

1.1 moves to amend H.F. No. 861, the fifth engrossment, as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 **"ARTICLE 1**

1.4 **TRANSPORTATION APPROPRIATIONS**

1.5 Section 1. **TRANSPORTATION APPROPRIATIONS**

1.6 The sums shown in the columns marked "Appropriations" are appropriated to the agencies
 1.7 and for the purposes specified in this article. The appropriations are from the trunk highway
 1.8 fund, or another named fund, and are available for the fiscal years indicated for each purpose.
 1.9 Amounts for "Total Appropriation" and sums shown in the corresponding columns marked
 1.10 "Appropriations by Fund" are summary only and do not have legal effect. Unless specified
 1.11 otherwise, the amounts in the second year under "Appropriations by Fund" show the base
 1.12 within the meaning of Minnesota Statutes, section 16A.11, subdivision 3, by fund. The
 1.13 figures "2018" and "2019" used in this article mean that the appropriations listed under them
 1.14 are available for the fiscal year ending June 30, 2018, or June 30, 2019, respectively. "The
 1.15 first year" is fiscal year 2018. "The second year" is fiscal year 2019. "The biennium" is
 1.16 fiscal years 2018 and 2019.

1.17 **APPROPRIATIONS**
 1.18 **Available for the Year**
 1.19 **Ending June 30**
 1.20 **2018 2019**

1.21 **Sec. 2. DEPARTMENT OF**
1.22 **TRANSPORTATION**

1.23 **Subdivision 1. Total Appropriation** **\$ 3,012,936,000** **\$ 2,932,585,000**

1.24 **Appropriations by Fund**

1.25		<u>2018</u>	<u>2019</u>
1.26	<u>General</u>	<u>23,458,000</u>	<u>38,358,000</u>

2.1	<u>Airports</u>	<u>34,812,000</u>	<u>22,109,000</u>
2.2	<u>C.S.A.H.</u>	<u>775,859,000</u>	<u>803,286,000</u>
2.3	<u>M.S.A.S.</u>	<u>194,991,000</u>	<u>201,892,000</u>
2.4	<u>Special Revenue</u>	<u>2,500,000</u>	<u>0</u>
2.5	<u>Trunk Highway</u>	<u>1,981,316,000</u>	<u>1,866,940,000</u>

2.6 The appropriations in this section are to the
 2.7 commissioner of transportation. The amounts
 2.8 that may be spent for each purpose are
 2.9 specified in the following subdivisions.

2.10 Subd. 2. **Multimodal Systems**

2.11 (a) **Aeronautics**

2.12 (1) **Airport Development and Assistance** 26,001,000 16,798,000

2.13 This appropriation is from the state airports
 2.14 fund and must be spent according to
 2.15 Minnesota Statutes, section 360.305,
 2.16 subdivision 4.

2.17 Notwithstanding Minnesota Statutes, section
 2.18 16A.28, subdivision 6, this appropriation is
 2.19 available for five years after the year of the
 2.20 appropriation. If the appropriation for either
 2.21 year is insufficient, the appropriation for the
 2.22 other year is available for it.

2.23 \$6,619,000 in the first year is for a grant to
 2.24 the Duluth Airport Authority to provide the
 2.25 federal match to design and construct runway
 2.26 infrastructure at the Duluth International
 2.27 Airport or the Sky Harbor Airport in
 2.28 accordance with Minnesota Statutes, section
 2.29 360.017. For the purposes of this
 2.30 appropriation, the commissioner may waive
 2.31 the requirements of Minnesota Statutes,
 2.32 section 360.305, subdivision 4, paragraph (b).
 2.33 This is a onetime appropriation.

3.1 \$2,334,000 in the first year is for a grant to
3.2 the city of Rochester to design, rehabilitate,
3.3 demolish, and expand portions of the existing
3.4 passenger terminal building at the Rochester
3.5 International Airport, provided that this
3.6 amount also includes money to remodel,
3.7 construct, furnish, and equip the existing
3.8 passenger terminal building and associated
3.9 appurtenances to meet the United States
3.10 Customs and Border Protection and
3.11 Transportation Security Administration
3.12 standards for safety, security, and processing
3.13 time to accommodate domestic and
3.14 international flights. The capital improvements
3.15 paid for with this appropriation may be used
3.16 as the local contribution required by
3.17 Minnesota Statutes, section 360.305,
3.18 subdivision 4. This appropriation may be used
3.19 to reimburse the city for costs incurred after
3.20 May 1, 2016. This appropriation is not
3.21 available until the commissioner of
3.22 management and budget has determined that
3.23 at least an equal amount has been committed
3.24 to the project from nonstate sources. Work
3.25 that may be completed with this appropriation
3.26 includes but is not limited to (i) site
3.27 preparation, including utilities, site civil work,
3.28 testing, and construction administration
3.29 services, (ii) the relocation, modification, and
3.30 addition of airline ticket counters, baggage
3.31 claim devices, public spaces, offices,
3.32 restrooms, support space, break rooms,
3.33 lockers, equipment storage, communications,
3.34 hallways, building signage, medical visitor
3.35 rooms, special needs accommodations, hold
3.36 rooms, secure storage, equipment maintenance

4.1 area, and building engineering and technology
 4.2 systems, (iii) improvements needed outside
 4.3 the terminal to remove, restore, and tie into
 4.4 adjacent utilities, sidewalks, driveways,
 4.5 parking lots, and aircraft aprons, and (iv) the
 4.6 construction of covered exterior equipment
 4.7 storage. This is a onetime appropriation.

4.8 Notwithstanding Minnesota Statutes, section
 4.9 360.017, \$250,000 in the first year is for a
 4.10 grant to the city of St. Cloud for an air
 4.11 transport optimization planning study for the
 4.12 St. Cloud Regional Airport. The study must
 4.13 be comprehensive and market-based, using
 4.14 economic development and air service
 4.15 expertise to research, analyze, and develop
 4.16 models and strategies that maximize the return
 4.17 on investments made to enhance the use and
 4.18 impact of the St. Cloud Regional Airport. By
 4.19 January 5, 2018, the city of St. Cloud shall
 4.20 submit a report to the governor and the
 4.21 members and staff of the legislative
 4.22 committees with jurisdiction over capital
 4.23 investment, transportation, and economic
 4.24 development with recommendations based on
 4.25 the findings of the study. This is a onetime
 4.26 appropriation.

4.27 The base is \$15,298,000 in each of fiscal years
 4.28 2020 and 2021.

4.29 **(2) Aviation Support and Services** 6,710,000 6,854,000

4.30	<u>Appropriations by Fund</u>		
4.31		<u>2018</u>	<u>2019</u>
4.32	<u>Airports</u>	<u>5,231,000</u>	<u>5,231,000</u>
4.33	<u>Trunk Highway</u>	<u>1,479,000</u>	<u>1,623,000</u>

4.34 **(3) Civil Air Patrol** 3,580,000 80,000

5.1 This appropriation is from the state airports
 5.2 fund for the Civil Air Patrol.
 5.3 \$3,500,000 in the first year is for a grant to
 5.4 renovate a portion of and construct an addition
 5.5 to the training and maintenance facility located
 5.6 at the South St. Paul airport, and to furnish
 5.7 and equip the facility, including
 5.8 communications equipment. Notwithstanding
 5.9 Minnesota Statutes, section 16A.28,
 5.10 subdivision 6, this appropriation is available
 5.11 for five years after the year of the
 5.12 appropriation. This is a onetime appropriation.

5.13 (b) Transit 1,241,000 18,268,000

<u>Appropriations by Fund</u>	<u>2018</u>	<u>2019</u>
5.15 <u>General</u>	<u>395,000</u>	<u>17,395,000</u>
5.17 <u>Trunk Highway</u>	<u>846,000</u>	<u>873,000</u>

5.18 \$150,000 in each year is from the general fund
 5.19 for grants to transportation management
 5.20 organizations that provide services exclusively
 5.21 or primarily in the city located along the
 5.22 marked Interstate Highway 494 corridor
 5.23 having the highest population as of the
 5.24 effective date of this section. The
 5.25 commissioner must not retain any portion of
 5.26 the funds appropriated under this section.
 5.27 From the appropriation in each fiscal year, the
 5.28 commissioner must make grant payments in
 5.29 full by July 31. Permissible uses of funds
 5.30 under this grant include administrative
 5.31 expenses and programming and service
 5.32 expansion, including but not limited to
 5.33 staffing, communications, outreach and
 5.34 education program development, and

6.1 operations management. This is a onetime
 6.2 appropriation.

6.3 The base from the general fund is \$17,245,000
 6.4 in each year for fiscal years 2020 and 2021.

6.5 **(c) Safe Routes to School** 1,500,000 500,000

6.6 This appropriation is from the general fund
 6.7 for the safe routes to school program under
 6.8 Minnesota Statutes, section 174.40.

6.9 **(d) Freight**

6.10 **(1) Freight and Commercial Vehicle Operations** 9,356,000 5,928,000

6.11 Appropriations by Fund

	<u>2018</u>	<u>2019</u>
6.12 <u>General</u>	<u>1,506,000</u>	<u>406,000</u>
6.13 <u>Special Revenue</u>	<u>2,500,000</u>	<u>0</u>
6.14 <u>Trunk Highway</u>	<u>5,350,000</u>	<u>5,522,000</u>

6.16 \$1,100,000 in the first year is from the general
 6.17 fund for port development assistance grants
 6.18 under Minnesota Statutes, chapter 457A, to
 6.19 the city of Red Wing and to the Port Authority
 6.20 of Winona. Any improvements made with the
 6.21 proceeds of the grants must be publicly owned.

6.22 This is a onetime appropriation and is
 6.23 available in the second year.

6.24 \$150,000 in each year is from the general fund
 6.25 for additional rail safety and rail service
 6.26 activities.

6.27 \$1,000,000 in the first year is from the rail
 6.28 service improvement account in the special
 6.29 revenue fund for a grant to the city of Grand
 6.30 Rapids to fund rail planning studies, design,
 6.31 and preliminary engineering relating to the
 6.32 construction of a freight rail line located in the
 6.33 counties of Itasca, St. Louis, and Lake to serve
 6.34 local producers and shippers. The city of

7.1 Grand Rapids shall collaborate with the Itasca
 7.2 Economic Development Corporation and the
 7.3 Itasca County Regional Railroad Authority in
 7.4 the activities funded with the proceeds of this
 7.5 grant. This is a onetime appropriation and is
 7.6 available until June 30, 2019.

7.7 \$1,500,000 in the first year is from the rail
 7.8 service improvement account in the special
 7.9 revenue fund for a grant to a railroad company
 7.10 classified by federal law as a Class III railroad
 7.11 or Class III carrier, to repair or rehabilitate a
 7.12 line of railroad track that serves at least one
 7.13 industrial park located in the metropolitan
 7.14 area, as defined in Minnesota Statutes, section
 7.15 473.121, subdivision 2. This is a onetime
 7.16 appropriation and is available until June 30,
 7.17 2019.

7.18 **(2) Hazardous Materials Rail Safety** 5,000,000 5,000,000

7.19 This appropriation is from the general fund
 7.20 for the hazardous materials rail safety program
 7.21 and grants under Minnesota Statutes, section
 7.22 219.016. This is a onetime appropriation.

7.23 **Subd. 3. State Roads**

7.24 **(a) Operations and Maintenance** 349,325,000 337,233,000

7.25 The base is \$325,606,000 in fiscal year 2020
 7.26 and \$322,525,000 in fiscal year 2021.

7.27 **(b) Program Planning and Delivery**

7.28 **(1) Planning and Research** 34,844,000 33,053,000

7.29 If a balance remains of this appropriation, the
 7.30 commissioner may transfer up to that amount
 7.31 for program delivery under clause (2).

7.32 Up to \$160,000 in the first year is for the
 7.33 highway construction costs and cost inflation

8.1 study under article 3, section 150. This is a
8.2 onetime appropriation.

8.3 \$130,000 in each year is available for
8.4 administrative costs of the targeted group
8.5 business program.

8.6 \$266,000 in each year is available for grants
8.7 to metropolitan planning organizations outside
8.8 the seven-county metropolitan area.

8.9 \$900,000 in each year is available for grants
8.10 for transportation studies outside the
8.11 metropolitan area to identify critical concerns,
8.12 problems, and issues. These grants are
8.13 available:

8.14 (1) to regional development commissions;
8.15 (2) in regions where no regional development
8.16 commission is functioning, to joint powers
8.17 boards established under agreement of two or
8.18 more political subdivisions in the region to
8.19 exercise the planning functions of a regional
8.20 development commission; and

8.21 (3) in regions where no regional development
8.22 commission or joint powers board is
8.23 functioning, to the Department of
8.24 Transportation district office for that region.

8.25 The base is \$32,084,000 in fiscal year 2020
8.26 and \$31,827,000 in fiscal year 2021.

8.27 **(2) Program Delivery** 236,016,000 228,044,000

8.28 This appropriation includes use of consultants
8.29 to support development and management of
8.30 projects.

8.31 \$968,000 in the first year is for a grant to the
8.32 city of Red Wing for trunk highway costs in
8.33 excess of the engineer's estimate and

9.1 associated program delivery for State Project
 9.2 No. 2514-122, consisting of engineering and
 9.3 reconstruction of the segment of marked U.S.
 9.4 Highway 61 in Red Wing from westerly of
 9.5 Old West Main Street to easterly of Potter
 9.6 Street. This is a onetime appropriation.

9.7 Up to \$140,000 in the first year is for
 9.8 development, implementation, and reporting
 9.9 on project selection policy under article 3,
 9.10 section 142. This is a onetime appropriation.

9.11 \$1,000,000 in each year is available for
 9.12 management of contaminated and regulated
 9.13 material on property owned by the Department
 9.14 of Transportation, including mitigation of
 9.15 property conveyances, facility acquisition or
 9.16 expansion, chemical release at maintenance
 9.17 facilities, and spills on the trunk highway
 9.18 system where there is no known responsible
 9.19 party. If the appropriation for either year is
 9.20 insufficient, the appropriation for the other
 9.21 year is available for it.

9.22 The base is \$220,293,000 in fiscal year 2020
 9.23 and \$218,239,000 in fiscal year 2021.

9.24 <u>(c) State Road Construction</u>	<u>1,024,396,000</u>	<u>902,945,000</u>
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9.25 This appropriation is for the actual
 9.26 construction, reconstruction, and improvement
 9.27 of trunk highways, including design-build
 9.28 contracts, internal department costs associated
 9.29 with delivering the construction program,
 9.30 consultant usage to support these activities,
 9.31 and the cost of actual payments to landowners
 9.32 for lands acquired for highway rights-of-way,
 9.33 payment to lessees, interest subsidies, and
 9.34 relocation expenses.

10.1 This appropriation includes federal highway
 10.2 aid.

10.3 The commissioner may expend up to one-half
 10.4 of one percent of the federal appropriations
 10.5 under this paragraph as grants to opportunity
 10.6 industrialization centers and other nonprofit
 10.7 job training centers for job training programs
 10.8 related to highway construction.

10.9 The commissioner may transfer up to
 10.10 \$15,000,000 each year to the transportation
 10.11 revolving loan fund.

10.12 The commissioner may receive money
 10.13 covering other shares of the cost of partnership
 10.14 projects. These receipts are appropriated to
 10.15 the commissioner for these projects.

10.16 The base is \$874,847,000 in fiscal year 2020
 10.17 and \$867,402,000 in fiscal year 2021.

10.18 **(d) Corridors of Commerce** 25,000,000 25,000,000

10.19 This appropriation is for the corridors of
 10.20 commerce program under Minnesota Statutes,
 10.21 section 161.088.

10.22 The commissioner may use up to 17 percent
 10.23 of the amount each year for program delivery.

10.24 **(e) Highway Debt Service** 224,968,000 251,630,000

10.25 \$215,468,000 in fiscal year 2018 and
 10.26 \$242,130,000 in fiscal year 2019 are for
 10.27 transfer to the state bond fund. If this
 10.28 appropriation is insufficient to make all
 10.29 transfers required in the year for which it is
 10.30 made, the commissioner of management and
 10.31 budget must transfer the deficiency amount
 10.32 under the statutory open appropriation and
 10.33 notify the chairs, ranking minority members,

11.1 and staff of the legislative committees with
 11.2 jurisdiction over transportation finance and
 11.3 the chairs of the senate Finance Committee
 11.4 and the house of representatives Ways and
 11.5 Means Committee of the amount of the
 11.6 deficiency. Any excess appropriation cancels
 11.7 to the trunk highway fund.

11.8 **(f) Statewide Radio Communications** 5,648,000 5,829,000

11.9	<u>Appropriations by Fund</u>	
11.10	<u>2018</u>	<u>2019</u>
11.11	<u>General</u> <u>3,000</u>	<u>3,000</u>
11.12	<u>Trunk Highway</u> <u>5,645,000</u>	<u>5,826,000</u>

11.13 \$3,000 in each year is from the general fund
 11.14 to equip and operate the Roosevelt signal
 11.15 tower for Lake of the Woods weather
 11.16 broadcasting.

11.17 **Subd. 4. Local Roads**

11.18 **(a) County State-Aid Roads** 780,859,000 808,286,000

11.19	<u>Appropriations by Fund</u>	
11.20	<u>2018</u>	<u>2019</u>
11.21	<u>C.S.A.H.</u> <u>775,859,000</u>	<u>803,286,000</u>
11.22	<u>General</u> <u>5,000,000</u>	<u>5,000,000</u>

11.23 The appropriation from the county state-aid
 11.24 highway fund is under Minnesota Statutes,
 11.25 sections 161.081 and 297A.815, subdivision
 11.26 3, and chapter 162, and is available until June
 11.27 30, 2027.

11.28 \$5,000,000 in each year is from the general
 11.29 fund for distribution to counties in the
 11.30 metropolitan area, as defined in Minnesota
 11.31 Statutes, section 473.121, subdivision 4, for
 11.32 construction, reconstruction, and maintenance
 11.33 of county highways, including county state-aid
 11.34 highways. The distribution must be calculated

12.1 so that each county receives from this amount
12.2 the percentage that its population, as defined
12.3 in Minnesota Statutes, section 477A.011,
12.4 subdivision 3, estimated or established by July
12.5 15 of the year prior to the current calendar
12.6 year, bears to the total population of the
12.7 counties receiving funds under this rider. For
12.8 purposes of this rider, the population of each
12.9 county containing a statutory or home rule
12.10 charter city of the first class is calculated at
12.11 0.25 multiplied by that county's population as
12.12 otherwise determined. All projects must be
12.13 located outside cities of the first class. This is
12.14 a onetime appropriation.

12.15 If the commissioner of transportation
12.16 determines that a balance remains in the
12.17 county state-aid highway fund following the
12.18 appropriations and transfers made in this
12.19 paragraph, and that the appropriations made
12.20 are insufficient for advancing county state-aid
12.21 highway projects, an amount necessary to
12.22 advance the projects, not to exceed the balance
12.23 in the county state-aid highway fund, is
12.24 appropriated in each year to the commissioner.

12.25 Within two weeks of a determination under
12.26 this contingent appropriation, the
12.27 commissioner of transportation shall notify
12.28 the commissioner of management and budget
12.29 and the chairs, ranking minority members, and
12.30 staff of the legislative committees with
12.31 jurisdiction over transportation finance
12.32 concerning funds appropriated. The
12.33 commissioner shall identify in the next budget
12.34 submission to the legislature under Minnesota
12.35 Statutes, section 16A.11, any amount that is
12.36 appropriated under this paragraph.

13.1	<u>(b) Municipal State-Aid Roads</u>	<u>194,991,000</u>	<u>201,892,000</u>
13.2	<u>This appropriation is from the municipal</u>		
13.3	<u>state-aid street fund under Minnesota Statutes,</u>		
13.4	<u>chapter 162, and is available until June 30,</u>		
13.5	<u>2027.</u>		
13.6	<u>If the commissioner of transportation</u>		
13.7	<u>determines that a balance remains in the</u>		
13.8	<u>municipal state-aid street fund following the</u>		
13.9	<u>appropriations and transfers made in this</u>		
13.10	<u>paragraph, and that the appropriations made</u>		
13.11	<u>are insufficient for advancing municipal</u>		
13.12	<u>state-aid street projects, an amount necessary</u>		
13.13	<u>to advance the projects, not to exceed the</u>		
13.14	<u>balance in the municipal state-aid street fund,</u>		
13.15	<u>is appropriated in each year to the</u>		
13.16	<u>commissioner. Within two weeks of a</u>		
13.17	<u>determination under this contingent</u>		
13.18	<u>appropriation, the commissioner of</u>		
13.19	<u>transportation shall notify the commissioner</u>		
13.20	<u>of management and budget and the chairs,</u>		
13.21	<u>ranking minority members, and staff of the</u>		
13.22	<u>legislative committees with jurisdiction over</u>		
13.23	<u>transportation finance concerning funds</u>		
13.24	<u>appropriated. The commissioner shall identify</u>		
13.25	<u>in the next budget submission to the legislature</u>		
13.26	<u>under Minnesota Statutes, section 16A.11, any</u>		
13.27	<u>amount that is appropriated under this</u>		
13.28	<u>paragraph.</u>		
13.29	<u>(c) Small Cities Assistance</u>	<u>10,000,000</u>	<u>10,000,000</u>
13.30	<u>This appropriation is from the general fund</u>		
13.31	<u>for the small cities assistance program under</u>		
13.32	<u>Minnesota Statutes, section 162.145. This is</u>		
13.33	<u>a onetime appropriation.</u>		
13.34	<u>Subd. 5. Agency Management</u>		
13.35	<u>(a) Agency Services</u>	<u>44,316,000</u>	<u>45,206,000</u>

14.1	<u>(b) Buildings</u>		<u>28,585,000</u>	<u>29,439,000</u>
14.2		<u>Appropriations by Fund</u>		
14.3		<u>2018</u>	<u>2019</u>	
14.4	<u>General</u>	<u>54,000</u>	<u>54,000</u>	
14.5	<u>Trunk Highway</u>	<u>28,531,000</u>	<u>29,385,000</u>	
14.6	<u>Any money appropriated to the commissioner</u>			
14.7	<u>of transportation for building construction for</u>			
14.8	<u>any fiscal year before the first year is available</u>			
14.9	<u>to the commissioner during the biennium to</u>			
14.10	<u>the extent that the commissioner spends the</u>			
14.11	<u>money on the building construction projects</u>			
14.12	<u>for which the money was originally</u>			
14.13	<u>encumbered during the fiscal year for which</u>			
14.14	<u>it was appropriated. If the appropriation for</u>			
14.15	<u>either year is insufficient, the appropriation</u>			
14.16	<u>for the other year is available for it.</u>			
14.17	<u>(c) Tort Claims</u>		<u>600,000</u>	<u>600,000</u>
14.18	<u>If the appropriation for either year is</u>			
14.19	<u>insufficient, the appropriation for the other</u>			
14.20	<u>year is available for it.</u>			
14.21	<u>Subd. 6. Transfers</u>			
14.22	<u>(a) With the approval of the commissioner of</u>			
14.23	<u>management and budget, the commissioner</u>			
14.24	<u>of transportation may transfer unencumbered</u>			
14.25	<u>balances among the appropriations from the</u>			
14.26	<u>trunk highway fund and the state airports fund</u>			
14.27	<u>made in this section. Transfers under this</u>			
14.28	<u>paragraph must not be made:</u>			
14.29	<u>(1) between funds;</u>			
14.30	<u>(2) from the appropriations for state road</u>			
14.31	<u>construction or debt service; or</u>			
14.32	<u>(3) from the appropriations for operations and</u>			
14.33	<u>maintenance or program delivery, except for</u>			

- 15.1 a transfer to state road construction or debt
 15.2 service.
- 15.3 (b) The commissioner of transportation must
 15.4 immediately report transfers under paragraph
 15.5 (a) to the chairs, ranking minority members,
 15.6 and staff of the legislative committees with
 15.7 jurisdiction over transportation finance. The
 15.8 authority for the commissioner of
 15.9 transportation to make transfers under
 15.10 Minnesota Statutes, section 16A.285, is
 15.11 superseded by the authority and requirements
 15.12 under this paragraph.
- 15.13 (c) The commissioner of transportation must
 15.14 transfer from the flexible highway account in
 15.15 the county state-aid highway fund the entire
 15.16 amount in each year to the county turnback
 15.17 account in the county state-aid highway fund.
 15.18 The funds transferred are for highway
 15.19 turnback purposes under Minnesota Statutes,
 15.20 section 161.081, subdivision 3.
- 15.21 **Subd. 7. Previous State Road Construction**
 15.22 **Appropriations**
- 15.23 Any money appropriated to the commissioner
 15.24 of transportation for state road construction
 15.25 for any fiscal year before the first year is
 15.26 available to the commissioner during the
 15.27 biennium to the extent that the commissioner
 15.28 spends the money on the state road
 15.29 construction project for which the money was
 15.30 originally encumbered during the fiscal year
 15.31 for which it was appropriated.
- 15.32 **Subd. 8. Contingent Appropriations**
- 15.33 The commissioner of transportation, with the
 15.34 approval of the governor and the written
 15.35 approval of at least five members of a group

16.1 consisting of the members of the Legislative
16.2 Advisory Commission under Minnesota
16.3 Statutes, section 3.30, and the ranking minority
16.4 members of the legislative committees with
16.5 jurisdiction over transportation finance, may
16.6 transfer all or part of the unappropriated
16.7 balance in the trunk highway fund to an
16.8 appropriation:

16.9 (1) for trunk highway design, construction, or
16.10 inspection that takes advantage of an
16.11 unanticipated receipt of income to the trunk
16.12 highway fund or federal advanced construction
16.13 funding;

16.14 (2) for emergency trunk highway maintenance;
16.15 or

16.16 (3) to pay tort or environmental claims.

16.17 Nothing in this subdivision authorizes the
16.18 commissioner to increase the use of federal
16.19 advanced construction funding beyond
16.20 amounts specifically authorized. Any transfer
16.21 as a result of the use of federal advanced
16.22 construction funding must include an analysis
16.23 of the effects on the long-term trunk highway
16.24 fund balance. The amount transferred is
16.25 appropriated for the purpose of the account to
16.26 which it is transferred.

16.27 **Subd. 9. Requirements for Certain Legal**
16.28 **Activities**

16.29 The commissioner of transportation is
16.30 prohibited from permitting legal counsel
16.31 employed by the Department of Transportation
16.32 to perform activities related to response to a
16.33 data practices request of the department under
16.34 Minnesota Statutes, chapter 13, and the
16.35 commissioner must enter into an agreement

17.1 with the attorney general for exclusive services
 17.2 regarding these activities.

17.3 Sec. 3. **METROPOLITAN COUNCIL** \$ **106,030,000** \$ **104,820,000**

17.4 This appropriation is from the general fund
 17.5 for transit system operations under Minnesota
 17.6 Statutes, sections 473.371 to 473.449.

17.7 \$1,000,000 in the first year is for financial
 17.8 assistance to replacement service providers
 17.9 under Minnesota Statutes, section 473.388,
 17.10 for the purposes of the suburb-to-suburb transit
 17.11 demonstration project authorized under Laws
 17.12 2015, chapter 75, article 1, section 4. The
 17.13 council must not retain any portion of the
 17.14 funds under this appropriation. This is a
 17.15 onetime appropriation.

17.16 Up to \$210,000 in the first year is for the
 17.17 comprehensive transit finance report under
 17.18 Minnesota Statutes, section 174.93. This is a
 17.19 onetime appropriation and is available in the
 17.20 second year.

17.21 The base is \$89,820,000 in fiscal year 2020
 17.22 and \$89,820,000 in fiscal year 2021.

17.23 Sec. 4. **DEPARTMENT OF PUBLIC SAFETY**

17.24 **Subdivision 1. Total Appropriation** \$ **199,838,000** \$ **199,407,000**

17.25	<u>Appropriations by Fund</u>		
17.26		<u>2018</u>	<u>2019</u>
17.27	<u>General</u>	<u>19,971,000</u>	<u>14,381,000</u>
17.28	<u>Special Revenue</u>	<u>63,945,000</u>	<u>65,087,000</u>
17.29	<u>H.U.T.D.</u>	<u>10,474,000</u>	<u>10,486,000</u>
17.30	<u>Trunk Highway</u>	<u>105,448,000</u>	<u>109,453,000</u>

17.31 The appropriations in this section are to the
 17.32 commissioner of public safety. The amounts

18.1 that may be spent for each purpose are
 18.2 specified in the following subdivisions.

18.3 **Subd. 2. Administration and Related Services**

18.4 **(a) Office of Communications** 553,000 573,000

18.5 Appropriations by Fund

	<u>2018</u>	<u>2019</u>
18.6 <u>General</u>	<u>127,000</u>	<u>130,000</u>
18.7 <u>Trunk Highway</u>	<u>426,000</u>	<u>443,000</u>

18.8 **(b) Public Safety Support** 6,372,000 6,569,000

18.10 Appropriations by Fund

	<u>2018</u>	<u>2019</u>
18.11 <u>General</u>	<u>1,225,000</u>	<u>1,235,000</u>
18.12 <u>H.U.T.D.</u>	<u>1,366,000</u>	<u>1,366,000</u>
18.13 <u>Trunk Highway</u>	<u>3,781,000</u>	<u>3,968,000</u>

18.14 **(c) Public Safety Officer Survivor Benefits** 640,000 640,000

18.15 This appropriation is from the general fund
 18.16 for payment of public safety officer survivor
 18.17 benefits under Minnesota Statutes, section
 18.18 299A.44.

18.19 If the appropriation for either year is
 18.20 insufficient, the appropriation for the other
 18.21 year is available for it.

18.22 **(d) Public Safety Officer Reimbursements** 1,367,000 1,367,000

18.23 This appropriation is from the general fund to
 18.24 be deposited in the public safety officer's
 18.25 benefit account. This money is available for
 18.26 reimbursements under Minnesota Statutes,
 18.27 section 299A.465.

18.28 **(e) Soft Body Armor Reimbursements** 700,000 700,000

18.29 Appropriations by Fund

	<u>2018</u>	<u>2019</u>
18.30 <u>General</u>	<u>600,000</u>	<u>600,000</u>
18.31 <u>Trunk Highway</u>	<u>100,000</u>	<u>100,000</u>

19.1	<u>This appropriation is for soft body armor</u>			
19.2	<u>reimbursements under Minnesota Statutes,</u>			
19.3	<u>section 299A.38.</u>			
19.4	<u>(f) Technology and Support Service</u>		<u>3,777,000</u>	<u>3,814,000</u>
19.5	<u>Appropriations by Fund</u>			
19.6		<u>2018</u>	<u>2019</u>	
19.7	<u>General</u>	<u>1,353,000</u>	<u>1,365,000</u>	
19.8	<u>H.U.T.D.</u>	<u>19,000</u>	<u>19,000</u>	
19.9	<u>Trunk Highway</u>	<u>2,405,000</u>	<u>2,430,000</u>	
19.10	<u>Subd. 3. State Patrol</u>			
19.11	<u>(a) Patrolling Highways</u>		<u>95,689,000</u>	<u>93,323,000</u>
19.12	<u>Appropriations by Fund</u>			
19.13		<u>2018</u>	<u>2019</u>	
19.14	<u>General</u>	<u>5,787,000</u>	<u>37,000</u>	
19.15	<u>H.U.T.D.</u>	<u>92,000</u>	<u>92,000</u>	
19.16	<u>Trunk Highway</u>	<u>89,810,000</u>	<u>93,194,000</u>	
19.17	<u>\$5,750,000 from the general fund in the first</u>			
19.18	<u>year is to purchase a helicopter for the State</u>			
19.19	<u>Patrol. This is a onetime appropriation.</u>			
19.20	<u>From this appropriation, State Patrol trainee</u>			
19.21	<u>salaries as provided under Minnesota Statutes,</u>			
19.22	<u>section 299D.03, subdivision 6, must be</u>			
19.23	<u>provided as follows: (1) for trainees in the Law</u>			
19.24	<u>Enforcement Training Opportunity program,</u>			
19.25	<u>80 percent of the basic salary for patrol</u>			
19.26	<u>officers; and (2) for all other trainees, 100</u>			
19.27	<u>percent of the basic salary.</u>			
19.28	<u>(b) Commercial Vehicle Enforcement</u>		<u>8,455,000</u>	<u>8,826,000</u>
19.29	<u>(c) Capitol Security</u>		<u>8,402,000</u>	<u>8,537,000</u>
19.30	<u>This appropriation is from the general fund.</u>			
19.31	<u>The commissioner must not:</u>			
19.32	<u>(1) spend any money from the trunk highway</u>			
19.33	<u>fund for capitol security; or</u>			

20.1 (2) permanently transfer any state trooper from
 20.2 the patrolling highways activity to capitol
 20.3 security.

20.4 The commissioner must not transfer any
 20.5 money appropriated to the commissioner under
 20.6 this section:

20.7 (1) to capitol security; or

20.8 (2) from capitol security.

20.9 **(d) Vehicle Crimes Unit** 761,000 773,000

20.10 This appropriation is from the highway user
 20.11 tax distribution fund.

20.12 This appropriation is to investigate:

20.13 (1) registration tax and motor vehicle sales tax
 20.14 liabilities from individuals and businesses that
 20.15 currently do not pay all taxes owed; and

20.16 (2) illegal or improper activity related to the
 20.17 sale, transfer, titling, and registration of motor
 20.18 vehicles.

20.19 **Subd. 4. Driver and Vehicle Services**

20.20 **(a) Vehicle Services** 30,745,000 31,159,000

20.21	<u>Appropriations by Fund</u>		
20.22		<u>2018</u>	<u>2019</u>
20.23	<u>Special Revenue</u>	<u>22,509,000</u>	<u>22,923,000</u>
20.24	<u>H.U.T.D.</u>	<u>8,236,000</u>	<u>8,236,000</u>

20.25 The special revenue fund appropriation is from
 20.26 the vehicle services operating account.

20.27 **(b) Driver Services** 32,014,000 32,725,000

20.28 This appropriation is from the driver services
 20.29 operating account in the special revenue fund.

20.30 \$156,000 in each year is to maintain the
 20.31 automated knowledge test system.

- 21.1 **(c) Minnesota Licensing and Registration System**
 21.2 **(MNLARS)** 8,000,000 8,000,000
- 21.3 This appropriation is for operations and
 21.4 maintenance of the driver and vehicle
 21.5 information system known as the Minnesota
 21.6 Licensing and Registration System.
- 21.7 \$1,000,000 in the first year and \$5,265,000 in
 21.8 the second year are from the driver services
 21.9 operating account in the special revenue fund.
- 21.10 This is a onetime appropriation.
- 21.11 \$7,000,000 in the first year and \$2,735,000 in
 21.12 the second year are from the vehicle services
 21.13 operating account in the special revenue fund.
- 21.14 This is a onetime appropriation.
- 21.15 **Subd. 5. Traffic Safety** 941,000 962,000
- 21.16 Appropriations by Fund
- | | <u>2018</u> | <u>2019</u> |
|----------------------------|----------------|----------------|
| 21.17 <u>General</u> | <u>470,000</u> | <u>470,000</u> |
| 21.18 <u>Trunk Highway</u> | <u>471,000</u> | <u>492,000</u> |
- 21.19
- 21.20 The appropriation from the general fund in
 21.21 each year is for maintenance of the crash
 21.22 record system.
- 21.23 **Subd. 6. Pipeline Safety** 1,422,000 1,439,000
- 21.24 This appropriation is from the pipeline safety
 21.25 account in the special revenue fund.
- 21.26 **Sec. 5. MINNESOTA RAIL SERVICE IMPROVEMENT ACCOUNT TRANSFER.**
- 21.27 \$3,500,000 in fiscal year 2018 is transferred from the general fund to the rail service
 21.28 improvement account in the special revenue fund. This is a onetime transfer.
- 21.29 **Sec. 6. APPROPRIATION CANCELLATION.**
- 21.30 \$1,100,000 of the appropriation for port development assistance under Laws 2015,
 21.31 chapter 75, article 1, section 3, subdivision 2, paragraph (e), is canceled to the general fund
 21.32 on June 30, 2017.

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

22.2 Sec. 7. **APPROPRIATIONS BUDGET.**

22.3 (a) In the budget submission to the legislature under Minnesota Statutes, section 16A.11,
22.4 for fiscal years 2020 and 2021, the commissioner of transportation, and the commissioner
22.5 of public safety with respect to the transportation portion of the public safety budget, must
22.6 present budget narratives and proposed appropriations for each appropriation established
22.7 in sections 2 and 4.

