

1.1 moves to amend H.F. No. 2685 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "Section 1. Minnesota Statutes 2010, section 13.72, is amended by adding a subdivision
1.4 to read:

1.5 Subd. 17. **Construction manager/general contractor data.** When the Department
1.6 of Transportation undertakes a construction manager/general contractor contract, as
1.7 defined and authorized in sections 161.3207 to 161.3209, the provisions of this subdivision
1.8 apply.

1.9 (a) When the commissioner of transportation solicits a request for qualifications:

1.10 (1) the following data are classified as protected nonpublic data:

1.11 (i) the statement of qualifications scoring evaluation manual; and

1.12 (ii) the statement of qualifications evaluations;

1.13 (2) the following data are classified as nonpublic data: the statement of qualifications
1.14 submitted by a potential construction manager/general contractor; and

1.15 (3) the following data are classified as private data on individuals: identifying
1.16 information concerning the members of the technical review committee.

1.17 (b) When the commissioner of transportation announces the short list of qualified
1.18 construction managers/general contractors, the following data become public:

1.19 (1) the statement of qualifications scoring evaluation manual; and

1.20 (2) the statement of qualifications evaluations.

1.21 (c) When the commissioner of transportation solicits a request for proposals:

1.22 (1) the following data are classified as protected nonpublic data: the proposal
1.23 scoring manual; and

1.24 (2) the following data are classified as nonpublic data:

1.25 (i) the proposals submitted by a potential construction manager/general contractor;

1.26 and

1.27 (ii) the proposal evaluations.

2.1 (d) When the commissioner of transportation has completed the ranking of proposals
2.2 and announces the selected construction manager/general contractor, the proposal
2.3 evaluation score or rank and proposal evaluations become public.

2.4 (e) When the commissioner of transportation conducts contract negotiations
2.5 with a construction manager/general contractor, government data created, collected,
2.6 stored, and maintained during those negotiations are nonpublic data until a construction
2.7 manager/general contractor contract is fully executed.

2.8 (f) When the construction manager/general contractor contract is fully executed or
2.9 when the commissioner of transportation decides to use another contract procurement
2.10 process other than construction manager/general contractor authority authorized under
2.11 section 161.3209, subdivision 3, paragraph (b), all remaining data not already made public
2.12 under this subdivision become public.

2.13 (g) If the commissioner of transportation rejects all responses to a request for
2.14 proposals before a construction manager/general contractor contract is fully executed,
2.15 all data other than that data made public under this subdivision retains its classification
2.16 until a resolicitation of the request for proposals results in a fully executed construction
2.17 manager/general contractor contract, or a determination is made to abandon the project. If
2.18 a resolicitation of proposals does not occur within one year of the announcement of the
2.19 request for proposals, the remaining data become public.

2.20 **EFFECTIVE DATE.** This section is effective the day following final enactment and
2.21 expires following the acceptance of ten construction manager/general contractor contracts.

2.22 Sec. 2. Minnesota Statutes 2010, section 160.27, is amended by adding a subdivision
2.23 to read:

2.24 Subd. 7a. **Trunk highway; temporary sign.** (a) A road authority, including a city,
2.25 may by permit allow temporary placement of a sign on a pedestrian bridge or overpass
2.26 over a trunk highway, when the pedestrian bridge or road constituting the overpass is
2.27 under the jurisdiction of that road authority.

2.28 (b) A sign placed under the permit:

2.29 (1) may not be otherwise prohibited under section 173.15, clauses (1) to (3);

2.30 (2) may not reduce the clearance height of the bridge or overpass for vehicles
2.31 traveling on the trunk highway;

2.32 (3) must be secured to the bridge or overpass in a manner that poses no safety
2.33 hazards; and

2.34 (4) may be placed for no more than three consecutive days.

3.1 (c) A road authority may issue only one temporary sign permit at a time for each
 3.2 direction of travel under a pedestrian bridge or overpass.

3.3 (d) A road authority that chooses to issue permits under this subdivision shall
 3.4 establish application procedures and conditions for permit issuance. At least seven days
 3.5 prior to issuance of a permit, the road authority shall notify the commissioner of the permit
 3.6 application and location, and provide a detailed description of the sign. The commissioner
 3.7 may provide recommendations to the road authority concerning the permit, but may not
 3.8 prohibit permit issuance or sign placement.

3.9 (e) For purposes of this subdivision, a sign includes a banner, placard, or flags.

3.10 Sec. 3. Minnesota Statutes 2010, section 160.2715, is amended to read:

3.11 **160.2715 RIGHT-OF-WAY USE; MISDEMEANORS.**

3.12 (a) Except for the actions of the road authorities, their agents, employees,
 3.13 contractors, and utilities in carrying out their duties imposed by law or contract, and
 3.14 except as herein provided, it shall be unlawful to:

3.15 (1) obstruct any highway or deposit snow or ice thereon;

3.16 (2) plow or perform any other detrimental operation within the road right-of-way
 3.17 except in the preparation of the land for planting permanent vegetative cover or as
 3.18 authorized under section 160.232;

3.19 (3) erect a fence on the right-of-way of a trunk highway, county state-aid highway,
 3.20 county highway, or town road, except to erect a lane fence to the ends of a livestock pass;

3.21 (4) erect or reconstruct driveway headwalls in or on the right-of-way of a highway
 3.22 or road, except as may be allowed by permit from the road authority imposing reasonable
 3.23 regulations as are necessary to prevent interference with the construction, maintenance,
 3.24 and safe use of the highway or road and its appurtenances;

3.25 (5) dig any holes in any highway, except to locate markers placed to identify
 3.26 sectional corner positions and private boundary corners;

3.27 (6) remove any earth, gravel, or rock from any highway;

3.28 (7) obstruct any ditch draining any highway or drain any noisome materials into
 3.29 any ditch;

3.30 (8) place or maintain any building or structure within the limits of any highway;

3.31 (9) place or maintain any advertisement within the limits of any highway, except as
 3.32 provided in section 160.27, ~~subdivision 7~~;

3.33 (10) paint, print, place, or affix any advertisement or any object within the limits of
 3.34 any highway, except as provided in section 160.27, ~~subdivision 7~~;

4.1 (11) deface, mar, damage, or tamper with any structure, work, material, equipment,
4.2 tools, signs, markers, signals, paving, guardrails, drains, or any other highway
4.3 appurtenance on or along any highway;

4.4 (12) remove, injure, displace, or destroy right-of-way markers, or reference or
4.5 witness monuments, or markers placed to preserve section or quarter-section corners;

4.6 (13) improperly place or fail to place warning signs and detour signs as provided by
4.7 law;

4.8 (14) drive over, through, or around any barricade, fence, or obstruction erected for
4.9 the purpose of preventing traffic from passing over a portion of a highway closed to public
4.10 travel or to remove, deface, or damage any such barricade, fence, or obstruction.

4.11 (b) Any violation of this section is a misdemeanor.

4.12 Sec. 4. Minnesota Statutes 2010, section 161.14, is amended by adding a subdivision
4.13 to read:

4.14 Subd. 70. **Black and Yellow Trail.** Signed Trunk Highway 14 as of the effective
4.15 date of this section, from the border with South Dakota to the border with Wisconsin, is
4.16 designated as the "Black and Yellow Trail." The commissioner shall adopt a suitable
4.17 design to mark this highway and erect appropriate signs, subject to section 161.139.

4.18 Sec. 5. Minnesota Statutes 2010, section 161.20, subdivision 4, is amended to read:

4.19 Subd. 4. **Debt collection.** The commissioner shall make reasonable and businesslike
4.20 efforts to collect money owed for licenses, fines, penalties, and permit fees or arising
4.21 from damages to state-owned property or other causes related to the activities of the
4.22 Department of Transportation. Upon request, the commissioner of public safety shall
4.23 provide to the commissioner of transportation all accident reports involving damage to
4.24 state-owned infrastructure. The commissioner may contract for debt collection services
4.25 for the purpose of collecting a money judgment or legal indebtedness. The commissioner
4.26 may enter into an agreement with the commissioner of public safety to use debt collection
4.27 services authorized by this subdivision when civil penalties relating to the use of highways
4.28 have been reduced to money judgment. Money received as full or partial payment shall be
4.29 deposited to the appropriate fund. When money is collected through contracted services,
4.30 the commissioner may make payment for the service from the money collected. The
4.31 amount necessary for payment of contractual collection costs is appropriated from the
4.32 fund in which money so collected is deposited.

5.1 Sec. 6. [161.318] CONTINGENT APPROPRIATIONS; TRUNK HIGHWAY
5.2 SYSTEM.

5.3 Subdivision 1. Department of Transportation. (a) If, on June 30 of an
5.4 odd-numbered year, legislation has not been enacted to appropriate money for the next
5.5 fiscal year to the commissioner of transportation for state roads, on July 1 an amount
5.6 sufficient to pay the costs described in this subdivision is appropriated, for the fiscal
5.7 year beginning on that July 1, from the trunk highway fund to the commissioner of
5.8 transportation.

5.9 (b) The appropriation under paragraph (a) is for:

5.10 (1) actual payments necessary under contracts relating to the budget activities of
5.11 operations and maintenance, program planning and delivery, and state road construction;
5.12 and

5.13 (2) an amount necessary to pay the costs of Department of Transportation employees
5.14 whose work is essential to (i) the administration and performance of the contracts under
5.15 clause (1), including but not limited to project management, contract administration, and
5.16 billing administration; and (ii) the administration of available federal reimbursement of
5.17 expenses from the contracts under clause (1).

5.18 (c) The amount appropriated under paragraph (a) may not exceed the total of:

5.19 (1) unexpended funds from the amounts appropriated for the biennium ending on
5.20 June 30 to the commissioner for the budget activities of operations and maintenance,
5.21 program planning and delivery, and state road construction;

5.22 (2) unexpended funds from any amount made available to the commissioner in
5.23 carryforward authority into the biennium ending on June 30 for state road construction
5.24 projects for which money was originally encumbered in a previous biennium; and

5.25 (3) the amounts included in the appropriation base for the next fiscal year to the
5.26 commissioner for the budget activities of program planning and delivery, and agency
5.27 services.

