

A bill for an act

relating to transportation; providing for mitigation of transportation construction impacts on business; designating the Granite City Crossing; including pedestrian and bicycle components in bridge improvement program; removing sunset of corporate deputy registrars; authorizing deputy registrars to collect surcharges on credit card transactions; amending eligibility for impounded vehicle contents retrieval; removing four-hour towing waiting period; imposing petty misdemeanor for blocking intersection; allowing certain GPS and safety-tracking devices on windshields; modifying weight restriction provisions for cargo tank vehicles; providing for enhanced driver's license; modifying driving after suspension provisions; expanding DWI ignition interlock device pilot program; modifying transportation department goals; requiring feasibility study of transit service in Little Crow and Sioux Trail transit ways; requiring commissioner of transportation to implement policies to assist in reducing greenhouse gas emissions; establishing council on transportation access; identifying commissioner of transportation duties for passenger rail; requiring commissioner to apply for railroad safety technology grants; regulating motor carriers of railroad employees; modifying procedures for transit use of designated Minneapolis parkways; providing for additional deputy registrar in Farmington; requiring commissioner of transportation to submit certain environmental impact statements; requiring feasibility study of commuter rail in Sioux Trail Line; directing commissioner of transportation to study mandatory 24-hour vehicle lighting; directing commissioner of transportation to issue permits for new interchange in Rochester; requiring report; authorizing rulemaking; amending Minnesota Statutes 2008, sections 161.14, by adding a subdivision; 165.14, subdivisions 4, 5; 168.33, subdivisions 2, 7; 168B.06, subdivision 1; 168B.07, subdivision 3; 169.041, subdivision 5; 169.15; 169.71, subdivision 1; 169.87, by adding a subdivision; 169A.275, subdivision 7, as amended; 171.01, by adding subdivisions; 171.04, by adding a subdivision; 171.06, subdivisions 1, 2, 3, 6; 171.07, subdivision 3, by adding subdivisions; 171.071, by adding a subdivision; 171.18, subdivision 1; 171.24, by adding a subdivision; 171.306, subdivisions 1, as amended, 3, as amended; 174.01, subdivisions 1, 2; 174.02, subdivision 1a; 174.03, subdivision 1b; 219.01; 221.012, subdivision 38, by adding a subdivision; 473.411, subdivision 5; 514.18, subdivision 1a; proposing coding for new law in Minnesota Statutes, chapters 160; 174; 221; repealing Minnesota Statutes 2008, sections 13.721, subdivision 4; 169.041, subdivisions 3, 4; 221.0355, subdivisions 1, 2, 3, 4, 5, 6, 7, 7a, 8, 9, 10, 11, 12, 13, 14, 16, 17, 18.

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

Section 1. [160.165] MITIGATION OF TRANSPORTATION CONSTRUCTION  
IMPACTS ON BUSINESS.

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

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

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

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

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

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

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

Sec. 2. Minnesota Statutes 2008, section 161.14, is amended by adding a subdivision to read:

Subd. 64. **Granite City Crossing.** The bridge over the Mississippi River on marked Trunk Highway 23 in St. Cloud is designated "Granite City Crossing." The commissioner of transportation shall adopt a suitable design to mark this bridge and erect appropriate signs, subject to section 161.139.

Sec. 3. Minnesota Statutes 2008, section 165.14, subdivision 4, is amended to read:

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

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

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

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

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

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

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

Bicycle and pedestrian accommodations would not be required if:

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

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

All bicycle and pedestrian accommodations should enable a connection to any existing bicycle and pedestrian infrastructure in close proximity to the bridge. All pedestrian facilities must meet or exceed federal accessibility requirements as outlined in Title II of the Americans with Disabilities Act, codified in United States Code, title 42, chapter 126, subchapter II, and Section 504 of the Rehabilitation Act of 1973, codified in United States Code, title 29, section 794.

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

Sec. 4. Minnesota Statutes 2008, section 165.14, subdivision 5, is amended to read:

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

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

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

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

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

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

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

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

Sec. 5. Minnesota Statutes 2008, section 168.33, subdivision 2, is amended to read:

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

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

by the commissioner as a deputy registrar for any statutory or home rule charter city must be a resident of the county in which the city is situated.

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

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

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

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

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

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

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

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

Sec. 6. Minnesota Statutes 2008, section 168.33, subdivision 7, is amended to read:

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

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

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

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

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

(c) All of the fees collected under paragraph (a), clause (1), by the department, must be paid into the vehicle services operating account in the special revenue fund under section 299A.705. Of the fee collected under paragraph (a), clause (2), by the department, \$3.50 must be paid into the general fund with the remainder deposited into the vehicle services operating account in the special revenue fund under section 299A.705.

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

Sec. 7. Minnesota Statutes 2008, section 168B.06, subdivision 1, is amended to read:

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

(b) The notice must:

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

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

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

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

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

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

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

Sec. 8. Minnesota Statutes 2008, section 168B.07, subdivision 3, is amended to read:

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

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

(2) "relief based on need" includes, but is not limited to, receipt of MFIP and Diversionary Work Program, medical assistance, general assistance, general assistance medical care, emergency general assistance, Minnesota supplemental aid,

MSA-emergency assistance, MinnesotaCare, Supplemental Security Income, energy assistance, emergency assistance, food stamps, earned income tax credit, or Minnesota working family tax credit.

