makes technical corrections. Deletes requirement that the department must investigate the fitness of an applicant before issuing a motor vehicle dealer's license. Increases fee for initial application for dealer's license from \$50 to \$100. Increases the annual license fee from \$100 to \$150. Allocates the additional \$50 from each increase to the vehicle services account.
- 23 Expedited service fee.** Allows an applicant for a driver's license, instruction permit, Minnesota ID card or title transaction to pay an expedited service fee of \$20 to obtain expedited service. Allows a driver' license agent or deputy motor vehicle registrar to retain \$10 of the fee. Requires the department to deliver the requested materials within three days of receipt of the fee excluding weekends and holidays. Allows the department to refuse the fee when three-day service cannot be granted. Requires the fee for driver's licenses, instruction permits, and ID cards to be paid into the driver services account in the special revenue fund. Requires the fee for title transfers to be deposited in the vehicle services account.
- 24 Driver and vehicle record fees.** Provides for fees for the department to provide copies of records.

**Subd. 1. Records and fees.** Requires the department to furnish copies of any driver license record, learner's permit record, ID card record, vehicle registration record, title record, or accident record. Requires a \$10 fee for each such record that is certified and \$9 for each uncertified record, excluding accident records governed by section 0. Adds \$1 fee per page for each vehicle title history not in electronic format.

Requires the fee for driver's license, instruction permit, and ID card copies to be paid into the driver services account in the special revenue fund, and the fee for title transfer copies to be deposited in the vehicle services account, except that 50 cents of each fee is deposited in the general fund.

Allows persons to inquire into record using their own electronic means for a \$4.50 fee, or no fee is the inquirer is the subject of the record, with \$2.70 of the fee going into the general fund and the remainder going into the driver services account or vehicle services account, depending on the record.

**Subd. 2. Requests for information.** Imposes a 50 cent surcharge on each fee charged by the Department of Public Safety for copies or electronic transmittals of public information about a vehicle or licensee if the request for the data is made in person, by mail, or for transmittal via modem. Excludes requests by persons who are the subject of the data. Allocates the surcharge to the general fund.

**Subd. 3. Exceptions.** Prohibits charging a fee or surcharge for request for vehicle registration information if the department is satisfied that the request is made on behalf of a nonprofit community organization authorized to make the request by a

## Section

law enforcement agency, and the request is needed to identify suspected violators of prostitution or drug laws or health codes. Prohibits department from requiring such requesters to make minimum number of data requests of limiting them to maximum number.

**25 Deputy registrars.** Makes changes in law governing deputy motor vehicle registrars.

**Subd. 1. Commissioner's duties.** Makes technical corrections.

**Subd. 2. Deputy registrars.** Makes technical corrections. Repeals authority of county auditor to appoint city clerks as deputy registrars. Repeals the authority of county board to appoint an individual as a successor to a corporation as a deputy registrar when authority of corporations to be deputy registrars expires on January 1, 2009. Requires deputy registrar office locations to be approved by the department.

**Subd. 2a. Continuation.** Makes technical change.

**Subd. 2b. Employment status.** Makes technical changes.

**Subd. 3. Records; disclosure.** Requires department to furnish copies of vehicle registration records under section 0. Allows department to furnish copies of vehicle registration records without charge to county sheriffs, prosecutors, and other law enforcement agencies with arrest powers.

**Subd. 6. Application.** Deletes requirement that the department and deputy registrars destroy returned plates.

**Subd. 7. Filing fee.** Increases from \$7 to \$8.50 the filing fee for vehicle transactions other than registration renewals. Requires all filing fees for registration renewals to be deposited in vehicle services account. Requires all other filing fees to be divided \$3.50 to the general fund and \$5 to the vehicle services account.

**Subd. 8. Disability permits.** Makes technical changes.

**Subd. 9. Rules.** Makes technical change.

**26 Telephone information.** Makes technical change.

**27 Information on lessees.** Makes technical change.

**28 Manufacture of plates.** Changes references to license plates and number plates to "plates." Provides that the open and standing appropriation to the department for cost of purchasing, delivering, and mailing plates, tabs, and registration notices is from the vehicle services account rather than the trunk highway fund.

**29 Transfer fee.** Makes technical change.

**30 Proceeds.** Makes technical change.

**31 Inspection fee.** Increases from \$20 to \$35 the fee for inspecting a vehicle prior to issuing a certificate of title. Provides that the first \$20 of the fee will continue to go to the general fund. Allocates the remainder to the vehicle services account.

**32 Title filing fees.** Makes changes in the law governing fees for certificates of title.

## Section

**Subd. 1. Amounts.** Increases from \$3 to \$5.50 the fees for applying for an original title and issuance of a new title after a transfer of ownership. The original \$3 fee will continue to go to the general fund, and the \$2.50 increase will go to the vehicle services account.

Increases from \$4 to \$6.50 the fee for a duplicate title. The original \$3 fee will continue to go to the general fund, and the \$2.50 increase will go to the vehicle services account.

**Subd. 2. In lieu.** Makes technical change.

**Subd. 3. Fees must be paid.** Makes technical change.

**33 Disposition of fees.** Changes the open and standing appropriation to the department for administration of title law from the transfer of ownership revolving fund to the vehicle services account.

**34 Confidentiality of accident reports.** Specifies that accident reports may not be used as evidence in any action for damages or criminal proceedings. Current law makes reports inadmissible in civil and criminal trials.