5.28 (d) Any subsequent appropriation to the commissioner of transportation, or
5.29 carryforward authority provided to the commissioner, for a biennium in which this
5.30 subdivision has been applied shall supersede and replace the funding authorized in this
5.31 subdivision.

5.32 (e) This subdivision applies only to those contracts as to which funds were
5.33 encumbered before the July 1 appropriation date.

5.34 Subd. 2. Minnesota Management and Budget. (a) If, on June 30 of an
5.35 odd-numbered year, legislation has not been enacted to appropriate money for the next
5.36 fiscal year to the commissioner of management and budget for central accounting,

6.1 procurement, payroll, and human resources functions, on July 1 an amount necessary to
6.2 operate those functions, solely for the purposes specified in subdivision 1, is appropriated
6.3 for the fiscal year beginning on that July 1 from the general fund to the commissioner of
6.4 management and budget. As necessary, the commissioner may transfer a portion of this
6.5 appropriation to other state agencies to support carrying out these functions.

6.6 (b) Any subsequent appropriation to the commissioner of management and budget
6.7 for a biennium in which this subdivision has been applied shall supersede and replace
6.8 the funding authorized in this subdivision.

6.9 **Sec. 7. [161.3207] CONSTRUCTION MANAGER/GENERAL CONTRACTOR;**
6.10 **DEFINITIONS.**

6.11 Subdivision 1. **Scope.** The terms used in sections 161.3207 to 161.3209 have the
6.12 meanings given them in this section.

6.13 Subd. 2. **Acceptance.** "Acceptance" means an action of the commissioner
6.14 authorizing the execution of a construction manager/general contractor contract.

6.15 Subd. 3. **Commissioner.** "Commissioner" means the commissioner of
6.16 transportation.

6.17 Subd. 4. **Construction manager/general contractor.** "Construction
6.18 manager/general contractor" means a proprietorship, partnership, limited liability
6.19 partnership, joint venture, corporation, any type of limited liability company, professional
6.20 corporation, or any legal entity selected by the commissioner to act as a construction
6.21 manager to manage the construction process, which includes, but is not limited to,
6.22 responsibility for the price, schedule, and execution of preconstruction services or the
6.23 workmanship of construction performed according to section 161.3209, or both.

6.24 Subd. 5. **Construction manager/general contractor contract.** "Construction
6.25 manager/general contractor contract" means a contract for construction of a project
6.26 between a construction manager/general contractor and the commissioner, which
6.27 must include terms providing for a price, construction schedule, and workmanship of
6.28 the construction performed. The construction manager/general contractor contract
6.29 may include provisions for incremental price contracts for specific work packages,
6.30 additional work performed, contingencies, or other contract provisions that will allow the
6.31 commissioner to negotiate time and cost changes to the contract.

6.32 Subd. 6. **Past performance; experience.** "Past performance" or "experience" does
6.33 not include the exercise or assertion of a person's legal rights.

6.34 Subd. 7. **Preconstruction services.** "Preconstruction services" means all
6.35 non-construction-related services that a construction manager/general contractor is

7.1 allowed to perform before execution of a construction manager/general contractor contract
7.2 or work package.

7.3 Subd. 8. **Preconstruction services contract.** "Preconstruction services contract"
7.4 means a contract under which a construction manager/general contractor is paid on the
7.5 basis of the actual cost to perform the work specified in the contract plus an amount for
7.6 overhead and profit for all preconstruction services.

7.7 Subd. 9. **Project.** "Project" means any project selected by the commissioner as a
7.8 construction manager/general contractor project under section 161.3208.

7.9 Subd. 10. **Request for proposals; RFP.** "Request for proposals" or "RFP" means
7.10 the document or publication soliciting proposals for a construction manager/general
7.11 contractor contract.

7.12 Subd. 11. **Request for qualifications; RFQ.** "Request for qualifications" or "RFQ"
7.13 means a document or publication used to prequalify and short-list potential construction
7.14 managers/general contractors.

7.15 Subd. 12. **Work package.** "Work package" means the scope of work for a defined
7.16 portion of a project. A defined portion includes construction services on any project
7.17 aspect, including procuring materials or services.

7.18 **EFFECTIVE DATE.** This section is effective the day following final enactment and
7.19 expires following the acceptance of ten construction manager/general contractor contracts.

7.20 Sec. 8. **[161.3208] CONSTRUCTION MANAGER/GENERAL CONTRACTOR;**
7.21 **AUTHORITY.**

7.22 Subdivision 1. **Selection authority; limitation.** Notwithstanding sections 16C.25,
7.23 161.32, and 161.321, or any other law to the contrary, the commissioner may select a
7.24 construction manager/general contractor as provided in section 161.3209, and award a
7.25 construction manager/general contractor contract. The number of awarded contracts
7.26 shall not exceed four in any calendar year.

7.27 Subd. 2. **Determination.** Final determination to use a construction manager/general
7.28 contractor contracting procedure may be made only by the commissioner.

7.29 Subd. 3. **Cancellation.** The solicitation of construction manager/general contractor
7.30 requests for qualifications or proposals does not obligate the commissioner to enter into a
7.31 construction manager/general contractor contract.the commissioner may accept or reject
7.32 any or all responses received as a result of the request. The solicitation of proposals may
7.33 be canceled at any time at the commissioner's sole discretion if cancellation is considered
7.34 to be in the state's best interest. If the commissioner rejects all responses or cancels the

8.1 solicitation for proposals, the commissioner may resolicit a request for proposals using the
8.2 same or different requirements.

8.3 Subd. 4. **Reporting.** The commissioner shall notify the chairs and ranking minority
8.4 members of the legislative committees with jurisdiction over transportation policy
8.5 and transportation finance each time the commissioner decides to use the construction
8.6 manager/general contractor method of procurement and explain why that method was
8.7 chosen.

8.8 **EFFECTIVE DATE.** This section is effective the day following final enactment and
8.9 expires following the acceptance of ten construction manager/general contractor contracts.

8.10 Sec. 9. **[161.3209] CONSTRUCTION MANAGER/GENERAL CONTRACTOR;**
8.11 **PROCEDURES.**

8.12 Subdivision 1. **Solicitation of proposals.** If the commissioner determines that
8.13 a construction manager/general contractor method of procurement is appropriate for
8.14 a project, the commissioner shall establish a two-phase procedure for awarding the
8.15 construction manager/general contractor contract, as described in subdivisions 2 and 3.

8.16 Subd. 2. **Phase 1 - request for proposals.** (a) The commissioner shall prepare
8.17 or have prepared an RFP for each construction manager/general contractor contract as
8.18 provided in this section. The RFP must contain, at a minimum, the following elements:

8.19 (1) the minimum qualifications of the construction manager/general contractor;

8.20 (2) the procedures for submitting proposals and the criteria for evaluation of
8.21 qualifications and the relative weight for each criteria;

8.22 (3) the form of the contract to be awarded;

8.23 (4) the scope of intended construction work;

8.24 (5) a listing of the types of preconstruction services that will be required;

8.25 (6) an anticipated schedule for commencing and completing the project;

8.26 (7) any applicable budget limits for the project;

8.27 (8) the requirements for insurance, statutorily required performance, and payment
8.28 bonds;

8.29 (9) the requirements that the construction manager/general contractor provide a
8.30 letter from a surety or insurance company stating that the construction manager/general
8.31 contractor is capable of obtaining a performance bond and payment bond covering the
8.32 estimated contract cost;

8.33 (10) the method for how construction manager/general contractor fees for the
8.34 preconstruction services contract will be negotiated;

9.1 (11) a statement that past performance or experience does not include the exercise
9.2 or assertion of a person's legal rights; and

9.3 (12) any other information desired by the commissioner.

9.4 (b) Before receiving any responses to the RFP:

9.5 (1) The commissioner shall appoint a technical review committee of at least five
9.6 individuals, of which one is a Department of Transportation manager who is also a
9.7 licensed professional engineer in Minnesota.

9.8 (2) The technical review committee shall evaluate the construction manager/general
9.9 contractor proposals according to criteria and subcriteria published in the RFP and
9.10 procedures established by the commissioner. The commissioner shall, as designated in
9.11 the RFP, evaluate construction manager/general contractor proposals on the basis of best
9.12 value as defined in section 16C.05, or using the qualifications-based selection process set
9.13 forth in section 16C.095, except that subdivision 1 of section 16C.095 shall not apply. If
9.14 the commissioner does not receive at least two proposals from construction managers,
9.15 the commissioner may:

9.16 (i) solicit new proposals;

9.17 (ii) revise the RFP and thereafter solicit new proposals using the revised RFP;

9.18 (iii) select another allowed procurement method; or

9.19 (iv) reject the proposals.

9.20 (3) The technical review committee shall evaluate the responses to the request for
9.21 proposals and rank the construction manager/general contractor based on the predefined
9.22 criteria set forth in the RFP in accordance with paragraph (a), clause (2).

9.23 (c) Unless all proposals are rejected, the commissioner shall conduct contract
9.24 negotiations for a preconstruction services contract with the construction manager/general
9.25 contractor with the highest ranking. If the construction manager/general contractor with
9.26 the highest ranking declines or is unable to reach an agreement, the commissioner may
9.27 begin contract negotiations with the next highest ranked construction manager/general
9.28 contractor.

9.29 (d) Before issuing the RFP, the commissioner may elect to issue a request for
9.30 qualifications (RFQ) and short-list the most highly qualified construction managers/general
9.31 contractors. The RFQ must include the procedures for submitting statements of
9.32 qualification, the criteria for evaluation of qualifications, and the relative weight for each
9.33 criterion. The statements of qualifications must be evaluated by the technical review
9.34 committee.

9.35 Subd. 3. **Phase 2 - construction manager/general contractor contract.** (a) Before
9.36 conducting any construction-related services, the commissioner shall:

10.1 (1) conduct an independent cost estimate for the project or each work package; and
10.2 (2) conduct contract negotiations with the construction manager/general contractor
10.3 to develop a construction manager/general contractor contract. This contract must include
10.4 a minimum construction manager/general contractor self-performing requirement of 30
10.5 percent of the negotiated cost. Items designated in the construction manager/general
10.6 contractor contract as specialty items may be subcontracted and the cost of any specialty
10.7 item performed under the subcontract will be deducted from the cost before computing the
10.8 amount of work required to be performed by the contractor.