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

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

Sec. 9. Minnesota Statutes 2008, section 169.041, subdivision 5, is amended to read:

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

Sec. 10. Minnesota Statutes 2008, section 169.15, is amended to read:

**169.15 IMPEDING TRAFFIC; INTERSECTION GRIDLOCK.**

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

Subd. 2. Intersection gridlock; stop or block traffic. No driver of a motor vehicle shall enter an intersection controlled by a semaphore until the vehicle is able to move completely through the intersection without impeding or blocking the subsequent movement of cross traffic, unless such movement is at the direction of a city-authorized traffic-control agent or a police officer or to facilitate passage of an authorized emergency

10.1 vehicle. A violation of this subdivision does not constitute grounds for suspension or  
10.2 revocation of the violator's driver's license.

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

10.5 Sec. 11. Minnesota Statutes 2008, section 169.71, subdivision 1, is amended to read:

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

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

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

10.10 (i) sun visors ~~and~~;

10.11 (ii) rearview mirrors;

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

10.14 (iv) global positioning systems or navigation systems when mounted or located near  
10.15 the bottommost portion of the windshield; and

10.16 (v) electronic toll collection devices; or

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

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

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

10.23 Sec. 12. Minnesota Statutes 2008, section 169.87, is amended by adding a subdivision  
10.24 to read:

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

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

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

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

11.9            Sec. 13. Minnesota Statutes 2008, section 169A.275, subdivision 7, as amended by  
11.10 Laws 2009, chapter 29, section 1, is amended to read:

11.11            Subd. 7. **Exception.** (a) A judge is not required to sentence a person as provided  
11.12 in this section if the judge requires the person as a condition of probation to drive only  
11.13 motor vehicles equipped with an ignition interlock device meeting the standards described  
11.14 in section 171.306.

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

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

11.17            Sec. 14. Minnesota Statutes 2008, section 171.01, is amended by adding a subdivision  
11.18 to read:

11.19            Subd. 37a. **Enhanced driver's license.** "Enhanced driver's license" means a license,  
11.20 instruction permit, or provisional license, to operate a motor vehicle issued or issuable  
11.21 under the laws of this state by the commissioner of public safety that denotes citizenship  
11.22 and identity and contains technology and security features approved by the secretary of  
11.23 the United States Department of Homeland Security. An enhanced driver's license may be  
11.24 used in the same manner as a driver's license, instruction permit, or provisional license,  
11.25 and is approved by the secretary of the United States Department of Homeland Security  
11.26 for purposes of entering the United States. All provisions in this chapter relating to drivers'  
11.27 licenses, instruction permits, and provisional licenses, including cancellation, suspension,  
11.28 revocation, reinstatement, examination, restriction, expiration, renewal, and unlawful acts  
11.29 and violations, apply to an enhanced driver's license.

11.30            Sec. 15. Minnesota Statutes 2008, section 171.01, is amended by adding a subdivision  
11.31 to read:

11.32            Subd. 37b. **Enhanced identification card.** "Enhanced identification card" means an  
11.33 identification card issued or issuable under the laws of this state by the commissioner of

public safety that denotes citizenship and identity and contains technology and security features approved by the secretary of the United States Department of Homeland Security. An enhanced identification card may be used in the same manner as an identification card and is approved by the secretary of the United States Department of Homeland Security for purposes of entering the United States.

Sec. 16. Minnesota Statutes 2008, section 171.04, is amended by adding a subdivision to read:

Subd. 3. **Persons not eligible for enhanced driver's license.** The department shall not issue an enhanced driver's license to any person who is:

- (1) under 16 years of age;
- (2) not a resident of this state;
- (3) not a citizen of the United States of America; or
- (4) described in subdivision 1, clauses (4) to (12), or (14).

Sec. 17. Minnesota Statutes 2008, section 171.06, subdivision 1, is amended to read:

Subdivision 1. **Forms of application.** Every application for a Minnesota identification card, for an enhanced identification card, for an instruction permit, for a provisional license, ~~or for a driver's license~~, or for an enhanced driver's license must be made in a format approved by the department, and every application must be accompanied by the proper fee. All first-time applications and change-of-status applications must be signed in the presence of the person authorized to accept the application, or the signature on the application may be verified by a notary public. All applications requiring evidence of legal presence in the United States or United States citizenship must be signed in the presence of the person authorized to accept the application, or the signature on the application may be verified by a notary public.

Sec. 18. Minnesota Statutes 2008, section 171.06, subdivision 2, is amended to read:

Subd. 2. **Fees.** (a) The fees for a license and Minnesota identification card are as follows:

Classified Driver's License	D-\$22.25	C-\$26.25	B-\$33.25	A-\$41.25
Classified Under-21 D.L.	D-\$22.25	C-\$26.25	B-\$33.25	A-\$21.25
<u>Enhanced Driver's License</u>	<u>D-\$37.25</u>	<u>C-\$41.75</u>	<u>B-\$48.25</u>	<u>A-\$56.25</u>
Instruction Permit				\$10.25
<u>Enhanced Instruction Permit</u>				<u>\$25.25</u>
Provisional License				\$13.25

13.1	<u>Enhanced Provisional</u>	
13.2	<u>License</u>	<u>\$28.25</u>
13.3	Duplicate License or	
13.4	duplicate identification	
13.5	card	\$11.75
13.6	<u>Enhanced Duplicate</u>	
13.7	<u>License or enhanced</u>	
13.8	<u>duplicate identification</u>	
13.9	<u>card</u>	<u>\$26.75</u>
13.10	Minnesota identification	
13.11	card or Under-21	
13.12	Minnesota identification	
13.13	card, other than duplicate,	
13.14	except as otherwise	
13.15	provided in section 171.07,	
13.16	subdivisions 3 and 3a	\$16.25
13.17	<u>Enhanced Minnesota</u>	
13.18	<u>identification card</u>	<u>\$31.25</u>

13.19           In addition to each fee required in this paragraph, the commissioner shall collect a  
13.20 surcharge of \$1.75 until June 30, 2012. Surcharges collected under this paragraph must be  
13.21 credited to the driver and vehicle services technology account in the special revenue fund  
13.22 under section 299A.705.

