

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 3436

02/12/2024 Authored by Tabke
The bill was read for the first time and referred to the Committee on Transportation Finance and Policy
02/22/2024 Adoption of Report: Amended and re-referred to the Committee on Ways and Means
02/26/2024 By motion, recalled and re-referred to the Committee on Transportation Finance and Policy
03/25/2024 Adoption of Report: Placed on the General Register as Amended
Read for the Second Time

1.1 A bill for an act

1.2 relating to transportation; modifying various transportation-related provisions,
1.3 including but not limited to motor vehicles, driving rules, accident reporting
1.4 requirements, child passenger restraint requirements, roadable aircraft, legislative
1.5 routes, drivers' licenses, and greater Minnesota transit; establishing criminal
1.6 penalties; modifying prior appropriations; making technical changes; appropriating
1.7 money; amending Minnesota Statutes 2022, sections 43A.17, by adding a
1.8 subdivision; 65B.28, subdivision 2; 161.115, subdivisions 116, 117, by adding a
1.9 subdivision; 161.321, subdivisions 2, 2b; 168.002, subdivisions 18, 24, 26, 27;
1.10 168.013, subdivision 1d; 168.0135, by adding a subdivision; 168.12, subdivision
1.11 1; 168.33, subdivision 8a; 168A.085, by adding a subdivision; 168B.035,
1.12 subdivision 3; 169.011, subdivisions 3a, 44, by adding subdivisions; 169.09,
1.13 subdivisions 5, 14a, 19; 169.19, subdivision 2; 169.224, subdivision 3; 169.34,
1.14 subdivision 1; 169.444, subdivision 4; 169.685, subdivisions 4, 5, by adding
1.15 subdivisions; 169.79, by adding a subdivision; 169.80, by adding a subdivision;
1.16 169.974, subdivision 2; 169A.52, subdivision 7; 171.01, subdivisions 40, 41a, 47,
1.17 by adding a subdivision; 171.06, subdivision 2a; 171.0605, subdivision 2; 171.072;
1.18 171.13, subdivision 6; 171.30, subdivisions 2a, 5; 174.03, subdivision 12; 174.22,
1.19 subdivisions 2b, 7, 12, 14, by adding subdivisions; 174.23, subdivision 2; 174.24,
1.20 subdivisions 1a, 3b, 3c; 174.247; 174.632, subdivision 2; 174.636, subdivision 1;
1.21 221.033, subdivision 1, by adding a subdivision; 360.013, by adding a subdivision;
1.22 360.075, subdivision 1; 473.121, subdivision 19; Minnesota Statutes 2023
1.23 Supplement, sections 4.076, subdivision 3; 115E.042, subdivision 4; 161.045,
1.24 subdivision 3; 168.1235, subdivision 1; 168.1259, subdivision 5; 168.345,
1.25 subdivision 2; 169.09, subdivision 8; 171.06, subdivision 3; 171.0605, subdivision
1.26 5; 171.12, subdivisions 5c, 11; 171.13, subdivision 1a; 171.395, subdivision 1;
1.27 171.396; 174.40, subdivision 4a; 256B.0625, subdivision 17; 609.855, subdivision
1.28 7; Laws 2021, First Special Session chapter 5, article 2, section 3; Laws 2023,
1.29 chapter 68, article 1, section 2, subdivision 4; article 2, sections 2, subdivisions 3,
1.30 4, 5, 7, 9; 3; proposing coding for new law in Minnesota Statutes, chapters 168;
1.31 169; 171; 174; repealing Minnesota Statutes 2022, sections 169.011, subdivision
1.32 70; 169.25; 171.0605, subdivision 4; 174.22, subdivisions 5, 15; 174.23, subdivision
1.33 7; 221.033, subdivision 2c; Minnesota Statutes 2023 Supplement, section 171.06,
1.34 subdivisions 9, 10, 11; Minnesota Rules, parts 7411.7600, subpart 3; 8835.0110,
1.35 subparts 1, 1a, 6, 7, 10, 11a, 12a, 12b, 13a, 14a, 15, 15a, 16, 17, 18, 19; 8835.0210;
1.36 8835.0220; 8835.0230; 8835.0240; 8835.0250; 8835.0260; 8835.0265; 8835.0270;
1.37 8835.0275; 8835.0280; 8835.0290; 8835.0310; 8835.0320; 8835.0330, subparts
1.38 1, 3, 4; 8835.0350, subparts 1, 3, 4, 5.

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

2.2

ARTICLE 1

2.3

TRANSPORTATION POLICY

2.4 Section 1. Minnesota Statutes 2023 Supplement, section 4.076, subdivision 3, is amended
2.5 to read:

2.6 Subd. 3. **Membership; chair.** (a) The advisory council consists of the following
2.7 members:

2.8 (1) the chair, which is filled on a two-year rotating basis by a designee from:

2.9 (i) the Office of Traffic Safety in the Department of Public Safety;

2.10 (ii) the Office of Traffic Engineering in the Department of Transportation; and

2.11 (iii) the Injury and Violence Prevention Section in the Department of Health;

2.12 (2) two vice chairs, which must be filled by the two designees who are not currently
2.13 serving as chair of the advisory council under clause (1);

2.14 (3) the statewide Toward Zero Deaths coordinator;

2.15 (4) a regional coordinator from the Toward Zero Deaths program;

2.16 (5) the chief of the State Patrol or a designee;

2.17 (6) the state traffic safety engineer in the Department of Transportation or a designee;

2.18 (7) a law enforcement liaison from the Department of Public Safety;

2.19 (8) a representative from the Department of Human Services;

2.20 (9) a representative from the Department of Education;

2.21 (10) a representative from the Council on Disability;

2.22 (11) a representative for Tribal governments;

2.23 (12) a representative from the Center for Transportation Studies at the University of
2.24 Minnesota;

2.25 (13) a representative from the Minnesota Chiefs of Police Association;

2.26 (14) a representative from the Minnesota Sheriffs' Association;

2.27 (15) a representative from the Minnesota Safety Council;

2.28 (16) a representative from AAA Minnesota;

- 3.1 (17) a representative from the Minnesota Trucking Association;
- 3.2 (18) a representative from the Insurance Federation of Minnesota;
- 3.3 (19) a representative from the Association of Minnesota Counties;
- 3.4 (20) a representative from the League of Minnesota Cities;
- 3.5 (21) the American Bar Association State Judicial Outreach Liaison;
- 3.6 (22) a representative from the City Engineers Association of Minnesota;
- 3.7 (23) a representative from the Minnesota County Engineers Association;
- 3.8 (24) a representative from the Bicycle Alliance of Minnesota;
- 3.9 (25) two individuals representing vulnerable road users, including pedestrians, bicyclists,
- 3.10 and other operators of a personal conveyance;
- 3.11 (26) a representative from Minnesota Operation Lifesaver;
- 3.12 (27) a representative from the Minnesota Driver and Traffic Safety Education Association;
- 3.13 (28) a representative from the Minnesota Association for Pupil Transportation;
- 3.14 (29) a representative from the State Trauma Advisory Council;
- 3.15 (30) a person representing metropolitan planning organizations; ~~and~~
- 3.16 (31) a person representing contractors engaged in construction and maintenance of
- 3.17 highways and other infrastructure;
- 3.18 (32) the director of the Minnesota Emergency Medical Services Regulatory Board; and
- 3.19 (33) a person representing a victims advocacy organization.

3.20 (b) The commissioners of public safety and transportation must jointly appoint the

3.21 advisory council members under paragraph (a), clauses (11), (25), (30), ~~and~~ (31), and (33).

3.22 Sec. 2. Minnesota Statutes 2022, section 43A.17, is amended by adding a subdivision to

3.23 read:

3.24 Subd. 13. **Compensation for law enforcement officers.** (a) For purposes of this

3.25 subdivision, the term "law enforcement officers" means all licensed peace officers employed

3.26 by the state who are included in the state units under section 179A.10, subdivision 2,

3.27 including without limitation: Minnesota State Patrol troopers, Bureau of Criminal

3.28 Apprehension agents, and Alcohol and Gambling Enforcement agents, in the Department

3.29 of Public Safety; Department of Natural Resources conservation officers; Department of

4.1 Corrections Fugitive Apprehension Unit members; and Commerce Fraud Bureau agents in
 4.2 the Department of Commerce.

4.3 (b) When the commissioner of management and budget negotiates a collective bargaining
 4.4 agreement establishing compensation for law enforcement officers, the commissioner must
 4.5 use compensation and benefit data from the most recent salary and benefits survey conducted
 4.6 pursuant to section 299D.03, subdivision 2a, to compare salaries to ensure appropriate
 4.7 increases are made to law enforcement officer salaries and benefits.

4.8 **EFFECTIVE DATE; APPLICATION.** This section is effective the day following
 4.9 final enactment and expires January 1, 2032. This section applies to contracts entered into
 4.10 on or after the effective date but before January 1, 2032.

4.11 Sec. 3. Minnesota Statutes 2022, section 65B.28, subdivision 2, is amended to read:

4.12 Subd. 2. **Accident prevention course; rules.** (a) The commissioner of public safety
 4.13 shall adopt rules establishing and regulating a motor vehicle accident prevention course for
 4.14 persons 55 years old and older.

4.15 (b) The rules must, at a minimum, include provisions:

4.16 (1) establishing curriculum requirements; and

4.17 ~~(2) establishing the number of hours required for successful completion of the course;~~
 4.18 ~~and~~

4.19 ~~(3)~~ (2) providing for the issuance of a course completion certification and requiring its
 4.20 submission to an insured as evidence of completion of the course.

4.21 (c) The accident prevention course must be a total of four hours.

4.22 **EFFECTIVE DATE.** This section is effective July 1, 2024, and applies to accident
 4.23 prevention courses held on or after that date.

4.24 Sec. 4. Minnesota Statutes 2023 Supplement, section 115E.042, subdivision 4, is amended
 4.25 to read:

4.26 Subd. 4. **Response capabilities; time limits.** (a) Following confirmation of a discharge,
 4.27 a railroad must deliver and deploy sufficient equipment and trained personnel to (1) contain
 4.28 and recover discharged oil or other hazardous substances, (2) protect the environment, and
 4.29 (3) assist local public safety officials. Within 15 minutes of a rail incident involving a
 4.30 confirmed discharge or release of oil or other hazardous substances, a railroad must contact
 4.31 the applicable emergency manager and applicable fire ~~chief~~ department, through the local

5.1 public safety answering point, having jurisdiction along the route where the incident occurred.
5.2 After learning of the rail incident involving oil or other hazardous substances, the applicable
5.3 emergency manager and applicable fire ~~chief~~ department must, as soon as practicable,
5.4 identify and provide contact information of the responsible incident commander to the
5.5 reporting railroad.

5.6 (b) Within 15 minutes of local emergency responder arrival on the scene of a rail incident
5.7 involving oil or other hazardous substances, a railroad must assist the incident commander
5.8 to determine the nature of any hazardous substance known to have been released and
5.9 hazardous substance cargo transported on the train. Assistance must include providing
5.10 information that identifies the chemical content of the hazardous substance, contact
5.11 information for the shipper, and instructions for dealing with the release of the material. A
5.12 railroad may provide information on the hazardous substances transported on the train
5.13 through the train orders on board the train or by facsimile or electronic transmission.

5.14 (c) Within one hour of confirmation of a discharge, a railroad must provide a qualified
5.15 company representative to advise the incident commander, assist in assessing the situation,
5.16 initiate railroad response actions as needed, and provide advice and recommendations to
5.17 the incident commander regarding the response. The representative may be made available
5.18 by telephone, and must be authorized to deploy all necessary response resources of the
5.19 railroad.

5.20 (d) Within three hours of confirmation of a discharge, a railroad must be capable of
5.21 delivering monitoring equipment and a trained operator to assist in protection of responder
5.22 and public safety. A plan to ensure delivery of monitoring equipment and an operator to a
5.23 discharge site must be provided each year to the commissioner of public safety.

5.24 (e) Within three hours of confirmation of a discharge, a railroad must provide (1) qualified
5.25 personnel at a discharge site to assess the discharge and to advise the incident commander,
5.26 and (2) resources to assist the incident commander with ongoing public safety and scene
5.27 stabilization.

5.28 (f) A railroad must be capable of deploying containment boom from land across sewer
5.29 outfalls, creeks, ditches, and other places where oil or other hazardous substances may drain,
5.30 in order to contain leaked material before it reaches those resources. The arrangement to
5.31 provide containment boom and staff may be made by:

5.32 (1) training and caching equipment with local jurisdictions;

5.33 (2) training and caching equipment with a fire mutual-aid group;

6.1 (3) means of an industry cooperative or mutual-aid group;

6.2 (4) deployment of a contractor;

6.3 (5) deployment of a response organization under state contract; or

6.4 (6) other dependable means acceptable to the Pollution Control Agency.

6.5 (g) Each arrangement under paragraph (f) must be confirmed each year. Each arrangement
6.6 must be tested by drill at least once every five years.

6.7 (h) Within eight hours of confirmation of a discharge, a railroad must be capable of
6.8 delivering and deploying containment boom, boats, oil recovery equipment, trained staff,
6.9 and all other materials needed to provide:

6.10 (1) on-site containment and recovery of a volume of oil equal to ten percent of the
6.11 calculated worst case discharge at any location along the route; and

6.12 (2) protection of listed sensitive areas and potable water intakes within one mile of a
6.13 discharge site and within eight hours of water travel time downstream in any river or stream
6.14 that the right-of-way intersects.

6.15 (i) Within 60 hours of confirmation of a discharge, a railroad must be capable of
6.16 delivering and deploying additional containment boom, boats, oil recovery equipment,
6.17 trained staff, and all other materials needed to provide containment and recovery of a worst
6.18 case discharge and to protect listed sensitive areas and potable water intakes at any location
6.19 along the route.

6.20 Sec. 5. Minnesota Statutes 2023 Supplement, section 161.045, subdivision 3, is amended
6.21 to read:

6.22 Subd. 3. **Limitations on spending.** (a) A commissioner must not pay for any of the
6.23 following with funds from the highway user tax distribution fund or the trunk highway fund:

6.24 (1) Bureau of Criminal Apprehension laboratory;

6.25 (2) Explore Minnesota Tourism kiosks;

6.26 (3) Minnesota Safety Council;

6.27 (4) driver education programs;

6.28 (5) Emergency Medical Services Regulatory Board;

6.29 (6) Mississippi River Parkway Commission;

7.1 (7) payments to the Department of Information Technology Services in excess of actual
7.2 costs incurred for trunk highway purposes;

7.3 (8) personnel costs incurred on behalf of the governor's office;

7.4 (9) the Office of Aeronautics within the Department of Transportation;

7.5 (10) the Office of Transit and Active Transportation within the Department of
7.6 Transportation;

7.7 (11) the Office of Passenger Rail;

7.8 (12) purchase and maintenance of soft body armor under section 299A.38;

7.9 (13) tourist information centers;

7.10 (14) parades, events, or sponsorships of events;

7.11 ~~(15) the installation, construction, expansion, or maintenance of public electric vehicle~~
7.12 ~~infrastructure;~~

7.13 ~~(16)~~ (15) the statewide notification center for excavation services pursuant to chapter
7.14 216D; and

7.15 ~~(17)~~ (16) manufacturing license plates.

7.16 (b) The prohibition in paragraph (a) includes all expenses for the named entity or program,
7.17 including but not limited to payroll, purchased services, supplies, repairs, and equipment.
7.18 This prohibition on spending applies to any successor entities or programs that are
7.19 substantially similar to the entity or program named in this subdivision.

7.20 Sec. 6. Minnesota Statutes 2022, section 161.115, subdivision 116, is amended to read:

7.21 Subd. 116. **Route No. 185.** Beginning at a point on Route No. 1 ~~at Sandstone~~ and Route
7.22 No. 390, thence extending in a northeasterly direction to a point on Route No. 103 as herein
7.23 established in Duluth.

7.24 **EFFECTIVE DATE.** This section is effective the day after the commissioner of
7.25 transportation receives a copy of the agreement between the commissioner and the governing
7.26 body of Pine County to transfer jurisdiction of a portion of Legislative Route No. 185 and
7.27 notifies the revisor of statutes electronically or in writing that the conditions required to
7.28 transfer the route have been satisfied.

8.1 Sec. 7. Minnesota Statutes 2022, section 161.115, subdivision 117, is amended to read:

8.2 Subd. 117. **Route No. 186.** Beginning at a point on Route No. 110 as herein established,
8.3 thence extending in an easterly direction to a point on Route No. ~~185 as herein established~~
8.4 ~~at or near Askov 1~~ and Route No. 390; affording Isle, and Finlayson, ~~and Askov~~, a reasonable
8.5 means of communication each with the other and other places within the state.

