

1.1 A bill for an act

1.2 relating to transportation; establishing certain transportation goals and policies;

1.3 establishing an electric vehicle infrastructure development program; appropriating

1.4 money; amending Minnesota Statutes 2020, sections 174.01, by adding a

1.5 subdivision; 174.03, subdivision 1c; proposing coding for new law in Minnesota

1.6 Statutes, chapters 174; 473.

1.7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.8 Section 1. TITLE.

1.9 This act may be cited as the "Sustainable Transportation Act."

1.10 Sec. 2. Minnesota Statutes 2020, section 174.01, is amended by adding a subdivision to

1.11 read:

1.12 Subd. 3. **Vehicle miles traveled reduction goal.** (a) It is the goal of the state to reduce

1.13 vehicle miles traveled by at least 20 percent by 2050, on a statewide basis.

1.14 (b) For the goal specified in paragraph (a), the commissioner must:

1.15 (1) establish a baseline amount or year;

1.16 (2) analyze establishment of specific goal components for regions of the state, per capita

1.17 vehicle traveled, interim years, or a combination;

1.18 (3) incorporate the goal as appropriate into the department's planning and project

1.19 development activities;

1.20 (4) perform annual tracking and analysis; and

2.1 (5) provide information to the general public regarding each of the requirements specified
2.2 in this subdivision, which may be in the form of reporting on sustainability, inclusion in the
2.3 statewide multimodal transportation plan under section 174.03, subdivision 1a, or other
2.4 means.

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

2.6 Sec. 3. Minnesota Statutes 2020, section 174.03, subdivision 1c, is amended to read:

2.7 Subd. 1c. **Statewide Minnesota state highway investment plan.** Within one year of
2.8 each revision of the statewide multimodal transportation plan under subdivision 1a, the
2.9 commissioner must prepare a 20-year statewide Minnesota state highway investment plan
2.10 that:

2.11 (1) incorporates performance measures and targets for assessing progress and achievement
2.12 of the state's transportation goals, objectives, and policies identified in this chapter for the
2.13 state trunk highway system, and those goals, objectives, and policies established in the
2.14 statewide multimodal transportation plan. Performance targets must be based on objectively
2.15 verifiable measures, and address, at a minimum;

2.16 (i) preservation and maintenance of the structural condition of state highway roadways,
2.17 bridges, ~~and~~ pavements, roadside infrastructure, and traveler related facilities;

2.18 (ii) safety; and

2.19 (iii) mobility;

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

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

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

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

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

2.30 (7) establishes investment priorities for projected funding, including which must:

3.1 (i) prioritize preservation, maintenance, and repair in a manner that takes into account
3.2 optimization of investment cost-effectiveness;

3.3 (ii) as appropriate, provide a schedule of major projects or improvement programs for
3.4 the 20-year period ~~together with~~; and

3.5 (iii) identify resulting projected costs and impact on performance targets; and

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

3.9 **EFFECTIVE DATE.** This section is effective the day following final enactment, and
3.10 applies starting with the next update to the plan under this section.

3.11 **Sec. 4. [174.48] ELECTRIC VEHICLE INFRASTRUCTURE DEVELOPMENT**
3.12 **PROGRAM.**

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

3.15 (b) "Battery exchange station" means infrastructure that enables a used electric vehicle
3.16 battery to be removed and exchanged for a fresh electric vehicle battery.

3.17 (c) "Charging station" means infrastructure that (1) transfers electricity to an electric
3.18 vehicle battery; or (2) dispenses hydrogen into an electric vehicle that uses a fuel cell to
3.19 convert the chemical energy of hydrogen directly into electricity through electrochemical
3.20 reactions.

3.21 (d) "Commissioner" means the commissioner of transportation.

3.22 (e) "Electric vehicle" has the meaning given in section 169.011, subdivision 26a.

3.23 (f) "Electric vehicle infrastructure" means charging stations, battery exchange stations,
3.24 and any associated equipment and infrastructure necessary to support the operation of electric
3.25 vehicles and to make electricity available to the charging station or battery exchange station.

3.26 (g) "Financial assistance" includes authorization to expend funds on a Department of
3.27 Transportation project.

3.28 (h) "Program" means the electric vehicle infrastructure development program established
3.29 in this section.

3.30 Subd. 2. **Program established.** Subject to available funds, the commissioner must
3.31 implement a program that provides financial assistance to expand electric vehicle

4.1 infrastructure and electric vehicle adoption statewide on a geographically balanced basis.
4.2 In implementing the program, the commissioner must consult with the commissioners of
4.3 the Pollution Control Agency and commerce.

4.4 Subd. 3. **Electric vehicle infrastructure account.** An electric vehicle infrastructure
4.5 account is established in the special revenue fund. The account consists of funds provided
4.6 by law and any other money donated, allotted, transferred, or otherwise provided to the
4.7 account. Money in the account must be expended only for the program under this section.

4.8 Subd. 4. **Program administration.** (a) The commissioner must establish program
4.9 requirements, including but not limited to: eligibility of recipients and projects, subject to
4.10 subdivisions 5 and 8; solicitation procedures; application requirements that minimize
4.11 applicant burdens; procedures for awards and payment of financial assistance; and a schedule
4.12 for application, evaluation, and award of financial assistance.