22.8 (b) In the budget submission to the legislature under Minnesota Statutes, section 16A.11,
22.9 for fiscal years 2020 and 2021, the metropolitan council must present budget narratives and
22.10 the proposed appropriations, if any, for each of the following categories: metro mobility,
22.11 contracted bus service, regular route bus service, light rail transit, commuter rail,
22.12 transportation planning, and allocation to the regional administration.

22.13 **ARTICLE 2**

22.14 **TRANSPORTATION BONDS**

22.15 Section 1. **BOND APPROPRIATIONS.**

22.16 The sums shown in the column under "Appropriations" are appropriated from the bond
22.17 proceeds account in the trunk highway fund to the state agencies or officials indicated, to
22.18 be spent for public purposes. Appropriations of bond proceeds must be spent as authorized
22.19 by the Minnesota Constitution, articles XI and XIV. Unless otherwise specified, money
22.20 appropriated in this article for a capital program or project may be used to pay state agency
22.21 staff costs that are attributed directly to the capital program or project in accordance with
22.22 accounting policies adopted by the commissioner of management and budget.

22.23 **SUMMARY**

22.24	<u>Department of Transportation</u>	<u>\$ 600,000,000</u>
22.25	<u>Department of Management and Budget</u>	<u>600,000</u>
22.26	<u>TOTAL</u>	<u>\$ 600,600,000</u>

22.27 **APPROPRIATIONS**

22.28 Sec. 2. **DEPARTMENT OF**
22.29 **TRANSPORTATION**

22.30 Subdivision 1. **Corridors of Commerce** **\$ 250,000,000**

22.31 This appropriation is to the commissioner of
22.32 transportation for the corridors of commerce

23.1 program under Minnesota Statutes, section
23.2 161.088.

23.3 The commissioner may use up to 17 percent
23.4 of the amount each year for program delivery.

23.5 **Subd. 2. State Road Construction** **\$ 350,000,000**

23.6 This appropriation is to the commissioner of
23.7 transportation for construction, reconstruction,
23.8 and improvement of trunk highways, including
23.9 design-build contracts and use of consultants
23.10 to support these activities. This includes the
23.11 cost of actual payment to landowners for lands
23.12 acquired for highway rights-of-way, payment
23.13 to lessees, interest subsidies, and relocation
23.14 expenses.

23.15 From this appropriation, \$50,000,000 is
23.16 available in fiscal year 2018 and \$300,000,000
23.17 is available in fiscal year 2019.

23.18 **Subd. 3. Cancellations**

23.19 The appropriations in this section cancel as
23.20 specified under Minnesota Statutes, section
23.21 16A.642, except that the commissioner of
23.22 management and budget shall count the start
23.23 of authorization for issuance of state bonds as
23.24 the first day of the fiscal year during which
23.25 the bonds are available to be issued as
23.26 specified under subdivision 1 or 2, and not as
23.27 the date of enactment of this section.

23.28 **Sec. 3. BOND SALE EXPENSES** **\$ 600,000**

23.29 This appropriation is to the commissioner of
23.30 management and budget for bond sale
23.31 expenses under Minnesota Statutes, sections
23.32 16A.641, subdivision 8, and 167.50,
23.33 subdivision 4, and is available in the amount

24.1 of \$300,000 in each of fiscal years 2018 and
 24.2 2019.

24.3 **Sec. 4. BOND SALE AUTHORIZATION.**

24.4 To provide the money appropriated in this article from the bond proceeds account in the
 24.5 trunk highway fund, the commissioner of management and budget shall sell and issue bonds
 24.6 of the state in an amount up to \$600,600,000 in the manner, upon the terms, and with the
 24.7 effect prescribed by Minnesota Statutes, sections 167.50 to 167.52, and by the Minnesota
 24.8 Constitution, article XIV, section 11, at the times and in the amounts requested by the
 24.9 commissioner of transportation. The proceeds of the bonds, except accrued interest and any
 24.10 premium received from the sale of the bonds, must be deposited in the bond proceeds account
 24.11 in the trunk highway fund.

24.12 **Sec. 5. EFFECTIVE DATE.**

24.13 This article is effective July 1, 2017.

24.14 **ARTICLE 3**

24.15 **TRANSPORTATION POLICY AND FINANCE**

24.16 Section 1. Minnesota Statutes 2016, section 15A.0815, subdivision 3, is amended to read:

24.17 Subd. 3. **Group II salary limits.** The salary for a position listed in this subdivision shall
 24.18 not exceed 120 percent of the salary of the governor. This limit must be adjusted annually
 24.19 on January 1. The new limit must equal the limit for the prior year increased by the percentage
 24.20 increase, if any, in the Consumer Price Index for all urban consumers from October of the
 24.21 second prior year to October of the immediately prior year. The commissioner of management
 24.22 and budget must publish the limit on the department's Web site. This subdivision applies
 24.23 to the following positions:

24.24 Executive director of Gambling Control Board;

24.25 Commissioner, Iron Range Resources and Rehabilitation Board;

24.26 Commissioner, Bureau of Mediation Services;

24.27 Ombudsman for Mental Health and Developmental Disabilities;

24.28 ~~Chair, Metropolitan Council;~~

24.29 School trust lands director;

24.30 Executive director of pari-mutuel racing; and

25.1 Commissioner, Public Utilities Commission.

25.2 **EFFECTIVE DATE.** This section is effective January 1, 2018.

25.3 Sec. 2. Minnesota Statutes 2016, section 53C.01, subdivision 2, is amended to read:

25.4 Subd. 2. **Cash sale price.** "Cash sale price" means the price at which the seller would
 25.5 in good faith sell to the buyer, and the buyer would in good faith buy from the seller, the
 25.6 motor vehicle which is the subject matter of the retail installment contract, if such sale were
 25.7 a sale for cash, instead of a retail installment sale. The cash sale price may include any taxes,
 25.8 charges for delivery, servicing, repairing, or improving the motor vehicle, including
 25.9 accessories and their installation, and any other charges agreed upon between the parties.
 25.10 The cash price may ~~not~~ include a documentary fee or document administration fee ~~in excess~~
 25.11 ~~of \$75 for services actually rendered to, for, or on behalf of, the retail buyer in preparing,~~
 25.12 ~~handling, and processing documents relating to the motor vehicle and the closing of the~~
 25.13 ~~retail sale~~ authorized under section 168.27, subdivision 31. "Documentary fee" and "document
 25.14 administration fee" ~~do not include an optional electronic transfer fee as defined under~~
 25.15 ~~subdivision 14.~~

25.16 Sec. 3. Minnesota Statutes 2016, section 85.016, is amended to read:

25.17 **85.016 BICYCLE TRAIL PROGRAM.**

25.18 The commissioner of natural resources ~~shall~~ must establish a program for the development
 25.19 of bicycle trails utilizing the state trails authorized by section 85.015, other state parks and
 25.20 recreation land, and state forests. "Bicycle trail," as used in this section, has the meaning
 25.21 given in section 169.011. The program ~~shall~~ must be coordinated with the local park trail
 25.22 grant program established by the commissioner pursuant to section 85.019, with the ~~bikeway~~
 25.23 ~~program~~ state bicycle routes established by the commissioner of transportation pursuant to
 25.24 section ~~160.265~~ 160.266, and with existing and proposed local bikeways. In the metropolitan
 25.25 area as defined in section 473.121, the program ~~shall~~ must be developed in accordance with
 25.26 plans and priorities established by the Metropolitan Council. The commissioner ~~shall~~ must
 25.27 provide technical assistance to local units of government in planning and developing bicycle
 25.28 trails in local parks. The bicycle trail program ~~shall~~ must, as a minimum, describe the
 25.29 location, design, construction, maintenance, and land acquisition needs of each component
 25.30 trail ~~and shall give due consideration to the model standards for the establishment of~~
 25.31 ~~recreational vehicle lanes promulgated by the commissioner of transportation pursuant to~~
 25.32 ~~section 160.262.~~ The program ~~shall~~ must be developed after consultation with the state trail
 25.33 council and regional and local units of government and bicyclist organizations.

26.1 Sec. 4. Minnesota Statutes 2016, section 116.03, is amended by adding a subdivision to
 26.2 read:

26.3 Subd. 7. Clean Air Act settlement money. "Clean Air Act settlement money" means
 26.4 money required to be paid to the state as a result of litigation or settlements of alleged
 26.5 violations of the federal Clean Air Act, United States Code, title 42, section 7401, et seq.,
 26.6 or rules adopted thereunder, by an automobile manufacturer. The commissioner of
 26.7 management and budget must establish the Clean Air Act settlement account in the
 26.8 environmental fund. Notwithstanding sections 16A.013 to 16A.016, the commissioner of
 26.9 management and budget must deposit Clean Air Act settlement money into the Clean Air
 26.10 Act settlement account. Clean Air Act settlement money must not be spent until it is
 26.11 specifically appropriated by law. The commissioner of management and budget must
 26.12 eliminate the Clean Air Act settlement account in the environmental fund after all Clean
 26.13 Air Act settlement money has been expended.

26.14 Sec. 5. Minnesota Statutes 2016, section 117.189, is amended to read:

26.15 **117.189 PUBLIC SERVICE CORPORATION EXCEPTIONS.**

26.16 (a) Sections 117.031; 117.036; 117.055, subdivision 2, paragraph (b); 117.186; 117.187;
 26.17 117.188; and 117.52, subdivisions 1a and 4, do not apply to the use of eminent domain
 26.18 authority by public service corporations for any purpose other than construction or expansion
 26.19 of:

26.20 (1) a high-voltage transmission line of 100 kilovolts or more, or ancillary substations;

26.21 ~~or~~

26.22 (2) a natural gas, petroleum, or petroleum products pipeline, or ancillary compressor
 26.23 stations or pumping stations; or

26.24 (3) a light rail transit or bus rapid transit line.

26.25 (b) For purposes of an award of appraisal fees under section 117.085, the fees awarded
 26.26 may not exceed \$1,500 for all types of property except for a public service corporation's
 26.27 use of eminent domain for:

26.28 (1) a high-voltage transmission line, where the award may not exceed \$3,000; and

26.29 (2) a light rail transit or bus rapid transit line, where the award shall be as provided in
 26.30 section 117.085.

26.31 (c) For purposes of this section, "pipeline" does not include a natural gas distribution
 26.32 line transporting gas to an end user.

27.1 **EFFECTIVE DATE.** This section is effective retroactively from January 1, 2017.

27.2 Sec. 6. Minnesota Statutes 2016, section 160.02, is amended by adding a subdivision to
27.3 read:

27.4 Subd. 1a. **Bikeway.** "Bikeway" means a bicycle lane, bicycle path, shared use path,
27.5 bicycle route, or similar bicycle facility, regardless of whether designed for the exclusive
27.6 use of bicycles or for shared use with other transportation modes.

27.7 Sec. 7. Minnesota Statutes 2016, section 160.02, subdivision 27, is amended to read:

27.8 Subd. 27. **Roadway; bicycle lane; bicycle route; bicycle path; bikeway.** The terms
27.9 "roadway," "bicycle lane," "bicycle route," and "bicycle path;" and "~~bikeway~~" have the
27.10 meanings given in section 169.011.

27.11 Sec. 8. Minnesota Statutes 2016, section 160.02, is amended by adding a subdivision to
27.12 read:

27.13 Subd. 27a. **Shared use path.** "Shared use path" means a bicycle facility that is (1)
27.14 physically separated from motorized vehicular traffic by an open space or barrier, (2) located
27.15 within either the highway right-of-way or an independent right-of-way, and (3) available
27.16 for use by other nonmotorized users.

27.17 Sec. 9. Minnesota Statutes 2016, section 160.18, is amended by adding a subdivision to
27.18 read:

27.19 Subd. 4. **Trunk highway appeal process.** If the commissioner denies or revokes a trunk
27.20 highway access permit, the property owner or occupant must be notified of the denial or
27.21 revocation in writing within ten days of the denial or revocation. Within 30 days of receiving
27.22 the notice of denial or revocation, the property owner or occupant may appeal the
27.23 commissioner's action in a contested case proceeding under chapter 14. Notwithstanding
27.24 section 14.61, the report or order of the administrative law judge constitutes the final decision.

27.25 Sec. 10. Minnesota Statutes 2016, section 160.262, subdivision 1, is amended to read:

27.26 Subdivision 1. ~~Model standards~~ **Bikeways; powers and duties; design guidelines.**
27.27 (a) The legislature determines that it is in the interests of the public health, safety and welfare,
27.28 to provide for the addition of ~~bicycle and recreational vehicle lanes~~ bikeways to proposed
27.29 and existing public highways. ~~The commissioner of transportation shall adopt, in the manner~~
27.30 provided in chapter 14, ~~model standards for the establishment of recreational vehicle lanes~~

28.1 ~~on and along proposed and existing public highways. The model standards shall include~~
 28.2 ~~but not be limited to the following: (a) criteria for desirability of a lane in any given location;~~
 28.3 ~~(b) provision for maintenance of the lanes, and (c) the placement of the lanes in relation to~~
 28.4 ~~roads. The model standards shall govern state trunk highways. The commissioner of~~
 28.5 transportation is authorized to plan, design, establish, and maintain bikeways on the
 28.6 right-of-way of any trunk highway. The commissioner is responsible for the design and
 28.7 construction of all bikeway projects within the right-of-way of any trunk highway. The
 28.8 commissioner must consider the development of bikeways during the planning, design,
 28.9 construction, reconstruction, or improvement of any trunk highway, or allow the
 28.10 establishment of such bikeways within trunk highway right-of-way.

28.11 (b) The commissioner must maintain bikeway design guidelines consistent with the state
 28.12 transportation goals in section 174.01.

28.13 (c) The commissioner must compile and maintain a map of bikeways in the state and
 28.14 must publish and distribute the map's information at least once every two years in a form
 28.15 and manner suitable to assist persons wishing to use the bikeways.

28.16 (d) The commissioner must maintain bikeways within the limits of trunk highway
 28.17 right-of-way unless a written agreement or limited use permit provides otherwise.

28.18 Sec. 11. Minnesota Statutes 2016, section 160.262, subdivision 3, is amended to read:

28.19 Subd. 3. **Cooperation among agencies and governments.** ~~The following~~ departments
 28.20 and agencies ~~shall cooperate in providing~~ on the nonmotorized transportation advisory
 28.21 committee identified in section 174.37 must provide information and advice for amendments
 28.22 ~~to the model standards~~ the bikeway design guidelines maintained by the commissioner of
 28.23 ~~transportation: the Departments of Agriculture, Transportation, Natural Resources,~~
 28.24 ~~Commerce, and Employment and Economic Development, and the Board of Water and Soil~~
 28.25 ~~Resources.~~ The commissioner may cooperate with and enter into agreements with the United
 28.26 States government, any department of the state of Minnesota, any unit of local government
 28.27 ~~and, any tribal government,~~ or any public or private corporation in order to effect the purposes
 28.28 of this section.

28.29 Sec. 12. Minnesota Statutes 2016, section 160.262, subdivision 4, is amended to read:

28.30 Subd. 4. **Design-build bridges for nonmotorized vehicles.** For streets and highways,
 28.31 the commissioner ~~shall~~ must allow for the acceptance of performance-specification bids,
 28.32 made by the lowest responsible bidder, for constructing design-build bridges for ~~bicycle~~
 28.33 ~~paths, bicycle trails,~~ bikeways and pedestrian facilities that are:

29.1 (1) designed and used primarily for nonmotorized transportation, but may allow for
 29.2 motorized wheelchairs, golf carts, necessary maintenance vehicles and, when otherwise
 29.3 permitted by law, rule, or ordinance, snowmobiles; and

29.4 (2) located apart from any road or highway or protected by barriers, provided that a
 29.5 design-built bridge may cross over and above a road or highway.

29.6 Sec. 13. Minnesota Statutes 2016, section 160.266, is amended by adding a subdivision
 29.7 to read:

29.8 Subd. 1a. **State bicycle route; definition.** For the purposes of this section, "state bicycle
 29.9 route" means a linear series of one or more roads or bikeways that is designated for bicycle
 29.10 travel, regardless of whether for exclusive use by bicycles or shared use with other modes
 29.11 of transportation.

29.12 Sec. 14. Minnesota Statutes 2016, section 160.266, is amended by adding a subdivision
 29.13 to read:

29.14 Subd. 1b. **State bicycle routes.** The commissioner of transportation must identify state
 29.15 bicycle routes primarily on existing road right-of-way and trails. State bicycle routes must
 29.16 be identified in cooperation with road and trail authorities, including the commissioner of
 29.17 natural resources, and with the advice of the advisory committee on nonmotorized
 29.18 transportation under section 174.37. In a metropolitan area, state bicycle routes must be
 29.19 identified in coordination with the plans and priorities established by metropolitan planning
 29.20 organizations, as defined in United States Code, title 23, section 134.

29.21 Sec. 15. Minnesota Statutes 2016, section 160.266, subdivision 3, is amended to read:

29.22 Subd. 3. **Connections with other bikeways.** (a) The commissioner, in cooperation with
 29.23 road and trail authorities including the commissioner of natural resources, ~~shall~~ must:

29.24 (1) identify existing bikeways of regional significance that are in reasonable proximity
 29.25 but not connected to the ~~bikeway~~ state bicycle routes established ~~in~~ under this section,
 29.26 ~~including but not limited to the Lake Wobegon Trail in the counties of Stearns and Todd;~~
 29.27 and

29.28 (2) support development of linkages between ~~bikeways identified under clause (1) and~~
 29.29 ~~the bikeway~~ state bicycle routes established ~~in~~ under this section.

30.1 (b) The requirements of this subdivision are a secondary priority for use of funds available
 30.2 under this section following establishment and enhancement of ~~the bikeway~~ state bicycle
 30.3 routes under subdivision 1 this section.

30.4 Sec. 16. Minnesota Statutes 2016, section 160.266, subdivision 4, is amended to read:

30.5 Subd. 4. **Cooperation with other entities.** The commissioner may contract and enter
 30.6 into agreements with federal agencies, other state agencies, local governments, ~~and tribal~~
 30.7 governments, or private entities to establish, develop, maintain, and operate the bikeway
 30.8 state bicycle routes and to interpret associated natural and cultural resources.

30.9 Sec. 17. Minnesota Statutes 2016, section 160.266, subdivision 5, is amended to read:

30.10 Subd. 5. **Funding.** ~~Bicycle~~ Shared use paths included within ~~the bikeway~~ state bicycle
 30.11 routes and not administered by the commissioner of natural resources are eligible for funding
 30.12 from the environment and natural resources trust fund under chapter 116P, from the parks
 30.13 and trails grant program under section 85.535, from the local recreation grants program
 30.14 under section 85.019, subdivision 4b, and from other sources.

30.15 Sec. 18. Minnesota Statutes 2016, section 160.266, is amended by adding a subdivision
 30.16 to read:

30.17 Subd. 6. **Mississippi River Trail.** The Mississippi River Trail bikeway must originate
 30.18 at Itasca State Park in Clearwater, Beltrami, and Hubbard Counties, then generally parallel
 30.19 the Mississippi River through the cities of Bemidji in Beltrami County, Grand Rapids in
 30.20 Itasca County, Brainerd in Crow Wing County, Little Falls in Morrison County, Sauk Rapids
 30.21 in Benton County, St. Cloud in Stearns County, Minneapolis in Hennepin County, St. Paul
 30.22 in Ramsey County, Hastings in Dakota County, Red Wing in Goodhue County, Wabasha
 30.23 in Wabasha County, Winona in Winona County, and La Crescent in Houston County to
 30.24 Minnesota's boundary with Iowa and there terminate. Where opportunities exist, the bikeway
 30.25 may be designated on both sides of the Mississippi River.

30.26 Sec. 19. **[160.801] HIGHWAY SPONSORSHIP PROGRAM.**

30.27 Subdivision 1. **Sponsorship program.** (a) The commissioner is authorized to establish
 30.28 a program designed to encourage businesses, civic groups, or individuals to voluntarily
 30.29 assist with the improvement and maintenance of real property comprising the trunk highway
 30.30 system, including bicycle and pedestrian trails, roadside monuments, and historic sites.

31.1 (b) All support provided by volunteers or vendors must be carried out in a manner
 31.2 consistent with construction and maintenance plans approved by the commissioner after
 31.3 consultation with the volunteers.

31.4 (c) The commissioner may provide assistance to (1) enhance volunteer safety, and (2)
 31.5 facilitate the implementation and administration of the sponsorship program.

31.6 Subd. 2. **Agreements.** The commissioner may enter into volunteer agreements with
 31.7 businesses, civic groups, or individuals to support, maintain, and make improvements to
 31.8 real property included in the trunk highway system. Agreements under this section are not
 31.9 subject to section 161.32.

31.10 Subd. 3. **Support activities.** (a) The volunteer support activities include but are not
 31.11 limited to:

31.12 (1) work to create, protect, and enhance pollinator habitat along highway rights-of-way;

31.13 (2) work to pick up litter along roadsides;

31.14 (3) work to install enhancements, including landscaping materials, on trunk highway
 31.15 property;

31.16 (4) financial support provided to the department for specific roadside improvements;

31.17 (5) financial support consisting of the sponsor hiring a professional landscape contractor
 31.18 to install vegetation, maintain landscape plantings, or pick up litter, or for other similar
 31.19 activities along a selected area of highway right-of-way; or

31.20 (6) installation of features that enhance the aesthetics of trunk highway property or the
 31.21 amenities available to highway users.

31.22 (b) All volunteer support activities must have prior commissioner approval.

31.23 Subd. 4. **Acknowledgment of sponsors.** The commissioner may erect signs to publicly
 31.24 recognize and express appreciation to businesses, civic groups, and individuals that provide
 31.25 volunteer funding or services under the sponsorship program.

31.26 Subd. 5. **Highway sponsorship program account; appropriation.** Funds received
 31.27 under this section must be deposited in the highway sponsorship program account, which
 31.28 is created in the special revenue fund. The account consists of funds as provided by law,
 31.29 and any other money donated, allotted, transferred, or otherwise provided to the account.
 31.30 Funds in the account are annually appropriated to the commissioner for the purpose specified
 31.31 in the volunteer agreement.

32.1 Subd. 6. **Prohibition.** The commissioner must not take action under this section that
 32.2 would result in the loss of federal highway funds or require payment of highway funds to
 32.3 the federal government.

32.4 Sec. 20. Minnesota Statutes 2016, section 161.04, subdivision 5, is amended to read:

32.5 Subd. 5. **Trunk highway emergency relief account.** (a) The trunk highway emergency
 32.6 relief account is created in the trunk highway fund. Money in the account is appropriated
 32.7 to the commissioner to be used to fund relief activities related to an emergency, as defined
 32.8 in section 161.32, subdivision 3, or under section 12A.16, subdivision 1.

32.9 (b) Reimbursements by the Federal Highway Administration for emergency relief
 32.10 payments made from the trunk highway emergency relief account must be credited to the
 32.11 account. Notwithstanding section 16A.28, money in the account is available until spent. If
 32.12 the balance of the account at the end of a fiscal year is greater than \$10,000,000, the amount
 32.13 above \$10,000,000 must be canceled to the trunk highway fund.

32.14 ~~(c) By September 1, 2012, and in every subsequent even-numbered year by September~~
 32.15 ~~1, the commissioner shall submit a report to the chairs and ranking minority members of~~
 32.16 ~~the senate and house of representatives committees having jurisdiction over transportation~~
 32.17 ~~policy and finance. The report must include the balance, as well as details of payments made~~
 32.18 ~~from and deposits made to the trunk highway emergency relief account since the last report.~~

32.19 Sec. 21. Minnesota Statutes 2016, section 161.081, subdivision 3, is amended to read:

32.20 Subd. 3. **Flexible highway account; turnback accounts.** (a) The flexible highway
 32.21 account is created in the state treasury. Money in the account ~~shall be used~~ must be allocated
 32.22 as follows:

32.23 (1) ~~in fiscal years 2009 and 2010, 100 percent of the excess sum, as calculated in~~
 32.24 ~~paragraph (i), and in fiscal years 2011 and thereafter, 50~~ 16 percent of the ~~excess sum, as~~
 32.25 ~~calculated in paragraph (i),~~ amount available in the flexible highway account for counties
 32.26 in the metropolitan area, as defined in section 473.121, subdivision 4, ~~but for the purposes~~
 32.27 ~~of the calculation cities of the first class will be excluded in the metropolitan area~~ distributed
 32.28 proportionally based on the most recent estimate of county population excluding the
 32.29 population of any city of the first class; and

32.30 (2) of the amount available in the flexible highway account less the amount under clause
 32.31 (1), as determined by the commissioner under this section for:

33.1 (i) restoration of former trunk highways that have reverted to counties or to statutory or
33.2 home rule charter cities, or for trunk highways that will be restored and subsequently turned
33.3 back by agreement between the commissioner and the local road authority;

33.4 (ii) safety improvements on county highways, municipal highways, streets, or town
33.5 roads; and

33.6 (iii) routes of regional significance.

33.7 (b) For purposes of this subdivision, "restoration" means the level of effort required to
33.8 improve the route that will be turned back to an acceptable condition as determined by
33.9 agreement made between the commissioner and the county or city before the route is turned
33.10 back.

33.11 (c) The commissioner shall review the need for funds to restore highways that have been
33.12 or will be turned back. The commissioner shall determine, on a biennial basis, the percentage
33.13 of funds in the flexible highway account to be distributed to each district, and within each
33.14 district the percentage to be used for each of the purposes specified in paragraph (a). Money
33.15 in the account may be used for safety improvements and routes of regional significance
33.16 only after money is set aside to restore the identified turnbacks. The commissioner shall
33.17 make these determinations only after meeting and holding discussions with committees
33.18 selected by the statewide associations of both county commissioners and municipal officials.
33.19 The commissioner shall, to the extent feasible, annually allocate 50 percent of the funds in
33.20 the flexible highway account to the department's metropolitan district, and 50 percent to
33.21 districts in greater Minnesota.

33.22 (d) Money that will be used for the restoration of trunk highways that have reverted or
33.23 that will revert to cities must be deposited in the municipal turnback account, which is
33.24 created in the state treasury.

33.25 (e) Money that will be used for the restoration of trunk highways that have reverted or
33.26 that will revert to counties must be deposited in the county turnback account, which is
33.27 created in the state treasury.

33.28 (f) Money that will be used for safety improvements must be deposited in the highway
33.29 safety improvement account, which is created in the state treasury to be used as grants to
33.30 statutory or home rule charter cities, towns, and counties to assist in paying the costs of
33.31 constructing or reconstructing city streets, county highways, or town roads to reduce crashes,
33.32 deaths, injuries, and property damage.

34.1 (g) Money that will be used for routes of regional significance must be deposited in the
 34.2 routes of regional significance account, which is created in the state treasury, and used as
 34.3 grants to statutory or home rule charter cities, towns, and counties to assist in paying the
 34.4 costs of constructing or reconstructing city streets, county highways, or town roads with
 34.5 statewide or regional significance that have not been fully funded through other state, federal,
 34.6 or local funding sources.

34.7 (h) As part of each biennial budget submission to the legislature, the commissioner shall
 34.8 describe how the money in the flexible highway account will be apportioned among the
 34.9 county turnback account, the municipal turnback account, the trunk highway fund for routes
 34.10 turned back to local governments by agreement, the highway safety improvement account,
 34.11 and the routes of regional significance account.

34.12 ~~(i) The excess sum is calculated as the sum of revenue within the flexible highway~~
 34.13 ~~account:~~

34.14 ~~(1) attributed to that portion of the gasoline excise tax rate under section 296A.07,~~
 34.15 ~~subdivision 3, in excess of 20 cents per gallon, and to that portion of the excise tax rates in~~
 34.16 ~~excess of the energy equivalent of a gasoline excise tax rate of 20 cents per gallon for E85~~
 34.17 ~~and M85 under section 296A.07, subdivision 3, and special fuel under section 296A.08,~~
 34.18 ~~subdivision 2;~~

34.19 ~~(2) attributed to a change in the passenger vehicle registration tax under section 168.013,~~
 34.20 ~~imposed on or after July 1, 2008, that exceeds (i) the amount collected in fiscal year 2008,~~
 34.21 ~~multiplied by (ii) the annual average United States Consumer Price Index for the calendar~~
 34.22 ~~year previous to the current calendar year, divided by the annual average United States~~
 34.23 ~~Consumer Price Index for calendar year 2007; and~~

34.24 ~~(3) attributed to that portion of the motor vehicle sales tax revenue in excess of the~~
 34.25 ~~percentage allocated to the flexible highway account in fiscal year 2007.~~

34.26 ~~(j) For purposes of this subdivision, the United States Consumer Price Index identified~~
 34.27 ~~in paragraph (i), clause (2), is for all urban consumers, United States city average, as~~
 34.28 ~~determined by the United States Department of Labor.~~

34.29 Sec. 22. Minnesota Statutes 2016, section 161.088, subdivision 4, is amended to read:

34.30 Subd. 4. **Project eligibility.** (a) ~~The commissioner shall establish~~ eligibility requirements
 34.31 for projects that can be funded under the program. ~~Eligibility must include~~ are:

34.32 (1) consistency with the statewide multimodal transportation plan under section 174.03;

35.1 (2) location of the project on an interregional corridor, for a project located outside of
35.2 the Department of Transportation metropolitan district;

35.3 (3) placement into at least one project classification under subdivision 3;

35.4 (4) ~~a maximum project construction work will commence within three years, or a longer~~
35.5 ~~length of time, as determined by the commissioner, until commencement of construction~~
35.6 ~~work on the project; and~~

35.7 (5) for each type of project classification under subdivision 3, a maximum allowable
35.8 amount for the total project cost estimate, as determined by the commissioner with available
35.9 data.

35.10 (b) A project whose construction is programmed in the state transportation improvement
35.11 program is not eligible for funding under the program. This paragraph does not apply to a
35.12 project that is programmed as result of selection under this section.

35.13 (c) A project may be, but is not required to be, identified in the 20-year state highway
35.14 ~~capital~~ investment plan under section 174.03.

35.15 (d) For each project, the commissioner must consider all of the eligibility requirements
35.16 under paragraph (a). The commissioner is prohibited from considering any eligibility
35.17 requirement not specified under paragraph (a).

35.18 Sec. 23. Minnesota Statutes 2016, section 161.088, subdivision 5, is amended to read:

35.19 Subd. 5. **Project selection process; criteria.** (a) The commissioner ~~shall~~ must establish
35.20 a process ~~for identification, evaluation, and selection of~~ to identify, evaluate, and select
35.21 projects under the program. The process must be consistent with the requirements of this
35.22 subdivision and must not include any additional evaluation criteria.

35.23 (b) As part of the project selection process, the commissioner ~~shall~~ must annually accept
35.24 recommendations on candidate projects from area transportation partnerships and other
35.25 interested stakeholders in each Department of Transportation district. The commissioner
35.26 must determine the eligibility for each candidate project identified under this paragraph;
35.27 ~~the commissioner shall determine eligibility, classify, and if appropriate, evaluate the project~~
35.28 ~~for the program. For each eligible project, the commissioner must classify and evaluate the~~
35.29 project for the program, using all of the criteria established under paragraph (c).

35.30 (c) ~~Project evaluation and prioritization must be performed on the basis of objective~~
35.31 ~~criteria, which must include~~ Projects must be evaluated using all of the following criteria:

35.32 (1) a return on investment measure that provides for comparison across eligible projects;

- 36.1 (2) measurable impacts on commerce and economic competitiveness;
- 36.2 (3) efficiency in the movement of freight, including but not limited to:
- 36.3 (i) measures of annual average daily traffic and commercial vehicle miles traveled, which
- 36.4 may include data near the project location on that trunk highway or on connecting trunk
- 36.5 and local highways; and
- 36.6 (ii) measures of congestion or travel time reliability, which may be within or near the
- 36.7 project limits, or both;
- 36.8 (4) improvements to traffic safety;
- 36.9 (5) connections to regional trade centers, local highway systems, and other transportation
- 36.10 modes;
- 36.11 (6) the extent to which the project addresses multiple transportation system policy
- 36.12 objectives and principles; ~~and~~
- 36.13 (7) support and consensus for the project among members of the surrounding community;
- 36.14 and
- 36.15 (8) regional balance throughout the state.
- 36.16 (d) The list of all projects evaluated must be made public and must include the score of
- 36.17 each project.
- 36.18 (e) As part of the project selection process, the commissioner may divide funding to be
- 36.19 separately available among projects within each classification under subdivision 3, and may
- 36.20 apply separate or modified criteria among those projects falling within each classification.
- 36.21 Sec. 24. Minnesota Statutes 2016, section 161.088, subdivision 7, is amended to read:
- 36.22 Subd. 7. **Legislative report; evaluation.** (a) ~~Starting in 2014,~~ Annually by November
- 36.23 1, the commissioner ~~shall~~ must electronically submit a report on the corridors of commerce
- 36.24 program to the chairs and ranking minority members of the legislative committees with
- 36.25 jurisdiction over transportation policy and finance. At a minimum, the report must include:
- 36.26 (1) a summary of the program, including a review of ~~the~~ :
- 36.27 (i) project selection process details that address program design and implementation,
- 36.28 decision-making procedures, and eligibility ~~and criteria,~~ evaluation;
- 36.29 (ii) criteria measurement methodologies and criteria weighting used in project selection;
- 36.30 and

- 37.1 (iii) the policy that provides the weight given each criterion;
- 37.2 (2) a summary of program finance, including funds expended in the previous selection
 37.3 cycle, any future operating costs assigned under subdivision 6, and total funds expended
 37.4 since program inception;
- 37.5 ~~(2)~~ (3) a listing list of projects funded under the program in the previous selection cycle,
 37.6 including:
- 37.7 (i) project classification;
- 37.8 (ii) a breakdown of project costs and funding sources; and
- 37.9 ~~(iii) any future operating costs assigned under subdivision 6; and~~
- 37.10 ~~(iv)~~ a brief project description that is comprehensible to a lay audience;
- 37.11 ~~(3)~~ (4) a listing comprehensive list of evaluated projects and candidate project
 37.12 recommendations as required under subdivision 5, paragraph (b), including that identifies
 37.13 for each project: eligibility, classification, evaluation results for each criterion, score, and
 37.14 disposition in the selection process; and
- 37.15 ~~(4)~~ (5) any recommendations for changes to statutory requirements of the program.
- 37.16 (b) ~~Starting in 2016, and~~ In every even-numbered year thereafter, the commissioner
 37.17 ~~shall~~ must incorporate into the report the results of an independent evaluation of impacts
 37.18 and effectiveness of the program. The evaluation must be performed by agency staff or a
 37.19 consultant. The individual or individuals performing the evaluation must have experience
 37.20 in program evaluation, but must not be regularly involved in the program's implementation.
- 37.21 (c) Notwithstanding paragraph (a), a report is not required in a year in which:
- 37.22 (1) no project selection was completed during the preceding 12 months; and
- 37.23 (2) an evaluation under paragraph (b) is not due.

37.24 Sec. 25. Minnesota Statutes 2016, section 161.115, subdivision 190, is amended to read:

37.25 Subd. 190. **Route No. 259.** Beginning at a point on Statutory Route No. 100, at or near
 37.26 Henderson; thence extending in a general southeasterly direction to a point ~~on Statutory~~
 37.27 ~~Route No. 123~~; at or near Le Sueur.

37.28 **EFFECTIVE DATE.** This section is effective the day after the commissioner of
 37.29 transportation receives a copy of the agreement between the commissioner of transportation
 37.30 and the governing body of Le Sueur County to transfer jurisdiction of Legislative Route

38.1 No. 123 and after the commissioner notifies the revisor of statutes under section ..., paragraph
38.2 (b).

38.3 Sec. 26. Minnesota Statutes 2016, section 161.14, is amended by adding a subdivision to
38.4 read:

38.5 Subd. 83. **Chip A. Imker Memorial Highway.** That segment of marked Trunk Highway
38.6 65 from Isanti County State-Aid Highway 19, known as 305th Avenue NE, to the northerly
38.7 limit of Cambridge Township is designated as "Chip A. Imker Memorial Highway." Subject
38.8 to section 161.139, the commissioner shall adopt a suitable design to mark this highway
38.9 and erect appropriate signs.

38.10 Sec. 27. Minnesota Statutes 2016, section 161.14, is amended by adding a subdivision to
38.11 read:

38.12 Subd. 84. **Medal of Honor Recipient Kenneth L. Olson Highway.** That segment of
38.13 marked Trunk Highway 23 within the city of Paynesville and the town of Paynesville is
38.14 designated as "Medal of Honor Recipient Kenneth L. Olson Highway." Subject to section
38.15 161.139, the commissioner shall adopt a suitable design to mark this highway and erect
38.16 appropriate signs.