8.6 **EFFECTIVE DATE.** This section is effective the day after the commissioner of
8.7 transportation notifies the revisor of statutes electronically or in writing of the effective
8.8 date.

8.9 Sec. 8. Minnesota Statutes 2022, section 161.115, is amended by adding a subdivision to
8.10 read:

8.11 Subd. 272. **Route No. 341.** Beginning at a point on Route No. 1 at Sandstone, thence
8.12 extending in a generally easterly direction to a point at or near the east bank of the Kettle
8.13 River.

8.14 **EFFECTIVE DATE.** This section is effective the day after the commissioner of
8.15 transportation notifies the revisor of statutes electronically or in writing of the effective
8.16 date.

8.17 Sec. 9. Minnesota Statutes 2022, section 161.321, subdivision 2, is amended to read:

8.18 Subd. 2. **Small targeted group business, small business; contract preferences.** (a)
8.19 The commissioner may award up to a ~~six~~ 12 percent preference in the amount bid for
8.20 specified construction work to small targeted group businesses.

8.21 (b) The commissioner may designate a contract for construction work for award only
8.22 to small targeted group businesses if the commissioner determines that at least three small
8.23 targeted group businesses are likely to bid.

8.24 (c) The commissioner may award up to a four percent preference in the amount bid for
8.25 specified construction work to small businesses located in an economically disadvantaged
8.26 area as defined in section 16C.16, subdivision 7.

8.27 Sec. 10. Minnesota Statutes 2022, section 161.321, subdivision 2b, is amended to read:

8.28 Subd. 2b. **Veteran-owned small business; contract preferences.** (a) The commissioner
8.29 may award up to a ~~six~~ 12 percent preference in the amount bid for specified construction
8.30 work to veteran-owned small businesses, except when prohibited by the federal government
8.31 as a condition of receiving federal funds. When a bid preference is provided under this

9.1 section, the percentage of preference in bid amount under this subdivision may not be less
9.2 than the percentage of bid preference provided to any small targeted group business under
9.3 subdivision 2.

9.4 (b) When a bid preference is provided under this subdivision, the commissioner must
9.5 be as inclusive as possible in specifying contracts for construction work, as well as for
9.6 construction-related professional and technical services, available under this bid preference
9.7 program for veteran-owned small businesses. The term "construction" must be given broad
9.8 meaning for purposes of specifying and letting contracts for veteran-owned small businesses
9.9 and must include, but is not limited to, preplanning, planning, and all other
9.10 construction-related professional and technical services.

9.11 (c) When a bid preference is provided under this subdivision, the commissioner must
9.12 strive to ensure that contracts will be awarded on a proportional basis with contracts awarded
9.13 under subdivision 2.

9.14 (d) The commissioner may designate a contract for construction work for award only
9.15 to veteran-owned small businesses, if the commissioner determines that at least three
9.16 veteran-owned small businesses are likely to bid.

9.17 Sec. 11. Minnesota Statutes 2022, section 168.002, subdivision 18, is amended to read:

9.18 Subd. 18. **Motor vehicle.** (a) "Motor vehicle" means any self-propelled vehicle designed
9.19 and originally manufactured to operate primarily on highways, and not operated exclusively
9.20 upon railroad tracks. It includes any vehicle propelled or drawn by a self-propelled vehicle
9.21 and includes vehicles known as trackless trolleys that are propelled by electric power obtained
9.22 from overhead trolley wires but not operated upon rails.

9.23 (b) "Motor vehicle" includes an all-terrain vehicle only if the all-terrain vehicle (1) has
9.24 at least four wheels, (2) is owned and operated by a physically disabled person, and (3)
9.25 displays both disability plates and a physically disabled certificate issued under section
9.26 169.345.

9.27 (c) "Motor vehicle" does not include an all-terrain vehicle except (1) an all-terrain vehicle
9.28 described in paragraph (b), or (2) an all-terrain vehicle licensed as a motor vehicle before
9.29 August 1, 1985. The owner may continue to license an all-terrain vehicle described in clause
9.30 (2) as a motor vehicle until it is conveyed or otherwise transferred to another owner, is
9.31 destroyed, or fails to comply with the registration and licensing requirements of this chapter.

9.32 (d) "Motor vehicle" does not include a snowmobile; a manufactured home; a park trailer;
9.33 an electric personal assistive mobility device as defined in section 169.011, subdivision 26;

10.1 a motorized foot scooter as defined in section 169.011, subdivision 46; or an electric-assisted
10.2 bicycle as defined in section 169.011, subdivision 27.

10.3 (e) "Motor vehicle" includes an off-highway motorcycle modified to meet the
10.4 requirements of chapter 169 according to section 84.788, subdivision 12.

10.5 (f) "Motor vehicle" includes a roadable aircraft as defined in section 169.011, subdivision
10.6 67a.

10.7 Sec. 12. Minnesota Statutes 2022, section 168.002, subdivision 24, is amended to read:

10.8 Subd. 24. **Passenger automobile.** (a) "Passenger automobile" means any motor vehicle
10.9 designed and used for carrying not more than 15 individuals, including the driver.

10.10 (b) "Passenger automobile" does not include motorcycles, motor scooters, buses, school
10.11 buses, or commuter vans as defined in section 168.126.

10.12 (c) "Passenger automobile" includes; but is not limited to:

10.13 (1) a vehicle that is a pickup truck or a van as defined in subdivisions 26 and 40;

10.14 (2) neighborhood electric vehicles, as defined in section 169.011, subdivision 47; ~~and~~

10.15 (3) medium-speed electric vehicles, as defined in section 169.011, subdivision 39; and

10.16 (4) roadable aircraft, as defined in section 169.011, subdivision 67a.

10.17 Sec. 13. Minnesota Statutes 2022, section 168.002, subdivision 26, is amended to read:

10.18 Subd. 26. **Pickup truck.** "Pickup truck" means any truck with a manufacturer's nominal
10.19 rated carrying capacity of three-fourths ton or less and commonly known as a pickup truck.
10.20 If the manufacturer's nominal rated carrying capacity is not provided or cannot be determined,
10.21 then the value specified by the manufacturer as the gross vehicle weight as indicated on the
10.22 manufacturer's certification label must be ~~less than~~ 10,000 pounds or less.

10.23 Sec. 14. Minnesota Statutes 2022, section 168.002, subdivision 27, is amended to read:

10.24 Subd. 27. **Recreational vehicle.** (a) "Recreational vehicle" means travel trailers including
10.25 those that telescope or fold down, chassis-mounted campers, motor homes, tent trailers,
10.26 teardrop trailers, and converted buses that provide temporary human living quarters.

10.27 (b) "Recreational vehicle" is a vehicle that:

10.28 (1) is not used as the residence of the owner or occupant;

10.29 (2) is used while engaged in recreational or vacation activities; and

11.1 (3) is either self-propelled or towed on the highways incidental to the recreational or
11.2 vacation activities.

11.3 Sec. 15. Minnesota Statutes 2022, section 168.013, subdivision 1d, is amended to read:

11.4 Subd. 1d. **Trailer.** (a) On trailers registered at a gross vehicle weight of greater than
11.5 3,000 pounds, the annual tax is based on total gross weight and is 30 percent of the Minnesota
11.6 base rate prescribed in subdivision 1e, when the gross weight is 15,000 pounds or less, and
11.7 when the gross weight of a trailer is more than 15,000 pounds, the tax for the first eight
11.8 years of vehicle life is 100 percent of the tax imposed in the Minnesota base rate schedule,
11.9 and during the ninth and succeeding years of vehicle life the tax is 75 percent of the
11.10 Minnesota base rate prescribed by subdivision 1e. A trailer registered at a gross vehicle
11.11 weight greater than 3,000 pounds but no greater than 7,200 pounds may be taxed either: (1)
11.12 annually as provided in this paragraph; or (2) once every three years on the basis of total
11.13 gross weight and is 90 percent of the Minnesota base rate prescribed in subdivision 1e,
11.14 provided that the filing fee under section 168.33, subdivision 7, paragraph (a), is multiplied
11.15 by three, with funds collected by the commissioner allocated proportionally in the same
11.16 manner as provided in section 168.33, subdivision 7, paragraph (e).

11.17 (b) Farm trailers with a gross weight in excess of 10,000 pounds and as described in
11.18 section 168.002, subdivision 8, are taxed as farm trucks as prescribed in subdivision 1c.

11.19 (c) Effective on and after July 1, 2001, trailers registered at a gross vehicle weight of
11.20 3,000 pounds or less, excluding recreational vehicles, must display a distinctive plate. The
11.21 registration on the license plate is valid for the life of the trailer only if it remains registered
11.22 at the same gross vehicle weight. The onetime registration tax for trailers registered for the
11.23 first time in Minnesota is \$55. For trailers registered in Minnesota before July 1, 2001, and
11.24 for which:

11.25 (1) registration is desired for the remaining life of the trailer, the registration tax is \$25;
11.26 or

11.27 (2) permanent registration is not desired, the biennial registration tax is \$10 for the first
11.28 renewal if registration is renewed between and including July 1, 2001, and June 30, 2003.
11.29 These trailers must be issued permanent registration at the first renewal on or after July 1,
11.30 2003, and the registration tax is \$20.

11.31 For trailers registered at a gross weight of 3,000 pounds or less before July 1, 2001, but
11.32 not renewed until on or after July 1, 2003, the registration tax is \$20 and permanent
11.33 registration must be issued.

12.1 Sec. 16. Minnesota Statutes 2022, section 168.0135, is amended by adding a subdivision
12.2 to read:

12.3 Subd. 2a. **Limitations.** (a) A vendor must not have an ownership interest with a deputy
12.4 registrar or a driver's license agent.

12.5 (b) A vendor is not eligible to be appointed by the commissioner as a deputy registrar
12.6 or a driver's license agent.

12.7 (c) An entity that owns, leases, or otherwise provides a location where a self-service
12.8 kiosk is placed is not eligible to be appointed by the commissioner as a deputy registrar or
12.9 a driver's license agent. This paragraph does not apply to a deputy registrar or a driver's
12.10 license agent appointed prior to placement of a self-service kiosk within the office of the
12.11 deputy registrar or driver's license agent.

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

12.13 Sec. 17. Minnesota Statutes 2022, section 168.12, subdivision 1, is amended to read:

12.14 Subdivision 1. **Plates; design, visibility, periods of issuance.** (a) The commissioner,
12.15 upon approval and payment, shall issue to the applicant the plates required by this chapter,
12.16 bearing the state name and an assigned vehicle registration number. The number assigned
12.17 by the commissioner may be a combination of a letter or sign with figures. The color of the
12.18 plates and the color of the abbreviation of the state name and the number assigned must be
12.19 in marked contrast. The plates must be lettered, spaced, or distinguished to suitably indicate
12.20 the registration of the vehicle according to the rules of the commissioner.

12.21 (b) When a vehicle is registered on the basis of total gross weight, the plates issued must
12.22 clearly indicate by letters or other suitable insignia the maximum gross weight for which
12.23 the tax has been paid.

12.24 (c) Plates issued to a noncommercial vehicle must bear the inscription "noncommercial"
12.25 unless the vehicle is displaying a special plate authorized and issued under this chapter.

12.26 (d) A one-ton pickup truck that is used for commercial purposes and is subject to section
12.27 168.185, is eligible to display special plates as authorized and issued under this chapter.

12.28 (e) The plates must be so treated as to be at least 100 times brighter than the conventional
12.29 painted number plates. When properly mounted on an unlighted vehicle, the plates, when
12.30 viewed from a vehicle equipped with standard headlights, must be visible for a distance of
12.31 not less than 1,500 feet and readable for a distance of not less than 110 feet.

12.32 (f) The commissioner shall issue plates for the following periods:

13.1 (1) New plates issued pursuant to section 168.012, subdivision 1, must be issued to a
13.2 vehicle for as long as the vehicle is owned by the exempt agency and the plate shall not be
13.3 transferable from one vehicle to another but the plate may be transferred with the vehicle
13.4 from one tax-exempt agency to another.

13.5 (2) Plates issued for passenger automobiles must be issued for a seven-year period. All
13.6 plates issued under this paragraph must be replaced if they are seven years old or older at
13.7 the time of registration renewal or will become so during the registration period.

13.8 (3) Plates issued under sections 168.053 and 168.27, subdivisions 16 and 17, must be
13.9 for a seven-year period.

13.10 (4) Plates issued under subdivisions 2c and 2d and sections 168.123, 168.1235, and
13.11 168.1255 must be issued for the life of the veteran under section 169.79.

13.12 (5) Plates for any vehicle not specified in clauses (1) to (3) must be issued for the life
13.13 of the vehicle.

13.14 (g) In a year in which plates are not issued, the commissioner shall issue for each
13.15 registration a sticker to designate the year of registration. This sticker must show the year
13.16 or years for which the sticker is issued, and is valid only for that period. The plates and
13.17 stickers issued for a vehicle may not be transferred to another vehicle during the period for
13.18 which the sticker is issued, except when issued for a vehicle registered under section 168.187.

13.19 (h) Despite any other provision of this subdivision, plates issued to a vehicle used for
13.20 behind-the-wheel instruction in a driver education course in a public school may be
13.21 transferred to another vehicle used for the same purpose without payment of any additional
13.22 fee. The public school shall notify the commissioner of each transfer of plates under this
13.23 paragraph. The commissioner may prescribe a format for notification.

13.24 (i) In lieu of plates required under this section, the commissioner must issue a registration
13.25 number identical to the federally issued tail number assigned to a roadable aircraft.

13.26 Sec. 18. Minnesota Statutes 2023 Supplement, section 168.1235, subdivision 1, is amended
13.27 to read:

13.28 Subdivision 1. **General requirements; fees.** (a) The commissioner shall issue a special
13.29 plate emblem for each plate to an applicant who:

13.30 (1) is a member of a congressionally chartered veterans service organization and is a
13.31 registered owner of a passenger automobile, pickup truck, van, or self-propelled recreational

14.1 vehicle, or is a congressionally chartered veterans service organization that is the registered
14.2 owner of a passenger automobile, pickup truck, van, or self-propelled recreational vehicle;

14.3 (2) pays the registration tax required by law;

14.4 (3) pays a fee in the amount specified for special plates under section 168.12, subdivision
14.5 5, for each set of two plates, and any other fees required by this chapter; and

14.6 (4) complies with this chapter and rules governing the registration of motor vehicles and
14.7 licensing of drivers.

14.8 (b) The additional fee is payable at the time of initial application for the special plate
14.9 emblem and when the plates must be replaced or renewed. ~~An applicant must not be issued~~
14.10 ~~more than two sets of special plate emblems for motor vehicles listed in paragraph (a) and~~
14.11 ~~registered to the applicant.~~

14.12 (c) The applicant must present a valid card indicating membership in the American
14.13 Legion, Veterans of Foreign Wars, or Disabled American Veterans.

14.14 Sec. 19. Minnesota Statutes 2023 Supplement, section 168.1259, subdivision 5, is amended
14.15 to read:

14.16 Subd. 5. **Contributions; account; appropriation.** Contributions collected under
14.17 subdivision 2, paragraph (a), clause (5), must be deposited in the Minnesota professional
14.18 sports team foundations account, which is established in the special revenue fund. Money
14.19 in the account is annually appropriated to the commissioner of public safety. This
14.20 appropriation is first for the annual cost of administering the account funds, and the remaining
14.21 funds are for distribution to the foundations in proportion to the total number of Minnesota
14.22 professional sports team foundation plates issued for that year. Proceeds from a plate that
14.23 includes the marks and colors of all foundations must be divided evenly between all
14.24 foundations. The foundations must only use the proceeds for philanthropic or charitable
14.25 purposes.

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

14.27 Sec. 20. **[168.24] ROADABLE AIRCRAFT REGISTRATION.**

14.28 (a) For purposes of this section, "roadable aircraft" has the meaning given in section
14.29 169.011, subdivision 67a.

15.1 (b) An owner of a roadable aircraft must comply with all rules and requirements of this
15.2 chapter and chapter 168A governing the titling, registration, taxation, and insurance of
15.3 motor vehicles.

15.4 (c) A person who seeks to register a roadable aircraft for operation as a motor vehicle
15.5 on public roadways in Minnesota must apply to the commissioner. The application must
15.6 contain:

15.7 (1) the name and address of the owner of the roadable aircraft;

15.8 (2) the federally issued tail number assigned to the aircraft;

15.9 (3) the make and model of the roadable aircraft; and

15.10 (4) any other information the commissioner may require.