10.9 (b) If the construction manager/general contractor and the commissioner are unable
10.10 to negotiate a contract, the commissioner may use other contract procurement processes or
10.11 may readvertise the construction manager/general contractor contract. The construction
10.12 manager/general contractor may (1) bid or propose on the project if advertised under
10.13 section 161.32 or 161.3206 or (2) join a design-build team if advertised under sections
10.14 161.3410 to 161.3428.

10.15 (c) The commissioner shall provide to all bidders or design-build teams, all data
10.16 shared between the commissioner and the construction manager/general contractor during
10.17 the contract negotiations under this subdivision.

10.18 **EFFECTIVE DATE.** This section is effective the day following final enactment and
10.19 expires following the acceptance of ten construction manager/general contractor contracts.

10.20 Sec. 10. Minnesota Statutes 2010, section 168.013, subdivision 3, is amended to read:

10.21 Subd. 3. **Application; cancellation; excessive gross weight forbidden.** (a) The
10.22 applicant for all licenses based on gross weight shall state the unloaded weight of the
10.23 motor vehicle, trailer, or semitrailer and the maximum load the applicant proposes to carry
10.24 on it, the sum of which constitutes the gross weight upon which the license tax must be
10.25 paid. However, the declared gross weight upon which the tax is paid must not be less than
10.26 1-1/4 times the declared unloaded weight of the motor vehicle, trailer, or semitrailer
10.27 to be registered, except recreational vehicles taxed under subdivision 1g, school buses
10.28 taxed under subdivision 18, and tow trucks or towing vehicles defined in section 169.011,
10.29 subdivision 83. The gross weight of a tow truck or towing vehicle is the actual weight
10.30 of the tow truck or towing vehicle fully equipped, but does not include the weight of a
10.31 wrecked or disabled vehicle towed or drawn by the tow truck or towing vehicle.

10.32 (b) The gross weight of a motor vehicle, trailer, or semitrailer must not exceed
10.33 the gross weight upon which the license tax has been paid by more than four percent or
10.34 1,000 pounds, whichever is greater; provided that, a vehicle transporting unfinished forest
10.35 products on a highway, other than a highway that is part of the system of interstate and

11.1 defense highways, unless a federal exemption is granted, in accordance with paragraph
11.2 (d)(3):

11.3 (1) shall not exceed its gross vehicle weight upon which the license tax has been
11.4 paid, or gross axle weight on any axle, by more than five percent and, notwithstanding
11.5 other law to the contrary, is not subject to any fee, fine, or other assessment or penalty for
11.6 exceeding a gross vehicle or axle weight by up to five percent; and

11.7 (2) between the dates set by the commissioner in accordance with section 169.826,
11.8 subdivision 1, is not subject to any provision of paragraph (d) or chapter 169 limiting
11.9 the gross axle weight of any individual axle unless the entire vehicle also exceeds its
11.10 gross vehicle weight plus its weight allowance allowed in clause (1) and plus any weight
11.11 allowance permitted under section 169.826, in which case the vehicle is subject to all
11.12 applicable penalties for excess weight violations.

11.13 (c) The gross weight of the motor vehicle, trailer, or semitrailer for which the
11.14 license tax is paid must be indicated by a distinctive character on the license plate or
11.15 plates except as provided in subdivision 12 and the plate or plates must be kept clean
11.16 and clearly visible at all times.

11.17 (d) The owner, driver, or user of a motor vehicle, trailer, or semitrailer, upon
11.18 conviction for transporting a gross weight in excess of the gross weight for which it was
11.19 registered or for operating a vehicle with an axle weight exceeding the maximum lawful
11.20 axle load weight, is guilty of a misdemeanor and subject to increased registration or
11.21 reregistration according to the following schedule:

11.22 (1) Upon conviction for transporting a gross weight in excess of the gross weight
11.23 for which a motor vehicle, trailer, or semitrailer is registered by more than the allowance
11.24 set forth in paragraph (b) but less than 25 percent, or for operating or using a motor
11.25 vehicle, trailer, or semitrailer with an axle weight exceeding the maximum lawful axle
11.26 load as provided in sections 169.822 to 169.829 by more than the allowance set forth in
11.27 paragraph (b) but less than 25 percent, the owner, driver, or user of the motor vehicle,
11.28 trailer, or semitrailer used to commit the violation, in addition to any penalty imposed for
11.29 the misdemeanor, shall apply to the registrar to increase the authorized gross weight to
11.30 be carried on the vehicle to a weight equal to or greater than the gross weight the owner,
11.31 driver, or user was convicted of carrying. The increase is computed for the balance of
11.32 the calendar year on the basis of 1/12 of the annual tax for each month remaining in the
11.33 calendar year beginning with the first day of the month in which the violation occurred.
11.34 If the additional registration tax computed upon that weight, plus the tax already paid,
11.35 amounts to more than the regular tax for the maximum gross weight permitted for the
11.36 vehicle under sections 169.822 to 169.829, that additional amount must nevertheless be

12.1 paid into the highway fund, but the additional tax thus paid does not authorize or permit
12.2 any person to operate the vehicle with a gross weight in excess of the maximum legal
12.3 weight as provided by sections 169.822 to 169.829. Unless the owner within 30 days
12.4 after a conviction applies to increase the authorized weight and pays the additional tax
12.5 as provided in this section, the registrar shall revoke the registration on the vehicle and
12.6 demand the return of the registration card and plates issued on that registration.

12.7 (2) Upon conviction of an owner, driver, or user of a motor vehicle, trailer, or
12.8 semitrailer for transporting a gross weight in excess of the gross weight for which the
12.9 motor vehicle, trailer, or semitrailer was registered by 25 percent or more or for operating
12.10 or using the vehicle or trailer with an axle weight exceeding the maximum lawful axle load
12.11 as provided in sections 169.822 to 169.829 by 25 percent or more, and in addition to any
12.12 penalty imposed for the misdemeanor, the registrar shall either (i) cancel the reciprocity
12.13 privileges on the vehicle involved if the vehicle is being operated under reciprocity
12.14 or (ii) if the vehicle is not being operated under reciprocity, cancel the certificate of
12.15 registration on the vehicle operated and demand the return of the registration certificate
12.16 and registration plates. The registrar may not cancel the registration or reciprocity
12.17 privileges for any vehicle found in violation of seasonal load restrictions imposed under
12.18 section 169.87 unless the axle weight exceeds the year-round weight limit for the highway
12.19 on which the violation occurred. The registrar may investigate any allegation of gross
12.20 weight violations and demand that the operator show cause why all future operating
12.21 privileges in the state should not be revoked unless the additional tax assessed is paid.

12.22 (3) Clause (1) does not apply to the first haul of unprocessed or raw farm products
12.23 or unfinished forest products, when the registered gross weight is not exceeded by more
12.24 than ten percent. For purposes of this clause, "first haul" means (i) the first, continuous
12.25 transportation of unprocessed or raw farm products from the place of production or
12.26 on-farm storage site to any other location within ~~50~~100 miles of the place of production or
12.27 on-farm storage site, or (ii) the continuous or noncontinuous transportation of unfinished
12.28 forest products from the place of production to the place of final processing or manufacture
12.29 located within 200 miles of the place of production.

12.30 (4) When the registration on a motor vehicle, trailer, or semitrailer is revoked by the
12.31 registrar according to this section, the vehicle must not be operated on the highways of the
12.32 state until it is registered or reregistered, as the case may be, and new plates issued, and
12.33 the registration fee is the annual tax for the total gross weight of the vehicle at the time of
12.34 violation. The reregistration pursuant to this subdivision of any vehicle operating under
12.35 reciprocity agreements pursuant to section 168.181 or 168.187 must be at the full annual
12.36 registration fee without regard to the percentage of vehicle miles traveled in this state.

13.1 Sec. 11. Minnesota Statutes 2010, section 168.10, subdivision 1a, is amended to read:

13.2 Subd. 1a. **Collector's vehicle, pioneer plate.** (a) Any motor vehicle that: (1) was
13.3 manufactured prior to 1936 and is totally original, or is a restored pioneer vehicle, as
13.4 defined in section 168A.01, subdivision 16a; and (2) is owned and operated solely as a
13.5 collector's item, shall be listed for taxation and registration ~~as follows:~~ as provided by
13.6 paragraph (b).

13.7 (b) An affidavit shall be executed stating the name and address of the owner, the
13.8 name and address of the person from whom purchased, the make of the motor vehicle, year
13.9 and ~~number of the model~~ designation, the manufacturer's identification number and that the
13.10 vehicle is owned and operated solely as a collector's item and not for general transportation
13.11 purposes. If the commissioner is satisfied that the affidavit is true and correct and the
13.12 owner pays a \$25 tax and the plate fee authorized under section 168.12, the commissioner
13.13 shall list such vehicle for taxation and registration and shall issue a single number plate.

13.14 ~~(b)~~ (c) The number plate so issued shall bear the inscription "Pioneer," "Minnesota"
13.15 and the registration number or other combination of characters authorized under section
13.16 168.12, subdivision 2a, but no date. The number plate is valid without renewal as long as
13.17 the vehicle is in existence in Minnesota. The commissioner has the power to revoke said
13.18 plate for failure to comply with this subdivision.

13.19 Sec. 12. Minnesota Statutes 2010, section 168.185, is amended to read:

13.20 **168.185 USDOT NUMBERS.**

13.21 (a) Except as provided in paragraph (d), an owner of a truck or truck-tractor having
13.22 a gross vehicle weight of more than 10,000 pounds, as defined in section 169.011,
13.23 subdivision 32, shall report to the commissioner at the time of registration its USDOT
13.24 carrier number. A person subject to this paragraph who does not have a USDOT number
13.25 shall apply for the number at the time of registration by completing a form MCS-150 Motor
13.26 Carrier Identification Report, issued by the Federal Motor Carrier Safety Administration,
13.27 or comparable document as determined by the commissioner. The commissioner shall not
13.28 assign a USDOT carrier number to a vehicle owner who is not subject to this paragraph.

13.29 (b) Assigned USDOT numbers must be displayed as required by section 221.031,
13.30 subdivision 6. The vehicle owner shall notify the commissioner if there is a change to the
13.31 owner's USDOT number.