13.23           (b) Notwithstanding paragraph (a), an individual who holds a provisional license and  
13.24 has a driving record free of (1) convictions for a violation of section 169A.20, 169A.33,  
13.25 169A.35, or sections 169A.50 to 169A.53, (2) convictions for crash-related moving  
13.26 violations, and (3) convictions for moving violations that are not crash related, shall have a  
13.27 \$3.50 credit toward the fee for any classified under-21 driver's license. "Moving violation"  
13.28 has the meaning given it in section 171.04, subdivision 1.

13.29           (c) In addition to the driver's license fee required under paragraph (a), the  
13.30 commissioner shall collect an additional \$4 processing fee from each new applicant  
13.31 or individual renewing a license with a school bus endorsement to cover the costs for  
13.32 processing an applicant's initial and biennial physical examination certificate. The  
13.33 department shall not charge these applicants any other fee to receive or renew the  
13.34 endorsement.

13.35           Sec. 19. Minnesota Statutes 2008, section 171.06, subdivision 3, is amended to read:

13.36           Subd. 3. **Contents of application; other information.** (a) An application must:

13.37           (1) state the full name, date of birth, sex, and either (i) the residence address of the  
13.38 applicant, or (ii) designated address under section 5B.05;

14.1 (2) as may be required by the commissioner, contain a description of the applicant  
14.2 and any other facts pertaining to the applicant, the applicant's driving privileges, and the  
14.3 applicant's ability to operate a motor vehicle with safety;

14.4 (3) state:

14.5 (i) the applicant's Social Security number; or

14.6 (ii) if the applicant does not have a Social Security number and is applying for a  
14.7 Minnesota identification card, instruction permit, or class D provisional or driver's license,  
14.8 that the applicant certifies that the applicant does not have a Social Security number;

14.9 (4) in the case of an application for an enhanced driver's license or enhanced  
14.10 identification card, present:

14.11 (i) proof satisfactory to the commissioner of the applicant's full legal name, United  
14.12 States citizenship, identity, date of birth, Social Security number, and residence address;  
14.13 and

14.14 (ii) a photographic identity document;

14.15 (5) contain a space where the applicant may indicate a desire to make an anatomical  
14.16 gift according to paragraph (b); and

14.17 ~~(5)~~ (6) contain a notification to the applicant of the availability of a living will/health  
14.18 care directive designation on the license under section 171.07, subdivision 7.

14.19 (b) If the applicant does not indicate a desire to make an anatomical gift when  
14.20 the application is made, the applicant must be offered a donor document in accordance  
14.21 with section 171.07, subdivision 5. The application must contain statements sufficient to  
14.22 comply with the requirements of the Darlene Luther Revised Uniform Anatomical Gift  
14.23 Act, chapter 525A, so that execution of the application or donor document will make  
14.24 the anatomical gift as provided in section 171.07, subdivision 5, for those indicating a  
14.25 desire to make an anatomical gift. The application must be accompanied by information  
14.26 describing Minnesota laws regarding anatomical gifts and the need for and benefits of  
14.27 anatomical gifts, and the legal implications of making an anatomical gift, including the  
14.28 law governing revocation of anatomical gifts. The commissioner shall distribute a notice  
14.29 that must accompany all applications for and renewals of a driver's license or Minnesota  
14.30 identification card. The notice must be prepared in conjunction with a Minnesota organ  
14.31 procurement organization that is certified by the federal Department of Health and Human  
14.32 Services and must include:

14.33 (1) a statement that provides a fair and reasonable description of the organ donation  
14.34 process, the care of the donor body after death, and the importance of informing family  
14.35 members of the donation decision; and

15.1 (2) a telephone number in a certified Minnesota organ procurement organization that  
15.2 may be called with respect to questions regarding anatomical gifts.

15.3 (c) The application must be accompanied also by information containing relevant  
15.4 facts relating to:

15.5 (1) the effect of alcohol on driving ability;

15.6 (2) the effect of mixing alcohol with drugs;

15.7 (3) the laws of Minnesota relating to operation of a motor vehicle while under the  
15.8 influence of alcohol or a controlled substance; and

15.9 (4) the levels of alcohol-related fatalities and accidents in Minnesota and of arrests  
15.10 for alcohol-related violations.

15.11 Sec. 20. Minnesota Statutes 2008, section 171.06, subdivision 6, is amended to read:

15.12 Subd. 6. **Compliance with selective service system registration requirements.**

15.13 (a) By applying for an original, duplicate, or renewal instruction permit, provisional  
15.14 driver's license, driver's license, enhanced driver's license, commercial driver's license, ~~or~~  
15.15 state identification card, or enhanced identification card, an applicant under the age of 26,  
15.16 who is a United States citizen or resident, consents to registration in compliance with the  
15.17 requirements of the Military Selective Service Act, United States Code, title 50, appendix,  
15.18 section 453. The application form must state that submission of the application constitutes  
15.19 consent to registration with the selective service system, if required by federal law.

15.20 (b) The commissioner shall forward to the selective service system in an electronic  
15.21 format the necessary personal information required for registration of an applicant  
15.22 described in paragraph (a). If the applicant is under the age of 18, and the license or card  
15.23 to be issued will expire after the applicant's 18th birthday, then the commissioner shall  
15.24 forward the necessary information to the selective service system when the applicant  
15.25 reaches the age of 18.