15.11 (d) Upon receipt of a valid and complete application for registration of a roadable aircraft,
15.12 the commissioner must issue a certificate of registration.

15.13 (e) A valid registration certificate issued under this section must be located inside the
15.14 roadable aircraft when the aircraft is in operation on a public highway.

15.15 (f) A roadable aircraft registered as a motor vehicle under this section must also be
15.16 registered as an aircraft as provided in section 360.60.

15.17 Sec. 21. Minnesota Statutes 2022, section 168.33, subdivision 8a, is amended to read:

15.18 Subd. 8a. **Electronic transmission.** (a) If the commissioner accepts electronic
15.19 transmission of a motor vehicle transfer and registration by a new or used motor vehicle
15.20 dealer, a deputy registrar who is equipped with electronic transmission technology and
15.21 trained in its use ~~shall~~ must receive the filing fee provided for in subdivision 7 and review
15.22 the transfer of each new or used motor vehicle to determine its genuineness and regularity
15.23 before issuance of a certificate of title, and ~~shall~~ must receive and retain the filing fee under
15.24 subdivision 7, paragraph (a), clause (2).

15.25 (b) The commissioner must establish reasonable performance, security, technical, and
15.26 financial standards to approve companies that provide computer software and services to
15.27 motor vehicle dealers to electronically transmit vehicle title transfer and registration
15.28 information. An approved company must be offered access to department facilities, staff,
15.29 and technology on a fair and reasonable basis. An approved company must not have an
15.30 ownership interest with a deputy registrar or a driver's license agent. An approved company
15.31 is not eligible to be appointed by the commissioner as a deputy registrar or a driver's license
15.32 agent.

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

16.2 Sec. 22. Minnesota Statutes 2023 Supplement, section 168.345, subdivision 2, is amended
16.3 to read:

16.4 Subd. 2. **Lessees; information.** (a) The commissioner may not furnish information about
16.5 ~~registered owners of passenger automobiles who are~~ automobile lessees under a lease for
16.6 a term of 180 days or more to any person except:

16.7 (1) the owner of the vehicle;

16.8 (2) the lessee;

16.9 (3) personnel of law enforcement agencies and;

16.10 (4) trade associations performing a member service under section 604.15, subdivision
16.11 4a, and;

16.12 (5) licensed dealers in connection with a vehicle sale or lease;

16.13 (6) federal, state, and local governmental units; and;

16.14 (7) at the commissioner's discretion, to persons who use the information to notify lessees
16.15 of automobile recalls.

16.16 (b) The commissioner may release information about passenger automobile lessees in
16.17 the form of summary data, as defined in section 13.02, to persons who use the information
16.18 in conducting statistical analysis and market research.

16.19 **EFFECTIVE DATE.** This section is effective October 1, 2024.

16.20 Sec. 23. Minnesota Statutes 2022, section 168A.085, is amended by adding a subdivision
16.21 to read:

16.22 Subd. 4. **Foreign passport.** A valid and unexpired passport issued to the applicant by
16.23 a recognized foreign government is a primary document for purposes of Minnesota Rules,
16.24 part 7410.0400, and successor rules, when the applicant is an individual who is applying
16.25 as the owner for a vehicle title or registration.

16.26 Sec. 24. Minnesota Statutes 2022, section 168B.035, subdivision 3, is amended to read:

16.27 Subd. 3. **Towing prohibited.** (a) A towing authority may not tow a motor vehicle
16.28 because:

- 17.1 (1) the vehicle ~~has expired~~ displays registration ~~tags~~ validation stickers that have been
17.2 expired for less than 90 days; or
- 17.3 (2) the vehicle is at a parking meter on which the time has expired ~~and the vehicle has~~
17.4 ~~fewer than five unpaid parking tickets.~~
- 17.5 (b) A towing authority may tow a motor vehicle, notwithstanding paragraph (a), if:
- 17.6 (1) the vehicle is parked in violation of snow emergency regulations;
- 17.7 (2) the vehicle is parked in a rush-hour restricted parking area;
- 17.8 (3) the vehicle is blocking a driveway, alley, or fire hydrant;
- 17.9 (4) the vehicle is parked in a bus lane, or at a bus stop, during hours when parking is
17.10 prohibited;
- 17.11 (5) the vehicle is parked within 30 feet of a stop sign and visually blocking the stop sign;
- 17.12 (6) the vehicle is parked in a disability transfer zone or disability parking space without
17.13 a disability parking certificate or disability license plates;
- 17.14 (7) the vehicle is parked in an area that has been posted for temporary restricted parking
17.15 (i) at least 12 hours in advance in a home rule charter or statutory city having a population
17.16 under 50,000, or (ii) at least 24 hours in advance in another political subdivision;
- 17.17 (8) the vehicle is parked within the right-of-way of a controlled-access highway or within
17.18 the traveled portion of a public street when travel is allowed there;
- 17.19 (9) the vehicle is unlawfully parked in a zone that is restricted by posted signs to use by
17.20 fire, police, public safety, or emergency vehicles;
- 17.21 (10) the vehicle is unlawfully parked on property at the Minneapolis-St. Paul International
17.22 Airport owned by the Metropolitan Airports Commission;
- 17.23 (11) a law enforcement official has probable cause to believe that the vehicle is stolen,
17.24 or that the vehicle constitutes or contains evidence of a crime and impoundment is reasonably
17.25 necessary to obtain or preserve the evidence;
- 17.26 (12) the driver, operator, or person in physical control of the vehicle is taken into custody
17.27 and the vehicle is impounded for safekeeping;
- 17.28 (13) a law enforcement official has probable cause to believe that the owner, operator,
17.29 or person in physical control of the vehicle has failed to respond to five or more citations
17.30 for parking or traffic offenses;

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

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

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

18.6 (17) the vehicle is a junk, abandoned, or unauthorized vehicle, as defined in section
18.7 168B.011, and subject to immediate removal under this chapter.

18.8 Sec. 25. Minnesota Statutes 2022, section 169.011, subdivision 3a, is amended to read:

18.9 Subd. 3a. **Autocycle.** (a) "Autocycle" means a motorcycle that:

18.10 (1) has three wheels in contact with the ground;

18.11 (2) is designed with seating that does not require operators or any occupants to straddle
18.12 or sit astride it;

18.13 (3) has a steering wheel;

18.14 (4) is equipped with antilock brakes; and

18.15 (5) is originally manufactured to meet federal motor vehicle safety standards for
18.16 motorcycles in Code of Federal Regulations, title 49, part 571, and successor requirements.

18.17 (b) An autocycle does not include a roadable aircraft as defined in subdivision 67a.

18.18 Sec. 26. Minnesota Statutes 2022, section 169.011, subdivision 44, is amended to read:

18.19 Subd. 44. **Motorcycle.** "Motorcycle" means every motor vehicle having a seat or saddle
18.20 for the use of the rider and designed to travel on not more than three wheels in contact with
18.21 the ground, including motor scooters and autocycles. Motorcycle does not include (1)
18.22 motorized bicycles as defined in subdivision 45, (2) electric-assisted bicycles as defined in
18.23 subdivision 27, ~~or~~ (3) a tractor, or (4) roadable aircraft.

18.24 Sec. 27. Minnesota Statutes 2022, section 169.011, is amended by adding a subdivision
18.25 to read:

18.26 Subd. 48a. **Nondivisible load or vehicle.** "Nondivisible load" or "nondivisible vehicle"
18.27 means any load or vehicle exceeding the applicable length, width, height, or weight limits
18.28 set forth in this chapter which, if separated into smaller loads or vehicles, would:

18.29 (1) compromise the intended use of the load or vehicle;

19.1 (2) destroy the value of the load or vehicle; or

19.2 (3) require more than eight work hours to dismantle using appropriate equipment.

19.3 Sec. 28. Minnesota Statutes 2022, section 169.011, is amended by adding a subdivision
19.4 to read:

19.5 Subd. 67a. **Roadable aircraft.** "Roadable aircraft" means any aircraft capable of taking
19.6 off and landing from a suitable airfield and that is also designed to be operated on a public
19.7 highway as a motor vehicle.

19.8 Sec. 29. Minnesota Statutes 2022, section 169.09, subdivision 5, is amended to read:

19.9 Subd. 5. **Notify owner of damaged property.** If the driver of any vehicle involved in
19.10 a collision knows or has reason to know the collision resulted only in damage to fixtures
19.11 legally upon or adjacent to a highway, the driver ~~shall~~ must:

19.12 (1) take reasonable steps to locate and notify the owner or person in charge of the property
19.13 of ~~that fact~~ the collision, of the driver's name and address, and of the registration license
19.14 plate number of the vehicle being driven and ~~shall~~ must, upon request and if available,
19.15 exhibit the driver's license, and ~~make an accident report in every case~~; and

19.16 (2) report the information required in clause (1) to a peace officer.

19.17 Sec. 30. Minnesota Statutes 2023 Supplement, section 169.09, subdivision 8, is amended
19.18 to read:

19.19 Subd. 8. **Officer to report accident to commissioner.** A peace officer who, in the
19.20 regular course of duty, investigates an accident that must be reported under this section
19.21 shall, within ten days after the date of the accident, forward an electronic or written report
19.22 of the accident as prescribed by the commissioner of public safety. Within two business
19.23 days after identification of a fatality that resulted from an accident, the reporting agency
19.24 must notify the commissioner of the basic circumstances of the accident using an electronic
19.25 format as prescribed by the commissioner. Accidents involving the following occurrences
19.26 must be reported under this subdivision if they occur on a trafficway, a traffic right-of-way,
19.27 public lands, or trail systems:

19.28 (1) a fatality;

19.29 (2) bodily injury to a person who, as a result of the injury, immediately receives medical
19.30 treatment away from the scene of the accident;

20.1 (3) one or more motor vehicles incurs disabling damage as a result of the accident,
20.2 requiring the motor vehicle to be transported away from the scene of the accident by a tow
20.3 truck or other motor vehicle;

20.4 (4) property damage to state-owned highway infrastructure; or

20.5 (5) any accident involving a school bus or commercial motor vehicle that must be reported
20.6 under sections 169.4511 and 169.783.

20.7 Sec. 31. Minnesota Statutes 2022, section 169.09, subdivision 14a, is amended to read:

20.8 Subd. 14a. **Suspension of license for failure to report accident.** The commissioner
20.9 may suspend the license, or any nonresident's operating privilege, of any ~~person~~ driver who
20.10 willfully fails, refuses, or neglects to make report of a traffic accident as required by the
20.11 laws of this state. A license suspension under this section is subject to the notice requirements
20.12 of section 171.18, subdivision 2.

20.13 Sec. 32. Minnesota Statutes 2022, section 169.09, subdivision 19, is amended to read:

20.14 Subd. 19. **Terminology.** (a) The provisions of this section apply equally whether the
20.15 term "accident" or "collision" is used. The term "accident" or "collision" does not include:

20.16 (1) an occurrence involving only boarding and alighting from a stationary motor vehicle;

20.17 (2) an occurrence involving only the loading or unloading of cargo; or

20.18 (3) intentional vehicle-to-vehicle contact when initiated by a peace officer:

20.19 (i) to stop a perpetrator from fleeing in a motor vehicle, as defined in section 609.487,
20.20 subdivision 3; or

20.21 (ii) as an authorized use of force, as defined in section 609.06, subdivision 1; 609.065;
20.22 or 609.066.

20.23 (b) For purposes of this section, "disabling damage" means damage that prevents a motor
20.24 vehicle from departing the scene of an accident in its usual manner in daylight after simple
20.25 repairs. Disabling damage includes damage to a motor vehicle that could be driven from
20.26 the scene of an accident but would be further damaged if so driven. Disabling damage does
20.27 not include:

20.28 (1) damage that can be remedied temporarily at the scene of an accident without special
20.29 tools or parts;

20.30 (2) tire disablement without other damage, even if no spare tire is available;

21.1 (3) headlamp or taillight damage; or

21.2 (4) damage that makes the turn signals, horn, or windshield wipers inoperable.

21.3 (c) For purposes of this section, motor vehicle includes the various off-road vehicles
 21.4 defined in section 84.771, 84.787, 84.797, 84.81, or 84.92.

21.5 Sec. 33. Minnesota Statutes 2022, section 169.19, subdivision 2, is amended to read:

21.6 Subd. 2. **U-turn.** ~~No vehicle shall be turned~~ The operator of a vehicle must not turn to
 21.7 proceed in the opposite direction upon any curve, or upon the approach to or near the crest
 21.8 of a grade, where the vehicle cannot be seen by the ~~driver~~ operator of any other vehicle
 21.9 approaching from either direction within 1,000 feet, ~~nor shall the driver.~~ The operator of a
 21.10 vehicle must not turn the vehicle to proceed in the opposite direction unless the movement
 21.11 can be made safely and without interfering with other traffic. ~~When necessary to~~
 21.12 ~~accommodate vehicle configuration on~~ The operator of a vehicle is permitted to make a
 21.13 right-hand turn into the farthest lane of a roadway with two or more lanes in the same
 21.14 direction, ~~a driver may turn the vehicle into the farthest lane and temporarily use the shoulder~~
 21.15 ~~to make a U-turn~~ in order to make a U-turn at a reduced-conflict intersection if it is safe to
 21.16 do so.

21.17 Sec. 34. Minnesota Statutes 2022, section 169.224, subdivision 3, is amended to read:

21.18 Subd. 3. **Operation.** (a) A neighborhood electric vehicle or a medium-speed electric
 21.19 vehicle may not be operated on a street or highway with a speed limit greater than 35 miles
 21.20 per hour, except to make a direct crossing of that street or highway.

21.21 (b) A person may operate a three-wheeled neighborhood electric vehicle without a
 21.22 ~~two-wheeled vehicle motorcycle~~ motorcycle endorsement, ~~provided if~~ provided if the person has a valid driver's
 21.23 license issued under chapter 171.

21.24 Sec. 35. Minnesota Statutes 2022, section 169.34, subdivision 1, is amended to read:

21.25 Subdivision 1. **Prohibitions.** (a) ~~No person shall~~ A person must not stop, stand, or park
 21.26 a vehicle, except when necessary to avoid conflict with other traffic or in compliance with
 21.27 the directions of a police officer or traffic-control device, in any of the following places:

21.28 (1) on a sidewalk;

21.29 (2) in front of a public or private driveway;

21.30 (3) within an intersection;

- 22.1 (4) within ten feet of a fire hydrant;
- 22.2 (5) on a crosswalk;
- 22.3 (6) within 20 feet of a crosswalk at an intersection;
- 22.4 (7) within 30 feet upon the approach to any flashing beacon, stop sign, or traffic-control
22.5 signal located at the side of a roadway;
- 22.6 ~~(8) between a safety zone and the adjacent curb or within 30 feet of points on the curb~~
22.7 ~~immediately opposite the ends of a safety zone, unless a different length is indicated by~~
22.8 ~~signs or markings;~~
- 22.9 ~~(9)~~ (8) within 50 feet of the nearest rail of a railroad crossing;
- 22.10 ~~(10)~~ (9) within 20 feet of the driveway entrance to any fire station and on the side of a
22.11 street opposite the entrance to any fire station within 75 feet of said entrance when properly
22.12 signposted;
- 22.13 ~~(11)~~ (10) alongside or opposite any street excavation or obstruction when such stopping,
22.14 standing, or parking would obstruct traffic;
- 22.15 ~~(12)~~ (11) on the roadway side of any vehicle stopped or parked at the edge or curb of a
22.16 street;
- 22.17 ~~(13)~~ (12) upon any bridge or other elevated structure upon a highway or within a highway
22.18 tunnel, except as otherwise provided by ordinance;
- 22.19 ~~(14)~~ (13) within a bicycle lane, except when posted signs permit parking; or
- 22.20 ~~(15)~~ (14) at any place where official signs prohibit stopping.
- 22.21 (b) No person shall move a vehicle not owned by such person into any prohibited area
22.22 or away from a curb such distance as is unlawful.
- 22.23 (c) ~~No person shall~~ A person must not, for camping purposes, leave or park a travel
22.24 trailer on or within the limits of any highway or on any highway right-of-way, except where
22.25 signs are erected designating the place as a campsite.
- 22.26 (d) ~~No person shall~~ A person must not stop or park a vehicle on a street or highway when
22.27 directed or ordered to proceed by any peace officer invested by law with authority to direct,
22.28 control, or regulate traffic.

