

SENATE

STATE OF MINNESOTA

EIGHTY-SEVENTH LEGISLATURE

S.F. No. 920

(SENATE AUTHORS: GIMSE, Dibble, Howe, Lillie and Sheran)

DATE	D-PG	OFFICIAL STATUS
03/21/2011	598	Introduction and first reading Referred to Transportation
03/23/2011	635	Author added Sheran
05/03/2011	1670a	Comm report: To pass as amended and re-refer to Finance
05/11/2011	1972a	Comm report: To pass as amended
	1974	Second reading
05/16/2011	2063a	Special Order: Amended
	2069	Laid on table Taken from table
	2070a	Amended
	2073	Third reading
	2073	Laid on table
		See SF1115, Sec. 6, 11, 96
		See SF1072, Sec.1-9, 11, 13-16, 18, 20-22, 24-32, 36-37, 39, 44-48, 51-53

A bill for an act

relating to transportation; requiring report on trunk highway fund expenditures; modifying provisions relating to electric-assisted bicycles, special vehicles, conservation officer vehicles and vehicle permits; establishing Mississippi River Trail bikeway; designating highways; providing for special plates for woman veterans; modifying location requirements for motor vehicle dealer record keeping; clarifying drivers license requirement for train crews; clarifying traffic laws regarding flashing yellow lights and arrows; expanding authority for bus operation on highway shoulders; modifying vehicle equipment provisions; removing exceptions from child passenger restraint law; authorizing gross weight increase for transportation of sweet corn; authorizing drivers education online component; requiring driver education on carbon monoxide poisoning; extending drivers license expiration for certain military members; modifying Department of Transportation reporting requirements; authorizing the sale of non-oxygenated gasoline for use by a manufacturer in the research and development of certain recreational vehicles; allowing city of Paynesville to retain certain funds; removing obsolete language; making technical changes; appropriating money; amending Minnesota Statutes 2010, sections 84.777, subdivision 2; 84.92, subdivisions 8, 9, 10; 84.9257; 84.928, subdivision 1; 85.015, by adding a subdivision; 85.018, subdivisions 2, 4; 160.263, subdivision 2; 160.845; 160.93, subdivisions 1, 2; 161.14, subdivision 66, by adding a subdivision; 168.012, subdivision 1; 168.013, subdivisions 1e, 3, 12; 168.017, subdivision 3; 168.123, subdivision 2; 168A.11, subdivision 4; 169.011, subdivision 27; 169.035, by adding a subdivision; 169.045, subdivisions 1, 2, 3, 5, 6, 7, 8; 169.06, subdivisions 5, 7; 169.223, subdivision 5; 169.306; 169.4503, by adding a subdivision; 169.64, subdivision 2; 169.685, subdivisions 6, 7; 169.826, subdivision 1a; 169.85, subdivision 2; 169.86, subdivisions 1, 4, 5, by adding a subdivision; 171.03; 171.05, subdivision 2; 171.0701; 171.13, subdivision 1, by adding a subdivision; 171.27; 174.56; 221.0314, subdivision 3a; 222.50, subdivision 4; 222.51; 222.53; 239.791, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 160; 171; repealing Minnesota Statutes 2010, sections 160.93, subdivision 2a; 161.08, subdivision 2; 168.012, subdivision 1b; 222.48, subdivision 3a.

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

Section 1. Minnesota Statutes 2010, section 84.777, subdivision 2, is amended to read:

Subd. 2. **Off-highway vehicle seasonal restrictions.** ~~(a) The commissioner shall prescribe seasons for off-highway vehicle use on state forest lands. Except for designated forest roads, a person must not operate an off-highway vehicle on state forest lands: (1) outside of the seasons prescribed under this paragraph; or (2) during the firearms deer hunting season in areas of the state where deer may be taken by rifle. This paragraph does not apply to a person in possession of a valid deer hunting license operating an off-highway vehicle before or after legal shooting hours or from 11:00 a.m. to 2:00 p.m.~~

(b) The commissioner may designate and post winter trails on state forest lands for use by off-highway vehicles.

(c) For the purposes of this subdivision, "state forest lands" means forest lands under the authority of the commissioner as defined in section 89.001, subdivision 13, and lands managed by the commissioner under section 282.011.

Sec. 2. Minnesota Statutes 2010, section 84.92, subdivision 8, is amended to read:

Subd. 8. **All-terrain vehicle or vehicle.** "All-terrain vehicle" or "vehicle" means a motorized ~~floatation-tired vehicle of not less than three low pressure tires, but not more than six tires, that is limited in engine displacement of less than 960 cubic centimeters~~ equipped with three to six nonhighway tires, and includes a class 1 all-terrain vehicle and class 2 all-terrain vehicle. "All-terrain vehicle" or "vehicle" does not include a golf cart, mini truck, dune buggy, go cart, or vehicle designed specifically for lawn maintenance, agriculture, logging, or mining purposes.

Sec. 3. Minnesota Statutes 2010, section 84.92, subdivision 9, is amended to read:

Subd. 9. **Class 1 all-terrain vehicle.** "Class 1 all-terrain vehicle" means an all-terrain vehicle that has a total dry weight of less than 1,000 pounds and: (1) has a manufacturer's published width of 50 inches or less; or (2) has a straddled seat.

Sec. 4. Minnesota Statutes 2010, section 84.92, subdivision 10, is amended to read:

Subd. 10. **Class 2 all-terrain vehicle.** "Class 2 all-terrain vehicle" means an all-terrain vehicle that is not a class 1 all-terrain vehicle, has a total dry weight of ~~1,000 to~~ 1,800 pounds or less, and a manufacturer's published width of 68 inches or less.

Sec. 5. Minnesota Statutes 2010, section 84.9257, is amended to read:

**84.9257 PASSENGERS.**

(a) A person 18 years of age or older may operate a class 1 all-terrain vehicle carrying only one passenger.

(b) A person 18 years of age or older may operate a class 2 all-terrain vehicle while carrying only one passenger, or up to the number of passengers for which the vehicle was designed, whichever is greater.

(c) A person 12 to 17 years of age may operate a class 1 all-terrain vehicle carrying only one passenger and the passenger must be the person's parent or legal guardian.

Sec. 6. Minnesota Statutes 2010, section 84.928, subdivision 1, is amended to read:

Subdivision 1. **Operation on roads and rights-of-way.** (a) Unless otherwise allowed in sections 84.92 to 84.928, a person shall not operate an all-terrain vehicle in this state along or on the roadway, shoulder, or inside bank or slope of a public road right-of-way of a trunk, county state-aid, or county highway.

(b) A person may operate a straddled seat class 1 all-terrain vehicle in the ditch or the outside bank or slope of a trunk, county state-aid, or county highway unless prohibited under paragraph (d) or (f). A person may not operate a side-by-side class 1 all-terrain vehicle in the ditch or the outside bank or slope of a trunk, county state-aid, or county highway, except on a designated all-terrain vehicle trail.

(c) A person may operate a side-by-side class 1 or class 2 all-terrain vehicle within the public road right-of-way of a county state-aid or county highway on the extreme right-hand side of the road and left turns may be made from any part of the road if it is safe to do so under the prevailing conditions, unless prohibited under paragraph (d) or (f). A person may operate a class 2 all-terrain vehicle on the bank or ditch of a public road right-of-way on a designated class 2 all-terrain vehicle trail.

(d) A road authority as defined under section 160.02, subdivision 25, may after a public hearing restrict the use of all-terrain vehicles in the public road right-of-way under its jurisdiction.

(e) The restrictions in paragraphs (a), (d), (h), (i), and (j) do not apply to the operation of an all-terrain vehicle on the shoulder, inside bank or slope, ditch, or outside bank or slope of a trunk, interstate, county state-aid, or county highway:

(1) that is part of a funded grant-in-aid trail; or

(2) when the all-terrain vehicle is owned by or operated under contract with a publicly or privately owned utility or pipeline company and used for work on utilities or pipelines.

(f) The commissioner may limit the use of a right-of-way for a period of time if the commissioner determines that use of the right-of-way causes:

(1) degradation of vegetation on adjacent public property;

(2) siltation of waters of the state;

(3) impairment or enhancement to the act of taking game; or

(4) a threat to safety of the right-of-way users or to individuals on adjacent public property.

The commissioner must notify the road authority as soon as it is known that a closure will be ordered. The notice must state the reasons and duration of the closure.

(g) A person may operate an all-terrain vehicle registered for private use and used for agricultural purposes on a public road right-of-way of a trunk, county state-aid, or county highway in this state if the all-terrain vehicle is operated on the extreme right-hand side of the road, and left turns may be made from any part of the road if it is safe to do so under the prevailing conditions.

(h) A person shall not operate an all-terrain vehicle within the public road right-of-way of a trunk, county state-aid, or county highway from April 1 to August 1 in the agricultural zone unless the vehicle is being used exclusively as transportation to and from work on agricultural lands. This paragraph does not apply to an agent or employee of a road authority, as defined in section 160.02, subdivision 25, or the Department of Natural Resources when performing or exercising official duties or powers.

(i) A person shall not operate an all-terrain vehicle within the public road right-of-way of a trunk, county state-aid, or county highway between the hours of one-half hour after sunset to one-half hour before sunrise, except on the right-hand side of the right-of-way and in the same direction as the highway traffic on the nearest lane of the adjacent roadway.

(j) A person shall not operate an all-terrain vehicle at any time within the right-of-way of an interstate highway or freeway within this state.

Sec. 7. Minnesota Statutes 2010, section 85.015, is amended by adding a subdivision to read:

Subd. 1d. **Bicycle use of trails.** The commissioner may not prohibit operation of an electric-assisted bicycle, as defined in section 169.011, subdivision 27, on any trail under this section for which bicycle use is permitted, provided that the commissioner determines that operation of the electric-assisted bicycle is consistent with safe use and enjoyment of the trail.

Sec. 8. Minnesota Statutes 2010, section 85.018, subdivision 2, is amended to read:

Subd. 2. **Authority of local government.** (a) A local government unit that receives state grants-in-aid for any trail, with the concurrence of the commissioner, and the landowner or land lessee, may:

(1) designate the trail for use by snowmobiles or for nonmotorized use from December 1 to April 1 of any year; and

(2) issue any permit required under subdivisions 3 to 5.

(b) A local government unit that receives state grants-in-aid under section 84.794, subdivision 2, 84.803, subdivision 2, or 84.927, subdivision 2, for any trail, with the concurrence of the commissioner, and landowner or land lessee, may:

(1) designate the trail specifically for use at various times of the year by all-terrain or off-road vehicles or off-highway motorcycles, for nonmotorized use such as ski touring, snowshoeing, and hiking, and for multiple use, but not for motorized and nonmotorized use at the same time; and

(2) issue any permit required under subdivisions 3 to 5.

(c) A local unit of government that receives state grants-in-aid for any trail, with the concurrence of the commissioner and landowner or land lessee, may designate certain trails for joint use by snowmobiles, off-highway motorcycles, all-terrain vehicles, and off-road vehicles.

(d) A local unit of government may not prohibit operation of an electric-assisted bicycle, as defined in section 169.011, subdivision 27, on any trail under this section designated for bicycle use or nonmotorized use that includes bicycles, provided that the local unit of government determines the operation of the electric-assisted bicycle is consistent with safe use and enjoyment of the trail.

Sec. 9. Minnesota Statutes 2010, section 85.018, subdivision 4, is amended to read:

Subd. 4. **Nonmotorized use trails.** (a) No motorized vehicle shall be operated on a trail designated for nonmotorized use. This subdivision does not apply to (1) motorized wheelchairs or other motorized devices operated by an individual who is physically disabled and (2) electric-assisted bicycles, as defined in section 169.011, subdivision 27.

Sec. 10. Minnesota Statutes 2010, section 160.263, subdivision 2, is amended to read:

Subd. 2. **Powers of political subdivisions.** (a) The governing body of any political subdivision may by ordinance or resolution:

(1) designate any roadway or shoulder or portion thereof under its jurisdiction as a bicycle lane or bicycle route;

(2) designate any sidewalk or portion thereof under its jurisdiction as a bicycle path provided that the designation does not destroy a pedestrian way or pedestrian access;

(3) develop and designate bicycle paths;

(4) designate as bikeways all bicycle lanes, bicycle routes, and bicycle paths.

(b) A governing body may not prohibit operation of an electric-assisted bicycle, as defined in section 169.011, subdivision 27, on any bikeway, roadway, or shoulder, provided that the governing body determines that operation of the electric-assisted bicycle is consistent with safe use and enjoyment of the trail.

Sec. 11. **[160.266] MISSISSIPPI RIVER TRAIL.**

Subdivision 1. **Definitions.** For the purposes of this section:

(1) "bicycle path" has the meaning given in section 169.011, subdivision 6; and

(2) "bikeway" has the meaning given in section 169.011, subdivision 9.