13.32 (c) If an owner fails to report or apply for a USDOT number, the commissioner shall
13.33 suspend the owner's registration.

13.34 (d) This section does not apply to (1) a farm truck that (i) is not used in interstate
13.35 commerce or (ii) does not leave the physical boundaries of the state, (2) a vehicle that is

14.1 not used in intrastate commerce or interstate commerce, or (3) a vehicle that is owned
14.2 and used solely in the transaction of official business by the federal government, the
14.3 state, or any political subdivision.

14.4 **EFFECTIVE DATE.** This section is effective the day following final enactment.

14.5 Sec. 13. Minnesota Statutes 2010, section 168A.01, is amended by adding a
14.6 subdivision to read:

14.7 Subd. 9a. **Manufactured home.** "Manufactured home" has the meaning given
14.8 in section 327.31, subdivision 6.

14.9 Sec. 14. Minnesota Statutes 2010, section 168A.01, subdivision 16, is amended to read:

14.10 Subd. 16. **Reconstructed vehicle.** (a) "Reconstructed vehicle" means a vehicle of a
14.11 type for which a certificate of title is required hereunder materially altered from its original
14.12 construction by the removal, addition, or substitution of essential parts, new or used.

14.13 (b) Reconstructed vehicle does not include a restored pioneer vehicle.

14.14 Sec. 15. Minnesota Statutes 2010, section 168A.01, is amended by adding a
14.15 subdivision to read:

14.16 Subd. 16a. **Restored pioneer vehicle.** (a) "Restored pioneer vehicle" means
14.17 a vehicle:

14.18 (1) for which a certificate of title is required under this chapter;

14.19 (2) originally manufactured prior to 1936;

14.20 (3) for which one or more essential parts, whether new or used, are replaced; and

14.21 (4) for which each essential part under clause (3) is replaced:

14.22 (i) only as necessary in order to restore or retain the character and appearance of the
14.23 vehicle as originally manufactured;

14.24 (ii) in a manner which reasonably restores or retains the character and appearance of
14.25 the vehicle as originally manufactured; and

14.26 (iii) in a manner which substantially conforms to the fit, form, and function of the
14.27 original essential part.

14.28 (b) A vehicle meeting both the requirements under paragraph (a) and subdivision 16
14.29 for a reconstructed vehicle is a restored pioneer vehicle.

14.30 (c) For purposes of this subdivision, replacement of an essential part includes, but is
14.31 not limited to, removal, addition, modification, or substitution of the essential part.

14.32 Sec. 16. Minnesota Statutes 2010, section 168A.02, subdivision 3, is amended to read:

15.1 Subd. 3. **Title certificate for manufactured home.** Except as provided in
 15.2 section 168A.141, a certificate of title is required for a manufactured home, ~~as defined~~
 15.3 ~~in section 327.31, subdivision 6~~. In every certificate of title issued for a manufactured
 15.4 home, the department shall insert the following notice: THIS TITLE DESCRIBES A
 15.5 MANUFACTURED HOME _ NOT A MOTOR VEHICLE.

15.6 Sec. 17. Minnesota Statutes 2010, section 168A.04, subdivision 1, is amended to read:

15.7 Subdivision 1. **Contents.** The application for the first certificate of title of a
 15.8 vehicle or manufactured home in this state, or for reissuance of a certificate of title
 15.9 for a manufactured home under section 168A.142, shall be made by the owner to the
 15.10 department on the form prescribed by the department and shall contain:

15.11 (1) the first, middle, and last names, the dates of birth, and addresses of all owners
 15.12 who are natural persons, the full names and addresses of all other owners;

15.13 (2) a description of the vehicle or manufactured home including, so far as the
 15.14 following data exists, its make, model, year, identifying number in the case of a vehicle or
 15.15 serial number in the case of a manufactured home, type of body, and whether new or used;

15.16 (3) the date of purchase by applicant, the name and address of the person from whom
 15.17 the vehicle or manufactured home was acquired, the names and addresses of any secured
 15.18 parties in the order of their priority, and the dates of their respective security agreements;

15.19 (4) with respect to motor vehicles subject to the provisions of section 325E.15, the
 15.20 true cumulative mileage registered on the odometer or that the actual mileage is unknown
 15.21 if the odometer reading is known by the owner to be different from the true mileage;

15.22 (5) with respect to vehicles subject to section 325F.6641, whether the vehicle
 15.23 sustained damage by collision or other occurrence which exceeded 70 percent of the
 15.24 actual cash value; and

15.25 (6) any further information the department reasonably requires to identify the
 15.26 vehicle or manufactured home and to enable it to determine whether the owner is entitled
 15.27 to a certificate of title, and the existence or nonexistence and priority of any security
 15.28 interest in the vehicle or manufactured home.

15.29 Sec. 18. Minnesota Statutes 2010, section 168A.04, subdivision 5, is amended to read:

15.30 Subd. 5. ~~**Specially constructed or reconstructed vehicle**~~ **Certain unconventional**
 15.31 **vehicles; additional information; identifying number.** (a) Except as provided in
 15.32 subdivision 6, if the application refers to a specially constructed vehicle ~~or~~ a reconstructed
 15.33 vehicle, or a restored pioneer vehicle, the application shall so state and shall contain or
 15.34 be accompanied by:

16.1 (1) any information and documents the department reasonably requires to establish
16.2 the ownership of the vehicle and the existence or nonexistence and priority of security
16.3 interests in it;

16.4 (2) the certificate of a person authorized by the department that the identifying
16.5 number of the vehicle has been inspected and found to conform to the description given in
16.6 the application, or any other proof of the identity of the vehicle the department reasonably
16.7 requires; and

16.8 (3) at the time of application, a written certification to the department that the vehicle
16.9 to be titled meets the requirements of chapter 169 for vehicles in its class regarding safety
16.10 and acceptability to operate on public roads and highways.

16.11 (b) As part of the application for certificate of title on a restored pioneer vehicle, the
16.12 applicant may specify a valid identifying number of the vehicle. An identifying number
16.13 is valid under this paragraph if it matches a number permanently affixed, stamped, or
16.14 otherwise assigned to at least one essential part of the motor vehicle, including but not
16.15 limited to the engine, the engine block, or the vehicle body. The commissioner may
16.16 require photographic proof to confirm the identifying number on the vehicle, but may not
16.17 establish further restrictions on specification of the identifying number.

16.18 Sec. 19. Minnesota Statutes 2010, section 168A.04, is amended by adding a
16.19 subdivision to read:

16.20 Subd. 5a. **Certain unconventional vehicles; incomplete applications.** The
16.21 commissioner shall establish procedures to ensure that if clarification, additional
16.22 information, or submission of additional materials is required following submission of
16.23 an application for certificate of title for a specially constructed vehicle, reconstructed
16.24 vehicle, or restored pioneer vehicle:

16.25 (1) the title applicant is promptly notified of the status of the application; and

16.26 (2) all outstanding application requirements are clearly explained to the title
16.27 applicant.

16.28 Sec. 20. Minnesota Statutes 2010, section 168A.05, subdivision 1, is amended to read:

16.29 Subdivision 1. **Filing of application; issuance of certificate.** The department shall
16.30 file each application received, and when satisfied as to its genuineness and regularity and
16.31 that the applicant is entitled to the issuance of a certificate of title shall issue a certificate
16.32 of title ~~of~~ for the vehicle or manufactured home.

16.33 Sec. 21. Minnesota Statutes 2010, section 168A.05, subdivision 1a, is amended to read:

17.1 Subd. 1a. **Manufactured home; statement of property tax payment.** In the case
17.2 of a manufactured home ~~as defined in section 327.31, subdivision 6~~, the department shall
17.3 not issue a certificate of title unless the application under section 168A.04 is accompanied
17.4 with a statement from the county auditor or county treasurer where the manufactured
17.5 home is presently located, stating that all manufactured home personal property taxes
17.6 levied on the unit in the name of the current owner at the time of transfer have been
17.7 paid. For this purpose, manufactured home personal property taxes are treated as levied
17.8 on January 1 of the payable year.

17.9 Sec. 22. Minnesota Statutes 2010, section 168A.05, subdivision 1b, is amended to read:

17.10 Subd. 1b. **Manufactured home; ~~exemption~~ exemptions.** The provisions of
17.11 subdivision 1a ~~shall~~ do not apply to:

17.12 (1) a manufactured home which is sold or otherwise disposed of pursuant to section
17.13 504B.271 by the owner of a manufactured home park₂ as defined in section 327.14,
17.14 subdivision 3, ~~or~~₂

17.15 (2) a manufactured home which is sold pursuant to section 504B.265 by the owner
17.16 of a manufactured home park; or

17.17 (3) a manufactured home for which a certificate of title is reissued under section
17.18 168A.142.

17.19 Sec. 23. Minnesota Statutes 2010, section 168A.05, subdivision 3, is amended to read:

17.20 Subd. 3. **Content of certificate.** (a) Each certificate of title issued by the department
17.21 shall contain:

17.22 (1) the date issued;

17.23 (2) the first, middle, and last names and the dates of birth of all owners who are
17.24 natural persons, and the full names of all other owners;

17.25 (3) the residence address of the owner listed first if that owner is a natural person or
17.26 the address if that owner is not a natural person;

17.27 (4) the names of any secured parties, and the address of the first secured party,
17.28 listed in the order of priority (i) as shown on the application, or (ii) if the application is
17.29 based on a certificate of title, as shown on the certificate, or (iii) as otherwise determined
17.30 by the department;

17.31 (5) any liens filed pursuant to a court order or by a public agency responsible for
17.32 child support enforcement against the owner;

17.33 (6) the title number assigned to the vehicle;

18.1 (7) a description of the vehicle including, so far as the following data exists, its
18.2 make, model, year, identifying number, type of body, whether new or used, and if a new
18.3 vehicle, the date of the first sale of the vehicle for use;

18.4 (8) with respect to a motor vehicle subject to section 325E.15 and for which an
18.5 odometer was affixed by the vehicle manufacturer, (i) the true cumulative mileage
18.6 registered on the odometer or (ii) that the actual mileage is unknown if the odometer
18.7 reading is known by the owner to be different from the true mileage;

18.8 (9) with respect to a vehicle subject to sections 325F.6641 and 325F.6642, the
18.9 appropriate term "flood damaged," "rebuilt," "prior salvage," or "reconstructed";

18.10 (10) with respect to a vehicle contaminated by methamphetamine production, if the
18.11 registrar has received the certificate of title and notice described in section 152.0275,
18.12 subdivision 2, paragraph (g), the term "hazardous waste contaminated vehicle";

18.13 (11) with respect to a vehicle subject to section 325F.665, the term "lemon law
18.14 vehicle"; and

18.15 (12) any other data the department prescribes.

