

1.1 CONFERENCE COMMITTEE REPORT ON H. F. No. 928

1.2 A bill for an act

1.3 relating to transportation; modifying various provisions related to transportation
1.4 or public safety; prohibiting certain acts; amending Minnesota Statutes 2008,
1.5 sections 161.14, subdivision 62, as added, by adding subdivisions; 168.33,
1.6 subdivision 2; 169.011, by adding a subdivision; 169.045; 169.15; 169.306;
1.7 169.71, subdivision 1; 171.12, subdivision 6; 174.86, subdivision 5; 221.012,
1.8 subdivision 38, by adding a subdivision; 221.0252, by adding a subdivision;
1.9 473.167, subdivision 2a; Laws 2008, chapter 287, article 1, section 122;
1.10 proposing coding for new law in Minnesota Statutes, chapters 160; 171; 174;
1.11 299C.

1.12 May 15, 2009

1.13 The Honorable Margaret Anderson Kelliher
1.14 Speaker of the House of Representatives

1.15 The Honorable James P. Metzen
1.16 President of the Senate

1.17 We, the undersigned conferees for H. F. No. 928 report that we have agreed upon the
1.18 items in dispute and recommend as follows:

1.19 That the Senate recede from its amendments and that H. F. No. 928 be further
1.20 amended as follows:

1.21 Delete everything after the enacting clause and insert:

1.22 "Section 1. Minnesota Statutes 2008, section 160.165, as added by Laws 2009, chapter
1.23 36, article 3, section 2, is amended to read:

1.24 **160.165 MITIGATION OF TRANSPORTATION CONSTRUCTION**
1.25 **IMPACTS ON BUSINESS.**

1.26 Subdivision 1. **Definitions.** For the purposes of this section, the following terms
1.27 have the meanings given:

1.28 (1) "project" means construction work to maintain, construct, reconstruct, or
1.29 improve a street or highway or for a rail transit project;

2.1 (2) "substantial business impacts" means impairment of road access, parking, or
2.2 visibility for one or more business establishments as a result of a project, for a minimum
2.3 period of one month; and

2.4 (3) "transportation authority" means the commissioner, as to trunk highways; the
2.5 county board, as to county state-aid highways and county highways; the town board, as to
2.6 town roads; ~~and~~ statutory or home rule charter cities, as to city streets; the Metropolitan
2.7 Council, for rail transit projects located entirely within the metropolitan area as defined in
2.8 section 473.121, subdivision 2; and the commissioner, for all other rail transit projects.

2.9 Subd. 2. **Business liaison.** (a) Before beginning construction work on a project,
2.10 a transportation authority shall identify whether the project is anticipated to include
2.11 substantial business impacts. For such projects, the transportation authority shall designate
2.12 an individual to serve as business liaison between the transportation authority and affected
2.13 businesses.

2.14 (b) The business liaison shall consult with affected businesses before and
2.15 during construction to investigate means of mitigating project impacts to businesses.
2.16 The mitigation considered must include signage. The business liaison shall provide
2.17 information to the identified businesses before and during construction, concerning project
2.18 duration and timetables, lane and road closures, detours, access impacts, customer parking
2.19 impacts, visibility, noise, dust, vibration, and public participation opportunities.

2.20 Subd. 3. **Exception.** This section does not apply to construction work in connection
2.21 with the Central Corridor light rail or transit line that will connect downtown Minneapolis
2.22 and downtown St. Paul.

2.23 **EFFECTIVE DATE.** Subdivision 1 is effective July 1, 2011. Subdivision 3 is
2.24 effective July 1, 2009.

2.25 Sec. 2. **[160.2755] PROHIBITED ACTIVITIES AT REST AREAS.**

2.26 Subdivision 1. **Prohibited activities.** It is unlawful at rest areas to:

2.27 (1) dispose of travel-related trash and rubbish, except if depositing it in a designated
2.28 receptacle;

2.29 (2) dump household or commercial trash and rubbish into containers or anywhere
2.30 else on site;

2.31 (3) drain or dump refuse or waste from any trailer, recreational vehicle, or other
2.32 vehicle except where receptacles are provided and designated to receive the refuse or
2.33 waste;

2.34 (4) stop and park continuously for a period in excess of six hours, except for:

2.35 (i) commercial motor vehicle operators as provided for under section 160.2721; and

- 3.1 (ii) employees on duty at the rest area;
- 3.2 (5) pitch tents or sleep overnight outside a vehicle; or
- 3.3 (6) allow a motor vehicle to remain unattended when no member of a party or group
- 3.4 traveling in association with the motor vehicle or trailer is present at the rest area.

3.5 Subd. 2. **Penalty.** Violation of this section is a petty misdemeanor.

3.6 **EFFECTIVE DATE.** This section is effective August 1, 2009, and applies to acts

3.7 committed on or after that date.

3.8 Sec. 3. Minnesota Statutes 2008, section 161.14, subdivision 62, as added by Laws

3.9 2009, chapter 18, section 1, is amended to read:

3.10 Subd. 62. **Clearwater County Veterans Memorial Highway.** (a) The following

3.11 described route is designated the "Clearwater County Veterans Memorial Highway": that

3.12 portion of Legislative Route No. 168, marked on the effective date of this section as Trunk

3.13 Highway 200, from its intersection with Clearwater County State-Aid Highway ~~37~~ 39 to

3.14 its intersection with Legislative Route No. 169, marked on the effective date of this

3.15 section as Trunk Highway 92; and that portion of Route No. 169 to its intersection with

3.16 Clearwater County State-Aid Highway 5.

3.17 (b) The commissioner shall adopt a suitable marking design to mark this highway

3.18 and erect appropriate signs, subject to section 161.139.

3.19 Sec. 4. Minnesota Statutes 2008, section 161.14, is amended by adding a subdivision

3.20 to read:

3.21 Subd. 64. **Veterans Memorial Highway.** Legislative Route No. 31, signed as

3.22 Trunk Highway 200 as of the effective date of this section, from the border with North

3.23 Dakota to the city of Mahnomen, is designated as the "Veterans Memorial Highway." The

3.24 commissioner shall adopt a suitable design to mark this highway and erect appropriate

3.25 signs, subject to section 161.139.

3.26 Sec. 5. Minnesota Statutes 2008, section 161.14, is amended by adding a subdivision

3.27 to read:

3.28 Subd. 65. **Becker County Veterans Memorial Highway.** Marked Trunk Highway

3.29 34, from its intersection with Washington Avenue in Detroit Lakes to its intersection with

3.30 County State-Aid Highway 39; and marked Trunk Highway 87, from its intersection

3.31 with County State-Aid Highway 33 to its intersection with County State-Aid Highway

3.32 39, is named and designated the "Becker County Veterans Memorial Highway." Subject

3.33 to section 161.139, the commissioner shall adopt a suitable marking design to mark this

3.34 highway and erect appropriate signs.

4.1 Sec. 6. Minnesota Statutes 2008, section 161.14, is amended by adding a subdivision
4.2 to read:

4.3 Subd. 66. Granite City Crossing. The bridge over the Mississippi River on marked
4.4 Trunk Highway 23 in St. Cloud is designated "Granite City Crossing." The commissioner
4.5 of transportation shall adopt a suitable design to mark this bridge and erect appropriate
4.6 signs, subject to section 161.139.

4.7 Sec. 7. Minnesota Statutes 2008, section 165.14, subdivision 4, is amended to read:

4.8 Subd. 4. **Prioritization of bridge projects.** (a) The commissioner shall classify all
4.9 bridges in the program into tier 1, 2, or 3 bridges, where tier 1 is the highest tier. Unless
4.10 the commissioner identifies a reason for proceeding otherwise, before commencing bridge
4.11 projects in a lower tier, all bridge projects within a higher tier must to the extent feasible
4.12 be selected and funded in the approved state transportation improvement program, at
4.13 any stage in the project development process, solicited for bids, in contract negotiation,
4.14 under construction, or completed.

4.15 (b) The classification of each tier is as follows:

4.16 (1) tier 1 consists of any bridge in the program that (i) has an average daily traffic
4.17 count that is above 1,000 and has a sufficiency rating that is at or below 50, or (ii) is
4.18 identified by the commissioner as a priority project;

4.19 (2) tier 2 consists of any bridge that is not a tier 1 bridge, and (i) is classified as
4.20 fracture-critical, or (ii) has a sufficiency rating that is at or below 80; and

4.21 (3) tier 3 consists of any other bridge in the program that is not a tier 1 or tier 2 bridge.

4.22 (c) By June 30, 2018, all tier 1 and tier 2 bridges originally included in the program
4.23 must be under contract for repair or replacement with a new bridge that contains a
4.24 load-path-redundant design, except that a specific bridge may remain in continued service
4.25 if the reasons are documented in the report required under subdivision 5.

4.26 (d) All bridge projects funded under this section in fiscal year 2010 or later must
4.27 include bicycle and pedestrian accommodations if both sides of the bridge are located in a
4.28 city or the bridge links a pedestrian way, shared-use path, trail, or scenic bikeway.

4.29 Bicycle and pedestrian accommodations would not be required if:

4.30 (1) a comprehensive assessment demonstrates that there is an absence of need for
4.31 bicycle and pedestrian accommodations for the life of the bridge; or

4.32 (2) there is a reasonable alternative bicycle and pedestrian crossing within
4.33 one-quarter mile of the bridge project.

4.34 All bicycle and pedestrian accommodations should enable a connection to any existing
4.35 bicycle and pedestrian infrastructure in close proximity to the bridge. All pedestrian

5.1 facilities must meet or exceed federal accessibility requirements as outlined in Title II of
5.2 the Americans with Disabilities Act, codified in United States Code, title 42, chapter
5.3 126, subchapter II, and Section 504 of the Rehabilitation Act of 1973, codified in United
5.4 States Code, title 29, section 794.