Subd. 2. **Creation.** The commissioner, in cooperation with road and trail authorities including the commissioner of natural resources, shall identify a bikeway that originates at Itasca State Park in Clearwater, Beltrami, and Hubbard Counties, then generally parallels the Mississippi River through the cities of Bemidji in Beltrami County, Grand Rapids in Itasca County, Brainerd in Crow Wing County, Little Falls in Morrison County, Sauk Rapids in Benton County, St. Cloud in Stearns County, Minneapolis in Hennepin County, St. Paul in Ramsey County, Hastings in Dakota County, Red Wing in Goodhue County, Wabasha in Wabasha County, Winona in Winona County, and La Crescent in Houston County to Minnesota's boundary with Iowa and there terminates. Where opportunities exist, the bikeway may be designated on both sides of the Mississippi River.

Subd. 3. **Cooperation with other entities.** The commissioner may contract and enter into agreements with federal agencies, other state agencies, and local governments to establish, develop, maintain, and operate the bikeway and to interpret associated natural and cultural resources.

Subd. 4. **Funding.** Bicycle paths included within the bikeway and not administered by the commissioner of natural resources are eligible for funding from the environment and natural resources trust fund under chapter 116P, from the parks and trails grant program under section 85.535, from the local recreation grants program under section 85.019, subdivision 4b, and from other sources.

Sec. 12. Minnesota Statutes 2010, section 160.845, is amended to read:

**160.845 RESTRICTIONS ON TOLL FACILITY.**

(a) A road authority, including the governing body of a city, or a private operator may not convert, transfer, or utilize any portion of a highway to impose tolls or for use as a toll facility. A road authority, including the governing body of a city, or a private operator may not limit operation of a commercial motor vehicle, as defined in section

169.011, subdivision 16, to a toll facility or otherwise require that a commercial motor vehicle use the tolled portion of a highway.

(b) This section does not apply to (1) any toll facility or high-occupancy vehicle lane constructed, converted, or established before September 1, 2007, (2) any additional lane, including a priced dynamic shoulder lane, high-occupancy vehicle lane, or high-occupancy toll lane, added to a highway after September 1, 2007, ~~and~~ (3) any other general purpose lane that adds capacity, and (4) an additional lane on each side of that segment of Interstate Highway 35E between its intersection with Interstate Highway 94 and its intersection with Interstate Highway 694.

Sec. 13. Minnesota Statutes 2010, section 160.93, subdivision 1, is amended to read:

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

Sec. 14. Minnesota Statutes 2010, section 160.93, subdivision 2, is amended to read:

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

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

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

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

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

Sec. 15. Minnesota Statutes 2010, section 161.14, subdivision 66, is amended to read:

Subd. 66. **Veterans Memorial Highway.** ~~Legislative Route No. 31, signed as~~ Trunk Highway marked 200 as of July 1, 2010, from the border with North Dakota to the city of Mahanomen, is designated as the "Veterans Memorial Highway." The commissioner shall adopt a suitable design to mark this highway and erect appropriate signs, subject to section 161.139.

Sec. 16. Minnesota Statutes 2010, section 161.14, is amended by adding a subdivision to read:

Subd. 70. **Deputy John W. Liebenstein Memorial Highway.** (a) That segment of Route No. 390, signed as Interstate Highway 35 on the effective date of this section and located in Rice County, is designated as "Deputy John W. Liebenstein Memorial Highway." Subject to section 161.139, the commissioner shall adopt a suitable marking design to mark this highway and shall erect the appropriate signs as provided in paragraph (b).

(b) The commissioner of transportation shall erect suitable signs on signed Interstate Highway 35 as close as practicable to the following locations:

(1) one southbound sign at the Rice County State-Aid Highway 86 overpass;

(2) one sign on the southbound off-ramp of the interchange with Rice County State-Aid Highway 1, at the closest reasonable location to the site at which Deputy John W. Liebenstein was killed in the line of duty;

(3) one sign on the northbound off-ramp of the interchange with Rice County State-Aid Highway 1; and

(4) one northbound sign near the intersection to the east of Rice County State-Aid Highways 21 and 45.

Sec. 17. Minnesota Statutes 2010, section 168.012, subdivision 1, is amended to read:

Subdivision 1. **Vehicles exempt from tax, fees, or plate display.** (a) The following vehicles are exempt from the provisions of this chapter requiring payment of tax and registration fees, except as provided in subdivision 1c:



(1) vehicles owned and used solely in the transaction of official business by the federal government, the state, or any political subdivision;

(2) vehicles owned and used exclusively by educational institutions and used solely in the transportation of pupils to and from those institutions;

(3) vehicles used solely in driver education programs at nonpublic high schools;

(4) vehicles owned by nonprofit charities and used exclusively to transport disabled persons for charitable, religious, or educational purposes;

(5) vehicles owned by nonprofit charities and used exclusively for disaster response and related activities;

(6) vehicles owned by ambulance services licensed under section 144E.10 that are equipped and specifically intended for emergency response or providing ambulance services; and

(7) vehicles owned by a commercial driving school licensed under section 171.34, or an employee of a commercial driving school licensed under section 171.34, and the vehicle is used exclusively for driver education and training.

(b) Provided the general appearance of the vehicle is unmistakable, the following vehicles are not required to register or display number plates:

(1) vehicles owned by the federal government;

(2) fire apparatuses, including fire-suppression support vehicles, owned or leased by the state or a political subdivision;

(3) police patrols owned or leased by the state or a political subdivision; and

(4) ambulances owned or leased by the state or a political subdivision.

(c) Unmarked vehicles used in general police work, liquor investigations, or arson investigations, and passenger automobiles, pickup trucks, and buses owned or operated by the Department of Corrections or by conservation officers of the Division of Enforcement and Field Service of the Department of Natural Resources, must be registered and must display appropriate license number plates, furnished by the registrar at cost. Original and renewal applications for these license plates authorized for use in general police work and for use by the Department of Corrections or by conservation officers must be accompanied by a certification signed by the appropriate chief of police if issued to a police vehicle, the appropriate sheriff if issued to a sheriff's vehicle, the commissioner of corrections if issued to a Department of Corrections vehicle, or the appropriate officer in charge if issued to a vehicle of any other law enforcement agency. The certification must be on a form prescribed by the commissioner and state that the vehicle will be used exclusively for a purpose authorized by this section.

10.1 (d) Unmarked vehicles used by the Departments of Revenue and Labor and Industry,  
10.2 fraud unit, in conducting seizures or criminal investigations must be registered and must  
10.3 display passenger vehicle classification license number plates, furnished at cost by the  
10.4 registrar. Original and renewal applications for these passenger vehicle license plates  
10.5 must be accompanied by a certification signed by the commissioner of revenue or the  
10.6 commissioner of labor and industry. The certification must be on a form prescribed by  
10.7 the commissioner and state that the vehicles will be used exclusively for the purposes  
10.8 authorized by this section.

10.9 (e) Unmarked vehicles used by the Division of Disease Prevention and Control of the  
10.10 Department of Health must be registered and must display passenger vehicle classification  
10.11 license number plates. These plates must be furnished at cost by the registrar. Original  
10.12 and renewal applications for these passenger vehicle license plates must be accompanied  
10.13 by a certification signed by the commissioner of health. The certification must be on a  
10.14 form prescribed by the commissioner and state that the vehicles will be used exclusively  
10.15 for the official duties of the Division of Disease Prevention and Control.

10.16 (f) Unmarked vehicles used by staff of the Gambling Control Board in gambling  
10.17 investigations and reviews must be registered and must display passenger vehicle  
10.18 classification license number plates. These plates must be furnished at cost by the  
10.19 registrar. Original and renewal applications for these passenger vehicle license plates must  
10.20 be accompanied by a certification signed by the board chair. The certification must be on a  
10.21 form prescribed by the commissioner and state that the vehicles will be used exclusively  
10.22 for the official duties of the Gambling Control Board.

10.23 (g) Unmarked vehicles used in general investigation, surveillance, supervision,  
10.24 and monitoring by the staff of the Department of Human Services Office of Special  
10.25 Investigations and the executive director of the Minnesota sex offender program must  
10.26 be registered and must display passenger vehicle classification license number plates,  
10.27 furnished by the registrar at cost. Original and renewal applications for passenger vehicle  
10.28 license plates must be accompanied by a certification signed by the commissioner of  
10.29 human services. The certification must be on a form prescribed by the commissioner and  
10.30 state that the vehicles must be used exclusively for the official duties of the Office of  
10.31 Special Investigations and the executive director of the Minnesota sex offender program.

10.32 (h) Each state hospital and institution for persons who are mentally ill and  
10.33 developmentally disabled may have one vehicle without the required identification on  
10.34 the sides of the vehicle. The vehicle must be registered and must display passenger  
10.35 vehicle classification license number plates. These plates must be furnished at cost by the  
10.36 registrar. Original and renewal applications for these passenger vehicle license plates must

be accompanied by a certification signed by the hospital administrator. The certification must be on a form prescribed by the commissioner and state that the vehicles will be used exclusively for the official duties of the state hospital or institution.

(i) Each county social service agency may have vehicles used for child and vulnerable adult protective services without the required identification on the sides of the vehicle. The vehicles must be registered and must display passenger vehicle classification license number plates. These plates must be furnished at cost by the registrar. Original and renewal applications for these passenger vehicle license plates must be accompanied by a certification signed by the agency administrator. The certification must be on a form prescribed by the commissioner and state that the vehicles will be used exclusively for the official duties of the social service agency.

(j) All other motor vehicles must be registered and display tax-exempt number plates, furnished by the registrar at cost, except as provided in subdivision 1c. All vehicles required to display tax-exempt number plates must have the name of the state department or political subdivision, nonpublic high school operating a driver education program, licensed commercial driving school, or other qualifying organization or entity, plainly displayed on both sides of the vehicle. This identification must be in a color giving contrast with that of the part of the vehicle on which it is placed and must endure throughout the term of the registration. The identification must not be on a removable plate or placard and must be kept clean and visible at all times; except that a removable plate or placard may be utilized on vehicles leased or loaned to a political subdivision or to a nonpublic high school driver education program.

Sec. 18. Minnesota Statutes 2010, section 168.013, subdivision 1e, is amended to read:

Subd. 1e. **Truck; tractor; combination; exceptions.** (a) On trucks and tractors except those in this chapter defined as farm trucks, on truck-tractor and semitrailer combinations except those defined as farm combinations, and on commercial zone vehicles, the tax based on total gross weight shall be graduated according to the Minnesota base rate schedule prescribed in this subdivision, but in no event less than \$120.

Minnesota Base Rate Schedule

Scheduled taxes include five percent  
surtax provided for in subdivision 14

TOTAL GROSS WEIGHT IN POUNDS				TAX
A	0	-	1,500	\$ 15
B	1,501	-	3,000	20
C	3,001	-	4,500	25
D	4,501	-	6,000	35

12.1	E	6,001	-	10,000	45
12.2	F	10,001	-	12,000	70
12.3	G	12,001	-	15,000	105
12.4	H	15,001	-	18,000	145
12.5	I	18,001	-	21,000	190
12.6	J	21,001	-	26,000	270
12.7	K	26,001	-	33,000	360
12.8	L	33,001	-	39,000	475
12.9	M	39,001	-	45,000	595
12.10	N	45,001	-	51,000	715
12.11	O	51,001	-	57,000	865
12.12	P	57,001	-	63,000	1015
12.13	Q	63,001	-	69,000	1185
12.14	R	69,001	-	73,280	1325
12.15	S	73,281	-	78,000	1595
12.16	T	78,001	-	80,000	1760

12.17 (b) For purposes of the Minnesota base rate schedule, for vehicles with six or more  
12.18 axles in the "S" and "T" categories, the base rates are \$1,520 and \$1,620 respectively.

12.19 (c) For each vehicle with a gross weight in excess of 80,000 pounds an additional  
12.20 tax of \$50 is imposed for each ton or fraction thereof in excess of 80,000 pounds, subject  
12.21 to subdivision 12 or section 169.86, subdivision 5a, as applicable.

12.22 (d) For purposes of registration identification, for vehicles registered in the "O"  
12.23 category, the owner must declare at the time of registration whether the vehicle will carry  
12.24 a weight of 55,000 pounds or more and therefore be subject to the federal heavy vehicle  
12.25 use tax. For those owners who declare a weight less than 55,000 pounds, a distinctive  
12.26 weight sticker must be issued and the owner is restricted to a gross vehicle weight of  
12.27 less than 55,000 pounds.

12.28 (e) Truck-tractors except those herein defined as farm and commercial zone vehicles  
12.29 shall be taxed in accord with the foregoing gross weight tax schedule on the basis of the  
12.30 combined gross weight of the truck-tractor and any semitrailer or semitrailers which the  
12.31 applicant proposes to combine with the truck-tractor.