23.1 Sec. 36. Minnesota Statutes 2022, section 169.444, subdivision 4, is amended to read:

23.2 Subd. 4. **Exception for separated roadway.** (a) A person driving a vehicle on a street
23.3 or highway with separated roadways is not required to stop the vehicle when approaching
23.4 or meeting a school bus that is on a different roadway.

23.5 (b) "Separated roadway" means a road that is separated from a parallel road by a ~~safety~~
23.6 ~~isle or safety zone~~ physical barrier, raised median, or depressed median.

23.7 Sec. 37. Minnesota Statutes 2022, section 169.685, is amended by adding a subdivision
23.8 to read:

23.9 Subd. 3a. **Definitions.** (a) For purposes of this section, the following terms have the
23.10 meanings given.

23.11 (b) "Booster seat" means a child passenger restraint system that meets applicable federal
23.12 motor vehicle safety standards and is designed to provide belt-positioning that elevates a
23.13 child to be properly seated with a safety belt.

23.14 (c) "Child passenger restraint system" means a device that:

23.15 (1) meets applicable federal motor vehicle safety standards of the United States
23.16 Department of Transportation and complies with any other applicable federal regulations;

23.17 (2) is designed to restrain, seat, or position children; and

23.18 (3) is appropriate to the age of the child being restrained.

23.19 Child passenger restraint system includes a booster seat.

23.20 (d) "Properly restrained" means restrained or secured according to the instructions of
23.21 both the motor vehicle manufacturer and the child passenger restraint system manufacturer.

23.22 (e) "Secured with a safety belt" means restrained or secured by a seat belt that (1) meets
23.23 applicable federal motor vehicle safety standards, and (2) is properly adjusted and fastened,
23.24 including both the shoulder and lap straps when equipped in the vehicle.

23.25 Sec. 38. Minnesota Statutes 2022, section 169.685, subdivision 4, is amended to read:

23.26 Subd. 4. **Admissibility into evidence.** (a) Except as provided in paragraph (b), proof of
23.27 the use or failure to use seat belts or a child passenger restraint system as described in
23.28 subdivision ~~5~~ 4a, or proof of the installation or failure of installation of seat belts or a child
23.29 passenger restraint system as described in subdivision ~~5~~ shall not be 4a is not admissible in

24.1 evidence in any litigation involving personal injuries or property damage resulting from the
24.2 use or operation of any motor vehicle.

24.3 (b) Paragraph (a) does not affect the right of a person to bring an action for damages
24.4 arising out of an incident that involves a defectively designed, manufactured, installed, or
24.5 operating seat belt or child passenger restraint system. Paragraph (a) does not prohibit the
24.6 introduction of evidence pertaining to the use of a seat belt or child passenger restraint
24.7 system in an action described in this paragraph.

24.8 Sec. 39. Minnesota Statutes 2022, section 169.685, is amended by adding a subdivision
24.9 to read:

24.10 Subd. 4a. Child passenger restraint systems. (a) Except as provided in paragraph (c),
24.11 every driver in this state who transports a child or children under the age of 18 years in a
24.12 motor vehicle that is in motion or a part of traffic and is required under federal motor vehicle
24.13 safety standards to be equipped with a safety belt or lower anchors and tethers for children
24.14 in a passenger seating position must have the child or children secured as follows:

24.15 (1) a child who is younger than two years of age must be properly restrained in a
24.16 rear-facing child passenger restraint system with an internal harness, until the child reaches
24.17 the weight or height limit of the child passenger restraint system;

24.18 (2) a child who is at least two years of age and exceeds the rear-facing weight or height
24.19 limit of the child passenger restraint system must be properly restrained in a forward-facing
24.20 child passenger restraint system with an internal harness, until the child reaches the weight
24.21 or height limit of the child passenger restraint system;

24.22 (3) a child who is at least four years of age and exceeds the weight or height limit of the
24.23 forward-facing child passenger restraint system must be properly restrained in a booster
24.24 seat and secured with a safety belt;

24.25 (4) a child who is at least nine years of age or exceeds the weight or height limit of the
24.26 child passenger restraint system or the booster seat must be secured with a safety belt adjusted
24.27 and fastened around the child's body to fit correctly. The safety belt fits correctly when the
24.28 child sits all the way back against the vehicle seat, the child's knees bend over the edge of
24.29 the vehicle seat, the lap strap fits snugly across the child's thighs and lower hips and not the
24.30 child's abdomen, and the shoulder strap snugly crosses the center of the child's chest and
24.31 not the child's neck;

25.1 (5) a child who is younger than 13 years of age must be transported in the rear seat of a
 25.2 motor vehicle, when available, and must be properly restrained in a child passenger restraint
 25.3 system or booster seat or secured with a safety belt; and

25.4 (6) a child who, because of age or weight, can be placed in more than one category under
 25.5 this paragraph must be placed in the more protective category, where clause (1) provides
 25.6 for the most protective and clause (5) provides for the least protective.

25.7 (b) The driver of a motor vehicle transporting a child who is younger than six years of
 25.8 age or weighs less than 60 pounds must transport the child in a rear seat if:

25.9 (1) the vehicle is equipped with a passenger side air bag supplemental restraint system;

25.10 (2) the air bag system is activated; and

25.11 (3) a rear seat is available.

25.12 (c) When the number of children in the motor vehicle under 13 years of age exceeds the
 25.13 number of age- or size-appropriate child passenger restraint systems and safety belts available
 25.14 in the motor vehicle, the unrestrained children must be seated in a rear seat, if rear seats are
 25.15 available.

25.16 (d) The weight and height limits of a child passenger restraint system under this
 25.17 subdivision are as established by the child passenger restraint system manufacturer.

25.18 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to violations
 25.19 committed on or after that date.

25.20 Sec. 40. Minnesota Statutes 2022, section 169.685, subdivision 5, is amended to read:

25.21 **Subd. 5. Violation; petty misdemeanor.** ~~(a) Every motor vehicle operator, when~~
 25.22 ~~transporting a child who is both under the age of eight and shorter than four feet nine inches~~
 25.23 ~~on the streets and highways of this state in a motor vehicle equipped with factory-installed~~
 25.24 ~~seat belts, shall equip and install for use in the motor vehicle, according to the manufacturer's~~
 25.25 ~~instructions, a child passenger restraint system meeting federal motor vehicle safety standards.~~

25.26 ~~(b) No motor vehicle operator who is operating a motor vehicle on the streets and~~
 25.27 ~~highways of this state may transport a child who is both under the age of eight and shorter~~
 25.28 ~~than four feet nine inches in a seat of a motor vehicle equipped with a factory-installed seat~~
 25.29 ~~belt, unless the child is properly fastened in the child passenger restraint system. Any motor~~
 25.30 ~~vehicle operator who violates this subdivision 4a is guilty of a petty misdemeanor and may~~
 25.31 ~~be sentenced to pay a fine of not more than \$50. The fine may be waived or the amount~~
 25.32 ~~reduced if the motor vehicle operator produces evidence that within 14 days after the date~~

26.1 of the violation a child passenger restraint system meeting federal motor vehicle safety
 26.2 standards was purchased or obtained for the exclusive use of the operator.

26.3 ~~(e)~~ (b) At the time of issuance of a citation under this subdivision, a peace officer may
 26.4 provide to the violator information on obtaining a free or low-cost child passenger restraint
 26.5 system.

26.6 ~~(d)~~ (c) The fines collected for violations of this subdivision must be deposited in the
 26.7 state treasury and credited to a special account to be known as the Minnesota child passenger
 26.8 restraint and education account.

26.9 ~~(e)~~ For the purposes of this section, "child passenger restraint system" means any device
 26.10 that meets the standards of the United States Department of Transportation; is designed to
 26.11 restrain, seat, or position children; and includes a booster seat.

26.12 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to violations
 26.13 committed on or after that date.

26.14 Sec. 41. Minnesota Statutes 2022, section 169.79, is amended by adding a subdivision to
 26.15 read:

26.16 Subd. 3b. **Roadable aircraft.** Notwithstanding subdivision 1 and section 168.09,
 26.17 subdivision 1, a roadable aircraft is not required to display a license plate.

26.18 Sec. 42. Minnesota Statutes 2022, section 169.80, is amended by adding a subdivision to
 26.19 read:

26.20 Subd. 4. **Divisible load.** (a) A load that is not a nondivisible load on a vehicle or
 26.21 combination of vehicles must be transported:

26.22 (1) with the load reduced or positioned in a manner so that the transportation does not
 26.23 exceed the size and weight limits of vehicles under this chapter; or

26.24 (2) under a special permit authorized in this chapter for which the transportation qualifies.

26.25 (b) The applicant for a special permit related to a nondivisible load has the burden of
 26.26 proof as to the number of work hours required to dismantle the load.

26.27 Sec. 43. Minnesota Statutes 2022, section 169.974, subdivision 2, is amended to read:

26.28 Subd. 2. **License endorsement and permit requirements.** (a) ~~No person shall~~ A person
 26.29 must not operate a motorcycle on any street or highway without having a valid driver's
 26.30 license with a ~~two-wheeled vehicle~~ motorcycle endorsement as provided by law. A person

27.1 may operate an autocytle without a ~~two-wheeled vehicle~~ motorcycle endorsement, ~~provided~~
27.2 if the person has a valid driver's license issued under section 171.02.

27.3 (b) The commissioner of public safety ~~shall~~ must issue a ~~two-wheeled vehicle~~ motorcycle
27.4 endorsement only if the applicant (1) has in possession a valid ~~two-wheeled vehicle~~
27.5 motorcycle instruction permit as provided in paragraph (c), (2) has passed a written
27.6 examination and road test administered by the Department of Public Safety for the
27.7 endorsement, and (3) in the case of applicants under 18 years of age, presents a certificate
27.8 or other evidence of having successfully completed an approved ~~two-wheeled vehicle~~
27.9 motorcycle driver's safety course in this or another state, in accordance with rules adopted
27.10 by the commissioner of public safety for courses offered by a public, private, or commercial
27.11 school or institute. The commissioner of public safety may waive the road test for any
27.12 applicant on determining that the applicant possesses a valid license to operate a ~~two-wheeled~~
27.13 ~~vehicle~~ motorcycle issued by a jurisdiction that requires a comparable road test for license
27.14 issuance.

27.15 (c) The commissioner of public safety ~~shall~~ must issue a ~~two-wheeled vehicle~~ motorcycle
27.16 instruction permit to any person over 16 years of age who (1) is in possession of a valid
27.17 driver's license, (2) is enrolled in an approved ~~two-wheeled vehicle~~ motorcycle driver's
27.18 safety course, and (3) has passed a written examination for the permit and paid a fee
27.19 prescribed by the commissioner of public safety. A ~~two-wheeled vehicle~~ motorcycle
27.20 instruction permit is effective for one year and may be renewed under rules prescribed by
27.21 the commissioner of public safety.

27.22 (d) ~~No~~ A person who is operating by virtue of a ~~two-wheeled vehicle~~ motorcycle
27.23 instruction permit ~~shall~~ must not:

27.24 (1) carry any passengers on the streets and highways of this state on the motorcycle
27.25 while the person is operating the motorcycle;

27.26 (2) drive the motorcycle at night; or

27.27 (3) drive the motorcycle without wearing protective headgear that complies with standards
27.28 established by the commissioner of public safety.

27.29 (e) Notwithstanding paragraphs (a) to (d), the commissioner of public safety may issue
27.30 a special motorcycle permit, restricted or qualified as the commissioner of public safety
27.31 deems proper, to any person demonstrating a need for the permit and unable to qualify for
27.32 a driver's license.

28.1 Sec. 44. [169.975] OPERATION OF ROADABLE AIRCRAFT.

28.2 Subdivision 1. Definitions. (a) For purposes of this section, the following terms have
28.3 the meanings given.

28.4 (b) "Aircraft" has the meaning given in section 360.013, subdivision 37.

28.5 (c) "Airport" has the meaning given in section 360.013, subdivision 39, and includes a
28.6 personal-use airport as defined in Minnesota Rules, part 8800.0100, subpart 22a.

28.7 (d) "Restricted landing area" has the meaning given in section 360.013, subdivision 57.

28.8 (e) "Unlicensed landing area" has the meaning given in Minnesota Rules, part 8800.0100,
28.9 subpart 32a.

28.10 Subd. 2. Operation. (a) A roadable aircraft is considered a motor vehicle when in
28.11 operation, including on a public highway, except when the vehicle is (1) at an airport, (2)
28.12 on a restricted landing area, (3) on an unlicensed landing area, or (4) in flight. When operating
28.13 a roadable aircraft as a motor vehicle, an operator must comply with all rules and
28.14 requirements set forth in this chapter governing the operation and insurance of a motor
28.15 vehicle.

28.16 (b) When in operation at an airport, a restricted landing area, an unlicensed landing area,
28.17 or in flight, a roadable aircraft is considered an aircraft and the operator must comply with
28.18 all rules and requirements set forth in chapter 360. An owner of a roadable aircraft registered
28.19 in Minnesota must comply with all rules and requirements of chapter 360 governing the
28.20 registration, taxation, and insurance of aircraft.

28.21 (c) A roadable aircraft may only take off or land at an airport, unlicensed landing area,
28.22 or restricted landing area.

28.23 Sec. 45. Minnesota Statutes 2022, section 169A.52, subdivision 7, is amended to read:

28.24 Subd. 7. Test refusal; driving privilege lost. (a) On behalf of the commissioner, a peace
28.25 officer requiring a test or directing the administration of a chemical test shall serve immediate
28.26 notice of intention to revoke and of revocation on a person who refuses to permit a test or
28.27 on a person who submits to a test the results of which indicate an alcohol concentration of
28.28 0.08 or more.

28.29 (b) On behalf of the commissioner, a peace officer requiring a test or directing the
28.30 administration of a chemical test of a person driving, operating, or in physical control of a
28.31 commercial motor vehicle shall serve immediate notice of intention to disqualify and of

29.1 disqualification on a person who refuses to permit a test, or on a person who submits to a
29.2 test the results of which indicate an alcohol concentration of 0.04 or more.

29.3 (c) The officer shall:

29.4 (1) invalidate the person's driver's license or permit card ~~by clipping the upper corner~~
29.5 ~~of the card in such a way that no identifying information including the photo is destroyed,~~
29.6 ~~and immediately return the card to the person;~~

29.7 (2) issue the person a temporary license effective for only seven days; and

29.8 (3) send the notification of this action to the commissioner along with the certificate
29.9 required by subdivision 3 or 4.

29.10 Sec. 46. Minnesota Statutes 2022, section 171.01, subdivision 40, is amended to read:

29.11 Subd. 40. **Motorcycle.** "Motorcycle" means every motor vehicle having a seat or saddle
29.12 for the use of the rider and designed to travel on not more than three wheels in contact with
29.13 the ground, ~~including.~~ Motorcycle includes motor scooters and bicycles with motor attached;
29.14 ~~but excluding.~~

29.15 (b) Motorcycle excludes tractors ~~and~~, motorized bicycles, and roadable aircraft, as
29.16 defined in section 169.011, subdivision 67a.

29.17 Sec. 47. Minnesota Statutes 2022, section 171.01, subdivision 41a, is amended to read:

29.18 Subd. 41a. **Noncompliant license; noncompliant identification card.** "Noncompliant
29.19 license," "noncompliant identification card," or "noncompliant license or identification
29.20 card," means a driver's license or a Minnesota identification card issued under section
29.21 171.019, subdivision 2, paragraph (b). Unless provided otherwise, noncompliant license
29.22 includes an appropriate instruction permit, provisional license, limited license, and restricted
29.23 license.

29.24 Sec. 48. Minnesota Statutes 2022, section 171.01, is amended by adding a subdivision to
29.25 read:

29.26 Subd. 45c. **REAL ID compliant license; REAL ID compliant identification**
29.27 **card.** "REAL ID compliant license," "REAL ID compliant identification card," or "REAL
29.28 ID compliant license or identification card" means a driver's license or a Minnesota
29.29 identification card issued under section 171.019, subdivision 2, paragraph (a). Unless
29.30 provided otherwise, REAL ID compliant license includes an appropriate instruction permit,
29.31 provisional license, limited license, and restricted license.

30.1 Sec. 49. Minnesota Statutes 2022, section 171.01, subdivision 47, is amended to read:

30.2 Subd. 47. **State.** "State" means a state of the United States, the District of Columbia,
30.3 Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject
30.4 to the jurisdiction of the United States, including a United States military base located on
30.5 foreign soil.