5.5 (e) The commissioner shall establish criteria for determining the priority of bridge
5.6 projects within each tier, and must include safety considerations as a criterion.

5.7 Sec. 8. Minnesota Statutes 2008, section 165.14, subdivision 5, is amended to read:

5.8 Subd. 5. **Statewide transportation planning report.** In conjunction with each
5.9 update to the Minnesota statewide transportation plan, or at least every six years, the
5.10 commissioner shall submit a report to the chairs and ranking minority members of the
5.11 house of representatives and senate committees with jurisdiction over transportation
5.12 finance. The report must include:

5.13 (1) an explanation of the criteria and decision-making processes used to prioritize
5.14 bridge projects;

5.15 (2) a historical and projected analysis of the extent to which all trunk highway
5.16 bridges meet bridge performance targets and comply with the accessibility requirements
5.17 of Title II of the Americans with Disabilities Act;

5.18 (3) a summary of bridge projects (i) completed in the previous six years or since the
5.19 last update to the Minnesota statewide transportation plan, and (ii) currently in progress
5.20 under the program;

5.21 (4) a summary of bridge projects scheduled in the next four fiscal years and included
5.22 in the state transportation improvement program;

5.23 (5) a projection of annual needs over the next 20 years;

5.24 (6) a calculation of funding necessary to meet the completion date under subdivision
5.25 4, paragraph (c), compared to the total amount of bridge-related funding available; and

5.26 (7) for any tier 1 fracture-critical bridge that is repaired but not replaced, an
5.27 explanation of the reasons for repair instead of replacement.

5.28 Sec. 9. Minnesota Statutes 2008, section 168.33, subdivision 2, is amended to read:

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

6.1 (b) The commissioner may appoint, and for cause discontinue, a deputy registrar
6.2 for any statutory or home rule charter city as the public interest and convenience may
6.3 require, if the auditor for the county in which the city is situated chooses not to accept
6.4 appointment as the deputy registrar for the county or is discontinued as a deputy registrar,
6.5 or if the county in which the city is situated has not established a county license bureau
6.6 that issues motor vehicle licenses as provided in section 373.32. The individual appointed
6.7 by the commissioner as a deputy registrar for any statutory or home rule charter city must
6.8 be a resident of the county in which the city is situated.

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

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

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

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

6.23 (g) ~~Until January 1, 2012,~~ A corporation governed by chapter 302A may be
6.24 appointed a deputy registrar. Upon application by an individual serving as a deputy
6.25 registrar and the giving of the requisite bond as provided in this subdivision, personally
6.26 assured by the individual or another individual approved by the commissioner, a
6.27 corporation named in an application then becomes the duly appointed and qualified
6.28 successor to the deputy registrar. ~~The appointment of any corporation as a deputy registrar~~
6.29 ~~expires January 1, 2012. The commissioner shall appoint an individual as successor to~~
6.30 ~~the corporation as a deputy registrar. The commissioner shall appoint as the successor~~
6.31 ~~agent to a corporation whose appointment expires under this paragraph an officer of the~~
6.32 ~~corporation if the officer applies for appointment before July 1, 2012.~~

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

7.1 (i) The deputy registrar shall keep records and make reports to the commissioner as
7.2 the commissioner requires. The records must be maintained at the offices of the deputy
7.3 registrar. The records and offices of the deputy registrar must at all times be open to the
7.4 inspection of the commissioner or the commissioner's agents. The deputy registrar shall
7.5 report to the commissioner by the next working day following receipt all registrations
7.6 made and taxes and fees collected by the deputy registrar.

7.7 (j) The filing fee imposed under subdivision 7 must be deposited in the treasury of
7.8 the place for which appointed or, if not a public official, a deputy shall retain the filing
7.9 fee, but the registration tax and any additional fees for delayed registration the deputy
7.10 registrar has collected the deputy registrar shall deposit by the next working day following
7.11 receipt in an approved state depository to the credit of the state through the commissioner
7.12 of finance. The place for which the deputy registrar is appointed through its governing
7.13 body must provide the deputy registrar with facilities and personnel to carry out the duties
7.14 imposed by this subdivision if the deputy is a public official. In all other cases, the deputy
7.15 shall maintain a suitable facility for serving the public.

7.16 Sec. 10. Minnesota Statutes 2008, section 168.33, subdivision 7, is amended to read:

7.17 Subd. 7. **Filing fees; allocations.** (a) In addition to all other statutory fees and
7.18 taxes, a filing fee of:

7.19 (1) \$4.50 is imposed on every vehicle registration renewal, excluding pro rate
7.20 transactions; and

7.21 (2) \$8.50 is imposed on every other type of vehicle transaction, including pro rate
7.22 transactions;

7.23 except that a filing fee may not be charged for a document returned for a refund or for
7.24 a correction of an error made by the Department of Public Safety, a dealer, or a deputy
7.25 registrar. The filing fee must be shown as a separate item on all registration renewal
7.26 notices sent out by the commissioner. No filing fee or other fee may be charged for the
7.27 permanent surrender of a title for a vehicle.

7.28 (b) The statutory fees and taxes, and the filing fees imposed under paragraph (a)
7.29 may be paid by credit card or debit card. The deputy registrar may collect a surcharge
7.30 on the statutory fees, taxes, and filing fee not greater than the cost of processing a credit
7.31 card or debit card transaction, in accordance with emergency rules established by the
7.32 commissioner of public safety. The surcharge must be used to pay the cost of processing
7.33 credit and debit card transactions.

7.34 (c) All of the fees collected under paragraph (a), clause (1), by the department, must
7.35 be paid into the vehicle services operating account in the special revenue fund under
7.36 section 299A.705. Of the fee collected under paragraph (a), clause (2), by the department,

8.1 \$3.50 must be paid into the general fund with the remainder deposited into the vehicle
8.2 services operating account in the special revenue fund under section 299A.705.

8.3 **EFFECTIVE DATE.** This section is effective for fees collected on and after August
8.4 1, 2009.

8.5 Sec. 11. Minnesota Statutes 2008, section 168B.06, subdivision 1, is amended to read:

8.6 Subdivision 1. **Written notice of impound.** (a) When an impounded vehicle is
8.7 taken into custody, the unit of government or impound lot operator taking it into custody
8.8 shall give written notice of the taking within five days to the registered vehicle owner
8.9 and any lienholders.

8.10 (b) The notice must:

8.11 (1) set forth the date and place of the taking;

8.12 (2) provide the year, make, model, and serial number of the impounded motor
8.13 vehicle, if such information can be reasonably obtained, and the place where the vehicle
8.14 is being held;

8.15 (3) inform the owner and any lienholders of their right to reclaim the vehicle under
8.16 section 168B.07;

8.17 (4) state that failure of the owner or lienholders to:

8.18 (i) exercise their right to reclaim the vehicle within the appropriate time allowed
8.19 under section 168B.051, subdivision 1, 1a, or 2, and under the conditions set forth in
8.20 section 168B.07, subdivision 1, constitutes a waiver by them of all right, title, and interest
8.21 in the vehicle and a consent to the transfer of title to and disposal or sale of the vehicle
8.22 pursuant to section 168B.08; or

8.23 (ii) exercise their right to reclaim the contents of the vehicle within the appropriate
8.24 time allowed and under the conditions set forth in section 168B.07, subdivision 3,
8.25 constitutes a waiver by them of all right, title, and interest in the contents and consent to
8.26 sell or dispose of the contents under section 168B.08; and

8.27 (5) state that a vehicle owner who provides to the impound lot operator
8.28 documentation from a government or nonprofit agency or legal aid office that the owner
8.29 is homeless, receives relief based on need, or is eligible for legal aid services, ~~or has a~~
8.30 ~~household income at or below 50 percent of state median income~~ has the unencumbered
8.31 right to retrieve any and all contents without charge.

8.32 Sec. 12. Minnesota Statutes 2008, section 168B.07, subdivision 3, is amended to read:

8.33 Subd. 3. **Retrieval of contents.** (a) For purposes of this subdivision:

9.1 (1) "contents" does not include any permanently affixed mechanical or
9.2 nonmechanical automobile parts; automobile body parts; or automobile accessories,
9.3 including audio or video players; and

9.4 (2) "relief based on need" includes, but is not limited to, receipt of MFIP
9.5 and Diversionary Work Program, medical assistance, general assistance, general
9.6 assistance medical care, emergency general assistance, Minnesota supplemental aid,
9.7 MSA-emergency assistance, MinnesotaCare, Supplemental Security Income, energy
9.8 assistance, emergency assistance, food stamps, earned income tax credit, or Minnesota
9.9 working family tax credit.

9.10 (b) A unit of government or impound lot operator shall establish reasonable
9.11 procedures for retrieval of vehicle contents, and may establish reasonable procedures to
9.12 protect the safety and security of the impound lot and its personnel.

9.13 (c) At any time before the expiration of the waiting periods provided in section
9.14 168B.051, a registered owner who provides documentation from a government or
9.15 nonprofit agency or legal aid office that the registered owner is homeless, receives relief
9.16 based on need, or is eligible for legal aid services, ~~or has a household income at or below~~
9.17 ~~50 percent of state median income~~ has the unencumbered right to retrieve any and all
9.18 contents without charge and regardless of whether the registered owner pays incurred
9.19 charges or fees, transfers title, or reclaims the vehicle.

9.20 Sec. 13. Minnesota Statutes 2008, section 169.011, is amended by adding a subdivision
9.21 to read:

9.22 Subd. 40a. **Mini truck.** (a) "Mini truck" means a motor vehicle that has four
9.23 wheels; is propelled by an electric motor with a rated power of 7,500 watts or less or an
9.24 internal combustion engine with a piston displacement capacity of 660 cubic centimeters
9.25 or less; has a total dry weight of 900 to 2,200 pounds; contains an enclosed cabin and a
9.26 seat for the vehicle operator; commonly resembles a pickup truck or van, including a cargo
9.27 area or bed located at the rear of the vehicle; and was not originally manufactured to meet
9.28 federal motor vehicle safety standards required of motor vehicles in the Code of Federal
9.29 Regulations, title 49, sections 571.101 to 571.404, and successor requirements.