12.32 (f) Commercial zone trucks include only trucks, truck-tractors, and semitrailer  
12.33 combinations which are operated by an interstate carrier registered under section 221.60,  
12.34 or by a carrier receiving operating authority under chapter 221, and operated solely within  
12.35 a zone exempt from regulation pursuant to United States Code, title 49, section 13506.

12.36 (g) The license plates issued for commercial zone vehicles shall be plainly marked.  
12.37 A person operating a commercial zone vehicle outside the zone or area in which its  
12.38 operation is authorized is guilty of a misdemeanor and, in addition to the misdemeanor

penalty, the registrar shall revoke the registration of the vehicle as a commercial zone vehicle and shall require that the vehicle be registered at 100 percent of the full annual tax prescribed in the Minnesota base rate schedule, and no part of this tax may be refunded during the balance of the registration year.

(h) On commercial zone trucks the tax shall be based on the total gross weight of the vehicle and during each of the first eight years of vehicle life is 75 percent of the Minnesota base rate schedule. During the ninth and succeeding years of vehicle life the tax is 50 percent of the Minnesota base rate schedule.

(i) On trucks, truck-tractors and semitrailer combinations, except those defined as farm trucks and farm combinations, and except for those commercial zone vehicles specifically provided for in this subdivision, the tax for each of the first eight years of vehicle life is 100 percent of the tax imposed in the Minnesota base rate schedule, and during the ninth and succeeding years of vehicle life, the tax is 75 percent of the Minnesota base rate prescribed by this subdivision.

(j) For the purpose of registration, trailers coupled with a truck-tractor, semitrailer combination are semitrailers.

**EFFECTIVE DATE.** This section is effective January 1, 2012, and applies to all registrations that are effective on and after that date and special permits issued on and after that date.

Sec. 19. Minnesota Statutes 2010, section 168.013, subdivision 3, is amended to read:

Subd. 3. **Application; cancellation; excessive gross weight forbidden.** (a) The applicant for all licenses based on gross weight shall state the unloaded weight of the motor vehicle, trailer, or semitrailer and the maximum load the applicant proposes to carry on it, the sum of which constitutes the gross weight upon which the license tax must be paid. However, the declared gross weight upon which the tax is paid must not be less than 1-1/4 times the declared unloaded weight of the motor vehicle, trailer, or semitrailer to be registered, except recreational vehicles taxed under subdivision 1g, school buses taxed under subdivision 18, and tow trucks or towing vehicles defined in section 169.011, subdivision 83. The gross weight of a tow truck or towing vehicle is the actual weight of the tow truck or towing vehicle fully equipped, but does not include the weight of a wrecked or disabled vehicle towed or drawn by the tow truck or towing vehicle.

(b) Except as provided by special permit issued under section 169.86, the gross weight of a motor vehicle, trailer, or semitrailer must not exceed the gross weight upon which the license tax has been paid by more than four percent or 1,000 pounds, whichever is greater; provided that, a vehicle transporting unfinished forest products on a highway,

14.1 other than a highway that is part of the system of interstate and defense highways, unless a  
14.2 federal exemption is granted, in accordance with paragraph (d)(3):

14.3 (1) shall not exceed its gross vehicle weight upon which the license tax has been  
14.4 paid, or gross axle weight on any axle, by more than five percent and, notwithstanding  
14.5 other law to the contrary, is not subject to any fee, fine, or other assessment or penalty for  
14.6 exceeding a gross vehicle or axle weight by up to five percent; and

14.7 (2) between the dates set by the commissioner in accordance with section 169.826,  
14.8 subdivision 1, is not subject to any provision of paragraph (d) or chapter 169 limiting  
14.9 the gross axle weight of any individual axle unless the entire vehicle also exceeds its  
14.10 gross vehicle weight plus its weight allowance allowed in clause (1) and plus any weight  
14.11 allowance permitted under section 169.826, in which case the vehicle is subject to all  
14.12 applicable penalties for excess weight violations.

14.13 (c) The gross weight of the motor vehicle, trailer, or semitrailer for which the  
14.14 license tax is paid must be indicated by a distinctive character on the license plate or  
14.15 plates ~~except as provided in subdivision 12~~ and the plate or plates must be kept clean  
14.16 and clearly visible at all times.

14.17 (d) The owner, driver, or user of a motor vehicle, trailer, or semitrailer, upon  
14.18 conviction for transporting a gross weight in excess of the gross weight for which it was  
14.19 registered or for operating a vehicle with an axle weight exceeding the maximum lawful  
14.20 axle load weight, is guilty of a misdemeanor and subject to increased registration or  
14.21 reregistration according to the following schedule:

14.22 (1) Upon conviction for transporting a gross weight in excess of the gross weight  
14.23 for which a motor vehicle, trailer, or semitrailer is registered by more than the allowance  
14.24 set forth in paragraph (b) but less than 25 percent, or for operating or using a motor  
14.25 vehicle, trailer, or semitrailer with an axle weight exceeding the maximum lawful axle  
14.26 load as provided in sections 169.822 to 169.829 by more than the allowance set forth in  
14.27 paragraph (b) but less than 25 percent, the owner, driver, or user of the motor vehicle,  
14.28 trailer, or semitrailer used to commit the violation, in addition to any penalty imposed for  
14.29 the misdemeanor, shall apply to the registrar to increase the authorized gross weight to  
14.30 be carried on the vehicle to a weight equal to or greater than the gross weight the owner,  
14.31 driver, or user was convicted of carrying. The increase is computed for the balance of  
14.32 the calendar year on the basis of 1/12 of the annual tax for each month remaining in the  
14.33 calendar year beginning with the first day of the month in which the violation occurred.  
14.34 If the additional registration tax computed upon that weight, plus the tax already paid,  
14.35 amounts to more than the regular tax for the maximum gross weight permitted for the  
14.36 vehicle under sections 169.822 to 169.829, that additional amount must nevertheless be

paid into the highway fund, but the additional tax thus paid does not authorize or permit any person to operate the vehicle with a gross weight in excess of the maximum legal weight as provided by sections 169.822 to 169.829. Unless the owner within 30 days after a conviction applies to increase the authorized weight and pays the additional tax as provided in this section, the registrar shall revoke the registration on the vehicle and demand the return of the registration card and plates issued on that registration.

(2) Upon conviction of an owner, driver, or user of a motor vehicle, trailer, or semitrailer for transporting a gross weight in excess of the gross weight for which the motor vehicle, trailer, or semitrailer was registered by 25 percent or more or for operating or using the vehicle or trailer with an axle weight exceeding the maximum lawful axle load as provided in sections 169.822 to 169.829 by 25 percent or more, and in addition to any penalty imposed for the misdemeanor, the registrar shall either (i) cancel the reciprocity privileges on the vehicle involved if the vehicle is being operated under reciprocity or (ii) if the vehicle is not being operated under reciprocity, cancel the certificate of registration on the vehicle operated and demand the return of the registration certificate and registration plates. The registrar may not cancel the registration or reciprocity privileges for any vehicle found in violation of seasonal load restrictions imposed under section 169.87 unless the axle weight exceeds the year-round weight limit for the highway on which the violation occurred. The registrar may investigate any allegation of gross weight violations and demand that the operator show cause why all future operating privileges in the state should not be revoked unless the additional tax assessed is paid.

(3) Clause (1) does not apply to the first haul of unprocessed or raw farm products or unfinished forest products, when the registered gross weight is not exceeded by more than ten percent. For purposes of this clause, "first haul" means (i) the first, continuous transportation of unprocessed or raw farm products from the place of production or on-farm storage site to any other location within 50 miles of the place of production or on-farm storage site, or (ii) the continuous or noncontinuous transportation of unfinished forest products from the place of production to the place of final processing or manufacture located within 200 miles of the place of production.

(4) When the registration on a motor vehicle, trailer, or semitrailer is revoked by the registrar according to this section, the vehicle must not be operated on the highways of the state until it is registered or reregistered, as the case may be, and new plates issued, and the registration fee is the annual tax for the total gross weight of the vehicle at the time of violation. The reregistration pursuant to this subdivision of any vehicle operating under reciprocity agreements pursuant to section 168.181 or 168.187 must be at the full annual registration fee without regard to the percentage of vehicle miles traveled in this state.

16.1        **EFFECTIVE DATE.** This section is effective January 1, 2012, and applies to  
16.2        all registrations that are effective on and after that date and special permits issued on  
16.3        and after that date.

16.4        Sec. 20. Minnesota Statutes 2010, section 168.013, subdivision 12, is amended to read:

16.5        Subd. 12. **Additional tax for excessive gross weight.** (a) Whenever an owner has  
16.6        registered a vehicle and paid the tax as provided in subdivisions 1 to 1g, on the basis of  
16.7        a selected gross weight of the vehicle and thereafter such owner desires to operate such  
16.8        vehicle with a greater gross weight than that for which the tax has been paid, such owner  
16.9        shall be permitted to reregister such vehicle by paying the additional tax due thereon  
16.10       for the remainder of the calendar year for which such vehicle has been reregistered, the  
16.11       additional tax computed pro rata by the month, 1/12 of the annual tax due for each month  
16.12       of the year remaining in the calendar year, beginning with the first day of the month in  
16.13       which such owner desires to operate the vehicle with the greater weight. In computing the  
16.14       additional tax as aforesaid, the owner shall be given credit for the unused portion of the  
16.15       tax previously paid computed pro rata by the month, 1/12 of the annual tax paid for each  
16.16       month of the year remaining in the calendar year beginning with the first day of the month  
16.17       in which such owner desires to operate the vehicle with the greater weight. An owner will  
16.18       be permitted one reduction of gross weight or change of registration per year, which will  
16.19       result in a refund. This refund will be prorated monthly beginning with the first day of the  
16.20       month after such owner applies to amend the registration. The application for amendment  
16.21       shall be accompanied by a fee of \$3, and all fees shall be deposited in the highway user  
16.22       tax distribution fund. ~~Provided, however, the owner of a vehicle may reregister the vehicle~~  
16.23       ~~for a weight of more than 81,000 pounds for one or more 30-day periods. For each 30-day~~  
16.24       ~~period, the additional tax shall be equal to 1/12 of the difference between the annual~~  
16.25       ~~tax for the weight at which the vehicle is registered and reregistered.~~ When a vehicle is  
16.26       reregistered in accordance with this provision, a distinctive windshield sticker provided by  
16.27       the commissioner of public safety shall be permanently displayed.

16.28        (b) This subdivision does not apply to the owner of a vehicle who pays the weight  
16.29        increase surcharge under section 169.86, subdivision 5a, when buying a permit to operate  
16.30        with the greater gross weight.

16.31        Sec. 21. Minnesota Statutes 2010, section 168.017, subdivision 3, is amended to read:

16.32        Subd. 3. **Exceptions.** (a) The registrar shall register all vehicles subject to  
16.33        registration under the monthly series system for a period of 12 consecutive calendar  
16.34        months, unless:



17.1 (1) the application is an original rather than renewal application; or

17.2 (2) the applicant is a licensed motor vehicle lessor under section 168.27 and the  
17.3 vehicle is leased or rented for periods of time of not more than 28 days, in which case the  
17.4 applicant may apply for initial or renewed registration of a vehicle for a period of four  
17.5 or more months, the month of expiration to be designated by the applicant at the time of  
17.6 registration. ~~However,~~ To qualify for this exemption, the applicant must ~~(1)~~ present the  
17.7 application to the registrar at St. Paul, or a designated deputy registrar office, ~~and (2)~~  
17.8 ~~stamp in red, on the certificate of title, the phrase "The expiration month of this vehicle~~  
17.9 ~~is ....." with the blank filled in with the month of expiration as if the vehicle is being~~  
17.10 ~~registered for a period of 12 calendar months. Subsequent registration periods when the~~  
17.11 applicant is not a qualified motor vehicle lessor under this subdivision must be for a period  
17.12 of 12 months commencing from the last month for which registration was issued.

17.13 (b) In any instance except that of a licensed motor vehicle lessor, the registrar shall  
17.14 not approve registering the vehicle subject to the application for a period of less than three  
17.15 months, except when the registrar determines that to do otherwise will help to equalize  
17.16 the registration and renewal work load of the department.

17.17 **EFFECTIVE DATE.** This section is effective August 1, 2011, and applies to all  
17.18 applications for registration filed on or after that date.

17.19 Sec. 22. Minnesota Statutes 2010, section 168.123, subdivision 2, is amended to read:

17.20 Subd. 2. **Design.** The commissioner of veterans affairs shall design the emblem for  
17.21 the veterans' special plates, subject to the approval of the commissioner, that satisfy the  
17.22 following requirements:

17.23 (a) For a Vietnam veteran who served after July 1, 1961, and before July 1, 1978,  
17.24 in the active military service in a branch of the armed forces of the United States or a  
17.25 nation or society allied with the United States the special plates must bear the inscription  
17.26 "VIETNAM VET" and the letters "V" and "V" with the first letter directly above the  
17.27 second letter and both letters just preceding the first numeral of the special plate number.