Allocates the \$5 fee for copies of accident reports \$4.50 to the driver services account and 50 cents to the general fund. Makes 50-cent fee for commercial users who request access to response or incident data mandatory rather than optional with the department. Allocates 45 cents of the fee to the driver services account and 5 cents to the general fund.

Makes furnishing of electronic copies of the department's accident records database subject to general provisions in Data Practices Act relating that allow for reasonable fees for the information in addition to copying charges. Requires the database to not contain any personal or private data on individuals.

**35 Passing emergency vehicle.** Amends another bill, if enacted, that would require persons approaching a stopped emergency vehicle to if possible leave a full lane of traffic between their vehicle and the emergency vehicle, by making also apply to stopped tow trucks.

**36 License plate reinstatement fees.** Re-directs from the highway user tax distribution fund to the vehicle services account half of fees from sale or reinstatement of plates under law that allows for impoundments of plates after alcohol-related violation. The remaining half will continue to go to the general fund.

**37 Driver license fees.** Increases driver license and related fees:

Class D license, \$18.50 to \$21.50

Class C license, \$22.50 to \$25.50

Class B license, \$29.50 to \$32.50

Class A license, \$37.50 to \$40.50

(Same changes for classified under-21 licenses, except class A under-21 license increased

**Section**

from \$17.50 to \$20.50)

Provisional license, \$9.50 to \$12.50

Duplicate license, \$8 to \$11

Minnesota ID card, \$12.50 to \$15.50

- 38 Driver license agent fee.** Increases from \$3.50 to \$5 the fee charged by driver license agents for receiving applications.
- 39 Standby or temporary custodian designation.** Redirects from the trunk highway fund to the driver services account amounts received over \$61,000 each year from fees for placing standby or temporary custodian designation on driver's licenses. The first \$61,000 will continue to go the general fund.
- 40 Initial motorcycle endorsement fee.** Redirects from the trunk highway fund to the driver services account 2.50 of the initial examination and application fee for a motorcycle endorsement. The remainder will continue to go to the general fund.
- 41 Repeat examination fee.** Requires a fee of \$10 for third and subsequent written driver license exam for persons who failed the first two. Requires a \$20 fee for third and subsequent behind-the-wheel exam for persons who failed the first two. Allocates all such fees to the driver services account.
- 42 Reinstatement fee.** Makes technical changes.
- 43 Money credited.** Redirects all money collected under driver license law from the trunk highway fund to the driver services account except as otherwise provided. Requires a portion to be transferred to the trunk highway fund: \$833,000 in FY 2006, \$1.523 million in FY 2007, \$1.565 million in FY 2008, and \$1.825 million in FY 2009.
- 44 Reinstatement fee.** Redirects from the trunk highway fund to the driver services account \$50 of the \$680 fee for reinstatement of driver's license after alcohol-related revocation.
- 45 Driving school license fees.** Redirects driving school license fees from the trunk highway fund to the driver services account.
- 46 Essential employees.** Designates public safety radio communications officers as essential employees under public employee labor law.
- 47 State employee bargaining units.** Adds public safety radio communications operator unit to the list of state employee bargaining units.
- 48 Accounts.** Creates a vehicle services operating account in the special revenue fund and appropriates money in the account to the commissioner of public safety for costs of:
- vehicle registration
  - vehicle licensing and license plates
  - vehicle titling
  - maintaining vehicle records
  - issuing disability certificates and plates

**Section**

- licensing vehicle dealers
- appointing and supervising deputy registrars
- inspecting vehicles when required

Creates a driver services operating account in the special revenue fund and appropriates money in the account to the commissioner for costs of:

- **producing and mailing licenses**
- **producing and mailing notices**
- **testing and examination of drivers**

**49** **Fund transfer.** Transfer \$750,000 from the driver services operating account and \$250,000 from the vehicle services operating account to the general fund each year of the 2005-06 biennium.

**50** **Transition.** Directs the Bureau of Mediation Services to assign public safety radio communications operators to state employee bargaining unit 17. Provides that terms and conditions of collective bargaining agreement and other salary and benefit provisions before July 1, 2005, remain in effect until a new agreement is reached. Provides that the employee organization that is the exclusive representative of unit 17 before July 1, 2005, must be certified by the bureau as exclusive representative of that unit.

**51** **Revisor instruction.** Instructs the revisor to correct cross-references in Minnesota Statutes, renumber statutes, and correct Minnesota Rules.

**52** **Repealer.** Repeals the following:

- Laws allocating money to the highway user tax distribution fund that is redirected under this article
- obsolete laws
- laws and rules providing for licensing of bicycle dealers

**Section**

**Article 3: Transportation funding**

**Overview**

This article increases motor fuel taxes and vehicle license taxes, dedicates revenue from 1/4 percent of sales tax collected in the metropolitan area to transit, removes limits on county authority to levy wheelage taxes, reallocates money from the motor vehicle sales tax, proposes a constitutional amendment to dedicate all MVST revenues to transportation by FY 2012, and authorizes \$1 billion in trunk highway bonds.

