Overview

This bill contains miscellaneous provisions relating to the department of transportation:

- Allowing higher highway work zone speed limits on divided highways.

- Allowing local units of government to advance money to the department for interregional corridor projects.

- Allowing persons without a school bus endorsement to operate a school bus under certain circumstances.

- Specifying who may give a physical examination for school bus drivers.

- Completing transfer of powers to the department from the defunct transportation regulation board.

- Repealing obsolete or federally-preempted laws relating to railroads and motor carriers.

- Allowing transportation projects that are not eligible for federal aid to be eligible for funding under the transportation revolving loan fund.

1 **Access to isolated property.** Allows MnDOT to convey a fee title or easement held or owned by the state in land used to connect private roads to public highways.

2 **Advance funding.** Provides for local government loans to accelerate interregional corridor projects.

**Subdivision 1. Corridor development.** Allows local road authorities, individually or jointly under a joint powers agreement, to make advances to MnDOT to accelerate development of an interregional transportation corridor. Allows advances to be used for design consultants, right-
of-way acquisition, construction, and related expenditures.

**Subd. 2. Repayment.** Allows repayment of advances by the department, subject to the availability of state funds. Sets the maximum interest rate as the rate earned by the state for invested treasurer's cash for the preceding month. Limits annual repayment to the amount allowed under the department's debt management policy or $10 billion, whichever is less.

3  **Work zone speed limits.** Provides that a highway work zone exists only when workers are present. Requires that highway work zone speed limits must be posted.

Allows a highway work zone speed limit of up to 55 m.p.h. on divided highways. Under present law the maximum highway work zone speed limit is 40 m.p.h.

4  **Driving school bus without endorsement.** Allows a person with a class D (basic) license with a school bus endorsement to drive a school bus designed to transport 15 or fewer persons. Makes the endorsement subject to background check and proof of drug and alcohol testing.

Allows a person with a class D license without a school bus endorsement to drive a school bus designed to transport 15 or fewer persons if (1) the driver is an employee of the entity that owns, leases, or contracts for the bus, (2) the operation is from a single point of loading to a single point of unloading, (3) the employer has a policy providing for training in school bus operation, background checks, and driver's license verification, and (4) the passengers have been given school bus safety training.

5  **Authority to make alcohol and highway safety grants.** Transfers from MnDOT to the department of public safety the authority to make grants to the highway safety center at St. Cloud State from the DWI-related driver's license reinstatement fee. Under present law 12 percent of this fee, minus $200,000 to DCFL for elementary and secondary programs, goes for these grants.

6  **Physical examinations for school bus drivers.** Codifies language from a present department of public safety rule that provides that a school bus driver is exempt from the requirement for a physical examination given by a physician if the school bus driver has within the preceding 24 months had a physical examination that meets the federal requirements for a commercial driver's license given by a medical examiner as defined in federal rule. Under current federal rule "medical examiner" means a physician, osteopath, chiropractor, physician assistant, or advanced practice nurse.

7  **Appearances before federal agencies.** Amends the law authorizing the commissioner of transportation to appear before federal agencies by deleting the abolished civil aeronautics board and interstate commerce commission and substituting the federal surface transportation board. Deletes a provision authorizing appearances before the defunct state transportation regulation board.

8  **Joint action with federal agencies.** Allows the commissioner to cooperate with federal agencies to harmonize state and federal regulations. Allows the commissioner to conduct joint hearing with federal agencies.

-11,911,  **Transportation regulation board.** Deletes references to the transportation regulation board and substitutes references to MnDOT. Makes stylistic changes. Makes other changes with respect to obsolete references.

-14-18  Sec. 17. Specifies that appeals from an order of the department relating to railroads or motor carriers are contested cases.
Communications towers. Amends the 1999 law that allows the department to make agreements with private wireless service providers for use of communications towers, by (1) correcting the reference to the statewide communications system, and (2) specifying that one of the purposes of the law is to reduce proliferation of communications towers.

Allows the department to negotiate with telecommunication infrastructure developers as well as with wireless service providers to obtain sites, towers, and equipment.

Fees for communications agreements. Provides that the standing appropriation to MnDOT of fees collected under agreements with private wireless service providers is for the cost of developing and maintaining, rather than constructing and maintaining, the state communication system. Deletes the provision that limits the purpose of the appropriation to communication system sites.

Railroad information. Deletes the requirement that railroads furnish rate information and copies of federal reports to MnDOT.

MnDOT authority over tracks and track use. Repeals provisions that give MnDOT authority over rail tracks, track use, freight platforms, side tracks, and property handling.

Appearance before ICC. Repeals the requirement that MnDOT appear before the now-abolished Interstate Commerce Commission on any petition filed with the ICC charging violation of the federal interstate commerce act.

Rules. Repeals provisions allowing MnDOT to prescribe rules relating to livestock transportation. Expands the department's current authority to examine the officers and employees of a business under the department's jurisdiction concerning its business and affairs, to include examination concerning any matter under MnDOT jurisdiction.

Crossing vacation program. Deletes a reference to a statute repealed under section 29.

Penalties to railroads. Amends the law that allows civil actions to recover civil penalties against railroads for failing to remove dangerous obstructions, by allowing civil actions to be brought by the attorney general or a county attorney. Deletes references to a statute repealed in section 29.

Grade crossing protection. Provides that the law that deems grade crossing protection approved by MnDOT to be adequate and appropriate warnings for the crossing to also apply to grade crossing protection approved by the transportation regulation board or its predecessors.


Transportation revolving loan fund. Deletes, in the law establishing the transportation revolving loan fund (TRLF), references to the trunk highway, county state-aid highway, and municipal state-aid street revolving loan accounts.

Specifies that the TRLF's highway account is for projects that are eligible for funding under U. S. Code, title 23 (highways). Specifies that the TRLF's transit account is for projects that are eligible for funding under U. S. Code, title 49 (transit). Creates a state funds general loan account for transportation projects that are not eligible for federal funding.

Specifies that the standing appropriation of money in the TRLF is to the public facilities authority rather than to the commissioner of transportation.

Deletes from the required considerations by MnDOT in evaluating projects for certification for TRLF loans the need for the project as part of the overall transportation system.

**Transfer of carrier regulatory responsibilities.** Transfers powers and responsibilities of the transportation regulation board to MnDOT. Abolishes the positions of member and chair of the board.

**Revisor instruction.** Instructs the revisor of statutes to change references to the transportation regulation board to department and commissioner of transportation.

**Repealer.** Repeals laws applying to the transportation regulation board.

Repeals the law granting the commissioner of transportation authority to exercise power to plan and implement the public safety radio communication system.

Repeals the law that requires an occupied caboose on trains and sets standards for cabooses.

Repeals laws that regulate railroad rates and give MnDOT the power to set certain rail rates and regulate certain railroad service.

Repeals the law that requires MnDOT approval for removal of railroad tracks, abandonment of shops or terminals, and abandonment of agency service.

Repeals the law that provides penalties for various railroad violations of law.

Repeals the law that gives leaseholders on abandoned rail lines or lines of railroads in bankruptcy right of first refusal if the underlying land is sold, and provide for MnDOT arbitration of disputes over value.

**Effective date.** Makes sections 3 and 6 effective immediately. Makes sections 12, 13, 28, and 31 effective July 1, 2000.