17.28 (b) For a veteran stationed on the island of Oahu, Hawaii, or offshore, during the  
17.29 attack on Pearl Harbor on December 7, 1941, the special plates must bear the inscription  
17.30 "PEARL HARBOR SURVIVOR" and the letters "P" and "H" with the first letter directly  
17.31 above the second letter and both letters just preceding the first numeral of the special  
17.32 plate number.

17.33 (c) For a veteran who served during ~~World War I or~~ World War II, the plates must  
17.34 bear the inscription "WORLD WAR II VET" ~~and~~.

~~(1) for a World War I veteran, the characters "W" and "I" with the first character directly above the second character and both characters just preceding the first numeral of the special plate number, or~~

~~(2) for a World War II veteran, the characters "W" and "II" with the first character directly above the second character and both characters just preceding the first numeral of the special plate number.~~

(d) For a veteran who served during the Korean Conflict, the special plates must bear the inscription "KOREAN VET" and the letters "K" and "V" with the first letter directly above the second letter and both letters just preceding the first numeral of the special plate number.

(e) For a combat wounded veteran who is a recipient of the Purple Heart medal, the plates must bear the inscription "COMBAT WOUNDED VET" and have a facsimile or an emblem of the official Purple Heart medal and the letters "C" over "W" with the first letter directly over the second letter just preceding the first numeral of the special plate number.

A member of the United States armed forces who is serving actively in the military and who is a recipient of the Purple Heart medal is also eligible for this license plate. The commissioner of public safety shall ensure that information regarding the required proof of eligibility for any applicant under this paragraph who has not yet been issued military discharge papers is distributed to the public officials responsible for administering this section.

(f) For a Persian Gulf War veteran, the plates must bear the inscription "GULF WAR VET" and the letters "G" and "W" with the first letter directly above the second letter and both letters just preceding the first numeral of the special plate number. For the purposes of this section, "Persian Gulf War veteran" means a person who served on active duty after August 1, 1990, in a branch of the armed forces of the United States or a nation or society allied with the United States or the United Nations during Operation Desert Shield, Operation Desert Storm, or other military operation in the Persian Gulf area combat zone as designated in United States Presidential Executive Order No. 12744, dated January 21, 1991.

(g) For a veteran who served in the Laos War after July 1, 1961, and before July 1, 1978, the special plates must bear the inscription "LAOS WAR VET" and the letters "L" and "V" with the first letter directly above the second letter and both letters just preceding the first numeral of the special plate number.

(h) For a veteran who is the recipient of:

(1) the Iraq Campaign Medal, the special plates must be inscribed with a facsimile of that medal and must bear the inscription "IRAQ WAR VET" directly below the special plate number;

(2) the Afghanistan Campaign Medal, the special plates must be inscribed with a facsimile of that medal and must bear the inscription "AFGHAN WAR VET" directly below the special plate number;

(3) the Global War on Terrorism Expeditionary Medal, the special plates must be inscribed with a facsimile of that medal and must bear the inscription "GWOT VETERAN" directly below the special plate number; or

(4) the Armed Forces Expeditionary Medal, the special plates must bear an appropriate inscription that includes a facsimile of that medal.

(i) For a veteran who is the recipient of the Global War on Terrorism Service Medal, the special plates must be inscribed with a facsimile of that medal and must bear the inscription "GWOT VETERAN" directly below the special plate number. In addition, any member of the National Guard or other military reserves who has been ordered to federally funded state active service under United States Code, title 32, as defined in section 190.05, subdivision 5b, and who is the recipient of the Global War on Terrorism Service Medal, is eligible for the license plate described in this paragraph, irrespective of whether that person qualifies as a veteran under section 197.447.

(j) For a veteran who is the recipient of the Korean Defense Service Medal, the special plates must be inscribed with a facsimile of that medal and must bear the inscription "KOREAN DEFENSE SERVICE" directly below the special plate number.

(k) For a veteran who is a recipient of the Bronze Star medal, the plates must bear the inscription "BRONZE STAR VET" and have a facsimile or an emblem of the official Bronze Star medal.

(l) For a veteran who is a recipient of the Silver Star medal, the plates must bear the inscription "SILVER STAR VET" and have a facsimile or an emblem of the official Silver Star medal.

(m) For a woman veteran, the plates must bear the inscription "WOMAN VETERAN." The commissioner of veterans affairs, in consultation with the commissioner of public safety, a representative of the Minnesota Women Veterans Initiative Working Group, and any interested Minnesota veterans service organization, shall design the special plates, subject to the approval of the commissioner of public safety.

**EFFECTIVE DATE.** This section is effective July 1, 2011.

Sec. 23. Minnesota Statutes 2010, section 168A.11, subdivision 4, is amended to read:

Subd. 4. **Centralized record keeping.** ~~Three~~ Two or more new motor vehicle dealers under common management or control may ~~designate~~ apply to the department in writing ~~a single location for maintaining~~ for permission to maintain the records required by this section ~~that are more than 12 months old~~ and section 168.27, subdivision 10, paragraph (a), clause (1), item (i), at a single location. The department shall consent to the application unless it provides a reasonable basis for denial. The records must be open to inspection by a representative of the department or a peace officer during reasonable business hours. The location must be at the established place of business of one of the affiliated dealers or at a location within Minnesota not further than 25 miles from the established place of business of one of the affiliated dealers.

Sec. 24. Minnesota Statutes 2010, section 169.011, subdivision 27, is amended to read:

Subd. 27. **Electric-assisted bicycle.** "Electric-assisted bicycle" means a ~~motor vehicle~~ bicycle with two or three wheels that:

(1) has a saddle and fully operable pedals for human propulsion;

(2) meets the requirements:

(i) of federal motor vehicle safety standards in Code of Federal Regulations, title 49, sections 571.1 et seq.; or

(ii) for bicycles under Code of Federal Regulations, title 15, part 1512, and successor requirements; and

(3) has an electric motor that (i) has a power output of not more than 1,000 watts, (ii) is incapable of propelling the vehicle at a speed of more than 20 miles per hour, (iii) is incapable of further increasing the speed of the device when human power alone is used to propel the vehicle at a speed of more than 20 miles per hour, and (iv) disengages or ceases to function when the vehicle's brakes are applied.

Sec. 25. Minnesota Statutes 2010, section 169.035, is amended by adding a subdivision to read:

Subd. 4. **Trains.** (a) For purposes of this subdivision, "railroad operator" means a person who is a locomotive engineer, conductor, member of the crew of a railroad locomotive or train, or an operator of on-track equipment.

(b) A peace officer may not issue a citation for violation of this chapter or chapter 171 to a railroad operator involving the operation of a railroad locomotive or train, or on-track equipment while being operated upon rails.

21.1           (c) Notwithstanding section 171.08, a railroad operator is not required to display or  
21.2 furnish a driver's license to a peace officer in connection with the operation of a railroad  
21.3 locomotive or train, or on-track equipment while being operated upon rails.

21.4           Sec. 26. Minnesota Statutes 2010, section 169.045, subdivision 1, is amended to read:

21.5           Subdivision 1. **Designation of roadway, permit.** The governing body of any  
21.6 county, home rule charter or statutory city, or town may by ordinance authorize the  
21.7 operation of motorized golf carts, ~~four-wheel~~ all-terrain vehicles, or mini trucks, on  
21.8 designated roadways or portions thereof under its jurisdiction. Authorization to operate a  
21.9 motorized golf cart, ~~four-wheel~~ all-terrain vehicle, or mini truck is by permit only. For  
21.10 purposes of this section, ~~a four-wheel an all-terrain vehicle is a motorized flotation-tired~~  
21.11 ~~vehicle with four low-pressure tires that is limited in engine displacement of less than 800~~  
21.12 ~~cubic centimeters and total dry weight less than 600 pounds~~ has the meaning given in  
21.13 section 84.92, and a mini truck has the meaning given in section 169.011, subdivision 40a.

21.14           Sec. 27. Minnesota Statutes 2010, section 169.045, subdivision 2, is amended to read:

21.15           Subd. 2. **Ordinance.** The ordinance shall designate the roadways, prescribe the  
21.16 form of the application for the permit, require evidence of insurance complying with the  
21.17 provisions of section 65B.48, subdivision 5 and may prescribe conditions, not inconsistent  
21.18 with the provisions of this section, under which a permit may be granted. Permits may be  
21.19 granted for a period ~~of~~ not to exceed ~~one year~~ three years, and may be ~~annually~~ renewed.  
21.20 A permit may be revoked at any time if there is evidence that the permittee cannot safely  
21.21 operate the motorized golf cart, ~~four-wheel~~ all-terrain vehicle, or mini truck on the  
21.22 designated roadways. The ordinance may require, as a condition to obtaining a permit,  
21.23 that the applicant submit a certificate signed by a physician that the applicant is able  
21.24 to safely operate a motorized golf cart, ~~four-wheel~~ all-terrain vehicle, or mini truck on  
21.25 the roadways designated.

21.26           Sec. 28. Minnesota Statutes 2010, section 169.045, subdivision 3, is amended to read:

21.27           Subd. 3. **Times of operation.** Motorized golf carts and ~~four-wheel~~ all-terrain  
21.28 vehicles may only be operated on designated roadways from sunrise to sunset, unless  
21.29 equipped with original equipment headlights, taillights, and rear-facing brake lights.  
21.30 They shall not be operated in inclement weather, except during emergency conditions as  
21.31 provided in the ordinance, or when visibility is impaired by weather, smoke, fog or other  
21.32 conditions, or at any time when there is insufficient ~~light~~ visibility to clearly see persons  
21.33 and vehicles on the roadway at a distance of 500 feet.

22.1        Sec. 29. Minnesota Statutes 2010, section 169.045, subdivision 5, is amended to read:

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

22.5        Sec. 30. Minnesota Statutes 2010, section 169.045, subdivision 6, is amended to read:

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

22.12        Sec. 31. Minnesota Statutes 2010, section 169.045, subdivision 7, is amended to read:

22.13            Subd. 7. **Nonapplication of certain laws.** The provisions of chapter 171 are  
22.14 applicable to persons operating mini trucks, but are not applicable to persons operating  
22.15 motorized golf carts or ~~four-wheel~~ all-terrain vehicles under permit on designated  
22.16 roadways pursuant to this section. Except for the requirements of section 169.70, the  
22.17 provisions of this chapter relating to equipment on vehicles are not applicable to motorized  
22.18 golf carts or four-wheel all-terrain vehicles operating, under permit, on designated  
22.19 roadways.

22.20        Sec. 32. Minnesota Statutes 2010, section 169.045, subdivision 8, is amended to read:

22.21            Subd. 8. **Insurance.** In the event persons operating a motorized golf cart, ~~four-wheel~~  
22.22 all-terrain vehicle, or mini truck under this section cannot obtain liability insurance in  
22.23 the private market, that person may purchase automobile insurance, including no-fault  
22.24 coverage, from the Minnesota Automobile Insurance Plan under sections 65B.01 to  
22.25 65B.12, at a rate to be determined by the commissioner of commerce.

22.26        Sec. 33. Minnesota Statutes 2010, section 169.06, subdivision 5, is amended to read:

22.27            Subd. 5. **Traffic-control signal.** (a) Whenever traffic is controlled by traffic-control  
22.28 signals exhibiting different colored lights, or colored lighted arrows, successively one at a  
22.29 time or in combination, only the colors Green, Red, and Yellow shall be used, except for  
22.30 special pedestrian signals carrying a word or legend. The traffic-control signal lights or  
22.31 colored lighted arrows indicate and apply to drivers of vehicles and pedestrians as follows:

22.32            (1) Green indication:

23.1 (i) Vehicular traffic facing a circular green signal may proceed straight through or  
23.2 turn right or left unless a sign ~~at such place~~ prohibits either turn. But vehicular traffic,  
23.3 including vehicles turning right or left, shall yield the right-of-way to other vehicles and to  
23.4 pedestrians lawfully within the intersection or adjacent crosswalk at the time this signal  
23.5 is exhibited. Vehicular traffic turning left or making a U-turn to the left shall yield the  
23.6 right-of-way to other vehicles approaching from the opposite direction so closely as to  
23.7 constitute an immediate hazard.

23.8 (ii) Vehicular traffic facing a green arrow signal, shown alone or in combination with  
23.9 another indication, may cautiously enter the intersection only to make the movement  
23.10 indicated by the arrow, or other movement as permitted by other indications shown at the  
23.11 same time. ~~Such~~ Vehicular traffic shall yield the right-of-way to pedestrians lawfully  
23.12 within an adjacent crosswalk and to other traffic lawfully using the intersection.