9.30 (b) A mini truck does not include:

9.31 (1) a neighborhood electric vehicle or a medium-speed electric vehicle; or

9.32 (2) a motor vehicle that meets or exceeds the regulations in the Code of Federal
9.33 Regulations, title 49, section 571.500, and successor requirements.

9.34 Sec. 14. Minnesota Statutes 2008, section 169.041, subdivision 5, is amended to read:

10.1 Subd. 5. **Towing prohibited.** ~~Unless the vehicle is described in subdivision 4,~~ (a) A
10.2 towing authority may not tow a motor vehicle because:

10.3 (1) the vehicle has expired registration tabs that have been expired for less than
10.4 90 days; or

10.5 (2) the vehicle is at a parking meter on which the time has expired and the vehicle
10.6 has fewer than five unpaid parking tickets.

10.7 (b) A towing authority may tow a motor vehicle, notwithstanding paragraph (a), if:

10.8 (1) the vehicle is parked in violation of snow emergency regulations;

10.9 (2) the vehicle is parked in a rush-hour restricted parking area;

10.10 (3) the vehicle is blocking a driveway, alley, or fire hydrant;

10.11 (4) the vehicle is parked in a bus lane, or at a bus stop, during hours when parking
10.12 is prohibited;

10.13 (5) the vehicle is parked within 30 feet of a stop sign and visually blocking the
10.14 stop sign;

10.15 (6) the vehicle is parked in a disability transfer zone or disability parking space
10.16 without a disability parking certificate or disability license plates;

10.17 (7) the vehicle is parked in an area that has been posted for temporary restricted
10.18 parking (A) at least 12 hours in advance in a home rule charter or statutory city having
10.19 a population under 50,000, or (B) at least 24 hours in advance in another political
10.20 subdivision;

10.21 (8) the vehicle is parked within the right-of-way of a controlled-access highway or
10.22 within the traveled portion of a public street when travel is allowed there;

10.23 (9) the vehicle is unlawfully parked in a zone that is restricted by posted signs to
10.24 use by fire, police, public safety, or emergency vehicles;

10.25 (10) the vehicle is unlawfully parked on property at the Minneapolis-St. Paul
10.26 International Airport owned by the Metropolitan Airports Commission;

10.27 (11) a law enforcement official has probable cause to believe that the vehicle is
10.28 stolen, or that the vehicle constitutes or contains evidence of a crime and impoundment is
10.29 reasonably necessary to obtain or preserve the evidence;

10.30 (12) the driver, operator, or person in physical control of the vehicle is taken into
10.31 custody and the vehicle is impounded for safekeeping;

10.32 (13) a law enforcement official has probable cause to believe that the owner,
10.33 operator, or person in physical control of the vehicle has failed to respond to five or more
10.34 citations for parking or traffic offenses;

10.35 (14) the vehicle is unlawfully parked in a zone that is restricted by posted signs
10.36 to use by taxicabs;

11.1 (15) the vehicle is unlawfully parked and prevents egress by a lawfully parked
11.2 vehicle;

11.3 (16) the vehicle is parked, on a school day during prohibited hours, in a school zone
11.4 on a public street where official signs prohibit parking; or

11.5 (17) the vehicle is a junk, abandoned, or unauthorized vehicle, as defined in section
11.6 168B.011, and subject to immediate removal under chapter 168B.

11.7 Sec. 15. Minnesota Statutes 2008, section 169.045, is amended to read:

11.8 **169.045 SPECIAL VEHICLE USE ON ROADWAY.**

11.9 Subdivision 1. **Designation of roadway, permit.** The governing body of any
11.10 county, home rule charter or statutory city, or town may by ordinance authorize the
11.11 operation of motorized golf carts, ~~or~~ four-wheel all-terrain vehicles, or mini trucks, on
11.12 designated roadways or portions thereof under its jurisdiction. Authorization to operate
11.13 a motorized golf cart ~~or~~ four-wheel all-terrain vehicle, or mini truck is by permit only.
11.14 For purposes of this section, a four-wheel all-terrain vehicle is a motorized flotation-tired
11.15 vehicle with four low-pressure tires that is limited in engine displacement of less than 800
11.16 cubic centimeters and total dry weight less than 600 pounds, and a mini truck has the
11.17 meaning given in section 169.011, subdivision 40a.

11.18 Subd. 2. **Ordinance.** The ordinance shall designate the roadways, prescribe the
11.19 form of the application for the permit, require evidence of insurance complying with the
11.20 provisions of section 65B.48, subdivision 5 and may prescribe conditions, not inconsistent
11.21 with the provisions of this section, under which a permit may be granted. Permits may
11.22 be granted for a period of not to exceed one year, and may be annually renewed. A
11.23 permit may be revoked at any time if there is evidence that the permittee cannot safely
11.24 operate the motorized golf cart ~~or~~ four-wheel all-terrain vehicle, or mini truck on the
11.25 designated roadways. The ordinance may require, as a condition to obtaining a permit,
11.26 that the applicant submit a certificate signed by a physician that the applicant is able to
11.27 safely operate a motorized golf cart ~~or~~ four-wheel all-terrain vehicle, or mini truck on
11.28 the roadways designated.

11.29 Subd. 3. **Times of operation.** Motorized golf carts and four-wheel all-terrain
11.30 vehicles may only be operated on designated roadways from sunrise to sunset. They shall
11.31 not be operated in inclement weather or when visibility is impaired by weather, smoke, fog
11.32 or other conditions, or at any time when there is insufficient light to clearly see persons
11.33 and vehicles on the roadway at a distance of 500 feet.

12.1 Subd. 4. **Slow-moving vehicle emblem.** Motorized golf carts shall display
12.2 the slow-moving vehicle emblem provided for in section 169.522, when operated on
12.3 designated roadways.

12.4 Subd. 5. **Crossing intersecting highways.** The operator, under permit, of a
12.5 motorized golf cart ~~or~~ four-wheel all-terrain vehicle, or mini truck may cross any street or
12.6 highway intersecting a designated roadway.

12.7 Subd. 6. **Application of traffic laws.** Every person operating a motorized golf cart
12.8 ~~or~~ four-wheel all-terrain vehicle, or mini truck under permit on designated roadways has
12.9 all the rights and duties applicable to the driver of any other vehicle under the provisions
12.10 of this chapter, except when those provisions cannot reasonably be applied to motorized
12.11 golf carts ~~or~~ four-wheel all-terrain vehicles, or mini trucks and except as otherwise
12.12 specifically provided in subdivision 7.

12.13 Subd. 7. **Nonapplication of certain laws.** The provisions of chapter 171 are
12.14 applicable to persons operating mini trucks, but are not applicable to persons operating
12.15 motorized golf carts or four-wheel all-terrain vehicles under permit on designated
12.16 roadways pursuant to this section. Except for the requirements of section 169.70, the
12.17 provisions of this chapter relating to equipment on vehicles ~~is~~ are not applicable to
12.18 motorized golf carts or four-wheel all-terrain vehicles operating, under permit, on
12.19 designated roadways.

12.20 Subd. 8. **Insurance.** In the event persons operating a motorized golf cart ~~or~~
12.21 four-wheel, all-terrain vehicle, or mini truck under this section cannot obtain liability
12.22 insurance in the private market, that person may purchase automobile insurance, including
12.23 no-fault coverage, from the Minnesota Automobile ~~Assigned Risk~~ Insurance Plan under
12.24 sections 65B.01 to 65B.12 at a rate to be determined by the commissioner of commerce.

12.25 Sec. 16. Minnesota Statutes 2008, section 169.045, is amended by adding a subdivision
12.26 to read:

12.27 Subd. 7a. **Required equipment on mini trucks.** Notwithstanding sections 169.48
12.28 to 169.68, or any other law, a mini truck may be operated under permit on designated
12.29 roadways if it is equipped with:

12.30 (1) at least two headlamps;

12.31 (2) at least two taillamps;

12.32 (3) front and rear turn-signal lamps;

12.33 (4) an exterior mirror mounted on the driver's side of the vehicle and either (i) an
12.34 exterior mirror mounted on the passenger's side of the vehicle or (ii) an interior mirror;

12.35 (5) a windshield;

13.1 (6) a seat belt for the driver and front passenger; and

13.2 (7) a parking brake.

13.3 Sec. 17. Minnesota Statutes 2008, section 169.15, is amended to read:

13.4 **169.15 IMPEDING TRAFFIC; INTERSECTION GRIDLOCK.**

13.5 Subdivision 1. Impeding traffic; drive at slow speed. No person shall drive a
13.6 motor vehicle at such a slow speed as to impede or block the normal and reasonable
13.7 movement of traffic except when reduced speed is necessary for safe operation or in
13.8 compliance with law or except when the vehicle is temporarily unable to maintain a greater
13.9 speed due to a combination of the weight of the vehicle and the grade of the highway.

13.10 Subd. 2. Intersection gridlock; stop or block traffic. No driver of a motor
13.11 vehicle shall enter an intersection controlled by a signal light until the vehicle is able to
13.12 move completely through the intersection without impeding or blocking the subsequent
13.13 movement of cross traffic, unless such movement is at the direction of a city-authorized
13.14 traffic-control agent or a police officer or to facilitate passage of an authorized emergency
13.15 vehicle. A violation of this subdivision does not constitute grounds for suspension or
13.16 revocation of the violator's driver's license.

13.17 EFFECTIVE DATE. This section is effective January 1, 2010, and applies to acts
13.18 committed on or after that date.