30.6 Sec. 50. Minnesota Statutes 2022, section 171.06, subdivision 2a, is amended to read:

30.7 Subd. 2a. ~~Two-wheeled vehicle~~ **Motorcycle endorsement fee.** (a) In addition to the
30.8 appropriate fee under subdivision 2, the fee for a ~~two-wheeled vehicle~~ motorcycle
30.9 endorsement on a driver's license is:

30.10 (1) \$26.50 for an initial endorsement or a duplicate license obtained for the purpose of
30.11 adding the endorsement; and

30.12 (2) \$17 for each license renewal with the endorsement.

30.13 (b) The additional fee must be paid into the state treasury and credited as follows:

30.14 (1) \$19 of the additional fee under paragraph (a), clause (1), and \$11 of the additional
30.15 fee under paragraph (a), clause (2), to the motorcycle safety fund, which is hereby created;
30.16 and

30.17 (2) the remainder to the general fund.

30.18 (c) All application forms prepared by the commissioner for ~~two-wheeled vehicle~~
30.19 motorcycle endorsements must clearly state the amount of the total fee that is dedicated to
30.20 the motorcycle safety fund.

30.21 Sec. 51. Minnesota Statutes 2023 Supplement, section 171.06, subdivision 3, is amended
30.22 to read:

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

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

30.26 (2) ~~as may be required by the commissioner,~~ contain a description of the applicant ~~and~~
30.27 ~~any other facts pertaining to the applicant,~~ including the applicant's height in feet and inches,
30.28 weight in pounds, eye color, and sex; the applicant's driving privileges; and the applicant's
30.29 ability to operate a motor vehicle with safety;

30.30 (3) state:

- 31.1 (i) the applicant's Social Security number; or
- 31.2 (ii) if the applicant does not have a Social Security number and is applying for a
31.3 Minnesota identification card, instruction permit, or class D provisional or driver's license,
31.4 that the applicant elects not to specify a Social Security number;
- 31.5 (4) contain a notification to the applicant of the availability of a living will/health care
31.6 directive designation on the license under section 171.07, subdivision 7;
- 31.7 (5) include a method for the applicant to:
- 31.8 (i) request a veteran designation on the license under section 171.07, subdivision 15,
31.9 and the driving record under section 171.12, subdivision 5a;
- 31.10 (ii) indicate a desire to make an anatomical gift under subdivision 3b, paragraph (e);
- 31.11 (iii) as applicable, designate document retention as provided under section 171.12,
31.12 subdivision 3c;
- 31.13 (iv) indicate emergency contacts as provided under section 171.12, subdivision 5b;
- 31.14 (v) indicate the applicant's race and ethnicity; and
- 31.15 (vi) indicate caretaker information as provided under section 171.12, subdivision 5c;
31.16 and
- 31.17 (6) meet the requirements under section 201.161, subdivision 3.
- 31.18 (b) Applications must be accompanied by satisfactory evidence demonstrating:
- 31.19 (1) identity, date of birth, and any legal name change if applicable; and
- 31.20 (2) for ~~driver's~~ drivers' licenses and Minnesota identification cards that meet all
31.21 requirements of the REAL ID Act:
- 31.22 (i) principal residence address in Minnesota, including application for a change of address,
31.23 unless the applicant provides a designated address under section 5B.05;
- 31.24 (ii) Social Security number, or related documentation as applicable; and
- 31.25 (iii) lawful status, as defined in Code of Federal Regulations, title 6, section 37.3.
- 31.26 (c) An application for an enhanced driver's license or enhanced identification card must
31.27 be accompanied by:
- 31.28 (1) satisfactory evidence demonstrating the applicant's full legal name and United States
31.29 citizenship; and
- 31.30 (2) a photographic identity document.

32.1 ~~(d) A valid Department of Corrections or Federal Bureau of Prisons identification card~~
32.2 ~~containing the applicant's full name, date of birth, and photograph issued to the applicant~~
32.3 ~~is an acceptable form of proof of identity in an application for an identification card,~~
32.4 ~~instruction permit, or driver's license as a secondary document for purposes of Minnesota~~
32.5 ~~Rules, part 7410.0400, and successor rules.~~

32.6 ~~(e)~~ (d) An application form must not provide for identification of (1) the accompanying
32.7 documents used by an applicant to demonstrate identity, or (2) except as provided in
32.8 paragraphs (b) and (c), the applicant's citizenship, immigration status, or lawful presence
32.9 in the United States. The commissioner and a driver's license agent must not inquire about
32.10 an applicant's citizenship, immigration status, or lawful presence in the United States, except
32.11 as provided in paragraphs (b) and (c).

32.12 (e) A Minnesota driver's license or identification card must be issued only to an individual
32.13 who has a residence address in the state at the time of the application. Applications for an
32.14 enhanced driver's license or enhanced identification card must include proof of residency
32.15 in accordance with section 171.063, subdivision 6. An individual may only have one
32.16 residence address where the individual is domiciled at any particular time. The residence
32.17 address of the individual is presumed to continue until the contrary is shown. The applicant
32.18 must provide the following information about the residence address: residence number,
32.19 street name, street type, directional, city or town, state, and zip code.

32.20 Sec. 52. Minnesota Statutes 2022, section 171.0605, subdivision 2, is amended to read:

32.21 Subd. 2. **Evidence; identity; date of birth.** (a) Only the following is satisfactory evidence
32.22 of an applicant's identity and date of birth under section 171.06, subdivision 3, paragraph
32.23 (b):

32.24 (1) a driver's license or identification card that:

32.25 (i) complies with all requirements of the REAL ID Act;

32.26 (ii) is not designated as temporary or limited term; and

32.27 (iii) is current or has been expired for five years or less;

32.28 (2) a valid, unexpired United States passport, including a passport booklet or passport
32.29 card, issued by the United States Department of State;

32.30 (3) a certified copy of a birth certificate issued by a government bureau of vital statistics
32.31 or equivalent agency in the applicant's state of birth, which must bear the raised or authorized
32.32 seal of the issuing government entity;

33.1 (4) a consular report of birth abroad, certification of report of birth, or certification of
33.2 birth abroad, issued by the United States Department of State, Form FS-240, Form DS-1350,
33.3 or Form FS-545;

33.4 (5) a valid, unexpired permanent resident card issued by the United States Department
33.5 of Homeland Security or the former Immigration and Naturalization Service of the United
33.6 States Department of Justice, Form I-551. If the Form I-551 validity period has been
33.7 automatically extended by the United States Department of Homeland Security, it is deemed
33.8 unexpired, regardless of the expiration date listed;

33.9 (6) a foreign passport with an unexpired temporary I-551 stamp or a temporary I-551
33.10 printed notation on a machine-readable immigrant visa with a United States Department of
33.11 Homeland Security admission stamp within the validity period;

33.12 (7) a United States Department of Homeland Security Form I-94 or Form I-94A with a
33.13 photograph and an unexpired temporary I-551 stamp;

33.14 (8) a United States Department of State Form DS-232 with a United States Department
33.15 of Homeland Security admission stamp and validity period;

33.16 ~~(6)~~ (9) a certificate of naturalization issued by the United States Department of Homeland
33.17 Security, Form N-550 or Form N-570;

33.18 ~~(7)~~ (10) a certificate of citizenship issued by the United States Department of Homeland
33.19 Security, Form N-560 or Form N-561;

33.20 ~~(8)~~ (11) an unexpired employment authorization document issued by the United States
33.21 Department of Homeland Security, Form I-766 or Form I-688B. If the Form I-766 validity
33.22 period has been automatically extended by the United States Department of Homeland
33.23 Security, it is deemed unexpired, regardless of the expiration date listed;

33.24 ~~(9)~~ (12) a valid, unexpired passport issued by a foreign country and a valid, unexpired
33.25 United States visa accompanied by documentation of the applicant's most recent lawful
33.26 admittance into the United States;

33.27 ~~(10)~~ (13) a document as designated by the United States Department of Homeland
33.28 Security under Code of Federal Regulations, title 6, part 37.11 (c)(1)(x);

33.29 ~~(11)~~ (14) a copy of the applicant's certificate of marriage certified by the issuing
33.30 government jurisdiction;

33.31 ~~(12)~~ (15) a certified copy of a court order that specifies the applicant's name change; or

34.1 ~~(13)~~ (16) a certified copy of a divorce decree or dissolution of marriage that specifies
34.2 the applicant's name change, issued by a court.

34.3 (b) A document under paragraph (a) must be legible and unaltered.

34.4 Sec. 53. Minnesota Statutes 2023 Supplement, section 171.0605, subdivision 5, is amended
34.5 to read:

34.6 **Subd. 5. Evidence; residence in Minnesota.** (a) Submission of two forms of
34.7 documentation from the following is satisfactory evidence of an applicant's principal
34.8 residence address in Minnesota under section 171.06, subdivision 3, paragraph (b):

34.9 (1) a home utility services bill issued no more than 12 months before the application;

34.10 (2) a home utility services hook-up work order issued no more than 12 months before
34.11 the application;

34.12 (3) United States bank or financial information issued no more than 12 months before
34.13 the application, with account numbers redacted, including:

34.14 (i) a bank account statement;

34.15 (ii) a credit card or debit card statement;

34.16 (iii) a brokerage account statement;

34.17 (iv) a money market account statement;

34.18 (v) a Health Savings Account statement; or

34.19 (vi) a retirement account statement;

34.20 (4) a certified transcript from a United States high school, if issued no more than 180
34.21 days before the application;

34.22 (5) a certified transcript from a Minnesota college or university, if issued no more than
34.23 180 days before the application;

34.24 (6) a student summary report from a United States high school signed by a school
34.25 principal or designated authority and issued no more than 180 days before the application;

34.26 (7) an employment pay stub issued no more than 12 months before the application that
34.27 lists the employer's name and address;

34.28 (8) a Minnesota unemployment insurance benefit statement issued no more than 12
34.29 months before the application;

- 35.1 (9) a statement from an assisted living facility licensed under chapter 144G, nursing
35.2 home licensed under chapter 144A, or a boarding care facility licensed under sections 144.50
35.3 to 144.56, that was issued no more than 12 months before the application;
- 35.4 (10) a current policy or card for health, automobile, homeowner's, or renter's insurance;
- 35.5 (11) a federal or state income tax return for the most recent tax filing year;
- 35.6 (12) a Minnesota property tax statement for the current or prior calendar year or a
35.7 proposed Minnesota property tax notice for the current year that shows the applicant's
35.8 principal residential address both on the mailing portion and the portion stating what property
35.9 is being taxed;
- 35.10 (13) a Minnesota vehicle certificate of title;
- 35.11 (14) a filed property deed or title for current residence;
- 35.12 (15) a Supplemental Security Income award statement issued no more than 12 months
35.13 before the application;
- 35.14 (16) mortgage documents for the applicant's principal residence;
- 35.15 (17) a residential lease agreement for the applicant's principal residence issued no more
35.16 than 12 months before the application;
- 35.17 (18) an affidavit of residence for an applicant whose principal residence is a group home,
35.18 communal living arrangement, cooperative, or a religious order issued no more than 90
35.19 days before the application;
- 35.20 (19) an assisted living or nursing home statement issued no more than 90 days before
35.21 the application;
- 35.22 (20) a valid driver's license, including an instruction permit, issued under this chapter;
- 35.23 (21) a valid Minnesota identification card;
- 35.24 (22) an unexpired Minnesota professional license;
- 35.25 (23) an unexpired Selective Service card;
- 35.26 (24) military orders that are still in effect at the time of application;
- 35.27 (25) a cellular phone bill issued no more than 12 months before the application; or
- 35.28 (26) a valid license issued pursuant to the game and fish laws.
- 35.29 (b) In lieu of one of the two documents required by paragraph (a), an applicant under
35.30 the age of 18 may use a parent or guardian's proof of principal residence as provided in this

36.1 paragraph. The parent or guardian of the applicant must provide a document listed under
36.2 paragraph (a) that includes the parent or guardian's name and the same address as the address
36.3 on the document provided by the applicant. The parent or guardian must also certify that
36.4 the applicant is the child of the parent or guardian and lives at that address.

36.5 (c) A document under paragraph (a) must include the applicant's name and principal
36.6 residence address in Minnesota.

36.7 (d) For purposes of this ~~section~~ subdivision, Internet service and cable service are utilities
36.8 ~~under this section and Minnesota Rules, part 7410.0410, subpart 4a.~~

36.9 **Sec. 54. [171.062] EVIDENCE OF IDENTITY; NONCOMPLIANT CREDENTIALS.**

36.10 Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have
36.11 the meanings given.

36.12 (b) "Court" includes a foreign court of competent jurisdiction.

36.13 (c) "Foreign" means a jurisdiction that is not, and is not within, the United States, the
36.14 Commonwealth of the Northern Mariana Islands, the Commonwealth of Puerto Rico, Guam,
36.15 the United States Virgin Islands, or a territory of the United States.

36.16 Subd. 2. **Evidence of identity.** For a noncompliant license or identification card, an
36.17 applicant must submit:

36.18 (1) a Minnesota driver's license or identification card that is current or has been expired:

36.19 (i) for five years or less with a color photograph or electronically produced or digitized
36.20 image; or

36.21 (ii) for one year or less without a color photograph or electronically produced or digitized
36.22 image; or

36.23 (2) if the applicant cannot present a credential under clause (1), either:

36.24 (i) one primary document under subdivision 4 and one secondary document under
36.25 subdivision 5; or

36.26 (ii) two primary documents under subdivision 4.

36.27 Subd. 3. **General requirements.** (a) A document submitted under this section must
36.28 include the applicant's name and must be:

36.29 (1) issued to or provided for the applicant;

36.30 (2) legible and unaltered;

- 37.1 (3) an original or a copy certified by the issuing agency or by a court; and
- 37.2 (4) accompanied by a certified translation or an affidavit of translation into English, if
- 37.3 the document is not in English.
- 37.4 (b) If the applicant's current legal name is different from the name on a document
- 37.5 submitted under subdivision 4 or 5, the applicant must submit:
- 37.6 (1) a certified copy of a court order that specifies the applicant's name change;
- 37.7 (2) a certified copy of the applicant's certificate of marriage;
- 37.8 (3) a certified copy of a divorce decree or dissolution of marriage that specifies the
- 37.9 applicant's name change, issued by a court; or
- 37.10 (4) similar documentation of a lawful change of name, as determined by the
- 37.11 commissioner.
- 37.12 (c) A form issued by a federal agency that is specified under this section includes any
- 37.13 subsequent form or version.
- 37.14 (d) The commissioner must establish a process to grant a waiver from the requirements
- 37.15 under this section.
- 37.16 (e) The same document must not be submitted as both a primary document and a
- 37.17 secondary document.
- 37.18 **Subd. 4. Primary documents.** (a) For purposes of a noncompliant driver's license or
- 37.19 identification card, a primary document includes:
- 37.20 (1) a copy of the applicant's record of birth, or an original certificate of birth that is in
- 37.21 the files of the applicable bureau or board under item (iii) and can be readily viewed by the
- 37.22 official accepting the application, certified by the issuing state that:
- 37.23 (i) is not issued by a hospital and is not a baptismal certificate;
- 37.24 (ii) bears the raised or authorized seal of the issuing government jurisdiction or a
- 37.25 protective equivalent; and
- 37.26 (iii) is issued by:
- 37.27 (A) a government bureau of vital statistics or community health board;
- 37.28 (B) the United States Department of State as a Record of Birth Abroad, Form FS-545
- 37.29 or Form DS-1350; or
- 37.30 (C) a United States embassy as a Consular Report of Birth Abroad, Form FS-240;

38.1 (2) a certified copy of an adoption certificate with the applicant's full name and date of
38.2 birth from a United States court of competent jurisdiction that bears the raised court seal or
38.3 other court certification;

38.4 (3) an unexpired identification card issued to the applicant by the United States
38.5 Department of Defense for active duty, reserve, or retired military personnel, Form DD-2
38.6 or Common Access Card;

38.7 (4) a valid, unexpired passport issued to the applicant by the United States Department
38.8 of State;

38.9 (5) a Canadian birth certificate or Canadian naturalization certificate;

38.10 (6) one of the following documents issued by the United States Department of Justice
38.11 or the United States Department of Homeland Security or any subsequent form or version
38.12 of the documents:

38.13 (i) Certificate of Naturalization, Form N-550, Form N-570, or Form N-578;

38.14 (ii) Certificate of Citizenship, Form N-560, Form N-561, or Form N-645;

38.15 (iii) United States Citizen Identification card, Form I-179 or Form I-197;

38.16 (iv) valid, unexpired Permanent Resident or Resident Alien card, Form I-551 or Form
38.17 I-151;

38.18 (v) Northern Mariana card, Form I-873, with "Northern Mariana" imprinted instead of
38.19 "Resident Alien";

38.20 (vi) American Indian card, Form I-872, with "American Indian" imprinted instead of
38.21 "Resident Alien";

38.22 (vii) unexpired employment authorization document with a photograph, Form I-688,
38.23 Form I-688A, Form I-688B, or Form I-766; or

38.24 (viii) unexpired Re-entry Permit/Refugee Travel Document, Form I-571;

38.25 (7) an unexpired passport or a consular identification document that bears a photograph
38.26 of the applicant;

38.27 (8) a certified birth certificate issued by a foreign jurisdiction; and

38.28 (9) a certified adoption certificate issued by a foreign jurisdiction that includes the
38.29 applicant's name and date of birth.