4.13 (b) The commissioner may provide grants or other financial assistance for a project, at
4.14 the commissioner's discretion.

4.15 (c) The commissioner must maintain, on an Internet website, information regarding the
4.16 program, including an overview of the program, application requirements, project evaluation
4.17 criteria, and historical details on annual awards of financial assistance.

4.18 (d) The commissioner may use up to two percent of expended funds in a fiscal year for
4.19 administrative costs of the program.

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

4.21 (1) a state agency, including the Department of Transportation;

4.22 (2) a political subdivision; and

4.23 (3) a tribal government of a tribe recognized by the Bureau of Indian Affairs, United
4.24 States Department of the Interior.

4.25 Subd. 6. **Project selection; criteria and priorities.** The commissioner must establish
4.26 a competitive project evaluation and selection process. The process must include criteria
4.27 and prioritization of projects based on:

4.28 (1) extent to which the project addresses gaps, deficiencies, or barriers in a statewide
4.29 electric vehicle network or in electric vehicle adoption, including but not limited to:

4.30 (i) highway corridors that provide connections between rural communities and from
4.31 rural communities to metropolitan areas; and

4.32 (ii) key destinations within a community;

5.1 (2) extent of predicted use of the electric vehicle infrastructure or electric vehicles;

5.2 (3) partnerships with private entities;

5.3 (4) commitment of funds or in-kind assistance for the project, or for a directly related
5.4 project, from private sources;

5.5 (5) for an electric vehicle infrastructure project, coordination with other anticipated
5.6 private electric vehicle infrastructure development;

5.7 (6) benefits to communities that are:

5.8 (i) historically or currently underrepresented in transportation planning or infrastructure
5.9 development and maintenance; or

5.10 (ii) disproportionately impacted by environmental impacts from the transportation sector;

5.11 (7) geographic balance as required under subdivision 7, paragraph (b);

5.12 (8) alignment with industry technical standards and protocols; and

5.13 (9) criteria as determined by the commissioner.

5.14 Subd. 7. **Award requirements.** (a) A financial assistance award may not exceed 80
5.15 percent of a project's total estimated costs.

5.16 (b) The commissioner must ensure that financial assistance is provided in a manner that
5.17 is balanced and equitable throughout the state, including with respect to (1) the number of
5.18 projects funded in a particular geographic location or region of the state, and (2) the total
5.19 amount of financial assistance provided for projects in a particular geographic location or
5.20 region of the state.

5.21 Subd. 8. **Use of funds.** (a) Permissible uses of financial assistance awarded under the
5.22 program are:

5.23 (1) planning, market assessment, and other analysis activities related to electric vehicle
5.24 infrastructure or electric vehicles;

5.25 (2) project development, environmental analysis, property acquisition, construction, and
5.26 capital maintenance of electric vehicle infrastructure; and

5.27 (3) incremental costs for passenger and light-duty electric vehicles, including procurement
5.28 and ongoing maintenance.

5.29 (b) Electric vehicle infrastructure and electric vehicles for which financial assistance is
5.30 awarded must be owned by an eligible recipient under the program, support an electric

6.1 vehicle fleet of an eligible recipient, or support publicly available charging stations or battery
6.2 exchange stations.

6.3 **EFFECTIVE DATE.** This section is effective July 1, 2021.

6.4 Sec. 5. **[473.3927] ZERO-EMISSION TRANSIT VEHICLES.**

6.5 Subdivision 1. **Transition plan required.** (a) The council must develop and maintain
6.6 a zero-emission transit vehicle transition plan that contains a goal of deploying zero-emission
6.7 vehicles in 100 percent of the council's transit fleet by 2040.

6.8 (b) The council must complete the initial plan by February 15, 2022, and revise the plan
6.9 at least once every five years.

6.10 Subd. 2. **Plan development.** At a minimum, the plan must:

6.11 (1) establish implementation policies and guidance;

6.12 (2) set transition milestones or performance measures, or both, which may include vehicle
6.13 procurement goals over the transition period;

6.14 (3) identify barriers, constraints, and risks, and determine objectives and strategies to
6.15 address the issues identified;

6.16 (4) consider findings and best practices from other transit agencies;

6.17 (5) analyze zero-emission transit vehicle technology impacts, including cold weather
6.18 operation and emerging technologies;

6.19 (6) provide detailed estimates of implementation costs; and

6.20 (7) summarize updates to the plan from the most recent version.

6.21 Subd. 3. **Copy to legislature.** Upon completion or revision of the plan, the council must
6.22 provide a copy to the chairs, ranking minority members, and staff of the legislative
6.23 committees with jurisdiction over transportation policy and finance.

6.24 **EFFECTIVE DATE; APPLICATION.** This section is effective the day following
6.25 final enactment and applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey,
6.26 Scott, and Washington.

6.27 Sec. 6. **APPROPRIATIONS.**

6.28 (a) \$..... in fiscal year 2022 is appropriated from the general fund to the commissioner
6.29 of transportation for the electric vehicle infrastructure development program under Minnesota
6.30 Statutes, section 174.48. This is a onetime appropriation and is available until June 30, 2025.

- 7.1 (b) \$250,000 in fiscal year 2022 is appropriated from the general fund to the Metropolitan
- 7.2 Council to develop the zero-emission transit vehicle transition plan under Minnesota Statutes,
- 7.3 section 473.3927.