15.26 Sec. 21. Minnesota Statutes 2008, section 171.07, subdivision 3, is amended to read:

15.27 Subd. 3. **Identification card; fee.** (a) Upon payment of the required fee, the  
15.28 department shall issue to every qualifying applicant a Minnesota identification card. The  
15.29 department may not issue a Minnesota identification card to an individual who has a  
15.30 driver's license, other than a limited license. The department may not issue an enhanced  
15.31 identification card to an individual who is under 16 years of age, not a resident of this  
15.32 state, or not a citizen of the United States of America. The card must bear a distinguishing  
15.33 number assigned to the applicant; a colored photograph or an electronically produced  
15.34 image of the applicant; the applicant's full name and date of birth; either (1) the licensee's

16.1 residence address, or (2) the designated address under section 5B.05; a description of the  
16.2 applicant in the manner as the commissioner deems necessary; and the usual signature of  
16.3 the applicant.

16.4 (b) If the United States Postal Service will not deliver mail to the applicant's  
16.5 residence address as listed on the Minnesota identification card, then the applicant shall  
16.6 provide verification from the United States Postal Service that mail will not be delivered  
16.7 to the applicant's residence address and that mail will be delivered to a specified alternate  
16.8 mailing address. When an applicant provides an alternate mailing address under this  
16.9 subdivision, the commissioner shall use the alternate mailing address in lieu of the  
16.10 applicant's residence address for all notices and mailings to the applicant.

16.11 (c) Each identification card issued to an applicant under the age of 21 must be of a  
16.12 distinguishing color and plainly marked "Under-21."

16.13 (d) Each Minnesota identification card must be plainly marked "Minnesota  
16.14 identification card - not a driver's license."

16.15 (e) The fee for a Minnesota identification card is 50 cents when issued to a person  
16.16 who is developmentally disabled, as defined in section 252A.02, subdivision 2; a  
16.17 physically disabled person, as defined in section 169.345, subdivision 2; or, a person with  
16.18 mental illness, as described in section 245.462, subdivision 20, paragraph (c).

16.19 Sec. 22. Minnesota Statutes 2008, section 171.07, is amended by adding a subdivision  
16.20 to read:

16.21 Subd. 9a. Security for enhanced driver's license and identification card. An  
16.22 enhanced driver's license or enhanced identification card must include reasonable security  
16.23 measures to prevent counterfeiting and to protect against unauthorized disclosure of  
16.24 personal information regarding residents of this state that is contained in the enhanced  
16.25 driver's license or enhanced identification card. The enhanced driver's license must include  
16.26 the best available anticounterfeit laminate technology. The enhanced driver's license or  
16.27 enhanced identification card may include radio frequency identification technology that  
16.28 is limited to a randomly assigned number, which must be encrypted if agreed to by the  
16.29 United States Department of Homeland Security and does not include biometric data  
16.30 or any information other than the citizenship status of the license holder or cardholder.  
16.31 The commissioner shall ensure that the radio frequency identification technology is  
16.32 secure from unauthorized data access. An applicant must sign an acknowledgment of  
16.33 understanding of the radio frequency identification technology and its use for the sole  
16.34 purpose of verifying United States citizenship before being issued an enhanced driver's  
16.35 license or an enhanced identification card.



17.1       Sec. 23. Minnesota Statutes 2008, section 171.07, is amended by adding a subdivision  
17.2       to read:

17.3       Subd. 15. **Enhanced driver's license and identification card.** For purposes of this  
17.4       section, "license" includes "enhanced driver's license," and "identification card" includes  
17.5       "enhanced identification card."

17.6       Sec. 24. Minnesota Statutes 2008, section 171.071, is amended by adding a subdivision  
17.7       to read:

17.8       Subd. 3. **Exception.** Subdivisions 1 and 2 do not apply to the commissioner's  
17.9       requirements pertaining to a photograph or electronically produced image on an enhanced  
17.10      driver's license or an enhanced identification card.

17.11      Sec. 25. Minnesota Statutes 2008, section 171.18, subdivision 1, is amended to read:

17.12      Subdivision 1. **Offenses.** (a) The commissioner may suspend the license of a driver  
17.13      without preliminary hearing upon a showing by department records or other sufficient  
17.14      evidence that the licensee:

17.15      (1) has committed an offense for which mandatory revocation of license is required  
17.16      upon conviction;

17.17      (2) has been convicted by a court for violating a provision of chapter 169 or  
17.18      an ordinance regulating traffic, other than a conviction for a petty misdemeanor, and  
17.19      department records show that the violation contributed in causing an accident resulting in  
17.20      the death or personal injury of another, or serious property damage;

17.21      (3) is an habitually reckless or negligent driver of a motor vehicle;

17.22      (4) is an habitual violator of the traffic laws;

17.23      (5) is incompetent to drive a motor vehicle as determined in a judicial proceeding;

17.24      (6) has permitted an unlawful or fraudulent use of the license;

17.25      (7) has committed an offense in another state that, if committed in this state, would  
17.26      be grounds for suspension;

17.27      (8) has committed a violation of section 169.444, subdivision 2, paragraph (a),  
17.28      within five years of a prior conviction under that section;

17.29      (9) has committed a violation of section 171.22, except that the commissioner may  
17.30      not suspend a person's driver's license based solely on the fact that the person possessed a  
17.31      fictitious or fraudulently altered Minnesota identification card;

17.32      (10) has failed to appear in court as provided in section 169.92, subdivision 4;

17.33      (11) has failed to report a medical condition that, if reported, would have resulted in  
17.34      cancellation of driving privileges;

18.1 (12) has been found to have committed an offense under section 169A.33; or  
18.2 (13) has paid or attempted to pay a fee required under this chapter for a license or  
18.3 permit by means of a dishonored check issued to the state or a driver's license agent,  
18.4 which must be continued until the registrar determines or is informed by the agent that  
18.5 the dishonored check has been paid in full.