23.13 (iii) Unless otherwise directed by a pedestrian-control signal as provided in  
23.14 subdivision 6, pedestrians facing any green signal, except when the sole green signal is a  
23.15 turn arrow, may proceed across the roadway within any marked or unmarked crosswalk.  
23.16 Every driver of a vehicle shall yield the right-of-way to such pedestrian, except that the  
23.17 pedestrian shall yield the right-of-way to vehicles lawfully within the intersection at the  
23.18 time that the green signal indication is first shown.

23.19 (2) Steady yellow indication:

23.20 (i) Vehicular traffic facing a steady circular yellow or yellow arrow signal is thereby  
23.21 warned that the related green movement is being terminated or that a red indication will be  
23.22 exhibited immediately thereafter when vehicular traffic must not enter the intersection,  
23.23 except for the continued movement allowed by any green arrow indication simultaneously  
23.24 exhibited.

23.25 (ii) Pedestrians facing a circular yellow signal, unless otherwise directed by a  
23.26 pedestrian-control signal as provided in subdivision 6, are thereby advised that there is  
23.27 insufficient time to cross the roadway before a red indication is shown and no pedestrian  
23.28 shall then start to cross the roadway.

23.29 (3) Steady red indication:

23.30 (i) Vehicular traffic facing a circular red signal alone must stop at a clearly marked  
23.31 stop line but, if none, before entering the crosswalk on the near side of the intersection  
23.32 or, if none, then before entering the intersection and shall remain standing until a green  
23.33 indication is shown, except as follows: (A) the driver of a vehicle stopped as close  
23.34 as practicable at the entrance to the crosswalk on the near side of the intersection or,  
23.35 if none, then at the entrance to the intersection in obedience to a red or stop signal,  
23.36 and with the intention of making a right turn may make the right turn, after stopping,

unless an official sign has been erected prohibiting such movement, but shall yield the right-of-way to pedestrians and other traffic lawfully proceeding as directed by the signal at that intersection; or (B) the driver of a vehicle on a one-way street intersecting another one-way street on which traffic moves to the left shall stop in obedience to a red or stop signal and may then make a left turn into the one-way street, unless an official sign has been erected prohibiting the movement, but shall yield the right-of-way to pedestrians and other traffic lawfully proceeding as directed by the signal at that intersection.

(ii) Unless otherwise directed by a pedestrian-control signal as provided in subdivision 6, pedestrians facing a steady red signal alone shall not enter the roadway.

(iii) Vehicular traffic facing a steady red arrow signal, with the intention of making a movement indicated by the arrow, must stop at a clearly marked stop line but, if none, before entering the crosswalk on the near side of the intersection or, if none, then before entering the intersection and must remain standing until a permissive signal indication permitting the movement indicated by the red arrow is displayed, except as follows: when an official sign has been erected permitting a turn on a red arrow signal, the vehicular traffic facing a red arrow signal indication is permitted to enter the intersection to turn right, or to turn left from a one-way street into a one-way street on which traffic moves to the left, after stopping, but must yield the right-of-way to pedestrians and other traffic lawfully proceeding as directed by the signal at that intersection.

(b) In the event an official traffic-control signal is erected and maintained at a place other than an intersection, the provisions of this section are applicable except those which can have no application. Any stop required must be made at a sign or marking on the pavement indicating where the stop must be made, but in the absence of any such sign or marking the stop must be made at the signal.

(c) When a traffic-control signal indication or indications placed to control a certain movement or lane are so identified by placing a sign near the indication or indications, no other traffic-control signal indication or indications within the intersection controls vehicular traffic for that movement or lane.

Sec. 34. Minnesota Statutes 2010, section 169.06, subdivision 7, is amended to read:

Subd. 7. **Flashing signal.** When flashing red or yellow signals are used they shall require obedience by vehicular traffic as follows:

(a) When a circular red lens is illuminated with rapid intermittent flashes, drivers of vehicles shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway



before entering the intersection, and the right to proceed shall be subject to the rules applicable after making a stop at a stop sign.

(b) When a red arrow lens is illuminated with rapid intermittent flashes drivers of vehicles with the intention of making a movement indicated by the arrow shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection, and the right to proceed shall be subject to the rules applicable after making a stop at a stop sign.

(c) When a circular yellow lens is illuminated with rapid intermittent flashes, drivers of vehicles may proceed through the intersection or past the signals only with caution. But vehicular traffic, including vehicles turning right or left, shall yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection or adjacent crosswalk at the time this signal is exhibited. Vehicular traffic turning left or making a U-turn to the left shall yield the right-of-way to other vehicles approaching from the opposite direction so closely as to constitute an immediate hazard.

(d) When a yellow arrow indication is illuminated with rapid intermittent flashes, drivers of vehicles with the intention of making a movement indicated by the arrow may proceed through the intersection or past the signals only with caution; but shall yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection or adjacent crosswalk at the time this signal is exhibited. Vehicular traffic turning left or making a U-turn to the left shall yield the right-of-way to other vehicles approaching from the opposite direction so closely as to constitute an immediate hazard.

Sec. 35. Minnesota Statutes 2010, section 169.223, subdivision 5, is amended to read:

Subd. 5. **Other operation requirements and prohibitions.** (a) A person operating a motorized bicycle on a roadway shall ride as close as practicable to the right-hand curb or edge of the roadway except in one of the following situations:

(1) when overtaking and passing another vehicle proceeding in the same direction;

(2) when preparing for a left turn at an intersection or into a private road or driveway; or

(3) when reasonably necessary to avoid conditions, including fixed or moving objects, vehicles, pedestrians, animals, surface hazards, or narrow width lanes, that make it unsafe to continue along the right-hand curb or edge.

(b) Persons operating motorized bicycles on a roadway may not ride more than two abreast and may not impede the normal and reasonable movement of traffic. On a laned roadway, a person operating a motorized bicycle shall ride within a single lane.

(c) This section does not permit the operation of a motorized bicycle on a bicycle path or bicycle lane that is reserved for the exclusive use of nonmotorized traffic, except that an electric-assisted bicycle may be operated on the path or lane if authorized under section 85.015, subdivision 1d; 85.018, subdivision 2, paragraph (d); or 160.263, subdivision 2, paragraph (b), as applicable.

~~(d) Subject to the provisions of section 160.263, subdivision 3,~~ A person may operate an electric-assisted bicycle on a bikeway or bicycle lane ~~lane~~ trail. A person may operate an electric-assisted bicycle on the shoulder of a roadway if the electric-assisted bicycle is traveling in the same direction as the adjacent vehicular traffic.

Sec. 36. Minnesota Statutes 2010, section 169.306, is amended to read:

**169.306 USE OF SHOULDERS BY BUSES.**

(a) ~~The commissioner of transportation~~ A road authority, as defined in section 160.02, subdivision 25, is authorized to permit ~~the use by~~ transit buses and Metro Mobility buses the use of a shoulder, as designated by the ~~commissioner~~ road authority, of a freeway or expressway, as defined in section 160.02, in Minnesota.

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

(c) Buses authorized to use the shoulder under this section may be operated on the shoulder only when main-line traffic speeds are less than 35 miles per hour, except as provided for in paragraph (f). Drivers of buses being operated on the shoulder may not exceed the speed of main-line traffic by more than 15 miles per hour and may never exceed 35 miles per hour, except as provided for in paragraph (f). Drivers of buses being operated on the shoulder must yield to merging, entering, and exiting traffic and must yield to other vehicles on the shoulder. Buses operated on the shoulder must be registered with the Department of Transportation.

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

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

(2) authorized by ~~the commissioner~~ a road authority to use freeway or expressway shoulders.

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

(f) The commissioner may authorize different operating conditions and maximum speeds, not to exceed the posted speed limit, based upon an engineering study and recommendation by the road authority. The engineering study must be conducted by the road authority and must conform with the manual and specifications adopted under section 169.06, subdivision 1, and applicable state and federal standards. The road authority shall consult the public transit operator before recommending operating conditions different from those authorized by law.

Sec. 37. Minnesota Statutes 2010, section 169.4503, is amended by adding a subdivision to read:

Subd. 28. **Crossing control arm.** All buses manufactured for use in Minnesota after January 1, 2012, shall be equipped with a crossing control arm mounted at the right front corner of the front bumper. The crossing control arm shall be automatically activated whenever the bus is stopped with the flashing red signals in use.

Sec. 38. Minnesota Statutes 2010, section 169.64, subdivision 2, is amended to read:

Subd. 2. **Colored light.** (a) Unless otherwise authorized by the commissioner of public safety, no vehicle shall be equipped, nor shall any person drive or move any vehicle or equipment upon any highway with any lamp or device displaying a red light or any colored light other than those required or permitted in this chapter.

(b) A vehicle manufactured for use as an emergency vehicle may display and use colored lights that are not otherwise required or permitted in this chapter, provided that the vehicle is owned and operated according to section 168.10, is owned and operated solely as a collector's item and not for general transportation purposes, and is registered under section 168.10, subdivision 1a, 1b, 1c, 1d, 1g, or 1h. A person may not activate the colored lights authorized under this paragraph on streets or highways except as part of a parade or other special event.

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

28.2 Sec. 39. Minnesota Statutes 2010, section 169.685, subdivision 6, is amended to read:

28.3 Subd. 6. **Exceptions.** (a) This section does not apply to:

28.4 (1) a person transporting a child in an emergency medical vehicle while in the  
28.5 performance of official duties and when the physical or medical needs of the child make  
28.6 the use of a child passenger restraint system unreasonable or when a child passenger  
28.7 restraint system is not available;

28.8 (2) a peace officer transporting a child while in the performance of official duties  
28.9 and when a child passenger restraint system is not available, provided that a seat belt  
28.10 must be substituted;

28.11 (3) a person while operating a motor vehicle for hire, including a taxi, airport  
28.12 limousine, and bus, but excluding a rented, leased, or borrowed motor vehicle; and

28.13 (4) a person while operating a school bus; ~~and that has a gross vehicle weight rating~~  
28.14 of greater than 10,000 pounds.

28.15 ~~(5) a person while operating a type III vehicle described in section 169.011,~~  
28.16 ~~subdivision 71, paragraph (h), if the vehicle meets the seating and crash protection~~  
28.17 ~~requirements of Federal Motor Vehicle Safety Standard 222, Code of Federal Regulations,~~  
28.18 ~~title 49, part 571.~~

28.19 (b) A child passenger restraint system is not required for a child who cannot, in the  
28.20 judgment of a licensed physician, be safely transported in a child passenger restraint  
28.21 system because of a medical condition, body size, or physical disability. A motor vehicle  
28.22 operator claiming exemption for a child under this paragraph must possess a typewritten  
28.23 statement from the physician stating that the child cannot be safely transported in a child  
28.24 passenger restraint system. The statement must give the name and birth date of the child,  
28.25 be dated within the previous six months, and be made on the physician's letterhead or  
28.26 contain the physician's name, address, and telephone number. A person charged with  
28.27 violating subdivision 5 may not be convicted if the person produces the physician's  
28.28 statement in court or in the office of the arresting officer.

28.29 (c) A person offering a motor vehicle for rent or lease shall provide a child passenger  
28.30 restraint device to a customer renting or leasing the motor vehicle who requests the device.  
28.31 A reasonable rent or fee may be charged for use of the child passenger restraint device.

28.32 Sec. 40. Minnesota Statutes 2010, section 169.685, subdivision 7, is amended to read:

28.33 Subd. 7. **Appropriation; special account; legislative report.** The Minnesota child  
28.34 passenger restraint and education account is created in the state treasury, consisting of

29.1 fines collected under subdivision 5 and other money appropriated or donated. The money  
29.2 in the account is annually appropriated to the commissioner of public safety, to be used to  
29.3 provide child passenger restraint systems to families in financial need ~~and~~, school districts  
29.4 and child care providers that provide for the transportation of pupils to and from school  
29.5 using type III vehicles or school buses with a gross vehicle weight rating of 10,000 pounds  
29.6 or less, and to provide an educational program on the need for and proper use of child  
29.7 passenger restraint systems. The commissioner shall report to the legislature by February  
29.8 1 of each odd-numbered year on the commissioner's activities and expenditure of funds  
29.9 under this section.

29.10 Sec. 41. Minnesota Statutes 2010, section 169.826, subdivision 1a, is amended to read:

29.11 Subd. 1a. **Harvest season increase amount; permit.** The limitations provided in  
29.12 sections 169.823 to 169.829 are increased by ten percent from the beginning of harvest to  
29.13 November 30 each year for the movement of sugar beets, carrots, sweet corn, and potatoes  
29.14 from the field of harvest to the point of the first unloading. Transfer of the product  
29.15 from a farm vehicle or small farm trailer, within the meaning of chapter 168, to another  
29.16 vehicle is not considered to be the first unloading. A permit issued under section 169.86,  
29.17 subdivision 1, paragraph (a), is required. The commissioner shall not issue permits under  
29.18 this subdivision if to do so will result in a loss of federal highway funding to the state.