38.17 Sec. 28. Minnesota Statutes 2016, section 161.14, is amended by adding a subdivision to
38.18 read:

38.19 Subd. 85. **Corporal Benjamin S. Kopp Bridge.** The bridge on Dakota County State-Aid
38.20 Highway 46, known as Brandel Drive within the city of Coates, over marked U.S. Highway
38.21 52 is designated as "Corporal Benjamin S. Kopp Bridge." Subject to section 161.139, the
38.22 commissioner shall adopt a suitable design to mark this highway and erect appropriate signs.

38.23 Sec. 29. Minnesota Statutes 2016, section 161.14, is amended by adding a subdivision to
38.24 read:

38.25 Subd. 86. **Senator Jim Metzen Memorial Highway.** That segment of marked Trunk
38.26 Highway 52 located within Dakota County is designated as "Senator Jim Metzen Memorial
38.27 Highway." Notwithstanding section 161.139, the commissioner shall adopt a suitable design
38.28 to mark this highway and erect appropriate signs.

39.1 Sec. 30. Minnesota Statutes 2016, section 161.21, subdivision 1, is amended to read:

39.2 Subdivision 1. **Location and design of highways.** The commissioner may make or
 39.3 cause to be made such studies and investigations as the commissioner deems necessary for
 39.4 the purpose of determining the most advantageous location and design of trunk highways
 39.5 from the standpoint of both present and future traffic needs, and in making such
 39.6 determinations the commissioner may take into consideration the probable future
 39.7 development of both urban and rural areas and the effect of such development on future
 39.8 traffic needs as indicated by such studies and investigations and the location and design
 39.9 with respect to ~~recreational vehicle lane~~ bikeway establishment.

39.10 Sec. 31. Minnesota Statutes 2016, section 161.321, subdivision 6, is amended to read:

39.11 Subd. 6. **Rules; eligibility.** ~~(a)~~ The rules adopted by the commissioner of administration
 39.12 to define small businesses and to set time and other eligibility requirements for participation
 39.13 in programs under sections 16C.16 to 16C.19 apply to this section. The commissioner may
 39.14 promulgate other rules necessary to carry out this section.

39.15 ~~(b) In addition to other eligibility requirements, a small targeted group business or~~
 39.16 ~~veteran-owned small business is eligible for the bid preferences under this section only for~~
 39.17 ~~eight years following the latest of:~~

39.18 ~~(1) May 1, 2012;~~

39.19 ~~(2) for a targeted group business, the date of initial certification by the commissioner of~~
 39.20 ~~administration, as provided under section 16C.19;~~

39.21 ~~(3) for a veteran-owned small business, the date of initial certification by the United~~
 39.22 ~~States Department of Veterans Affairs, as provided under section 16C.19, paragraph (d);~~

39.23 ~~or~~

39.24 ~~(4) for a veteran-owned small business, the release or discharge of any one of the owners~~
 39.25 ~~from military active service, as defined in section 190.05, subdivision 5, lasting for a period~~
 39.26 ~~of 179 days or longer.~~

39.27 Sec. 32. Minnesota Statutes 2016, section 161.38, is amended by adding a subdivision to
 39.28 read:

39.29 Subd. 8. **Spending on trunk highway system.** The commissioner must maintain
 39.30 information on expenditures by local road authorities from local funding sources for trunk
 39.31 highway system projects.

40.1 Sec. 33. Minnesota Statutes 2016, section 161.44, subdivision 5, is amended to read:

40.2 Subd. 5. **Conveyance to highest bidder in certain cases.** If the larger tract has been
40.3 platted into lots or divided into smaller tracts and the commissioner elects to proceed under
40.4 this subdivision, ~~or if~~ the lands constituted an entire tract and the person from whom the
40.5 lands were acquired and the person's spouse are deceased, or ~~if~~ the offers as provided for
40.6 are not accepted and the amount of money not tendered within the time prescribed, the lands
40.7 may be sold and conveyed to the owner of the land abutting upon the lands in the same
40.8 manner and under the same terms provided under subdivision 2, or the commissioner may
40.9 sell the lands to the highest responsible bidder upon three weeks' published notice of such
40.10 sale in a newspaper or other periodical of general circulation in the general area where the
40.11 lands are located. All bids may be rejected and new bids received upon like advertisement.

40.12 Sec. 34. Minnesota Statutes 2016, section 161.44, subdivision 6a, is amended to read:

40.13 Subd. 6a. **Services of licensed real estate broker.** If the lands ~~remain unsold after being~~
40.14 ~~offered for sale to the highest bidder~~ are withdrawn from sale under subdivision 6b, the
40.15 commissioner may retain the services of a licensed real estate broker to find a buyer. The
40.16 sale price may be negotiated by the broker, but must not be less than 90 percent of the
40.17 appraised market value as determined by the commissioner. The broker's fee must be
40.18 established by prior agreement between the commissioner and the broker, and must not
40.19 exceed ten percent of the sale price for sales of \$10,000 or more. The broker's fee must be
40.20 paid to the broker from the proceeds of the sale.

40.21 Sec. 35. Minnesota Statutes 2016, section 161.44, is amended by adding a subdivision to
40.22 read:

40.23 Subd. 6b. **Unsold lands.** If lands remain unsold after being offered for sale to the highest
40.24 bidder, the commissioner may offer the remaining lands to any person who agrees to pay
40.25 the minimum bid established for the public sale. The sale must continue until all eligible
40.26 lands have been sold or the commissioner withdraws the remaining lands from sale. The
40.27 lands to be sold must be listed on the department's Unsold Property Inventory list.

40.28 Sec. 36. Minnesota Statutes 2016, section 168.013, subdivision 1a, is amended to read:

40.29 Subd. 1a. **Passenger automobile; hearse.** (a) On passenger automobiles as defined in
40.30 section 168.002, subdivision 24, and hearses, except as otherwise provided, the tax ~~shall be~~
40.31 is \$10 plus an additional tax equal to 1.25 percent of the base value.

41.1 (b) Subject to the classification provisions herein, "base value" means the manufacturer's
 41.2 suggested retail price of the vehicle including destination charge using list price information
 41.3 published by the manufacturer or determined by the registrar if no suggested retail price
 41.4 exists, and shall not include the cost of each accessory or item of optional equipment
 41.5 separately added to the vehicle and the suggested retail price.

41.6 (c) If the manufacturer's list price information contains a single vehicle identification
 41.7 number followed by various descriptions and suggested retail prices, the registrar shall
 41.8 select from those listings only the lowest price for determining base value.

41.9 (d) If unable to determine the base value because the vehicle is specially constructed,
 41.10 or for any other reason, the registrar may establish such value upon the cost price to the
 41.11 purchaser or owner as evidenced by a certificate of cost but not including Minnesota sales
 41.12 or use tax or any local sales or other local tax.

41.13 (e) The registrar shall classify every vehicle in its proper base value class as follows:

41.14	FROM	TO
41.15	\$ 0	\$ 199.99
41.16	\$ 200	\$ 399.99

41.17 and thereafter a series of classes successively set in brackets having a spread of \$200
 41.18 consisting of such number of classes as will permit classification of all vehicles.

41.19 (f) The base value for purposes of this section shall be the middle point between the
 41.20 extremes of its class.

41.21 (g) The registrar shall establish the base value, when new, of every passenger automobile
 41.22 and hearse registered prior to the effective date of Extra Session Laws 1971, chapter 31,
 41.23 using list price information published by the manufacturer or any nationally recognized
 41.24 firm or association compiling such data for the automotive industry. If unable to ascertain
 41.25 the base value of any registered vehicle in the foregoing manner, the registrar may use any
 41.26 other available source or method. The registrar shall calculate tax using base value
 41.27 information available to dealers and deputy registrars at the time the application for
 41.28 registration is submitted. The tax on all previously registered vehicles shall be computed
 41.29 upon the base value thus determined taking into account the depreciation provisions of
 41.30 paragraph (h).

41.31 (h) The annual additional tax must be computed upon a percentage of the base value as
 41.32 follows: during the first year of vehicle life, upon 100 percent of the base value; for the
 41.33 second year, 90 percent of such value; for the third year, 80 percent of such value; for the
 41.34 fourth year, 70 percent of such value; for the fifth year, 60 percent of such value; for the

42.1 sixth year, 50 percent of such value; for the seventh year, 40 percent of such value; for the
 42.2 eighth year, 30 percent of such value; for the ninth year, 20 percent of such value; for the
 42.3 tenth year, ten percent of such value; for the 11th and each succeeding year, the sum of \$25.

42.4 (i) In no event shall the annual additional tax be less than \$25.

42.5 (j) For any vehicle previously registered in Minnesota and regardless of prior ownership,
 42.6 the annual additional tax total amount due under this subdivision and subdivision 1m must
 42.7 not exceed the smallest total amount of annual additional tax previously paid or due on the
 42.8 vehicle.

42.9 **EFFECTIVE DATE.** This section is effective the day following final enactment, and
 42.10 applies to taxes payable for a registration period starting on or after January 1, 2018.

42.11 Sec. 37. Minnesota Statutes 2016, section 168.013, is amended by adding a subdivision
 42.12 to read:

42.13 **Subd. 1m. Electric vehicle.** In addition to the tax under subdivision 1a, a surcharge of
 42.14 \$75 is imposed for an all-electric vehicle, as defined in section 169.011, subdivision 1a.
 42.15 Notwithstanding subdivision 8, revenue from the fee imposed under this subdivision must
 42.16 be deposited in the highway user tax distribution fund.

42.17 **EFFECTIVE DATE.** This section is effective the day following final enactment, and
 42.18 applies to a registration period starting on or after January 1, 2018.

42.19 Sec. 38. Minnesota Statutes 2016, section 168.021, subdivision 1, is amended to read:

42.20 Subdivision 1. **Disability plates; application.** (a) When a motor vehicle registered under
 42.21 section 168.017, a motorcycle, a motorized bicycle, a one-ton pickup truck, or a self-propelled
 42.22 recreational vehicle is owned or primarily operated by a permanently physically disabled
 42.23 person or a custodial parent or guardian of a permanently physically disabled ~~minor~~ person,
 42.24 the owner may apply for and secure from the commissioner (1) immediately, a temporary
 42.25 permit valid for 30 days if the applicant is eligible for the disability plates issued under this
 42.26 section and (2) two disability plates with attached emblems, one plate to be attached to the
 42.27 front, and one to the rear of the motor vehicle, truck, or recreational vehicle, or, in the case
 42.28 of a motorcycle or a motorized bicycle, one disability plate the same size as a regular
 42.29 motorcycle plate.

42.30 (b) The commissioner shall not issue more than one plate to the owner of a motorcycle
 42.31 or a motorized bicycle and not more than one set of plates to any owner of another vehicle

43.1 described in paragraph (a) at the same time unless the state Council on Disability approves
43.2 the issuance of a second plate or set of plates to an owner.

43.3 (c) When the owner first applies for the disability plate or plates, the owner must submit
43.4 a medical statement in a format approved by the commissioner under section 169.345, or
43.5 proof of physical disability provided for in that section.

43.6 (d) No medical statement or proof of disability is required when an owner applies for a
43.7 plate or plates for one or more vehicles listed in paragraph (a) that are specially modified
43.8 for and used exclusively by permanently physically disabled persons.

43.9 (e) The owner of a vehicle listed in paragraph (a) may apply for and secure (i)
43.10 immediately, a permit valid for 30 days, if the applicant is eligible to receive the disability
43.11 plate or plates issued under this section, and (ii) a disability plate or plates for the vehicle
43.12 if:

43.13 (1) the owner employs a permanently physically disabled person who would qualify for
43.14 the disability plate or plates under this section; and

43.15 (2) the owner furnishes the motor vehicle to the physically disabled person for the
43.16 exclusive use of that person in the course of employment.

43.17 **EFFECTIVE DATE.** This section is effective January 1, 2018.

43.18 Sec. 39. Minnesota Statutes 2016, section 168.021, subdivision 2, is amended to read:

43.19 Subd. 2. **Plate design; furnished by commissioner.** The commissioner shall design
43.20 and furnish two disability plates, or one disability plate for a motorcycle or a motorized
43.21 bicycle that is the same size as a regular motorcycle plate, with attached emblem or emblems
43.22 to an eligible owner. The emblem must bear the internationally accepted wheelchair symbol,
43.23 as designated in section 326B.106, subdivision 9, approximately three inches square. The
43.24 emblem must be large enough to be visible plainly from a distance of 50 feet. An applicant
43.25 eligible for a disability plate or plates shall pay the motor vehicle registration fee authorized
43.26 by sections 168.013 and 168.09.

43.27 **EFFECTIVE DATE.** This section is effective January 1, 2018.

43.28 Sec. 40. Minnesota Statutes 2016, section 168.021, subdivision 2a, is amended to read:

43.29 Subd. 2a. **Plate transfer.** (a) When ownership of a vehicle described in subdivision 1,
43.30 is transferred, the owner of the vehicle shall remove the disability plate or plates. The buyer

44.1 of the motor vehicle is entitled to receive a regular plate or plates for the vehicle without
44.2 further cost for the remainder of the registration period.

44.3 (b) Notwithstanding section 168.12, subdivision 1, the disability plate or plates may be
44.4 transferred to a replacement vehicle on notification to the commissioner. However, the
44.5 disability plate or plates may not be transferred unless the replacement vehicle (1) is listed
44.6 under section 168.012, subdivision 1, and, in case of a single plate for a motorcycle or a
44.7 motorized bicycle, the replacement vehicle is a motorcycle or a motorized bicycle, and (2)
44.8 is owned or primarily operated by the permanently physically disabled person.

44.9 **EFFECTIVE DATE.** This section is effective January 1, 2018.

44.10 Sec. 41. **[168.1256] RETIRED LAW ENFORCEMENT SPECIAL PLATES.**

44.11 **Subdivision 1. Issuance of plates.** The commissioner shall issue retired law enforcement
44.12 license special plates or a single motorcycle plate to an applicant who:

44.13 (1) is a registered owner of a passenger automobile, noncommercial one-ton pickup
44.14 truck, motorcycle, or recreational vehicle;

44.15 (2) is a retired peace officer as defined in section 626.84, subdivision 1, paragraph (c)
44.16 or (d);

44.17 (3) provides a letter from the chief law enforcement officer affirming that the applicant
44.18 is a retired peace officer who served ten or more years and separated in good standing;

44.19 (4) pays a fee of \$10 for each set of plates, along with any other fees required by this
44.20 chapter;

44.21 (5) pays the registration tax as required under section 168.013; and

44.22 (6) complies with this chapter and rules governing registration of motor vehicles and
44.23 licensing of drivers.

44.24 **Subd. 2. Design.** The commissioner shall design an emblem and inscription for the
44.25 special plates, in consultation with interested law enforcement agencies and organizations.

44.26 **Subd. 3. Plates transfer.** On application to the commissioner and payment of a transfer
44.27 fee of \$5, special plates issued under this section may be transferred to another motor vehicle
44.28 if the subsequent vehicle is:

44.29 (1) qualified under subdivision 1, clause (1), to bear the special plates; and

44.30 (2) registered to the same individual to whom the special plates were originally issued.

45.1 Subd. 4. **Exemption.** Special plates issued under this section are not subject to section
45.2 168.1293, subdivision 2.

45.3 **EFFECTIVE DATE.** This section is effective January 1, 2018, for special retired law
45.4 enforcement plates issued on or after that date.

45.5 Sec. 42. **[168.1294] "START SEEING MOTORCYCLES" SPECIAL PLATES.**

45.6 Subdivision 1. **Issuance of plates.** The commissioner must issue "Start Seeing
45.7 Motorcycles" special license plates or a single motorcycle plate to an applicant who:

45.8 (1) is a registered owner of a passenger automobile, noncommercial one-ton pickup
45.9 truck, motorcycle, or recreational vehicle;

45.10 (2) pays a fee of \$10 for each set of plates;

45.11 (3) pays the registration tax as required under section 168.013, along with any other fees
45.12 required by this chapter;

45.13 (4) contributes a minimum of \$10 annually to the motorcycle safety fund, created under
45.14 section 171.06, subdivision 2a, paragraph (a), clause (1); and

45.15 (5) complies with this chapter and rules governing registration of motor vehicles and
45.16 licensing of drivers.

45.17 Subd. 2. **Design.** The representatives of American Bikers for Awareness, Training, and
45.18 Education of Minnesota must design the special plate to contain the inscription "Start Seeing
45.19 Motorcycles" between the bolt holes on the bottom of the plate with a design area on the
45.20 left side of the plate, subject to the approval of the commissioner.

45.21 Subd. 3. **Plates transfer.** On application to the commissioner and payment of a transfer
45.22 fee of \$5, special plates issued under this section may be transferred to another motor vehicle
45.23 if the subsequent vehicle is:

45.24 (1) qualified under subdivision 1, clause (1), to bear the special plates; and

45.25 (2) registered to the same individual to whom the special plates were originally issued.

45.26 Subd. 4. **Exemption.** Special plates issued under this section are not subject to section
45.27 168.1293, subdivision 2.

45.28 Subd. 5. **Fees.** Fees collected under subdivision 1, clause (2), and subdivision 3 are
45.29 credited to the vehicle services operating account in the special revenue fund.

45.30 Subd. 6. **No refund.** Contributions under this section must not be refunded.

46.1 **EFFECTIVE DATE.** This section is effective January 1, 2018, for special "Start Seeing
46.2 Motorcycles" plates issued on or after that date.

46.3 Sec. 43. Minnesota Statutes 2016, section 168.27, is amended by adding a subdivision to
46.4 read:

46.5 Subd. 31. **Documentary fee.** (a) A motor vehicle dealer may not charge a documentary
46.6 fee or document administration fee in excess of the amounts provided under paragraph (b)
46.7 for services actually rendered to, for, or on behalf of the retail buyer or lessee to prepare,
46.8 handle, and process documents for the closing of a motor vehicle retail sale or lease. The
46.9 fee must be separately stated on the sales agreement maintained under Minnesota Rules,
46.10 part 7400.5200, and may be excluded from the dealer's advertised price.

46.11 (b) For motor vehicle sales or leases made on or after July 1, 2017, through June 30,
46.12 2020, the maximum fee is \$100. For motor vehicle sales or leases made on or after July 1,
46.13 2020, the maximum fee is \$125.

46.14 (c) "Documentary fee" and "document administration fee" do not include an optional
46.15 electronic transfer fee as defined under section 53C.01, subdivision 14.

46.16 Sec. 44. Minnesota Statutes 2016, section 168.33, subdivision 2, is amended to read:

46.17 Subd. 2. **Deputy registrars.** (a) The commissioner may appoint, and for cause
46.18 discontinue, a deputy registrar for any statutory or home rule charter city as the public
46.19 interest and convenience may require, without regard to whether the county auditor of the
46.20 county in which the city is situated has been appointed as the deputy registrar for the county
46.21 or has been discontinued as the deputy registrar for the county, and without regard to whether
46.22 the county in which the city is situated has established a county license bureau that issues
46.23 motor vehicle licenses as provided in section 373.32.

46.24 (b) The commissioner may appoint, and for cause discontinue, a deputy registrar for any
46.25 statutory or home rule charter city as the public interest and convenience may require, if
46.26 the auditor for the county in which the city is situated chooses not to accept appointment
46.27 as the deputy registrar for the county or is discontinued as a deputy registrar, or if the county
46.28 in which the city is situated has not established a county license bureau that issues motor
46.29 vehicle licenses as provided in section 373.32.

46.30 (c) The commissioner may appoint, and for cause discontinue, the county auditor of
46.31 each county as a deputy registrar.

47.1 (d) Despite any other provision, a person other than a county auditor or a director of a
47.2 county license bureau, who was appointed by the registrar before August 1, 1976, as a
47.3 deputy registrar for any statutory or home rule charter city, may continue to serve as deputy
47.4 registrar and may be discontinued for cause only by the commissioner. The county auditor
47.5 who appointed the deputy registrars is responsible for the acts of deputy registrars appointed
47.6 by the auditor.

47.7 (e) Each deputy, before entering upon the discharge of duties, shall take and subscribe
47.8 an oath to faithfully discharge the duties and to uphold the laws of the state.

47.9 (f) If a deputy registrar appointed under this subdivision is not an officer or employee
47.10 of a county or statutory or home rule charter city, the deputy shall in addition give bond to
47.11 the state in the sum of \$10,000, or a larger sum as may be required by the commissioner,
47.12 conditioned upon the faithful discharge of duties as deputy registrar.

47.13 (g) A corporation governed by chapter 302A or 317A may be appointed a deputy registrar.
47.14 Upon application by an individual serving as a deputy registrar and the giving of the requisite
47.15 bond as provided in this subdivision, personally assured by the individual or another
47.16 individual approved by the commissioner, a corporation named in an application then
47.17 becomes the duly appointed and qualified successor to the deputy registrar.

47.18 (h) Each deputy registrar appointed under this subdivision shall keep and maintain office
47.19 locations approved by the commissioner for the registration of vehicles and the collection
47.20 of taxes and fees on vehicles.

47.21 (i) The deputy registrar shall keep records and make reports to the commissioner as the
47.22 commissioner requires. The records must be maintained at the offices of the deputy registrar:
47.23 in a manner that complies with sections 13.05, subdivision 5, and 13.055. As an alternative
47.24 to paper copy storage, a deputy registrar may retain records and documents in a secure
47.25 electronic medium that complies with the security requirements under the United States
47.26 Federal Bureau of Investigation, Criminal Justice Information Services Division, Policy 5.4
47.27 or any successor policy, provided 60 days have elapsed since the transaction and subject to
47.28 standards established by the commissioner. The deputy registrar is responsible for all costs
47.29 associated with the conversion to electronic records and maintenance of the electronic
47.30 storage medium, including the destruction of existing paper records after conversion to the
47.31 electronic format. All queries and responses in the secure electronic medium, and all actions
47.32 in which data are entered, updated, accessed, or shared or disseminated by the deputy
47.33 registrar must be contained in a data audit trail. Data contained in the audit trail are public
47.34 to the extent the data are not otherwise classified under this section. The records and offices

48.1 of the deputy registrar must at all times be open to the inspection of the commissioner or
 48.2 the commissioner's agents. The deputy registrar shall report to the commissioner by the
 48.3 next working day following receipt all registrations made and taxes and fees collected by
 48.4 the deputy registrar.

48.5 (j) The filing fee imposed under subdivision 7 must be deposited in the treasury of the
 48.6 place for which appointed or, if not a public official, a deputy shall retain the filing fee, but
 48.7 the registration tax and any additional fees for delayed registration the deputy registrar has
 48.8 collected the deputy registrar shall deposit by the next working day following receipt in an
 48.9 approved state depository to the credit of the state through the commissioner of management
 48.10 and budget. The place for which the deputy registrar is appointed through its governing
 48.11 body must provide the deputy registrar with facilities and personnel to carry out the duties
 48.12 imposed by this subdivision if the deputy is a public official. In all other cases, the deputy
 48.13 shall maintain a suitable facility for serving the public.

48.14 Sec. 45. Minnesota Statutes 2016, section 168A.09, subdivision 1, is amended to read:

48.15 Subdivision 1. **Application, issuance, form, bond, and notice.** (a) In the event a
 48.16 certificate of title is lost, stolen, mutilated, ~~or~~ destroyed, or becomes illegible, the owner or
 48.17 legal representative of the owner named in the certificate may ~~make~~ submit an application
 48.18 to the department or a deputy registrar for a duplicate in a format prescribed by the
 48.19 department. The department ~~shall~~ or deputy registrar must issue a duplicate certificate of
 48.20 title if satisfied that the applicant is entitled ~~thereto~~ to the duplicate certificate of title. The
 48.21 duplicate certificate of title ~~shall~~ must be plainly marked as a duplicate and mailed or
 48.22 delivered to the owner. The department ~~shall~~ or deputy registrar must indicate in ~~its~~ the
 48.23 driver and vehicle information system records that a duplicate certificate of title has been
 48.24 issued. As a condition to issuing a duplicate certificate of title, the department may require
 48.25 a bond from the applicant in the manner and format prescribed in section 168A.07,
 48.26 subdivision 1, clause (2). The duplicate certificate of title ~~shall~~ must contain the legend:
 48.27 "This duplicate certificate of title may be subject to the rights of a person under the original
 48.28 certificate."

48.29 (b) On and after the effective date of this section, the commissioner must allow duplicate
 48.30 certificate of title issuance by a deputy registrar, subject to procedures established by the
 48.31 commissioner.

48.32 **EFFECTIVE DATE.** This section is effective August 1, 2018.

49.1 Sec. 46. [168A.125] TRANSFER-ON-DEATH TITLE TO MOTOR VEHICLE.

49.2 Subdivision 1. Titled as transfer-on-death. A natural person who is the owner of a
49.3 motor vehicle may have the motor vehicle titled in transfer-on-death or TOD form by
49.4 including in the application for the certificate of title a designation of a beneficiary or
49.5 beneficiaries to whom the motor vehicle must be transferred on death of the owner or the
49.6 last survivor of joint owners with rights of survivorship, subject to the rights of secured
49.7 parties.

49.8 Subd. 2. Designation of beneficiary. A motor vehicle is registered in transfer-on-death
49.9 form by designating on the certificate of title the name of the owner and the names of joint
49.10 owners with identification of rights of survivorship, followed by the words "transfer-on-death
49.11 to (name of beneficiary or beneficiaries)." The designation "TOD" may be used instead of
49.12 "transfer-on-death." A title in transfer-on-death form is not required to be supported by
49.13 consideration, and the certificate of title in which the designation is made is not required to
49.14 be delivered to the beneficiary or beneficiaries in order for the designation to be effective.
49.15 If the owner of the motor vehicle is married at the time of the designation, the designation
49.16 of a beneficiary other than the owner's spouse requires the spouse's written consent.

49.17 Subd. 3. Interest of beneficiary. The transfer-on-death beneficiary or beneficiaries have
49.18 no interest in the motor vehicle until the death of the owner or the last survivor of joint
49.19 owners with rights of survivorship. A beneficiary designation may be changed at any time
49.20 by the owner or by all joint owners with rights of survivorship, without the consent of the
49.21 beneficiary or beneficiaries, by filing an application for a new certificate of title.

49.22 Subd. 4. Vesting of ownership in beneficiary. Ownership of a motor vehicle titled in
49.23 transfer-on-death form vests in the designated beneficiary or beneficiaries on the death of
49.24 the owner or the last of the joint owners with rights of survivorship, subject to the rights of
49.25 secured parties. The transfer-on-death beneficiary or beneficiaries who survive the owner
49.26 may apply for a new certificate of title to the motor vehicle upon submitting a certified death
49.27 record of the owner of the motor vehicle. If no transfer-on-death beneficiary or beneficiaries
49.28 survive the owner of a motor vehicle, the motor vehicle must be included in the probate
49.29 estate of the deceased owner. A transfer of a motor vehicle to a transfer-on-death beneficiary
49.30 or beneficiaries is not a testamentary transfer.

49.31 Subd. 5. Rights of creditors. (a) This section does not limit the rights of any secured
49.32 party or creditor of the owner of a motor vehicle against a transfer-on-death beneficiary or
49.33 beneficiaries.

50.1 (b) The state or a county agency with a claim or lien authorized by section 246.53,
 50.2 256B.15, 261.04, or 270C.63 is a creditor for purposes of this subdivision. A claim authorized
 50.3 by section 256B.15 against the estate of an owner of a motor vehicle titled in
 50.4 transfer-on-death form voids any transfer-on-death conveyance of a motor vehicle as
 50.5 described in this section. A claim or lien under section 246.53, 261.04, or 270C.63 continues
 50.6 to apply against the designated beneficiary or beneficiaries after the transfer under this
 50.7 section if other assets of the deceased owner's estate are insufficient to pay the amount of
 50.8 the claim. The claim or lien continues to apply to the motor vehicle until the designated
 50.9 beneficiary sells or transfers it to a person against whom the claim or lien does not apply
 50.10 and who did not have actual notice or knowledge of the claim or lien.

50.11 Sec. 47. Minnesota Statutes 2016, section 168A.141, is amended to read:

50.12 **168A.141 MANUFACTURED HOME AFFIXED TO REAL PROPERTY.**

50.13 Subdivision 1. **Certificates surrendered for cancellation.** (a) When a manufactured
 50.14 home is to be affixed or is affixed, as defined in section 273.125, subdivision 8, paragraph
 50.15 (b), to real property, ~~and financed by the giving of a mortgage on the real property,~~ the
 50.16 owner of the manufactured home ~~shall~~ may surrender the manufacturer's certificate of origin
 50.17 or certificate of title to the department for cancellation. ~~The owner of~~ so that the manufactured
 50.18 home ~~shall give the department the address and legal description of the~~ becomes an
 50.19 improvement to real property. ~~The department may require the filing of other information~~
 50.20 and is no longer titled as personal property. The department must not issue a certificate of
 50.21 title for a manufactured home under chapter 168A if the manufacturer's certificate of origin
 50.22 is or has been surrendered under this subdivision, except as provided in section 168A.142.
 50.23 Upon surrender of the manufacturer's certificate of origin or the certificate of title, the
 50.24 department ~~shall~~ must issue notice of surrender to the owner, and upon recording an affidavit
 50.25 of affixation, which the county recorder or registrar of titles, as applicable, must accept, the
 50.26 manufactured home is deemed to be an improvement to real property. ~~The notice of surrender~~
 50.27 ~~may be recorded in the office of the county recorder or with the registrar of titles if the land~~
 50.28 ~~is registered but need not contain an acknowledgment.~~ An affidavit of affixation by the
 50.29 owner of the manufactured home must include the following information:

50.30 (1) the name, residence address, and mailing address of owner or owners of the
 50.31 manufactured home;

50.32 (2) the legal description of the real property in which the manufactured home is, or will
 50.33 be, located;

51.1 (3) a copy of the surrendered manufacturer's certificate of origin or certificate of title
51.2 and the notice of surrender;

51.3 (4) a written statement from the county auditor or county treasurer of the county where
51.4 the manufactured home is located stating that all property taxes payable in the current year,
51.5 as provided under section 273.125, subdivision 8, paragraph (b), have been paid, or are not
51.6 applicable;

51.7 (5) the name and address of the person designated by the applicant to record the original
51.8 affidavit of affixation with the county recorder or registrar of titles for the county where the
51.9 real property is located; and

51.10 (6) the signature of the person who executes the affidavit, properly executed before a
51.11 person authorized to authenticate an affidavit in this state.

51.12 (b) The person designated in paragraph (a), clause (5), must record, or arrange for the
51.13 recording of, the affidavit of affixation, accompanied by the fees for recording and for
51.14 issuing a certified copy of the notice, including all attachments, showing the recording date.
51.15 Upon obtaining the certified copy of the notice under this paragraph, the person designated
51.16 in the affidavit must deliver the certified copy to the county auditor of the county in which
51.17 the real property to which the manufactured home was affixed is located.

51.18 (c) The department is not liable for any errors, omissions, misstatements, or other
51.19 deficiencies or inaccuracies in documents presented to the department under this section,
51.20 if the documents presented appear to satisfy the requirements of this section. The department
51.21 has no obligation to investigate the accuracy of statements contained in the documents.

51.22 Subd. 1a. **Affidavit form.** An affidavit of affixation must be in substantially the following
51.23 form and must contain the following information.

51.24 **MANUFACTURED HOME AFFIDAVIT OF AFFIXATION**

51.25 PURSUANT TO MINNESOTA STATUTES, SECTION 168A.141

51.26 Homeowner, being duly sworn, on his or her oath, states as follows:

51.27 1. Homeowner owns the manufactured home ("home") described as follows:

51.28

51.29			<u>Manufacturer's</u>	<u>Model Name or</u>	<u>Manufacturer's</u>	
51.30	<u>New/Used</u>	<u>Year</u>	<u>Name</u>	<u>Model No.</u>	<u>Serial No.</u>	<u>Length/Width</u>

51.31 2. A copy of the surrendered manufacturer's certificate of origin or certificate of title is
51.32 attached.

52.1 3. A copy of the notice of surrender issued from the Minnesota Department of Public Safety
52.2 Driver and Vehicle Services is attached.

52.3 4. The home is or will be located at the following "Property Address":
52.4
52.5 Street or Route City County State Zip Code

52.6 5. The legal description of the property address ("land") is as follows or as attached hereto:
52.7
52.8
52.9

52.10 6. The homeowner is the owner of the land.

52.11 7. The home is, or must be promptly upon delivery, anchored to the land by attachment to
52.12 a permanent foundation and connected to appropriate residential utilities (e.g., water, gas,
52.13 electricity, sewer).

52.14 8. The homeowner intends that the home be an immovable permanent improvement to the
52.15 land, free of any personal property security interest.

52.16 9. A copy of the written statement from the county auditor or county treasurer of the county
52.17 in which the manufactured home is then located, stating that all property taxes payable in
52.18 the current year (pursuant to Minnesota Statutes, section 273.125, subdivision 8, paragraph
52.19 (b)), have been paid, or are not applicable, is attached.

52.20 10. The home must be assessed and taxed as an improvement to the land.

52.21 11. The name and address of the person designated by the homeowner to record the original
52.22 affidavit of surrender with the county recorder or registrar of titles of the county in which
52.23 the real estate is located is:

52.24 Name
52.25 Street Address
52.26 City, State, Zip Code
52.27 Phone
52.28 E-mail

52.29 IN WITNESS WHEREOF, homeowner(s) have executed this affidavit on this day of
52.30, 20...

52.31
52.32 Homeowner Signature Address
52.33

53.1 Printed Name City, State

53.2

53.3 Homeowner Signature (if applicable)

53.4

53.5 Printed Name

53.6 This instrument was drafted by, and when recorded return to:

53.7

53.8

53.9

53.10 Subscribed and sworn to before me this day of,

53.11

53.12 Signature of Notary Public or Other Official

53.13 Notary Stamp or Seal

53.14 (optional)

53.15 Lender's Statement of Intent:

53.16 The undersigned ("lender") intends that the home be immovable and a permanent
53.17 improvement to the land free of any personal property security interest.

53.18

53.19 Lender

53.20 By:

53.21 Authorized Signature

53.22 STATE OF

53.23) ss:

53.24 COUNTY OF

53.25 On the day of in the year before me, the undersigned, a Notary Public in and
53.26 for said state, personally appeared

53.27

53.28 personally known to me or proved to me on the basis of satisfactory evidence to be the
53.29 individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged
53.30 to me that he/she/they executed the same in his/her/their capacity(ies), and that by
53.31 his/her/their signature(s) on the instrument, the individual(s), or the person on behalf of
53.32 which the individual(s) acted, executed the instrument.

53.33

54.1 Notary Signature

54.2

54.3 Notary Printed Name

54.4 Notary Public, State of

54.5 Qualified in the County of

54.6 My commission expires

54.7 Official seal:

54.8 Subd. 2. **Perfected security interest ~~avoids cancellation~~ prevents surrender.** The
54.9 department may not cancel a certificate of title if, under this chapter, a security interest has
54.10 been perfected on the manufactured home. If a security interest has been perfected, the
54.11 department ~~shall~~ must notify the owner ~~and that~~ each secured party ~~that the~~ must release or
54.12 satisfy the security interest prior to proceeding with surrender of the manufacturer's certificate
54.13 of origin or certificate of title and a description of the security interest have been surrendered
54.14 to the department and that the department will not cancel the certificate of title until the
54.15 security interest is satisfied for cancellation. Permanent attachment to real property or the
54.16 recording of an affidavit of affixation does not extinguish an otherwise valid security interest
54.17 in or tax lien on the manufactured home, unless the requirements of section 168A.141,
54.18 subdivisions 1, 1a, and 2, including the release of any security interest, have been satisfied.

54.19 Subd. 3. **Notice of security interest ~~avoids surrender.~~** ~~The manufacturer's certificate~~
54.20 ~~of origin or the certificate of title need not be surrendered to the department under subdivision~~
54.21 ~~1~~ † When a perfected security interest exists, or will exist, on the manufactured home at the
54.22 time the manufactured home is affixed to real property, if and the owner has not satisfied
54.23 the requirements of section 168A.141, subdivision 1, the owner of the manufactured home
54.24 files, or its secured party, may record a notice with the county recorder, or with the registrar
54.25 of titles, if the land is registered, stating that the manufactured home located on the property
54.26 is encumbered by a perfected security interest and is not an improvement to real property.
54.27 The notice must state the name and address of the secured party as set forth on the certificate
54.28 of title, the legal description of the real property, and the name and address of the record
54.29 fee owner of the real property on which the manufactured home is affixed. When the security
54.30 interest is released or satisfied, the secured party ~~shall~~ must attach a copy of the release or
54.31 satisfaction to a notice executed by the secured party containing the county recorder or
54.32 registrar of titles document number of the notice of security interest. The notice of release
54.33 or satisfaction must be ~~filed~~ recorded with the county recorder, or registrar of titles, if the
54.34 land is registered. Neither the notice described in this subdivision nor the security interest

55.1 on the certificate of title is deemed to be an encumbrance on the real property. The notices
55.2 provided for in this subdivision need not be acknowledged.