39.1 (b) A document submitted under this subdivision must contain security features that
39.2 make the document as impervious to alteration as is reasonably practicable in its design and
39.3 quality of material and technology.

39.4 (c) Submission of more than one primary document is not required under this subdivision.

39.5 **Subd. 5. Secondary documents.** (a) For purposes of a noncompliant driver's license or
39.6 identification card, a secondary document includes:

39.7 (1) a second primary document listed under subdivision 4, paragraph (a);

39.8 (2) a driver's license, identification card, or permit, with a photograph or digitized image,
39.9 issued by a United States state other than Minnesota or a foreign jurisdiction and that is
39.10 current or has expired no more than five years before the application;

39.11 (3) a certified copy of a court order or judgment from a United States or Canadian court
39.12 of competent jurisdiction containing the applicant's full name and date of birth and bearing
39.13 the raised court seal or other court certification;

39.14 (4) a current United States or Canadian government jurisdiction employee photo
39.15 identification card;

39.16 (5) a certified copy of a record of birth issued by a government jurisdiction other than
39.17 one in the United States, the District of Columbia, Guam, Puerto Rico, or the United States
39.18 Virgin Islands;

39.19 (6) a current identification card or document issued to the applicant by the United States
39.20 Department of Defense, described as:

39.21 (i) DD Form 1173 series, for dependents of active duty personnel; or

39.22 (ii) DD Form 214, Certificate of Release or Discharge from Active Duty;

39.23 (7) a copy of a marriage certificate certified by the issuing government jurisdiction or
39.24 the original certificate only if it is in the files of the issuing jurisdiction and can be readily
39.25 viewed by the official accepting the application;

39.26 (8) an unexpired permit to carry a firearm or concealed weapon bearing a color photo
39.27 of the applicant issued by a chief of police in an organized, full-time United States police
39.28 department or by a United States county sheriff;

39.29 (9) a current pilot's license issued by the United States Department of Transportation,
39.30 Federal Aviation Administration;

- 40.1 (10) a copy of a transcript containing the applicant's full legal name and date of birth
40.2 certified by the issuing secondary or postsecondary school;
- 40.3 (11) a United States nonmetal Social Security card or a Canadian social insurance card;
- 40.4 (12) a current secondary school student identification card with the student's name, a
40.5 photograph or electronically produced image of the student, and the student's date of birth
40.6 or unique student identification number;
- 40.7 (13) a notice of action on or proof of submission of a completed Application for Asylum
40.8 and for Withholding of Removal issued by the United States Department of Homeland
40.9 Security, Form I-589;
- 40.10 (14) a Certificate of Eligibility for Nonimmigrant Student Status issued by the United
40.11 States Department of Homeland Security, Form I-20;
- 40.12 (15) a Certificate of Eligibility for Exchange Visitor (J-1) Status issued by the United
40.13 States Department of State, Form DS-2019;
- 40.14 (16) a Deferred Action for Childhood Arrival approval notice issued by the United States
40.15 Department of Homeland Security;
- 40.16 (17) an employment authorization document issued by the United States Department of
40.17 Homeland Security, Form I-688, Form I-688A, Form I-688B, or Form I-766;
- 40.18 (18) a document issued by the Internal Revenue Service with an individual taxpayer
40.19 identification number;
- 40.20 (19) a Social Security card;
- 40.21 (20) a Supplemental Security Income award statement;
- 40.22 (21) a Selective Service card;
- 40.23 (22) military orders that are still in effect at the time of the application with a copy of a
40.24 DD Form 2058 State of Legal Residence Certificate;
- 40.25 (23) a Minnesota unemployment insurance benefit statement;
- 40.26 (24) a valid identification card for health benefits or an assistance or social services
40.27 program;
- 40.28 (25) a Minnesota vehicle certificate of title;
- 40.29 (26) mortgage documents for the applicant's residence;
- 40.30 (27) a filed property deed or title for the applicant's residence;

- 41.1 (28) a Minnesota property tax statement or a proposed Minnesota property tax notice;
- 41.2 (29) a certified copy of a divorce decree or dissolution of marriage issued by a court that
- 41.3 specifies the applicant's name or name change;
- 41.4 (30) a valid Department of Corrections or Federal Bureau of Prisons identification card
- 41.5 containing the applicant's full name, date of birth, and photograph; and
- 41.6 (31) any of the following documents issued by a foreign jurisdiction:
- 41.7 (i) a driver's license that is current or has been expired for no more than five years before
- 41.8 the application;
- 41.9 (ii) a high school, college, or university student identification card with a certified
- 41.10 transcript from the school;
- 41.11 (iii) an official high school, college, or university transcript that includes the applicant's
- 41.12 date of birth and a photograph of the applicant at the age the record was issued;
- 41.13 (iv) a federal electoral card that contains the applicant's photograph issued on or after
- 41.14 January 1, 1991;
- 41.15 (v) a certified copy of the applicant's certificate of marriage; and
- 41.16 (vi) a certified copy of a court order or judgment from a court of competent jurisdiction
- 41.17 that contains the applicant's name and date of birth.
- 41.18 (b) Submission of more than one secondary document is not required under this
- 41.19 subdivision.
- 41.20 Subd. 6. **Verification.** The department must be able to verify with the issuing jurisdiction
- 41.21 the issuance and authenticity of the primary or secondary documents submitted under this
- 41.22 section. Verification is required if:
- 41.23 (1) the document provided by the applicant is inconsistent with the department record;
- 41.24 (2) the document provided by the applicant appears to be altered or fraudulent; or
- 41.25 (3) there is reason to believe the applicant is not who the applicant claims to be.
- 41.26 **Sec. 55. [171.063] EVIDENCE OF IDENTITY FOR ENHANCED CREDENTIALS.**
- 41.27 Subdivision 1. **Date of birth.** As satisfactory evidence of date of birth, an applicant for
- 41.28 an enhanced driver's license or an enhanced identification card must present one of the
- 41.29 following documents:

42.1 (1) original or certified copy of a United States or United States territory birth certificate
42.2 that bears the raised or authorized seal of the issuing jurisdiction or a protective equivalent;

42.3 (2) United States Department of State Consular Report of Birth Abroad, Form FS-240,
42.4 Form DS-1350, or Form FS-545;

42.5 (3) valid, unexpired United States passport or United States passport card;

42.6 (4) Certificate of Naturalization, Form N-550 or Form N-570;

42.7 (5) Certificate of Citizenship, Form N-560 or Form N-561;

42.8 (6) American Indian card, Form I-872, or Minnesota tribal identification card that meets
42.9 the requirements of section 171.072; or

42.10 (7) United States military photo identification card issued to active duty, reserve, or
42.11 retired military personnel.

42.12 Subd. 2. Full legal name. As satisfactory evidence of full legal name, an applicant for
42.13 an enhanced driver's license or enhanced identification card must present one of the following
42.14 documents that was not also presented for proof of photographic identity under subdivision
42.15 4:

42.16 (1) original or certified copy of a United States or United States territory birth certificate
42.17 that bears the raised or authorized seal of the issuing jurisdiction or a protective equivalent;

42.18 (2) United States Department of State Consular Report of Birth Abroad, Form FS-240,
42.19 Form DS-1350, or Form FS-545;

42.20 (3) valid, unexpired United States passport or United States passport card;

42.21 (4) Certificate of Naturalization, Form N-550 or Form N-570;

42.22 (5) Certificate of Citizenship, Form N-560 or Form N-561;

42.23 (6) American Indian card, Form I-872, or Minnesota tribal identification card that meets
42.24 the requirements of section 171.072;

42.25 (7) United States military photo identification card issued to active duty, reserve, or
42.26 retired military personnel;

42.27 (8) federal or Minnesota income tax form W-2;

42.28 (9) federal or Minnesota income tax form SSA-1099;

42.29 (10) non-SSA federal or Minnesota income tax form 1099;

- 43.1 (11) United States high school identification card with a certified transcript from the
43.2 same school if issued no more than 180 days before the application;
- 43.3 (12) United States college or university identification card with a certified transcript
43.4 from the same college or university if issued no more than 180 days before the application;
- 43.5 (13) Minnesota unemployment insurance benefit statement issued no more than 90 days
43.6 before the application;
- 43.7 (14) life, health, automobile, homeowner's, or renter's insurance policy that is issued no
43.8 more than 90 days before the application. The commissioner must not accept a proof of
43.9 insurance card;
- 43.10 (15) federal or state income tax return or statement for the most recent tax filing year;
- 43.11 (16) Minnesota property tax statement for the current year that reflects the applicant's
43.12 principal residential address both on the mailing portion and the portion stating what property
43.13 is being taxed;
- 43.14 (17) Minnesota vehicle certificate of title if issued no more than 12 months before the
43.15 application;
- 43.16 (18) filed property deed or title for the applicant's current residence if issued no more
43.17 than 12 months before the application;
- 43.18 (19) Supplemental Security Income award statement that is issued no more than 12
43.19 months before the application;
- 43.20 (20) valid Minnesota driver's license, valid Minnesota identification card, or valid permit;
- 43.21 (21) unexpired Minnesota professional license;
- 43.22 (22) unexpired Selective Service card;
- 43.23 (23) military orders that are still in effect at the time of the application;
- 43.24 (24) copy of the applicant's certificate of marriage certified by the issuing government
43.25 jurisdiction;
- 43.26 (25) certified copy of a court order specifying a name change; or
- 43.27 (26) certified copy of a divorce decree or dissolution of marriage granted to the applicant
43.28 that specifies a name change requested from a court of competent jurisdiction.
- 43.29 Subd. 3. **Social Security number.** As satisfactory evidence of Social Security number,
43.30 an applicant for an enhanced driver's license or an enhanced identification card must present
43.31 the applicant's original Social Security card or one of the following:

- 44.1 (1) federal or Minnesota income tax form W-2;
44.2 (2) federal or Minnesota income tax form SSA-1099;
44.3 (3) non-SSA federal or Minnesota income tax form 1099; or
44.4 (4) United States employment computer-printed pay stub containing the applicant's
44.5 name, address, and full Social Security number.

44.6 Subd. 4. **Photographic identity.** As satisfactory evidence of photographic identity, an
44.7 applicant for an enhanced driver's license or an enhanced identification card must present
44.8 one of the following documents:

- 44.9 (1) valid Minnesota driver's license, identification card, or permit;
44.10 (2) valid driver's license, identification card, or permit issued by another United States
44.11 state, including the District of Columbia and any United States territory;
44.12 (3) United States military identification card issued to active duty, reserve, or retired
44.13 military personnel;
44.14 (4) United States military dependent identification card;
44.15 (5) valid, unexpired United States passport or United States passport card;
44.16 (6) American Indian card, Form I-872, or Minnesota tribal identification card that meets
44.17 the requirements under section 171.072;
44.18 (7) valid city, county, state, or federal employee identification card;
44.19 (8) United States high school identification card with a certified transcript from the same
44.20 school, both issued no more than 180 days before the application;
44.21 (9) United States college or university identification card with a certified transcript from
44.22 the same college or university, both issued no more than 180 days before the application;
44.23 or
44.24 (10) veterans universal access identification card.

44.25 Subd. 5. **United States citizenship.** As satisfactory evidence of United States citizenship,
44.26 an applicant for an enhanced driver's license or enhanced identification card must present
44.27 one of the following documents:

- 44.28 (1) original or certified copy of a United States or United States territory birth certificate
44.29 that bears the raised or authorized seal of the issuing jurisdiction or a protective equivalent;

45.1 (2) United States Department of State Consular Report of Birth Abroad, Form FS-240,
45.2 Form DS-1350, or Form FS-545;

45.3 (3) valid, unexpired United States passport or United States passport card;

45.4 (4) Certificate of Naturalization, Form N-550 or Form N-570; or

45.5 (5) Certificate of Citizenship, Form N-560 or Form N-561.

45.6 Subd. 6. **Residency.** (a) As satisfactory evidence of residency, an applicant for an
45.7 enhanced driver's license or enhanced identification card must present two different forms
45.8 of the following documents that list the applicant's name and address:

45.9 (1) United States home utility services bill that is issued no more than 90 days before
45.10 the application. The commissioner must not accept a United States home utility bill if two
45.11 unrelated people are listed on the bill;

45.12 (2) United States home utility services hook-up work order that is issued no more than
45.13 90 days before the application. The commissioner must not accept a United States home
45.14 utility services hook-up work order if two unrelated people are listed on the work order;

45.15 (3) United States financial information with account numbers redacted that is issued no
45.16 more than 90 days before the application, including a:

45.17 (i) bank account statement;

45.18 (ii) canceled check; or

45.19 (iii) credit card statement;

45.20 (4) United States high school identification card with a certified transcript from the same
45.21 school if issued no more than 180 days before the application;

45.22 (5) United States college or university identification card with a certified transcript from
45.23 the same college or university if issued no more than 180 days before the application;

45.24 (6) United States employment pay stub that lists the employer's name, address, and
45.25 telephone number that is issued no more than 90 days before the application;

45.26 (7) Minnesota unemployment insurance benefit statement issued no more than 90 days
45.27 before the application;

45.28 (8) assisted living or nursing home statement that is issued no more than 90 days before
45.29 the application;

46.1 (9) life, health, automobile, homeowner's, or renter's insurance policy that is issued no
46.2 more than 90 days before the application. The commissioner must not accept a proof of
46.3 insurance card;

46.4 (10) federal or state income tax return or statement for the most recent tax filing year;

46.5 (11) Minnesota property tax statement for the current year that reflects the applicant's
46.6 principal residential address both on the mailing portion and the portion stating what property
46.7 is being taxed;

46.8 (12) Minnesota vehicle certificate of title if issued no more than 12 months before the
46.9 application;

46.10 (13) filed property deed or title for the applicant's current residence if issued no more
46.11 than 12 months before the application;

46.12 (14) Supplemental Security Income award statement that is issued no more than 12
46.13 months before the application;

46.14 (15) mortgage documents for the applicant's principal residence;

46.15 (16) residential lease agreement for the applicant's principal residence that is issued no
46.16 more than 12 months before the application;

46.17 (17) valid Minnesota driver's license, identification card, or permit;

46.18 (18) unexpired Minnesota professional license;

46.19 (19) unexpired Selective Service card; or

46.20 (20) military orders that are still in effect at the time of the application with a copy of a
46.21 DD Form 2058 State of Legal Residence Certificate.

46.22 (b) For purposes of this subdivision, Internet service and cable service are utilities.

46.23 (c) The commissioner must verify with the United States Postal Service the address
46.24 information provided under this subdivision.

46.25 Subd. 7. **Verification.** The department must be able to verify with the issuing jurisdiction
46.26 the issuance and authenticity of the documents submitted under this section. Verification
46.27 is required if:

46.28 (1) the document provided by the applicant is inconsistent with the department record;

46.29 (2) the document provided by the applicant appears to be altered or fraudulent; or

46.30 (3) there is reason to believe the applicant is not who the applicant claims to be.

47.1 Sec. 56. [171.069] TRANSLATIONS.

47.2 For any document submitted to the commissioner under this chapter in a language other
47.3 than English:

47.4 (1) the document must be accompanied by a translation of that document into the English
47.5 language;

47.6 (2) the translation must be sworn to by the translator as being a true and accurate
47.7 translation;

47.8 (3) the translator must not be related by blood or marriage to the applicant; and

47.9 (4) the translator must be:

47.10 (i) accredited by the American Translators Association;

47.11 (ii) certified by a court of competent jurisdiction;

47.12 (iii) approved by an embassy or consulate of the United States or diplomatic or consular
47.13 official of a foreign country assigned or accredited to the United States;

47.14 (iv) affiliated with or approved by the United States Citizenship and Immigration Services
47.15 or a government jurisdiction within the United States;

47.16 (v) an attorney licensed to practice in the United States or affiliated with that attorney;

47.17 (vi) a vendor listed to provide translation services for the state of Minnesota; or

47.18 (vii) a qualified individual who certifies the individual is competent to translate the
47.19 document into English.