- 1 1 Wheelage taxes.** Expands authority of counties to levy wheelage taxes from the seven metropolitan counties to all counties. Makes wheelage tax applicable to all vehicles except motorcycles and vehicles over 26,000 pounds. Increases maximum wheelage tax from \$5 to \$20. Repeals provisions that require county road and bridge levies to be reduced by amount of revenue from wheelage taxes.
- 2 2 Vehicle license taxes.** Repeals maximum license taxes on passenger autos (currently \$189 in second year and \$99 in subsequent years). Provides new depreciation schedule for passenger autos:

<u>Year of life</u>	<u>Current</u>	<u>Proposed</u>
1	100	100
2	100	80
3	90	70
4	90	60
5	75	50
6	75	40
7	60	35
8	40	30
9	30	20
10	10	10

Provides that no vehicle may have its tax be greater than the tax for a previous year.

- 3 3 Gasoline tax.** Increases gasoline tax from 20¢ per gallon to 25¢ on June 1, 2005, and to 30¢ on June 1, 2006. Makes proportional increases in taxes on E85 and M85.
- 4 4 Special fuel taxes.** Makes increases proportional to the increase in the above section in the taxes on LPG, LNG, and compressed natural gas. (Diesel fuel tax is same rate as gasoline tax.)
- 5 5 Sales tax revenue.** Allocates revenue from 1/4 of one percent of the 6.5 percent general sales tax 80 percent to metropolitan transit and 20 percent to greater Minnesota transit.

Increases share of revenue from lottery in-lieu tax going to general fish and natural

**Section**

resources funds.

**6 6 Motor vehicle sales tax.** Allocates revenue from the motor vehicle sales tax (MVST):

	Highway user tax distribution fund	Metropolitan transit	Greater Minnesota transit
2008	38.25%	24.225%	1.275%
2009	44.25%	28.025%	1.475%
2010	50.25%	31.825%	1.675%
2011	56.25%	35.625	1.875%
2012 and after	60%	38%	2%

Transfers amounts to the general fund from the trunk highway share of MVST:

FY 2006, \$100.2 million

FY 2007, \$103.6 million

FY 2008, \$106 million

FY 2009, \$109.7 million

**7 Trunk highway fund appropriations.** Appropriates \$100 million from the bond proceeds account in the trunk highway fund to the commissioner of transportation in each of fiscal years 2006 through 2015 for trunk highway improvements. Appropriates additional money for debt service.

**8 Bond sale authorization.** Authorizes sale of \$1 billion in trunk highway bonds.

**9 Constitutional amendment proposed.** Proposes a constitutional amendment to phase in a dedication of motor vehicle sales tax so that all proceeds are dedicated to transportation by FY 2012. Allocates transportation share 60 percent to highways and 40 percent to public transit assistance.

**10 Submission to voters.** Submits the constitutional amendment to the voters at the November 2006 general election.

**Article 4: County State-Aid System**

**Overview**

This article provides a new formula for "new money" to the county state-aid highway fund. It also limits the extent to which a county's ratio of its CSAH money needs to construction apportionment may be below the statewide average.

**1 1 Excess sum; apportionment sum.** Defines the "excess sum" in the county state-aid highway fund as money attributable to (1) motor fuel tax rates over 20 cents per gallon, or proportionate rates for alternative fuels, and (2) motor vehicle license tax revenue attributable to changes effective on or after July 1, 2005, multiplied by inflation rate. Defines the "apportionment sum" as remaining money in the fund.

**2 2 Apportionment sum formula.** Makes the existing distribution formula (10 percent equal distribution, 10 percent vehicle population, 30 percent lane-miles, 50 percent money needs)

## Section

applicable only to the apportionment sum. Deletes current minimum-county language from money needs provision, which provides each county may never receive a percentage of the money needs apportionment in the CSAH formula less than the percentage it received in 1958.

**3 3 Excess sum formula.** Provides a new formula for the excess sum: 40 percent vehicle population, 60 percent money needs.

**4 4 County state-aid formula.** Requires future apportionments of the county state-aid highway fund to counties to guarantee each county its average annual construction apportionment (CSAH apportionments not required to be used for maintenance) over the period 2001-2005.

To the extent allowed by the above requirement, a county whose money needs percentage (construction apportionment divided by approved money needs) is more than 10 percent below the statewide average money needs percentage would have money added to its CSAH apportionment to bring its construction apportionment up to the 90 percent level.

## **Article 5: Transportation policy**

### **Overview**

This article contains various policy changes, including:

- ▶ authorization of new "Global War on Terrorism" and "Support our Troops" license plates.
- ▶ amending the "Dimler amendment" (certain speeding violations not to appear on driving record) by expanding it to include violations of 60 mph speed limit by not more than 5 mph and excluding speeding violations by a holder of a commercial driver's license
- ▶ conformity with federal regulations regarding commercial driver license disqualifications
- ▶ suspension of vehicle insurance verification program and remediation to persons convicted of violating its requirements

**1 1 Highway sign program.** Creates a dedicated account in the trunk highway fund to receive payments of bills from the Department of Transportation to the department's operations unit and local road authorities for the costs of a centrally managed highway sign program. Appropriates money in the account to the commissioner to pay the costs for which billings are made. Exempts money in the account from statewide and agency indirect cost payments.

**2 2 Limit on tolls.** Prohibits collection of tolls on toll roads, lanes, or bridges after construction costs have been paid and operator, if a for-profit entity, has made a reasonable profit.

