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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SEVENTH SESSION

H. F. No. 1588

04/27/2011 Authored by Beard

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration

01/24/2012 By motion, recalled and re-referred to Transportation Policy and Finance

1.1 A bill for an act
1.2 relating to highways; modifying provisions relating to toll lanes; amending
1.3 Minnesota Statutes 2010, sections 160.845; 160.93, subdivisions 1, 2; repealing
1.4 Minnesota Statutes 2010, section 160.93, subdivision 2a.

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

1.6 Section 1. Minnesota Statutes 2010, section 160.845, is amended to read:

1.7 **160.845 RESTRICTIONS ON TOLL FACILITY.**

1.8 (a) A road authority, including the governing body of a city, or a private operator
1.9 may not convert, transfer, or utilize any portion of a highway to impose tolls or for use
1.10 as a toll facility. A road authority, including the governing body of a city, or a private
1.11 operator may not limit operation of a commercial motor vehicle, as defined in section
1.12 169.011, subdivision 16, to a toll facility or otherwise require that a commercial motor
1.13 vehicle use the tolled portion of a highway.

1.14 (b) This section does not apply to (1) any toll facility or high-occupancy vehicle
1.15 lane constructed, converted, or established before September 1, 2007, (2) any additional
1.16 lane, including a priced dynamic shoulder lane, high-occupancy vehicle lane, or
1.17 high-occupancy toll lane, added to a highway after September 1, 2007, ~~and~~ (3) any other
1.18 general purpose lane that adds capacity, (4) any lane that adds capacity that is operated
1.19 temporarily as a general purpose or auxiliary lane until the commissioner converts the
1.20 lane to a high-occupancy toll lane, and (5) any general purpose or auxiliary lane that the
1.21 commissioner converts to a high-occupancy toll lane, except that the commissioner may
1.22 convert a general purpose lane only after adding capacity in the same segment of highway
1.23 if that segment of highway has been designated pursuant to section 160.93 as a MnPASS
1.24 corridor in the department's metro district highway investment plan.

2.1 Sec. 2. Minnesota Statutes 2010, section 160.93, subdivision 1, is amended to read:

2.2 Subdivision 1. **Fees authorized.** To improve efficiency and provide more options
 2.3 to individuals traveling in a trunk highway corridor, the commissioner of transportation
 2.4 may charge user fees to owners or operators of single-occupant vehicles using dynamic
 2.5 shoulder lanes as designated by the commissioner ~~and~~, any designated high-occupancy
 2.6 vehicle lanes, and any other high-occupancy toll lanes. The fees may be collected using
 2.7 electronic or other toll-collection methods and may vary in amount with the time of day
 2.8 and level of traffic congestion within the corridor. The commissioner shall consult with
 2.9 the Metropolitan Council and obtain necessary federal authorizations before implementing
 2.10 user fees on a high-occupancy vehicle lane or dynamic shoulder lane. Fees under this
 2.11 section are not subject to section 16A.1283.

2.12 Sec. 3. Minnesota Statutes 2010, section 160.93, subdivision 2, is amended to read:

2.13 Subd. 2. **Deposit of revenues; appropriation.** (a) ~~Except as provided in subdivision~~
 2.14 ~~2a,~~ Money collected from fees authorized under subdivision 1 must be deposited in a
 2.15 high-occupancy vehicle lane user fee account in the special revenue fund. ~~A separate~~
 2.16 ~~account must be established for each trunk highway corridor.~~ Money in the account is
 2.17 appropriated to the commissioner.

2.18 (b) From this appropriation the commissioner shall ~~first repay the trunk highway~~
 2.19 ~~fund and any other fund source for money spent to install, equip, or modify the corridor~~
 2.20 ~~for the purposes of subdivision 1, and then shall pay all the costs of implementing and~~
 2.21 ~~for administering and operating the fee collection system for that corridor, including~~
 2.22 payments for operating the fee collection system, and for maintaining and operating
 2.23 tolling and related equipment.

2.24 (c) The commissioner shall spend remaining money in the account as follows:

2.25 (1) one-half must be spent for transportation capital improvements ~~within the~~
 2.26 ~~corridor,~~ including the replacement of tolling and related equipment; and

2.27 (2) one-half must be transferred to the Metropolitan Council for expansion and
 2.28 improvement of bus transit services ~~within the corridor beyond the level of service~~
 2.29 ~~provided on the date of implementation of subdivision 1.~~

2.30 Sec. 4. **REPEALER.**

2.31 Minnesota Statutes 2010, section 160.93, subdivision 2a, is repealed.