18.6 However, an action taken by the commissioner under clause (2) or (5) must conform to  
18.7 the recommendation of the court when made in connection with the prosecution of the  
18.8 licensee.

18.9 (b) Notwithstanding paragraph (a), section 171.16, subdivision 2, or any other law,  
18.10 the commissioner may not suspend the driver's license of an individual under paragraph  
18.11 (a) who was convicted of a violation of section 171.24, subdivision 1, whose license  
18.12 was under suspension at the time solely because of the individual's failure to appear in  
18.13 court or failure to pay a fine 1a.

18.14 Sec. 26. Minnesota Statutes 2008, section 171.24, is amended by adding a subdivision  
18.15 to read:

18.16 Subd. 1a. **Driving after suspension for failure to appear or pay fines;**  
18.17 **misdemeanor.** A person is guilty of a misdemeanor if:

18.18 (1) the person's driver's license or driving privilege has been suspended for no reason  
18.19 other than unpaid fines or failure to appear in court;

18.20 (2) the person has been given notice of or reasonably should know of the suspension;  
18.21 and

18.22 (3) the person disobeys the order by operating in this state any motor vehicle, the  
18.23 operation of which requires a driver's license, while the person's license or privilege  
18.24 is suspended.

18.25 Sec. 27. Minnesota Statutes 2008, section 171.306, subdivision 1, as amended by Laws  
18.26 2009, chapter 29, section 2, is amended to read:

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

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

19.2            Sec. 28. Minnesota Statutes 2008, section 171.306, subdivision 3, as amended by Laws  
19.3            2009, chapter 29, section 3, is amended to read:

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

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

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

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

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

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

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

19.21           (e) The commissioner shall determine guidelines for participation in the project.

19.22           A person participating in the project shall sign a written agreement accepting these  
19.23           guidelines and agreeing to comply with them.

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

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

19.29           Sec. 29. Minnesota Statutes 2008, section 174.01, subdivision 1, is amended to read:

19.30           Subdivision 1. **Department created.** In order to provide ~~a balanced~~ an integrated  
19.31           transportation system, ~~including~~ of aeronautics, highways, motor carriers, ports, public  
19.32           transit, railroads, and pipelines, and including facilities for walking and bicycling, a  
19.33           Department of Transportation is created. The department is the principal agency of the

20.1 state for development, implementation, administration, consolidation, and coordination of  
20.2 state transportation policies, plans, and programs.

20.3 Sec. 30. Minnesota Statutes 2008, section 174.01, subdivision 2, is amended to read:

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

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

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

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

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

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

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

20.21 (7) to promote ~~productivity~~ accountability through ~~system~~ systematic management  
20.22 of system performance and productivity through the utilization of technological  
20.23 advancements;

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

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

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

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

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

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

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

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

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

21.8 Sec. 31. **[174.015] REDUCING VEHICLE MILES DRIVEN.**

21.9 Subdivision 1. **Definitions.** "Per capita vehicle miles driven" means nonfreight  
21.10 motor vehicle miles traveled per person per calendar year.

21.11 Subd. 2. **Reduction goal.** In order to help achieve an overall reduction in  
21.12 greenhouse gas emissions in Minnesota, the commissioner of transportation shall  
21.13 implement, and facilitate the implementation by other public and private entities, policies  
21.14 that will have the goal of achieving by 2025 at least a 15 percent reduction from 2005  
21.15 levels of per capita vehicle miles driven. The implemented policies shall not mandate that  
21.16 persons within the meaning of section 645.44 reduce their vehicle miles traveled.

21.17 Sec. 32. Minnesota Statutes 2008, section 174.02, subdivision 1a, is amended to read:

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

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

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

21.24 (3) minimize the degradation of air ~~and~~<sub>2</sub> water quality, and the climate, including  
21.25 reduction in greenhouse gas emissions;

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

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

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

22.1 (7) report to the legislature on the performance of agency operations and the  
22.2 accomplishment of agency goals in the agency's biennial budget according to section  
22.3 16A.10, subdivision 1; and

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

22.6 Sec. 33. Minnesota Statutes 2008, section 174.03, subdivision 1b, is amended to read:

22.7 Subd. 1b. **Statewide freight and passenger rail plan.** (a) The commissioner shall  
22.8 develop a comprehensive statewide freight and passenger rail plan to be included and  
22.9 revised as a part of the statewide transportation plan. The plan must include a study on  
22.10 the feasibility of establishing commuter transit service in: the Little Crow Transit Way,  
22.11 along or near marked Trunk Highway 12 between Willmar and downtown Minneapolis,  
22.12 and the Sioux Trail Transit Way, along or near marked Trunk Highway 13 between  
22.13 Shakopee and St. Paul.

22.14 (b) Before the initial version of the plan is adopted, the commissioner shall provide a  
22.15 copy for review and comment to the chairs and ranking minority members of the senate  
22.16 and house of representatives committees with jurisdiction over transportation policy and  
22.17 finance. Notwithstanding paragraph (a), the commissioner may adopt the next revision  
22.18 of the statewide transportation plan, scheduled to be completed in calendar year 2009,  
22.19 prior to completion of the initial version of the comprehensive statewide freight and  
22.20 passenger rail plan.