**3 3 Purple Heart Memorial 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

**Section**

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 **Repayment of advances.** Deletes the law that prescribes the maximum interest rate on advances made to the Department of Transportation from local governments to advance construction, and substitutes a provision that allows the state and local governments to agree on an interest rate.
- 6 6 **Administrative costs.** Increases from 1.5 percent to 2 percent the deduction from the county state-aid highway fund for Department of Transportation administrative costs.
- 7 7 **Town road signs.** Allows counties to use a part of their county state-aid funds to aid towns to replace town road signs, without subsequent reductions in money needs.
- 8 8 **"Highway" definition.** Adopts the definition of "highway" for motor vehicle law that is now in traffic law ("the entire width between boundary lines of any way or place when any part thereof is open to the use of the public, as a matter of right, for the purposes of vehicular traffic")
- 9 9 **"Motor vehicle" definition.** Makes technical corrections in the definition of "motor vehicle" in vehicle registration law.
- 10 10 **"Owner" definition.** Amends the definition of "owner" in vehicle registration law to replace a reference to renting for more than 30 days with a reference to leasing for more than 30 days.
- 11 11 **"Registered owner" definition.** Amends the definition of "registered owner" in vehicle registration law by specifying that an owner is a person.
- 12 12 **"Tax" definition.** Amends the definition of "tax" in vehicle registration law by removing reference that gives "fee" the same definition as "tax."
- 13 13 **"Passenger automobile" definition.** Amends the definition of "passenger automobile" to exclude all school buses.
- 14 14 **"Recreational vehicle" definition.** Changes term "recreational equipment" to "recreational vehicle" in motor vehicle registration law. Deletes provisions that include slip-in campers and house cars in the definition.

Deletes the requirement that a recreational vehicle be used as temporary living quarters while engaged in vacation or recreational activities to be included in the definition.

Requires a motor home to have a living unit built into it in order to be classified as a recreational vehicle.

Prohibits any motor vehicle with removable equipment mounted into or on the vehicle from being registered as a motor vehicle.

- 15 15 **"All-terrain vehicle" definition.** Defines "all-terrain vehicle" in vehicle registration law by adopting definition in ATV registration law ("a motorized flotation-tired vehicle of not less than three low pressure tires, but not more than six tires, that is limited in engine displacement of less than 800 cubic centimeters and total dry weight less than 900 pounds").
- 16 16 **"Person" definition.** Defines "person" in vehicle registration law by adopting definition in vehicle titling law ("an individual, firm, co-partnership, association, corporation, or governmental organization).

## Section

**17 17**     **"State" definition.** Defines "state" in vehicle registration law to include D.C., Puerto Rico, U. S. Virgin Islands, and other territories and possessions.

**18 18**     **"Vehicle" definition.** Defines "vehicle" in vehicle registration law by adopting definition in titling law (every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, including motorized bicycles but excluding human-powered vehicles, rail vehicles, and vehicles not originally constructed primarily for use on public roads and highways).

**19 19**     **Military grace period.** Extends from 40 to 90 days the period after completion of active military service that vehicle registration is extended, if the person completing military service files an application for exemption within 90 days of completing service.

**20 20**     **Nonresident buyer.** Amends the law that authorizes temporary 31-day permits in lieu of registration for vehicles bought in Minnesota for removal to another state, by:

- specifying that the 31 days begins on the date of sale, trade or gift
- allowing the permits to be available in electronic format
- providing for waiver of the \$1 fee for the permit if the trade, sale, or gift data is transmitted electronically to the Department of Public Safety
- allowing the permit to be placed in a place other than the left side of the inside rear window, as long as the permit is visible to law enforcement.

**21 21**     **Collector plates.** Allows collector plates for vehicles that are at least 10 years old and with a body or engine style of which not more than 500 were manufactured in imported into the U.S. in any model year. Requires owner to provide statement attesting to number manufactured or imported.

(Current law requires vehicles to be at least 20 years old to qualify for collector plates.)

Effective immediately.

**22 22**     **Personalized veterans plates.** Allows veterans eligible for special veterans license plates to request personalized veterans' plates. Prohibits the Department of Public Safety from charging a fee to replace personalized Medal of Honor winner or Ex-POW plates.

Limits personalized veterans license plates to maximum of five letters and characters (maximum is seven for other personalized plates).

Effective August 1, 2006.

**23 23**     **Veterans plates for one-ton pickups.** Allows veterans plates to be issued for one-ton pickup trucks that are not commercial vehicles. Allows special veterans motorcycle plates for Gulf War veterans. Repeals limit of two sets of plates for each qualified applicant for veterans plates.

Imposes a \$5 surcharge on plate fees for veterans plates for one-ton pickup trucks, to be in

**Section**

effect until \$2,000 has been collected.

Allows veterans motorcycle plates for veterans of Gulf War and Global War on Terrorism.

Provisions effective immediately except August 1, 2005, effective date for surcharge.

**24 24 Global war on terrorism license plates.** Authorizes special license plate for veterans of the Global War on Terrorism. Specifies design for plates displaying Iraq campaign medal, Afghanistan campaign medal, and global war on terrorism expeditionary medal.

Provides that eligibility includes members of the National Guard and other Reserves who earned the qualifying military medal while serving long-term providing airport security duty in exact accordance with Presidential orders, but just shy of the time required to receive designation as "veterans" under federal law (i.e., their federal orders were for 179 days of airport duty, rather than the necessary "over 180 days").

**25 25 GWOT plate surcharge.** Imposes a \$5 surcharge on the \$10 plate fee for license plates under section 24, to be effective until \$7,000 has been collected.