55.3 Sec. 48. Minnesota Statutes 2016, section 168A.142, is amended to read:

55.4 **168A.142 MANUFACTURED HOME UNAFFIXED FROM REALTY.**

55.5 Subdivision 1. **Certificate of title requirements.** The department ~~shall~~ must issue an
55.6 initial certificate of title or reissue a previously surrendered certificate of title for a
55.7 manufactured home to an applicant if:

55.8 (1) ~~for the purpose of affixing the manufactured home to real property,~~ the owner of the
55.9 manufactured home, or a previous owner, surrendered the manufacturer's certificate of
55.10 origin or certificate of title to the department as provided in section 168A.141, subdivision
55.11 1 ~~or 2~~;

55.12 (2) the applicant provides the written proof evidence specified in subdivision 2 ~~that the~~
55.13 ~~applicant owns (i) the manufactured home and (ii) the real property to which the~~
55.14 ~~manufactured home was affixed as provided under section 273.125, subdivision 8, paragraph~~
55.15 ~~(b)~~;

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

55.18 (4) ~~(3)~~ the owner of the manufactured home ~~meets~~ fulfills the applicable application
55.19 requirements of section 168A.04₂; and

55.20 (4) the application is accompanied by a written statement from the county auditor or
55.21 county treasurer of the county in which the manufactured home is then located and affixed,
55.22 stating that all property taxes payable in the current year, as provided under section 273.125,
55.23 subdivision 8, paragraph (b), have been paid.

55.24 Subd. 2. **Proof Evidence of eligibility for reissuance.** (a) The proof evidence required
55.25 under subdivision 1, ~~clauses clause~~ (2) ~~and (3)~~, is as follows:

55.26 (1) an affidavit of severance recorded in the office of the county recorder or registrar of
55.27 titles, which they shall accept, and whichever applies to the real property, of the county ~~in~~
55.28 ~~which~~ where the affidavit of affixation or notice of surrender was recorded under as required
55.29 in section 168A.141, subdivision 1, and the affidavit of severance contains:

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

56.1 (ii) a description of the manufactured home being severed, including the name of the
 56.2 manufacturer; ~~the make, model number, model year, and dimensions, and if available, the~~
 56.3 make, model year, and manufacturer's serial number of the manufactured home; and whether
 56.4 ~~the manufactured home is new or used~~, such information as may be available from the
 56.5 previously recorded affidavit of affixation or notice of surrender as required in section
 56.6 168A.141, subdivision 1; and

56.7 (iii) a statement of any facts or information known to the person executing the affidavit
 56.8 that could affect the validity of the title of the manufactured home ~~or~~, ~~the existence or~~
 56.9 ~~nonexistence of a security interest in the manufactured home or a lien on it, or~~, and a
 56.10 statement that no such facts or information are known to the person executing the affidavit;

56.11 (2) as an attachment to the affidavit of severance, an opinion by an attorney admitted to
 56.12 practice law in this state, stating:

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

56.15 (ii) that the manufactured home and the real property on which it is located is not subject
 56.16 to, or pending completion of a refinance, purchase, or sale transaction, and will not be
 56.17 subject to any recorded mortgages, security interests, liens, or other encumbrances of any
 56.18 kind;

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

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

56.26 (v) that the person signing the opinion has reviewed all provisions of the affidavit of
 56.27 severance and certifies that they are correct and complete to the best of the knowledge of
 56.28 the person signing the opinion;

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

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

57.3 (b) The person designated in paragraph (a), clause (3), ~~shall~~ must record, or arrange for
57.4 the recording of, the affidavit of severance as referenced in that item, accompanied by the
57.5 fees for recording and for issuing a certified copy of the affidavit, including all attachments,
57.6 showing the recording date.

57.7 (c) Upon obtaining the certified copy under paragraph (b), the person designated in the
57.8 affidavit ~~shall~~ must deliver the certified copy to the county auditor of the county in which
57.9 the real estate to which it was affixed is located.

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

57.15 Subd. 3. Affidavit form. The affidavit of severance must be in substantially the following
57.16 form and must contain the following information.

57.17 **MANUFACTURED HOME AFFIDAVIT OF SEVERANCE**

57.18 **PURSUANT TO MINNESOTA STATUTES, SECTION 168A.142**

57.19 Homeowner, being duly sworn, on his or her oath, states as follows:

57.20 1. Homeowner owns the manufactured home ("home") described as follows:

57.21

57.22			<u>Manufacturer's</u>	<u>Model Name or</u>	<u>Manufacturer's</u>	
57.23	<u>New/Used</u>	<u>Year</u>	<u>Name</u>	<u>Model No.</u>	<u>Serial No.</u>	<u>Length/Width</u>

57.24 2. A copy of the previously surrendered manufacturer's certificate of origin or certificate of
57.25 title is attached (if available).

57.26 3. A copy of the notice of surrender issued from the Minnesota Department of Public Safety
57.27 Driver and Vehicle Services is attached (if available).

57.28 4. The home is or will be located at the following "Property Address":

57.29

57.30 Street or Route City County State Zip Code

57.31 5. The legal description of the property address ("land") is as follows or as attached:

57.32

59.1

59.2

59.3 Subscribed and sworn to before me this day of,

59.4

59.5 Signature of Notary Public or Other Official

59.6 Notary Stamp or Seal

59.7 **Sec. 49. [168A.143] MANUFACTURED HOMES; OWNERSHIP AT ISSUE.**

59.8 Subdivision 1. Requirements for certificate issuance or reissuance. When an applicant
59.9 is unable to obtain from or locate previous owners no longer holding an interest in the
59.10 manufactured home based on a certificate of title, or to locate, obtain, or produce the original
59.11 certificate of origin or certificate of title for a manufactured home, and there is no evidence
59.12 of a surrendered certificate of title or manufacturer's statement of origin as provided in
59.13 section 168A.141, subdivision 1, which has not otherwise been unaffixed or is being
59.14 unaffixed as provided in section 168A.142, the department must issue or reissue a certificate
59.15 of title to a manufactured home when the applicant submits:

59.16 (1) the application, pursuant to the requirements of section 168A.04, in a form prescribed
59.17 by the department;

59.18 (2) an affidavit that:

59.19 (i) identifies the name of the manufacturer and dimensions, and if available, the make,
59.20 model number, model year, and manufacturer's serial number of the manufactured home;
59.21 and

59.22 (ii) certifies the applicant is the owner of the manufactured home, has physical possession
59.23 of the manufactured home, knows of no facts or circumstances that materially affect the
59.24 validity of the title of the manufactured home as represented in the application, and provides
59.25 copies of such ownership documents, so far as the documents exist, including by way of
59.26 example:

59.27 (A) bill of sale;

59.28 (B) financing, replevin, or foreclosure documents;

59.29 (C) appraisal;

59.30 (D) insurance certification;

59.31 (E) personal property tax bill;

60.1 (F) landlord certification;

60.2 (G) affidavit of survivorship or estate documents;

60.3 (H) divorce decree; or

60.4 (I) court order;

60.5 (3) an affidavit by an attorney admitted to practice law in this state stating:

60.6 (i) the attorney has performed a search of the Minnesota Department of Public Safety
60.7 Driver and Vehicles Services records within 120 days of the date of application to obtain a
60.8 certificate of origin or certificate of title on behalf of the applicant, but was unable to
60.9 determine the names or locations of one or more owners or prior owners of the manufactured
60.10 home;

60.11 (ii) if applicable, the attorney was unable to successfully contact one or more owners,
60.12 or prior owners, after providing written notice 45 days prior to the registered and last known
60.13 owner by certified mail at the address shown on Driver and Vehicles Services records, or
60.14 if the last known address is different from Driver and Vehicles Services records, then also
60.15 the last known address as known to the applicant;

60.16 (iii) if the attorney is unable to contact one or more owners, or previous owners, by
60.17 sending a letter by certified mail, then the attorney must present to the department, as an
60.18 attachment to its affidavit, the returned letter as evidence of the attempted contact, or the
60.19 acknowledgment of receipt of the letter, together with an affidavit of nonresponse; and

60.20 (iv) the attorney knows of no facts or circumstances that materially affect the validity
60.21 of the title of the manufactured home as represented in the application, other than property
60.22 taxes payable in the year the affidavit is signed; and

60.23 (4) payment for required current year taxes and fees as prescribed by the department.

60.24 **Subd. 2. Satisfaction of manufactured home security lien; release.** A security interest
60.25 perfected under this chapter may be canceled seven years from the perfection date for a
60.26 manufactured home, upon the request of the owner of the manufactured home, if the owner
60.27 has paid the lien in full or the lien has been abandoned and the owner is unable to locate
60.28 the lienholder to obtain a lien release. The owner must send a letter to the lienholder by
60.29 certified mail, return receipt requested, stating the reason for the release and requesting a
60.30 lien release. If the owner is unable to obtain a lien release by sending a letter by certified
60.31 mail, then the owner must present to the department the returned letter as evidence of the
60.32 attempted contact, or the acknowledgment of receipt of the letter, together with a copy of
60.33 the letter and an owner affidavit of nonresponse.

61.1 Subd. 3. **Suspension or revocation of certificate.** (a) Pursuant to section 168A.23, the
 61.2 department may revoke a previously issued certificate of title issued under this section.

61.3 (b) The department is not liable for any errors, omissions, misstatements, or other
 61.4 deficiencies or inaccuracies in documents submitted to the department under this section,
 61.5 provided the documents submitted appear to satisfy the requirements of this section. The
 61.6 department is not required to investigate the accuracy of statements contained in submitted
 61.7 documents.

61.8 Sec. 50. Minnesota Statutes 2016, section 169.011, is amended by adding a subdivision
 61.9 to read:

61.10 Subd. 1a. **All-electric vehicle.** (a) "All-electric vehicle" means an electric vehicle that
 61.11 is solely able to be powered by an electric motor drawing current from rechargeable storage
 61.12 batteries, fuel cells, or other portable sources of electrical current.

61.13 (b) All-electric vehicle excludes a plug-in hybrid electric vehicle.

61.14 **EFFECTIVE DATE.** This section is effective the day following final enactment, and
 61.15 applies to a registration period starting on or after January 1, 2018.

61.16 Sec. 51. Minnesota Statutes 2016, section 169.011, subdivision 34, is amended to read:

61.17 Subd. 34. **Head Start bus.** (a) "Head Start bus" means a motor vehicle used to transport
 61.18 children and parents to or from a Head Start facility, or to or from Head Start-related
 61.19 activities, by the Head Start grantee, or by someone under an agreement with the Head Start
 61.20 grantee. A Head Start bus does not include a motor vehicle transporting children or parents
 61.21 to or from a Head Start facility for which parents or guardians receive direct compensation
 61.22 from a Head Start grantee, a motor coach operating under charter carrier authority, or a
 61.23 transit bus providing services as defined in section 174.22, subdivision 7. A Head Start bus
 61.24 may be a type A, B, C, or D bus ~~or type III vehicle, as described in subdivision 71.~~

61.25 (b) A Head Start bus manufactured after December 31, 1994, must meet the same
 61.26 standards as a type A, B, C, or D school bus, except that a Head Start bus is not required to
 61.27 be equipped with the warning signals required for a school bus under section 169.442,
 61.28 subdivision 1. A Head Start bus that is not equipped as a school bus must be painted colors
 61.29 other than national school bus yellow.

62.1 Sec. 52. Minnesota Statutes 2016, section 169.14, is amended by adding a subdivision to
62.2 read:

62.3 Subd. 5h. **St. Louis County Road 128.** Notwithstanding any provision to the contrary
62.4 in this section, the speed limit on St. Louis County Road 128 in Eagles Nest Township
62.5 between marked Trunk Highway 169 and County Road 989 is 40 miles per hour. The county
62.6 engineer must erect appropriate signs displaying the 40 miles per hour speed limit.

62.7 **EFFECTIVE DATE.** This section is effective the day following final enactment. The
62.8 new speed limit is effective when the required signs are erected.

62.9 Sec. 53. Minnesota Statutes 2016, section 169.18, subdivision 5, is amended to read:

62.10 Subd. 5. **Driving left of roadway center; exception.** (a) No vehicle shall be driven to
62.11 the left side of the center of the roadway in overtaking and passing another vehicle proceeding
62.12 in the same direction unless such left side is clearly visible and is free of oncoming traffic
62.13 for a sufficient distance ahead to permit such overtaking and passing to be completely made
62.14 without interfering with the safe operation of any vehicle approaching from the opposite
62.15 direction or any vehicle overtaken. In every event the overtaking vehicle must return to the
62.16 right-hand side of the roadway before coming within 100 feet of any vehicle approaching
62.17 from the opposite direction.

62.18 (b) Except on a one-way roadway, no vehicle shall, in overtaking and passing another
62.19 vehicle or at any other time, be driven to the left half of the roadway under the following
62.20 conditions:

62.21 (1) when approaching the crest of a grade or upon a curve in the highway where the
62.22 driver's view along the highway is obstructed within a distance of 700 feet;

62.23 (2) when approaching within 100 feet of any underpass or tunnel, railroad grade crossing,
62.24 intersection within a city, or intersection outside of a city if the presence of the intersection
62.25 is marked by warning signs; or

62.26 (3) where official signs are in place prohibiting passing, or a distinctive centerline is
62.27 marked, which distinctive line also so prohibits passing, as declared in the Manual on
62.28 Uniform Traffic Control Devices adopted by the commissioner.

62.29 (c) Notwithstanding paragraph (b), clause (3), a motor vehicle may be driven to the left
62.30 side of the roadway to safely overtake a bicycle under the following circumstances:

62.31 (1) the bicycle is proceeding in the same direction as the motor vehicle;

63.1 (2) the driver of the motor vehicle either (i) provides a safe clearance distance, in no
63.2 case less than the greater of three feet or one-half the width of the motor vehicle, or (ii)
63.3 completely enters the left lane of the highway;

63.4 (3) the operator of the bicycle is not (i) making a left turn, or (ii) signaling that the bicycle
63.5 operator intends to make a left turn; and

63.6 (4) the driver of the motor vehicle complies with all other applicable requirements under
63.7 this section.

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

63.9 Sec. 54. Minnesota Statutes 2016, section 169.18, subdivision 7, is amended to read:

63.10 Subd. 7. **Laned highway.** When any roadway has been divided into two or more clearly
63.11 marked lanes for traffic, the following rules, in addition to all others consistent herewith,
63.12 shall apply:

63.13 (a) A vehicle shall be driven as nearly as practicable entirely within a single lane and
63.14 shall not be moved from such lane until the driver has first ascertained that such movement
63.15 can be made with safety.

63.16 (b) Upon a roadway which is not a one-way roadway and which is divided into three
63.17 lanes, a vehicle shall not be driven in the center lane except when overtaking and passing
63.18 another vehicle where the roadway is clearly visible and such center lane is clear of traffic
63.19 within a safe distance, or in preparation for a left turn or where such center lane is at the
63.20 time allocated exclusively to traffic moving in the direction the vehicle is proceeding, and
63.21 is signposted to give notice of such allocation. The left lane of a three-lane roadway which
63.22 is not a one-way roadway shall not be used for overtaking and passing another vehicle.

63.23 (c) Official signs may be erected directing slow-moving traffic to use a designated lane
63.24 or allocating specified lanes to traffic moving in the same direction, and drivers of vehicles
63.25 shall obey the directions of every such sign.

63.26 (d) Whenever a bicycle lane has been established on a roadway, any person operating
63.27 a motor vehicle on such roadway shall not drive in the bicycle lane except to perform parking
63.28 maneuvers in order to park where parking is permitted, to enter or leave the highway, or to
63.29 prepare for a turn as provided in section 169.19, subdivision 1, or to stop a school bus for
63.30 the purpose of receiving or discharging any person provided the school bus is equipped and
63.31 identified as provided in sections 169.441 and 169.442, subdivision 1, and the flashing red
63.32 signals are activated and stop-signal arm is extended.

64.1 Sec. 55. Minnesota Statutes 2016, section 169.345, subdivision 1, is amended to read:

64.2 Subdivision 1. **Scope of privilege.** (a) A vehicle described in section 168.021, subdivision
64.3 1, paragraph (a), that prominently displays the certificate authorized by this section or that
64.4 bears the disability plate or plates issued under section 168.021 may be parked by or solely
64.5 for the benefit of a physically disabled person:

64.6 (1) in a designated parking space for disabled persons, as provided in section 169.346;

64.7 (2) in a metered parking space without obligation to pay the meter fee and without time
64.8 restrictions unless time restrictions are separately posted on official signs; and

64.9 (3) without time restrictions in a nonmetered space where parking is otherwise allowed
64.10 for passenger vehicles but restricted to a maximum period of time and that does not
64.11 specifically prohibit the exercise of disabled parking privileges in that space.

64.12 A person may park the vehicle for a physically disabled person in a parking space described
64.13 in clause (1) or (2) only when actually transporting the physically disabled person for the
64.14 sole benefit of that person and when the parking space is within a reasonable distance from
64.15 the drop-off point.

64.16 (b) For purposes of this subdivision, a certificate is prominently displayed if it is displayed
64.17 so that it may be viewed from the front and rear of the motor vehicle by hanging it from the
64.18 rearview mirror attached to the front windshield of the motor vehicle or, in the case of a
64.19 motorcycle or a motorized bicycle, is secured to the vehicle. If there is no rearview mirror
64.20 or if the certificate holder's disability precludes placing the certificate on the mirror, the
64.21 certificate must be displayed on the dashboard of the vehicle. No part of the certificate may
64.22 be obscured.

64.23 (c) Notwithstanding paragraph (a), clauses (1), (2), and (3), this section does not permit
64.24 parking in areas prohibited by sections 169.32 and 169.34, in designated no parking spaces,
64.25 or in parking spaces reserved for specified purposes or vehicles. A local governmental unit
64.26 may, by ordinance, prohibit parking on any street or highway to create a fire lane, or to
64.27 accommodate heavy traffic during morning and afternoon rush hours and these ordinances
64.28 also apply to physically disabled persons.

64.29 **EFFECTIVE DATE.** This section is effective January 1, 2018.

64.30 Sec. 56. Minnesota Statutes 2016, section 169.345, subdivision 3, is amended to read:

64.31 Subd. 3. **Identifying certificate.** (a) The commissioner shall issue (1) immediately, a
64.32 permit valid for 30 days if the person is eligible for the certificate issued under this section

65.1 and (2) an identifying certificate for a vehicle described in section 168.021, subdivision 1,
 65.2 paragraph (a), when a physically disabled applicant submits proof of physical disability
 65.3 under subdivision 2a. The commissioner shall design separate certificates for persons with
 65.4 permanent and temporary disabilities that can be readily distinguished from each other from
 65.5 outside a vehicle at a distance of 25 feet or, in the case of a motorcycle or a motorized
 65.6 bicycle, can be readily secured to the motorcycle or motorized bicycle. An applicant may
 65.7 be issued up to two certificates if the applicant has not been issued disability plates under
 65.8 section 168.021.

65.9 (b) The operator of a vehicle displaying a certificate has the parking privileges provided
 65.10 in subdivision 1 only while the vehicle is actually parked while transporting a physically
 65.11 disabled person.

65.12 (c) The commissioner shall cancel all certificates issued to an applicant who fails to
 65.13 comply with the requirements of this subdivision.

65.14 **EFFECTIVE DATE.** This section is effective January 1, 2018.

65.15 Sec. 57. Minnesota Statutes 2016, section 169.442, subdivision 5, is amended to read:

65.16 Subd. 5. **White strobe lamps on certain buses transporting children.** ~~(a)~~
 65.17 Notwithstanding section 169.55, subdivision 1, or 169.57, subdivision 3, paragraph (b), or
 65.18 other law to the contrary, a school bus that is subject to and complies with the equipment
 65.19 requirements of subdivision 1 and section 169.441, subdivision 1, or a Head Start bus ~~that~~
 65.20 ~~is not a type III vehicle defined in section 169.011, subdivision 71,~~ may be equipped with
 65.21 a flashing strobe lamp. ~~The lamp may be used only as provided in this subdivision.~~

65.22 ~~(b) The lamp must be permanently mounted on the longitudinal centerline of the bus~~
 65.23 ~~roof not less than two feet forward of the rear roof edge.~~

65.24 ~~(c) The strobe lamp may be lighted only when atmospheric conditions or terrain restrict~~
 65.25 ~~the visibility of school bus lamps and signals or Head Start bus lamps and signals so as to~~
 65.26 ~~require use of the bright strobe lamp to alert motorists to the presence of the school bus or~~
 65.27 ~~Head Start bus. A strobe lamp may not be lighted unless the school bus or Head Start bus~~
 65.28 ~~is actually being used as a school bus or Head Start bus.~~

65.29 Sec. 58. Minnesota Statutes 2016, section 169.443, subdivision 2, is amended to read:

65.30 Subd. 2. **Use of stop-signal arm.** (a) The stop-signal arm system of a school bus must
 65.31 be used in conjunction with the flashing red signals only when the school bus is stopped on
 65.32 a street or highway to load or unload school children.

66.1 (b) A local authority, including the governing body of an Indian tribe, may by ordinance
 66.2 require that a school bus activate the stop-signal arm system and flashing red signals while
 66.3 stopped to unload school children at a location other than a location on a street or highway.
 66.4 The ordinance must designate each location where the requirement is imposed. The
 66.5 requirement is effective only if the local authority has erected signs at or near the location
 66.6 to provide adequate notice that other vehicles are required to obey section 169.444,
 66.7 subdivision 1, when those signals are activated.

66.8 (c) A school bus driver is prohibited from loading or unloading passengers in a designated
 66.9 right-turn lane or in a lane immediately adjacent to a designated right-turn lane unless:

66.10 (1) a school bus stop designated by the district transportation safety director is located
 66.11 in the right-turn lane;

66.12 (2) the driver stops the bus at the extreme right side of the right-turn lane; and

66.13 (3) the driver activates the prewarning flashing amber signals, flashing red signals, and
 66.14 stop-signal arm, unless the school board or its designee, based on safety considerations,
 66.15 provides written direction to the driver not to do so.

66.16 Sec. 59. Minnesota Statutes 2016, section 169.444, subdivision 2, is amended to read:

66.17 Subd. 2. **Violations by drivers; penalties.** (a) A person who fails to stop a vehicle or
 66.18 to keep it stopped, as required in subdivision 1, or who violates subdivision 1a, is guilty of
 66.19 a misdemeanor punishable by a fine of not less than ~~\$300~~ \$500.

66.20 (b) A person is guilty of a gross misdemeanor if the person fails to stop a motor vehicle
 66.21 or to keep it stopped, as required in subdivision 1, or who violates subdivision 1a, and
 66.22 commits either or both of the following acts:

66.23 (1) passes or attempts to pass the school bus in a motor vehicle on the right-hand,
 66.24 passenger-door side of the bus; or

66.25 (2) passes or attempts to pass the school bus in a motor vehicle when a school child is
 66.26 outside of and on the street or highway used by the school bus or on the adjacent sidewalk.

66.27 **EFFECTIVE DATE.** This section is effective August 1, 2017, and applies to violations
 66.28 committed on and after that date.

66.29 Sec. 60. Minnesota Statutes 2016, section 169.449, subdivision 1, is amended to read:

66.30 Subdivision 1. **Rules.** The commissioner of public safety shall adopt rules governing
 66.31 the operation of school buses used for transportation of school children, when owned or

67.1 operated by a school or privately owned and operated under a contract with a school, ~~and~~
 67.2 ~~these rules must be made a part of that contract by reference.~~ Each school, its officers and
 67.3 employees, and each person employed under the contract is subject to these rules.

67.4 Sec. 61. Minnesota Statutes 2016, section 169.4501, subdivision 1, is amended to read:

67.5 Subdivision 1. **National standards adopted.** Except as provided in sections 169.4502
 67.6 and 169.4503, the construction, design, equipment, and color of types A, B, C, D school
 67.7 buses and multifunction school activity buses used for the transportation of school children
 67.8 shall meet the requirements of the "bus body and chassis specifications" in the ~~2010~~ most
 67.9 recent edition of the "National School Transportation Specifications and Procedures" adopted
 67.10 by the National Congress on School Transportation. Except as provided in section 169.4504,
 67.11 the construction, design, and equipment of types A, B, C, D school buses and multifunction
 67.12 school activity buses used for the transportation of students with disabilities also shall meet
 67.13 the requirements of the "specially equipped school bus specifications" in the ~~2010~~ National
 67.14 School Transportation Specifications and Procedures. The "bus body and chassis
 67.15 specifications" and "specially equipped school bus specifications" sections of the ~~2010~~ most
 67.16 recent edition of the "National School Transportation Specifications and Procedures,"
 67.17 adopted by the ~~Fifteenth~~ National Congress on School Transportation, are incorporated by
 67.18 reference in this chapter.

67.19 Sec. 62. Minnesota Statutes 2016, section 169.4501, subdivision 2, is amended to read:

67.20 Subd. 2. **Applicability.** (a) The standards adopted in this section and sections 169.4502
 67.21 and 169.4503, govern the construction, design, equipment, and color of school buses used
 67.22 for the transportation of school children, when owned or leased and operated by a school
 67.23 or privately owned or leased and operated under a contract with a school. Each school, its
 67.24 officers and employees, and each person employed under the contract is subject to these
 67.25 standards.

67.26 (b) The standards apply to school buses manufactured after ~~December 31, 2012~~ August
 67.27 1 of the year following a year in which a revised edition of the National School Transportation
 67.28 Specifications and Procedures is adopted. Buses complying with the standards when
 67.29 manufactured need not comply with standards established later except as specifically provided
 67.30 for by law.

67.31 (c) A school bus manufactured on or before ~~December 31, 2012~~, the date provided by
 67.32 paragraph (b) must conform to the Minnesota standards in effect on the date the vehicle
 67.33 was manufactured except as specifically provided for in law.

68.1 (d) A new bus body may be remounted on a used chassis provided that the remounted
 68.2 vehicle meets state and federal standards for new buses which are current at the time of the
 68.3 remounting. Permission must be obtained from the commissioner of public safety before
 68.4 the remounting is done. A used bus body may not be remounted on a new or used chassis.

68.5 Sec. 63. Minnesota Statutes 2016, section 169.4503, subdivision 4, is amended to read:

68.6 Subd. 4. **Certification.** Upon request, a body manufacturer, or school bus dealer, ~~or~~
 68.7 ~~certified Minnesota commercial vehicle inspector who is also an employee of an organization~~
 68.8 ~~purchasing a school bus shall~~ must provide preliminary certification to the Department of
 68.9 Public Safety that the product meets Minnesota standards. ~~Final certification will be granted~~
 68.10 ~~within 30 days upon reinspection by the Department of Public Safety.~~

68.11 Sec. 64. Minnesota Statutes 2016, section 169.4503, subdivision 7, is amended to read:

68.12 Subd. 7. **Floor construction.** The metal floor ~~shall~~ must be covered with plywood. The
 68.13 plywood ~~shall~~ must be ~~at least 19/32~~ five-ply nominal five-eighths inches thick, and must
 68.14 equal or exceed properties of exterior-type softwood plywood, grade C-D, as specified in
 68.15 ~~product~~ the standard PSI-183 issued by the United States Department of Commerce. All of
 68.16 the plywood's exposed edges must be sealed. Type A-I buses must be equipped with nominal
 68.17 one-half inch thick plywood or an equivalent material that meets the requirements of this
 68.18 subdivision. Equivalent material may be used to replace plywood, provided it has insulation
 68.19 R value, deterioration, sound abatement, and moisture resistance properties that are equal
 68.20 to or exceed the properties of the plywood it is replacing. The floor ~~shall~~ must be level from
 68.21 front to back, and side to side, except in wheel housing, toe board, and driver's seat platform
 68.22 areas.

68.23 Sec. 65. Minnesota Statutes 2016, section 169.4503, subdivision 14, is amended to read:

68.24 Subd. 14. **Insulation.** ~~(a)~~ Thermal insulation is required. It shall be fire-resistant, UL
 68.25 approved, with minimum R-value of 5.5. Insulation shall be installed so as to prevent
 68.26 sagging.

68.27 ~~(b) Floor insulation is required. It shall be five-ply nominal five-eighths-inch-thick~~
 68.28 ~~plywood, and shall equal or exceed properties of the exterior-type softwood plywood, C-D~~
 68.29 ~~Grade, as specified in the standard issued by United States Department of Commerce. All~~
 68.30 ~~exposed edges on plywood shall be sealed. Type A-I buses shall be equipped with nominal~~
 68.31 ~~one-half-inch-thick plywood or equivalent material meeting the above requirements.~~

69.1 ~~Equivalent material may be used to replace plywood, provided it has an equal or greater~~
 69.2 ~~insulation R value, deterioration, sound abatement, and moisture resistance properties.~~

69.3 Sec. 66. Minnesota Statutes 2016, section 169.4503, subdivision 23, is amended to read:

69.4 Subd. 23. **Windows.** (a) Windshield, entrance, and rear emergency exit doors must be
 69.5 of approved safety glass. Laminated or tempered glass (AS-2 or AS-3) is permitted in all
 69.6 other windows. All glass shall be federally approved and marked as provided in section
 69.7 169.74. The windshield may be of uniform tint throughout or may have a horizontal gradient
 69.8 band starting slightly above the line of vision and gradually decreasing in light transmission
 69.9 to 20 percent or less at the top of the windshield.

69.10 (b) The use of tinted glass, as approved by section 169.71, is permitted on side windows
 69.11 and rear windows except for the entrance door, ~~the first window behind the service door,~~
 69.12 and the window to the left of the driver. The window to the left of the driver, and the upper
 69.13 service door windows, and the window immediately behind the entrance door must be
 69.14 thermal glass. Regardless of a bus's date of manufacture, the window immediately behind
 69.15 the entrance door does not need to be made of thermal glass. The window to the left of the
 69.16 driver for type A buses need not be thermal glass.

69.17 Sec. 67. Minnesota Statutes 2016, section 169.4503, subdivision 30, is amended to read:

69.18 Subd. 30. **Video or mobile surveillance systems.** Camera heads for video or mobile
 69.19 surveillance may be mounted in the driver compartment area, midbus, or on a rear interior
 69.20 bulkhead in the student passenger area. For buses manufactured or retrofitted with a
 69.21 surveillance system after December 31, 2012, cameras mounted midbus must be parallel
 69.22 to a seat back, must not have any sharp edges, must not extend outward more than ~~three~~
 69.23 3-1/2 inches, and must be located within 24 inches of the top of the side window of the bus.

69.24 Sec. 68. Minnesota Statutes 2016, section 169.64, subdivision 8, is amended to read:

69.25 Subd. 8. **Strobe lamp.** (a) Notwithstanding sections 169.55, subdivision 1; 169.57,
 69.26 subdivision 3, paragraph (b); or any other law to the contrary, a vehicle may be equipped
 69.27 with a 360-degree flashing strobe lamp that emits a white light with a flash rate of 60 to
 69.28 120 flashes a minute, and the lamp may be used as provided in this subdivision, if the vehicle
 69.29 is:

69.30 (1) a school bus that is subject to and complies with the equipment requirements of
 69.31 sections 169.441, subdivision 1, and 169.442, subdivision 1, or a Head Start bus ~~that is not~~
 69.32 ~~a type III vehicle as defined in section 169.011, subdivision 71.~~ The lamp shall be

70.1 ~~permanently mounted on the longitudinal centerline of the bus roof not less than two feet~~
 70.2 ~~nor more than seven feet forward of the rear roof edge. It shall must operate from a separate~~
 70.3 ~~switch containing an indicator lamp to show when the strobe lamp is in use. The strobe~~
 70.4 ~~lamp may be lighted only when atmospheric conditions or terrain restrict the visibility of~~
 70.5 ~~school bus lamps and signals or Head Start bus lamps and signals so as to require use of~~
 70.6 ~~the bright strobe lamp to alert motorists to the presence of the school bus or Head Start bus.~~
 70.7 ~~A strobe lamp may not be lighted unless the school bus or Head Start bus is actually being~~
 70.8 ~~used as a school bus or Head Start bus; or~~

70.9 (2) a road maintenance vehicle owned or under contract to the Department of
 70.10 Transportation or a road authority of a county, home rule or statutory city, or town, but the
 70.11 strobe lamp may only be operated while the vehicle is actually engaged in snow removal
 70.12 during daylight hours.

70.13 (b) Notwithstanding sections 169.55, subdivision 1; 169.57, subdivision 3, paragraph
 70.14 (b); or any other law to the contrary, a vehicle may be equipped with a 360-degree flashing
 70.15 strobe lamp that emits an amber light with a flash rate of 60 to 120 flashes a minute, and
 70.16 the lamp may be used as provided in this subdivision, if the vehicle is a rural mail carrier
 70.17 vehicle, provided that the strobe lamp is mounted at the highest practicable point on the
 70.18 vehicle. The strobe lamp may only be operated while the vehicle is actually engaged during
 70.19 daylight hours in the delivery of mail to residents on a rural mail route.

70.20 (c) A strobe lamp authorized by this section shall be of a double flash type certified to
 70.21 the commissioner of public safety by the manufacturer as being weatherproof and having
 70.22 a minimum effective light output of 200 candelas as measured by the Blondel-Rey formula.

70.23 Sec. 69. Minnesota Statutes 2016, section 169.80, subdivision 1, is amended to read:

70.24 Subdivision 1. **Limitations; misdemeanor.** (a) It is a misdemeanor for a person to drive
 70.25 or move, or for the owner to cause or knowingly permit to be driven or moved, on a highway
 70.26 a vehicle or vehicles of a size or weight exceeding the limitations stated in sections 169.80
 70.27 to 169.88, or otherwise in violation of sections 169.80 to 169.88, other than section 169.81,
 70.28 subdivision 5a, and the maximum size and weight of vehicles as prescribed in sections
 70.29 169.80 to 169.88 shall be lawful throughout this state, and local authorities shall have no
 70.30 power or authority to alter these limitations except as express authority may be granted in
 70.31 sections 169.80 to 169.88.

70.32 (b) When all the axles of a vehicle or combination of vehicles are weighed separately
 70.33 the sum of the weights of the axles so weighed shall be evidence of the total gross weight
 70.34 of the vehicle or combination of vehicles so weighed.

71.1 (c) When each of the axles of any group that contains two or more consecutive axles of
 71.2 a vehicle or combination of vehicles have been weighed separately the sum of the weights
 71.3 of the axles so weighed shall be evidence of the total gross weight on the group of axles so
 71.4 weighed.

71.5 (d) When, in any group of three or more consecutive axles of a vehicle or combination
 71.6 of vehicles any axles have been weighed separately and two or more axles consecutive to
 71.7 each other in the group have been weighed together, the sum of the weights of the axles
 71.8 weighed separately and the axles weighed together shall be evidence of the total gross weight
 71.9 of the group of axles so weighed.

71.10 (e) The provisions of sections 169.80 to 169.88 governing size, weight, and load ~~shall~~
 71.11 do not apply to a fire apparatus, or to a vehicle operated under the terms of a special permit
 71.12 issued as provided by law.

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

71.14 Sec. 70. Minnesota Statutes 2016, section 169.829, is amended by adding a subdivision
 71.15 to read:

71.16 **Subd. 4. Certain emergency vehicles.** The provisions of sections 169.80 to 169.88
 71.17 governing size, weight, and load do not apply to a fire apparatus, a police special response
 71.18 vehicle, or a licensed land emergency ambulance service vehicle.

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

71.20 Sec. 71. **[169.8295] WEIGHT LIMITS; VEHICLES TRANSPORTING MILK.**

71.21 **Subdivision 1. Weight limits increase.** (a) The weight limitations under sections 169.823
 71.22 to 169.829 are increased by ten percent for a single-unit vehicle transporting fluid milk from
 71.23 the point of production to:

71.24 (1) another point of production for additional loading; or

71.25 (2) the point of first processing.

71.26 (b) Notwithstanding sections 169.824, subdivision 1, paragraph (d); 169.826, subdivision
 71.27 3; or other law to the contrary, a permit is not required to operate a vehicle under this section.

71.28 (c) The seasonal weight increases under section 169.826, subdivision 1, do not apply to
 71.29 a vehicle operated under this section.