18.16 (b) For a certificate of title on a vehicle that is a restored pioneer vehicle:

18.17 (1) the identifying number must be the valid identifying number as provided under
18.18 section 168A.04, subdivision 5;

18.19 (2) the year of the vehicle must be the year of original vehicle manufacture and
18.20 not the year of restoration; and

18.21 (3) the title must not bear a "reconstructed vehicle" brand.

18.22 Sec. 24. Minnesota Statutes 2010, section 168A.09, is amended by adding a
18.23 subdivision to read:

18.24 Subd. 4. **Restored pioneer vehicle; replacement title.** (a) The owner of a vehicle
18.25 may apply to the commissioner for a replacement title if:

18.26 (1) a Minnesota title has been issued prior to the effective date of this section; and

18.27 (2) the vehicle meets the requirements for a restored pioneer vehicle under section
18.28 168A.01, subdivision 16a.

18.29 (b) The commissioner shall establish and make publicly available requirements for
18.30 an application under this subdivision, and shall make reasonable efforts to minimize
18.31 burden on the title applicant. Among the application requirements, a person applying for a
18.32 replacement title shall surrender the original title.

18.33 (c) The commissioner shall impose a fee for a replacement title issued under this
18.34 subdivision that is equal to the fee for issuing a duplicate certificate of title under section

19.1 168A.29. Fee proceeds must be allocated in the same manner as the fee for a duplicate
19.2 certificate of title.

19.3 Sec. 25. Minnesota Statutes 2010, section 168A.141, subdivision 1, is amended to read:

19.4 Subdivision 1. **Certificates surrendered for cancellation.** When a manufactured
19.5 home is affixed, as defined in section 273.125, subdivision 8, paragraph (b), to real
19.6 property, and financed by the giving of a mortgage on the real property, the owner of the
19.7 manufactured home shall surrender the manufacturer's certificate of origin or certificate of
19.8 title to the department for cancellation. The owner of the manufactured home shall give
19.9 the department the address and legal description of the real property. The department may
19.10 require the filing of other information. The department must not issue a certificate of title
19.11 for a manufactured home under chapter 168A if the manufacturer's certificate of origin
19.12 is or has been surrendered under this subdivision, except as provided in section 168A.142.
19.13 Upon surrender of the manufacturer's certificate of origin or the certificate of title, the
19.14 department shall issue notice of surrender to the owner, and the manufactured home is
19.15 deemed to be an improvement to real property. The notice ~~to~~ of surrender may be recorded
19.16 in the office of the county recorder or with the registrar of titles if the land is registered
19.17 but need not contain an acknowledgment.

19.18 Sec. 26. **[168A.142] MANUFACTURED HOME UNAFFIXED FROM REALTY.**

19.19 Subdivision 1. **Certificate of title requirements.** The department shall issue
19.20 an initial certificate of title or reissue a previously surrendered certificate of title for a
19.21 manufactured home to an applicant if:

19.22 (1) for the purpose of affixing the manufactured home to real property, the owner of
19.23 the manufactured home, or a previous owner, surrendered the manufacturer's certificate of
19.24 origin or certificate of title to the department as provided in section 168A.141, subdivision
19.25 1 or 2;

19.26 (2) the applicant provides written proof specified in subdivision 2 that the applicant
19.27 owns (i) the manufactured home and (ii) the real property to which the manufactured
19.28 home was affixed as provided under section 273.125, subdivision 8, paragraph (b);

19.29 (3) the applicant provides proof that no liens exist on the manufactured home,
19.30 including through liens on the real property to which it is affixed; and

19.31 (4) the owner of the manufactured home meets the application requirements of
19.32 section 168A.04, and the application is accompanied by a written statement from the
19.33 county auditor or county treasurer of the county in which the manufactured home is then

20.1 located and affixed, stating that all property taxes payable in the current year, as provided
20.2 under section 273.125, subdivision 8, paragraph (b), have been paid.

20.3 Subd. 2. **Proof of eligibility for reissuance.** (a) The proof required under
20.4 subdivision 1, clauses (2) and (3), is as follows:

20.5 (1) an affidavit of severance recorded in the office of the county recorder or registrar
20.6 of titles, whichever applies to the real property, of the county in which the notice of
20.7 surrender was recorded under section 168A.141, subdivision 1, and the affidavit contains:

20.8 (i) the name, residence address, and mailing address of the owner or owners of
20.9 the manufactured home;

20.10 (ii) a description of the manufactured home, including the name of the manufacturer;
20.11 the make, model number, model year, dimensions, and manufacturer's serial number of the
20.12 manufactured home; and whether the manufactured home is new or used;

20.13 (iii) recording information regarding the affidavit of affixation, including the date of
20.14 recording and either the recording document number or book and page reference; and

20.15 (iv) a statement of any facts or information known to the person executing the
20.16 affidavit that could affect the validity of the title of the manufactured home or the existence
20.17 or nonexistence of a security interest in the manufactured home or a lien on it, or a
20.18 statement that no such facts or information are known to the person executing the affidavit;

20.19 (2) as an attachment to the affidavit of severance, an opinion by an attorney admitted
20.20 to practice law in this state, or by a licensed agent of a title insurance company licensed to
20.21 do title insurance business in this state, stating:

20.22 (i) the nature of the examination of title performed prior to giving this opinion by
20.23 the person signing the opinion;

20.24 (ii) that the manufactured home and the real property on which it is located is not
20.25 subject to any recorded mortgages, security interests, liens, or other encumbrances of
20.26 any kind;

20.27 (iii) that the person signing the opinion knows of no facts or circumstances that could
20.28 affect the validity of the title of the manufactured home or the existence or nonexistence of
20.29 any recorded mortgages, security interests, or other encumbrances of any kind, other than
20.30 property taxes payable in the year the affidavit is signed;

20.31 (iv) the person or persons owning record title to the real property to which the
20.32 manufactured home has been affixed, and the nature and extent of the title owned by
20.33 each of these persons; and

20.34 (v) that the person signing the opinion has reviewed all provisions of the affidavit of
20.35 severance and certifies that they are correct and complete to the best of the knowledge of
20.36 the person signing this opinion;

21.1 (3) the name and address of the person or persons designated by the applicant to file
 21.2 a certified copy of the affidavit of severance with the county auditor of the county in which
 21.3 the real estate is located, after the affidavit has been properly recorded in the office of the
 21.4 county recorder or county registrar of titles, whichever applies to the real property; and

21.5 (4) the signature of the person who executes the affidavit, properly executed before a
 21.6 person authorized to authenticate an affidavit in this state.

21.7 (b) The person designated in paragraph (a), clause (3), shall record, or arrange
 21.8 for the recording of, the affidavit of severance as referenced in that item, accompanied
 21.9 by the fees for recording and for issuing a certified copy of the affidavit, including all
 21.10 attachments, showing the recording date.

21.11 (c) Upon obtaining the certified copy under paragraph (b), the person designated in
 21.12 the affidavit shall deliver the certified copy to the county auditor of the county in which
 21.13 the real estate to which it was affixed is located.

21.14 (d) The department is not liable for any errors, omissions, misstatements, or other
 21.15 deficiencies or inaccuracies in documents presented to the department under this section,
 21.16 so long as the documents presented appear to satisfy the requirements of this section.
 21.17 The department has no obligation to investigate the accuracy of statements contained
 21.18 in the documents.

21.19 Sec. 27. Minnesota Statutes 2010, section 168A.15, subdivision 2, is amended to read:

21.20 Subd. 2. **Certain unconventional vehicles; requirements to obtain certificate for**
 21.21 **reconstructed vehicle.** If a vehicle is altered so as to become a reconstructed vehicle or
 21.22 restored pioneer vehicle, the owner shall apply for a certificate of title ~~to the reconstructed~~
 21.23 ~~vehicle~~ in the manner provided in section 168A.04, and any existing certificate of title to
 21.24 the vehicle shall be surrendered for cancellation.

21.25 Sec. 28. Minnesota Statutes 2010, section 169.06, subdivision 4, is amended to read:

21.26 Subd. 4. **Obedience to traffic-control signal or flagger; presumptions.** (a) The
 21.27 driver of any vehicle shall obey the instructions of any official traffic-control device
 21.28 applicable thereto placed in accordance with the provisions of this chapter, unless
 21.29 otherwise directed by a police officer or by a ~~certified overdimensional load escort driver~~
 21.30 flagger authorized under this subdivision, subject to the exceptions granted the driver of
 21.31 an authorized emergency vehicle in this chapter.

21.32 (b) No provision of this chapter for which official traffic-control devices are required
 21.33 shall be enforced against an alleged violator if at the time and place of the alleged
 21.34 violation an official device is not in proper position and sufficiently legible to be seen by

22.1 an ordinarily observant person. Whenever a particular section does not state that official
22.2 traffic-control devices are required, such section shall be effective even though no devices
22.3 are erected or in place.

22.4 (c) Whenever official traffic-control devices are placed in position approximately
22.5 conforming to the requirements of this chapter, such devices shall be presumed to have
22.6 been so placed by the official act or direction of lawful authority, unless the contrary
22.7 shall be established by competent evidence.

22.8 (d) Any official traffic-control device placed pursuant to the provisions of this
22.9 chapter and purporting to conform to the lawful requirements pertaining to such devices
22.10 shall be presumed to comply with the requirements of this chapter, unless the contrary
22.11 shall be established by competent evidence.

22.12 (e) A flagger in a designated work zone may stop vehicles and hold vehicles in place
22.13 until it is safe for the vehicles to proceed. A person operating a motor vehicle that has
22.14 been stopped by a flagger in a designated work zone may proceed after stopping only on
22.15 instruction by the flagger.