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

22.22 Sec. 34. **[174.285] MINNESOTA COUNCIL ON TRANSPORTATION ACCESS.**

22.23 Subdivision 1. **Council established.** A Minnesota Council on Transportation  
22.24 Access is established to study, evaluate, oversee, and make recommendations to improve  
22.25 the coordination, availability, accessibility, efficiency, cost-effectiveness, and safety of  
22.26 transportation services provided to the transit public. "Transit public" means those persons  
22.27 who utilize public transit and those who, because of mental or physical disability, income  
22.28 status, or age are unable to transport themselves and are dependent upon others for  
22.29 transportation services.

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

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

- 23.1           (2) identify best practices and strategies that have been successful in Minnesota and  
23.2 in other states for coordination of local, regional, state, and federal funding and services;
- 23.3           (3) establish statewide objectives for providing public transportation services for the  
23.4 transit public;
- 23.5           (4) identify barriers prohibiting coordination and accessibility of public  
23.6 transportation services and aggressively pursue the elimination of those barriers;
- 23.7           (5) develop and implement policies and procedures for coordinating local, regional,  
23.8 state, and federal funding and services for the transit public;
- 23.9           (6) identify stakeholders in providing services for the transit public, and seek input  
23.10 from them concerning barriers and appropriate strategies;
- 23.11           (7) establish guidelines for developing transportation coordination plans throughout  
23.12 the state;
- 23.13           (8) encourage all state agencies participating in the council to purchase trips within  
23.14 the coordinated system;
- 23.15           (9) facilitate the creation and operation of transportation brokerages to match  
23.16 riders to the appropriate service, promote shared dispatching, compile and disseminate  
23.17 information on transportation options, and promote regional communication;
- 23.18           (10) encourage volunteer driver programs and recommend legislation to address  
23.19 liability and insurance issues;
- 23.20           (11) establish minimum performance standards for delivery of services;
- 23.21           (12) identify methods to eliminate fraud and abuse in special transportation services;
- 23.22           (13) develop a standard method for addressing liability insurance requirements for  
23.23 transportation services purchased, provided, or coordinated;
- 23.24           (14) design and develop a contracting template for providing coordinated  
23.25 transportation services;
- 23.26           (15) develop an interagency uniform contracting and billing and accounting system  
23.27 for providing coordinated transportation services;
- 23.28           (16) encourage the design and development of training programs for coordinated  
23.29 transportation services;
- 23.30           (17) encourage the use of public school transportation vehicles for the transit public;
- 23.31           (18) develop an allocation methodology that equitably distributes transportation  
23.32 funds to compensate units of government and all entities that provide coordinated  
23.33 transportation services;
- 23.34           (19) identify policies and necessary legislation to facilitate vehicle sharing; and

24.1 (20) advocate aggressively for eliminating barriers to coordination, implementing  
24.2 coordination strategies, enacting necessary legislation, and appropriating resources to  
24.3 achieve the council's objectives.

24.4 Subd. 3. **Membership.** (a) The council is comprised of the following 17 members:

24.5 (1) two members of the senate appointed by the Subcommittee on Committees of the  
24.6 Committee on Rules and Administration, one of whom must be a member of the minority;

24.7 (2) two members of the house of representatives, one appointed by the speaker of the  
24.8 house and one appointed by the minority leader;

24.9 (3) one representative from the Office of the Governor;

24.10 (4) one representative from the Council on Disability;

24.11 (5) one representative from the Minnesota Public Transit Association;

24.12 (6) the commissioner of transportation or a designee;

24.13 (7) the commissioner of human services or a designee;

24.14 (8) the commissioner of health or a designee;

24.15 (9) the chair of the Metropolitan Council or a designee;

24.16 (10) the commissioner of education or a designee;

24.17 (11) the commissioner of veterans affairs or a designee;

24.18 (12) one representative from the Board on Aging;

24.19 (13) the commissioner of employment and economic development or a designee;

24.20 (14) the commissioner of commerce or a designee; and

24.21 (15) the commissioner of finance or a designee.

24.22 (b) All appointments required by paragraph (a) must be completed by August  
24.23 1, 2009.

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

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

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

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

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

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



Sec. 35. **[174.638] DESIGN-BUILD CONTRACTING.**

The commissioner may utilize the design-build method of contracting, under sections 161.3410 to 161.3428, in connection with the planning, design, development, and construction of a high-speed passenger rail line connecting Chicago, La Crosse, and the Union Depot Concourse Multimodal Transit Hub, located in downtown St. Paul in the area south of Kellogg Boulevard and east of Jackson Street and the potential future connection to Minneapolis.

Sec. 36. Minnesota Statutes 2008, section 219.01, is amended to read:

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

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

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

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

(d) Participating railroads shall provide the 20 percent nonfederal match. Railroads shall provide all technical documentation requested by the commissioner and required by the Federal Railroad Administration for the applications under paragraph (b). Railroads are responsible for developing, acquiring, and installing all rail safety technology obtained

26.1 under this section in accordance with requirements established by the Federal Railroad  
26.2 Administration.

26.3 Sec. 37. Minnesota Statutes 2008, section 221.012, is amended by adding a subdivision  
26.4 to read:

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

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

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

26.14 (b) In the metropolitan area as defined in section 473.121, subdivision 2, "small  
26.15 vehicle passenger service" also includes for-hire transportation of persons who are certified  
26.16 by the Metropolitan Council to use special transportation service provided under section  
26.17 473.386, in a vehicle designed to transport not more than 15 persons including the driver,  
26.18 that is equipped with a wheelchair lift and at least three wheelchair securement positions.