71.30 **Subd. 2. Requirements; restrictions.** A vehicle operated under this section:

72.1 (1) is subject to seasonal load restrictions under section 169.87, except as otherwise
72.2 provided under section 169.87, subdivision 4;

72.3 (2) is subject to bridge load limits posted under section 169.84; and

72.4 (3) must not be operated with a load that exceeds the tire manufacturer's recommended
72.5 load, the manufacturer's gross vehicle weight rating as affixed to the vehicle, or other
72.6 certification of gross vehicle weight rating under Code of Federal Regulations, title 49,
72.7 sections 567.4 to 567.7.

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

72.9 Sec. 72. Minnesota Statutes 2016, section 169.865, subdivision 3, is amended to read:

72.10 Subd. 3. **Requirements; restrictions.** (a) A vehicle or combination of vehicles operating
72.11 under this section:

72.12 (1) is subject to axle weight limitations under section 169.824, subdivision 1;

72.13 (2) is subject to seasonal load restrictions under section 169.87;

72.14 (3) is subject to bridge load limits posted under section 169.84;

72.15 (4) may only be operated on paved streets and highways other than interstate highways;

72.16 (5) may not be operated with loads that exceed the manufacturer's gross vehicle weight
72.17 rating as affixed to the vehicle, or other certification of gross vehicle weight rating complying
72.18 with Code of Federal Regulations, title 49, sections 567.4 to 567.7;

72.19 (6) must be issued a permit from each road authority having jurisdiction over a road on
72.20 which the vehicle is operated, if required;

72.21 (7) must comply with the requirements of section 169.851, subdivision 4; and

72.22 (8) must have brakes on all wheels.

72.23 (b) The percentage allowances for exceeding gross weights if transporting unfinished
72.24 forest products under section 168.013, subdivision 3, paragraph (b), or for the first haul of
72.25 unprocessed or raw farm products or unfinished forest products under section 168.013,
72.26 subdivision 3, paragraph (d), clause (3), do not apply to a vehicle or combination of vehicles
72.27 operated under this section.

72.28 (c) Notwithstanding paragraph (a), clause (4), a vehicle or combination of vehicles
72.29 hauling fluid milk under a permit issued by the commissioner of transportation may also
72.30 operate on interstate highways as provided under United States Code, title 23, section 127.

73.1 Sec. 73. [169.869] ROAD CONSTRUCTION MATERIALS SPECIAL PERMIT.

73.2 Subdivision 1. Definition. For purposes of this section, "road construction materials"
73.3 means street or highway construction materials, bridge construction materials, and associated
73.4 demolition materials, including but not limited to aggregate material as defined in section
73.5 298.75, subdivision 1, paragraph (a), hot mix asphalt, plastic concrete, cementitious materials,
73.6 concrete admixtures, asphalt cement, and recycled road materials.

73.7 Subd. 2. Six-axle vehicles. (a) The commissioner of transportation may issue an annual
73.8 permit authorizing a vehicle or combination of vehicles with a total of six or more axles to
73.9 haul road construction materials and be operated with a gross vehicle weight of up to:

73.10 (1) 90,000 pounds; and

73.11 (2) 99,000 pounds during the period set by the commissioner under section 169.826,
73.12 subdivision 1.

73.13 (b) The fee for a permit issued under this subdivision is \$300, or a proportional amount
73.14 as provided in section 169.86, subdivision 5.

73.15 Subd. 3. Seven-axle vehicles. (a) The commissioner of transportation may issue an
73.16 annual permit authorizing a vehicle or combination of vehicles with a total of seven or more
73.17 axles to haul road construction materials and be operated with a gross vehicle weight of up
73.18 to:

73.19 (1) 97,000 pounds; and

73.20 (2) 99,000 pounds during the period set by the commissioner under section 169.826,
73.21 subdivision 1.

73.22 (b) The fee for a permit issued under this subdivision is \$500, or a proportional amount
73.23 as provided in section 169.86, subdivision 5.

73.24 Subd. 4. Authority; restrictions. (a) A permit issued by the commissioner under this
73.25 section is valid for operation on highways regardless of jurisdiction, subject to paragraph
73.26 (b).

73.27 (b) A vehicle or combination of vehicles operating under this section:

73.28 (1) may only be operated on paved or unpaved streets and highways, other than interstate
73.29 highways;

73.30 (2) must comply with the requirements and restrictions in section 169.865, subdivision
73.31 3, paragraph (a), clauses (1) to (3), (5), (7), and (8); and

74.1 (3) must be operated in compliance with truck route requirements and vehicle weight
 74.2 restrictions, as established under section 169.87, subdivision 1, by a local road authority or
 74.3 the commissioner.

74.4 Subd. 5. **Revenues.** Revenue from the permits issued by the commissioner under this
 74.5 section must be deposited in the town bridge account. Revenue deposited under this
 74.6 subdivision is available to inspect and post weight limits for town bridges.

74.7 Subd. 6. **Expiration date.** Upon request of the permit applicant, the expiration date for
 74.8 a permit issued under this section must be the same as the expiration date of the permitted
 74.9 vehicle's registration.

74.10 Subd. 7. **Permit information.** The commissioner must make information available to
 74.11 local road authorities on an Internet Web site that identifies permit issuances under this
 74.12 section and the counties in which a vehicle with a permit is intended to be operated.

74.13 Subd. 8. **Local preferred routes.** A local road authority may identify local preferred
 74.14 routes for operating a vehicle on local streets and highways under a permit issued in this
 74.15 section. A holder of a permit issued in this section and any person seeking to apply for a
 74.16 permit are encouraged to:

74.17 (1) upon request of a local road authority, provide comment on identification of preferred
 74.18 routes; and

74.19 (2) make reasonable efforts to operate a vehicle on the preferred routes when operating
 74.20 under the permit.

74.21 **EFFECTIVE DATE.** This section is effective January 1, 2018.

74.22 Sec. 74. Minnesota Statutes 2016, section 169.871, subdivision 1, is amended to read:

74.23 Subdivision 1. **Civil liability.** (a) The owner or lessee of a vehicle that is operated with
 74.24 a gross weight in excess of a weight limit imposed under sections 169.823 to ~~169.829~~
 74.25 169.8295, 169.84 to 169.851, and 169.87 or a shipper who ships or tenders goods for
 74.26 shipment in a single truck or combination vehicle that exceeds a weight limit imposed under
 74.27 sections 169.823 to ~~169.829~~ 169.8295, 169.84 to 169.851, and 169.87 is liable for a civil
 74.28 penalty as follows:

74.29 (1) if the total gross excess weight is not more than 1,000 pounds, one cent per pound
 74.30 for each pound in excess of the legal limit;

74.31 (2) if the total gross excess weight is more than 1,000 pounds but not more than 3,000
 74.32 pounds, \$10 plus five cents per pound for each pound in excess of 1,000 pounds;

75.1 (3) if the total gross excess weight is more than 3,000 pounds but not more than 5,000
75.2 pounds, \$110 plus ten cents per pound for each pound in excess of 3,000 pounds;

75.3 (4) if the total gross excess weight is more than 5,000 pounds but not more than 7,000
75.4 pounds, \$310 plus 15 cents per pound for each pound in excess of 5,000 pounds;

75.5 (5) if the total gross excess weight is more than 7,000 pounds, \$610 plus 20 cents per
75.6 pound for each pound in excess of 7,000 pounds.

75.7 (b) Notwithstanding any other law to the contrary, if a person found guilty of a violation
75.8 of a weight limit imposed under this section or sections 169.823 to ~~169.829~~ 169.8295,
75.9 169.84 to 169.851, or 169.87 is also found by the court to have knowingly and
75.10 contemporaneously attempted to evade a fixed weigh station or to otherwise avoid weighing
75.11 by means of stationary scales under section 169.85 or other law, the court ~~shall~~ must impose
75.12 a penalty of twice the amount otherwise authorized under paragraph (a).

75.13 (c) Any penalty imposed upon a defendant under this subdivision ~~shall~~ must not exceed
75.14 the penalty prescribed by this subdivision. Any fine paid by the defendant in a criminal
75.15 overweight action that arose from the same overweight violation ~~shall be~~ is applied toward
75.16 payment of the civil penalty under this subdivision. A peace officer or Department of Public
75.17 Safety employee described in section 299D.06 who cites a driver for a violation of the
75.18 weight limitations established by sections 169.81 to 169.851 and 169.87 ~~shall~~ must give
75.19 written notice to the driver that the driver or another may also be liable for the civil penalties
75.20 provided herein in the same or separate proceedings.

75.21 (d) A penalty imposed upon the owner or lessee of a vehicle that is based on violations
75.22 identified by the use of shippers' weight records under section 169.872 must not exceed an
75.23 aggregate of \$10,000.

75.24 Sec. 75. Minnesota Statutes 2016, section 171.02, subdivision 2b, is amended to read:

75.25 Subd. 2b. **Exception for type III vehicle drivers.** (a) Notwithstanding subdivision 2,
75.26 the holder of a class A, B, C, or D driver's license, without a school bus endorsement, may
75.27 operate a type III vehicle described in section 169.011, subdivision 71, paragraph (h), under
75.28 the conditions in ~~paragraphs (b) through (e)~~ this subdivision.

75.29 (b) The operator is an employee of the entity that owns, leases, or contracts for the school
75.30 bus.

75.31 (c) The operator's employer has adopted and implemented a policy that provides for
75.32 annual training and certification of the operator in:

- 76.1 (1) safe operation of a type III vehicle;
- 76.2 (2) understanding student behavior, including issues relating to students with disabilities;
- 76.3 (3) encouraging orderly conduct of students on the bus and handling incidents of
76.4 misconduct appropriately;
- 76.5 (4) knowing and understanding relevant laws, rules of the road, and local school bus
76.6 safety policies;
- 76.7 (5) handling emergency situations;
- 76.8 (6) proper use of seat belts and child safety restraints;
- 76.9 (7) performance of pretrip vehicle inspections;
- 76.10 (8) safe loading and unloading of students, including, but not limited to:
- 76.11 (i) utilizing a safe location for loading and unloading students at the curb, on the nontraffic
76.12 side of the roadway, or at off-street loading areas, driveways, yards, and other areas to
76.13 enable the student to avoid hazardous conditions;
- 76.14 (ii) refraining from loading and unloading students in a vehicular traffic lane, on the
76.15 shoulder, in a designated turn lane, or a lane adjacent to a designated turn lane;
- 76.16 (iii) avoiding a loading or unloading location that would require a pupil to cross a road,
76.17 or ensuring that the driver or an aide personally escort the pupil across the road if it is not
76.18 reasonably feasible to avoid such a location;
- 76.19 (iv) placing the type III vehicle in "park" during loading and unloading; and
- 76.20 (v) escorting a pupil across the road under item (iii) only after the motor is stopped, the
76.21 ignition key is removed, the brakes are set, and the vehicle is otherwise rendered immobile;
76.22 and
- 76.23 (9) compliance with paragraph (k), concerning reporting certain convictions to the
76.24 employer within ten days of the date of conviction.
- 76.25 (d) A background check or background investigation of the operator has been conducted
76.26 that meets the requirements under section 122A.18, subdivision 8, or 123B.03 for school
76.27 district employees; section 144.057 or chapter 245C for day care employees; or section
76.28 171.321, subdivision 3, for all other persons operating a type III vehicle under this
76.29 subdivision.
- 76.30 (e) Operators shall submit to a physical examination as required by section 171.321,
76.31 subdivision 2.

77.1 (f) The operator's employer requires preemployment drug testing of applicants for
77.2 operator positions. Current operators must comply with the employer's policy under section
77.3 181.951, subdivisions 2, 4, and 5. Notwithstanding any law to the contrary, the operator's
77.4 employer may use a Breathalyzer or similar device to fulfill random alcohol testing
77.5 requirements.

77.6 (g) The operator's driver's license is verified annually by the entity that owns, leases, or
77.7 contracts for the type III vehicle as required under section 171.321, subdivision 5.

77.8 (h) A person who sustains a conviction, as defined under section 609.02, of violating
77.9 section 169A.25, 169A.26, 169A.27, or 169A.31, or whose driver's license is revoked under
77.10 sections 169A.50 to 169A.53 of the implied consent law, or who is convicted of violating
77.11 or whose driver's license is revoked under a similar statute or ordinance of another state, is
77.12 precluded from operating a type III vehicle for five years from the date of conviction.

77.13 (i) A person who has ever been convicted of a disqualifying offense as defined in section
77.14 171.3215, subdivision 1, paragraph (c), may not operate a type III vehicle under this
77.15 subdivision.

77.16 (j) A person who sustains a conviction, as defined under section 609.02, of a moving
77.17 offense in violation of chapter 169 within three years of the first of three other moving
77.18 offenses is precluded from operating a type III vehicle for one year from the date of the last
77.19 conviction.

77.20 (k) An operator who sustains a conviction as described in paragraph (h), (i), or (j) while
77.21 employed by the entity that owns, leases, or contracts for the school bus, shall report the
77.22 conviction to the employer within ten days of the date of the conviction.

77.23 (l) An operator of a type III vehicle whose driver's license is suspended, revoked,
77.24 canceled, or disqualified by Minnesota, another state, or another jurisdiction must notify
77.25 the operator's employer in writing of the suspension, revocation, cancellation, lost privilege,
77.26 or disqualification. The operator must notify the operator's employer before the end of the
77.27 business day immediately following the day the operator received notice of the suspension,
77.28 revocation, cancellation, lost privilege, or disqualification.

77.29 (m) Students riding the type III vehicle must have training required under section
77.30 123B.90, subdivision 2.

77.31 ~~(m)~~ (n) Documentation of meeting the requirements listed in this subdivision must be
77.32 maintained under separate file at the business location for each type III vehicle operator.
77.33 The business manager, school board, governing body of a nonpublic school, or any other

78.1 entity that owns, leases, or contracts for the type III vehicle operating under this subdivision
78.2 is responsible for maintaining these files for inspection.

78.3 ~~(n)~~ (o) The type III vehicle must bear a current certificate of inspection issued under
78.4 section 169.451.

78.5 ~~(o)~~ (p) An employee of a school or of a school district, who is not employed for the sole
78.6 purpose of operating a type III vehicle, is exempt from paragraphs (e) and (f).

78.7 Sec. 76. Minnesota Statutes 2016, section 171.06, subdivision 2a, is amended to read:

78.8 Subd. 2a. **Two-wheeled vehicle endorsement fee.** (a) The fee for any duplicate driver's
78.9 license obtained for the purpose of adding a two-wheeled vehicle endorsement is increased
78.10 by \$18.50 for each first such duplicate license and \$13 for each renewal thereof. The
78.11 additional fee must be paid into the state treasury and credited as follows:

78.12 (1) \$11 of the additional fee for each first duplicate license, and \$7 of the additional fee
78.13 for each renewal, must be credited to the motorcycle safety fund, which is hereby created;
78.14 ~~provided that ten percent of fee receipts in excess of \$750,000 in a fiscal year must be~~
78.15 ~~credited to the general fund.~~

78.16 (2) The remainder of the additional fee must be credited to the general fund.

78.17 (b) All application forms prepared by the commissioner for two-wheeled vehicle
78.18 endorsements must clearly state the amount of the total fee that is dedicated to the motorcycle
78.19 safety fund.

78.20 Sec. 77. Minnesota Statutes 2016, section 171.061, subdivision 3, is amended to read:

78.21 Subd. 3. **Application.** An applicant may file an application with an agent. The agent
78.22 shall receive and accept applications in accordance with the laws and rules of the Department
78.23 of Public Safety for a driver's license, restricted license, duplicate license, instruction permit,
78.24 Minnesota identification card, or motorized bicycle operator's permit. Application records
78.25 must be maintained at the office of the agent in a manner that complies with sections 13.05,
78.26 subdivision 5, and 13.055. As an alternative to paper copy storage, an agent may retain
78.27 records and documents in a secure electronic medium that complies with the security
78.28 requirements under the United States Federal Bureau of Investigation, Criminal Justice
78.29 Information Services Division, Policy 5.4 or any successor policy, provided 60 days have
78.30 elapsed since the transaction and subject to standards established by the commissioner. The
78.31 agent is responsible for all costs associated with the conversion to electronic records and
78.32 maintenance of the electronic storage medium, including the destruction of existing paper

79.1 records after conversion to the electronic format. All queries and responses in the secure
 79.2 electronic medium, and all actions in which data are entered, updated, accessed, or shared
 79.3 or disseminated by the agent must be contained in a data audit trail. Data contained in the
 79.4 audit trail are public to the extent the data are not otherwise classified under this section.

79.5 Sec. 78. Minnesota Statutes 2016, section 171.12, subdivision 6, is amended to read:

79.6 Subd. 6. **Certain convictions not recorded.** (a) Except as provided in paragraph (c),
 79.7 the department ~~shall~~ must not keep on the record of a driver any conviction for a violation
 79.8 of a speed limit of 55 miles per hour unless the violation consisted of a speed greater than
 79.9 ten miles per hour in excess of the speed limit.

79.10 (b) Except as provided in paragraph (c), the department ~~shall~~ must not keep on the record
 79.11 of a driver any conviction for a violation of a speed limit of 60 miles per hour unless the
 79.12 violation consisted of a speed greater than:

79.13 ~~(1) ten miles per hour in excess of the speed limit, for any violation occurring on or after~~
 79.14 ~~August 1, 2012, and before August 1, 2014; or~~

79.15 ~~(2) five miles per hour in excess of the speed limit, for any violation occurring on or~~
 79.16 ~~after August 1, 2014.~~

79.17 (c) This subdivision does not apply to (1) a violation that occurs in a commercial motor
 79.18 vehicle, or (2) a violation committed by a holder of a class A, B, or C commercial driver's
 79.19 license or commercial driver learner's permit, without regard to whether the violation was
 79.20 committed in a commercial motor vehicle or another vehicle.

79.21 Sec. 79. Minnesota Statutes 2016, section 173.02, is amended by adding a subdivision to
 79.22 read:

79.23 Subd. 7a. **Abandoned and discontinued.** "Abandoned and discontinued" means an
 79.24 outdoor advertising device that ceases to display advertising copy for a minimum of one
 79.25 year and is not otherwise being actively marketed to display advertising copy.

79.26 Sec. 80. Minnesota Statutes 2016, section 173.02, is amended by adding a subdivision to
 79.27 read:

79.28 Subd. 17a. **Conforming.** "Conforming" means an outdoor advertising device that
 79.29 complies with the requirements of this chapter.

80.1 Sec. 81. Minnesota Statutes 2016, section 173.02, subdivision 18, is amended to read:

80.2 Subd. 18. **Commercial or industrial activity.** (a) "Commercial or industrial activity"
 80.3 for the purposes of unzoned commercial or industrial areas means an activity generally
 80.4 recognized as commercial or industrial by zoning authorities in this state, ~~except that,~~

80.5 (b) None of the following activities shall be considered commercial or industrial:

80.6 (1) outdoor advertising devices;

80.7 (2) agricultural, forestry, ranching, grazing, farming and related activities, including,
 80.8 but not limited to, temporary wayside fresh produce stands;

80.9 (3) transient or temporary activities;

80.10 (4) activities not visible from the main-traveled way;

80.11 (5) activities more than 660 feet from the nearest edge of the right-of-way;

80.12 (6) activities conducted in a building principally used as a residence;

80.13 (7) railroad tracks and minor sidings;

80.14 (8) advertising located on vehicles or tractor trailers;

80.15 (9) commercial establishments or businesses that have ceased to exist or operate; or

80.16 (10) a business created to install new outdoor advertising devices.

80.17 Sec. 82. Minnesota Statutes 2016, section 173.02, is amended by adding a subdivision to
 80.18 read:

80.19 Subd. 21a. **Nonconforming.** "Nonconforming" means an outdoor advertising device
 80.20 that was lawfully erected and has been maintained lawfully but does not comply with the
 80.21 requirements of this chapter. A nonconforming sign is one that remains in substantially the
 80.22 same condition it was on the effective date of this chapter.

80.23 Sec. 83. Minnesota Statutes 2016, section 173.02, is amended by adding a subdivision to
 80.24 read:

80.25 Subd. 21b. **Off-premise** "Off-premise" means an outdoor advertising device that
 80.26 advertises or pertains to any business, product, person, activity, event, or service that is not
 80.27 primarily conducted, sold, manufactured, offered, or located on the property where the sign
 80.28 is located.

81.1 Sec. 84. Minnesota Statutes 2016, section 173.02, subdivision 23, is amended to read:

81.2 Subd. 23. **Scenic area.** "Scenic area" means an area within which control and regulation
81.3 of the erection and maintenance of advertising devices may be exercised to the extent herein
81.4 provided and such areas shall include only those established as such by the commissioner
81.5 of transportation. Scenic area includes a scenic byway under United States Code, title 23,
81.6 section 162.

81.7 Sec. 85. Minnesota Statutes 2016, section 173.02, is amended by adding a subdivision to
81.8 read:

81.9 Subd. 23a. **Scenic byways.** "Scenic byways" means roads that recognize outstanding
81.10 scenic, cultural, historic, natural, recreational, and archaeological qualities and landscapes
81.11 pursuant to United States Code, title 23, section 162.

81.12 Sec. 86. Minnesota Statutes 2016, section 173.06, subdivision 1, is amended to read:

81.13 Subdivision 1. **Authority.** The commissioner of transportation ~~shall~~ must adopt and
81.14 may modify, amend, or repeal rules governing the ~~issuance of permits or renewals thereof~~
81.15 ~~for the erection and~~ maintenance of legal nonconforming advertising devices within scenic
81.16 areas; provided that the commissioner shall not adopt, modify, amend, or repeal any rule
81.17 that will impair any agreement ~~with~~ between the state and the federal government under
81.18 this chapter. The commissioner of transportation may limit the application of any rule
81.19 adopted by the commissioner to exclude or include in whole or in part, specified areas within
81.20 the scenic area based upon use, nature of the surrounding community, or such other factors
81.21 as may make separate classification or rule necessary or desirable.

81.22 Sec. 87. Minnesota Statutes 2016, section 173.07, subdivision 1, is amended to read:

81.23 Subdivision 1. **Forms; content.** Application for permits or renewals thereof for the
81.24 placement ~~and maintenance~~ of advertising devices ~~within scenic areas shall~~ must be on
81.25 forms prescribed by the commissioner and ~~shall~~ contain ~~such~~ information as the commissioner
81.26 may require. No advertising device shall be placed without the consent of the owner or
81.27 occupant of the land, and adequate proof of such consent shall be submitted to the
81.28 commissioner at the time application is made for such permits or renewals. A permit is
81.29 required to access state right-of-way to maintain an advertising device.

82.1 Sec. 88. Minnesota Statutes 2016, section 173.08, is amended by adding a subdivision to
82.2 read:

82.3 Subd. 3. **Seed sign exemption.** Crop varietal and seed corn signs adjacent to interstate
82.4 and primary highways may be erected if the device:

82.5 (1) is located on demonstration plats;

82.6 (2) is located on private property;

82.7 (3) does not violate section 160.27 or 160.2715; and

82.8 (4) does not reference an off-site address where the product may be sold.

82.9 Sec. 89. Minnesota Statutes 2016, section 173.08, is amended by adding a subdivision to
82.10 read:

82.11 Subd. 4. **Violations; removal.** The Department of Transportation may remove signs
82.12 that violate this section using the removal procedures under section 173.13, subdivision 11.

82.13 Sec. 90. Minnesota Statutes 2016, section 173.13, subdivision 11, is amended to read:

82.14 Subd. 11. **Removal of advertising device for noncompliance.** Advertising devices
82.15 erected or maintained after June 8, 1971, not complying with ~~Laws 1971, chapter 883, and~~
82.16 ~~not otherwise by Laws 1971, chapter 883, permitted to stand~~ this chapter may be removed
82.17 by the commissioner upon 60 days prior written notice by certified mail to the owner ~~thereof~~
82.18 of the advertising device and to the owner of the real property on which ~~such~~ the advertising
82.19 device is located, ~~provided that~~. No notice ~~shall be~~ is required to be given to the owner of
82.20 an advertising device whose name is not stated upon the advertising device or the structure
82.21 on which it is displayed, unless the name of ~~such~~ the owner is otherwise reasonably known
82.22 to the commissioner. The owner of the removed device is liable to the state for the costs of
82.23 removal. The period of such notice shall be is computed from the date of mailing: to both
82.24 the owner of the advertising device and the owner of the real property where the device is
82.25 located. The department must store a removed outdoor advertising device for a minimum
82.26 of 30 days prior to disposal. If the outdoor advertising device is not retrieved by the owner
82.27 within 30 days of removal, the department may dispose of the outdoor advertising device.
82.28 The state is not liable for trespass actions or sign costs for outdoor advertising devices
82.29 removed under this subdivision if proper notice has been served.

83.1 Sec. 91. [173.155] CHANGEABLE ELECTRONIC VARIABLE MESSAGE SIGNS.

83.2 Subdivision 1. **Definition.** For the purposes of this section, "changeable electronic
 83.3 variable message sign" or "CEVMS" means an outdoor advertising device that contains
 83.4 light-emitting diodes or other technology to display copy visible during the day and during
 83.5 the night, with the copy changes initiated electronically.

83.6 Subd. 2. **Prohibition.** Intermittent, animated, scrolling, full-motion video elements, or
 83.7 moving lights are prohibited on outdoor advertising devices, including CEVMS.

83.8 Subd. 3. **Exceptions.** (a) Notwithstanding subdivision 2, a CEVMS is permissible if:

83.9 (1) the message does not change more frequently than once every six seconds;

83.10 (2) the transition between messages or copy does not exceed two seconds in duration;

83.11 (3) the message brightness does not exceed 0.3 foot-candles over ambient light, as
 83.12 measured using a foot candle meter from the following distances:

83.13 (i) for signs with a nominal face size of 12 feet by 25 feet, from 150 feet;

83.14 (ii) for signs with a nominal face size of ten feet, six inches, by 36 feet, from 200 feet;

83.15 and

83.16 (iii) for signs with a nominal face size of 14 feet by 48 feet, from 250 feet; and

83.17 (4) the sign must not cause beams or rays of light to be directed at the traveled way if
 83.18 the light is of such intensity or brilliance as to cause glare that impairs the vision of the
 83.19 driver of a motor vehicle, or interfere with any driver's operation of a motor vehicle.

83.20 (b) The brightness measurement under paragraph (a), clause (3), must be conducted at
 83.21 least 30 minutes after sunset or at least 30 minutes before sunrise. Each CEVMS must have
 83.22 automatic dimming technology that adjusts the device's brightness levels in response to
 83.23 changes in ambient light.

83.24 Sec. 92. Minnesota Statutes 2016, section 173.16, is amended by adding a subdivision to
 83.25 read:

83.26 Subd. 6. **Stationary structure.** Advertising devices must:

83.27 (1) be stationary;

83.28 (2) be immobile;

83.29 (3) not have wheels; and

83.30 (4) be incapable of relocation without a permit.

84.1 Sec. 93. Minnesota Statutes 2016, section 173.16, is amended by adding a subdivision to
84.2 read:

84.3 Subd. 7. **Permanent business.** (a) A business that is located in an unzoned commercial
84.4 or industrial area must be in existence for at least three months before a permit may be
84.5 issued. An outdoor advertising device erected prior to receiving a permit is subject to
84.6 removal.

84.7 (b) A commercial establishment may demonstrate evidence of its existence by having
84.8 a Web site, a telephone number that is answered or has an answering machine identifying
84.9 the business, a storefront, pictorial evidence of the business, a building permit, or a lease.

84.10 Sec. 94. [173.265] **OUTDOOR ADVERTISING DEVICES; REMOVAL;**
84.11 **MAINTENANCE.**

84.12 Subdivision 1. **Definitions.** (a) For the purposes of this section, the following terms have
84.13 the meanings given them.

84.14 (b) "Destroyed" means that more than 50 percent of a nonconforming outdoor advertising
84.15 device's upright supports are physically damaged to a degree that normal repair practices
84.16 would require replacement of broken wooden supports or replacement of broken, bent, or
84.17 twisted supports for metal sign structures.

84.18 (c) "Reasonable repair and maintenance" means customary maintenance and change of
84.19 a sign's copy or message, and includes replacement of existing light fixtures with energy
84.20 efficient fixtures or installation of other energy efficiency improvements. Reasonable repair
84.21 and maintenance does not include:

84.22 (1) the addition of illumination;

84.23 (2) repair, reinstallation, erection, or maintenance for outdoor advertising devices that
84.24 are destroyed, as defined under paragraph (b);

84.25 (3) enlarging the nonconforming device;

84.26 (4) changing the device from a wood structure to a steel or concrete structure; or

84.27 (5) any change that would terminate nonconforming status.

84.28 (d) "Substantial change" means any action that does not constitute reasonable repair and
84.29 maintenance.

85.1 Subd. 2. **Application.** This section applies only to outdoor advertising devices subject
 85.2 to state and federal regulation under United States Code, title 23, section 131, and any
 85.3 regulations adopted under that law.

85.4 Subd. 3. **Removal.** The department may remove a destroyed, abandoned, or discontinued
 85.5 outdoor advertising device, subject to the limitations provided under this chapter.

85.6 Subd. 4. **Reasonable repair and maintenance.** (a) The owner of an outdoor advertising
 85.7 device may perform reasonable repair and maintenance on any device, provided the device
 85.8 is not destroyed.

85.9 (b) Any action not constituting reasonable repair and maintenance will subject the outdoor
 85.10 advertising device to immediate removal under subdivision 3.

85.11 Subd. 5. **Substantial change.** Substantial changes to outdoor advertising devices are
 85.12 prohibited. A substantial change to a nonconforming outdoor advertising device will subject
 85.13 the sign to immediate removal under subdivision 3.

85.14 Sec. 95. Minnesota Statutes 2016, section 174.03, subdivision 1a, is amended to read:

85.15 Subd. 1a. **Revision of statewide multimodal transportation plan.** (a) The commissioner
 85.16 ~~shall~~ must revise the statewide multimodal transportation plan by January 15, ~~2013~~ 2022,
 85.17 and by January 15 of every ~~four~~ five years thereafter. Before final adoption of a revised
 85.18 plan, the commissioner ~~shall~~ must hold a hearing to receive public comment on the
 85.19 preliminary draft of the revised plan.

85.20 (b) Each revised statewide multimodal transportation plan must:

85.21 (1) incorporate the goals of the state transportation system in section 174.01;

85.22 (2) establish objectives, policies, and strategies for achieving those goals; and

85.23 (3) identify performance targets for measuring progress and achievement of transportation
 85.24 system goals, objectives, or policies.

85.25 Sec. 96. Minnesota Statutes 2016, section 174.03, subdivision 1c, is amended to read:

85.26 Subd. 1c. **Statewide highway ~~20-year capital investment plan.~~ By January 15, 2013,**
 85.27 ~~and in conjunction with~~ Within one year of each future revision of the statewide multimodal
 85.28 transportation plan under subdivision 1a, the commissioner ~~shall~~ must prepare a 20-year
 85.29 statewide highway ~~capital~~ investment plan that:

85.30 (1) incorporates performance measures and targets for assessing progress and achievement
 85.31 of the state's transportation goals, objectives, and policies identified in this chapter for the

86.1 state trunk highway system, and those goals, objectives, and policies established in the
 86.2 statewide multimodal transportation plan. Performance targets must be based on objectively
 86.3 verifiable measures, and address, at a minimum, preservation and maintenance of the
 86.4 structural condition of state highway bridges and pavements, safety, and mobility;

86.5 (2) summarizes trends and impacts for each performance target over the past five years;

86.6 (3) summarizes the amount and analyzes the impact of the department's capital
 86.7 investments and priorities over the past five years on each performance target, including a
 86.8 comparison of prior plan projected costs with actual costs;

86.9 (4) identifies the investments required to meet the established performance targets over
 86.10 the next 20-year period;

86.11 (5) projects available state and federal funding over the 20-year period, including any
 86.12 unique, competitive, time-limited, or focused funding opportunities;

86.13 (6) identifies strategies to ensure the most efficient use of existing transportation
 86.14 infrastructure, and to maximize the performance benefits of projected available funding;

86.15 (7) establishes investment priorities for projected funding, including a schedule of major
 86.16 projects or improvement programs for the 20-year period together with projected costs and
 86.17 impact on performance targets; and

86.18 (8) identifies those performance targets identified under clause (1) not expected to meet
 86.19 the target outcome over the 20-year period together with alternative strategies that could
 86.20 be implemented to meet the targets.

86.21 **Sec. 97. [174.38] ACTIVE TRANSPORTATION PROGRAM.**

86.22 **Subdivision 1. Definitions.** (a) For purposes of this section, the following terms have
 86.23 the meanings given them.

86.24 (b) "Active transportation" means bicycling, pedestrian activities, and other forms of
 86.25 nonmotorized transportation.

86.26 (c) "Commissioner" means the commissioner of transportation.

86.27 **Subd. 2. Program established.** Subject to available funds, the commissioner must
 86.28 establish a program to support active transportation.

86.29 **Subd. 3. Active transportation account.** An active transportation account is established
 86.30 in the special revenue fund. The account consists of funds provided by law and any other
 86.31 money donated, allotted, transferred, or otherwise provided to the account. Money in the

87.1 account must be expended only on a project that receives financial assistance under this
87.2 section.

87.3 Subd. 4. **Program administration.** (a) The commissioner must establish active
87.4 transportation program requirements, including:

87.5 (1) assistance eligibility, subject to the requirements under subdivision 5;

87.6 (2) a solicitation and application process that minimizes the burden on applicants; and

87.7 (3) procedures to award and pay financial assistance.

87.8 (b) The commissioner must annually conduct a solicitation for active transportation
87.9 projects under the program.

87.10 (c) The commissioner must make reasonable efforts to publicize each application
87.11 solicitation among all eligible recipients. The commissioner must assist applicants to create
87.12 and submit applications, with an emphasis on providing assistance in communities that are
87.13 historically and currently underrepresented in local or regional planning, including
87.14 communities of color, low-income households, people with disabilities, and people with
87.15 limited English proficiency.

87.16 (d) The commissioner may provide grants or other financial assistance for a project.

87.17 (e) The commissioner is prohibited from expending more than one percent of available
87.18 funds in a fiscal year under this section on program administration.

87.19 Subd. 5. **Eligibility.** Eligible recipients of financial assistance under this section are:

87.20 (1) a political subdivision; and

87.21 (2) a tax-exempt organization under section 501(c)(3) of the Internal Revenue Code, as
87.22 amended.

87.23 Subd. 6. **Use of funds.** The commissioner must determine permissible uses of financial
87.24 assistance under this section, which are limited to:

87.25 (1) construction and maintenance of bicycle, trail, and pedestrian infrastructure, including
87.26 but not limited to safe routes to school infrastructure and bicycle facilities and centers; and

87.27 (2) noninfrastructure programming, including activities as specified in section 174.40,
87.28 subdivision 7a, paragraph (b).

87.29 Subd. 7. **Project evaluation and selection.** (a) The commissioner must establish a
87.30 project evaluation and selection process that is competitive, criteria-based, and objective.

87.31 (b) The process must include criteria and prioritization of projects based on:

- 88.1 (1) the project's inclusion in a municipal or regional nonmotorized transportation system
 88.2 plan;
- 88.3 (2) the extent to which policies or practices of the political subdivision encourage and
 88.4 promote complete streets planning, design, and construction;
- 88.5 (3) the extent to which the project supports connections between communities and to
 88.6 key destinations within a community;
- 88.7 (4) identified barriers or deficiencies in the nonmotorized transportation system;
- 88.8 (5) identified safety or health benefits;
- 88.9 (6) geographic equity in project benefits, with an emphasis on communities that are
 88.10 historically and currently underrepresented in local or regional planning; and
- 88.11 (7) ability of a grantee to maintain the active transportation infrastructure following
 88.12 project completion.

88.13 Sec. 98. Minnesota Statutes 2016, section 174.50, subdivision 5, is amended to read:

88.14 Subd. 5. **Certification and disbursement for project of political subdivision.** Before
 88.15 disbursement of an appropriation made from the fund to the commissioner of transportation
 88.16 for grants to subdivisions of the state, the commissioner ~~shall~~ must certify that:

88.17 ~~(1) that the project for which the grant is made has been reviewed as provided in~~
 88.18 ~~subdivision 4;~~

88.19 ~~(2) that~~ the project conforms to the program authorized by the appropriation law and
 88.20 rules adopted by the Department of Transportation consistent therewith; and

88.21 ~~(3) that~~ (2) the financing of any estimated cost of the project in excess of the amount of
 88.22 the grant is assured by the appropriation of the proceeds of bonds or other funds of the
 88.23 subdivision, or by a grant from an agency of the federal government, within the amount of
 88.24 funds then appropriated to that agency and allocated by it to projects within the state, and
 88.25 by an irrevocable undertaking, in a resolution of the governing body of the subdivision, to
 88.26 use all funds so made available exclusively for the project, and to pay any additional amount
 88.27 by which the cost exceeds the estimate through appropriation to the construction fund of
 88.28 additional funds or the proceeds of additional bonds to be issued by the subdivision.