**26 26 Exemption.** Exempts GWOT plates from law requiring marketing survey be undertaken before a special license plate is approved and requiring minimum numbers to be sold to keep the plate in effect.

**27 27 Transfer.** Allows transfer of a special veterans plate issued to a one-ton truck.

**28 28 DAV plate.** Authorizes special Disabled American Veteran plate for veterans with permanent and total service-related disability. Imposes a \$5 surcharge on top of regular \$10 fee for special plates, until \$5,000 has been collected.

**29 29 "Minnesota Military Family Support Organization" license plate.** Authorizes special "Minnesota Military Family Support Organization" plate.

**Subd. 1. Purpose.** States that the purpose is to provide financial support to military members and their families. States that the legislature's view is that circumstances are unique in history. States intent that this section not be precedent for future enactments or expansion of this enactment.

**Subd. 2. General requirements.** Authorizes a special "Minnesota Military Family Support Organization" license plate for passenger autos, one-ton pickup trucks, recreational vehicles, and motorcycles. Requires a \$30 annual contribution to the Minnesota "Support out Troops" account to maintain eligibility for the plate.

**Subd. 3. Design.** Authorizes the adjutant general and commissioner of veterans affairs to design the new plate, subject to approval by commissioner of public safety.

**Subd. 4. No refund.** Stipulates that contributions are nonrefundable.

**Subd. 5. Plate transfers.** Provides that for a fee of \$5, the new special plate may be transferred to another passenger auto, pickup, RV or motorcycle owned by the person.

**Section**

**Subd. 6. Contribution and Fees credited.** Directs that contributions be credited to the "Minnesota Military Family Support Organization" private sector matching account.

**Subd. 7. Record.** Directs the commissioner to keep a record of the number of plates issued.

**30 30 Transfer of ownership.** Deletes the requirement that a person who transfers a vehicle to another Minnesotan who is required to register the vehicle in Minnesota must surrender the license plates. Requires the transferor to assign to the transferee registration tax paid unless the license plate tabs are surrendered to the department before the start of the new registration period.

Requires a person who loses a certificate of registration or certificate of title, other than for a vehicle not subject to the mileage disclosure law, to apply to the department with proof of loss, and to assign a notice of sale of the vehicle on the application for title.

**31 31 Refund.** Deletes obsolete language relating to reporting of refunds of vehicle license taxes paid in error.

Provides that transferors of vehicles must assign tax paid on the vehicle to the transferee unless the tabs are surrendered to the department before the beginning of the new registration period.

Deletes the law that allows refund of remaining registration tax if a vehicle is declared a total loss by an insurer because of tornado or flood, and substitutes a provision that allows such a refund if the vehicle is declared by an insurer to be permanently destroyed by accident, fire, or Act of God as defined in environmental response law ("unanticipated grave natural disaster or other natural phenomenon of an exceptional, inevitable, and irresistible character, the effects of which could not have been prevented or avoided by the exercise of due care or foresight").

Deletes provision allowing refund to be calculated on basis of 1/12 the tax for each month remaining in the registration period, and makes the refund equal to the registration tax for the months remaining after the month in which the plates and title are returned to the department.

**32 32 Refund.** Deletes the law that allows full refund if a vehicle is permanently destroyed or removed from the state, and substitutes provision that allows full refund if the tabs are surrendered before the beginning of the new registration period.

**33 33 Commercial vehicle definition.** Redefines "commercial motor vehicle" in traffic law to include all vehicles used in transportation of hazardous materials, regardless of weight. Excludes all emergency vehicles from definition.

**34 34 Hazardous materials.** Updates a reference to federal regulations in the definition of "hazardous materials" in traffic law.

**35 35 Recreational vehicle combinations defined.** Amends the definition of "recreational vehicle combinations" (pickup truck pulling camper-semitrailer and recreational trailer) to allow the third vehicle to carry equestrian equipment or supplies.

**36 36 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

## Section

whether paved or unpaved.

**37 37 Driving left of center.** Allows an implement of husbandry to be operated or towed to the left of the centerline of a two-way roadway to the extent necessary to avoid a stationary object on the right-of-way.

**38 38 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.

**39 39 Electronic toll collection devices.** Amends the law prohibiting objects hanging in a vehicle between the driver and windshield, to allow electronic toll collection devices (transponders) to be located in vehicles.

**40 40 Recreational vehicle combinations regulated.** Amends the law regulating recreational vehicle combinations to incorporate the change in section 35.

**41 41 Livestock haulers.** Allows vehicles with six or more axles to have gross vehicle weight up to 88,000 pounds while hauling livestock on non-Interstate trunk highways, beginning August 1, 2006. Requires a permit under section 43.

**42 42 First haul exemption.** Amends the provision of the relevant evidence law (making weight tickets admissible as evidence of overweight) by specifying that the first-haul exemption for farm and forest products applies only to the relevant evidence provisions, not maximum weight limits.

**43 43 Permit.** Allows issuance of an annual permit for operation of vehicle with six or more axles with gross vehicle weight up to 88,000 hauling livestock on non-Interstate trunk highways. Sets an annual permit fee of \$200.

Allows annual permits for moving manufactured storage buildings.