13.19 Sec. 18. Minnesota Statutes 2008, section 169.306, is amended to read:

13.20 **169.306 USE OF SHOULDERS BY BUSES.**

13.21 (a) The commissioner of transportation ~~may~~ is authorized to permit the use by transit
13.22 buses and Metro Mobility buses of a shoulder, as designated by the commissioner, of a
13.23 freeway or expressway, as defined in section 160.02, ~~in the seven-county metropolitan~~
13.24 ~~area~~ in Minnesota.

13.25 (b) If the commissioner permits the use of a freeway or expressway shoulder by
13.26 transit buses, the commissioner shall ~~also~~ permit the use on that shoulder of a bus (1) with
13.27 a seating capacity of 40 passengers or more operated by a motor carrier of passengers,
13.28 as defined in section 221.012, subdivision 26, while operating in intrastate commerce or
13.29 (2) providing regular route transit service, as defined in section 174.22, subdivision 8, or
13.30 Metro Mobility services, and operated by or under contract with the Metropolitan Council,
13.31 a local transit authority, or a transit authority created by the legislature. Drivers of these
13.32 buses must have adequate training in the requirements of paragraph (c), as determined by
13.33 the commissioner.

14.1 (c) Buses authorized to use the shoulder under this section may be operated on the
14.2 shoulder only when main-line traffic speeds are less than 35 miles per hour. Drivers of
14.3 buses being operated on the shoulder may not exceed the speed of main-line traffic by
14.4 more than 15 miles per hour and may never exceed 35 miles per hour. Drivers of buses
14.5 being operated on the shoulder must yield to merging, entering, and exiting traffic and
14.6 must yield to other vehicles on the shoulder. Buses operated on the shoulder must be
14.7 registered with the Department of Transportation.

14.8 (d) For the purposes of this section, the term "Metro Mobility bus" means a motor
14.9 vehicle of not less than 20 feet in length engaged in providing special transportation
14.10 services under section 473.386 that is:

14.11 (1) operated by ~~the Metropolitan Council, or operated by~~ or under contract with a
14.12 public or private entity receiving financial assistance to provide transit services from the
14.13 Metropolitan Council or the commissioner of transportation; and

14.14 (2) authorized by the ~~council~~ commissioner to use freeway or expressway shoulders.

14.15 (e) This section does not apply to the operation of buses on dynamic shoulder lanes.

14.16 Sec. 19. Minnesota Statutes 2008, section 169.71, subdivision 1, as amended by Laws
14.17 2009, chapter 59, article 5, section 5, is amended to read:

14.18 Subdivision 1. **Prohibitions generally; exceptions.** (a) A person shall not drive or
14.19 operate any motor vehicle with:

14.20 (1) a windshield cracked or discolored to an extent to limit or obstruct proper vision;

14.21 (2) any objects suspended between the driver and the windshield, other than:

14.22 (i) sun visors;

14.23 (ii) rearview mirrors;

14.24 (iii) driver feedback and safety-monitoring equipment when mounted immediately
14.25 behind, slightly above, or slightly below the rearview mirror;

14.26 ~~(iii)~~ (iv) global positioning systems or navigation systems when mounted or located
14.27 near the bottommost portion of the windshield; and

14.28 ~~(iv)~~ (v) electronic toll collection devices; or

14.29 (3) any sign, poster, or other nontransparent material upon the front windshield,
14.30 sidewings, or side or rear windows of the vehicle, other than a certificate or other paper
14.31 required to be so displayed by law or authorized by the state director of the Division of
14.32 Emergency Management or the commissioner of public safety.

14.33 (b) Paragraph (a), clauses (2) and (3), do not apply to law enforcement vehicles.

14.34 (c) Paragraph (a), clause (2), does not apply to authorized emergency vehicles.

14.35 Sec. 20. Minnesota Statutes 2008, section 169.865, subdivision 1, is amended to read:

15.1 Subdivision 1. **Six-axle vehicles.** (a) A road authority may issue an annual permit
15.2 authorizing a vehicle or combination of vehicles with a total of six axles to haul raw or
15.3 unprocessed agricultural products and be operated with a gross vehicle weight of up to:

15.4 (1) 90,000 pounds; and

15.5 (2) 99,000 pounds during the period set by the commissioner under section 169.826,
15.6 subdivision 1.

15.7 (b) Notwithstanding subdivision ~~4~~ 3, paragraph (a), clause (4), a vehicle or
15.8 combination of vehicles operated under this subdivision and transporting only sealed
15.9 intermodal containers may be operated on an interstate highway if allowed by the United
15.10 States Department of Transportation.

15.11 (c) The fee for a permit issued under this subdivision is \$300.

15.12 **EFFECTIVE DATE.** This section is effective August 1, 2008.

15.13 Sec. 21. Minnesota Statutes 2008, section 169.87, is amended by adding a subdivision
15.14 to read:

15.15 Subd. 7. **Cargo tank vehicles.** (a) Weight restrictions imposed by the commissioner
15.16 under subdivisions 1 and 2 do not apply to cargo tank vehicles with two or three permanent
15.17 axles when delivering propane for heating or dyed fuel oil on seasonally weight-restricted
15.18 roads if the vehicle is loaded at no more than 50 percent capacity of the cargo tank.

15.19 (b) To be exempt from weight restrictions under paragraph (a), a cargo tank vehicle
15.20 used for propane must have an operating gauge on the cargo tank that shows the amount of
15.21 propane as a percent of capacity of the cargo tank. Documentation of the capacity of the
15.22 cargo tank must be available on the cargo tank or in the cab of the vehicle. For purposes of
15.23 this subdivision, propane weighs 4.2 pounds per gallon.

15.24 (c) To be exempt from weight restrictions under paragraph (a), a cargo tank vehicle
15.25 used for dyed fuel oil must utilize the forward two tank compartments and must carry
15.26 documentation of the empty weight of the cargo tank vehicle from a certified scale in the
15.27 cab of the vehicle. For purposes of this subdivision, dyed fuel oil weighs seven pounds
15.28 per gallon.

15.29 (d) To the extent practicable, cargo tank vehicles that are exempt from weight
15.30 restrictions under paragraph (a) shall complete deliveries on seasonally weight restricted
15.31 roads by 12:00 p.m. and before the last week of April.

15.32 Sec. 22. Minnesota Statutes 2008, section 169A.275, subdivision 7, as amended by
15.33 Laws 2009, chapter 29, section 1, is amended to read:

15.34 Subd. 7. **Exception.** (a) A judge is not required to sentence a person as provided
15.35 in this section if the judge requires the person as a condition of probation to drive only

16.1 motor vehicles equipped with an ignition interlock device meeting the standards described
16.2 in section 171.306.

16.3 (b) This subdivision expires July 1, 2011.

16.4 **EFFECTIVE DATE.** This section is effective July 1, 2009.

16.5 Sec. 23. Minnesota Statutes 2008, section 171.306, subdivision 1, as amended by Laws
16.6 2009, chapter 29, section 2, is amended to read:

16.7 Subdivision 1. **Pilot project established; reports.** The commissioner shall conduct
16.8 a statewide two-year ignition interlock device pilot project as provided in this section.
16.9 The pilot project must begin on July 1, 2009, and continue until June 30, 2011. The
16.10 commissioner shall submit a preliminary report by September 30, 2010, and a final report
16.11 by September 30, 2011, to the chairs and ranking minority members of the senate and
16.12 house of representatives committees having jurisdiction over criminal justice policy and
16.13 funding. The reports must evaluate the successes and failures of the pilot project, provide
16.14 information on participation rates, and make recommendations on continuing the project.

16.15 **EFFECTIVE DATE.** This section is effective July 1, 2009.

16.16 Sec. 24. Minnesota Statutes 2008, section 171.306, subdivision 3, as amended by Laws
16.17 2009, chapter 29, section 3, is amended to read:

16.18 Subd. 3. **Pilot project components.** (a) Under the pilot project, the commissioner
16.19 shall issue a driver's license to an individual whose driver's license has been revoked under
16.20 chapter 169A for an impaired driving incident if the person qualifies under this section and
16.21 agrees to all of the conditions of the project.

16.22 (b) The commissioner must denote the person's driver's license record to indicate the
16.23 person's participation in the program. The license must authorize the person to drive only
16.24 vehicles having functioning ignition interlock devices conforming with the requirements
16.25 of subdivision 2.

16.26 (c) Notwithstanding any statute or rule to the contrary, the commissioner has
16.27 authority to and shall determine the appropriate period for which a person participating in
16.28 the ignition interlock pilot program shall be subject to this program, and when the person
16.29 is eligible to be issued:

16.30 (1) a limited driver's license subject to the ignition interlock restriction;

16.31 (2) full driving privileges subject to the ignition interlock restriction; and

16.32 (3) a driver's license without an ignition interlock restriction.

16.33 (d) A person participating in this pilot project shall agree to participate in any
16.34 treatment recommended by a chemical use assessment.

17.1 (e) The commissioner shall determine guidelines for participation in the project.
17.2 A person participating in the project shall sign a written agreement accepting these
17.3 guidelines and agreeing to comply with them.

17.4 (f) It is a misdemeanor for a person who is licensed under this section for driving
17.5 a vehicle equipped with an ignition interlock device to drive, operate, or be in physical
17.6 control of a motor vehicle other than a vehicle properly equipped with an ignition
17.7 interlock device.

17.8 **EFFECTIVE DATE.** This section is effective July 1, 2009.

17.9 Sec. 25. Minnesota Statutes 2008, section 174.01, subdivision 1, is amended to read:

17.10 Subdivision 1. **Department created.** In order to provide ~~a balanced~~ an integrated
17.11 transportation system, including of aeronautics, highways, motor carriers, ports, public
17.12 transit, railroads, and pipelines, and including facilities for walking and bicycling, a
17.13 Department of Transportation is created. The department is the principal agency of the
17.14 state for development, implementation, administration, consolidation, and coordination of
17.15 state transportation policies, plans, and programs.