89.1 Sec. 99. Minnesota Statutes 2016, section 174.50, subdivision 6b, is amended to read:

89.2 Subd. 6b. **Bridge costs in smaller cities.** (a) The commissioner may make grants from
89.3 the state transportation fund to a home rule or statutory city with a population of 5,000 or
89.4 less for design, engineering, and construction of bridges on city streets.

89.5 ~~(b) Grants under this subdivision are subject to the procedures and criteria established~~
89.6 ~~under subdivisions 5, 6, and 7.~~

89.7 ~~(e)~~ (b) Grants may be used for:

89.8 (1) 100 percent of the design and engineering costs that are in excess of \$10,000;

89.9 (2) 100 percent of the bridge approach work costs that are in excess of \$10,000; and

89.10 (3) 100 percent of the bridge construction work costs.

89.11 Sec. 100. Minnesota Statutes 2016, section 174.50, subdivision 6c, is amended to read:

89.12 Subd. 6c. **Fracture-critical bridges.** ~~(a)~~ The commissioner may make a grant to any
89.13 political subdivision for replacement or rehabilitation of a fracture-critical bridge. To be
89.14 eligible for a grant under this subdivision, the project must produce a bridge structure:

89.15 (1) that is no longer classified as fracture critical, by having alternate load paths; and

89.16 (2) whose failure of a main component will not result in the collapse of the bridge.

89.17 ~~(b) A grant under this subdivision is subject to the procedures and criteria established~~
89.18 ~~under subdivisions 5 and 6.~~

89.19 Sec. 101. Minnesota Statutes 2016, section 174.50, subdivision 7, is amended to read:

89.20 Subd. 7. **Bridge grant program; rulemaking.** (a) The commissioner of transportation
89.21 shall develop rules, procedures for application for grants, conditions of grant administration,
89.22 standards, and criteria as provided under subdivision 6, including bridge specifications, in
89.23 cooperation with road authorities of political subdivisions, for use in the administration of
89.24 funds appropriated to the commissioner and for the administration of grants to subdivisions.

89.25 Grants under this section are subject to the procedures and criteria established in this
89.26 subdivision and in subdivisions 5 and 6.

89.27 (b) The maximum use of standardized bridges is encouraged. Regardless of the size of
89.28 the existing bridge, a bridge or replacement bridge is eligible for assistance from the state
89.29 transportation fund if a hydrological survey indicates that the bridge or replacement bridge
89.30 must be ten feet or more in length.

90.1 (c) As part of the standards or rules, the commissioner shall, in consultation with local
 90.2 road authorities, establish a minimum distance between any two bridges that cross over the
 90.3 same river, stream, or waterway, so that only one of the bridges is eligible for a grant under
 90.4 this section. As appropriate, the commissioner may establish exceptions from the minimum
 90.5 distance requirement or procedures for obtaining a variance.

90.6 (d) Political subdivisions may use grants made under this section to construct or
 90.7 reconstruct bridges, including but not limited to:

90.8 (1) matching federal aid grants to construct or reconstruct key bridges;

90.9 (2) paying the costs to abandon an existing bridge that is deficient and in need of
 90.10 replacement but where no replacement will be made; and

90.11 (3) paying the costs to construct a road or street to facilitate the abandonment of an
 90.12 existing bridge if the commissioner determines that the bridge is deficient, and that
 90.13 construction of the road or street is more economical than replacement of the existing bridge.

90.14 (e) Funds appropriated to the commissioner from the Minnesota state transportation
 90.15 fund shall be segregated from the highway tax user distribution fund and other funds created
 90.16 by article XIV of the Minnesota Constitution.

90.17 (f) The commissioner is prohibited from awarding a grant under this section for a local
 90.18 bridge replacement or rehabilitation project with a total project cost estimate of \$7,000,000
 90.19 or more.

90.20 (g) Notwithstanding paragraph (f), the commissioner may award a grant under this
 90.21 section for a portion of a local bridge replacement or rehabilitation project with a total
 90.22 project cost estimate of \$7,000,000 or more if every other local bridge replacement or
 90.23 rehabilitation project on the commissioner's priority list with a total project cost estimate
 90.24 of less than \$7,000,000 has been fully funded.

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

90.26 **Sec. 102. [174.53] DEPARTMENT OF TRANSPORTATION EFFICIENCIES.**

90.27 (a) Beginning in fiscal years 2018 and 2019, the commissioner of transportation must
 90.28 implement efficiencies equal to at least 15 percent of the appropriations made annually to
 90.29 the commissioner from the trunk highway fund that are above base appropriations for fiscal
 90.30 years 2018 and 2019.

90.31 (b) The efficiency savings resulting from the requirements in paragraph (a) are for the
 90.32 construction, maintenance, or rehabilitation of trunk highways, including roads and bridges.

91.1 Sec. 103. Minnesota Statutes 2016, section 174.56, is amended by adding a subdivision
91.2 to read:

91.3 Subd. 4. **Availability of information.** The commissioner must maintain an Internet Web
91.4 site that displays information for each major highway project. At a minimum, the information
91.5 must include the report contents identified in subdivision 2.

91.6 Sec. 104. **[174.57] SNOW AND ICE CONTROL; APPROPRIATION.**

91.7 (a) In a fiscal year in which the commissioner expends more than 110 percent of the
91.8 established biennial expenditure level for snow and ice management, the commissioner may
91.9 use an additional amount for this purpose that does not exceed 50 percent of the
91.10 unappropriated balance in the trunk highway fund. The amount identified by the
91.11 commissioner under this paragraph is appropriated from the trunk highway fund to the
91.12 commissioner for snow and ice management purposes.

91.13 (b) Upon using the appropriation authority in this section, the commissioner must notify
91.14 the commissioner of management and budget and the chairs, ranking minority members,
91.15 and staff of the house of representatives and senate committees having jurisdiction over
91.16 transportation finance. The notification must at a minimum identify the established biennial
91.17 expenditure level for snow and ice management and the amount appropriated under this
91.18 section.

91.19 (c) In each budget submission to the legislature under section 16A.11, the commissioner
91.20 must include:

91.21 (1) the proposed biennial expenditure level for snow and ice management for the next
91.22 budget biennium; and

91.23 (2) the total amount expended or estimated to be expended under the appropriation in
91.24 this section for the budget biennium that is ending.

91.25 (d) For purposes of this section, "snow and ice management purposes" means the
91.26 following items relating to keeping the roads clear of snow and ice: overtime pay for existing
91.27 employees; fuel; maintenance and repair; and anti-icing treatments, salt, sand, or other
91.28 similar substances. "Snow and ice management purposes" does not include the hiring of
91.29 additional employees or purchasing additional vehicles or equipment.

91.30 Sec. 105. Minnesota Statutes 2016, section 174.93, is amended to read:

91.31 **174.93 GUIDEWAY METROPOLITAN AREA TRANSIT INVESTMENT.**

92.1 Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have
92.2 the meanings given:

92.3 ~~(1)~~ (b) "Busway" means a form of bus service provided to the public on a regular and
92.4 ongoing basis, including arterial or highway bus rapid transit, that (1) compared to other
92.5 regular route bus service, provides reduced travel time and uses distinct bus stop or station
92.6 amenities, and (2) does not primarily or substantially operate within separated rights-of-way;

92.7 (c) "Commissioner" means the commissioner of transportation;

92.8 ~~(2)~~ (d) "Guideway" means a form of transportation service provided to the public on a
92.9 regular and ongoing basis; that primarily or substantially operates on exclusive or controlled
92.10 within separated rights-of-way or operates on rails in whole or in part, and includes:

92.11 (1) each line for intercity passenger rail, commuter rail, light rail transit, and streetcars;
92.12 and;

92.13 (2) as applicable, each line for dedicated bus service, which may include arterial or
92.14 highway bus rapid transit; and, limited stop bus service, and express bus service; and

92.15 (3) any intermodal facility serving two or more lines identified in clauses (1) and (2).
92.16 Guideway does not include a busway.

92.17 ~~(3)~~ (e) "Local unit of government" means a county, statutory or home rule charter city,
92.18 town, or other political subdivision including, but not limited to, a regional railroad authority
92.19 or joint powers board.

92.20 (f) "Separated rights-of-way" includes exclusive, dedicated, or primary use of a
92.21 right-of-way by the public transportation service. Separated rights-of-way does not include
92.22 a shoulder, dynamic shoulder lane, or priced lane under section 160.93.

92.23 ~~(b) For purposes of this section,~~ (g) "Sources of funds" includes, but is not limited to,
92.24 money from federal aid, state appropriations, the Metropolitan Council, special taxing
92.25 districts, local units of government, fare box recovery, and nonpublic sources.

92.26 ~~(e) For purposes of this section,~~ (h) "Budget activity" includes, but is not limited to,
92.27 environmental analysis, land acquisition, easements, design, preliminary and final
92.28 engineering, acquisition of vehicles and rolling stock, track improvement and rehabilitation,
92.29 and construction.

92.30 Subd. 1a. **Guideway capital project requests to legislature.** A state agency or local
92.31 unit of government that submits a request to the legislature to obtain state funds for a
92.32 guideway project shall, as part of the request, provide a summary financial plan for the

93.1 project that presents the following information as reflected by the data and level of detail
 93.2 available in the latest phase of project development:

93.3 (1) capital expenditures and funding sources for the project, including expenditures to
 93.4 date and total projected or estimated expenditures, with a breakdown by committed and
 93.5 proposed sources of funds; and

93.6 (2) estimated annual operations and maintenance expenditures for the project, with a
 93.7 breakdown by committed and proposed sources of funds.

93.8 Subd. 2. **Legislative report.** (a) By ~~January~~ October 15, 2012, and by ~~November 15~~ in
 93.9 every odd-numbered year thereafter, the ~~commissioner shall~~ council must prepare, in
 93.10 collaboration with the ~~Metropolitan Council~~ commissioner, and a report on comprehensive
 93.11 transit finance in the metropolitan area. The council must submit a the report electronically
 93.12 to the chairs and ranking minority members of the legislative committees with jurisdiction
 93.13 over transportation policy and finance ~~concerning~~.

93.14 (b) The report must be structured to provide financial information in six-month increments
 93.15 corresponding to state and local fiscal years, and must use consistent assumptions and
 93.16 methodologies. The report must comprehensively identify all funding sources and
 93.17 expenditures related to transit in the metropolitan area, including but not limited to:

93.18 (1) sources and uses of funds from regional railroad authorities, joint powers agreements,
 93.19 counties, and cities;

93.20 (2) expenditures for transit planning, feasibility studies, alternatives analysis, and other
 93.21 transit project development; and

93.22 (3) expenditures for guideways, busways, regular route bus service, demand-response
 93.23 service, and special transportation service under section 473.386.

93.24 (c) The report must include a section that summarizes the status of (1) guideways in
 93.25 revenue operation, and (2) guideway projects (1) (i) currently in study, planning,
 93.26 development, or construction; (2) (ii) identified in the transportation policy plan under
 93.27 section 473.146; or (3) (iii) identified in the comprehensive statewide freight and passenger
 93.28 rail plan under section 174.03, subdivision 1b.

93.29 ~~(b)~~ (d) At a minimum, the guideways status section of the report must include, provide
 93.30 for each guideway project wholly or partially in the metropolitan area:

93.31 (1) a brief description of the project, including projected ridership;

93.32 (2) a summary of the overall status and current phase of the project;

94.1 (3) a timeline that includes (i) project phases or milestones, including any federal
 94.2 approvals; (ii) expected and known dates of commencement of each phase or milestone;
 94.3 and (iii) expected and known dates of completion of each phase or milestone;

94.4 (4) a brief progress update on specific project phases or milestones completed since the
 94.5 last previous submission of a report under this subdivision; and

94.6 (5) a summary financial plan that identifies, as reflected by the data and level of detail
 94.7 available in the latest phase of project development and to the extent available:

94.8 (i) capital expenditures, including expenditures to date and total projected expenditures,
 94.9 with a breakdown by committed and proposed sources of funds for the project;

94.10 (ii) estimated annual operations and maintenance expenditures reflecting the level of
 94.11 detail available in the current phase of the project development, with a breakdown by
 94.12 committed and proposed sources of funds for the project; and

94.13 (iii) if feasible, project expenditures by budget activity.

94.14 (e) The report must include a section that summarizes the status of (1) busways in revenue
 94.15 operation, and (2) busway projects currently in study, planning, development, or construction.

94.16 (f) The report must include a section that identifies the total ridership, farebox recovery
 94.17 ratio, and per-passenger operating subsidy for (1) each route and line in revenue operation
 94.18 by a transit provider, including guideways, busways, and regular route bus service; and (2)
 94.19 demand-response service and special transportation service. The section must provide data,
 94.20 as available on a per-passenger mile basis and must provide information for at least the
 94.21 previous three years. The section must identify performance standards for farebox recovery
 94.22 and identify each route and line that does not meet the standards.

94.23 ~~(e)~~ (g) The report must also include a systemwide capacity analysis for transit operations
 94.24 and investment in guideway expansion and maintenance that:

94.25 (1) provides a funding projection, annually over the ensuing ten years, and with a
 94.26 breakdown by committed and proposed sources of funds, of:

94.27 (i) total capital expenditures for guideways and for busways;

94.28 (ii) total operations and maintenance expenditures for guideways and for busways;

94.29 (iii) total funding available for guideways and for busways, including from projected or
 94.30 estimated farebox recovery; and

94.31 (iv) total funding available for transit service in the metropolitan area; and

95.1 (2) evaluates the availability of funds and distribution of sources of funds for guideway
95.2 and for busway investments.

95.3 ~~(d)~~ (h) The ~~projection capacity analysis~~ under paragraph ~~(e), clause (1), (g)~~ must be for
95.4 include all guideway and busway lines for which state public funds are reasonably expected
95.5 to be expended in planning, development, construction, or revenue operation, or capital
95.6 maintenance during the ensuing ten years.

95.7 ~~(e)~~ (i) Local units of government ~~shall~~ must provide assistance and information in a
95.8 timely manner as requested by the commissioner or council for completion of the report.

95.9 **EFFECTIVE DATE; APPLICATION.** This section is effective the day following
95.10 final enactment and applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey,
95.11 Scott, and Washington.

95.12 Sec. 106. **[219.016] HAZARDOUS MATERIALS RAIL SAFETY.**

95.13 **Subdivision 1. Program established.** A hazardous materials rail safety program is
95.14 established for the purpose of reducing the risks associated with the transportation of oil,
95.15 ethanol, and other hazardous material by rail.

95.16 **Subd. 2. Accounts established.** Two hazardous materials rail safety program accounts
95.17 are created, one in the special revenue fund and one in the bond proceeds fund. The account
95.18 in the special revenue fund consists of money as provided by law, and any other money
95.19 donated, allotted, transferred, or otherwise provided to the account. Money in each account
95.20 is appropriated to the commissioner of transportation to make grants as provided in this
95.21 section. Money in the accounts is available until spent, notwithstanding section 16A.28 or
95.22 16A.642.

95.23 **Subd. 3. Eligible applicant.** A county, statutory or home rule charter city, or town that
95.24 is responsible for establishing and maintaining public highway-rail grade crossings on rail
95.25 corridors transporting crude oil and other hazardous materials may apply to the commissioner
95.26 for financial assistance under this section.

95.27 **Subd. 4. Eligible project.** (a) A project is eligible for a grant from the account in the
95.28 bond proceeds fund if the project is for the acquisition or betterment of public land, buildings,
95.29 and other public improvements of a capital nature within the meaning of the Minnesota
95.30 Constitution, article XI, section 5, clause (a) or (i), including capital costs associated with
95.31 hazardous materials rail safety projects on public highway-rail grade crossings. Qualifying
95.32 capital costs include but are not limited to upgrades to existing protection systems, the

96.1 closing of crossings and necessary roadwork, and reconstruction of at-grade crossings to
96.2 full grade separations.

96.3 (b) A project is eligible for a grant from the account in the special revenue fund if it is
96.4 for purposes described in paragraph (a) or other capital facility improvement purposes that
96.5 support the purposes for which this grant program is established, including capital costs
96.6 associated with planning, engineering, administration, and construction of public highway-rail
96.7 grade crossing improvements on rail corridors transporting crude oil and other hazardous
96.8 materials. Improvements may include upgrades to existing protection systems, the closing
96.9 of crossings and necessary roadwork, and reconstruction of at-grade crossings to full grade
96.10 separations.

96.11 Subd. 5. **Grants; criteria for grant award.** The commissioner must consider the
96.12 following criteria to evaluate applications for a grant award under this section:

96.13 (1) whether the crossing was identified as a potential candidate for grade separation in
96.14 the Department of Transportation's crude by rail grade crossing study (Improvements to
96.15 Highway Grade Crossings and Rail Safety, December 2014);

96.16 (2) roadway traffic volumes and speeds;

96.17 (3) train volumes and speeds;

96.18 (4) adjacent land use;

96.19 (5) crash history;

96.20 (6) use of the crossing by emergency vehicles;

96.21 (7) use of the crossing by vehicles carrying hazardous materials; and

96.22 (8) local financial contributions to the project.

96.23 Subd. 6. **Process.** The commissioner must develop forms and procedures for soliciting
96.24 and reviewing applications for grants under this section. An applicant must apply for a grant
96.25 in the manner and at the times determined by the commissioner. The grant agreement must
96.26 be approved by the commissioner of management and budget and is subject to cancellation
96.27 under subdivision 7.

96.28 Subd. 7. **Grant cancellation.** If the commissioner determines that a grantee is unable
96.29 to proceed with an approved project or has not expended or obligated the grant money within
96.30 four years of entering into the grant agreement with the commissioner, the commissioner
96.31 must cancel the grant. Money canceled under this subdivision is available for the
96.32 commissioner to make other grants under this section.

97.1 Sec. 107. Minnesota Statutes 2016, section 221.031, is amended by adding a subdivision
97.2 to read:

97.3 Subd. 2e. Exemptions for pipeline welding trucks. A pipeline welding truck, as defined
97.4 in Code of Federal Regulations, title 49, section 390.38, paragraph (b), including an individual
97.5 operating a pipeline welding truck and the employer of the individual, is exempt from any
97.6 requirement relating to:

97.7 (1) registration as a motor carrier, including the requirement to obtain and display a
97.8 United States Department of Transportation number under subdivision 6 and section 168.185;

97.9 (2) driver qualifications under section 221.0314, subdivision 2;

97.10 (3) driving of commercial motor vehicles under section 221.0314, subdivision 6;

97.11 (4) parts, accessories, and inspection, repair, and maintenance of commercial motor
97.12 vehicles under section 221.0314, subdivisions 7 and 10; and

97.13 (5) hours of service of drivers, including maximum driving and on-duty time under
97.14 section 221.0314, subdivision 9.

97.15 Sec. 108. Minnesota Statutes 2016, section 222.49, is amended to read:

97.16 **222.49 RAIL SERVICE IMPROVEMENT ACCOUNT; APPROPRIATION.**

97.17 The rail service improvement account is created in the special revenue fund in the state
97.18 treasury. ~~The commissioner shall deposit in this account all~~ consists of funds as provided
97.19 by law, and any other money appropriated to or received by the department for the purpose
97.20 of rail service improvement donated, allotted, transferred, or otherwise provided to the
97.21 account, excluding bond proceeds as authorized by article XI, section 5, clause (i)₂ of the
97.22 Minnesota Constitution. All money so deposited is appropriated to the department for
97.23 expenditure for rail service improvement in accordance with applicable state and federal
97.24 law. This appropriation shall not lapse but shall be available until the purpose for which it
97.25 was appropriated has been accomplished. ~~No money appropriated to the department for the~~
97.26 ~~purposes of administering the rail service improvement program shall be deposited in the~~
97.27 ~~rail service improvement account nor shall such administrative costs be paid from the~~
97.28 ~~account.~~

97.29 Sec. 109. Minnesota Statutes 2016, section 222.50, subdivision 6, is amended to read:

97.30 Subd. 6. **Grants.** The commissioner may approve grants from the rail service
97.31 improvement account for ~~payment of up to 50 percent of the nonfederal share of the cost~~

98.1 ~~of any rail line project under the federal rail service continuation program~~ freight rail service
98.2 improvements that support economic development.

98.3 Sec. 110. Minnesota Statutes 2016, section 256B.15, subdivision 1a, is amended to read:

98.4 Subd. 1a. **Estates subject to claims.** (a) If a person receives medical assistance hereunder,
98.5 on the person's death, if single, or on the death of the survivor of a married couple, either
98.6 or both of whom received medical assistance, or as otherwise provided for in this section,
98.7 the amount paid for medical assistance as limited under subdivision 2 for the person and
98.8 spouse shall be filed as a claim against the estate of the person or the estate of the surviving
98.9 spouse in the court having jurisdiction to probate the estate or to issue a decree of descent
98.10 according to sections 525.31 to 525.313.

98.11 (b) For the purposes of this section, the person's estate must consist of:

98.12 (1) the person's probate estate;

98.13 (2) all of the person's interests or proceeds of those interests in real property the person
98.14 owned as a life tenant or as a joint tenant with a right of survivorship at the time of the
98.15 person's death;

98.16 (3) all of the person's interests or proceeds of those interests in securities the person
98.17 owned in beneficiary form as provided under sections 524.6-301 to 524.6-311 at the time
98.18 of the person's death, to the extent the interests or proceeds of those interests become part
98.19 of the probate estate under section 524.6-307;

98.20 (4) all of the person's interests in joint accounts, multiple-party accounts, and pay-on-death
98.21 accounts, brokerage accounts, investment accounts, or the proceeds of those accounts, as
98.22 provided under sections 524.6-201 to 524.6-214 at the time of the person's death to the
98.23 extent the interests become part of the probate estate under section 524.6-207; and

98.24 (5) assets conveyed to a survivor, heir, or assign of the person through survivorship,
98.25 living trust, transfer-on-death of title or deed, or other arrangements.

98.26 (c) For the purpose of this section and recovery in a surviving spouse's estate for medical
98.27 assistance paid for a predeceased spouse, the estate must consist of all of the legal title and
98.28 interests the deceased individual's predeceased spouse had in jointly owned or marital
98.29 property at the time of the spouse's death, as defined in subdivision 2b, and the proceeds of
98.30 those interests, that passed to the deceased individual or another individual, a survivor, an
98.31 heir, or an assign of the predeceased spouse through a joint tenancy, tenancy in common,
98.32 survivorship, life estate, living trust, or other arrangement. A deceased recipient who, at

99.1 death, owned the property jointly with the surviving spouse shall have an interest in the
99.2 entire property.

99.3 (d) For the purpose of recovery in a single person's estate or the estate of a survivor of
99.4 a married couple, "other arrangement" includes any other means by which title to all or any
99.5 part of the jointly owned or marital property or interest passed from the predeceased spouse
99.6 to another including, but not limited to, transfers between spouses which are permitted,
99.7 prohibited, or penalized for purposes of medical assistance.

99.8 (e) A claim shall be filed if medical assistance was rendered for either or both persons
99.9 under one of the following circumstances:

99.10 (1) the person was over 55 years of age, and received services under this chapter prior
99.11 to January 1, 2014;

99.12 (2) the person resided in a medical institution for six months or longer, received services
99.13 under this chapter, and, at the time of institutionalization or application for medical assistance,
99.14 whichever is later, the person could not have reasonably been expected to be discharged
99.15 and returned home, as certified in writing by the person's treating physician. For purposes
99.16 of this section only, a "medical institution" means a skilled nursing facility, intermediate
99.17 care facility, intermediate care facility for persons with developmental disabilities, nursing
99.18 facility, or inpatient hospital;

99.19 (3) the person received general assistance medical care services under the program
99.20 formerly codified under chapter 256D; or

99.21 (4) the person was 55 years of age or older and received medical assistance services on
99.22 or after January 1, 2014, that consisted of nursing facility services, home and
99.23 community-based services, or related hospital and prescription drug benefits.

99.24 (f) The claim shall be considered an expense of the last illness of the decedent for the
99.25 purpose of section 524.3-805. Notwithstanding any law or rule to the contrary, a state or
99.26 county agency with a claim under this section must be a creditor under section 524.6-307.
99.27 Any statute of limitations that purports to limit any county agency or the state agency, or
99.28 both, to recover for medical assistance granted hereunder shall not apply to any claim made
99.29 hereunder for reimbursement for any medical assistance granted hereunder. Notice of the
99.30 claim shall be given to all heirs and devisees of the decedent, and to other persons with an
99.31 ownership interest in the real property owned by the decedent at the time of the decedent's
99.32 death, whose identity can be ascertained with reasonable diligence. The notice must include
99.33 procedures and instructions for making an application for a hardship waiver under subdivision
99.34 5; time frames for submitting an application and determination; and information regarding

100.1 appeal rights and procedures. Counties are entitled to one-half of the nonfederal share of
 100.2 medical assistance collections from estates that are directly attributable to county effort.
 100.3 Counties are entitled to ten percent of the collections for alternative care directly attributable
 100.4 to county effort.

100.5 Sec. 111. Minnesota Statutes 2016, section 297A.815, subdivision 3, is amended to read:

100.6 Subd. 3. **Motor vehicle lease sales tax revenue.** ~~(a) For purposes of this subdivision,~~
 100.7 ~~"net revenue" means an amount equal to the revenues, including interest and penalties,~~
 100.8 ~~collected under this section, during the fiscal year, less \$32,000,000 in each fiscal year.~~

100.9 ~~(b)~~ (a) On or before June 30 of each fiscal year, the commissioner of revenue ~~shall~~ must
 100.10 estimate the ~~amount of the net revenue~~ revenues, including interest and penalties, collected
 100.11 under this section for the current fiscal year.

100.12 ~~(e) On or after~~ (b) By July ~~+~~ 15 of the subsequent fiscal year, the commissioner of
 100.13 management and budget ~~shall~~ must transfer the ~~net revenue as~~ revenues estimated ~~in~~ under
 100.14 paragraph ~~(b)~~ (a) from the general fund; as follows:

- 100.15 (1) 38 percent to the county state-aid highway fund;
 100.16 (2) 38 percent to the greater Minnesota transit account;
 100.17 (3) 13 percent to the Minnesota state transportation fund; and
 100.18 (4) 11 percent to the highway user tax distribution fund.

100.19 ~~(1) \$9,000,000 annually until January 1, 2015, and 50 percent annually thereafter to the~~
 100.20 ~~county state-aid highway fund.~~ (c) Notwithstanding any other law to the contrary, the
 100.21 commissioner of transportation ~~shall~~ must allocate the funds transferred under ~~this paragraph~~
 100.22 (b), clause (1), to the counties in the metropolitan area, as defined in section 473.121,
 100.23 subdivision 4, excluding the counties of Hennepin and Ramsey, so that each county ~~shall~~
 100.24 ~~receive of such amount~~ receives the percentage that its population, as defined in section
 100.25 477A.011, subdivision 3, estimated or established by July 15 of the year prior to the current
 100.26 calendar year, bears to the total population of the counties receiving funds under this ~~clause;~~
 100.27 ~~and paragraph.~~

100.28 ~~(2) the remainder to the greater Minnesota transit account.~~ (d) The amount transferred
 100.29 under paragraph (b), clause (3), must be used for the local bridge program under section
 100.30 174.50, subdivisions 6 to 7.

100.31 (e) The revenues under this subdivision do not include the revenues, including interest
 100.32 and penalties, generated by the sales tax imposed under section 297A.62, subdivision 1a,

101.1 which must be deposited as provided under the Minnesota Constitution, article XI, section
101.2 15.

101.3 **EFFECTIVE DATE.** This section is effective the day following final enactment and
101.4 applies beginning with transfers recognized in fiscal year 2018.

101.5 Sec. 112. Minnesota Statutes 2016, section 297A.94, is amended to read:

101.6 **297A.94 DEPOSIT OF REVENUES.**

101.7 (a) Except as provided in this section, the commissioner shall deposit the revenues,
101.8 including interest and penalties, derived from the taxes imposed by this chapter in the state
101.9 treasury and credit them to the general fund.

101.10 (b) The commissioner shall deposit taxes in the Minnesota agricultural and economic
101.11 account in the special revenue fund if:

101.12 (1) the taxes are derived from sales and use of property and services purchased for the
101.13 construction and operation of an agricultural resource project; and

101.14 (2) the purchase was made on or after the date on which a conditional commitment was
101.15 made for a loan guaranty for the project under section 41A.04, subdivision 3.

101.16 The commissioner of management and budget shall certify to the commissioner the date on
101.17 which the project received the conditional commitment. The amount deposited in the loan
101.18 guaranty account must be reduced by any refunds and by the costs incurred by the Department
101.19 of Revenue to administer and enforce the assessment and collection of the taxes.

101.20 (c) The commissioner shall deposit the revenues, including interest and penalties, derived
101.21 from the taxes imposed on sales and purchases included in section 297A.61, subdivision 3,
101.22 paragraph (g), clauses (1) and (4), in the state treasury, and credit them as follows:

101.23 (1) first to the general obligation special tax bond debt service account in each fiscal
101.24 year the amount required by section 16A.661, subdivision 3, paragraph (b); and

101.25 (2) after the requirements of clause (1) have been met, the balance to the general fund.

101.26 (d) Beginning with sales taxes remitted after July 1, 2017, the commissioner shall deposit
101.27 in the state treasury the revenues collected under section 297A.64, subdivision 1, and credit
101.28 them to the highway user tax distribution fund.

101.29 (e) The commissioner shall deposit the revenues, including interest and penalties,
101.30 collected under section 297A.64, subdivision 5, in the state treasury and credit them to the
101.31 general fund. By July 15 of each year the commissioner shall transfer to the highway user

102.1 tax distribution fund an amount equal to the excess fees collected under section 297A.64,
102.2 subdivision 5, for the previous calendar year.

102.3 ~~(e)~~ (f) Beginning with sales taxes remitted after July 1, 2017, in conjunction with the
102.4 deposit of revenues under paragraph (d), the commissioner shall deposit into the state
102.5 treasury and credit to the highway user tax distribution fund an amount equal to the estimated
102.6 revenues derived from the tax rate imposed under section 297A.62, subdivision 1, on the
102.7 lease or rental for not more than 28 days of rental motor vehicles subject to section 297A.64.
102.8 The commissioner shall estimate the amount of sales tax revenue deposited under this
102.9 paragraph based on the amount of revenue deposited under paragraph (d).

102.10 (g) Starting after July 1, 2017, the commissioner shall deposit an amount of the
102.11 remittances monthly into the state treasury and credit them to the highway user tax
102.12 distribution fund as a portion of the estimated amount of taxes collected from the sale and
102.13 purchase of motor vehicle repair parts in that month. For the remittances between July 1,
102.14 2017, and June 30, 2019, the monthly deposit amount is \$6,835,000. For remittances in
102.15 each subsequent fiscal year, the monthly deposit amount is \$17,173,000. For purposes of
102.16 this paragraph, "motor vehicle" has the meaning given in section 297B.01, subdivision 11,
102.17 and "motor vehicle repair and replacement parts" includes (i) all parts, tires, accessories,
102.18 and equipment incorporated into or affixed to the motor vehicle as part of the motor vehicle
102.19 maintenance and repair, and (ii) paint, oil, and other fluids that remain on or in the motor
102.20 vehicle as part of the motor vehicle maintenance or repair. For purposes of this paragraph,
102.21 "tire" means any tire of the type used on highway vehicles, if wholly or partially made of
102.22 rubber and if marked according to federal regulations for highway use.

102.23 (h) 72.43 percent of the revenues, including interest and penalties, transmitted to the
102.24 commissioner under section 297A.65, must be deposited by the commissioner in the state
102.25 treasury as follows:

102.26 (1) 50 percent of the receipts must be deposited in the heritage enhancement account in
102.27 the game and fish fund, and may be spent only on activities that improve, enhance, or protect
102.28 fish and wildlife resources, including conservation, restoration, and enhancement of land,
102.29 water, and other natural resources of the state;

102.30 (2) 22.5 percent of the receipts must be deposited in the natural resources fund, and may
102.31 be spent only for state parks and trails;

102.32 (3) 22.5 percent of the receipts must be deposited in the natural resources fund, and may
102.33 be spent only on metropolitan park and trail grants;

103.1 (4) three percent of the receipts must be deposited in the natural resources fund, and
 103.2 may be spent only on local trail grants; and

103.3 (5) two percent of the receipts must be deposited in the natural resources fund, and may
 103.4 be spent only for the Minnesota Zoological Garden, the Como Park Zoo and Conservatory,
 103.5 and the Duluth Zoo.

103.6 ~~(f)~~ (i) The revenue dedicated under paragraph ~~(e)~~ (h) may not be used as a substitute
 103.7 for traditional sources of funding for the purposes specified, but the dedicated revenue shall
 103.8 supplement traditional sources of funding for those purposes. Land acquired with money
 103.9 deposited in the game and fish fund under paragraph ~~(e)~~ (h) must be open to public hunting
 103.10 and fishing during the open season, except that in aquatic management areas or on lands
 103.11 where angling easements have been acquired, fishing may be prohibited during certain times
 103.12 of the year and hunting may be prohibited. At least 87 percent of the money deposited in
 103.13 the game and fish fund for improvement, enhancement, or protection of fish and wildlife
 103.14 resources under paragraph ~~(e)~~ (h) must be allocated for field operations.

103.15 ~~(g)~~ (j) The revenues deposited under paragraphs (a) to ~~(f)~~ (i) do not include the revenues,
 103.16 including interest and penalties, generated by the sales tax imposed under section 297A.62,
 103.17 subdivision 1a, which must be deposited as provided under the Minnesota Constitution,
 103.18 article XI, section 15.

103.19 **EFFECTIVE DATE.** This section is effective July 1, 2017.

103.20 Sec. 113. Minnesota Statutes 2016, section 297A.992, subdivision 1, is amended to read:

103.21 Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have
 103.22 the meanings given them:

103.23 ~~(1)~~ (b) "Metropolitan transportation area" means the counties participating in the joint
 103.24 powers agreement under subdivision 3;

103.25 ~~(2)~~ (c) "Eligible county" means the county of Anoka, Carver, Dakota, Hennepin, Ramsey,
 103.26 Scott, or Washington;

103.27 ~~(3)~~ "committee" means the Grant Evaluation and Ranking System (GEARS) Committee;

103.28 ~~(4)~~ "minimum guarantee county" means any metropolitan county or eligible county that
 103.29 is participating in the joint powers agreement under subdivision 3, whose proportion of the
 103.30 annual sales tax revenue under this section collected within that county is less than or equal
 103.31 to three percent; and

104.1 ~~(5) "population" means the population, as defined in section 477A.011, subdivision 3,~~
 104.2 ~~estimated or established by July 15 of the year prior to the calendar year in which the~~
 104.3 ~~representatives will serve on the Grant Evaluation and Ranking System Committee~~
 104.4 ~~established under subdivision 5.~~

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

104.6 Sec. 114. Minnesota Statutes 2016, section 297A.992, subdivision 2, is amended to read:

104.7 Subd. 2. **Authorization; rates.** (a) Subject to subdivision 10, notwithstanding section
 104.8 297A.99, subdivisions 1, 2, and 3, or 477A.016, or any other law, the board of a county
 104.9 participating in a joint powers agreement as specified in this section shall impose by
 104.10 resolution (1) a transportation sales and use tax at a rate of one-quarter of one percent on
 104.11 retail sales and uses taxable under this chapter, and (2) an excise tax of \$20 per motor
 104.12 vehicle, as defined in section 297B.01, subdivision 11, purchased or acquired from any
 104.13 person engaged in the business of selling motor vehicles at retail, occurring within the
 104.14 jurisdiction of the taxing authority. The taxes authorized are to fund transportation
 104.15 improvements as specified in this section, including debt service on obligations issued to
 104.16 finance such improvements pursuant to subdivision 7.

104.17 (b) The tax imposed under this section is not included in determining if the total tax on
 104.18 lodging in the city of Minneapolis exceeds the maximum allowed tax under Laws 1986,
 104.19 chapter 396, section 5, as amended by Laws 2001, First Special Session chapter 5, article
 104.20 12, section 87, or in determining a tax that may be imposed under any other limitations.