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

26.21 Sec. 39. **[221.0255] MOTOR CARRIER OF RAILROAD EMPLOYEES.**

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

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

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

26.28 (2) submit to a physical examination.

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

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

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

26.33 (3) handling emergency situations;

27.1           (4) proper use of seat belts;  
27.2           (5) performance of pretrip and post-trip vehicle inspections, and inspection record  
27.3 keeping; and  
27.4           (6) proper maintenance of required records.

27.5           (d) The carrier must:  
27.6           (1) perform a background check or background investigation of the operator;  
27.7           (2) annually verify the operator's driver's license;  
27.8           (3) document meeting the requirements in this subdivision, and maintain the file  
27.9 at the carrier's business location;

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

27.12          (5) maintain uninsured and underinsured coverage in a minimum amount of  
27.13 \$1,000,000.

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

27.18          (e) A person who sustains a conviction of violating section 169A.25, 169A.26,  
27.19 169A.27, or 169A.31, or whose driver's license is revoked under sections 169A.50 to  
27.20 169A.53 of the implied consent law, or who is convicted of or has their driver's license  
27.21 revoked under a similar statute or ordinance of another state, may not operate a vehicle  
27.22 under this subdivision for five years from the date of conviction. A person who sustains a  
27.23 conviction of a moving offense in violation of chapter 169 within three years of the first  
27.24 of three other moving offenses may not operate a vehicle under this subdivision for one  
27.25 year from the date of the last conviction. A person who has ever been convicted of a  
27.26 disqualifying offense as defined in section 171.3215, subdivision 1, paragraph (c), may  
27.27 not operate a vehicle under this subdivision.

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

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

27.35          (h) A motor carrier of railroad employees shall not allow or require a driver to drive  
27.36 or remain on duty for more than: ten hours after eight consecutive hours off duty; 15 hours

28.1 of combined on-duty time and drive time since last obtaining eight consecutive hours of  
28.2 off-duty time; or 70 hours of on-duty and drive time in any period of eight consecutive  
28.3 days. After 24 hours off duty, a driver begins a new seven consecutive day period and  
28.4 on-duty time is reset to zero.

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

28.12 (j) A carrier shall maintain and retain for a period of six months accurate time  
28.13 records that show the time the driver reports for duty each day; the total number of hours  
28.14 of on-duty time for each driver for each day; the time the driver is released from duty each  
28.15 day; and the total number of hours driven each day.

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

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

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

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

28.22 Sec. 40. Minnesota Statutes 2008, section 473.411, subdivision 5, is amended to read:

28.23 Subd. 5. **Use of public roadways and appurtenances.** The council may use for the  
28.24 purposes of sections 473.405 to 473.449 upon the conditions stated in this subdivision  
28.25 any state highway or other public roadway, parkway, or lane, or any bridge or tunnel or  
28.26 other appurtenance of a roadway, without payment of any compensation, provided the  
28.27 use does not interfere unreasonably with the public use or maintenance of the roadway or  
28.28 appurtenance or entail any substantial additional costs for maintenance. The provisions of  
28.29 this subdivision do not apply to the property of any common carrier railroad or common  
28.30 carrier railroads. The consent of the public agency in charge of such state highway or  
28.31 other public highway or roadway or appurtenance is not required; except that if the council  
28.32 seeks to use a designated parkway for regular route service in the city of Minneapolis, it  
28.33 must obtain permission from and is subject to reasonable limitations imposed by a joint  
28.34 board consisting of two representatives from the council, two members of the board of  
28.35 park commissioners, and a fifth member jointly selected by the ~~representatives of the~~

29.1 ~~council and the park~~ other members of the board. If the use is a designated parkway  
29.2 for regular route service adjacent to the city of Minneapolis, it must obtain permission  
29.3 from and is subject to reasonable limitations imposed by a joint board consisting of one  
29.4 representative from the council, one member of a city council from a city contiguous to  
29.5 the city of Minneapolis, two members of the board of park commissioners, and a fifth  
29.6 member jointly selected by other members of the board.

29.7 The board of park commissioners and the council may designate persons to sit on  
29.8 the joint board. In considering a request by the council to use designated parkways for  
29.9 additional routes or trips, the joint board consisting of the council or their designees,  
29.10 the board of park commissioners or their designees, and the fifth member, shall base its  
29.11 decision to grant or deny the request based on the criteria to be established by the joint  
29.12 board. The decision to grant or deny the request must be made within 45 days of the  
29.13 date of the request. The park board must be notified immediately by the council of any  
29.14 temporary route detours. If the park board objects to the temporary route detours within  
29.15 five days of being notified, the joint board must convene and decide whether to grant the  
29.16 request, otherwise the request is deemed granted. If the agency objects to the proposed  
29.17 use or claims reimbursement from the council for additional cost of maintenance, it may  
29.18 commence an action against the council in the district court of the county wherein the  
29.19 highway, roadway, or appurtenance, or major portion thereof, is located. The proceedings  
29.20 in the action must conform to the Rules of Civil Procedure applicable to the district courts.  
29.21 The court shall sit without jury. If the court determines that the use in question interferes  
29.22 unreasonably with the public use or maintenance of the roadway or appurtenance, it shall  
29.23 enjoin the use by the council. If the court determines that the use in question does not  
29.24 interfere unreasonably with the public use or maintenance of the roadway or appurtenance,  
29.25 but that it entails substantial additional maintenance costs, the court shall award judgment  
29.26 to the agency for the amount of the additional costs. Otherwise the court shall award  
29.27 judgment to the council. An aggrieved party may appeal from the judgment of the district  
29.28 court in the same manner as is provided for such appeals in other civil actions. The council  
29.29 may also use land within the right-of-way of any state highway or other public roadway  
29.30 for the erection of traffic control devices, other signs, and passenger shelters upon the  
29.31 conditions stated in this subdivision and subject only to the approval of the commissioner  
29.32 of transportation where required by statute, and subject to the express provisions of other  
29.33 applicable statutes and to federal requirements where necessary to qualify for federal aid.