17.16 Sec. 26. Minnesota Statutes 2008, section 174.01, subdivision 2, is amended to read:

17.17 Subd. 2. **Transportation goals.** The goals of the state transportation system are
17.18 as follows:

17.19 (1) to ~~provide safe transportation~~ minimize fatalities and injuries for transportation
17.20 users throughout the state;

17.21 (2) to provide multimodal and intermodal transportation ~~that enhances mobility and~~
17.22 ~~economic development and provides access to all persons and businesses in Minnesota~~
17.23 ~~while ensuring that there is no~~ facilities and services to increase access for all persons and
17.24 businesses and to ensure economic well-being and quality of life without undue burden
17.25 placed on any community;

17.26 (3) to provide a reasonable travel time for commuters;

17.27 (4) to enhance economic development and provide for the economical, efficient, and
17.28 safe movement of goods to and from markets by rail, highway, and waterway;

17.29 (5) to encourage tourism by providing appropriate transportation to Minnesota
17.30 facilities designed to attract tourists and to enhance the appeal, through transportation
17.31 investments, of tourist destinations across the state;

17.32 (6) to provide transit services ~~throughout~~ to all counties in the state to meet the
17.33 needs of transit users;

18.1 (7) to promote ~~productivity~~ accountability through system ~~system~~ systematic management
18.2 of system performance and productivity through the utilization of technological
18.3 advancements;

18.4 (8) to maximize the long-term benefits received for each state transportation
18.5 investment;

18.6 (9) to provide for and prioritize funding for of transportation investments that, at a
18.7 minimum, preserves the transportation infrastructure ensures that the state's transportation
18.8 infrastructure is maintained in a state of good repair;

18.9 (10) to ensure that the planning and implementation of all modes of transportation
18.10 are consistent with the environmental and energy goals of the state;

18.11 (11) to promote and increase the use of high-occupancy vehicles and low-emission
18.12 vehicles;

18.13 (12) to provide an air transportation system sufficient to encourage economic growth
18.14 and allow all regions of the state the ability to participate in the global economy;

18.15 (13) to increase ~~transit~~ use of transit as a percentage of all trips statewide by giving
18.16 highest priority to the transportation modes with the greatest people-moving capacity and
18.17 lowest long-term economic and environmental cost;

18.18 (14) to promote and increase bicycling and walking as a percentage of all trips as an
18.19 energy-efficient, nonpolluting, and healthful form ~~healthful form~~ healthy forms of transportation;

18.20 (15) to reduce greenhouse gas emissions from the state's transportation sector; and

18.21 (16) to accomplish these goals with minimal impact on the environment.

18.22 Sec. 27. Minnesota Statutes 2008, section 174.02, subdivision 1a, is amended to read:

18.23 Subd. 1a. **Mission; efficiency; legislative report, recommendations.** It is part
18.24 of the department's mission that within the department's resources the commissioner
18.25 shall endeavor to:

18.26 (1) prevent the waste or unnecessary spending of public money;

18.27 (2) use innovative fiscal and human resource practices to manage the state's
18.28 resources and operate the department as efficiently as possible;

18.29 (3) minimize the degradation of air ~~and~~ water quality, and the climate, including
18.30 reduction in greenhouse gas emissions;

18.31 (4) coordinate the department's activities wherever appropriate with the activities
18.32 of other governmental agencies;

18.33 (5) use technology where appropriate to increase agency productivity, improve
18.34 customer service, increase public access to information about government, and increase
18.35 public participation in the business of government;

19.1 (6) utilize constructive and cooperative labor-management practices to the extent
19.2 otherwise required by chapters 43A and 179A;

19.3 (7) report to the legislature on the performance of agency operations and the
19.4 accomplishment of agency goals in the agency's biennial budget according to section
19.5 16A.10, subdivision 1; and

19.6 (8) recommend to the legislature appropriate changes in law necessary to carry out
19.7 the mission and improve the performance of the department.

19.8 Sec. 28. [174.285] MINNESOTA COUNCIL ON TRANSPORTATION ACCESS.

19.9 Subdivision 1. Council established. A Minnesota Council on Transportation
19.10 Access is established to study, evaluate, oversee, and make recommendations to improve
19.11 the coordination, availability, accessibility, efficiency, cost-effectiveness, and safety of
19.12 transportation services provided to the transit public. "Transit public" means those persons
19.13 who utilize public transit and those who, because of mental or physical disability, income
19.14 status, or age are unable to transport themselves and are dependent upon others for
19.15 transportation services.

19.16 Subd. 2. Duties of council. In order to accomplish the purposes in subdivision 1,
19.17 the council shall adopt a biennial work plan that must incorporate the following activities:

19.18 (1) compile information on existing transportation alternatives for the transit public,
19.19 and serve as a clearinghouse for information on services, funding sources, innovations,
19.20 and coordination efforts;

19.21 (2) identify best practices and strategies that have been successful in Minnesota and
19.22 in other states for coordination of local, regional, state, and federal funding and services;

19.23 (3) recommend statewide objectives for providing public transportation services
19.24 for the transit public;

19.25 (4) identify barriers prohibiting coordination and accessibility of public
19.26 transportation services and aggressively pursue the elimination of those barriers;

19.27 (5) recommend policies and procedures for coordinating local, regional, state, and
19.28 federal funding and services for the transit public;

19.29 (6) identify stakeholders in providing services for the transit public, and seek input
19.30 from them concerning barriers and appropriate strategies;

19.31 (7) recommend guidelines for developing transportation coordination plans
19.32 throughout the state;

19.33 (8) encourage all state agencies participating in the council to purchase trips within
19.34 the coordinated system;

- 20.1 (9) facilitate the creation and operation of transportation brokerages to match
20.2 riders to the appropriate service, promote shared dispatching, compile and disseminate
20.3 information on transportation options, and promote regional communication;
20.4 (10) encourage volunteer driver programs and recommend legislation to address
20.5 liability and insurance issues;
20.6 (11) recommend minimum performance standards for delivery of services;
20.7 (12) identify methods to eliminate fraud and abuse in special transportation services;
20.8 (13) develop a standard method for addressing liability insurance requirements for
20.9 transportation services purchased, provided, or coordinated;
20.10 (14) design and develop a contracting template for providing coordinated
20.11 transportation services;
20.12 (15) recommend an interagency uniform contracting and billing and accounting
20.13 system for providing coordinated transportation services;
20.14 (16) encourage the design and development of training programs for coordinated
20.15 transportation services;
20.16 (17) encourage the use of public school transportation vehicles for the transit public;
20.17 (18) develop an allocation methodology that equitably distributes transportation
20.18 funds to compensate units of government and all entities that provide coordinated
20.19 transportation services;
20.20 (19) identify policies and necessary legislation to facilitate vehicle sharing; and
20.21 (20) advocate aggressively for eliminating barriers to coordination, implementing
20.22 coordination strategies, enacting necessary legislation, and appropriating resources to
20.23 achieve the council's objectives.

- 20.24 Subd. 3. **Membership.** (a) The council is comprised of the following 17 members:
20.25 (1) two members of the senate appointed by the Subcommittee on Committees of the
20.26 Committee on Rules and Administration, one of whom must be a member of the minority;
20.27 (2) two members of the house of representatives, one appointed by the speaker of the
20.28 house and one appointed by the minority leader;
20.29 (3) one representative from the Office of the Governor;
20.30 (4) one representative from the Council on Disability;
20.31 (5) one representative from the Minnesota Public Transit Association;
20.32 (6) the commissioner of transportation or a designee;
20.33 (7) the commissioner of human services or a designee;
20.34 (8) the commissioner of health or a designee;
20.35 (9) the chair of the Metropolitan Council or a designee;
20.36 (10) the commissioner of education or a designee;

- 21.1 (11) the commissioner of veterans affairs or a designee;
- 21.2 (12) one representative from the Board on Aging;
- 21.3 (13) the commissioner of employment and economic development or a designee;
- 21.4 (14) the commissioner of commerce or a designee; and
- 21.5 (15) the commissioner of finance or a designee.

21.6 (b) All appointments required by paragraph (a) must be completed by August
21.7 1, 2009.

21.8 (c) The commissioner of transportation or a designee shall convene the first meeting
21.9 of the council within two weeks after the members have been appointed to the council.

21.10 The members shall elect a chairperson from their membership at the first meeting.

21.11 (d) The Department of Transportation and the Department of Human Services shall
21.12 provide necessary staff support for the council.

21.13 Subd. 4. **Report.** By January 15 of each year, beginning in 2011, the council shall
21.14 report its findings, recommendations, and activities to the governor's office and to the
21.15 chairs and ranking minority members of the legislative committees with jurisdiction
21.16 over transportation, health, and human services, and to the legislature as provided under
21.17 section 3.195.

21.18 Subd. 5. **Compensation.** Members of the council shall receive compensation and
21.19 reimbursement of expenses as provided in section 15.059, subdivision 3.

21.20 Subd. 6. **Expiration.** This section expires June 30, 2013.

21.21 Sec. 29. Minnesota Statutes 2009, section 174.632, as added by Laws 2009, chapter
21.22 36, article 3, section 16, is amended to read:

21.23 **174.632 PASSENGER RAIL; COMMISSIONER'S DUTIES.**

21.24 (a) The planning, design, development, construction, operation, and maintenance of
21.25 passenger rail track, facilities, and services are governmental functions, serve a public
21.26 purpose, and are a matter of public necessity.

21.27 (b) The commissioner is responsible for all aspects of planning, designing,
21.28 developing, constructing, equipping, operating, and maintaining passenger rail, including
21.29 system planning, alternatives analysis, environmental studies, preliminary engineering,
21.30 final design, construction, negotiating with railroads, and developing financial and
21.31 operating plans.

21.32 (c) The commissioner may enter into a memorandum of understanding or agreement
21.33 with a public or private entity, including a regional railroad authority, a joint powers board,
21.34 and a railroad, to carry out these activities.