**44 44 Paper products vehicle permit.** Allows the Department of Transportation to issue permits for three-vehicle combinations up to 108,000 pounds, and two-vehicle combinations up to 90,000 pounds, (98,000 during winter weight increase), for operation on T. H. 7 between Grand Rapids and Duluth, T. H. 169 between Grand Rapids and Virginia, and T. H. 53 between Virginia and Duluth. Requires vehicle with permits to comply with tire weight limits and weight limits in the bridge formula. Requires permits to prohibit operation on Interstate highways. Requires compliance with seasonal weight limits. Allows operation on local streets and highways only with local approval. Sets \$850 annual permit fee, for deposit in the trunk highway fund. Appropriates sufficient amount from trunk highway fund to cover costs of administering the permits.

## Section

- 45 45 Milk haulers.** Revives until June 1, 2007, a law that expired in 2003 that allows vehicles hauling milk from one farm to the point of processing to exceed seasonal weight limits by carrying up to 7 tons per axle. Effective June 1, 2005.
- 46 46 Uniform traffic ticket.** Amends the "Dimler amendment" language on the uniform traffic ticket to incorporate the reference in section 60 to violations of 60 mph speed limit.
- 47 47 Revocation of commercial driver's license.** Repeals requirement that a person driving a commercial vehicle who refuses an implied-consent test must be disqualified and have driver's license revoked for one year. Substitutes a requirement that such a disqualification and revocation must be according to federal regulations that set out a table requiring disqualification for between 1 year and life for various violations.
- 48 48 Commercial motor vehicle defined.** Redefines "commercial motor vehicle" in driver's license law to include all vehicles used in transportation of hazardous materials, regardless of weight.
- 49 49 Hazardous materials.** Updates a reference to federal regulations in the definition of "hazardous materials" in driver's license law.
- 50 50 "State" defined.** Redefines "state" in driver's license law to include U. S. Virgin Islands and any U. S. territory or insular possession.
- 51 51 "Tank vehicle" defined.** Defines "tank vehicle" as a commercial vehicle designed to transport liquid or gaseous materials in a tank, including a cargo tank or portable tank, that is permanently or temporarily attached to the vehicle or chassis, other than a portable tank under 1,000 gallons.
- 52 52 License classes.** Amends law describing classes of driver's licenses.

**Subd. 1. License required.** Allows an instruction permit to be issued to a person with a Minnesota ID card without requiring the ID card to be invalidated.

**Subd. 2. Classifications.** Amends the law allowing a farm truck to be driven with a class D (basic) license, by deleting the requirement that a farm employee with such a license must not be primarily employed to drive the truck. Requires a farm truck driven with a class D license to be used to transport farm products, farm machinery, or farm supplies to or from a farm. Prohibits a farm truck driven with a class D license from being operated by a common or contract motor carrier.

Repeals the law that allows any combination of vehicles up to 26,000 lbs. gross weight to be operated with a class D license, and substitutes provision allowing person with class D license to tow a combination if (1) the towed vehicles have a gross weight of 10,000 lbs. or less, or (2) the towed vehicles have a gross weight of over 10,000 lbs. and the combination has a combined gross weight of 26,000 lbs. or less.

Allows any emergency vehicle to be operated with a class D license.

**Subd. 2a. Hazardous material endorsement exception.** Deletes the provision that allows a vehicle up to 26,000 pounds carrying up to 200 gallons of petroleum products, and a farm vehicle up to 26,000 pounds carrying up to 1,500 gallons of liquid fertilizer, to be operated without a hazardous materials endorsement.

**Section**

**Subd. 3. Motorized bicycle.** Makes technical changes.

**Subd. 4. Restricted CDL.** Updates a reference to federal regulations.

**Subd. 5. Snowplow drivers.** No change.

**53 53 Driver license exemptions.** Exempts persons on active duty with military, Coast Guard, reserves, or National Guard from requirement to hold a commercial driver's license while driving a commercial vehicle owned by the federal government and used for military purposes.

Updates a reference to federal regulations.

**54 54 Disqualifications.** Prohibits issuance of a limited class A, B, or C license to a person who has been disqualified from driving a commercial vehicle.

**55 55 Duration of learner's permit.** Extends duration of learner's permit from one to two years.

**56 56 Duration of learner's permit.** Extends duration of learner's permit from one to two years.

**57 57 Motorcycle endorsement fee.** Changes the allocation of revenue from the part of the surcharge on motorcycle endorsements on driver's licenses. The surcharge is \$18.50 on initial licenses and \$13 on renewals; the portion affected by this section is \$11 of the surcharge on initial licenses and \$7 of the surcharge on renewals.

This section would redirect 90 percent of surcharge receipts that exceed \$750,000 each year from the trunk highway fund to the motorcycle safety fund. The remaining 10 percent would continue to go to the general fund. The first \$750,000 in receipts would continue to go to the motorcycle safety fund.

Receipts from the remainder of the surcharge (\$7.50 on initial licenses, \$6 on renewals) would continue to go to the general fund.

**58 58 Restriction on license.** Provides that if an applicant for a commercial driver's license does not pass the air brake component of a written or behind-the-wheel test, the person's CDL must indicate that the person is restricted from operating a commercial vehicle with air brakes.

**59 59 Purging of driving records.** Requires a record of a violation of a driver or vehicle out-of-service order to be kept on the driving record for at least 10 years.

Requires records of the following to be kept on the driving record permanently:

- felony convictions involving use of motor vehicle (currently 5 years)
- prior impaired driving convictions (currently 15 years)
- prior impaired driving-related loss of license (currently 15 years)
- failure to comply with accident reporting requirements (currently 5 years)

**Section**

- gross misdemeanor driving after license cancellation or denial because of department determination that driver is inimical to public safety (currently 15 years)

Repeals the law that requires the Department of Public Safety to remove from a driving record after 10 years any alcohol-related violation that was a first-offense violation for an alcohol concentration between .08 and .10 and the driver incurred no further violations in the ten-year period.