29.34 Sec. 41. Minnesota Statutes 2008, section 514.18, subdivision 1a, is amended to read:

Subd. 1a. **Towed motor vehicles.** A person who tows and stores a motor vehicle at the request of a law enforcement officer shall have a lien on the motor vehicle for the value of the storage and towing and the right to retain possession of the motor vehicle until the lien is lawfully discharged. This section does not apply to tows ~~authorized in section 169.041, subdivision 4, clause (1) of vehicles parked in violation of snow emergency regulations.~~

Sec. 42. **ADDITIONAL DEPUTY REGISTRAR OF MOTOR VEHICLES FOR CITY OF FARMINGTON.**

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

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

Sec. 43. **ENVIRONMENTAL IMPACT STATEMENT COMPLETION.**

By December 31, 2009, the commissioner of transportation shall submit the final environmental impact statement to the Federal Highway Administration in the United States Department of Transportation for any project:

(1) that is a trunk highway construction or reconstruction project on a high-priority or medium-priority interregional corridor; and

(2) for which an environmental impact statement was started before August 1, 2006.

The commissioner shall perform this duty within existing appropriations that are allocated to District 7.

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

Sec. 44. **STUDY OF MANDATORY 24-HOUR VEHICLE LIGHTING.**

31.1           (a) The commissioner of public safety, in cooperation with the commissioner of  
31.2 transportation, shall study the mandatory 24-hour use of vehicle lighting by vehicles  
31.3 on public highways. The study must examine the experience of jurisdictions in this  
31.4 country, Canada, and the European Union, that require 24-hour display of vehicle lighting,  
31.5 including but not limited to:

- 31.6           (1) environmental consequences;  
31.7           (2) crash prevention;  
31.8           (3) motorcycle, bicycle, and pedestrian safety;  
31.9           (4) cost to drivers; and  
31.10          (5) application to motorcycles.

31.11          (b) By January 15, 2011, the commissioners of transportation and public safety shall  
31.12 report their findings and recommendations to the chairs and ranking minority members of  
31.13 the legislative committees with jurisdiction over transportation policy. The report must be  
31.14 made electronically and available in print only upon request.

31.15          (c) The commissioners of public safety and transportation shall study and report  
31.16 under this section within current appropriations.

31.17          Sec. 45. **HIGHWAY CONSTRUCTION IN ROCHESTER.**

31.18          The commissioner of transportation shall proceed without delay to issue to the  
31.19 city of Rochester the necessary permits that allow the city to complete the construction  
31.20 of a new interchange at marked Trunk Highway 52 and 65th Street NW in the city of  
31.21 Rochester. The commissioner shall review the environmental documentation prepared  
31.22 by the city in a timely manner and shall issue the necessary construction permits without  
31.23 delay upon the issuance of a finding of no significant impact. The city of Rochester shall  
31.24 be responsible for up to \$5,000,000 of the cost of the design, right-of-way acquisition, and  
31.25 construction for the 65th Street NW Interchange.

31.26          Sec. 46. **ECONOMIC RECOVERY FUNDS APPLICATION.**

31.27          The commissioner of transportation shall work in cooperation with the state of  
31.28 Wisconsin to prepare and submit timely application under the American Recovery and  
31.29 Reinvestment Act of 2009, Public Law 111-5, for grant funding relating to the planning,  
31.30 design, development, and construction of a high-speed passenger rail line connecting  
31.31 Chicago, La Crosse, and the Union Depot Concourse Multimodal Transit Hub, located in  
31.32 downtown St. Paul in the area south of Kellogg Boulevard and east of Jackson Street and  
31.33 the potential future connection to Minneapolis.

32.1       Sec. 47. **AGREEMENT FOR ENHANCED LICENSE AND IDENTIFICATION**  
32.2 **CARD.**

32.3       The commissioner of public safety shall enter into an agreement with the secretary  
32.4 of the United States Department of Homeland Security to develop an enhanced Minnesota  
32.5 driver's license and an enhanced Minnesota identification card to be designated by the  
32.6 secretary as acceptable documents to denote identity and citizenship for purposes of  
32.7 entering the United States at land and sea ports of entry upon implementation of section  
32.8 7209 of the Intelligence Reform and Terrorism Prevention Act of 2004 (United States  
32.9 Code, title 8, section 1185 Note).

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

32.11       Sec. 48. **RULEMAKING.**

32.12       The commissioner of public safety shall amend Minnesota Rules, parts 7410.0100,  
32.13 7410.0400, and 7410.0410, so that an applicant for an enhanced driver's license or  
32.14 enhanced identification card must prove United States citizenship and otherwise comply  
32.15 with applicable requirements of Minnesota Statutes, section 171.06, subdivision 3. The  
32.16 amendments must be adopted pursuant to Minnesota Statutes, sections 14.131 to 14.20.

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

32.18       Sec. 49. **REPEALER.**

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

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

32.22       Sec. 50. **EFFECTIVE DATE.**

32.23       Sections 14 to 24 are effective June 1, 2009, for every enhanced driver's license and  
32.24 enhanced identification card that is issued on or after January 1, 2010.