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

104.22 Sec. 115. Minnesota Statutes 2016, section 297A.992, subdivision 3, is amended to read:

104.23 Subd. 3. **Joint powers agreement.** Before imposing the taxes authorized in subdivision
 104.24 2, an eligible county must declare by resolution of its county board to be part of the
 104.25 metropolitan transportation area and must enter into a joint powers agreement. The joint
 104.26 powers agreement:

104.27 (1) must form a joint powers board, as specified in subdivision 4;

104.28 (2) must provide a process that allows any eligible county, by resolution of its county
 104.29 board, to join the joint powers board and impose the taxes authorized in subdivision 2; and

104.30 (3) may provide for withdrawal of a participating county before final termination of the
 104.31 agreement; ~~and~~

105.1 ~~(4) may provide for a weighted voting system for joint powers board decisions.~~

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

105.3 Sec. 116. Minnesota Statutes 2016, section 297A.992, subdivision 4, is amended to read:

105.4 Subd. 4. **Joint powers board.** (a) The joint powers board must consist of one or more
105.5 commissioners of each county that is in the metropolitan transportation area, appointed by
105.6 its county board, and the chair of the Metropolitan Council, ~~who must have voting rights,~~
105.7 ~~subject to subdivision 3, clause (4).~~ The joint powers board has the powers and duties
105.8 provided in this section and section 471.59.

105.9 (b) The joint powers board ~~may utilize no more than three-fourths of one percent of is~~
105.10 prohibited from using the proceeds of the taxes imposed under this section for ordinary
105.11 administrative expenses incurred in carrying out the provisions of this section. Any ~~additional~~
105.12 administrative expenses must be paid by the participating counties.

105.13 ~~(c) The joint powers board may establish a technical advisory group that is separate from~~
105.14 ~~the GEARS Committee. The group must consist of representatives of cities, counties, or~~
105.15 ~~public agencies, including the Metropolitan Council. The technical advisory group must be~~
105.16 ~~used solely for technical consultation purposes.~~

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

105.18 Sec. 117. Minnesota Statutes 2016, section 297A.992, subdivision 6a, is amended to read:

105.19 Subd. 6a. ~~Priority of fund uses~~ Use of funds. (a) On and after the effective date of this
105.20 section, the joint powers board ~~shall~~ must allocate all available funds and all revenues from
105.21 the taxes imposed under this section solely ~~in conformance with~~ the following priority order:

105.22 (1) ~~payment of~~ to pay debt service necessary for the fiscal year on bonds or other
105.23 obligations issued prior to January 1, 2011, under subdivision 7; ~~and~~

105.24 (2) ~~as otherwise authorized under this section,~~ to place in escrow to defease bonds or
105.25 other obligations issued prior to January 1, 2011, under subdivision 7;

105.26 (3) for grants to counties in the following amounts:

105.27 (i) \$5,925,378 to Anoka County;

105.28 (ii) \$46,815,505 to Dakota County;

105.29 (iii) \$27,841,593 to Washington County; and

106.1 (iv) \$125,949,244 to Hennepin County, provided that calculation of this amount includes
106.2 any grants for capital projects provided in 2017; and

106.3 (4) for any funds remaining after the payments under clauses (1) to (3), the following
106.4 amounts to counties:

106.5 (i) 10.3 percent to Anoka County;

106.6 (ii) 15.9 percent to Dakota County;

106.7 (iii) 7.1 percent to Washington County; and

106.8 (iv) 66.7 percent to Hennepin County.

106.9 (b) The available funds that must be allocated under this subdivision include (1) the
106.10 entire cash balance under the control of the joint powers board, and (2) any payments or
106.11 refunds provided to the joint powers board. Available funds does not include operating grant
106.12 awards or other expenditures provided under paragraph (c).

106.13 (c) Notwithstanding paragraphs (a) and (b), the joint powers board may expend funds
106.14 for expenditures and operating grant awards that were established in a budget adopted prior
106.15 to March 31, 2017. The authority granted under this paragraph does not include payments
106.16 of grant awards for the capital costs of transitways on or after the effective date of this
106.17 section.

106.18 (d) When funds are available for distribution under paragraph (a), clause (3), the funds
106.19 must be distributed among the counties proportionally based on the amounts specified for
106.20 each county. The amounts under paragraph (a), clause (3), items (i) to (iii), must be calculated
106.21 only for funds provided on and after the effective date of this section.

106.22 (e) To the extent available, all funds to be provided under paragraph (a), clauses (3) and
106.23 (4), must be distributed by January 1, 2018.

106.24 (f) Funds received by a county under paragraph (a) may be used for any of the purposes
106.25 specified in section 297A.993, subdivision 2, paragraph (a), subject to the requirements in
106.26 section 297A.993, subdivision 2, paragraphs (a) and (b).

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

106.28 Sec. 118. Minnesota Statutes 2016, section 297A.992, subdivision 7, is amended to read:

106.29 Subd. 7. **Bonds.** (a) On or before March 31, 2017, the joint powers board or any county,
106.30 acting under a joint powers agreement as specified in this section, may, by resolution,
106.31 authorize, issue, and sell its bonds, notes, or other obligations for the purpose of funding

107.1 grants ~~under subdivision 6~~. The joint powers board or county may also, by resolution, issue
 107.2 bonds to refund the bonds issued pursuant to this subdivision.

107.3 (b) The bonds of the joint powers board must be limited obligations, payable solely from
 107.4 or secured by taxes levied under this section.

107.5 (c) The bonds of any county may be limited obligations, payable solely from or secured
 107.6 by taxes levied under this section. A county may also pledge its full faith, credit, and taxing
 107.7 power as additional security for the bonds.

107.8 (d) Bonds may be issued in one or more series and sold without an election. The bonds
 107.9 shall be secured, bear the interest rate or rates or a variable rate, have the rank or priority,
 107.10 be executed in the manner, be payable in the manner, mature, and be subject to the defaults,
 107.11 redemptions, repurchases, tender options, or other terms, and shall be sold in such manner
 107.12 as the joint powers board, the regional railroad authority, or the county may determine.

107.13 (e) The joint powers board or any regional railroad authority or any county may enter
 107.14 into and perform all contracts deemed necessary or desirable by it to issue and secure the
 107.15 bonds, including an indenture of trust with a trustee within or without the state.

107.16 (f) Except as otherwise provided in this subdivision, the bonds must be issued and sold
 107.17 in the manner provided under chapter 475.

107.18 ~~(g) The joint powers board or any regional railroad authority wholly within the
 107.19 metropolitan transportation area also may authorize, issue, and sell its bonds, notes, or other
 107.20 obligations for the purposes, and in accordance with the procedures, set forth in section
 107.21 398A.07 to fund grants as provided in subdivision 6. The bonds of any regional railroad
 107.22 authority may be limited obligations, payable solely from or secured by taxes levied under
 107.23 this section. A regional railroad authority may also pledge its taxing powers as additional
 107.24 security for the bonds.~~

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

107.26 Sec. 119. Minnesota Statutes 2016, section 297A.992, subdivision 10, is amended to read:

107.27 Subd. 10. **Termination of taxes.** (a) The taxes imposed under ~~section 297A.99,~~
 107.28 ~~subdivision 1, subdivision 2~~ by a county that withdraws from the joint powers agreement
 107.29 pursuant to subdivision 3, clause (3), ~~shall~~ terminate when the county has satisfied its portion,
 107.30 as defined in the joint powers agreement, of all outstanding bonds or obligations entered
 107.31 into under subdivision 7 while the county was a member of the agreement.

108.1 (b) ~~If the joint powers agreement under subdivision 3 is terminated, the taxes imposed~~
 108.2 ~~under section 297A.99, subdivision 1, at the time of the agreement termination will terminate~~
 108.3 ~~when all outstanding bonds or obligations are satisfied. The auditors of the counties in which~~
 108.4 ~~the taxes are imposed shall see to the administration of this paragraph~~ Notwithstanding
 108.5 section 297A.99, subdivision 12, the joint powers board must terminate imposition of the
 108.6 taxes under subdivision 2 on sales and purchases made on or after July 1, 2017. The joint
 108.7 powers board is prohibited from reimposing taxes under subdivision 2 after July 1, 2017.

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

108.9 Sec. 120. Minnesota Statutes 2016, section 297A.993, subdivision 1, is amended to read:

108.10 Subdivision 1. **Authorization; rates.** Notwithstanding section 297A.99, subdivisions
 108.11 1, 2, 3, 5, and 13, or 477A.016, or any other law, but subject to subdivision 1a, the board
 108.12 of a county ~~outside the metropolitan transportation area, as defined under section 297A.992,~~
 108.13 ~~subdivision 1,~~ or more than one county ~~outside the metropolitan transportation area~~ acting
 108.14 under a joint powers agreement, may by resolution of the county board, or each of the county
 108.15 boards, following a public hearing impose (1) a transportation sales tax at a rate of up to
 108.16 one-half of one percent on retail sales and uses taxable under this chapter, and (2) an excise
 108.17 tax of \$20 per motor vehicle, as defined in section 297B.01, subdivision 11, purchased or
 108.18 acquired from any person engaged in the business of selling motor vehicles at retail, occurring
 108.19 within the jurisdiction of the taxing authority.

108.20 **EFFECTIVE DATE.** This section is effective the day following final enactment and
 108.21 applies to new taxes or expansions of the use of existing taxes on or after that date.

108.22 Sec. 121. Minnesota Statutes 2016, section 297A.993, is amended by adding a subdivision
 108.23 to read:

108.24 Subd. 1a. **Certain counties; voter approval; limitations.** Notwithstanding subdivision
 108.25 1, a county that imposed the taxes under section 297A.992 may not impose taxes under this
 108.26 section at a rate greater than one quarter of one percent unless the taxes are approved at a
 108.27 general election by the majority of voters who vote on a question to impose the taxes.

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

108.29 Sec. 122. Minnesota Statutes 2016, section 297A.993, subdivision 2, is amended to read:

108.30 Subd. 2. **Allocation; termination.** (a) Subject to paragraph (b), the proceeds of the taxes
 108.31 must be dedicated exclusively to: (1) payment of the capital cost of a specific transportation
 108.32 project or improvement; (2) payment of the costs, which may include both capital and

109.1 operating costs, of a specific transit project or improvement; (3) payment of the capital costs
109.2 of a safe routes to school program under section 174.40; or (4) payment of transit operating
109.3 costs. The transportation or transit project or improvement must be designated by the board
109.4 of the county, or more than one county acting under a joint powers agreement.

109.5 (b) A county is prohibited from providing funds under this section for (1) the capital
109.6 costs of a guideway project; and (2) unless a guideway is in revenue operations on the
109.7 effective date of this section, operating or capital maintenance costs of a guideway. For
109.8 purposes of this paragraph, "guideway" has the meaning given in section 174.93, subdivision
109.9 1.

109.10 (c) Except for taxes for operating costs of a transit project or improvement, or for transit
109.11 operations, the taxes must terminate when revenues raised are sufficient to finance the
109.12 project.

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

109.14 Sec. 123. Minnesota Statutes 2016, section 297B.01, subdivision 16, is amended to read:

109.15 Subd. 16. **Sale, sells, selling, purchase, purchased, or acquired.** (a) "Sale," "sells,"
109.16 "selling," "purchase," "purchased," or "acquired" means any transfer of title of any motor
109.17 vehicle, whether absolutely or conditionally, for a consideration in money or by exchange
109.18 or barter for any purpose other than resale in the regular course of business.

109.19 (b) Any motor vehicle utilized by the owner only by leasing such vehicle to others or
109.20 by holding it in an effort to so lease it, and which is put to no other use by the owner other
109.21 than resale after such lease or effort to lease, shall be considered property purchased for
109.22 resale.

109.23 (c) The terms also shall include any transfer of title or ownership of a motor vehicle by
109.24 other means, for or without consideration, except that these terms shall not include:

109.25 (1) the acquisition of a motor vehicle by inheritance from or by bequest of, or
109.26 transfer-on-death of title by, a decedent who owned it;

109.27 (2) the transfer of a motor vehicle which was previously licensed in the names of two
109.28 or more joint tenants and subsequently transferred without monetary consideration to one
109.29 or more of the joint tenants;

109.30 (3) the transfer of a motor vehicle by way of gift from a limited used vehicle dealer
109.31 licensed under section 168.27, subdivision 4a, to an individual, when the transfer is with

110.1 no monetary or other consideration or expectation of consideration and the parties to the
110.2 transfer submit an affidavit to that effect at the time the title transfer is recorded;

110.3 (4) the transfer of a motor vehicle by gift between:

110.4 (i) spouses;

110.5 (ii) parents and a child; or

110.6 (iii) grandparents and a grandchild;

110.7 (5) the voluntary or involuntary transfer of a motor vehicle between a husband and wife
110.8 in a divorce proceeding; or

110.9 (6) the transfer of a motor vehicle by way of a gift to an organization that is exempt from
110.10 federal income taxation under section 501(c)(3) of the Internal Revenue Code when the
110.11 motor vehicle will be used exclusively for religious, charitable, or educational purposes.

110.12 Sec. 124. Minnesota Statutes 2016, section 299D.03, subdivision 6, is amended to read:

110.13 Subd. 6. **Training program.** The commissioner of public safety may provide training
110.14 programs for the purpose of obtaining qualified personnel for the State Patrol. Persons
110.15 accepted by the commissioner of public safety for training under this training program shall
110.16 be designated State Patrol trainees and shall receive a salary ~~not to exceed~~ no less than 70
110.17 percent of the basic salary for patrol officers as prescribed in subdivision 2, during the period
110.18 of the training. Nothing contained in this subdivision shall be construed to prevent the
110.19 commissioner of public safety from providing in-service training programs for State Patrol
110.20 officers. The commissioner of transportation shall furnish the commissioner of public safety
110.21 with lands and buildings necessary in providing in-service training programs and the
110.22 Department of Public Safety shall reimburse the Department of Transportation for all
110.23 reasonable costs incurred due to the provision of these training facilities.

110.24 Sec. 125. **[398A.095] LEGISLATIVE APPROVAL OF LIGHT RAIL PROJECTS.**

110.25 Notwithstanding any law to the contrary, a regional railroad authority is prohibited from
110.26 spending any money to construct a light rail transit line, including expansion of an existing
110.27 light rail line, unless the legislature has explicitly authorized the particular project.

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

111.1 Sec. 126. Minnesota Statutes 2016, section 398A.10, subdivision 3, is amended to read:

111.2 Subd. 3. **Application.** This section only applies to a county that has imposed the
111.3 metropolitan transportation sales and use tax under section 297A.992 and applies whether
111.4 or not the tax is currently in effect.

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

111.6 Sec. 127. Minnesota Statutes 2016, section 398A.10, subdivision 4, is amended to read:

111.7 Subd. 4. **Definition.** For purposes of this section, "project" means the initial construction
111.8 or extension of a minimum operable segment of a new light rail transit or commuter rail
111.9 line, but does not include infill stations, project enhancements, ~~extensions~~, or supportive
111.10 infrastructure, constructed after the rail transit is operational.

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

111.12 Sec. 128. **[471.987] LEGISLATIVE APPROVAL OF LIGHT RAIL PROJECTS.**

111.13 Notwithstanding any law to the contrary, a metropolitan county as defined in section
111.14 473.121, subdivision 4, or a home rule charter or statutory city located within the metropolitan
111.15 area as defined in section 473.121, subdivision 2, is prohibited from spending any money
111.16 to construct a light rail transit line, including expansion of an existing light rail transit line,
111.17 unless the legislature has explicitly authorized the particular project.

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

111.19 Sec. 129. Minnesota Statutes 2016, section 473.121, subdivision 2, is amended to read:

111.20 Subd. 2. **Metropolitan area or area.** "Metropolitan area" or "area" means the area over
111.21 which the Metropolitan Council has jurisdiction, including only the counties of Anoka;
111.22 Carver; Dakota excluding the ~~city~~ cities of Northfield and Cannon Falls; Hennepin excluding
111.23 the cities of Hanover and Rockford; Ramsey; Scott excluding the city of New Prague; and
111.24 Washington.

111.25 **EFFECTIVE DATE; APPLICATION.** This section is effective the day following
111.26 final enactment and applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey,
111.27 Scott, and Washington.

111.28 Sec. 130. Minnesota Statutes 2016, section 473.123, is amended to read:

111.29 **473.123 METROPOLITAN COUNCIL.**

112.1 Subdivision 1. **Creation; membership.** (a) A Metropolitan Council with jurisdiction
 112.2 in the metropolitan area is established as a public corporation and political subdivision of
 112.3 the state. It shall be under the supervision and control of ~~17~~ 27 members, all of whom ~~shall~~
 112.4 must be residents of the metropolitan area- and appointed as follows:

112.5 (1) a county commissioner from each metropolitan county, appointed by the respective
 112.6 county boards;

112.7 (2) a local elected official appointed from each Metropolitan Council district by the
 112.8 municipal committee for the council district established in subdivision 2b;

112.9 (3) the commissioner of transportation or the commissioner's designee;

112.10 (4) one person to represent nonmotorized transportation, appointed by the commissioner
 112.11 of transportation;

112.12 (5) one person to represent freight transportation, appointed by the commissioner of
 112.13 transportation; and

112.14 (6) one person to represent public transit, appointed by the commissioner of
 112.15 transportation.

112.16 (b) The local elected offices identified in paragraph (a) are compatible with the office
 112.17 of a Metropolitan Council member.

112.18 (c) Notwithstanding any change to the definition of the metropolitan area in section
 112.19 473.121, subdivision 2, the jurisdiction of the Metropolitan Council is limited to the
 112.20 seven-county metropolitan area.

112.21 Subd. 2a. **Terms.** (a) Following each apportionment of council districts, as provided
 112.22 under subdivision 3a, council members must be appointed from newly drawn districts as
 112.23 provided in subdivision 3a. Each council member, other than the chair, must reside in the
 112.24 council district represented. Each council district must be represented by one member of
 112.25 the council. The terms of members end with the term of the governor, except that all terms
 112.26 expire on the effective date of the next apportionment. A member serves at the pleasure of
 112.27 the governor. the municipal committee for each council district must appoint a local elected
 112.28 official who resides in the district to serve on the Metropolitan Council for a two-year term.
 112.29 A member's position on the Metropolitan Council becomes vacant if the member ceases to
 112.30 be a local elected official or as provided in chapter 351, and any vacancy must be filled as
 112.31 soon as practicable for the unexpired term in the same manner as the appointment for a
 112.32 regular term. A member ~~shall continue~~ continues to serve the member's district until a
 112.33 successor is appointed and qualified; except that, following each apportionment, the member

113.1 ~~shall continue~~ continues to serve at large until the ~~governor appoints 16 council members;~~
 113.2 ~~one~~ municipal committee for the council district appoints a member from ~~each of the newly~~
 113.3 drawn council ~~districts~~ district as provided under subdivision 3a, to serve terms as provided
 113.4 under this section. The appointment to the council must be made by the first Monday in
 113.5 March of the year in which the term ends.

113.6 (b) A county commissioner is appointed to the Metropolitan Council for a two-year
 113.7 term. In addition to the provisions in chapter 351, if a member appointed under this paragraph
 113.8 ceases to be a county commissioner, the council position becomes vacant. A vacancy must
 113.9 be filled as soon as practicable for the unexpired term in the same manner as the appointment
 113.10 for a regular term.

113.11 (c) An individual appointed by the commissioner of transportation under subdivision 1
 113.12 serves at the pleasure of the appointing authority.

113.13 Subd. 2b. **Municipal committee in each council district.** The governing body of each
 113.14 home rule charter or statutory city and town in each Metropolitan Council district must
 113.15 appoint a member to serve on a municipal committee for the council district. If a city or
 113.16 town is in more than one council district, the governing body must appoint a member to
 113.17 serve on each council district's municipal committee. A member appointed to a council
 113.18 district's municipal committee must reside in the council district. In addition to appointing
 113.19 a municipal committee member to serve as a member of the Metropolitan Council as provided
 113.20 in subdivision 2a, the municipal committee must meet at least quarterly to discuss issues
 113.21 relating to the Metropolitan Council.

113.22 Subd. 3. **Membership; appointment; qualifications Compensation.** (a) Sixteen
 113.23 members must be appointed by the governor from districts defined by this section. Each
 113.24 council member must reside in the council district represented. Each council district must
 113.25 be represented by one member of the council. In addition to any compensation as a local
 113.26 elected official, the council must pay each member of the council other than the chair or
 113.27 the commissioner of transportation, or the commissioner's designee, \$20,000 per year plus
 113.28 reimbursement of actual and necessary expenses as approved by the council. The
 113.29 commissioner of transportation or the commissioner's designee is not eligible for
 113.30 compensation under this subdivision but may be reimbursed for actual and necessary
 113.31 expenses.

113.32 (b) In addition to the notice required by section 15.0597, subdivision 4, notice of
 113.33 vacancies and expiration of terms must be published in newspapers of general circulation
 113.34 in the metropolitan area and the appropriate districts. The governing bodies of the statutory

114.1 ~~and home rule charter cities, counties, and towns having territory in the district for which~~
114.2 ~~a member is to be appointed must be notified in writing. The notices must describe the~~
114.3 ~~appointments process and invite participation and recommendations on the appointment.~~
114.4 In addition to any compensation as a local elected official, the council must pay the chair
114.5 \$40,000 per year plus reimbursement of actual and necessary expenses as approved by the
114.6 council.

114.7 ~~(e) The governor shall create a nominating committee, composed of seven metropolitan~~
114.8 ~~citizens appointed by the governor, to nominate persons for appointment to the council from~~
114.9 ~~districts. Three of the committee members must be local elected officials. Following the~~
114.10 ~~submission of applications as provided under section 15.0597, subdivision 5, the nominating~~
114.11 ~~committee shall conduct public meetings, after appropriate notice, to accept statements from~~
114.12 ~~or on behalf of persons who have applied or been nominated for appointment and to allow~~
114.13 ~~consultation with and secure the advice of the public and local elected officials. The~~
114.14 ~~committee shall hold the meeting on each appointment in the district or in a reasonably~~
114.15 ~~convenient and accessible location in the part of the metropolitan area in which the district~~
114.16 ~~is located. The committee may consolidate meetings. Following the meetings, the committee~~
114.17 ~~shall submit to the governor a list of nominees for each appointment. The governor is not~~
114.18 ~~required to appoint from the list.~~

114.19 ~~(d) Before making an appointment, the governor shall consult with all members of the~~
114.20 ~~legislature from the council district for which the member is to be appointed.~~

114.21 ~~(e) Appointments to the council are subject to the advice and consent of the senate as~~
114.22 ~~provided in section 15.066.~~

114.23 ~~(f) Members of the council must be appointed to reflect fairly the various demographic,~~
114.24 ~~political, and other interests in the metropolitan area and the districts.~~

114.25 ~~(g) Members of the council must be persons knowledgeable about urban and metropolitan~~
114.26 ~~affairs.~~

114.27 ~~(h) Any vacancy in the office of a council member shall immediately be filled for the~~
114.28 ~~unexpired term. In filling a vacancy, the governor may forgo the requirements of paragraph~~
114.29 ~~(e) if the governor has made appointments in full compliance with the requirements of this~~
114.30 ~~subdivision within the preceding 12 months.~~

114.31 Subd. 3a. **Redistricting.** The legislature shall must redraw the boundaries of the council
114.32 districts after each decennial federal census so that each district has substantially equal
114.33 population. Redistricting is effective in the year ending in the numeral "3." Within 60 days

115.1 after a redistricting plan takes effect, the ~~governor shall~~ municipal committees must appoint
 115.2 members from the newly drawn districts to serve terms as provided under subdivision 2a.

115.3 Subd. 3e. **District boundaries.** Metropolitan Council plan MC2013-1A, on file with
 115.4 the Geographical Information Systems Office of the Legislative Coordinating Commission
 115.5 and published on its Web site on April 9, 2013, is adopted and constitutes the redistricting
 115.6 plan required by subdivision 3a. The boundaries of each Metropolitan Council district are
 115.7 as described in that plan.

115.8 Subd. 4. **Chair; appointment, officers, selection; duties and compensation.** (a) The
 115.9 chair of the Metropolitan Council ~~shall~~ must be appointed by ~~the governor as the 17th voting~~
 115.10 ~~member thereof by and with the advice and consent of the senate to serve at the pleasure~~
 115.11 ~~of the governor to represent the metropolitan area at large. Senate confirmation shall be as~~
 115.12 ~~provided by section 15.066~~ and from among the members of the Metropolitan Council, to
 115.13 serve a term determined by the council.

115.14 The chair of the Metropolitan Council ~~shall~~ must, if present, preside at meetings of the
 115.15 council, have the primary responsibility for meeting with local elected officials, serve as
 115.16 the principal legislative liaison, present to the governor and the legislature, after council
 115.17 approval, the council's plans for regional governance and operations, serve as the principal
 115.18 spokesperson of the council, and perform other duties assigned by the council or by law.

115.19 (b) The Metropolitan Council ~~shall~~ must elect other officers as it deems necessary for
 115.20 the conduct of its affairs for a one-year term. A secretary and treasurer need not be members
 115.21 of the Metropolitan Council. Meeting times and places ~~shall~~ must be fixed by the
 115.22 Metropolitan Council and special meetings may be called by a majority of the members of
 115.23 the Metropolitan Council or by the chair. The chair and each Metropolitan Council member
 115.24 ~~shall~~ must be reimbursed for actual and necessary expenses.

115.25 (c) Each member of the council ~~shall~~ must attend and participate in council meetings
 115.26 and meet regularly with local elected officials and legislative members from the council
 115.27 member's district. Each council member ~~shall~~ must serve on at least one division committee
 115.28 for transportation, environment, or community development.

115.29 (d) In the performance of its duties the Metropolitan Council may adopt policies and
 115.30 procedures governing its operation, establish committees, and, when specifically authorized
 115.31 by law, make appointments to other governmental agencies and districts.

115.32 Subd. 8. **General counsel.** The council may appoint a general counsel to serve at the
 115.33 pleasure of the council.

116.1 Subd. 9. Authority to vote; quorum; votes required for action. (a) The members
 116.2 appointed by the counties and municipal committees may vote on all matters before the
 116.3 council. The commissioner of transportation or the commissioner's designee and the three
 116.4 members appointed by the commissioner may vote only on matters in which the council is
 116.5 acting as the metropolitan planning organization for the region as provided in section
 116.6 473.146.

116.7 (b) A quorum is a majority of the members permitted to vote on a matter.

116.8 (c) If a quorum is present, the council may adopt its levy only if at least 60 percent of
 116.9 the members present vote in favor of the levy.

116.10 (d) If a quorum is present, the council may adopt a metropolitan system plan or plan
 116.11 amendment only if at least 60 percent of the members present vote in favor of its adoption.

116.12 (e) Except as provided in paragraphs (c) and (d), if a quorum is present, the council may
 116.13 act on a majority vote of the members present.

116.14 EFFECTIVE DATE; TRANSITION; APPLICATION. (a) Except as provided in
 116.15 paragraph (b), this section is effective January 1, 2018, and applies in the counties of Anoka,
 116.16 Carver, Dakota, Hennepin, Ramsey, Scott, and Washington. Metropolitan Council members
 116.17 serving on the effective date of this section shall continue to serve until members are
 116.18 appointed from districts by the municipal committees as provided in this section.

116.19 (b) Subdivision 1, paragraph (c), and subdivision 2b, are effective the day following
 116.20 final enactment.

116.21 Sec. 131. Minnesota Statutes 2016, section 473.146, subdivision 3, is amended to read:

116.22 **Subd. 3. Development guide: transportation.** The transportation chapter must include
 116.23 policies relating to all transportation forms and be designed to promote the legislative
 116.24 determinations, policies, and goals set forth in section 473.371. In addition to the
 116.25 requirements of subdivision 1 regarding the contents of the policy plan, the nontransit
 116.26 element of the transportation chapter must include the following:

116.27 (1) a statement of the needs and problems of the metropolitan area with respect to the
 116.28 functions covered, including the present and prospective demand for and constraints on
 116.29 access to regional business concentrations and other major activity centers and the constraints
 116.30 on and acceptable levels of development and vehicular trip generation at such centers;

116.31 (2) the objectives of and the policies to be forwarded by the policy plan;

116.32 (3) a general description of the physical facilities and services to be developed;

117.1 (4) a statement as to the general location of physical facilities and service areas;

117.2 (5) a general statement of timing and priorities in the development of those physical
117.3 facilities and service areas;

117.4 (6) a detailed statement, updated every two years, of timing and priorities for
117.5 improvements and expenditures needed on the metropolitan highway system;

117.6 (7) a general statement on the level of public expenditure appropriate to the facilities;
117.7 and

117.8 (8) a long-range assessment of air transportation trends and factors that may affect airport
117.9 development in the metropolitan area and policies and strategies that will ensure a
117.10 comprehensive, coordinated, and timely investigation and evaluation of alternatives for
117.11 airport development.

117.12 The council shall develop the nontransit element in consultation with ~~the transportation~~
117.13 ~~advisory board and~~ the Metropolitan Airports Commission and cities having an airport
117.14 located within or adjacent to its corporate boundaries. The council shall also take into
117.15 consideration the airport development and operations plans and activities of the commission.
117.16 The council shall transmit the results to the state Department of Transportation.

117.17 **EFFECTIVE DATE; APPLICATION.** This section is effective January 1, 2019, and
117.18 applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

117.19 Sec. 132. Minnesota Statutes 2016, section 473.146, subdivision 4, is amended to read:

117.20 Subd. 4. **Transportation planning.** ~~(a)~~ The Metropolitan Council is the designated
117.21 planning agency for any long-range comprehensive transportation planning required by
117.22 section 134 of the Federal Highway Act of 1962, Section 4 of Urban Mass Transportation
117.23 Act of 1964 and Section 112 of Federal Aid Highway Act of 1973 and other federal
117.24 transportation laws. The council shall assure administration and coordination of transportation
117.25 planning with appropriate state, regional and other agencies, counties, and municipalities.

117.26 ~~(b) The council shall establish an advisory body consisting of citizens and representatives~~
117.27 ~~of municipalities, counties, and state agencies in fulfillment of the planning responsibilities~~
117.28 ~~of the council. The membership of the advisory body must consist of:~~

117.29 ~~(1) the commissioner of transportation or the commissioner's designee;~~

117.30 ~~(2) the commissioner of the Pollution Control Agency or the commissioner's designee;~~

117.31 ~~(3) one member of the Metropolitan Airports Commission appointed by the commission;~~

- 118.1 ~~(4) one person appointed by the council to represent nonmotorized transportation;~~
- 118.2 ~~(5) one person appointed by the commissioner of transportation to represent the freight~~
- 118.3 ~~transportation industry;~~
- 118.4 ~~(6) two persons appointed by the council to represent public transit;~~
- 118.5 ~~(7) ten elected officials of cities within the metropolitan area, including one representative~~
- 118.6 ~~from each first-class city, appointed by the Association of Metropolitan Municipalities;~~
- 118.7 ~~(8) one member of the county board of each county in the seven-county metropolitan~~
- 118.8 ~~area, appointed by the respective county boards;~~
- 118.9 ~~(9) eight citizens appointed by the council, one from each council precinct;~~
- 118.10 ~~(10) one elected official from a city participating in the replacement service program~~
- 118.11 ~~under section 473.388, appointed by the Suburban Transit Association; and~~
- 118.12 ~~(11) one member of the council, appointed by the council.~~
- 118.13 ~~(e) The council shall appoint a chair from among the members of the advisory body.~~

118.14 **EFFECTIVE DATE; APPLICATION.** This section is effective January 1, 2019, and

118.15 applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

118.16 Sec. 133. Minnesota Statutes 2016, section 473.388, subdivision 2, is amended to read:

118.17 Subd. 2. **Replacement service; eligibility.** (a) The council may provide assistance under

118.18 the program to a statutory or home rule charter city or town or combination thereof, that:

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

118.20 ~~(b)~~ (2) is not served by the council bus service or is served only with council bus routes

118.21 which begin or end within the applying city or town or combination thereof; and

118.22 ~~(c)~~ (3) has fewer than four scheduled runs of council bus service during off-peak hours

118.23 as defined by the Metropolitan Council.

118.24 (b) Eligible cities or towns or combinations thereof may apply on behalf of a transit

118.25 operator with whom they propose to contract for service.

118.26 (c) The council may not provide assistance under this section to a statutory or home rule

118.27 charter city or town unless:

118.28 (1) the city or town;

118.29 (i) was receiving assistance under Minnesota Statutes 1982, section 174.265, by July 1,

118.30 1984;

119.1 (ii) had submitted an application for assistance under that section by July 1, 1984²; or

119.2 (iii) had submitted a letter of intent to apply for assistance under that section by July 1,
119.3 1984, and submits an application for assistance under this section by July 1, 1988. A statutory
119.4 or home rule charter city or town has an additional 12-month extension if it notified the
119.5 former regional transit board before July 1, 1988, that the city or town is in the process of
119.6 completing a transportation evaluation study that includes an assessment of the local transit
119.7 needs of the city or town; or

119.8 (2) the city or town submits an application for assistance under this section between July
119.9 1, 2017, and December 31, 2017.

119.10 Sec. 134. Minnesota Statutes 2016, section 473.388, subdivision 4, is amended to read:

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

119.16 (b) The minimum amount of assistance which the council must provide to a system
119.17 under this section may not be less than the sum of the amounts ~~determined~~ calculated for
119.18 each ~~municipality comprising the system as follows:~~ of the replacement service
119.19 municipalities.

119.20 (c) The minimum amount of financial assistance for each replacement service
119.21 municipality is calculated as:

119.22 (1) an amount equal to 4.3 percent of the total state revenues generated from the taxes
119.23 imposed under chapter 297B for the current fiscal year; times

119.24 (2) the ratio of (i) the transit operating assistance grants received under this subdivision
119.25 by the municipality in calendar year 2001 or the tax revenues for transit services levied by
119.26 the municipality for taxes payable in 2001, including that portion of the levy derived from
119.27 the areawide pool under section 473F.08, subdivision 3, clause (a), plus the portion of the
119.28 municipality's aid under Minnesota Statutes 2002, section 273.1398, subdivision 2,
119.29 attributable to the transit levy; times (2) the ratio of (i) an amount equal to 3.74 percent of
119.30 the state revenues generated from the taxes imposed under chapter 297B for the current
119.31 fiscal year to (ii) the total transit operating assistance grants received under this subdivision
119.32 in calendar year 2001 or the tax revenues for transit services levied by all replacement
119.33 service municipalities under this section for taxes payable in 2001, including that portion

120.1 of the levy derived from the areawide pool under section 473F.08, subdivision 3, clause
 120.2 (a), plus the portion of homestead and agricultural credit aid under Minnesota Statutes 2002,
 120.3 section 273.1398, subdivision 2, attributable to nondebt transit levies; times

120.4 (3) the ratio of (i) the municipality's total taxable market value for taxes payable in 2006
 120.5 divided by the municipality's total taxable market value for taxes payable in 2001, to (ii)
 120.6 the total taxable market value of all property located in replacement service municipalities
 120.7 for taxes payable in 2006 divided by the total taxable market value of all property located
 120.8 in replacement service municipalities for taxes payable in 2001.

120.9 (c) The council ~~shall~~ must pay the amount to be provided to the recipient from the funds
 120.10 the council receives in the metropolitan area transit account under section 16A.88.

120.11 **EFFECTIVE DATE; APPLICATION.** This section is effective the day following
 120.12 final enactment and applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey,
 120.13 Scott, and Washington.

120.14 Sec. 135. Minnesota Statutes 2016, section 473.39, is amended by adding a subdivision
 120.15 to read:

120.16 **Subd. 6. Limitation on certain debt obligations.** The council is prohibited from issuing
 120.17 certificates of participation, certificates of indebtedness, bonds, or other obligations secured
 120.18 in whole or in part by a pledge of motor vehicle sales tax revenue received under sections
 120.19 16A.88 and 297B.09, or by a pledge of any earnings from the council's investment of motor
 120.20 vehicle sales tax revenues.

120.21 **EFFECTIVE DATE; APPLICATION.** This section is effective the day following
 120.22 final enactment and applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey,
 120.23 Scott, and Washington.

120.24 Sec. 136. **[473.3985] LEGISLATIVE APPROVAL OF LIGHT RAIL PROJECTS.**

120.25 Notwithstanding any law to the contrary, a responsible authority, as defined in section
 120.26 473.3993, subdivision 4, is prohibited from spending any money to construct a light rail
 120.27 line, including expansion of an existing light rail transit line, unless the legislature has
 120.28 explicitly authorized the particular project.

120.29 **EFFECTIVE DATE; APPLICATION.** This section is effective the day following
 120.30 final enactment and applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey,
 120.31 Scott, and Washington.