22.1 (d) The commissioner shall preserve all railroad employee rights under the Railway
22.2 Labor Act, Federal Employers Liability Act, and Railroad Retirement and Unemployment
22.3 Insurance Act, and federal railroad safety, occupational safety, and health laws.

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

22.5 Sec. 30. Minnesota Statutes 2008, section 174.86, subdivision 5, is amended to read:

22.6 Subd. 5. **Commuter Rail Corridor Coordinating Committee.** (a) A Commuter
22.7 Rail Corridor Coordinating Committee ~~shall be~~ is established to advise the commissioner
22.8 on issues relating to the alternatives analysis, environmental review, advanced corridor
22.9 planning, preliminary engineering, final design, implementation method, construction of
22.10 commuter rail, public involvement, land use, service, and safety. The Commuter Rail
22.11 Corridor Coordinating Committee shall consist of:

22.12 (1) one member representing each significant funding partner in whose jurisdiction
22.13 the line or lines are located;

22.14 (2) one member appointed by each county in which the corridors are located;

22.15 (3) one member appointed by each city in which advanced corridor plans indicate
22.16 that a station may be located;

22.17 (4) two members appointed by the commissioner, one of whom shall be designated
22.18 by the commissioner as the chair of the committee;

22.19 (5) one member appointed by each metropolitan planning organization through
22.20 which the commuter rail line may pass; ~~and~~

22.21 (6) one member appointed by the president of the University of Minnesota, if a
22.22 designated corridor provides direct service to the university; and

22.23 (7) two ex-officio members who are members of labor organizations operating
22.24 in, and with authority for, trains or rail yards or stations junctioning with freight and
22.25 commuter rail lines on corridors, with one member appointed by the speaker of the house
22.26 and the other member appointed by the senate Rules and Administration Subcommittee
22.27 on Committees.

22.28 (b) A joint powers board existing on April 1, 1999, consisting of local governments
22.29 along a commuter rail corridor, shall perform the functions set forth in paragraph (a) in
22.30 place of the committee.

22.31 (c) Notwithstanding section 15.059, subdivision 5, the committee does not expire.

22.32 Sec. 31. Minnesota Statutes 2008, section 219.01, is amended to read:

22.33 **219.01 TRACK SAFETY STANDARDS; SAFETY TECHNOLOGY GRANTS.**

23.1 (a) The track safety standards of the United States Department of Transportation and
23.2 Federal Railroad Administration apply to railroad trackage and are the standards for the
23.3 determination of unsafe trackage within the state.

23.4 (b) The commissioner of transportation shall apply to the Federal Railroad
23.5 Administration under Public Law 110-432, the Railroad Safety Enhancement Act of
23.6 2008 (the act), for (1) railroad safety technology grant funding available under section
23.7 105 of the act and (2) development and installation of rail safety technology, including
23.8 provision for switch position indicator signals in nonsignalized main track territory,
23.9 under section 406 of the act. The commissioner shall respond and make application to
23.10 the Federal Railroad Administration notice of funds availability under the Rail Safety
23.11 Assurance Act in a timely manner and before the date of the program deadline to assure
23.12 full consideration of the application. The commissioner shall (i) prioritize grant requests
23.13 for the installation of switch indicator signals on all segments of nonsignalized track
23.14 where posted speeds are in excess of 20 miles per hour and (ii) apply for grant funding in
23.15 each year after 2009 until all nonsignalized track territory in the state has switch indicator
23.16 signals installed and in operation.

23.17 (c) Prior to applying for funds under paragraph (b), the commissioner shall solicit
23.18 grant requests from all eligible railroads. The commissioner shall submit written notice to
23.19 the chairs of the legislative committees with jurisdiction over transportation policy and
23.20 finance of an acceptance by a class I or class II railroad of federal grant program funding
23.21 for switch point indicator monitor systems.

23.22 (d) Participating railroads shall provide the 20 percent nonfederal match. Railroads
23.23 shall provide all technical documentation requested by the commissioner and required by
23.24 the Federal Railroad Administration for the applications under paragraph (b). Railroads
23.25 are responsible for developing, acquiring, and installing all rail safety technology obtained
23.26 under this section in accordance with requirements established by the Federal Railroad
23.27 Administration.

23.28 Sec. 32. Minnesota Statutes 2008, section 221.012, is amended by adding a subdivision
23.29 to read:

23.30 Subd. 27a. **Motor carrier of railroad employees.** "Motor carrier of railroad
23.31 employees" means a motor carrier engaged in the for-hire transportation of railroad
23.32 employees of a class I or II common carrier, as defined in Code of Federal Regulations,
23.33 title 49, part 1201, general instruction 1-1, under the terms of a contractual agreement with
23.34 a common carrier, as defined in section 218.011, subdivision 10.

23.35 Sec. 33. Minnesota Statutes 2008, section 221.012, subdivision 38, is amended to read:

24.1 Subd. 38. **Small vehicle passenger service.** (a) "Small vehicle passenger service"
24.2 means a service provided by a person engaged in the for-hire transportation of passengers
24.3 in a vehicle designed to transport seven or fewer persons, including the driver.

24.4 (b) In the metropolitan area as defined in section 473.121, subdivision 2, "small
24.5 vehicle passenger service" also includes for-hire transportation of persons who are certified
24.6 by the Metropolitan Council to use special transportation service provided under section
24.7 473.386, in a vehicle designed to transport not more than 15 persons including the driver,
24.8 that is equipped with a wheelchair lift and at least three wheelchair securement positions.

24.9 (c) "Small vehicle passenger service" does not include a motor carrier of railroad
24.10 employees.

24.11 Sec. 34. **[221.0255] MOTOR CARRIER OF RAILROAD EMPLOYEES.**

24.12 (a) A motor carrier of railroad employees must meet the requirements specified in
24.13 this section, is subject to section 221.291, and is otherwise exempt from the provisions
24.14 of this chapter.

24.15 (b) A vehicle operator for a motor carrier of railroad employees who transports
24.16 passengers must:

24.17 (1) have a valid driver's license under chapter 171; and

24.18 (2) submit to a physical examination.

24.19 (c) The carrier must implement a policy that provides for annual training and
24.20 certification of the operator in:

24.21 (1) safe operation of the vehicle transporting railroad employees;

24.22 (2) knowing and understanding relevant laws, rules of the road, and safety policies;

24.23 (3) handling emergency situations;

24.24 (4) proper use of seat belts;

24.25 (5) performance of pretrip and post-trip vehicle inspections, and inspection record
24.26 keeping; and

24.27 (6) proper maintenance of required records.

24.28 (d) The carrier must:

24.29 (1) perform a background check or background investigation of the operator;

24.30 (2) annually verify the operator's driver's license;

24.31 (3) document meeting the requirements in this subdivision, and maintain the file
24.32 at the carrier's business location;

24.33 (4) maintain liability insurance in a minimum amount of \$5,000,000 regardless
24.34 of the seating capacity of the vehicle; and

24.35 (5) maintain uninsured and underinsured coverage in a minimum amount of
24.36 \$1,000,000.

25.1 If a party contracts with the motor carrier on behalf of the railroad to transport the railroad
25.2 employees, then the insurance requirements may be satisfied by either that party or the
25.3 motor carrier, so long as the motor carrier is a named insured or additional insured under
25.4 any policy.

25.5 (e) A person who sustains a conviction of violating section 169A.25, 169A.26,
25.6 169A.27, or 169A.31, or whose driver's license is revoked under sections 169A.50 to
25.7 169A.53 of the implied consent law, or who is convicted of or has their driver's license
25.8 revoked under a similar statute or ordinance of another state, may not operate a vehicle
25.9 under this subdivision for five years from the date of conviction. A person who sustains a
25.10 conviction of a moving offense in violation of chapter 169 within three years of the first
25.11 of three other moving offenses may not operate a vehicle under this subdivision for one
25.12 year from the date of the last conviction. A person who has ever been convicted of a
25.13 disqualifying offense as defined in section 171.3215, subdivision 1, paragraph (c), may
25.14 not operate a vehicle under this subdivision.

25.15 (f) An operator who sustains a conviction as described in paragraph (e) while
25.16 employed by the carrier shall report the conviction to the carrier within ten days of the
25.17 date of the conviction.

25.18 (g) A carrier must implement a mandatory alcohol and controlled substance testing
25.19 program as provided under sections 181.950 to 181.957 that consists of preemployment
25.20 testing, post-accident testing, random testing, reasonable suspicion testing, return-to-duty
25.21 testing, and follow-up testing.

25.22 (h) A motor carrier of railroad employees shall not allow or require a driver to drive
25.23 or remain on duty for more than: ten hours after eight consecutive hours off duty; 15 hours
25.24 of combined on-duty time and drive time since last obtaining eight consecutive hours of
25.25 off-duty time; or 70 hours of on-duty and drive time in any period of eight consecutive
25.26 days. After 24 hours off duty, a driver begins a new seven consecutive day period and
25.27 on-duty time is reset to zero.

25.28 (i) An operator who encounters an emergency and cannot, because of that
25.29 emergency, safely complete a transportation assignment within the ten-hour maximum
25.30 driving time permitted under paragraph (h), may drive for not more than two additional
25.31 hours in order to complete that transportation assignment or to reach a place offering
25.32 safety for the occupants of the vehicle and security for the transport motor vehicle, if the
25.33 transportation assignment reasonably could have been completed within the ten-hour
25.34 period absent the emergency.

25.35 (j) A carrier shall maintain and retain for a period of six months accurate time
25.36 records that show the time the driver reports for duty each day; the total number of hours

26.1 of on-duty time for each driver for each day; the time the driver is released from duty each
26.2 day; and the total number of hours driven each day.

26.3 (k) For purposes of this subdivision, the following terms have the meanings given:

26.4 (1) "conviction" has the meaning given in section 609.02; and

26.5 (2) "on-duty time" means all time at a terminal, facility, or other property of a
26.6 contract carrier or on any public property waiting to be dispatched. "On-duty time"
26.7 includes time spent inspecting, servicing, or conditioning the vehicle.