47.20 Sec. 57. Minnesota Statutes 2022, section 171.072, is amended to read:

47.21 **171.072 TRIBAL IDENTIFICATION CARD.**

47.22 (a) If a Minnesota identification card is deemed an acceptable form of identification in
47.23 Minnesota Statutes or Rules, a tribal identification card is also an acceptable form of
47.24 identification. A tribal identification card is a primary document for purposes of ~~Minnesota~~
47.25 ~~Rules, part 7410.0400, and successor rules, section 171.062~~ when an applicant applies for
47.26 a noncompliant license or identification card.

47.27 (b) For purposes of this section, "tribal identification card" means an unexpired
47.28 identification card issued by a ~~Minnesota~~ tribal government of a tribe recognized by the
47.29 Bureau of Indian Affairs, United States Department of the Interior, that contains the legal
47.30 name, date of birth, signature, and picture of the enrolled tribal member.

48.1 (c) The tribal identification card must contain security features that make it as impervious
48.2 to alteration as is reasonably practicable in its design and quality of material and technology.
48.3 The security features must use materials that are not readily available to the general public.
48.4 The tribal identification card must not be susceptible to reproduction by photocopying or
48.5 simulation and must be highly resistant to data or photograph substitution and other
48.6 tampering.

48.7 (d) The requirements of this section do not apply: (1) except as provided in paragraph
48.8 (a), to an application for a driver's license or Minnesota identification card under this chapter;
48.9 or (2) to tribal identification cards used to prove an individual's residence for purposes of
48.10 section 201.061, subdivision 3.

48.11 Sec. 58. Minnesota Statutes 2023 Supplement, section 171.12, subdivision 5c, is amended
48.12 to read:

48.13 Subd. 5c. **Caretaker information.** (a) Upon request by an applicant for a driver's license,
48.14 instruction permit, or Minnesota identification card under section 171.06, subdivision 3,
48.15 the commissioner must maintain electronic records of names and contact information for
48.16 ~~up to three~~ individuals receiving exclusive care from the applicant. The request must be
48.17 made on a form prescribed by the commissioner. The commissioner must make the form
48.18 available on the department's website. The form must include a notice as described in section
48.19 13.04, subdivision 2.

48.20 (b) A person who has provided caretaker information under this subdivision may change,
48.21 add, or delete the information at any time. Notwithstanding sections 171.06, subdivision 2;
48.22 and 171.061, the commissioner or a driver's license agent must not charge a fee for a
48.23 transaction described in this paragraph.

48.24 (c) Caretaker data are classified as private data on individuals, as defined in section
48.25 13.02, subdivision 12, except that the commissioner may share caretaker information with
48.26 law enforcement agencies to notify the cared-for individuals regarding an emergency.

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

48.28 Sec. 59. Minnesota Statutes 2023 Supplement, section 171.12, subdivision 11, is amended
48.29 to read:

48.30 Subd. 11. **Certain data on noncompliant license or identification card; department**
48.31 **and agents.** (a) For purposes of this section, "immigration status data" means data on
48.32 individuals who have applied for or been issued a noncompliant driver's license or

49.1 identification card and that indicate or otherwise have the effect of identifying (1) whether
49.2 the individual has demonstrated United States citizenship, or (2) whether the individual has
49.3 demonstrated lawful presence in the United States. Immigration status data include but are
49.4 not limited to any documents specified under section ~~171.06, subdivision 9, 10, or 11~~
49.5 171.062; immigration status data contained in those documents; or the applicant's submission
49.6 of the documents.

49.7 (b) Immigration status data are classified as private data on individuals, as defined in
49.8 section 13.02, subdivision 12. Notwithstanding any law to the contrary, the commissioner
49.9 or a driver's license agent must not share or disseminate immigration status data except to
49.10 or within the division of the department that administers driver licensing and to the secretary
49.11 of state for purposes of improving the accuracy of voter registration records under subdivision
49.12 7a.

49.13 (c) As authorized or required by state or federal law, the commissioner or a driver's
49.14 license agent may share or disseminate data on individuals who have applied for or been
49.15 issued a noncompliant driver's license or identification card that are not immigration status
49.16 data to a government entity, as defined in section 13.02, subdivision 7a, or to a federal
49.17 government entity that does not enforce immigration law, provided that the receiving entity
49.18 must not use the data for civil immigration enforcement purposes or further disclose the
49.19 data to a state or federal government entity that primarily enforces immigration law or to
49.20 any employee or agent of any such government entity.

49.21 (d) Notwithstanding any law to the contrary, the commissioner or a driver's license agent
49.22 must not share or disseminate any data on individuals who have applied for or been issued
49.23 a noncompliant driver's license or identification card to any federal government entity that
49.24 primarily enforces immigration law, except pursuant to a valid search warrant or court order
49.25 issued by a state or federal judge.

49.26 (e) Violation of this subdivision by the commissioner, a driver's license agent, a
49.27 government entity, or an employee or agent thereof constitutes a violation of the Minnesota
49.28 Government Data Practices Act and may be subject to penalties and remedies applicable
49.29 under that chapter.

49.30 Sec. 60. Minnesota Statutes 2023 Supplement, section 171.13, subdivision 1a, is amended
49.31 to read:

49.32 Subd. 1a. **Waiver when license issued by another jurisdiction.** (a) If the commissioner
49.33 determines that an applicant for a driver's license is 21 years of age or older and possesses
49.34 a valid driver's license issued by another state or jurisdiction that requires a comparable

50.1 examination to obtain a driver's license, the commissioner must waive the requirements that
 50.2 the applicant pass a knowledge examination and demonstrate ability to exercise ordinary
 50.3 and reasonable control in the operation of a motor vehicle.

50.4 (b) If the commissioner determines that an applicant for a ~~two-wheeled vehicle~~ motorcycle
 50.5 endorsement is 21 years of age or older and possesses a valid driver's license with a
 50.6 ~~two-wheeled vehicle~~ motorcycle endorsement issued by another state or jurisdiction that
 50.7 requires a comparable examination to obtain an endorsement, the commissioner must waive
 50.8 the requirements with respect to the endorsement that the applicant pass a knowledge
 50.9 examination and demonstrate the ability to exercise ordinary and reasonable control in the
 50.10 operation of a motor vehicle.

50.11 (c) For purposes of this subdivision, "jurisdiction" includes, but is not limited to, both
 50.12 the active and reserve components of any branch or unit of the United States armed forces,
 50.13 and "valid driver's license" includes any driver's license that is recognized by that branch
 50.14 or unit as currently being valid, or as having been valid at the time of the applicant's
 50.15 separation or discharge from the military within a period of time deemed reasonable and
 50.16 fair by the commissioner, up to and including one year past the date of the applicant's
 50.17 separation or discharge.

50.18 Sec. 61. Minnesota Statutes 2022, section 171.13, subdivision 6, is amended to read:

50.19 Subd. 6. ~~Two-wheeled vehicle~~ **Motorcycle endorsement examination fee.** A person
 50.20 applying for an initial ~~two-wheeled vehicle~~ motorcycle endorsement on a driver's license
 50.21 ~~shall~~ must pay at the place of examination a \$2.50 examination fee, an endorsement fee as
 50.22 prescribed in section 171.06, subdivision 2a, and the appropriate driver's license fee as
 50.23 prescribed in section 171.06, subdivision 2.

50.24 Sec. 62. Minnesota Statutes 2022, section 171.30, subdivision 2a, is amended to read:

50.25 Subd. 2a. **Other waiting periods.** Notwithstanding subdivision 2, a limited license ~~shall~~
 50.26 must not be issued for a period of:

50.27 (1) 15 days, to a person whose license or privilege has been revoked or suspended for
 50.28 a first violation of section 169A.20, sections 169A.50 to 169A.53, section 171.177, or a
 50.29 statute or ordinance from another state in conformity with either of those sections; or

50.30 (2) one year, to a person whose license or privilege has been revoked or suspended for:

50.31 (i) committing manslaughter resulting from the operation of a motor vehicle, ~~committing~~
 50.32 ~~criminal vehicular homicide or injury under section 609.2112, subdivision 1, clause (1),~~

51.1 ~~(2), item (ii), (5), (6), (7), or (8), committing criminal vehicular homicide under section~~
 51.2 ~~609.2112, subdivision 1, clause (2), item (i) or (iii), (3), or (4), or violating a statute or~~
 51.3 ~~ordinance from another state in conformity with either of those offenses; or~~

51.4 (ii) committing criminal vehicular operation under section:

51.5 (A) 609.2113, subdivision 1, 2, or 3; or

51.6 (B) 609.2114, subdivision 2.

51.7 Sec. 63. Minnesota Statutes 2022, section 171.30, subdivision 5, is amended to read:

51.8 Subd. 5. **Exception; criminal vehicular ~~operation~~ homicide.** Notwithstanding
 51.9 subdivision 1, the commissioner may not issue a limited license to a person whose driver's
 51.10 license has been suspended or revoked due to:

51.11 (1) a violation of ~~under~~ section:

51.12 (i) 609.2112, subdivision 1, ~~clause (2), item (i) or (iii), (3), or (4), resulting in bodily~~
 51.13 ~~harm, substantial bodily harm, or great bodily harm~~ paragraph (a); or

51.14 (ii) 609.2114, subdivision 1, paragraph (a); or

51.15 (2) a statute or ordinance from another state in conformity with the offenses under clause
 51.16 (1).

51.17 Sec. 64. Minnesota Statutes 2023 Supplement, section 171.395, subdivision 1, is amended
 51.18 to read:

51.19 Subdivision 1. **Authorization.** A licensed or approved driver education program that
 51.20 provides both classroom and behind-the-wheel instruction may offer teleconference driver
 51.21 education as provided in this section. For purposes of this section, the driver education
 51.22 program must offer both classroom and behind-the-wheel instruction. ~~If a program partners~~
 51.23 ~~or contracts with a second program to provide any portion of classroom or behind-the-wheel~~
 51.24 ~~instruction, the first program is not eligible to offer teleconference driver education~~
 51.25 ~~instruction.~~

51.26 Sec. 65. Minnesota Statutes 2023 Supplement, section 171.396, is amended to read:

51.27 **171.396 ONLINE DRIVER EDUCATION PROGRAM.**

51.28 (a) A licensed or approved driver education program may offer online driver education
 51.29 as provided in this section. The online driver education program must satisfy the requirements

52.1 for classroom driver education as provided in section 171.0701, subdivision 1, and Minnesota
52.2 Rules, chapter 7411. In addition, an online driver education program must:

52.3 (1) include a means for the student to measure performance outcomes;

52.4 (2) use a pool of rotating quiz questions;

52.5 (3) incorporate accountability features to ensure the identity of the student while engaged
52.6 in the course of online study;

52.7 (4) measure the amount of time that the student spends in the course;

52.8 (5) provide technical support to customers that is available 24 hours per day, seven days
52.9 per week;

52.10 (6) require a licensed Minnesota driver education instructor to monitor each student's
52.11 progress and be available to answer questions in a timely manner, provided that the instructor
52.12 is not required to monitor progress or answer questions in real time;

52.13 (7) store course content and student data on a secure server that is protected against data
52.14 breaches and is regularly backed up;

52.15 (8) incorporate preventive measures in place to protect against the access of private
52.16 information;

52.17 (9) include the ability to update course content uniformly throughout the state; and

52.18 (10) provide online interactive supplemental parental curriculum consistent with section
52.19 171.0701, subdivision 1a.

52.20 (b) Except as required by this section, the commissioner is prohibited from imposing
52.21 requirements on online driver education programs that are not equally applicable to classroom
52.22 driver education programs.

52.23 Sec. 66. Minnesota Statutes 2022, section 174.03, subdivision 12, is amended to read:

52.24 Subd. 12. **Trunk highway performance, resiliency, and sustainability.** (a) The
52.25 commissioner must implement performance measures and ~~annual~~ targets for the trunk
52.26 highway system in order to construct resilient infrastructure, enhance the project selection
52.27 for all transportation modes, improve economic security, and achieve the state transportation
52.28 goals established in section 174.01.

52.29 (b) At a minimum, the transportation planning process must include:

52.30 (1) an inventory of transportation assets, including but not limited to bridge, pavement,
52.31 geotechnical, pedestrian, bicycle, and transit asset categories;

53.1 (2) ~~lag (resulting), and where practicable lead (predictive)~~, establishment of statewide
 53.2 performance measures and annual targets, reporting of performance measure results, and
 53.3 where possible, performance forecasts that are:

53.4 (i) statewide and, where data allow, district-specific;

53.5 (ii) for assets in each asset category specified in clause (1) ~~for a period of up to 60 years~~;
 53.6 and

53.7 (iii) identified in collaboration with the public;

53.8 (3) gap identification and an explanation of the difference between performance targets
 53.9 and current status; and

53.10 (4) life cycle assessment and corridor risk assessment as part of asset management
 53.11 programs in each district of the department.

53.12 (c) At a minimum, the ten-year capital highway investment plan in each district of the
 53.13 department must:

53.14 (1) be based on expected funding during the plan period and, to the extent feasible,
 53.15 maximize long-term benefits;

53.16 (2) estimate the funding necessary to make optimal life cycle investments;

53.17 ~~(2)~~ (3) identify investments within each of the asset categories specified in paragraph
 53.18 (b), clause (1), that are funded through the trunk highway capital program;

53.19 ~~(3)~~ (4) recommend identify specific trunk highway segments programmed to be removed
 53.20 from the trunk highway system; and

53.21 ~~(4)~~ (5) deliver annual progress toward achieving the state transportation goals established
 53.22 in section 174.01.

53.23 (d) Annually by December 15, the commissioner must report trunk highway performance
 53.24 measures and ~~annual~~ targets and identify gaps, including information detailing the
 53.25 department's progress on achieving the state transportation goals, to the chairs and ranking
 53.26 minority members of the legislative committees having jurisdiction over transportation
 53.27 policy and finance. The report must be signed by the ~~department's chief engineer~~
 53.28 commissioner.

54.1 Sec. 67. Minnesota Statutes 2023 Supplement, section 174.40, subdivision 4a, is amended
54.2 to read:

54.3 Subd. 4a. **Eligibility.** A statutory or home rule charter city, county, town, or federally
54.4 recognized Indian Tribe is eligible to receive funding under this section. A statutory or home
54.5 rule charter city, county, or town is eligible to receive funding for infrastructure projects
54.6 under this section only if it has adopted subdivision regulations that require safe routes to
54.7 school infrastructure in developments authorized on or after June 1, 2016.

54.8 Sec. 68. **[174.595] TRANSPORTATION FACILITIES CAPITAL PROGRAM.**

54.9 Subdivision 1. Definitions. (a) For purposes of this section, the following terms have
54.10 the meanings given.

54.11 (b) "Capital building asset" includes but is not limited to district headquarters buildings,
54.12 truck stations, salt storage or other unheated storage buildings, deicing and anti-icing
54.13 facilities, fuel dispensing facilities, highway rest areas, and vehicle weigh and inspection
54.14 stations.

54.15 (c) "Commissioner" means the commissioner of transportation.

54.16 (d) "Department" means the Department of Transportation.

54.17 (e) "Program" means the transportation facilities capital program established in this
54.18 section.

54.19 Subd. 2. Program established. The commissioner must establish a transportation
54.20 facilities capital program in conformance with this section to provide for capital building
54.21 asset projects related to buildings and other capital facilities of the department.

54.22 Subd. 3. Transportation facilities capital accounts. (a) A transportation facilities
54.23 capital account is established in the trunk highway fund. The account consists of money
54.24 appropriated from the trunk highway fund for the purposes of the program and any other
54.25 money donated, allotted, transferred, or otherwise provided to the account by law.

54.26 (b) A transportation facilities capital subaccount is established in the bond proceeds
54.27 account in the trunk highway fund. The subaccount consists of trunk highway bond proceeds
54.28 appropriated to the commissioner for the purposes of the program. Money in the subaccount
54.29 may only be expended on trunk highway purposes, including the purposes specified in this
54.30 section.

