

House Research Act Summary

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SESSION: 2013 Regular Session

TOPIC: Transportation policy omnibus

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Overview

This is a transportation policy omnibus.

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- 1 Uncompleted subdivisions.** Extends, by one year (until May 2, 2014), authority for MnDOT and local units of government to perform snow removal on roads in certain uncompleted subdivisions that are not being maintained by the developer.
- 2 Commissioner may establish program.** Expands eligible types of businesses to include “attractions” under MnDOT’s logo sign program for advertising along interstates and controlled access trunk highways. Current law limits logo signs to gas, food, camping, lodging, and 24-hour pharmacies.
- 3 Eligibility criteria for business panels.** Makes various changes in the requirements for businesses that advertise in the logo sign program. Sets requirements for attractions that are authorized to advertise under section 2 of the act.
- 4 Franchises.** Makes conforming changes.
- 5 Trunk highway emergency relief account.** Allows funds in the trunk highway emergency relief account to be expended for operations and maintenance related to a disaster. Removes a requirement that account interest be credited to the account.
- 6 Route No. 298.** Removes a portion of Trunk Highway 298 in Faribault from the trunk highway system, which would have it terminate at the campus of the Minnesota State Academy for the Blind.

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- 7 **Route No. 339.** Establishes a new trunk highway designation running east from Trunk Highway 36, which would provide for the Stillwater River Crossing.
- 8 **Special account.** Expands the permissible uses of funds from an account for parking ramps owned by MnDOT at the terminus of I-394 in Minneapolis. Uses would expand to include work on MnPASS lanes and associated technology improvements for users of the ramps.
- 9 **Periodic review.** Encourages MnDOT to conduct a periodic examination of all department real estate to identify property that could be sold. Requires analysis of potential use of the property for bicycle or pedestrian facilities prior to sale. Requires a legislative report by March 1 in every odd-numbered year.
- 10 **Variances from rules and engineering standards.** Modifies the process for requesting variances from engineering standards for the county state-aid highway system, to eliminate publication of the request in the State Register and to only require hearings only after request denial.
- 11 **Variances from rules and engineering standards.** Modifies the process for requesting variances from engineering standards for the municipal state-aid street system, to eliminate publication of the request in the State Register and to only require hearings only after request denial.
- 12 **Money needs defined.** Amends the calculation of money needs to eliminate exclusion of certain county roads with a combination designation across road jurisdictions (which is no longer used). Money needs are used in a formula-based allocation of municipal state-aid street funds among cities.
- 13 **12 uniform registration periods.** Modifies passenger vehicle registration to clarify a minimum period of 12 consecutive months for registration, and to remove a provision on evenly spreading registrations throughout the year.
- 14 **Exceptions.** Amends exceptions from the 12-month period of registration typically required for passenger vehicles.
- 15 **Application; fee; penalty.** Establishes that in-transit licenses for transporting motor vehicles are available only within Minnesota and do not provide for registering the transporting vehicle. Makes technical changes.
- 16 **Design.** Removes the special World War I plate and modifies the plate design for various special veterans' plates to eliminate stacked letters next to the plate's alphanumeric sequence.
- 17 **Payment of taxes.** Modifies prorated registration provisions governing trucks and buses owned by non-residents and used part of the year within Minnesota. Makes technical changes.
- 18 **Trip permit.** Modifies requirements of a trip permit under the International Registration Plan (IRP) program to limit the permit to one per vehicle for a 30-day period. (The IRP

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program is for commercial vehicle registration tax collection and proportional distribution of revenues across multiple jurisdictions (states and countries) where the vehicle is operated.)

19 Used vehicle parts dealer. Clarifies that a “used vehicle parts dealer” can sell used parts and remaining scrap from a vehicle, and prohibits them from selling new or used motor vehicles. (This category represents a license issued by the Department of Public Safety to businesses that dismantle vehicles and sell the parts and scrap. The department issues various licenses for dealers engaged in businesses involving motor vehicle and vehicle parts sales, dismantling, and scrap processing.)

20 Place of business. Amends the business office requirements for “limited used vehicle” licensees to include having commercial office space or an automatic phone answering service. (Limited used vehicle licensees are nonprofit organizations that acquire and sell donated vehicles.)