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

29.20 Sec. 42. Minnesota Statutes 2010, section 169.85, subdivision 2, is amended to read:

29.21 Subd. 2. **Unloading.** (a) Upon weighing a vehicle and load, as provided in this  
29.22 section, an officer may require the driver to stop the vehicle in a suitable place and remain  
29.23 standing until a portion of the load is removed that is sufficient to reduce the gross weight  
29.24 of the vehicle to the limit permitted under either section 168.013, subdivision 3, paragraph  
29.25 (b), or sections 169.823 to 169.829, whichever is the lesser violation, if any. A suitable  
29.26 place is a location where loading or tampering with the load is not prohibited by federal,  
29.27 state, or local law, rule, or ordinance.

29.28 (b) Except as provided in paragraph (c), a driver may be required to unload a  
29.29 vehicle only if the weighing officer determines that (1) on routes subject to the provisions  
29.30 of sections 169.823 to 169.829, the weight on an axle exceeds the lawful gross weight  
29.31 prescribed by sections 169.823 to 169.829, by 2,000 pounds or more, or the weight on a  
29.32 group of two or more consecutive axles in cases where the distance between the centers  
29.33 of the first and last axles of the group under consideration is ten feet or less exceeds the  
29.34 lawful gross weight prescribed by sections 169.823 to 169.829, by 4,000 pounds or more;

or (2) the weight is unlawful on an axle or group of consecutive axles on a road restricted in accordance with section 169.87. Material unloaded must be cared for by the owner or driver of the vehicle at the risk of the owner or driver.

(c) ~~If~~ The driver is not required to unload under paragraph (b) when the gross weight of the vehicle does not exceed:

(1) the sum of the vehicle's registered gross weight ~~plus~~, the weight allowance set forth in section 168.013, subdivision 3, paragraph (b), and ~~plus~~, if applicable, the weight allowance permitted under section 169.826, then the driver is not required to unload under paragraph (b); or

(2) the weight allowed by special permit issued under section 169.86 for a vehicle that is operated in conformity with the limitations and conditions of the permit.

**EFFECTIVE DATE.** This section is effective January 1, 2012, and applies to all registrations that are effective on and after that date and special permits issued on and after that date.

Sec. 43. Minnesota Statutes 2010, section 169.86, subdivision 1, is amended to read:

Subdivision 1. **Permit authorities; restrictions.** (a) The commissioner, with respect to highways under the commissioner's jurisdiction, and local authorities, with respect to highways under their jurisdiction, may, in their discretion, upon application in writing and good cause being shown therefor, issue a special permit, in writing, authorizing the applicant to move a vehicle or combination of vehicles of a size or weight of vehicle or load exceeding the maximum specified in this chapter, exceeding the gross weight for which the vehicle is registered under chapter 168, or otherwise not in conformity with the provisions of this chapter, upon any highway under the jurisdiction of the party granting such permit and for the maintenance of which such party is responsible.

(b) Permits relating to over-width, over-length manufactured homes shall not be issued to persons other than manufactured home dealers or manufacturers for movement of new units owned by the manufactured home dealer or manufacturer, until the person has presented a statement from the county auditor and treasurer where the unit is presently located, stating that all personal and real property taxes have been paid. Upon payment of the most recent single year delinquent personal property or current year taxes only, the county auditor or treasurer must issue a taxes paid statement to a manufactured home dealer or a financial institution desiring to relocate a manufactured home that has been repossessed. This statement must be dated within 30 days of the contemplated move. The statement from the county auditor and treasurer where the unit is presently located, stating that all personal and real property taxes have been paid, may be made by telephone. If

the statement is obtained by telephone, the permit shall contain the date and time of the telephone call and the names of the persons in the auditor's office and treasurer's office who verified that all personal and real property taxes had been paid.

(c) The commissioner may not grant a permit authorizing the movement, in a three-vehicle combination, of a semitrailer or trailer that exceeds 28-1/2 feet, except that the commissioner (1) may renew a permit that was granted before April 16, 1984, for the movement of a semitrailer or trailer that exceeds the length limitation in section 169.81, subdivision 2, or (2) may grant a permit authorizing the transportation of empty trailers that exceed 28-1/2 feet when using a B-train hitching mechanism as defined in Code of Federal Regulations, title 23, section 658.5, paragraph (o), from a point of manufacture in the state to the state border.

(d) The state as to state trunk highways, a statutory or home rule charter city as to streets in the city, or a town as to roads in the town, may issue permits authorizing the transportation of combinations of vehicles exceeding the limitations in section 169.81, subdivisions 2a and 3, over highways, streets, or roads within its boundaries. Combinations of vehicles authorized by this paragraph may be restricted as to the use of state trunk highways by the commissioner, to the use of streets by the city road authority, and to the use of roads by the town road authority. Nothing in this paragraph or section 169.81, subdivisions 2a and 3, alters or changes the authority vested in local authorities under section 169.04.

**EFFECTIVE DATE.** This section is effective January 1, 2012, and applies to all registrations that are effective on and after that date and special permits issued on and after that date.

Sec. 44. Minnesota Statutes 2010, section 169.86, subdivision 4, is amended to read:

Subd. 4. **Display and inspection of permit.** ~~Every such~~ A permit ~~shall~~ must be carried in the vehicle or combination of vehicles to which it refers and ~~shall~~ must be open to inspection by any ~~police~~ peace officer or authorized agent of any authority granting ~~such the permit, and. A permit may be carried in electronic format if it is easily read.~~ No person shall violate any of the terms or conditions of ~~such a~~ special permit.

Sec. 45. Minnesota Statutes 2010, section 169.86, subdivision 5, is amended to read:

Subd. 5. **Fees; proceeds deposited; appropriation.** The commissioner, with respect to highways under the commissioner's jurisdiction, may charge a fee for each permit issued. All ~~such~~ fees for permits issued by the commissioner of transportation ~~shall~~ must be deposited in the state treasury and credited to the trunk highway fund. Except

32.1 for those annual permits for which the permit fees are specified elsewhere in this chapter,  
32.2 the fees ~~shall be~~ are:

32.3 (a) \$15 for each single trip permit.

32.4 (b) \$36 for each job permit. A job permit may be issued for like loads carried on  
32.5 a specific route for a period not to exceed two months. "Like loads" means loads of the  
32.6 same product, weight, and dimension.

32.7 (c) \$60 for an annual permit to be issued for a period not to exceed 12 consecutive  
32.8 months. Annual permits may be issued for:

32.9 (1) motor vehicles used to alleviate a temporary crisis adversely affecting the safety  
32.10 or well-being of the public;

32.11 (2) motor vehicles ~~which~~ that travel on interstate highways and carry loads  
32.12 authorized under subdivision 1a;

32.13 (3) motor vehicles operating with gross weights authorized under section 169.826,  
32.14 subdivision 1a;

32.15 (4) special pulpwood vehicles described in section 169.863;

32.16 (5) motor vehicles bearing snowplow blades not exceeding ten feet in width;

32.17 (6) noncommercial transportation of a boat by the owner or user of the boat;

32.18 (7) motor vehicles carrying bales of agricultural products authorized under section  
32.19 169.862; and

32.20 (8) special milk-hauling vehicles authorized under section 169.867.

32.21 (d) \$120 for an oversize annual permit to be issued for a period not to exceed 12  
32.22 consecutive months. Annual permits may be issued for:

32.23 (1) mobile cranes;

32.24 (2) construction equipment, machinery, and supplies;

32.25 (3) manufactured homes and manufactured storage buildings;

32.26 (4) implements of husbandry;

32.27 (5) double-deck buses;

32.28 (6) commercial boat hauling;

32.29 (7) three-vehicle combinations consisting of two empty, newly manufactured trailers  
32.30 for cargo, horses, or livestock, not to exceed 28-1/2 feet per trailer; provided, however,  
32.31 the permit allows the vehicles to be moved from a trailer manufacturer to a trailer dealer  
32.32 only while operating on twin-trailer routes designated under section 169.81, subdivision 3,  
32.33 paragraph (c); and

32.34 (8) vehicles operating on that portion of marked Trunk Highway 36 described in  
32.35 section 169.81, subdivision 3, paragraph (e).



(e) For vehicles ~~which~~that have axle weights exceeding the weight limitations of sections 169.823 to 169.829, an additional cost added to the fees listed above. However, this paragraph applies to any vehicle described in section 168.013, subdivision 3, paragraph (b), but only when the vehicle exceeds its gross weight allowance set forth in that paragraph, and then the additional cost is for all weight, including the allowance weight, in excess of the permitted maximum axle weight. The additional cost is equal to the product of the distance traveled times the sum of the overweight axle group cost factors shown in the following chart:

Overweight Axle Group Cost Factors				
Weight (pounds)	Cost Per Mile For Each Group Of:			
exceeding weight limitations on axles	Two consecutive axles spaced within 8 feet or less	Three consecutive axles spaced within 9 feet or less	Four consecutive axles spaced within 14 feet or less	
0-2,000	.12	.05	.04	
2,001-4,000	.14	.06	.05	
4,001-6,000	.18	.07	.06	
6,001-8,000	.21	.09	.07	
8,001-10,000	.26	.10	.08	
10,001-12,000	.30	.12	.09	
12,001-14,000	Not permitted	.14	.11	
14,001-16,000	Not permitted	.17	.12	
16,001-18,000	Not permitted	.19	.15	
18,001-20,000	Not permitted	Not permitted	.16	
20,001-22,000	Not permitted	Not permitted	.20	

The amounts added are rounded to the nearest cent for each axle or axle group. The additional cost does not apply to paragraph (c), clauses (1) and (3).

For a vehicle found to exceed the appropriate maximum permitted weight, a cost-per-mile fee of 22 cents per ton, or fraction of a ton, over the permitted maximum weight is imposed in addition to the normal permit fee. Miles must be calculated based on the distance already traveled in the state plus the distance from the point of detection to a transportation loading site or unloading site within the state or to the point of exit from the state.

(f) As an alternative to paragraph (e), an annual permit may be issued for overweight, or oversize and overweight, mobile cranes; construction equipment, machinery, and

supplies; implements of husbandry; and commercial boat hauling. The fees for the permit are as follows:

Gross Weight (pounds) of Vehicle	Annual Permit Fee
90,000 or less	\$200
90,001 - 100,000	\$300
100,001 - 110,000	\$400
110,001 - 120,000	\$500
120,001 - 130,000	\$600
130,001 - 140,000	\$700
140,001 - 145,000	\$800
<u>145,001 - 155,000</u>	<u>\$900</u>

If the gross weight of the vehicle is more than ~~145,000~~ 155,000 pounds the permit fee is determined under paragraph (e).

(g) For vehicles which exceed the width limitations set forth in section 169.80 by more than 72 inches, an additional cost equal to \$120 added to the amount in paragraph (a) when the permit is issued while seasonal load restrictions pursuant to section 169.87 are in effect.

(h) \$85 for an annual permit to be issued for a period not to exceed 12 months, for refuse-compactor vehicles that carry a gross weight of not more than: 22,000 pounds on a single rear axle; 38,000 pounds on a tandem rear axle; or, subject to section 169.828, subdivision 2, 46,000 pounds on a tridem rear axle. A permit issued for up to 46,000 pounds on a tridem rear axle must limit the gross vehicle weight to not more than 62,000 pounds.

(i) \$300 for a motor vehicle described in section 169.8261. The fee under this paragraph must be deposited ~~as follows:~~

~~(1) in fiscal years 2005 through 2010:~~  
~~(i) the first \$50,000 in each fiscal year must be deposited in the trunk highway fund for costs related to administering the permit program and inspecting and posting bridges;~~  
~~(ii) all remaining money in each fiscal year must be deposited in a bridge inspection and signing account in the special revenue fund. Money in the account is appropriated to the commissioner for:~~

~~(A) inspection of local bridges and identification of local bridges to be posted, including contracting with a consultant for some or all of these functions; and~~

~~(B) erection of weight-posting signs on local bridges; and~~  
~~(2) in fiscal year 2011 and subsequent years must be deposited in the trunk highway fund.~~

35.1 (j) Beginning August 1, 2006, \$200 for an annual permit for a vehicle operating  
35.2 under authority of section 169.824, subdivision 2, paragraph (a), clause (2).

35.3 Sec. 46. Minnesota Statutes 2010, section 169.86, is amended by adding a subdivision  
35.4 to read:

35.5 Subd. 5a. **Weight increase surcharge.** The commissioner shall impose a weight  
35.6 increase surcharge on the fee charged for a special permit issued under this chapter when  
35.7 the gross weight allowed under the permit is greater than the gross weight for which the  
35.8 vehicle is registered under section 168.013. The surcharge shall be calculated as the  
35.9 difference between the registration tax paid under section 168.013, and the additional tax  
35.10 that would be due under section 168.013, subdivision 1e, at the gross weight allowed  
35.11 under the permit, prorated by the number of days for which the permit is effective.  
35.12 Proceeds of the surcharge must be deposited in the state treasury and credited to the  
35.13 trunk highway fund.