26.8 **EFFECTIVE DATE.** Paragraph (d), clause (5), is effective July 1, 2010.

26.9 Sec. 35. Minnesota Statutes 2008, section 360.031, is amended to read:

26.10 **360.031 DEFINITION OF MUNICIPALITY.**

26.11 For the purposes of sections 360.031 to ~~360.045~~ 360.074, (except section 360.042),
26.12 "municipality" means any county, city, town, or airport authority of this state.

26.13 Sec. 36. Minnesota Statutes 2008, section 360.0425, is amended to read:

26.14 **360.0425 GENERAL POWERS OF AUTHORITY.**

26.15 An airport authority created under section 360.0426 has all the powers granted a
26.16 municipality under sections 360.032 to ~~360.046~~ 360.074.

26.17 Sec. 37. Minnesota Statutes 2008, section 473.167, subdivision 2a, is amended to read:

26.18 Subd. 2a. **Hardship Loans for acquisition and relocation.** (a) The council may
26.19 make ~~hardship~~ loans to acquiring authorities within the metropolitan area to purchase
26.20 homestead property located in a proposed state trunk highway right-of-way or project,
26.21 and to provide relocation assistance. Acquiring authorities are authorized to accept the
26.22 loans and to acquire the property. Except as provided in this subdivision, the loans shall
26.23 be made as provided in subdivision 2. Loans shall be in the amount of the fair market
26.24 value of the homestead property plus relocation costs and less salvage value. Before
26.25 construction of the highway begins, the acquiring authority shall convey the property to
26.26 the commissioner of transportation at the same price it paid, plus relocation costs and less
26.27 its salvage value. Acquisition and assistance under this subdivision must conform to
26.28 sections 117.50 to 117.56.

26.29 (b) The council may make ~~hardship~~ loans only when:

26.30 (1) the owner of affected homestead property requests acquisition and relocation
26.31 assistance from an acquiring authority;

26.32 (2) federal or state financial participation is not available;

26.33 (3) the owner is unable to sell the homestead property at its appraised market
26.34 value because the property is located in a proposed state trunk highway right-of-way or

27.1 project as indicated on an official map or plat adopted under section 160.085, 394.361, or
27.2 462.359; and

27.3 (4) the council agrees to and approves the fair market value of the homestead
27.4 property, which approval shall not be unreasonably withheld; and

27.5 ~~(5) the owner of the homestead property is burdened by circumstances that constitute~~
27.6 ~~a hardship, such as catastrophic medical expenses; a transfer of the homestead owner by~~
27.7 ~~the owner's employer to a distant site of employment; or inability of the owner to maintain~~
27.8 ~~the property due to physical or mental disability or the permanent departure of children~~
27.9 ~~from the homestead.~~

27.10 (c) For purposes of this subdivision, the following terms have the meanings given
27.11 them.

27.12 (1) "Acquiring authority" means counties, towns, and statutory and home rule
27.13 charter cities in the metropolitan area.

27.14 (2) "Homestead property" means a single-family dwelling occupied by the owner,
27.15 and the surrounding land, not exceeding a total of ten acres.

27.16 (3) "Salvage value" means the probable sale price of the dwelling and other property
27.17 that is severable from the land if offered for sale on the condition that it be removed from
27.18 the land at the buyer's expense, allowing a reasonable time to find a buyer with knowledge
27.19 of the possible uses of the property, including separate use of serviceable components and
27.20 scrap when there is no other reasonable prospect of sale.

27.21 Sec. 38. Minnesota Statutes 2008, section 473.411, subdivision 5, is amended to read:

27.22 Subd. 5. **Use of public roadways and appurtenances.** The council may use for the
27.23 purposes of sections 473.405 to 473.449 upon the conditions stated in this subdivision
27.24 any state highway or other public roadway, parkway, or lane, or any bridge or tunnel or
27.25 other appurtenance of a roadway, without payment of any compensation, provided the
27.26 use does not interfere unreasonably with the public use or maintenance of the roadway or
27.27 appurtenance or entail any substantial additional costs for maintenance. The provisions of
27.28 this subdivision do not apply to the property of any common carrier railroad or common
27.29 carrier railroads. The consent of the public agency in charge of such state highway or other
27.30 public highway or roadway or appurtenance is not required; except that if the council seeks
27.31 to use a designated parkway for regular route service in the city of Minneapolis, it must
27.32 obtain permission from and is subject to reasonable limitations imposed by a joint board
27.33 consisting of two representatives from the council, two members of the board of park
27.34 commissioners, and a fifth member jointly selected by the ~~representatives of the council~~
27.35 ~~and the park~~ other members of the board. If the use is a designated Minneapolis parkway
27.36 for regular route service adjacent to the city of Minneapolis, it must obtain permission

28.1 from and is subject to reasonable limitations imposed by a joint board consisting of two
 28.2 representatives from the council, two members of the board of park commissioners, and a
 28.3 fifth member jointly selected by other members of the board. The joint board must include
 28.4 a nonvoting member appointed by the council of the city in which the parkway is located.

28.5 The board of park commissioners and the council may designate persons to sit on
 28.6 the joint board. In considering a request by the council to use designated parkways for
 28.7 additional routes or trips, the joint board consisting of the council or their designees,
 28.8 the board of park commissioners or their designees, and the fifth member, shall base its
 28.9 decision to grant or deny the request based on the criteria to be established by the joint
 28.10 board. The decision to grant or deny the request must be made within 45 days of the
 28.11 date of the request. The park board must be notified immediately by the council of any
 28.12 temporary route detours. If the park board objects to the temporary route detours within
 28.13 five days of being notified, the joint board must convene and decide whether to grant the
 28.14 request, otherwise the request is deemed granted. If the agency objects to the proposed
 28.15 use or claims reimbursement from the council for additional cost of maintenance, it may
 28.16 commence an action against the council in the district court of the county wherein the
 28.17 highway, roadway, or appurtenance, or major portion thereof, is located. The proceedings
 28.18 in the action must conform to the Rules of Civil Procedure applicable to the district courts.
 28.19 The court shall sit without jury. If the court determines that the use in question interferes
 28.20 unreasonably with the public use or maintenance of the roadway or appurtenance, it shall
 28.21 enjoin the use by the council. If the court determines that the use in question does not
 28.22 interfere unreasonably with the public use or maintenance of the roadway or appurtenance,
 28.23 but that it entails substantial additional maintenance costs, the court shall award judgment
 28.24 to the agency for the amount of the additional costs. Otherwise the court shall award
 28.25 judgment to the council. An aggrieved party may appeal from the judgment of the district
 28.26 court in the same manner as is provided for such appeals in other civil actions. The council
 28.27 may also use land within the right-of-way of any state highway or other public roadway
 28.28 for the erection of traffic control devices, other signs, and passenger shelters upon the
 28.29 conditions stated in this subdivision and subject only to the approval of the commissioner
 28.30 of transportation where required by statute, and subject to the express provisions of other
 28.31 applicable statutes and to federal requirements where necessary to qualify for federal aid.

28.32 Sec. 39. Minnesota Statutes 2008, section 514.18, subdivision 1a, is amended to read:

28.33 Subd. 1a. **Towed motor vehicles.** A person who tows and stores a motor vehicle
 28.34 at the request of a law enforcement officer shall have a lien on the motor vehicle for the
 28.35 value of the storage and towing and the right to retain possession of the motor vehicle
 28.36 until the lien is lawfully discharged. This section does not apply to tows ~~authorized~~

29.1 ~~in section 169.041, subdivision 4, clause (1) of vehicles parked in violation of snow~~
29.2 ~~emergency regulations.~~

29.3 Sec. 40. Laws 2008, chapter 287, article 1, section 118, is amended to read:

29.4 Sec. 118. **STUDY OF TRANSPORTATION LONG-RANGE SOLUTIONS.**

29.5 (a) The commissioner of transportation shall conduct a study in consultation with
29.6 other state agencies and key stakeholders to evaluate the current and long-range needs of
29.7 the state's transportation system, and investigate possible strategies to meet these needs.

29.8 (b) The study must include, but is not limited to:

29.9 (1) evaluation of the current needs of the state's highway systems, bridges, and
29.10 transit;

29.11 (2) analysis and quantification of the needs for the next 20 years of the state's
29.12 highway systems, bridges, and transit;

29.13 (3) comparison of estimates of revenues raised by current transportation funding
29.14 sources, with long-term needs of the state's transportation system;

29.15 (4) identification of options for maintenance and improvement of the state's
29.16 transportation system with specific reference to the effects of potential increases in vehicle
29.17 fuel economy, availability of alternative modes of transportation, and extreme fuel price
29.18 volatility on future transportation revenues;

29.19 (5) analysis of alternative pricing options utilized in other states and countries,
29.20 and their potential for use, public acceptance, alleviation of congestion, and revenue
29.21 generation in this state; ~~and~~

29.22 (6) identification of options for road-use pricing, other alternative financing
29.23 mechanisms with particular consideration of key environmental impacts such as air
29.24 quality, water quality, and greenhouse gas emissions, and estimates of implementation
29.25 costs, user costs, and revenue; and

29.26 (7) analysis of the potential impact of recent and forecast demographic,
29.27 socioeconomic, and travel trends on systemwide travel demand and the impact of
29.28 changing travel demand on:

29.29 (i) transportation system needs, including infrastructure, facilities, and services;

29.30 (ii) air pollution; and

29.31 (iii) future transportation revenues.

29.32 The analysis required in clause (7) must take into account variability among the
29.33 department's districts and must consider findings from the 2008 National Household
29.34 Travel Survey. The commissioner shall collaborate with the Metropolitan Council on the
29.35 council's land use and planning resources report to help determine how land use variability
29.36 may play a role in future travel demand.

30.1 (c) The commissioner shall report the results of the study to the legislature no later
30.2 than ~~November 1, 2009~~ January 15, 2010.