21 Dealers’ license; location change notice; fee. Removes mandatory denial of a vehicle dealer license when it had previously been denied within a year.

22 Older model vehicle. Modifies requirements for a vehicle dealer who purchases, to dismantle or destroy, a motor vehicle that is six years old or older. Changes include obtaining the certificate of title or verifying vehicle ownership with the department; notifying lienholders; notifying the department within 10 days; and maintaining records.

Note: the changes in this section are superseded by changes in Laws 2013, chapter 126.

23 Late-model or high-value vehicle. Modifies requirements for a vehicle dealer who purchases, to dismantle or destroy, a motor vehicle that is (1) less than years six old, or (2) has a value of at least \$5,000. Changes include obtaining the certificate of title; notifying lienholders; notifying the department within 10 days; and maintaining records instead of destroying the title.

Note: the changes in this section are superseded by changes in Laws 2013, chapter 126.

24 Purchase of abandoned vehicles from a dealer. Provides an exemption from the requirements of section 22 when a dealer purchases an abandoned vehicle from another dealer who is in possession of the vehicle for service or repair. Directs the acquiring dealer to obtain the selling dealer’s information, a copy of the repair order, and a bill of sale, and notify the department within ten days.

Note: the changes in this section are superseded by changes in Laws 2013, chapter 126.

25 Notification on vehicle to be dismantled or destroyed. Adds a conforming cross-reference for the new subdivision created in section 24.

Note: the changes in this section are superseded by changes in Laws 2013, chapter 126.

26 Tow truck permit. Corrects a cross-reference relating to MnDOT permits for oversize or overweight tow trucks.

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- 27 School bus.** Clarifies that the definition of a “type III vehicle” includes passenger vehicles generally, and not just certain types of passenger autos. (Such vehicles are used by schools in some situations to transport small groups of pupils, following pupil transportation regulations.)
- 28 Passing on the right.** Prohibits a motor vehicle from passing on the right by driving in a bicycle lane. (Under the traffic regulations in state statutes, a “bicycle lane” is a portion of the roadway or shoulder that is marked for use by bicyclists. Minn. Stat. § 169.011, subd. 5.)
- 29 Laned highway.** Clarifies that a motor vehicle may drive in a bicycle lane when performing parking maneuvers.
- 30 Turning at intersection.** Modifies driving rules for making turns that cross into an adjacent bicycle lane, so that a driver must (1) signal prior to making the movement; (2) move into the lane before turning if safe; and (3) make the turn, obeying traffic control signs and markings and yielding right-of-way to other vehicles and bicycles.
- 31 Manner and number of riding.** Modifies requirements on bicycle passengers, including extending limitations on number of passenger to apply to various types of bicycles as well as trailers.
- 32 Riding rules.** Eliminates a requirement of riding a bicycle at the right-hand curb or edge of the road, if riding in a shoulder or a bicycle lane.
- 33 Bicycle equipment.** Modifies bicycle equipment regulations, including expanding equipment that can be used to meet nighttime bicycle lighting requirements, permitting coaster brakes, and allowing a horn or bell on a bike.
- 34 Sale with reflectors and other equipment.** Permits sale of a bicycle that is not equipped with pedals.
- 35 Prohibitions.** Prohibits stopping, standing, or parking in a bicycle lane, unless parking is allowed by posted signs.
- 36 Disability parking when designated spaces occupied or unavailable.** Permits a vehicle that has disability plates or a certificate to be parked in manner that takes up two parking spaces when other designated disability parking is unavailable.
- 37 Disability parking space signs.** Requires in regulations on signage for disability parking that the parking signs be non-moveable, which would no longer allow a sign that is moveable by authorized personnel.
- 38 Personal cellular phone call prohibition.** Amends a prohibition on using a cell phone for personal reasons when operating a school bus to include times when the vehicle is part of the flow of traffic (such as at a stop light).
- 39 Driver seat belt.** Clarifies a requirement that drivers of a school bus must use a seat belt, to specify that the seatbelt be fastened and properly adjusted, and that both the shoulder and lap

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portions secure the driver.