22.16 (f) An overdimensional load escort driver with a certificate issued under section
22.17 299D.085, while acting as a flagger escorting a legal overdimensional load, may stop
22.18 vehicles and hold vehicles in place until it is safe for the vehicles to proceed. A person
22.19 operating a motor vehicle that has been stopped by an escort driver acting as a flagger may
22.20 proceed only on instruction by the flagger or a police officer.

22.21 (g) A person may stop and hold vehicles in place until it is safe for the vehicles
22.22 to proceed, if the person: (1) holds a motorcycle road guard certificate issued under
22.23 section 171.60; (2) meets the safety and equipment standards for operating under the
22.24 certificate; and (3) is acting as a flagger escorting a motorcycle group ride. A flagger
22.25 operating as provided under this paragraph may direct operators of motorcycles within a
22.26 motorcycle group ride or other vehicle traffic, notwithstanding any contrary indication of a
22.27 traffic-control device, including stop signs or traffic-control signals. A person operating
22.28 a vehicle that has been stopped by a flagger under this paragraph may proceed only on
22.29 instruction by the flagger or a police officer.

22.30 Sec. 29. Minnesota Statutes 2010, section 169.872, subdivision 1a, is amended to read:

22.31 Subd. 1a. **Limit on civil penalties.** A civil penalty for excessive weight under
22.32 section 169.871 may be imposed based on a record of a shipment under this section only if
22.33 a state law enforcement officer or motor transportation representative (1) has inspected
22.34 and copied the record within 14 days of the date the shipment was received by the person

23.1 keeping the record, and (2) has assessed the penalty within 60 days of the date the officer
23.2 or representative inspected and copied the record.

23.3 Sec. 30. Minnesota Statutes 2010, section 169.98, subdivision 1, is amended to read:

23.4 Subdivision 1. **Colors and markings.** (a) Except as provided in subdivisions 2 and
23.5 2a, all motor vehicles which are primarily used in the enforcement of highway traffic rules
23.6 by the State Patrol or for general uniform patrol assignment by any municipal police
23.7 department or other law enforcement agency, except conservation officers, shall have
23.8 uniform colors and markings as provided in this subdivision. Motor vehicles of:

23.9 (1) municipal police departments, including the University of Minnesota Police
23.10 Department and park police units, shall be predominantly blue, brown, green, black,
23.11 or white;

23.12 (2) the State Patrol shall be predominantly maroon; and

23.13 (3) the county sheriff's office shall be predominantly brown, black, gold, or white.

23.14 (b) The identity of the governmental unit operating the vehicle shall be displayed on
23.15 both front door panels and on the rear of the vehicle. The identity may be in the form of
23.16 a shield or emblem, or may be the word "police," "sheriff," or the words "State Patrol"
23.17 or "conservation officer," as appropriate, with letters not less than 2-1/2 inches high,
23.18 one-inch wide and of a three-eighths inch brush stroke. The identity shall be of a color
23.19 contrasting with the background color so that the motor vehicle is easily identifiable as
23.20 belonging to a specific type of law enforcement agency. Each vehicle shall be marked
23.21 with its own identifying number on the rear of the vehicle. The number shall be printed
23.22 in the same size and color required pursuant to this subdivision for identifying words
23.23 which may be displayed on the vehicle.

23.24 Sec. 31. Minnesota Statutes 2010, section 169.98, subdivision 3, is amended to read:

23.25 Subd. 3. **Security guard vehicle.** (a) All motor vehicles which are used by security
23.26 guards in the course of their employment may have any color other than those specified in
23.27 subdivision 1 for law enforcement vehicles. The identity of the security service shall be
23.28 displayed on the motor vehicle as required for law enforcement vehicles.

23.29 (b) Notwithstanding subdivision 1, paragraph (a), clause (1), a security guard may
23.30 continue to use a motor vehicle that is predominantly black in the course of the guard's
23.31 employment if the vehicle was being used in this manner before August 1, 2002.

23.32 (c) Notwithstanding subdivision 1, paragraph (a), clause (3), a security guard may
23.33 continue to use a motor vehicle that is predominantly gold in the course of the guard's
23.34 employment if the vehicle was being used in this manner before August 1, 2012.

24.1 Sec. 32. Minnesota Statutes 2010, section 171.05, subdivision 2, is amended to read:

24.2 Subd. 2. **Person less than 18 years of age.** (a) Notwithstanding any provision
 24.3 in subdivision 1 to the contrary, the department may issue an instruction permit to an
 24.4 applicant who is 15, 16, or 17 years of age and who:

24.5 (1) has completed a course of driver education in another state, has a previously
 24.6 issued valid license from another state, or ~~is enrolled in either:~~

24.7 (i) the applicant is enrolled in behind-the-wheel training in a public, private, or
 24.8 commercial driver education program that utilizes simulation or behind-the-wheel
 24.9 instruction and that is approved by the commissioner of public safety; and

24.10 (ii) the applicant:

24.11 (A) has successfully completed the classroom phase of instruction in a public,
 24.12 private, or commercial driver education program that is approved by the commissioner of
 24.13 public safety and that includes classroom and behind-the-wheel training; or;

24.14 ~~(ii) an approved behind-the-wheel driver education program~~ (B) has successfully
 24.15 completed home school driver training, when the student is receiving full-time instruction
 24.16 in a home school within the meaning of sections 120A.22 and 120A.24, the student is
 24.17 working toward a home_school diploma, the student's status as a home_school student has
 24.18 been certified by the superintendent of the school district in which the student resides,
 24.19 and the ~~student is taking home-classroom driver training with~~ classroom materials are
 24.20 approved by the commissioner of public safety; or

24.21 (C) concurrent to the instruction under item (i), is enrolled in the classroom phase of
 24.22 instruction in a public, private, or commercial driver education program that is approved
 24.23 by the commissioner of public safety, and completes 15 hours of classroom instruction and
 24.24 one behind-the-wheel lesson with an instructor;

24.25 ~~(2) has completed the classroom phase of instruction in the driver education program;~~

24.26 ~~(3)~~ (2) has passed a test of the applicant's eyesight;

24.27 ~~(4)~~ (3) has passed a department-administered test of the applicant's knowledge
 24.28 of traffic laws;

24.29 ~~(5)~~ (4) has completed the required application, which must be approved by (i) either
 24.30 parent when both reside in the same household as the minor applicant or, if otherwise,
 24.31 then (ii) the parent or spouse of the parent having custody or, in the event there is no court
 24.32 order for custody, then (iii) the parent or spouse of the parent with whom the minor is
 24.33 living or, if items (i) ~~to~~ through (iii) do not apply, then (iv) the guardian having custody of
 24.34 the minor, ~~(v) the foster parent or the director of the transitional living program in which~~
 24.35 ~~the child resides~~ or, in the event a person under the age of 18 has no living father, mother,
 24.36 or guardian, then (v) the foster parent or the director of the transitional living program

25.1 in which the child resides or, if items (i) through (v) do not apply or the minor applicant
 25.2 is married or otherwise legally emancipated, then (vi) the applicant's adult spouse, adult
 25.3 close family member, or adult employer; provided, that the approval required by this
 25.4 clause contains a verification of the age of the applicant and the identity of the parent,
 25.5 guardian, foster parent, program director, adult spouse, adult close family member, or
 25.6 adult employer; and

25.7 ~~(6)~~ (5) has paid ~~the fee~~ all fees required in section 171.06, subdivision 2.

25.8 (b) The instruction permit is valid for two years from the date of application and
 25.9 may be renewed upon payment of a fee equal to the fee for issuance of an instruction
 25.10 permit under section 171.06, subdivision 2.

25.11 Sec. 33. Minnesota Statutes 2010, section 171.06, subdivision 2, is amended to read:

25.12 Subd. 2. **Fees.** (a) The fees for a license and Minnesota identification card are
 25.13 as follows:

25.14	Classified Driver's License	D-\$22.25	C-\$26.25	B-\$33.25	A-\$41.25
25.15	Classified Under-21 D.L.	D-\$22.25	C-\$26.25	B-\$33.25	A-\$21.25
25.16	Enhanced Driver's License	D-\$37.25	C-\$41.25	B-\$48.25	A-\$56.25
25.17	Instruction Permit				\$10.25
25.18	Enhanced Instruction				
25.19	Permit				\$25.25
25.20	Provisional License				\$13.25
25.21	Enhanced Provisional				
25.22	License				\$28.25
25.23	Duplicate License or				
25.24	duplicate identification				
25.25	card				\$11.75
25.26	Enhanced Duplicate				
25.27	License or enhanced				
25.28	duplicate identification				
25.29	card				\$26.75
25.30	Minnesota identification				
25.31	card or Under-21				
25.32	Minnesota identification				
25.33	card, other than duplicate,				
25.34	except as otherwise				
25.35	provided in section 171.07,				
25.36	subdivisions 3 and 3a				\$16.25
25.37	Enhanced Minnesota				
25.38	identification card				\$31.25

25.39 In addition to each fee required in this paragraph, the commissioner shall collect a
 25.40 surcharge of \$1.75 until June 30, 2012. Surcharges collected under this paragraph must be
 25.41 credited to the driver and vehicle services technology account in the special revenue fund
 25.42 under section 299A.705.

26.1 (b) Notwithstanding paragraph (a), an individual who holds a provisional license and
26.2 has a driving record free of (1) convictions for a violation of section 169A.20, 169A.33,
26.3 169A.35, or sections 169A.50 to 169A.53, (2) convictions for crash-related moving
26.4 violations, and (3) convictions for moving violations that are not crash related, shall have a
26.5 \$3.50 credit toward the fee for any classified under-21 driver's license. "Moving violation"
26.6 has the meaning given it in section 171.04, subdivision 1.

26.7 (c) In addition to the driver's license fee required under paragraph (a), the
26.8 commissioner shall collect an additional \$4 processing fee from each new applicant
26.9 or individual renewing a license with a school bus endorsement to cover the costs for
26.10 processing an applicant's initial and biennial physical examination certificate. The
26.11 department shall not charge these applicants any other fee to receive or renew the
26.12 endorsement.