30.3 Sec. 41. Laws 2008, chapter 287, article 1, section 122, is amended to read:

30.4 Sec. 122. **NULLIFICATION OF EXPEDITED TOWN ROAD**
30.5 **EXTINGUISHMENT.**

30.6 (a) Any extinguishment of town interest in a town road under Minnesota Statutes,
30.7 section 164.06, subdivision 2, is hereby nullified if:

30.8 (1) the interest was not recorded or filed with the county recorder but was recorded
30.9 or filed with the county auditor prior to 1972;

30.10 (2) the state or a political subdivision has constructed or funded a road or bridge
30.11 improvement on a right-of-way affected by the interest;

30.12 (3) the affected road was the only means of access to a property;

30.13 (4) the extinguishment took place within the last ten years; and

30.14 (5) a person whose only access to property was lost because of the extinguishment
30.15 files a petition of a nullification with the town board stating that the person's property
30.16 became landlocked because of the extinguishment and that the road satisfies all of the
30.17 requirements of paragraph (a), clauses (1) to (4). A copy of the road order found filed or
30.18 recorded with the county auditor must be attached to the petition. The town shall file the
30.19 petition with the county auditor and record it with the county recorder.

30.20 (b) Notwithstanding Minnesota Statutes, sections 164.08, subdivision 1, and
30.21 541.023, for any nullification under paragraph (a), the affected road is hereby deemed to
30.22 be a cartway. No additional damages or other payments may be required other than those
30.23 paid at the time the fee interest was originally acquired and the order filed with the county
30.24 auditor. A cartway created by this paragraph may be converted to a private driveway
30.25 under Minnesota Statutes, section 164.08, subdivision 2.

30.26 (c) For purposes of this section, "affected road" means the road in which the town
30.27 board extinguished its interest.

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

30.29 Sec. 42. **TRUNK HIGHWAY 19 CLOSURE IN NEW PRAGUE.**

30.30 The commissioner of transportation shall annually authorize the city of New Prague
30.31 to close Route No. 100, signed as Trunk Highway 19 on the effective date of this section,
30.32 from the intersection with Route No. 13, signed as Trunk Highways 13 and 21 on the
30.33 effective date of this section, to 10th Avenue SE, located in the city of New Prague. The
30.34 closure under this section is limited to one weekend in the month of September of each
30.35 year, and is for the city's annual Dozinky Festival. The commissioner shall (1) establish

31.1 reasonable requirements for traffic flow, traffic control devices, and safety related to
31.2 implementation of an appropriate detour route; and (2) allow the road closure from 5:30
31.3 p.m. on Friday until 6:00 a.m. on Sunday.

31.4 Sec. 43. **ADDITIONAL DEPUTY REGISTRAR OF MOTOR VEHICLES FOR**
31.5 **CITY OF FARMINGTON.**

31.6 Notwithstanding Minnesota Statutes, section 168.33, and rules adopted by the
31.7 commissioner of public safety, limiting sites for the office of deputy registrar based
31.8 on either the distance to an existing deputy registrar office or the annual volume of
31.9 transactions processed by any deputy registrar, the commissioner of public safety shall
31.10 appoint a municipal deputy registrar of motor vehicles for the city of Farmington to
31.11 operate a new full-service Office of Deputy Registrar, with full authority to function
31.12 as a registration and motor vehicle tax collection bureau, at the city hall in the city of
31.13 Farmington. All other provisions regarding the appointment and operation of a deputy
31.14 registrar of motor vehicles under Minnesota Statutes, section 168.33, and Minnesota
31.15 Rules, chapter 7406, apply to the office.

31.16 **EFFECTIVE DATE; LOCAL APPROVAL.** This section is effective the day after
31.17 the governing body of the city of Farmington and its chief clerical officer timely complete
31.18 their compliance with Minnesota Statutes, section 645.021, subdivisions 2 and 3.

31.19 Sec. 44. **ENVIRONMENTAL IMPACT STATEMENT COMPLETION.**

31.20 Subdivision 1. **Highway 14; New Ulm to Highway 6 segment.** By December
31.21 31, 2010, the commissioner of transportation shall submit the final environmental
31.22 impact statement for the segment of marked Trunk Highway 14 from the City of New
31.23 Ulm to County State-Aid Highway 6 in the county of Nicollet to the Federal Highway
31.24 Administration in the United States Department of Transportation.

31.25 Subd. 2. **Highway 14; Highway 218 to Highway 56 segment.** By May 31, 2010,
31.26 the commissioner of transportation shall submit the final environmental impact statement
31.27 for the segment of marked Trunk Highway 14 from its intersection with marked Trunk
31.28 Highway 218 in Owatonna to marked Trunk Highway 56 in Dodge Center to the Federal
31.29 Highway Administration in the United States Department of Transportation.

31.30 Subd. 3. **Monthly report.** If the commissioner of transportation does not meet the
31.31 requirements of subdivision 1 or 2, the commissioner must report monthly, by the 15th of
31.32 each month in writing, to the chairs and ranking members of the standing committees of
31.33 the house of representatives and senate having jurisdiction over transportation issues, and
31.34 post on the department's Web site the following information:

32.1 (1) the stage of the environmental impact statement process in which the department
32.2 failed to meet the environmental impact statement submission deadline specified in
32.3 subdivision 1 or 2;

32.4 (2) the cause of the department's failure to meet the environmental impact statement
32.5 submission deadline;

32.6 (3) the estimated time needed to resolve the cause of the failure to meet the
32.7 environmental impact statement submission deadline; and

32.8 (4) the revised date of completing and submitting the environmental impact
32.9 statement, if applicable.

32.10 Monthly reports required under this subdivision must begin January 15, 2011, if the
32.11 deadline specified in subdivision 1 is not met, and June 15, 2010, if the deadline specified
32.12 in subdivision 2 is not met. The monthly reports must continue and be updated to reflect
32.13 new information until the required environmental impact statements are submitted to the
32.14 United States Department of Transportation.

32.15 Subd. 4. **Resources.** The commissioner shall perform the duties required under this
32.16 section within existing appropriations allocated to transportation districts 6 and 7.

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

32.18 Sec. 45. **RAIL GRANT FUNDING APPLICATION.**

32.19 The commissioner of transportation shall work in cooperation with the state of
32.20 Wisconsin to prepare and submit timely application for grant funding relating to the
32.21 planning, design, development, and construction of a high-speed passenger rail line
32.22 connecting Chicago, La Crosse, and the Twin Cities including the Union Depot Concourse
32.23 Multimodal Transit Hub.

32.24 Sec. 46. **REPEALER.**

32.25 (a) Minnesota Statutes 2008, sections 13.721, subdivision 4; and 221.0355,
32.26 subdivisions 1, 2, 3, 4, 5, 6, 7, 7a, 8, 9, 10, 11, 12, 13, 14, 16, 17, and 18, are repealed.

32.27 (b) Minnesota Statutes 2008, section 169.041, subdivisions 3 and 4, are repealed.

32.28 Sec. 47. **EFFECTIVE DATE.**

32.29 Sections 13, 15, and 16 are effective August 1, 2009, and expire July 31, 2012."

32.30 Delete the title and insert:

32.31 "A bill for an act

32.32 relating to transportation; modifying or adding provisions relating to
32.33 transportation construction impacts on business, rest areas, highways, bridges,
32.34 deputy registrars, vehicles, fees, impounds, mini trucks, towing, intersection
32.35 gridlock, bus operation, various traffic regulations, cargo tank vehicle weight
32.36 exemptions, transportation department goals and mission, a Minnesota Council

33.1 of Transportation Access, a Commuter Rail Corridor Coordinating Committee,
33.2 railroad track safety, motor carriers of railroad employees, airport authorities,
33.3 property acquisition for highways, transit, town road interest extinguishment
33.4 nullification, closure of highway 19, submission of final environmental impact
33.5 statements regarding highways, and rail grant funding; requiring study and
33.6 reports; making technical and clarifying changes; amending Minnesota Statutes
33.7 2008, sections 160.165, as added; 161.14, subdivision 62, as added, by adding
33.8 subdivisions; 165.14, subdivisions 4, 5; 168.33, subdivisions 2, 7; 168B.06,
33.9 subdivision 1; 168B.07, subdivision 3; 169.011, by adding a subdivision;
33.10 169.041, subdivision 5; 169.045; 169.15; 169.306; 169.71, subdivision 1, as
33.11 amended; 169.865, subdivision 1; 169.87, by adding a subdivision; 169A.275,
33.12 subdivision 7, as amended; 171.306, subdivisions 1, as amended, 3, as amended;
33.13 174.01, subdivisions 1, 2; 174.02, subdivision 1a; 174.632, as added; 174.86,
33.14 subdivision 5; 219.01; 221.012, subdivision 38, by adding a subdivision;
33.15 360.031; 360.0425; 473.167, subdivision 2a; 473.411, subdivision 5; 514.18,
33.16 subdivision 1a; Laws 2008, chapter 287, article 1, sections 118; 122; proposing
33.17 coding for new law in Minnesota Statutes, chapters 160; 174; 221; repealing
33.18 Minnesota Statutes 2008, sections 13.721, subdivision 4; 169.041, subdivisions
33.19 3, 4; 221.0355, subdivisions 1, 2, 3, 4, 5, 6, 7, 7a, 8, 9, 10, 11, 12, 13, 14, 16,
33.20 17, 18."

34.1 We request the adoption of this report and repassage of the bill.

34.2 House Conferees: (Signed)

34.3
34.4 Frank Hornstein Marsha Swails

34.5
34.6 Terry Morrow Bobby Joe Champion

34.7
34.8 Dean Urdahl

34.9 Senate Conferees: (Signed)

34.10
34.11 Steve Murphy D. Scott Dibble

34.12
34.13 Dick Day John Doll

34.14
34.15 Katie Sieben