- 40 Option.** Amends and clarifies a provision governing warning and safety equipment that may be carried in a type III vehicle so that the provision applies to all type III vehicles.
- 41 Horn, siren.** Establishes that a bicycle can be equipped with a horn or bell.
- 42 Gross vehicle weight of all axles; credit for idle reduction technology.** Increases the additional weight allowance for idle reduction technology, from 400 to 550 pounds, provided against motor vehicle weight limits. The change is effective May 25, 2013.
- 43 Valid medical examiner's certificate.** Requires that a medical examiner's certificate be issued by an examiner who is (1) certified by the federal agency that oversees motor carrier safety, and (2) listed in a national registry maintained by the agency. (This certificate is used to confirm physical eligibility to operate commercial vehicles and is among the requirements to obtain a commercial driver's license.) The change is effective May 1, 2014.
- 44 [171.017] Background investigations; department employees.** Establishes mandatory criminal background checks for certain employees and job applicants in the Department of Public Safety, sets procedures for checks performed by the Bureau of Criminal Apprehension, provides for fees to cover background checking costs, requires sharing of information about employees and applicants across criminal justice agencies, and mandates annual checks in certain circumstances following federal requirements.
- 45 Identification card for seniors.** Prevents a provision on Minnesota identification cards for persons over age 65 (which are specially marked and provided at a reduced cost) from applying for enhanced identification cards. (Enhanced identification cards contain additional security features compared to a traditional card, and can be used in a similar manner as passports for international border crossings.)
- 46 Expiration.** Prevents an enhanced identification card issued to a person age 65 or older from being valid for the lifetime of that person.
- 47 Transportation ombudsperson.** Creates a position of ombudsperson in the Minnesota Department of Transportation, codified in statute. Outlines basic powers and duties of the position, sets reporting and appointment requirements, and restricts the person from holding other positions within the department as well as from charging a fee for services.
- 48 Freight rail economic development study.** Extends the due date by a couple of months, to November 15, 2013, for a MnDOT study on freight rail economic development.
- 49 Method of payment, assistance.** Provides for quarterly payments by MnDOT to public transit providers for operating assistance. The change is made in conjunction with a repealer in section 71 of the act.
- 50 [174.45] Public-private partnerships; joint program office.** Authorizes MnDOT to create a joint office for developing public-private partnerships involving public infrastructure, and directs other state agencies to provide assistance upon request.

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- 51 Passenger rail; Commissioner's duties.** Creates a definition of "passenger rail" by reference to federal law. Includes Amtrak in a listing of examples of entities with whom MnDOT is authorized to enter into agreements for passenger rail operation.
- 52 Passenger rail; exercise of power.** Modifies MnDOT authority and duties related to intercity passenger rail.
- Subd. 1. Powers.** Eliminates an internal contradiction in MnDOT powers concerning passenger rail contracting and agreement.
- Subd. 2. Consultation.** No changes made.
- Subd. 3. Authority to contract; liability.** Authorizes MnDOT to contract with railroads for development and use of rail track and facilities, as well as for operation of passenger rail. Provides for application of liability provisions under state statutes. Permits agreements with railroads to address financial responsibility, indemnification, and insurance. Requires MnDOT to follow federal railroad law in its contracts with railroads.
- Subd. 4. Public hearings.** Mandates MnDOT to hold public hearings following federal requirements.
- 53 Uniform warning signs.** Amends the types of uniform signs that can be placed at railroad crossings, including allowing a yield sign and modifying terminology for sign types.
- 54 Railroad to erect sign.** Decreases the maximum distance from a railroad crossing that crossbuck signs must be placed and maintained by railroads, from 75 to 50 feet. Provides for MnDOT to authorize a greater distance.
- 55 Stop sign; yield sign.** Clarifies when requirements apply for placing stop signs or yield signs at railroad crossings, to exclude crossings that are equipped with flashing lights or with lights and gates. Makes conforming changes.
- 56 Qualification of driver.** Sets who can qualify as a "medical examiner" to perform a physical exam as part of commercial driver's license requirements. Effective May 21, 2014, an examiner must be certified by the federal agency that oversees motor carrier safety, and must be listed in a national registry maintained by the agency.
- 57 Waiver for other medical condition.** Modifies waivers from physical requirements to operate a commercial motor vehicle, to (1) reduce the number of situations where a waiver may be granted; and (2) eliminate a three-year disqualification period during which the person can not have been convicted for numerous offenses, including fraud in applying for a driver's license, criminal vehicular homicide, driving in excess of 100 m.p.h., controlled substance offense, and test refusal while operating a commercial vehicle transporting hazardous materials.
- 58 Hours of service exemptions.** Expands the radius, from 100 to 150 air miles, within which the hours of service limitations on commercial vehicle driving time do not apply for certain

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transport of agricultural products.