121.1 Sec. 137. Minnesota Statutes 2016, section 473.3994, is amended by adding a subdivision
121.2 to read:

121.3 Subd. 16. **Project development requirements; alternatives and benefits analysis.** (a)
121.4 As part of light rail transit project development and prior to initiating an environmental
121.5 analysis or preliminary engineering, the responsible authority must perform an alternatives
121.6 and benefits analysis.

121.7 (b) In addition to any other information or requirements, the alternatives and benefits
121.8 analysis must:

121.9 (1) include (i) a no-build option; and (ii) options for each major transit mode, including
121.10 but not limited to regular route bus service, arterial bus rapid transit, highway bus rapid
121.11 transit, express bus service, and dedicated busway;

121.12 (2) evaluate capacity adequacy and congestion impacts under each option;

121.13 (3) include a comprehensive benefit-cost analysis; and

121.14 (4) review conformity with the transportation policy plan under section 473.146.

121.15 **EFFECTIVE DATE; APPLICATION.** This section is effective the day following
121.16 final enactment and applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey,
121.17 Scott, and Washington, for projects that have yet to formally enter the engineering phase
121.18 of the Federal Transit Administration's "New Starts" capital investment project program.

121.19 Sec. 138. Minnesota Statutes 2016, section 473.4051, subdivision 2, is amended to read:

121.20 Subd. 2. **Operating costs.** (a) After operating revenue and federal money have been
121.21 used to pay for light rail transit operations, 50 percent of the remaining operating costs for
121.22 a light rail transit line must be paid by the state if:

121.23 (1) the light rail transit line is in revenue operations as of the effective date of this section;
121.24 or

121.25 (2) a law is enacted on or after the effective date of this section making an appropriation
121.26 that (i) is from state sources, (ii) specifies the light rail transit project, and (iii) is for a portion
121.27 of project capital costs.

121.28 (b) For a light rail transit line that does not meet the requirements in paragraph (a), all
121.29 operating and ongoing capital maintenance costs must be paid from nonstate sources.

121.30 (c) For purposes of this subdivision, a light rail transit extension that adds additional
121.31 stops is a separate project or light rail transit line.

122.1 **EFFECTIVE DATE; APPLICABILITY.** This section is effective the day following
 122.2 final enactment and applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey,
 122.3 Scott, and Washington.

122.4 Sec. 139. Minnesota Statutes 2016, section 473.857, subdivision 2, is amended to read:

122.5 Subd. 2. **Within 60 days; report.** A hearing shall be conducted within 60 days after the
 122.6 request, provided that the advisory committee or the administrative law judge shall
 122.7 consolidate hearings on related requests. The 60-day period within which the hearing shall
 122.8 be conducted may be extended or suspended by mutual agreement of the council and the
 122.9 local governmental unit. The hearing shall not consider the need for ~~or reasonableness of~~
 122.10 the metropolitan system plans or parts thereof. The hearing shall afford all interested persons
 122.11 an opportunity to testify and present evidence. The advisory committee or administrative
 122.12 law judge may employ the appropriate technical and professional services of the office of
 122.13 dispute resolution for the purpose of evaluating disputes of fact. The proceedings shall not
 122.14 be deemed a contested case. Within 30 days after the hearing, the advisory committee or
 122.15 the administrative law judge shall report to the council respecting the proposed amendments
 122.16 to the system statements. The report shall contain findings of fact, conclusions, and
 122.17 recommendations and shall apportion the costs of the proceedings among the parties.

122.18 **EFFECTIVE DATE.** This section is effective the day following final enactment and
 122.19 applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

122.20 Sec. 140. **MOTOR VEHICLE PARTS SALES TAXES ESTIMATION.**

122.21 (a) By January 15, 2019, the commissioner of revenue must submit a report on state
 122.22 general sales taxes attributable to motor vehicle repair and replacement parts to the chairs
 122.23 and ranking minority members of the legislative committees with jurisdiction over taxes
 122.24 and transportation policy and finance.

122.25 (b) The report must provide an estimate, based on federal data and department
 122.26 consumption models, of the percentage of total sales tax revenues collected in a calendar
 122.27 year from the tax rate imposed under Minnesota Statutes, section 297A.62, subdivision 1,
 122.28 that is attributable to sales and purchases of motor vehicle repair and replacement parts.

122.29 (c) For purposes of this section, "motor vehicle repair and replacement parts" has the
 122.30 meaning given in Minnesota Statutes, section 297A.94.

123.1 Sec. 141. **CHANGE IN TAX IMPOSITION.**

123.2 A county terminating its imposition of the tax under Minnesota Statutes, section
123.3 297A.992, beginning with sales and purchases made on or after July 1, 2017, must notify
123.4 the commissioner of revenue by May 31, 2017, of the county's intent to impose or not impose
123.5 a tax under Minnesota Statutes, section 297A.993, beginning with sales and purchases made
123.6 on or after July 1, 2017, and include the proposed rate. A county does not violate Minnesota
123.7 Statutes, section 297A.99, subdivision 12, if the tax under Minnesota Statutes, section
123.8 297A.993, is imposed at a rate of one-quarter of one percent.

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

123.10 Sec. 142. **TRANSPORTATION PROJECT SELECTION PROCESS.**

123.11 Subdivision 1. **Adoption of policy.** (a) The commissioner of transportation, after
123.12 consultation with the Federal Highway Administration, metropolitan planning organizations,
123.13 regional development commissions, area transportation partnerships, local governments,
123.14 the Metropolitan Council, and transportation stakeholders, must develop, adopt, and
123.15 implement a policy for project evaluation and selection to apply to the project selection
123.16 process and to special program selection processes, such as corridors of commerce. The
123.17 commissioner must adopt and implement the policy no later than January 1, 2018, and may
123.18 update the policy as appropriate. The commissioner must publish the policy and updates
123.19 on the department's Web site and through other effective means selected by the commissioner.

123.20 (b) For each selection process, the policy adopted under this section must:

123.21 (1) establish a process that identifies criteria, the weight of each criterion, and a process
123.22 to score each project based on the weighted criteria; the scoring system may consider project
123.23 readiness as a criterion for evaluation, but project readiness must not be a major factor in
123.24 determining the final score;

123.25 (2) identify and apply all relevant criteria contained in enacted Minnesota or federal law,
123.26 or added by the commissioner;

123.27 (3) identify for stakeholders and the general public the candidate project selected under
123.28 each selection process and every project considered that was not selected;

123.29 (4) involve area transportation partnerships and other local authorities, as appropriate,
123.30 in the process of scoring and ranking candidate projects under consideration;

124.1 (5) publicize scoring and decision outcomes concerning each candidate project, including
 124.2 the projects that were considered but not selected, and the reason each project was not
 124.3 selected; and

124.4 (6) require that the projects in the state transportation improvement program include the
 124.5 score assigned to the project.

124.6 (c) At a minimum, the policy adopted under this subdivision must conform with the
 124.7 criteria for the corridors of commerce program under Minnesota Statutes, section 161.088,
 124.8 and the transportation economic development program under Minnesota Statutes, section
 124.9 174.12.

124.10 Subd. 2. **Report to legislature.** By March 1, 2018, the commissioner must submit a
 124.11 report to the chairs, ranking minority members, and staff of the legislative committees with
 124.12 jurisdiction over transportation policy and finance concerning the adopted policy and how
 124.13 the policy is anticipated to improve the consistency, objectivity, and transparency of the
 124.14 selection process. The report must include information on input from members of the public
 124.15 and the organizations identified in subdivision 1. The report must also include proposed
 124.16 legislation to codify the policy.

124.17 Sec. 143. **CORRIDORS OF COMMERCE PROJECT ELIGIBILITY.**

124.18 Notwithstanding the requirements of Minnesota Statutes, section 161.088, subdivisions
 124.19 3 to 5, the commissioner of transportation must include that segment of marked U.S. Highway
 124.20 212 from Chaska to Montevideo as an eligible highway in the next project solicitation and
 124.21 selection process undertaken for the corridors of commerce program under that section.

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

124.23 Sec. 144. **DRIVER'S LICENSE AGENT IN NEW BRIGHTON.**

124.24 (a) The commissioner of public safety must revise the appointment of the city of New
 124.25 Brighton as a driver's license agent to provide authority to operate as a full-service driver
 124.26 licensing office located in New Brighton city hall. This paragraph applies notwithstanding:
 124.27 (1) Minnesota Statutes, section 171.061, subdivision 2; (2) requirements under Minnesota
 124.28 Rules, part 7404.0300, subpart 3; and (3) procedures for county board appointment of a
 124.29 driver's license agent, including under Minnesota Rules, part 7404.0350. All other provisions
 124.30 regarding the appointment and operation of a driver's license agent under Minnesota Statutes,
 124.31 section 171.061, and Minnesota Rules, chapter 7404, apply.

125.1 (b) The commissioner must make the appointment under this section within two weeks
125.2 of receipt of an appointment application pursuant to the commissioner's procedures under
125.3 Minnesota Rules.

125.4 Sec. 145. **ELECTRONIC STORAGE STANDARDS.**

125.5 On or before August 1, 2017, the commissioner of public safety must establish standards
125.6 for the conversion by deputy registrars and driver's license agents to secure electronic storage
125.7 of certain records under Minnesota Statutes, sections 168.33, subdivision 2, and 171.061,
125.8 subdivision 3. The standards must specify minimum system security requirements, as well
125.9 as any procedural requirements for the destruction of existing and new paper-based records,
125.10 consistent with the requirements of Minnesota Statutes, section 138.17. The authority to
125.11 establish or amend standards under this section expires August 1, 2018.

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

125.13 Sec. 146. **RULE CHANGE ON SCHOOL BUS OPERATION.**

125.14 The commissioner of public safety must amend Minnesota Rules, part 7470.1000, subpart
125.15 2, so that it is consistent with Minnesota Statutes, section 169.443, subdivision 2, using the
125.16 good cause procedure under Minnesota Statutes, section 14.388.

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

125.18 Sec. 147. **CONVEYANCE FOR HISTORICAL PURPOSES; MCKINSTRY**
125.19 **SURPLUS LANDS.**

125.20 (a) Notwithstanding any other law to the contrary, the commissioner may convey as
125.21 provided in Minnesota Statutes, section 161.44, land described in paragraph (b), including
125.22 any improvements on the lands, owned in fee by the state for trunk highway purposes, but
125.23 no longer needed, to the Minnesota Historical Society for historical purposes. The conveyance
125.24 must be without financial consideration. The lands conveyed must become a part of the
125.25 state's historic sites program under Minnesota Statutes, chapter 138.

125.26 (b) The lands that may be conveyed are specifically related to the properties of the
125.27 McKinstry Mounds and portions of the McKinstry Village site owned by the Department
125.28 of Transportation, located along Trunk Highway 11 in Koochiching County.

126.1 Sec. 148. **DEPARTMENT OF TRANSPORTATION LOAN CONVERSION.**

126.2 The commissioner of transportation must (1) convert the remaining balance on Contract
 126.3 No. 82799, originally executed with the Minnesota Valley Regional Rail Authority on
 126.4 January 28, 2002, to a grant, and (2) cancel all future payments under the contract. The
 126.5 commissioner is prohibited from requiring or accepting additional payments under Contract
 126.6 No. 82799 as of the effective date of this section. Notwithstanding the loan conversion and
 126.7 payment cancellation under this section, all other terms and conditions under Contract No.
 126.8 82799 remain effective for the duration of the period specified in the contract.

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

126.10 Sec. 149. **MARKED INTERSTATE HIGHWAY 35 WEIGH STATION;**

126.11 **MORATORIUM.**

126.12 On or before February 1, 2018, the commissioner of transportation is prohibited from
 126.13 designing, engineering, or constructing a motor vehicle weigh station for the southbound
 126.14 direction of travel on marked Interstate Highway 35, between the marked Interstate Highways
 126.15 35W/35E split and two miles northerly of the split.

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

126.17 Sec. 150. **HIGHWAY CONSTRUCTION COSTS AND COST INFLATION STUDY.**

126.18 Subdivision 1. **Highway construction cost study; requirements.** (a) The commissioner
 126.19 of transportation must enter into an agreement with an organization or entity having relevant
 126.20 expertise to conduct a study on highway construction costs, inflation, and cost estimating.
 126.21 The study must be designed to identify and analyze the nature of discrepancies in highway
 126.22 construction costs and cost inflation estimates between Minnesota and other federal and
 126.23 national measures.

126.24 (b) At a minimum, the study must:

126.25 (1) include an overview of highway construction cost and cost estimation issues;

126.26 (2) establish benchmarks to compare costs in Minnesota to at least four other states that
 126.27 are comparable based on climate and construction characteristics, including historical
 126.28 state-by-state review of at least the following cost factors: (i) direct input costs associated
 126.29 with highway construction, (ii) cost impacts from construction standards and requirements
 126.30 established in law, and (iii) cost impacts from use of alternative methods of contracting and
 126.31 project management;

127.1 (3) identify factors specific to Minnesota, if any, that contribute to cost differences,
127.2 based on the benchmarks established in clause (2);

127.3 (4) evaluate the methodology used for highway construction cost calculation and indexing
127.4 in Minnesota, including (i) review of associated best practices, (ii) comparison of federal
127.5 and Minnesota state highway construction cost index methodologies utilizing historical cost
127.6 data for Minnesota, (iii) identification of the reasons for any past discrepancies or differences
127.7 between state and federal highway construction cost indexing, and (iv) analysis of the
127.8 historical accuracy of the Minnesota highway construction cost index compared to actual
127.9 costs; and

127.10 (5) provide specific recommendations for road authorities and legislative changes to
127.11 reduce highway construction costs.

127.12 (c) By February 15, 2018, the commissioner must submit a report on the study to the
127.13 chairs, ranking minority members, and staff of the legislative committees with jurisdiction
127.14 over transportation policy and finance.

127.15 Subd. 2. **Project cost comparison report.** By February 15, 2018, the commissioner of
127.16 transportation must report to the chairs, ranking minority members, and staff of the senate
127.17 and house of representatives committees and divisions with jurisdiction over transportation
127.18 policy and finance comparing the estimated cost of projects and the actual cost of projects.
127.19 The report must include all projects completed in whole or in part by MnDOT from July 1,
127.20 2012, to July 1, 2017. For each project, the report must list the estimated cost of the project
127.21 prior to starting the project and the total actual cost for the project after completion. For
127.22 each project, if the actual cost was less than the estimated cost, the report must explain how
127.23 the excess funds were expended.

127.24 Sec. 151. **VIBRATION SUSCEPTIBILITY STUDY ON CALHOUN ISLES**
127.25 **PROPERTY.**

127.26 (a) Within 21 days from the effective date of this act, the Metropolitan Council must
127.27 enter into a contract with an engineering group for the engineering group to conduct a
127.28 vibration susceptibility study on Calhoun Isles property, including the high-rise building,
127.29 townhomes, and parking ramp. The study must:

127.30 (1) evaluate the susceptibility of the Calhoun Isles property to vibration during
127.31 construction and during operations of a light rail train;

127.32 (2) categorize the Calhoun Isles property based on the susceptibility evaluation; and

128.1 (3) address mitigation measures and operational changes required to protect the Calhoun
128.2 Isles property from vibratory damage.

128.3 (b) The Calhoun Isles Condominium Association must select the engineering group and
128.4 notify the Metropolitan Council of the selection within seven days from the effective date
128.5 of this act. The Metropolitan Council must bear the entire cost of the study.

128.6 **EFFECTIVE DATE; APPLICATION.** This section is effective the day following
128.7 final enactment and applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey,
128.8 Scott, and Washington.

128.9 Sec. 152. **REPORT ON DEDICATED FUND EXPENDITURES.**

128.10 By February 15, 2018, the commissioners of transportation and public safety, in
128.11 consultation with the commissioner of management and budget, must jointly submit a report
128.12 to the members and staff of the legislative committees with jurisdiction over transportation
128.13 finance. The report must update the information required in the report under Laws 2015,
128.14 chapter 75, article 2, section 56, including a detailed list of expenditures and transfers from
128.15 the trunk highway fund and highway user tax distribution fund for fiscal years 2014 through
128.16 2018, and information on the purpose of each expenditure.

128.17 Sec. 153. **LEGISLATIVE ROUTE NO. 123 REMOVED.**

128.18 (a) Minnesota Statutes, section 161.115, subdivision 54, is repealed effective the day
128.19 after the commissioner of transportation receives a copy of the agreement between the
128.20 commissioner and the governing body of Le Sueur County to transfer jurisdiction of
128.21 Legislative Route No. 123 and after the commissioner notifies the revisor of statutes under
128.22 paragraph (b).

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

128.26 Sec. 154. **LEGISLATIVE ROUTE NO. 225 REMOVED.**

128.27 (a) Minnesota Statutes, section 161.115, subdivision 156, is repealed effective the day
128.28 after the commissioner of transportation receives a copy of the agreement between the
128.29 commissioner and the governing body of Becker County to transfer jurisdiction of Legislative
128.30 Route No. 225 and after the commissioner notifies the revisor of statutes under paragraph
128.31 (b).

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

129.4 **Sec. 155. ACTIVE TRANSPORTATION PROGRAM RECOMMENDATIONS.**

129.5 (a) By October 1, 2017, the Advisory Committee on Nonmotorized Transportation under
 129.6 Minnesota Statutes, section 174.37, must develop and submit recommendations to the
 129.7 commissioner of transportation regarding the project evaluation and selection processes
 129.8 under Minnesota Statutes, section 174.38, subdivision 7.

129.9 (b) The advisory committee is encouraged to consult with representatives from the
 129.10 Bicycle Alliance of Minnesota; Minnesota Chamber of Commerce; Metropolitan Council
 129.11 Transportation Accessibility Advisory Committee; Minnesota Department of Transportation
 129.12 district area transportation partnerships; organizations representing elderly populations;
 129.13 public health organizations with experience in active transportation; the Minnesota State
 129.14 Council on Disability and other Minnesota state councils and commissions, including the
 129.15 Council on Asian-Pacific Minnesotans, the Minnesota Council on Latino Affairs, the Council
 129.16 for Minnesotans of African Heritage, the Minnesota Indian Affairs Council, the Office on
 129.17 the Economic Status of Women, and the Cultural and Ethnic Communities Leadership
 129.18 Council; and other stakeholders with expertise in equitable active transportation.

129.19 (c) In its next annual report under Minnesota Statutes, section 174.37, subdivision 4, the
 129.20 advisory committee must include a summary of the recommendations under this section
 129.21 and submit a copy of the report to the chairs and ranking minority members of the legislative
 129.22 committees with jurisdiction over transportation policy and finance. The report is subject
 129.23 to Minnesota Statutes, section 3.195.

129.24 **Sec. 156. REPORT BY COMMISSIONER OF TRANSPORTATION ON MNPASS**
 129.25 **LANES AND TOLLING.**

129.26 (a) On or before January 2, 2018, the commissioner of transportation must report to the
 129.27 chairs and ranking minority members of the senate and house of representatives committees
 129.28 and divisions with jurisdiction over transportation policy and finance concerning MnPASS
 129.29 lanes and tolling to reduce congestion and raise revenue.

129.30 (b) At a minimum, the report must, with respect to MnPASS lanes:

129.31 (1) for each lane, state the capital costs, maintenance and repair costs, and operation
 129.32 costs;

- 130.1 (2) for each lane, indicate the current condition and the projected life expectancy;
- 130.2 (3) for each lane, list and explain the cost recovery ratio;
- 130.3 (4) list the amounts of the deposit of revenues made each year since pursuant to Minnesota
- 130.4 Statutes, section 160.93, subdivisions 2 and 2a, including a breakdown of deposits for each
- 130.5 lane for each year the lane has been in existence;
- 130.6 (5) list the cost to participate in the MnPASS program, broken down by each year a lane
- 130.7 has been in existence;
- 130.8 (6) for each lane, list the total number of users, including a breakdown of the total number
- 130.9 of each type of user; and
- 130.10 (7) provide an explanation of how MnPASS lane regulations are enforced.
- 130.11 (c) At a minimum, the report must, with respect to tolling:
- 130.12 (1) summarize current state and federal laws that affect the use of tolling in this state;
- 130.13 (2) identify any federal pilot projects for which this state is eligible to participate;
- 130.14 (3) discuss the feasibility and cost of expanding use of tolling, the possibility of private
- 130.15 investment in toll roads, and projected costs and cost recovery in establishing, operating,
- 130.16 and maintaining toll roads;
- 130.17 (4) review tolling models and technology options;
- 130.18 (5) summarize the experience of other states that have widely implemented tolling;
- 130.19 (6) identify and evaluate the feasibility of toll implementation for specific corridors;
- 130.20 (7) project the likely range of revenues that could be generated by wider implementation
- 130.21 of tolling and identify the percentage of revenues that are projected to be paid by nonresidents
- 130.22 of the state;
- 130.23 (8) discuss options for use of tolling revenue and measures to ensure compliance with
- 130.24 laws governing operation of toll roads and use of revenues;
- 130.25 (9) recommend and discuss possible ways to reduce cost to Minnesotans, such as tax
- 130.26 deductions or credits, or types of discounts; and
- 130.27 (10) provide recommendations for needed statutory or rule changes that would facilitate
- 130.28 wider implementation of tolling and achieve maximum revenues for the state and equity
- 130.29 for its residents.
- 130.30 **EFFECTIVE DATE.** This section is effective the day following final enactment.

131.1 Sec. 157. **REPORT BY COMMISSIONER OF TRANSPORTATION ON**
131.2 **TURNBACKS.**

131.3 (a) By February 15, 2018, the commissioner of transportation must report to the chairs
131.4 and ranking minority members of the senate and house of representatives committees having
131.5 jurisdiction over transportation policy and finance concerning turnbacks. At a minimum,
131.6 the report must include:

131.7 (1) a current list of proposed turnback projects, including a description of each segment
131.8 of highway that is to be turned back; a description of the restoration work to be completed;
131.9 estimated cost of restoration work; to which entity the highway will be turned back; and
131.10 the total estimated cost related to all aspects of the turnback;

131.11 (2) the amount that the commissioner of transportation anticipates will be needed for
131.12 turnbacks during the next two fiscal years and a list of the turnbacks that will be accomplished
131.13 with the anticipated funds;

131.14 (3) a description of the turnback process, including an explanation of how turnback
131.15 projects are selected; and

131.16 (4) for each of the past five years:

131.17 (i) the amount of money that accrued to the county turnback account and to the municipal
131.18 turnback account;

131.19 (ii) a description of each segment of highway that was restored and turned back, including
131.20 what restoration work was completed; total cost of restoration work; to which entity the
131.21 highway was turned back; and the total cost related to all aspects of the turnback;

131.22 (iii) the amount of surplus funds, if any, that were transferred to the county state-aid
131.23 highway fund or to the municipal state-aid street fund pursuant to Minnesota Statutes, section
131.24 161.084; and

131.25 (iv) each payment made to a local government for future restoration after the road is
131.26 turned back, a description of the work to be completed with the funds, and a schedule
131.27 detailing when the work was completed or will be completed.

131.28 (b) By February 15, 2019, and each year thereafter, the commissioner of transportation
131.29 must report to the chairs and ranking minority members of the senate and house of
131.30 representatives committees having jurisdiction over transportation policy and finance
131.31 concerning turnbacks. At a minimum, the report must include:

132.1 (1) a current list of proposed turnback projects, including a description of each segment
 132.2 of highway that is to be turned back; a description of the restoration work to be completed;
 132.3 estimated cost of restoration work; to which entity the highway will be turned back; and
 132.4 the total estimated cost related to all aspects of the turnback;

132.5 (2) the amount that the commissioner of transportation anticipates will be needed for
 132.6 turnbacks during the next two fiscal years and a list of the turnbacks that will be accomplished
 132.7 with the anticipated funds; and

132.8 (3) for the past calendar year, a description of each segment of highway that was restored
 132.9 and turned back, including what restoration work was completed; total cost of restoration
 132.10 work; to which entity the highway was turned back; and the total cost related to all aspects
 132.11 of the turnback.

132.12 (c) Paragraph (b) expires after the report is submitted on February 15, 2019.

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

132.14 **Sec. 158. SAFETY IMPROVEMENT REPORT AND WORKING GROUP FOR**
 132.15 **THE INTERSECTION OF HIGHWAY 55 AND WILKIN COUNTY ROAD 19.**

132.16 (a) By September 1, 2017, the commissioner of transportation must report to the chairs
 132.17 and ranking minority members of the legislative committees and divisions with jurisdiction
 132.18 over transportation policy and finance concerning Wilkin County Road 19 between Highway
 132.19 55 and the railroad tracks north of Highway 55. The commissioner, the Wilkin County
 132.20 Board, the town board of Champion, and the city council of Nashua must identify project
 132.21 options to address safety concerns of local residents at this location. For each identified
 132.22 project, the commissioner must include an estimated cost and the estimated date by which
 132.23 the project would be completed. In preparing the report, the commissioner must consult
 132.24 with the Minn-Dak Farmers Cooperative, the Wilkin County Board, the town board of
 132.25 Champion, and the city council of Nashua.

132.26 (b) By January 1, 2018, the commissioner must convene a working group consisting of
 132.27 the commissioner and one representative from each of the following: Minn-Dak Farmers
 132.28 Cooperative, the Wilkin County Board, the town board of Champion, and the city council
 132.29 of Nashua. The working group must consider the options identified in the report submitted
 132.30 pursuant to paragraph (a). The working group must identify a preferred option. Based on
 132.31 that preferred option, the responsible parties will develop funding strategies and a delivery
 132.32 schedule that will allow the project to be completed by December 31, 2018.

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

133.1 Sec. 159. **METRO MOBILITY ENHANCEMENT TASK FORCE.**

133.2 Subdivision 1. **Task force established.** A Metro Mobility Enhancement Task Force is
133.3 established to examine options to enhance Metro Mobility program service under Minnesota
133.4 Statutes, section 473.386. The goal of the task force is to partner with taxi services and
133.5 transportation network companies, as defined in Minnesota Statutes, section 65B.472,
133.6 subdivision 1, paragraph (e), to increase program service levels and efficiency.

133.7 Subd. 2. **Membership.** (a) The task force consists of the following members:

133.8 (1) one representative from Metro Mobility, appointed by the Metropolitan Council;

133.9 (2) one elected official from each metropolitan county, as defined in Minnesota Statutes,
133.10 section 473.121, subdivision 4, each of whom must be from a district or unit of government
133.11 that is located within the Metro Mobility service area, appointed by the respective county
133.12 board in consultation with cities in that county;

133.13 (3) at least one and no more than three individuals representing transportation network
133.14 companies, as defined in Minnesota Statutes, section 65B.472, subdivision 1, appointed as
133.15 provided under paragraph (b);

133.16 (4) at least one and no more than three individuals representing taxi service providers,
133.17 appointed as provided in paragraph (c);

133.18 (5) one representative appointed by the Transportation Accessibility Advisory Committee
133.19 established under Minnesota Statutes, section 473.375, subdivision 9a;

133.20 (6) one representative appointed by the Council on Disability;

133.21 (7) one individual appointed by the Association of Residential Resources of Minnesota;
133.22 and

133.23 (8) one individual appointed by the Center for Transportation Studies at the University
133.24 of Minnesota.

133.25 (b) An interested transportation network company may appoint no more than one person
133.26 as a task force member. Appointment under this paragraph is on a first-come, first-appointed
133.27 basis by written notification to the Metropolitan Council.

133.28 (c) An interested taxi service provider may appoint no more than one person as a task
133.29 force member. Appointment under this paragraph is on a first-come, first-appointed basis
133.30 by written notification to the Metropolitan Council.

133.31 (d) The task force members specified under paragraph (a), clauses (1), (3), and (4), are
133.32 nonvoting members of the task force.

134.1 Subd. 3. Task force duties. (a) The task force must evaluate the Metro Mobility program,
134.2 which must include but is not limited to analysis of customer service, program costs and
134.3 expenditures, service coverage area and hours, reservation and scheduling, and buses and
134.4 equipment.

134.5 (b) The task force must analyze approaches to improve Metro Mobility program service
134.6 by using partnerships with transportation network companies. At a minimum, the analysis
134.7 must consider:

134.8 (1) geographic service areas of transportation network companies;

134.9 (2) demand responsiveness and service levels of transportation network companies;

134.10 (3) the share of trips in which specially equipped vehicles that comply with the Americans
134.11 with Disabilities Act are necessary;

134.12 (4) technology accessibility for Metro Mobility customers;

134.13 (5) liability considerations; and

134.14 (6) integration of billing systems of transportation network companies with current Metro
134.15 Mobility fare collection.

134.16 (c) The task force must analyze approaches to improve Metro Mobility program service
134.17 by incorporating the use of taxi service. At a minimum, the analysis must consider:

134.18 (1) availability of taxi service throughout the Metro Mobility service area;

134.19 (2) demand responsiveness and service levels of taxi services;

134.20 (3) the share of trips in which specially equipped vehicles that comply with the Americans
134.21 with Disabilities Act are necessary;

134.22 (4) technology accessibility for Metro Mobility customers;

134.23 (5) liability considerations;

134.24 (6) options for contracting with taxi providers or other methods of billing for taxi rides;
134.25 and

134.26 (7) the potential to use taxi service to provide an enhanced service option where riders
134.27 pay a higher fare than other users of Metro Mobility Services.

134.28 (d) The task force must review proposals and models for incorporating transportation
134.29 network companies and taxi service providers into transit systems in other service areas.

135.1 Subd. 4. **Administration.** (a) Each appointing entity under subdivision 2 must make
135.2 appointments and notify the Metropolitan Council by August 1, 2017.

135.3 (b) The Metropolitan Council representative appointed to the task force must convene
135.4 the initial meeting of the task force no later than September 1, 2017. At the initial meeting,
135.5 the members of the task force must elect a chair or cochairs from among the task force
135.6 members.

135.7 (c) Upon request of the task force, the council must use existing resources to provide
135.8 data, information, meeting space, and administrative services.

135.9 (d) Members of the task force serve without compensation or payment of expenses.

135.10 (e) The task force may accept gifts and grants, which are accepted on behalf of the state
135.11 and constitute donations to the Metropolitan Council. Funds received under this paragraph
135.12 are appropriated to the Metropolitan Council for purposes of the task force.

135.13 Subd. 5. **Legislative report.** (a) By February 15, 2018, the task force must submit a
135.14 report to the chairs and ranking minority members of the legislative committees with
135.15 jurisdiction over transportation policy and finance.

135.16 (b) At a minimum the report must:

135.17 (1) summarize the work of the task force and its findings;

135.18 (2) describe the current Metro Mobility program;

135.19 (3) identify at least three potential service level approaches that involve partnering with
135.20 and incorporating transportation network companies, taxi service providers, or both; and

135.21 (4) provide any recommendations for program and legislative changes.

135.22 Subd. 6. **Expiration.** The task force under this section expires February 15, 2018, or
135.23 upon submission of the report required under subdivision 5, whichever is earlier.

135.24 Sec. 160. **REVISOR'S INSTRUCTION.**

135.25 The revisor of statutes shall recodify Minnesota Statutes, section 174.93, as Minnesota
135.26 Statutes, section 473.4485. The revisor shall correct any cross-references made necessary
135.27 by the recodification.

135.28 Sec. 161. **REPEALER.**

135.29 (a) Minnesota Statutes 2016, sections 160.262, subdivision 2; 160.265; and 160.266,
135.30 subdivisions 1 and 2, are repealed.

- 136.1 (b) Minnesota Statutes 2016, section 161.115, subdivision 32, is repealed.
- 136.2 (c) Minnesota Statutes 2016, sections 165.15, subdivision 8; and 219.375, subdivision
- 136.3 4, are repealed.
- 136.4 (d) Minnesota Statutes 2016, section 169.4502, subdivision 5, is repealed.
- 136.5 (e) Minnesota Statutes 2016, section 297A.992, subdivisions 5, 6, 11, and 12, are repealed.
- 136.6 (f) Minnesota Rules, parts 8810.0800, subpart 3; and 8810.1300, subpart 4, are repealed.
- 136.7 (g) Minnesota Rules, parts 8810.6000; 8810.6100; 8810.6300; 8810.6400; 8810.6500;
- 136.8 8810.6600; 8810.6700; 8810.6800; 8810.6900; 8810.7000; 8810.9910; 8810.9911;
- 136.9 8810.9912; and 8810.9913, are repealed.
- 136.10 (h) Laws 1994, chapter 628, article 1, section 8, is repealed.

136.11 **EFFECTIVE DATE.** Paragraph (e) is effective the day following final enactment.

136.12 Paragraph (h) is effective January 1, 2018."

136.13 Delete the title and insert:

136.14 "A bill for an act

136.15 relating to transportation finance; establishing a budget for transportation;

136.16 appropriating money for transportation purposes, including Department of

136.17 Transportation, Metropolitan Council, and Department of Public Safety activities;

136.18 modifying various provisions governing transportation policy and finance;

136.19 allocating certain sales and use tax revenue; establishing accounts; requiring reports;

136.20 making technical changes; authorizing sale and issuance of state bonds; amending

136.21 Minnesota Statutes 2016, sections 15A.0815, subdivision 3; 53C.01, subdivision

136.22 2; 85.016; 116.03, by adding a subdivision; 117.189; 160.02, subdivision 27, by

136.23 adding subdivisions; 160.18, by adding a subdivision; 160.262, subdivisions 1, 3,

136.24 4; 160.266, subdivisions 3, 4, 5, by adding subdivisions; 161.04, subdivision 5;

136.25 161.081, subdivision 3; 161.088, subdivisions 4, 5, 7; 161.115, subdivision 190;

136.26 161.14, by adding subdivisions; 161.21, subdivision 1; 161.321, subdivision 6;

136.27 161.38, by adding a subdivision; 161.44, subdivisions 5, 6a, by adding a

136.28 subdivision; 168.013, subdivision 1a, by adding a subdivision; 168.021,

136.29 subdivisions 1, 2, 2a; 168.27, by adding a subdivision; 168.33, subdivision 2;

136.30 168A.09, subdivision 1; 168A.141; 168A.142; 169.011, subdivision 34, by adding

136.31 a subdivision; 169.14, by adding a subdivision; 169.18, subdivisions 5, 7; 169.345,

136.32 subdivisions 1, 3; 169.442, subdivision 5; 169.443, subdivision 2; 169.444,

136.33 subdivision 2; 169.449, subdivision 1; 169.4501, subdivisions 1, 2; 169.4503,

136.34 subdivisions 4, 7, 14, 23, 30; 169.64, subdivision 8; 169.80, subdivision 1; 169.829,

136.35 by adding a subdivision; 169.865, subdivision 3; 169.871, subdivision 1; 171.02,

136.36 subdivision 2b; 171.06, subdivision 2a; 171.061, subdivision 3; 171.12, subdivision

136.37 6; 173.02, subdivisions 18, 23, by adding subdivisions; 173.06, subdivision 1;

136.38 173.07, subdivision 1; 173.08, by adding subdivisions; 173.13, subdivision 11;

136.39 173.16, by adding subdivisions; 174.03, subdivisions 1a, 1c; 174.50, subdivisions

136.40 5, 6b, 6c, 7; 174.56, by adding a subdivision; 174.93; 221.031, by adding a

136.41 subdivision; 222.49; 222.50, subdivision 6; 256B.15, subdivision 1a; 297A.815,

136.42 subdivision 3; 297A.94; 297A.992, subdivisions 1, 2, 3, 4, 6a, 7, 10; 297A.993,

136.43 subdivisions 1, 2, by adding a subdivision; 297B.01, subdivision 16; 299D.03,

136.44 subdivision 6; 398A.10, subdivisions 3, 4; 473.121, subdivision 2; 473.123;

136.45 473.146, subdivisions 3, 4; 473.388, subdivisions 2, 4; 473.39, by adding a

137.1 subdivision; 473.3994, by adding a subdivision; 473.4051, subdivision 2; 473.857,
137.2 subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 160;
137.3 168; 168A; 169; 173; 174; 219; 398A; 471; 473; repealing Minnesota Statutes
137.4 2016, sections 160.262, subdivision 2; 160.265; 160.266, subdivisions 1, 2; 161.115,
137.5 subdivision 32; 165.15, subdivision 8; 169.4502, subdivision 5; 219.375,
137.6 subdivision 4; 297A.992, subdivisions 5, 6, 11, 12; Laws 1994, chapter 628, article
137.7 1, section 8; Minnesota Rules, parts 8810.0800, subpart 3; 8810.1300, subpart 4;
137.8 8810.6000; 8810.6100; 8810.6300; 8810.6400; 8810.6500; 8810.6600; 8810.6700;
137.9 8810.6800; 8810.6900; 8810.7000; 8810.9910; 8810.9911; 8810.9912; 8810.9913."