**60 60** **Speeding convictions not recorded.** Amends the law that provides that violations of a 55 mph speed limit that are not more than 10 mph over the speed limit are not entered on a driving record ("Dimler amendment") to:

- provide that it also applies to violations of 5 mph over a 60 mph speed limit
- provide that the violations are entered on the driving record if (1) the violation is committed in a commercial vehicle, or (2) if the violator has a commercial driver's license regardless of whether the violation was committed in a commercial vehicle or private vehicle.

**61 61** **Driver examinations.** Requires applicants for driver's license renewal who have received a warning letter or who have attended a preliminary hearing as a habitual violator to pass a written examination before license is renewed.

Requires applicants for driver's license renewal who have had driving privileges suspended as a habitual violator since the last previous renewal to pass a behind-the-wheel test before license is renewed.

**62 62** **CDL records check.** Requires the Department of Public Safety before issuing a commercial driver's license to request the applicant for a complete driving record from all states where the applicant was previously licensed in the last 10 years.

**63 63** **Commercial vehicle disqualifications.** Repeals the provision setting out specific disqualifications from driving a commercial motor vehicle, and substitutes a reference to federal regulations setting out disqualifications and penalties.

**64 64** **Implied consent revocation.** Repeals the provision requiring disqualification from commercial vehicle driving for one year after a license revocation for refusing to take an implied-consent test while driving a commercial vehicle. Substitutes a reference to federal regulations setting out disqualifications and penalties.

**65 65** **Disqualification exemptions.** Prohibits commercial vehicle disqualification for any authorized emergency vehicle operator operating a commercial vehicle (present prohibition applies only to firefighters).

Specifies that a conviction for a violation committed while operating a private vehicle (vehicle that is not a commercial vehicle) may not be counted as a first or subsequent violation for purposes of determining commercial vehicle disqualifications if the violation occurred before August 1, 2005.

**66 66** **Notice.** Requires the Department of Public Safety to participate fully in the commercial driver's license information system established under federal law.

## Section

- 67 67** **Bad checks for license fee.** Authorizes the department to suspend the driver's license of a person who has paid a driver's license fee with a bad check, until the department is notified by the deputy registrar that the check has been paid in full.
- 68 68** **State aviation plan.** Requires each revision of the state transportation plan to include a chapter setting out a state aviation plan. Requires the plan to analyze commercial aviation needs over next 20 years.
- 69 69** **Promotion of bicycle commuting.** Requires Department of Transportation to promote bicycle commuting.
- 70 70** **Advisory council.** Requires commissioner of transportation to create an advisory council on aviation planning to advise on the aviation chapter of the transportation plan. Requires the council to include representatives of the Metropolitan Airports Commission, airlines, small business pilots, air cargo industry, non-aviation business community, environmental interests, MnDOT, neighborhoods affected by aircraft noise, tier-two airports, and the legislature.
- 71 71** **Use of bridge bonding funds.** Allows money from state transportation bonds for local bridges to be spent as grants to cities under 5,000 that have a net tax capacity of under \$200,000 for design and preliminary engineering of bridges on city streets. Allows grants to be used for 100 percent of design and such costs. Limits total grants to all cities for this purpose to \$200,000.
- 72 72** **Minnesota Military Family Support Organization account.** Creates a Minnesota Military Family Support Organization account in the state treasury, consisting of appropriations and contributions. Appropriates money in the account to the adjutant general to make grants to eligible individuals and foundations.
- Defines eligible individual as a member of Minnesota National Guard or Minnesota-based reserve unit called to active service, Minnesota resident called to active service with a non-Minnesota unit, any other Minnesota resident performing active service in the military, or members of their immediate family. Defines eligible foundation as a 501(c)(3) organization the purpose of which is providing financial assistance to National Guard and reserve members and their families.
- Limits grants to eligible individuals to \$2,000 annually. Requires annual report to the legislature on use of money in the account.
- 73 73** **Cross-references.** Amends veterans law by inserting cross-references to statutes giving grace period after military service for renewal of driver's license and vehicle registration.
- 74 74** **Cross-references.** Amends veterans law by inserting cross-references to statutes giving grace period after military service for renewal of driver's license and vehicle registration.
- 75 75** **Grade crossing account.** Creates a grade crossing safety account in the special revenue fund, consisting of the state's share of revenue from fines for citations written by the state patrol. Appropriates money in the account to the commissioner of transportation for grade crossing safety projects.
- 76 76** **Dedication of fine money.** Dedicates the first \$600,000 each year from the state's 5/8 share of revenue from fines for citations written by the state patrol to the grade crossing safety account. Dedicates the remainder to the trunk highway fund (where all such revenue goes under current law).
- 77 77** **Exceptions.** States that, until August 1, 2009, a housing and redevelopment authority need not require competitive bidding on construction work and purchases with respect to a

**Section**

facility built to facilitate the operation of or encourage the use of a public transit facility if:

- The facility is constructed in conjunction with a development and is either directly above or below the development; and
- **Either (1) the work or purchases are financed with the proceeds of parking ramp general obligation or revenue bonds; or (2) at least 60 percent of the construction cost is being financed with federal funding.**

**78 78 Adds reference.** Adds reference to new provision in section 79 to statute governing certification and collection of transit tax levies. Effective the day following final enactment for taxes payable in 2006 and thereafter.