- 59 Bus rapid transit development.** Authorizes regional rail authorities in the seven-county metropolitan area to use levy authority (which is provided for preservation of abandoned rail right-of-way for future transportation uses) to develop bus rapid transit in transitways that are included in the Metropolitan Council's 2030 transportation policy plan. The section is effective May 25, 2013.
- 60 Sunset.** Extends a sunset, from 2013 to 2017, for accepting individuals into a driver's license diversion pilot program, and extends the sunset from 2014 to 2018 for collecting and disbursing fees under the program. The pilot program expiration is extended to December 31, 2018. The section is effective May 25, 2013.
- 61 Central Corridor light rail transit; Central Station accessibility.** Requires the Metropolitan Council to include access to the pedestrian skyway as part of initial Central Corridor light rail line construction at the Central station (in downtown St. Paul). Access must include an elevator.
- 62 Conveyance of state land; Koochiching County.** Authorizes MnDOT to sell land in Koochiching County to a private entity outside of typical valuation and bidding processes for such land sales. Identifies the tract of land and specifies conditions for the conveyance, including certain approval by the Attorney General, no direct access to Trunk Highway 71, and meeting any other conditions set by MnDOT.
- 63 Conveyance of state land; Le Sueur County.** Authorizes the MnDOT to sell land near Trunk Highway 169 in Le Sueur County to a private entity outside of typical valuation and bidding processes for such land sales. Identifies the tract of land and specifies conditions for the conveyance, including a price that matches the costs of a comparable rest area facility, certain approval by the Attorney General, deposit of revenues in an account for rest areas, and meeting any other conditions set by MnDOT.
- 64 Compliance with federal transportation law.** Directs the Department of Public Safety to make efforts to refrain from enforcing state laws that conflict with federal MAP-21 legislation. The section is effective May 25, 2013.
- 65 Marked U.S. Highway 53 relocation project.** Establishes project prioritization, route selection considerations, and closure requirements for rerouting of Trunk Highway 53 between Eveleth and Virginia.
- 66 Legislative Route No. 235 removed.** Turns over Trunk Highway 235, from Urbank to Parkers Prairie in Otter Tail County, to be a County State-Aid Highway. The turnback is effective following agreement between the county and MnDOT and notification to the Revisor of Statutes.
- 67 Legislative Route No. 256 removed.** Turns over Trunk Highway 66, which runs from Good Thunder to Mankato, to become part of the state-aid system. The turnback is effective following agreement between Blue Earth county and MnDOT and notification to the Revisor

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of Statutes.

- 68** **Specific service sign.** Requires MnDOT to install a specific service sign at in interchange on Trunk Highway 52 in Olmsted County for a retail store blocked by construction of a noise wall.
- 69** **Intersection signage; marked Trunk Highway 47.** Requires MnDOT to add signage at an intersection on Trunk Highway 47 in Anoka, and requires the city of Anoka to reimburse for the costs.
- 70** **Original ignition interlock device program; use of employer-owned vehicles.** Authorizes a person participating in the (former) ignition interlock pilot project to drive an employer-owned vehicle not equipped with ignition interlock pursuant to the current program guidelines and with the employer's written consent.
- 71** **Repealer.** (a) The repeal of section 168.094 eliminates a provision on one-way trip permits for nonresidents to transport motor vehicles from outside the state to another point outside the state. Repeal of section 174.24, subdivision 5, eliminates a provision directing the timing of MnDOT payments to public transit providers over the course of the year, which is replaced with quarterly payments in section 49 of the act.
- (b) The repealers make conforming changes in administrative rules related to (1) the elimination of publishing engineering variance requests being made in sections 10 and 11; and (2) the timing of MnDOT payments to public transit providers.
- 72** **Effective date.** Sets an effective date of August 1, 2013, for provisions that do not have another date designated.