26.13 (d) In addition to the instruction permit fee required under paragraph (a), the
26.14 commissioner shall collect an additional \$5 program implementation fee from an applicant
26.15 who is enrolled in concurrent driver education instruction as provided in section 171.05,
26.16 subdivision 2, paragraph (a), clause (1), item (ii), subitem (C). The commissioner shall
26.17 terminate the fee under this paragraph when the department has fully recovered its
26.18 costs to implement concurrent classroom phase and behind-the-wheel instruction under
26.19 section 171.05. The commissioner shall deposit proceeds of the fee in the driver services
26.20 operating account in the special revenue fund. Proceeds from the fee under this paragraph
26.21 are annually appropriated to the commissioner from the driver services operating account
26.22 for administrative costs to implement concurrent driver education.

26.23 Sec. 34. **[171.60] MOTORCYCLE ROAD GUARD CERTIFICATE.**

26.24 Subdivision 1. **Certificate required.** No person may perform traffic control as a
26.25 motorcycle road guard as provided under chapter 169 without a valid motorcycle road
26.26 guard certificate issued by the commissioner.

26.27 Subd. 2. **Certification qualifications and standards; fee.** Through the Minnesota
26.28 Motorcycle Safety Center, the commissioner of public safety shall:

26.29 (1) establish qualifications and requirements for a person to obtain a motorcycle road
26.30 guard certificate under this section, which must include:

26.31 (i) a minimum 18 years of age;

26.32 (ii) possession of a valid driver's license; and

26.33 (iii) successful completion of a motorcycle road guard certification course;

26.34 (2) develop and offer, whether by the Minnesota Motorcycle Safety Center or
26.35 authorized agents, a motorcycle road guard certification course; and

27.1 (3) establish safety and equipment standards for a person who operates under a
27.2 motorcycle road guard certificate, including but not limited to specifying requirements
27.3 for a reflective safety vest.

27.4 Subd. 3. **Fee.** The commissioner of public safety shall assess a fee for each applicant
27.5 for a motorcycle road guard certificate, calculated to cover the commissioner's cost of
27.6 establishing and administering the program.

27.7 Subd. 4. **Penalty.** A person who violates any provision of this section is guilty
27.8 of a petty misdemeanor.

27.9 Subd. 5. **Rulemaking.** The commissioner of public safety shall adopt rules to carry
27.10 out the provisions of this section. Notwithstanding section 16A.1283, the rules must
27.11 specify the fee to be assessed under subdivision 3.

27.12 Sec. 35. Minnesota Statutes 2010, section 174.03, subdivision 1b, is amended to read:

27.13 Subd. 1b. **Statewide freight and passenger rail plan; Freight Rail Economic**
27.14 **Development study.** (a) The commissioner shall develop a comprehensive statewide
27.15 freight and passenger rail plan to be included and revised as a part of the statewide
27.16 transportation plan.

27.17 ~~(b) Before the initial version of the plan is adopted, the commissioner shall provide a~~
27.18 ~~copy for review and comment to the chairs and ranking minority members of the senate~~
27.19 ~~and house of representatives committees with jurisdiction over transportation policy and~~
27.20 ~~finance. Notwithstanding paragraph (a), the commissioner may adopt the next revision~~
27.21 ~~of the statewide transportation plan, scheduled to be completed in calendar year 2009,~~
27.22 ~~prior to completion of the initial version of the comprehensive statewide freight and~~
27.23 ~~passenger rail plan.~~

27.24 (b) The commissioner, in cooperation with the commissioner of employment and
27.25 economic development, shall conduct a Freight Rail Economic Development study. The
27.26 study must assess the economic impact of freight railroads in the state and identify
27.27 opportunities to expand business development and enhance economic competitiveness
27.28 through improved utilization of freight rail options. The commissioner shall incorporate
27.29 findings from the study as an amendment or update to the comprehensive statewide freight
27.30 and passenger rail plan.

27.31 (c) The commissioner shall provide an interim progress report by January 15, 2013,
27.32 and a final report by September 1, 2013, on the Freight Rail Economic Development study
27.33 to the chairs and ranking minority members of the legislative committees with jurisdiction
27.34 over transportation policy and finance and employment and economic development. The
27.35 final report must include any recommended legislative initiatives.

28.1 (d) The commissioner may expend money under section 222.50, subdivision 7, to
 28.2 pay the costs of the study and reports under paragraphs (b) and (c).

28.3 **EFFECTIVE DATE.** This section is effective the day following final enactment.

28.4 Sec. 36. Minnesota Statutes 2010, section 299D.09, is amended to read:

28.5 **299D.09 ESCORT SERVICE; APPROPRIATION; RECEIPTS.**

28.6 Fees charged for escort services provided by the State Patrol are annually
 28.7 appropriated to the commissioner of public safety to administer and provide these services.

28.8 The ~~fees~~ fee charged for services provided by the State Patrol with a vehicle ~~are~~
 28.9 ~~\$73.60~~ is \$79.28 an hour in fiscal year ~~2008~~ and \$75.76 an hour in fiscal year 2009 ~~2013,~~
 28.10 and in fiscal year 2014 and thereafter, the fee may be reviewed and adjusted by the
 28.11 commissioner of public safety in an amount equal to the costs of providing this service.

28.12 The ~~fees~~ fee charged for services provided without a vehicle ~~are \$54~~ is \$59.28 an hour in
 28.13 fiscal year ~~2008~~ and \$56.16 an hour in fiscal year 2009 ~~2014,~~ and in fiscal year 2013 and
 28.14 thereafter, the fee may be reviewed and adjusted by the commissioner of public safety
 28.15 in an amount equal to the costs of providing this service.

28.16 The fees charged for State Patrol flight services are \$140 an hour for a fixed wing
 28.17 aircraft, \$490 an hour for a helicopter, and \$600 an hour for the Queen Air in fiscal
 28.18 year 2012; \$139.64 an hour for a fixed wing aircraft, \$560.83 an hour for a helicopter,
 28.19 and \$454.84 an hour for the Queen Air in fiscal year 2013; and in fiscal year 2014 and
 28.20 thereafter, the fees may be reviewed and adjusted by the commissioner of public safety in
 28.21 an amount equal to the costs of providing these services.

28.22 **EFFECTIVE DATE.** This section is effective July 1, 2012.

28.23 Sec. 37. Minnesota Statutes 2010, section 473.388, subdivision 2, is amended to read:

28.24 Subd. 2. **Replacement service; eligibility.** (a) The council may provide assistance
 28.25 under the program to a statutory or home rule charter city or town or combination thereof,
 28.26 that:

28.27 ~~(a)~~ (1) is located in the metropolitan transit taxing district;

28.28 ~~(b)~~ (2) is not served by the council bus service or is served only with council bus
 28.29 routes which begin or end within the applying city or town or combination thereof; and

28.30 ~~(c)~~ (3) has fewer than four scheduled runs of council bus service during off-peak
 28.31 hours as defined by the Metropolitan Council.

28.32 (b) Eligible cities or towns or combinations thereof may apply on behalf of a transit
 28.33 operator with whom they propose to contract for service.

29.1 ~~The council may not provide assistance under this section to a statutory or home rule~~
 29.2 ~~charter city or town unless the city or town,~~

29.3 ~~(i) was receiving assistance under Minnesota Statutes 1982, section 174.265, by~~
 29.4 ~~July 1, 1984,~~

29.5 ~~(ii) had submitted an application for assistance under that section by July 1, 1984, or~~

29.6 ~~(iii) had submitted a letter of intent to apply for assistance under that section by July~~
 29.7 ~~1, 1984, and submits an application for assistance under this section by July 1, 1988. A~~
 29.8 ~~statutory or home rule charter city or town has an additional 12-month extension if it~~
 29.9 ~~notified the former regional transit board before July 1, 1988, that the city or town is in the~~
 29.10 ~~process of completing a transportation evaluation study that includes an assessment of~~
 29.11 ~~the local transit needs of the city or town.~~

29.12 (c) The council may not provide assistance under this section unless the statutory or
 29.13 home rule charter city or town or combination:

29.14 (1) was receiving assistance under this section as of January 1, 2012; or

29.15 (2) had submitted an application for assistance under this section by July 1, 2016.

29.16 Sec. 38. Minnesota Statutes 2010, section 473.388, subdivision 4, is amended to read:

29.17 Subd. 4. **Financial assistance.** (a) The council must grant the requested financial
 29.18 assistance if it determines that the proposed service is intended to replace the service to
 29.19 the applying city or town or combination thereof by the council and that the proposed
 29.20 service will meet the needs of the applicant at least as efficiently and effectively as the
 29.21 existing service.

29.22 (b) The minimum amount of assistance which the council must provide ~~to a system~~
 29.23 under this section may not be less than the sum of the amounts calculated or determined
 29.24 for each ~~municipality comprising the system as follows:~~ of the replacement service
 29.25 municipalities as provided in paragraphs (c) and (d).

29.26 (c) For each replacement service municipality that received assistance under this
 29.27 section in 2011, the minimum amount of financial assistance is calculated as:

29.28 (1) an amount equal to 3.74 percent of the total state revenues generated from the
 29.29 taxes imposed under chapter 297B for the current fiscal year; times

29.30 (2) the ratio of (i) the transit operating assistance grants received under this
 29.31 subdivision by the municipality in calendar year 2001 or the tax revenues for transit
 29.32 services levied by the municipality for taxes payable in 2001, including that portion of the
 29.33 levy derived from the areawide pool under section 473F.08, subdivision 3, clause (a), plus
 29.34 the portion of the municipality's aid under section 273.1398, subdivision 2, attributable
 29.35 to the transit levy; times (2) the ratio of (i) an amount equal to 3.74 percent of the state

30.1 ~~revenues generated from the taxes imposed under chapter 297B for the current fiscal~~
 30.2 ~~year~~ to (ii) the total transit operating assistance grants received under this subdivision
 30.3 in calendar year 2001 or the tax revenues for transit services levied by all replacement
 30.4 service municipalities under this section for taxes payable in 2001, including that portion
 30.5 of the levy derived from the areawide pool under section 473F.08, subdivision 3, clause
 30.6 (a), plus the portion of homestead and agricultural credit aid under section 273.1398,
 30.7 subdivision 2, attributable to nondebt transit levies; 2 times

30.8 (3) the ratio of (i) the municipality's total taxable market value for taxes payable
 30.9 in 2006 divided by the municipality's total taxable market value for taxes payable in
 30.10 2001, to (ii) the total taxable market value of all property located in replacement service
 30.11 municipalities for taxes payable in 2006 divided by the total taxable market value of all
 30.12 property located in replacement service municipalities for taxes payable in 2001.