35.14 **EFFECTIVE DATE.** This section is effective January 1, 2012, and applies to  
35.15 all registrations that are effective on and after that date and special permits issued on  
35.16 and after that date.

35.17 Sec. 47. Minnesota Statutes 2010, section 171.03, is amended to read:

35.18 **171.03 PERSONS EXEMPT.**

35.19 The following persons are exempt from license hereunder:

35.20 (a) A person in the employ or service of the United States federal government is  
35.21 exempt while driving or operating a motor vehicle owned by or leased to the United  
35.22 States federal government.

35.23 (b) A person in the employ or service of the United States federal government is  
35.24 exempt from the requirement to possess a valid class A, class B, or class C commercial  
35.25 driver's license while driving or operating for military purposes a commercial motor  
35.26 vehicle for the United States federal government if the person is:

35.27 (1) on active duty in the U. S. Coast Guard;

35.28 (2) on active duty in a branch of the U. S. armed forces, which includes the Army,  
35.29 Air Force, Navy, and Marine Corps;

35.30 (3) a member of a reserve component of the U. S. armed forces; or

35.31 (4) on active duty in the Army National Guard or Air National Guard, which  
35.32 includes (i) a member on full-time National Guard duty, (ii) a member undergoing

part-time National Guard training, and (iii) a National Guard military technician, who is a civilian required to wear a military uniform.

The exemption provided under this paragraph does not apply to a U. S. armed forces reserve technician.

(c) Any person while driving or operating any farm tractor or implement of husbandry temporarily on a highway is exempt. For purposes of this section, an all-terrain vehicle, as defined in section 84.92, subdivision 8, an off-highway motorcycle, as defined in section 84.787, subdivision 7, and an off-road vehicle, as defined in section 84.797, subdivision 7, are not implements of husbandry.

(d) A nonresident who is at least 15 years of age and who has in immediate possession a valid driver's license issued to the nonresident in the home state or country may operate a motor vehicle in this state only as a driver.

(e) A nonresident who has in immediate possession a valid commercial driver's license issued by a state or jurisdiction in accordance with the standards of Code of Federal Regulations, title 49, part 383, and who is operating in Minnesota the class of commercial motor vehicle authorized by the issuing state or jurisdiction is exempt.

(f) Any nonresident who is at least 18 years of age, whose home state or country does not require the licensing of drivers may operate a motor vehicle as a driver, but only for a period of not more than 90 days in any calendar year, if the motor vehicle so operated is duly registered for the current calendar year in the home state or country of the nonresident.

(g) Any person who becomes a resident of the state of Minnesota and who has in possession a valid driver's license issued to the person under and pursuant to the laws of some other state or jurisdiction or by military authorities of the United States may operate a motor vehicle as a driver, but only for a period of not more than 60 days after becoming a resident of this state, without being required to have a Minnesota driver's license as provided in this chapter.

(h) Any person who becomes a resident of the state of Minnesota and who has in possession a valid commercial driver's license issued by another state or jurisdiction in accordance with the standards of Code of Federal Regulations, title 49, part 383, is exempt for not more than 30 days after becoming a resident of this state.

(i) Any person operating a snowmobile, as defined in section 84.81, is exempt.

(j) A railroad operator, as defined in section 169.035, subdivision 4, paragraph (a), is exempt while operating a railroad locomotive or train, or on-track equipment while being operated upon rails. This exemption includes operation while crossing a street or highway, whether public or private.

Sec. 48. Minnesota Statutes 2010, section 171.05, subdivision 2, is amended to read:

Subd. 2. **Person less than 18 years of age.** (a) Notwithstanding any provision in subdivision 1 to the contrary, the department may issue an instruction permit to an applicant who is 15, 16, or 17 years of age and who:

(1) has completed a course of driver education in another state, has a previously issued valid license from another state, or ~~is enrolled in either:~~

(i) the applicant is enrolled in behind-the-wheel training in a public, private, or commercial driver education program that is approved by the commissioner of public safety; and

(ii) the applicant:

(A) has completed the classroom phase of instruction in a public, private, or commercial driver education program that is approved by the commissioner of public safety ~~and that includes classroom and behind-the-wheel training; or;~~

~~(ii) an approved behind-the-wheel driver education program~~ (B) has completed home school driver training, when the student is receiving full-time instruction in a home school within the meaning of sections 120A.22 and 120A.24, the student is working toward a ~~homeschool~~ home-school diploma, the student's status as a ~~homeschool~~ home-school student has been certified by the superintendent of the school district in which the student resides, and the ~~student is taking home-classroom driver training with~~ classroom materials are approved by the commissioner of public safety; or

(C) has completed an Internet-based theory driver education program that is approved by the commissioner of public safety; and

~~(2) has completed the classroom phase of instruction in the driver education program;~~

~~(3)~~ (2) has passed a test of the applicant's eyesight;

~~(4)~~ (3) has passed a department-administered test of the applicant's knowledge of traffic laws;

~~(5)~~ (4) has completed the required application, which must be approved by (i) either parent when both reside in the same household as the minor applicant or, if otherwise, then (ii) the parent or spouse of the parent having custody or, in the event there is no court order for custody, then (iii) the parent or spouse of the parent with whom the minor is living or, if items (i) to (iii) do not apply, then (iv) the guardian having custody of the minor, (v) the foster parent or the director of the transitional living program in which the child resides or, in the event a person under the age of 18 has no living father, mother, or guardian, or is married or otherwise legally emancipated, then (vi) the applicant's adult spouse, adult close family member, or adult employer; provided, that the approval

required by this clause contains a verification of the age of the applicant and the identity of the parent, guardian, adult spouse, adult close family member, or adult employer; and ~~(6)~~ (5) has paid the fee required in section 171.06, subdivision 2.

(b) The instruction permit is valid for two years from the date of application and may be renewed upon payment of a fee equal to the fee for issuance of an instruction permit under section 171.06, subdivision 2.

(c) A provider of an Internet-based theory driver education program approved by the commissioner shall issue a certificate of completion to each person who successfully completes the program. The commissioner shall furnish numbered certificate forms to approved providers who shall pay the commissioner a fee of \$2 for each certificate. The commissioner shall deposit proceeds of the fee in the driver services operating account in the special revenue fund. Proceeds from the fee under this paragraph are annually appropriated to the commissioner from the driver services operating account for administrative costs to implement Internet driver education. The commissioner shall terminate the fee when the department has fully recovered its costs to implement Internet driver education under this section.

Sec. 49. Minnesota Statutes 2010, section 171.0701, is amended to read:

**171.0701 DRIVER EDUCATION CONTENT.**

Subdivision 1. Driver education requirements. (a) The commissioner shall adopt rules requiring a minimum of 30 minutes of instruction, beginning January 1, 2007, relating to organ and tissue donations and the provisions of section 171.07, subdivision 5, for persons enrolled in driver education programs offered at public schools, private schools, and commercial driver training schools.

(b) The commissioner shall adopt rules for persons enrolled in driver education programs offered at public schools, private schools, and commercial driver training schools, requiring inclusion in the course of instruction, by January 1, 2009, a section on awareness and safe interaction with commercial motor vehicle traffic. The rules must require classroom instruction and behind-the-wheel training that includes, but is not limited to, truck stopping distances, proper distances for following trucks, identification of truck blind spots, and avoidance of driving in truck blind spots.

(c) By January 1, 2012, the commissioner shall adopt rules for persons enrolled in driver education programs offered at public schools, private schools, and commercial driver training schools, requiring inclusion in the course of instruction of a section on carbon monoxide poisoning. The instruction must include but is not limited to (1) a description of the characteristics of carbon monoxide, (2) a review of the risks and

39.1 potential speed of death from carbon monoxide poisoning, and (3) specific suggestions  
39.2 regarding vehicle idling practices.

39.3 Subd. 2. Rulemaking. The rules adopted by the commissioner under ~~paragraph~~  
39.4 ~~(b) this section~~ are exempt from the rulemaking provisions of chapter 14. The rules are  
39.5 subject to section 14.386, except that notwithstanding paragraph (b) of section 14.386, the  
39.6 rules continue in effect until repealed or superseded by other law or rule.

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

39.8 Sec. 50. [171.0705] INTERNET-BASED DRIVER EDUCATION.

39.9 The commissioner shall include in administrative rules on Internet-based theory  
39.10 driver education programs, a requirement that a program may offer no more than three  
39.11 hours of instruction per day to a student.

39.12 Sec. 51. Minnesota Statutes 2010, section 171.13, subdivision 1, is amended to read:

39.13 Subdivision 1. **Examination subjects and locations; provisions for color**  
39.14 **blindness, disabled veterans.** (a) Except as otherwise provided in this section, the  
39.15 commissioner shall examine each applicant for a driver's license by such agency as the  
39.16 commissioner directs. This examination must include:

39.17 (1) a test of the applicant's eyesight;

39.18 (2) a test of the applicant's ability to read and understand highway signs regulating,  
39.19 warning, and directing traffic;

39.20 (3) a test of the applicant's knowledge of (i) traffic laws; knowledge of (ii) the effects  
39.21 of alcohol and drugs on a driver's ability to operate a motor vehicle safely and legally,  
39.22 and of the legal penalties and financial consequences resulting from violations of laws  
39.23 prohibiting the operation of a motor vehicle while under the influence of alcohol or  
39.24 drugs; knowledge of (iii) railroad grade crossing safety; knowledge of (iv) slow-moving  
39.25 vehicle safety; knowledge of (v) laws relating to pupil transportation safety, including the  
39.26 significance of school bus lights, signals, stop arm, and passing a school bus; knowledge  
39.27 of (vi) traffic laws related to bicycles; and (vii) the circumstances and dangers of carbon  
39.28 monoxide poisoning;

39.29 (4) an actual demonstration of ability to exercise ordinary and reasonable control  
39.30 in the operation of a motor vehicle; and

39.31 (5) other physical and mental examinations as the commissioner finds necessary to  
39.32 determine the applicant's fitness to operate a motor vehicle safely upon the highways;  
39.33 provided, further however,

(b) Notwithstanding paragraph (a), no driver's license ~~shall~~ may be denied an applicant on the exclusive grounds that the applicant's eyesight is deficient in color perception. ~~Provided, however, that~~ War veterans operating motor vehicles especially equipped for disabled persons, ~~shall~~, if otherwise entitled to a license, must be granted such license.

(c) The commissioner shall make provision for giving ~~these~~ the examinations under this subdivision either in the county where the applicant resides or at a place adjacent thereto reasonably convenient to the applicant.

**EFFECTIVE DATE.** This section is effective January 1, 2012.

Sec. 52. Minnesota Statutes 2010, section 171.13, is amended by adding a subdivision to read:

Subd. 11. **Driver's manual; carbon monoxide.** The commissioner shall include in each edition of the driver's manual published by the department after August 1, 2011, a section that includes up-to-date lifesaving information on carbon monoxide poisoning.

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

Sec. 53. Minnesota Statutes 2010, section 171.27, is amended to read:

**171.27 EXPIRATION OF LICENSE; MILITARY EXCEPTION.**

(a) The expiration date for each driver's license, other than under-21 licenses, is the birthday of the driver in the fourth year following the date of issuance of the license. The birthday of the driver shall be as indicated on the application for a driver's license. A license may be renewed on or before expiration or within one year after expiration upon application, payment of the required fee, and passing the examination required of all drivers for renewal. Driving privileges shall be extended or renewed on or preceding the expiration date of an existing driver's license unless the commissioner believes that the licensee is no longer qualified as a driver.

(b) The expiration date for each under-21 license shall be the 21st birthday of the licensee. Upon the licensee attaining the age of 21 and upon the application, payment of the required fee, and passing the examination required of all drivers for renewal, a driver's license shall be issued unless the commissioner determines that the licensee is no longer qualified as a driver.

(c) The expiration date for each provisional license is two years after the date of application for the provisional license.



(d) Any valid Minnesota driver's license issued to a person then or subsequently ~~on active duty with~~ serving outside Minnesota in active military service, as defined in section 190.05, subdivision 5, in any branch or unit of the armed forces of the United States, or the person's spouse, shall continue in full force and effect without requirement for renewal until 90 days after the date of the person's discharge from such service, provided that a spouse's license must be renewed if the spouse is residing within the state at the time the license expires or within 90 days after the spouse returns to Minnesota and resides within the state the date one year following the service member's separation or discharge from active military service, and until the license holder's birthday in the fourth full year following the person's most recent license renewal or if the case of a provisional license, until the person's birthday in the third full year following such renewal.

**EFFECTIVE DATE.** This section is effective July 1, 2011, and applies to Minnesota driver's licenses that are valid on or after that date.