**79 79 Contractual agreement provided.**

**Subd. 2.** Provides for agreements between the Met Council and cities or towns to join the transit taxing district. Such agreements must describe the types and levels of transit services to be provided within the city or town, and may provide that the city or town will not be subject to the transit levy for up to eight years. The agreements must provide that the city or town will be subject to the levy after a fixed period of time not to exceed eight years.

**Subd. 3.** Levies pursuant to agreements under subdivision 2 may not exceed the rate in the transit taxing district. A tax levied under this subdivision may be used to fund transit operations or pay debt service on transit-related debt. The rate levied under this subdivision may vary within the city or town, but none of the rates may exceed that in the transit taxing district. Effective the day following final enactment for taxes payable in 2006 and thereafter.

**80 80 MAC meetings.** Requires the Metropolitan Airports Commission to hold at least one meeting each year outside MSP airport and within the 60Ldn coutour, at which meeting the commission must report on noise mitigation efforts.

**81 81 Cedar Avenue busway.** Allows the Dakota County Regional Rail Authority to exercise the same powers to develop bus rapid transit in the Cedar Avenue transitway corridor as it has to develop rail service. Effective immediately without local approval.

**82 82 Suspension of program.** Suspends the program under which the Department of Public Safety samples 2 percent of all vehicle owners each year for check compliance with vehicle insurance requirements by requesting them to submit their insurance information, and suspends the driver's license of persons who fail to respond to the sampling inquiry.

**83 83 Reinstatement of license.** Requires the department to reinstate all driver's licenses that were suspended under the law that authorized suspension for failure to respond to request for insurance information under insurance random sampling program.

**84 84 Dismissal of charges.** Makes void all charges, complaints, and citations issued for a violation of the law requiring persons receiving inquiry under the insurance random sampling program to respond.

**85 85 Removal of previous violations.** Requires the department to remove from driving record all notations of convictions for:

- failure to respond to an inquiry under the insurance random sampling program

**Section**

- any violation related to the program, including driving after license suspension for noncompliance with the program

Prohibits insurers from raising premiums because of such violations, if the violation occurred before enactment of this section. Requires insurers to rescind any such increase.

**86 86 Remediation for convictions.** Requires a court in which a conviction for violation of the law requiring persons receiving inquiry under the insurance random sampling program to respond to immediately notify the convicted person that the conviction has been vacated.

**87 87 Remediation by insurers.** Requires vehicle insurers within 60 days after effective date to inform commissioner of commerce as to whether it has cancelled, non-renewed, denied, or imposed surcharge on insurance because of conviction for violation of the law requiring persons receiving inquiry under the insurance random sampling program to respond. Requires the insurer to also provide a list of such persons and indicate for each such person the remediation the insurer intends to provide. Requires remediation to compensate by providing refund and reinstating coverage.

**88 88 Report.** Requires department to report to legislative committees by September 1, 2007, on the insurance verification program and its impact on number and identification of uninsured motorists.

**89 89 Unspent funds.** Allows the department to use unspent funds for the insurance verification program to comply with sections 83 and 85.

**90 90 Wetlands.** Makes wetland replacement related to construction of trail near Cologne eligible for replacement under the wetland replacement law that applies to transportation projects.

**91 91 Train speed limit in Orr.** Sets a speed limit of 30 mph for trains in Orr. Effective on local approval.

**92 92 Transit parking facility permits.** Prohibits state and local agencies from requiring a permit to park at a park-and-ride facility funded wholly or partly with state funds.

**93 93 Ethanol mandate.** Provides that if the minimum ethanol content in gasoline is more than 20 percent, it reverts to 10 percent 90 days after the effective date of any change in federal law governing the federal motor fuel tax that the Department of Transportation determines will result in a loss of federal highway funds to Minnesota because of the higher percentage.

**94 94 Promotion of bicycling and walking.** Advises the Department of Transportation to promote bicycling and walking. Advises local planning authorities to incorporate walking and bicycling into their planning and programming.

**95 95 Minneapolis deputy registrar office.** Requires the Department of Public Safety to appoint a new deputy motor vehicle registrar for Hennepin County to operate a new full-service office at the Midtown Exchange building in Minneapolis, notwithstanding department rules limiting the number of deputy registrar offices based on proximity to each other or projected number of applications handled.

**96 96 Chanhassen deputy registrar office.** Requires the Department of Public Safety to appoint the Carver County auditor as a deputy motor vehicle registrar and driver's license agent in Chanhassen, notwithstanding department rules limiting the number of deputy registrar offices based on proximity to each other or projected number of applications handled.

**97 97 Bus rapid transit study.** Directs the Department of Transportation and the Metropolitan council to conduct a joint study of bus rapid transit between Stillwater and St. Paul by way of Woodbury.

**Section**

**98 98** **Repealer.** Repeals laws providing for commercial driver disqualifications for grave offenses, multiple offenses, serious traffic violations, out-of-service orders, and grade crossing violations. Repeals rule that sets out commercial vehicle disqualifications.

Repeals law defining "off-peak hours" for purposes of Metropolitan Council transit fare policy.

**99 99** **Effective date.** Makes sections dealing with insurance verification effective immediately, and provides that they expire on June 10, 2006.