30.13 (d) For each replacement service municipality that first begins receiving assistance
 30.14 under this section after January 1, 2012, the council shall identify a minimum amount of
 30.15 assistance. The amount must be (1) to the extent practical, commensurate with the amount
 30.16 of assistance provided under paragraph (c); and (2) based on criteria developed by the
 30.17 council, including the following factors: operating expenses and revenues from other
 30.18 sources, service hours, ridership, and service performance standards.

30.19 ~~(e)~~ (e) The council shall pay the amount to be provided to the recipient from the
 30.20 funds the council receives in the metropolitan area transit account under section 16A.88.

30.21 Sec. 39. Minnesota Statutes 2010, section 473.408, is amended by adding a subdivision
 30.22 to read:

30.23 Subd. 5a. **Farebox recovery adjustment.** (a) The council shall amend its fare
 30.24 policies under this section, to increase the fare beginning July 1, 2012, by 25 cents during
 30.25 peak hours and nonpeak hours for passengers who are not provided a discounted fare, for:

30.26 (1) regular route and express bus service;

30.27 (2) light rail transit service;

30.28 (3) commuter rail service, including during weekdays and weekends; and

30.29 (4) downtown zone circulation service.

30.30 (b) This subdivision does not apply to each type of discounted fare service, including
 30.31 but not limited to service for persons with disabilities; Metro Mobility paratransit service;
 30.32 or Transit Link shared-ride service.

30.33 **EFFECTIVE DATE.** This section is effective the day following final enactment.

30.34 Sec. 40. Laws 2009, chapter 158, section 10, is amended to read:

31.1 Sec. 10. **EFFECTIVE DATE.**

31.2 Sections 2 and 3 are effective August 1, 2009, and the amendments made in sections
31.3 2 and 3 to Minnesota Statutes, sections 169.011 and 169.045, expire July 31, ~~2012~~ 2014.

31.4 **EFFECTIVE DATE.** This section is effective the day following final enactment.

31.5 Sec. 41. Laws 2011, First Special Session chapter 3, article 1, section 4, is amended to
31.6 read:

31.7 Sec. 4. **METROPOLITAN COUNCIL** \$ 39,038,000 \$ 39,038,000

31.8 This appropriation is from the general
31.9 fund for transit system operations under
31.10 Minnesota Statutes, sections 473.371 to
31.11 473.449.

31.12 Of this appropriation, \$140,000 in each
31.13 fiscal year is for transit service for disabled
31.14 veterans under Minnesota Statutes, section
31.15 473.408, subdivision 10.

31.16 The base appropriation is \$64,889,000 for
31.17 fiscal year 2014 and \$64,970,000 for fiscal
31.18 year 2015.

31.19 Notwithstanding Minnesota Statutes, section
31.20 473.388, subdivision 4, in ~~each year of the~~
31.21 ~~biennium~~ fiscal year 2012, the Metropolitan
31.22 Council shall provide financial assistance to
31.23 transit providers under Minnesota Statutes,
31.24 section 473.388, in an amount that is
31.25 \$1,650,000 less than the amount of assistance
31.26 that was provided to transit providers by the
31.27 Metropolitan Council in fiscal year 2011.
31.28 Funds not transferred as a result of this
31.29 rider are available for use by the council for
31.30 metropolitan transit operations.

31.31 **EFFECTIVE DATE.** This section is effective the day following final enactment.

31.32 Sec. 42. **LEGISLATIVE ROUTE NO. 227 REMOVED.**

32.1 (a) Minnesota Statutes, section 161.115, subdivision 158, is repealed effective the
32.2 day after the commissioner of transportation receives a copy of the agreement between
32.3 the commissioner and the governing body of Wadena County to transfer jurisdiction of
32.4 Legislative Route No. 227 and notifies the revisor of statutes under paragraph (b).

32.5 (b) The revisor of statutes shall delete the route identified in paragraph (a) from
32.6 Minnesota Statutes when the commissioner of transportation sends notice to the revisor
32.7 electronically or in writing that the conditions required to transfer the route have been
32.8 satisfied.

32.9 Sec. 43. **LEGISLATIVE ROUTE NO. 258 REMOVED.**

32.10 (a) Minnesota Statutes, section 161.115, subdivision 189, is repealed effective the
32.11 day after the commissioner of transportation receives a copy of the agreement between
32.12 the commissioner and the governing body of Brown County to transfer jurisdiction of
32.13 Legislative Route No. 258 and notifies the revisor of statutes under paragraph (b).

32.14 (b) The revisor of statutes shall delete the route identified in paragraph (a) from
32.15 Minnesota Statutes when the commissioner of transportation sends notice to the revisor
32.16 electronically or in writing that the conditions required to transfer the route have been
32.17 satisfied.

32.18 Sec. 44. **LEGISLATIVE ROUTE NO. 291 REMOVED.**

32.19 (a) Minnesota Statutes, section 161.115, subdivision 222, is repealed effective the
32.20 day after the commissioner of transportation receives a copy of the agreement between the
32.21 commissioner and the governing body of the city of Hastings to transfer jurisdiction of
32.22 Legislative Route No. 291 and notifies the revisor of statutes under paragraph (b).

32.23 (b) The revisor of statutes shall delete the route identified in paragraph (a) from
32.24 Minnesota Statutes when the commissioner of transportation sends notice to the revisor
32.25 electronically or in writing that the conditions required to transfer the route have been
32.26 satisfied.

32.27 Sec. 45. **TRUNK HIGHWAY 47 MAINTENANCE.**

32.28 Notwithstanding any law to the contrary, the commissioner of transportation shall
32.29 permit the Anoka County Board to perform routine roadway maintenance on the portion
32.30 of marked Trunk Highway 47 north of marked Trunk Highway 10 and located within the
32.31 jurisdiction of the county. For purposes of this section, "routine roadway maintenance"
32.32 means work on the roadway to keep it in a reasonable state of repair and functional use,

33.1 including but not limited to striping, erecting and maintaining traffic control devices, and
33.2 adding turn lanes within existing rights-of-way.

33.3 **EFFECTIVE DATE.** This section is effective the day following final enactment.

33.4 Sec. 46. **LEGISLATIVE REPORTS ON CONTRACTING.**

33.5 Subdivision 1. **Submission of reports.** The commissioner shall report on experience
33.6 with and evaluation of the construction manager/general contractor method of contracting
33.7 authorized in Minnesota Statutes, sections 161.3207 to 161.3209. The reports must be
33.8 submitted to the chairs and ranking minority members of the legislative committees with
33.9 jurisdiction over transportation policy or transportation finance and in compliance with
33.10 Minnesota Statutes, sections 3.195 and 3.197. An interim report must be submitted
33.11 no later than 12 months following the commissioner's acceptance of five construction
33.12 manager/general contractor contracts. A final report must be submitted no later than 12
33.13 months following the commissioner's acceptance of ten construction manager/general
33.14 contractor contracts.

33.15 Subd. 2. **Content of reports.** The reports must include: (1) a description of
33.16 circumstances of any projects as to which construction manager/general contractor
33.17 requests for qualifications or requests for proposals were solicited, followed by a
33.18 cancellation of the solicitation; (2) a description of projects as to which construction
33.19 manager/general contractor method was utilized; (3) a comparison of project cost
33.20 estimates with final project costs, if available; and (4) evaluation of the construction
33.21 manager/general contractor method of procurement with respect to implications for
33.22 project cost, use of innovative techniques, completion time, and obtaining maximum
33.23 value. The final report must also include recommendations as to continued use of the
33.24 program and desired modifications to the program, and recommended legislation to
33.25 continue, discontinue, or modify the program.

33.26 **EFFECTIVE DATE.** This section is effective the day following final enactment and
33.27 expires following the acceptance of ten construction manager/general contractor contracts.

33.28 Sec. 47. **EFFECTIVE DATE.**

33.29 Sections 28 and 34, subdivisions 1 to 4, are effective one year after publication in
33.30 the State Register of rules adopted under section 34, subdivision 5. Section 2, subdivision
33.31 5, is effective the day following final enactment.

34.1 Sec. 48. **EFFECTIVE DATE.**34.2 Unless otherwise specified, this act is effective August 1, 2012."

34.3 Delete the title and insert:

34.4 "A bill for an act
34.5 relating to transportation; modifying provisions governing transportation policy
34.6 and finance, including trunk highway designation, work and contracting on trunk
34.7 highways, motor vehicles, motor vehicle weight limit regulations, motor vehicle
34.8 titles, manufactured home titles, driver's education, metropolitan area transit
34.9 service, and legislative reports; making contingent appropriations; setting fees;
34.10 making technical changes amending Minnesota Statutes 2010, sections 13.72,
34.11 by adding a subdivision; 160.27, by adding a subdivision; 160.2715; 161.14, by
34.12 adding a subdivision; 161.20, subdivision 4; 168.013, subdivision 3; 168.10,
34.13 subdivision 1a; 168.185; 168A.01, subdivision 16, by adding subdivisions;
34.14 168A.02, subdivision 3; 168A.04, subdivisions 1, 5, by adding a subdivision;
34.15 168A.05, subdivisions 1, 1a, 1b, 3; 168A.09, by adding a subdivision; 168A.141,
34.16 subdivision 1; 168A.15, subdivision 2; 169.06, subdivision 4; 169.872,
34.17 subdivision 1a; 169.98, subdivisions 1, 3; 171.05, subdivision 2; 171.06,
34.18 subdivision 2; 174.03, subdivision 1b; 299D.09; 473.388, subdivisions 2, 4;
34.19 473.408, by adding a subdivision; Laws 2009, chapter 158, section 10; Laws
34.20 2011, First Special Session chapter 3, article 1, section 4; proposing coding for
34.21 new law in Minnesota Statutes, chapters 161; 168A; 171."