Sec. 54. Minnesota Statutes 2010, section 174.56, is amended to read:

**174.56 REPORT ON MAJOR HIGHWAY PROJECTS AND TRUNK HIGHWAY FUND EXPENDITURES.**

Subdivision 1. **Report required.** (a) The commissioner of transportation shall submit a report ~~on January 15, 2009, and on January~~ by December 15 of each year thereafter, on (1) the status of major highway projects completed during the previous two years or under construction or planned during the year of the report and for the ensuing 15 years; and (2) trunk highway fund expenditures.

(b) For purposes of this section, a "major highway project" is a highway project that has a total cost for all segments that the commissioner estimates at the time of the report to be at least (1) ~~\$25,000,000~~ \$15,000,000 in the metropolitan highway construction district, or (2) ~~\$10,000,000~~ \$5,000,000 in any nonmetropolitan highway construction district.

Subd. 2. **Report contents; major highway projects.** For each major highway project the report must include:

- (1) a description of the project sufficient to specify its scope and location;
- (2) a history of the project, including, but not limited to, previous official actions by the department or the appropriate area transportation partnership, or both, the date on which the project was first included in the state transportation improvement plan, the cost of the project at that time, the planning estimate for the project, the engineer's estimate, the award price and the final cost as of six months after substantial completion, including any supplemental agreements and cost overruns or cost savings, the dates of environmental

approval, the dates of municipal approval, the date of final geometric layout, and the date of establishment of any construction limits;

(3) the project's priority listing or rank within its construction district, if any, as well as the reasons for that listing or rank, the criteria used in prioritization or rank, any changes in that prioritization or rank since the project was first included in a department work plan, and the reasons for those changes; ~~and~~

(4) past and potential future reasons for delay in letting or completing the project, details of all project cost changes that exceed \$500,000, and specific modifications to the overall program that are made as a result of delays and project cost changes;

(5) two representative trunk highway construction projects, one each from the department's metropolitan district and from greater Minnesota, and for each project report the cost of environmental mitigation and compliance; and

(6) the annual budget for products and services for each Department of Transportation district and office with comparison to actual spending and including measures of productivity for the previous fiscal year.

Subd. 2a. **Report contents; trunk highway fund expenditures.** The commissioner shall include in the report information on the total expenditures from the trunk highway fund during the previous fiscal year, for each Department of Transportation district, in the following categories: road construction; planning; design and engineering; labor; compliance with environmental regulations; administration; acquisition of right-of-way, including costs for attorney fees and other compensation for property owners; litigation costs, including payment of claims, settlements, and judgments; maintenance; and road operations.

Subd. 3. **Department resources.** The commissioner shall prepare and submit the report with existing department staff and resources.

Sec. 55. Minnesota Statutes 2010, section 221.0314, subdivision 3a, is amended to read:

Subd. 3a. **Waiver for other medical condition.** (a) The commissioner may grant a waiver to a person who is not physically qualified to drive under Code of Federal Regulations, title 49, section 391.41, paragraph (b)(3) to (b)(13). A waiver granted under this subdivision applies to intrastate transportation only.

(b) A person who wishes to obtain a waiver under this subdivision must give the commissioner the following information:

(1) the applicant's name, address, and telephone number;

(2) the name, address, and telephone number of an employer coapplicant, if any;

43.1 (3) a description of the applicant's experience in driving the type of vehicle to be  
43.2 operated under the waiver;

43.3 (4) a description of the type of driving to be done under the waiver;

43.4 (5) a description of any modifications to the vehicle the applicant intends to drive  
43.5 under the waiver that are designed to accommodate the applicant's medical condition or  
43.6 disability;

43.7 (6) whether the applicant has been granted another waiver under this subdivision;

43.8 (7) a copy of the applicant's current driver's license;

43.9 (8) a copy of a medical examiner's certificate showing that the applicant is medically  
43.10 unqualified to drive unless a waiver is granted;

43.11 (9) a statement from the applicant's treating physician that includes:

43.12 (i) the extent to which the physician is familiar with the applicant's medical history;

43.13 (ii) a description of the applicant's medical condition for which a waiver is necessary;

43.14 (iii) assurance that the applicant has the ability and willingness to follow any course  
43.15 of treatment prescribed by the physician, including the ability to self-monitor or manage  
43.16 the medical condition; and

43.17 (iv) the physician's professional opinion that the applicant's condition will not  
43.18 adversely affect the applicant's ability to operate a motor vehicle safely; and

43.19 (10) any other information considered necessary by the commissioner including  
43.20 requiring a physical examination or medical report from a physician who specializes  
43.21 in a particular field of medical practice.

43.22 (c) In granting a waiver under this subdivision, the commissioner may impose  
43.23 conditions the commissioner considers necessary to ensure that an applicant is able to  
43.24 operate a motor vehicle safely and that the safety of the general public is protected.

43.25 (d) A person who is granted a waiver under this subdivision must:

43.26 (1) at intervals specified in the waiver, give the commissioner periodic reports from  
43.27 the person's treating physician, or a medical specialist if the commissioner so requires in  
43.28 the waiver, that contain the information described in paragraph (b), clause (9), together  
43.29 with a description of any episode that involved the person's loss of consciousness or loss  
43.30 of ability to operate a motor vehicle safely; and

43.31 (2) immediately report the person's involvement in an accident for which a report is  
43.32 required under section 169.09, subdivision 7.

43.33 (e) The commissioner shall deny an application if, during the three years preceding  
43.34 the application:

(1) the applicant's driver's license has been suspended under section 171.18, paragraph (a), clauses (1) to (9), (11), and (12), canceled under section 171.14, or revoked under section 171.17, 171.172, or 171.174; ~~or~~

(2) the applicant has been convicted of a violation under section 171.24; or

~~(2)~~ (3) the applicant has been convicted of a disqualifying offense, as defined in Code of Federal Regulations, title 49, section 383.51, paragraph (b), which is incorporated by reference.

(f) The commissioner may deny an application or may immediately revoke a waiver granted under this subdivision. Notice of the commissioner's reasons for denying an application or for revoking a waiver must be in writing and must be mailed to the applicant's or waiver holder's last known address by certified mail, return receipt requested. A person whose application is denied or whose waiver is revoked is entitled to a hearing under chapter 14.

(g) A waiver granted under this subdivision expires on the date of expiration shown on the medical examiner's certificate described in paragraph (b), clause (8).

Sec. 56. Minnesota Statutes 2010, section 222.50, subdivision 4, is amended to read:

Subd. 4. **Contract.** The commissioner may negotiate and enter into contracts for the purpose of rail service improvement and may incorporate funds available from the federal ~~rail service continuation program government.~~ The participants in these contracts shall be railroads, rail users, and the department, and may be political subdivisions of the state and the federal government. In such contracts, participation by all parties shall be voluntary. The commissioner may provide a portion of the money required to carry out the terms of any such contract by expenditure from the rail service improvement account.

Sec. 57. Minnesota Statutes 2010, section 222.51, is amended to read:

**222.51 PARTICIPATION BY POLITICAL SUBDIVISION.**

The governing body of any political subdivision of the state may with the approval of the commissioner appropriate money for rail service improvement and may participate in the state rail service improvement program and ~~the federal rail service continuation program programs.~~

Sec. 58. Minnesota Statutes 2010, section 222.53, is amended to read:

**222.53 ACCEPTANCE OF FEDERAL MONEY.**

The commissioner may exercise those powers necessary for the state to qualify for, accept, and disburse any federal money ~~that may be made available pursuant to the provisions of the federal rail service continuation program~~, including the power to:

(1) establish an adequate plan for rail service in the state as part of an overall planning process for all transportation services in the state, including a suitable process for updating, revising, and amending the plan;

(2) administer and coordinate the plan with other state agencies, and provide for the equitable distribution of resources;

(3) develop, promote, and support safe, adequate, and efficient rail transportation services; employ qualified personnel; maintain adequate programs of investigation, research, promotion, and development, with provisions for public participation; and take all practical steps to improve transportation safety and reduce transportation-related energy utilization and pollution;

(4) adopt and maintain adequate procedures for financial control, accounting, and performance evaluation in order to assure proper use of state and federal money;

(5) do all things otherwise necessary to maximize federal assistance to the state ~~under the federal rail service continuation program~~.

Sec. 59. Minnesota Statutes 2010, section 239.791, is amended by adding a subdivision to read:

Subd. 16. **Exemption for recreational vehicle manufacturer.** A person responsible for the product may offer for sale, sell, or dispense gasoline that is not oxygenated according to subdivision 1 if the gasoline is intended to be used exclusively for research and development by a manufacturer of snowmobiles, all-terrain vehicles, motorcycles, or recreational vehicles.

Sec. 60. **PAYNESVILLE AIRPORT.**

(a) Notwithstanding any law, rule, or agreement to the contrary, the commissioner of transportation may enter into an agreement with the city of Paynesville to allow funds granted by the state to the city for land acquisition purposes for the marked Trunk Highway 23 bypass project to instead be used by June 30, 2015, as the state's share of funds for airport improvements and other aeronautical purposes at the city's airport.

(b) Funds not spent pursuant to paragraph (a) by June 30, 2015, must be paid to the commissioner of transportation and deposited in the state airports fund.

Sec. 61. **2012 AND 2013 REPORTS ON MAJOR HIGHWAY PROJECTS AND TRUNK HIGHWAY FUND EXPENDITURES.**

For 2012 and 2013 reports required under Minnesota Statutes, section 174.56, the commissioner shall include the results of evaluations of management systems currently used by the Department of Transportation. The evaluations must specify the extent to which the management of data in these systems is consistent with existing policies and the need for statewide, reliable, and verifiable information. The evaluations must be performed either by the department's office of internal audit or by an independent external auditor. The 2012 report must include the evaluation of construction management systems and the program and project management system. The 2013 report must include the evaluation of pavement management systems and bridge management systems.

Sec. 62. **REVISOR'S INSTRUCTION.**

The revisor of statutes shall recodify Minnesota Statutes, section 171.13, subdivisions 1b, 1c, 1d, 1e, 1f, 1g, 1h, 1i, 1j, 1k, and 1l, as Minnesota Statutes, section 171.0705. The revisor shall correct any cross-references made necessary by this recodification.

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

Sec. 63. **REPEALER.**

Minnesota Statutes 2010, sections 160.93, subdivision 2a; 161.08, subdivision 2; 168.012, subdivision 1b; and 222.48, subdivision 3a, are repealed.

**160.93 USER FEES; HIGH-OCCUPANCY VEHICLE AND DYNAMIC SHOULDER LANES.**

Subd. 2a. **I-35W high-occupancy vehicle and dynamic shoulder lane account.** (a) An I-35W high-occupancy vehicle and dynamic shoulder lane account is established in the special revenue fund. Money collected from fees authorized under subdivision 1 for the marked Interstate Highway 35W (I-35W) corridor must be deposited in the account and used as described in this subdivision. Money in the account is appropriated to the commissioner.

(b) During the first year of revenue operations, the commissioner shall use the money received in that year to pay the costs of operating and administering the fee collection system within the corridor, up to \$1,000,000. Any remaining money must be transferred to the Metropolitan Council for improvement of bus transit services within the I-35W corridor including transit capital expenses.

(c) During the second and subsequent years of revenue operations, the commissioner shall use money in the account as follows:

(1) each year, allocate the lesser amount of \$1,000,000 or 75 percent of the revenues for operating and administering the fee collection system within the corridor;

(2) transfer the remaining amount up to the amount allocated under clause (1) to the Metropolitan Council for improvement of bus transit within the corridor including capital expenses; and

(3) allocate any remaining amount as follows: (i) 25 percent to the commissioner for operating and administering the fee collection system within the corridor and for transportation capital improvements that are consistent with the goals of the urban partnership agreement and that are located within the corridor and (ii) 75 percent to the Metropolitan Council for improvement of bus transit services within the corridor including transit capital expenses.

**161.08 RECORDS AND REPORTS.**

Subd. 2. **Biennial report on expenditures.** No later than October 15 of each odd-numbered year, the commissioner shall report to the legislature the total expenditures from the trunk highway fund during the previous biennium in each of the following categories: road construction; planning; professional and technical contracts; design and engineering; labor; compliance with environmental requirements; acquisition of right-of-way; litigation costs, including payment of claims, settlements, and judgments; maintenance; and road operations. As part of each report the commissioner shall select two representative trunk highway construction projects, one each from the department's metropolitan district and from greater Minnesota, and for each project report the cost of environmental mitigation and compliance.

**168.012 VEHICLES EXEMPT FROM TAX OR LICENSE FEES.**

Subd. 1b. **Markings required for conservation officer vehicle.** Motor vehicles of the conservation officer service shall have printed thereon the markings required by this section, for tax-exempt vehicles.

**222.48 DEFINITIONS.**

Subd. 3a. **Federal rail service continuation program.** "Federal rail service continuation program" means any federal program created under the Railroad Revitalization and Regulatory Reform Act of 1976, Public Law 94-210, as amended.