54.31 Subd. 4. Implementation standards. The commissioner must establish a process to
54.32 implement the program that includes allocation of funding based on review of eligible

55.1 projects as provided under subdivision 5 and prioritization as provided under subdivision
55.2 6. The process must be in conformance with trunk highway fund uses for the purposes of
55.3 constructing, improving, and maintaining the trunk highway system in the state pursuant
55.4 to Minnesota Constitution, article XIV.

55.5 Subd. 5. **Eligible expenditures.** A project is eligible under this section only if the project:

55.6 (1) involves the construction, improvement, or maintenance of a capital building asset
55.7 that is part of the trunk highway system; and

55.8 (2) accomplishes at least one of the following:

55.9 (i) supports the programmatic mission of the department;

55.10 (ii) extends the useful life of existing buildings; or

55.11 (iii) renovates or constructs facilities to meet the department's current and future
55.12 operational needs.

55.13 Subd. 6. **Prioritization.** In prioritizing funding allocation among projects under the
55.14 program, the commissioner must consider:

55.15 (1) whether a project ensures the effective and efficient condition and operation of the
55.16 facility;

55.17 (2) the urgency in ensuring the safe use of existing buildings;

55.18 (3) the project's total life-cycle cost;

55.19 (4) additional criteria for priorities otherwise specified in law that apply to a category
55.20 listed in the act making an appropriation for the program; and

55.21 (5) any other criteria the commissioner deems necessary.

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

55.23 Sec. 69. Minnesota Statutes 2022, section 174.632, subdivision 2, is amended to read:

55.24 Subd. 2. **Responsibilities.** (a) The planning, design, development, construction, operation,
55.25 and maintenance of passenger rail track, facilities, and services are governmental functions,
55.26 serve a public purpose, and are a matter of public necessity.

55.27 (b) The commissioner is responsible for all aspects of planning, designing, developing,
55.28 constructing, equipping, operating, promoting, and maintaining passenger rail, including
55.29 system planning, alternatives analysis, environmental studies, preliminary engineering, final

56.1 design, construction, negotiating with railroads, and developing financial and operating
56.2 plans.

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

56.6 Sec. 70. Minnesota Statutes 2022, section 174.636, subdivision 1, is amended to read:

56.7 Subdivision 1. **Powers.** The commissioner has all powers necessary to carry out the
56.8 duties specified in section 174.632. In the exercise of those powers, the commissioner may:

56.9 (1) acquire by purchase, gift, or by eminent domain proceedings as provided by law, all
56.10 land and property necessary to preserve future passenger rail corridors or to construct,
56.11 maintain, and improve passenger rail corridors;

56.12 (2) conduct and engage in promotional and marketing research, campaigns, outreach,
56.13 and other activities to increase awareness, education, and ridership of passenger rail in
56.14 Minnesota;

56.15 ~~(2)~~ (3) let all necessary contracts as provided by law; and

56.16 ~~(3)~~ (4) make agreements with and cooperate with any public or private entity, including
56.17 Amtrak, to carry out statutory duties related to passenger rail.

56.18 Sec. 71. Minnesota Statutes 2022, section 221.033, subdivision 1, is amended to read:

56.19 Subdivision 1. **Requirements.** Except as provided in ~~subdivisions 2 to 2d~~ this section,
56.20 no person may transport or offer or accept for transportation within the state of Minnesota
56.21 a hazardous material, hazardous substance, or hazardous waste except in compliance with
56.22 United States Code, title 49, sections 5101 to 5126 and the provisions of Code of Federal
56.23 Regulations, title 49, parts 171 to 199, which are incorporated by reference. Those provisions
56.24 apply to transportation in intrastate commerce to the same extent they apply to transportation
56.25 in interstate commerce.

56.26 Sec. 72. Minnesota Statutes 2022, section 221.033, is amended by adding a subdivision
56.27 to read:

56.28 Subd. 2e. **Transportation of specific petroleum products; driver requirements.** (a)
56.29 This subdivision applies to intrastate commerce.

56.30 (b) A driver who operates a motorized tank truck vehicle with a capacity of less than
56.31 3,500 gallons that is used to transport petroleum products must have a valid commercial

57.1 driver's license with endorsements for hazardous materials and tank vehicles and be at least
57.2 18 years of age.

57.3 (c) A driver who operates a vehicle that is used to transport liquefied petroleum gases
57.4 in nonbulk or bulk packaging as defined in Code of Federal Regulations, title 49, section
57.5 171.8, including the transportation of consumer storage tanks in compliance with Code of
57.6 Federal Regulations, title 49, section 173.315(j), must have a valid commercial driver's
57.7 license with a hazardous materials endorsement and be at least 18 years of age.

57.8 (d) A driver who operates a vehicle under paragraph (c) must also have a tank vehicle
57.9 endorsement if the aggregate capacity of the bulk packaging being transported is 1,000
57.10 gallons or more.

57.11 (e) Nonbulk or bulk packaging transported under paragraph (c) must have an aggregate
57.12 capacity of less than 3,500 gallons.

57.13 Sec. 73. Minnesota Statutes 2022, section 360.013, is amended by adding a subdivision
57.14 to read:

57.15 Subd. 57c. **Roadable aircraft.** "Roadable aircraft" has the meaning given in section
57.16 169.011, subdivision 67a.

57.17 Sec. 74. Minnesota Statutes 2022, section 360.075, subdivision 1, is amended to read:

57.18 Subdivision 1. **Misdemeanor.** Every person who:

57.19 (1) operates an aircraft either on or over land or water in this state without the consent
57.20 of the owner of such aircraft;

57.21 (2) operates aircraft while in the possession of any federal license, certificate, or permit
57.22 or any certificate of registration issued by the Transportation Department of this state, or
57.23 displays, or causes or permits to be displayed, such federal license, certificate, or permit or
57.24 such state certificate of registration, knowing either to have been canceled, revoked,
57.25 suspended, or altered;

57.26 (3) lends to, or knowingly permits the use of by, one not entitled thereto of any federal
57.27 airman's or aircraft license, certificate, or permit, or any state airman's or aircraft certificate
57.28 of registration issued to that person;

57.29 (4) displays or represents as the person's own any federal airman's or aircraft license,
57.30 certificate, or permit or any state airman's or aircraft certificate of registration not issued to
57.31 that person;

58.1 (5) tampers with, climbs upon or into, makes use of, or navigates any aircraft without
58.2 the knowledge or consent of the owner or person having control thereof, whether while the
58.3 same is in motion or at rest, or hurls stones or any other missiles at aircraft, or the occupants
58.4 thereof, or otherwise damages or interferes with the same, or places upon any portion of
58.5 any airport any object, obstruction, or other device tending to injure aircraft or parts thereof;

58.6 (6) uses a false or fictitious name, gives a false or fictitious address, knowingly makes
58.7 any false statement or report, or knowingly conceals a material fact, or otherwise commits
58.8 a fraud in any application or form required under the provisions of sections 360.011 to
58.9 360.076, or by any rules or orders of the commissioner;

58.10 (7) operates any aircraft in such a manner as to indicate either a willful or a wanton
58.11 disregard for the safety of persons or property;

58.12 (8) carries on or over land or water in this state in an aircraft other than a public aircraft
58.13 any explosive substance except as permitted by the Federal Explosives Act, as amended by
58.14 Public Law 77-775;

58.15 (9) discharges a gun, pistol, or other weapon in or from any aircraft in this state except
58.16 as the hunting of certain wild animals from aircraft may be permitted by other laws of this
58.17 state, or unless the person is the pilot or officer in command of the aircraft or a peace officer
58.18 or a member of the military or naval forces of the United States, engaged in the performance
58.19 of duty;

58.20 (10) carries in any aircraft, other than a public aircraft, any shotgun, rifle, pistol, or small
58.21 arms ammunition except in the manner in which such articles may be lawfully carried in
58.22 motor vehicles in this state, or is a person excepted from the provisions of clause (9);

58.23 (11) engages in acrobatic or stunt flying without being equipped with a parachute and
58.24 without providing any other occupants of the aircraft with parachutes and requiring that
58.25 they be worn;

58.26 (12) while in flying over a thickly inhabited area or over a public gathering in this state,
58.27 engages in trick or acrobatic flying or in any acrobatic feat;

58.28 (13) except while in landing or taking off, flies at such low levels as to endanger persons
58.29 on the surface beneath, or engages in advertising through the playing of music or transcribed
58.30 or oral announcements, or makes any noise with any siren, horn, whistle, or other audible
58.31 device which is not necessary for the normal operation of the aircraft, except that sound
58.32 amplifying devices may be used in aircraft when operated by or under the authority of any

59.1 agency of the state or federal government for the purpose of giving warning or instructions
 59.2 to persons on the ground;

59.3 (14) drops any object, except loose water, loose fuel, or loose sand ballast, without the
 59.4 prior written consent of the commissioner of transportation and the prior written consent
 59.5 of the municipality or property owner where objects may land; drops objects from an aircraft
 59.6 that endanger person or property on the ground, or drops leaflets for any purpose whatsoever;
 59.7 ~~or~~

59.8 (15) while in flight in an aircraft, whether as a pilot, passenger, or otherwise, endangers,
 59.9 kills, or attempts to kill any birds or animals or uses any aircraft for the purpose of
 59.10 concentrating, driving, rallying, or stirring up migratory waterfowl; or

59.11 (16) while operating an aircraft, takes off or lands the aircraft on a public road without
 59.12 consent of the landowner unless under conditions of an emergency;
 59.13 except as may be permitted by other laws of this state, shall be guilty of a misdemeanor.

59.14 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to crimes
 59.15 committed on or after that date.

59.16 Sec. 75. Laws 2021, First Special Session chapter 5, article 2, section 3, is amended to
 59.17 read:

59.18 **Sec. 3. BOND SALE EXPENSES** **\$ 413,000**

59.19 (a) This appropriation is to the commissioner
 59.20 of management and budget for bond sale
 59.21 expenses under Minnesota Statutes, sections
 59.22 16A.641, subdivision 8, and 167.50,
 59.23 subdivision 4.

59.24 (b) This appropriation is available in the
 59.25 amounts of:

- 59.26 (1) \$213,000 in fiscal year 2022;
- 59.27 (2) \$100,000 in fiscal year 2024; and
- 59.28 (3) \$100,000 in fiscal year 2025.

59.29 (c) The appropriation in this section cancels
 59.30 as specified under Minnesota Statutes, section
 59.31 16A.642, except that the commissioner of

60.1 management and budget must count the start
 60.2 of authorization for issuance of state bonds as
 60.3 the first day of the fiscal year during which
 60.4 the bonds are available to be issued as
 60.5 specified under paragraph (b), and not as the
 60.6 date of enactment of this section.

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

60.8 Sec. 76. Laws 2023, chapter 68, article 1, section 2, subdivision 4, is amended to read:

60.9 **Subd. 4. Local Roads**

60.10	(a) County State-Aid Highways	917,782,000	991,615,000
-------	--------------------------------------	-------------	-------------

60.11 This appropriation is from the county state-aid
 60.12 highway fund under Minnesota Statutes,
 60.13 sections 161.081, 174.49, and 297A.815,
 60.14 subdivision 3, and chapter 162, and is
 60.15 available until June 30, 2033.

60.16 If the commissioner of transportation
 60.17 determines that a balance remains in the
 60.18 county state-aid highway fund following the
 60.19 appropriations and transfers made in this
 60.20 paragraph and that the appropriations made
 60.21 are insufficient for advancing county state-aid
 60.22 highway projects, an amount necessary to
 60.23 advance the projects, not to exceed the balance
 60.24 in the county state-aid highway fund, is
 60.25 appropriated in each year to the commissioner.

60.26 Within two weeks of a determination under
 60.27 this contingent appropriation, the
 60.28 commissioner of transportation must notify
 60.29 the commissioner of management and budget
 60.30 and the chairs, ranking minority members, and
 60.31 staff of the legislative committees with
 60.32 jurisdiction over transportation finance
 60.33 concerning funds appropriated. The governor
 60.34 must identify in the next budget submission

61.1 to the legislature under Minnesota Statutes,
 61.2 section 16A.11, any amount that is
 61.3 appropriated under this paragraph.

61.4 **(b) Municipal State-Aid Streets** 236,360,000 251,748,000

61.5 This appropriation is from the municipal
 61.6 state-aid street fund under Minnesota Statutes,
 61.7 chapter 162, and is available until June 30,
 61.8 2033.

61.9 If the commissioner of transportation
 61.10 determines that a balance remains in the
 61.11 municipal state-aid street fund following the
 61.12 appropriations and transfers made in this
 61.13 paragraph and that the appropriations made
 61.14 are insufficient for advancing municipal
 61.15 state-aid street projects, an amount necessary
 61.16 to advance the projects, not to exceed the
 61.17 balance in the municipal state-aid street fund,
 61.18 is appropriated in each year to the
 61.19 commissioner. Within two weeks of a
 61.20 determination under this contingent
 61.21 appropriation, the commissioner of
 61.22 transportation must notify the commissioner
 61.23 of management and budget and the chairs,
 61.24 ranking minority members, and staff of the
 61.25 legislative committees with jurisdiction over
 61.26 transportation finance concerning funds
 61.27 appropriated. The governor must identify in
 61.28 the next budget submission to the legislature
 61.29 under Minnesota Statutes, section 16A.11, any
 61.30 amount that is appropriated under this
 61.31 paragraph.

61.32 **(c) Other Local Roads**

61.33 **(1) Local Bridges** 18,013,000 -0-

62.1 This appropriation is from the general fund to
 62.2 replace or rehabilitate local deficient bridges
 62.3 under Minnesota Statutes, section 174.50. This
 62.4 is a onetime appropriation and is available
 62.5 until June 30, 2027.

62.6 **(2) Local Road Improvement** 18,013,000 -0-

62.7 This appropriation is from the general fund
 62.8 for construction and reconstruction of local
 62.9 roads under Minnesota Statutes, section
 62.10 174.52. This is a onetime appropriation and
 62.11 is available until June 30, 2027.

62.12 **(3) Local Transportation Disaster Support** 4,300,000 1,000,000

62.13 This appropriation is from the general fund to
 62.14 provide:

62.15 (i) a cost-share for federal assistance from the
 62.16 Federal Highway Administration for the
 62.17 emergency relief program under United States
 62.18 Code, title 23, section 125; and

62.19 (ii) assistance for roadway damage on the
 62.20 state-aid or federal-aid system associated with
 62.21 state or federally declared disasters ineligible
 62.22 for assistance from existing state and federal
 62.23 disaster programs.

62.24 Of the appropriation in fiscal year 2024,
 62.25 \$3,300,000 is onetime and is available until
 62.26 June 30, 2027.

62.27 **(4) Metropolitan Counties** 20,000,000 -0-

62.28 This appropriation is from the general fund
 62.29 for distribution to metropolitan counties as
 62.30 provided under Minnesota Statutes, section
 62.31 174.49, subdivision 5, for use in conformance
 62.32 with the requirements under Minnesota
 62.33 Statutes, section 174.49, subdivision 6.

63.1 Sec. 77. Laws 2023, chapter 68, article 2, section 2, subdivision 3, is amended to read:

63.2 **Subd. 3. Transportation Facilities Capital**
 63.3 **Improvements** 87,440,000

63.4 This appropriation is for ~~capital improvements~~
 63.5 ~~to Department of Transportation facilities. The~~
 63.6 ~~improvements must: (1) support the~~
 63.7 ~~programmatic mission of the department; (2)~~
 63.8 ~~extend the useful life of existing buildings; or~~
 63.9 ~~(3) renovate or construct facilities to meet the~~
 63.10 ~~department's current and future operational~~
 63.11 ~~needs~~ the transportation facilities capital
 63.12 program under Minnesota Statutes, section
 63.13 174.595.

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

63.15 Sec. 78. Laws 2023, chapter 68, article 2, section 2, subdivision 4, is amended to read:

63.16 **Subd. 4. Trunk Highway 65; Anoka County** 68,750,000

63.17 This appropriation is for ~~one or more grants~~
 63.18 ~~to the city of Blaine, Anoka County, or both~~
 63.19 ~~for the~~ predesign, right-of-way acquisition,
 63.20 design, engineering, and construction of
 63.21 intersection improvements along Trunk
 63.22 Highway 65 at 99th Avenue Northeast; 105th
 63.23 Avenue Northeast; Anoka County State-Aid
 63.24 Highway 12; 109th Avenue Northeast; 117th
 63.25 Avenue Northeast; and the associated frontage
 63.26 roads and backage roads within the trunk
 63.27 highway system.

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

63.29 Sec. 79. Laws 2023, chapter 68, article 2, section 2, subdivision 5, is amended to read:

63.30 **Subd. 5. U.S. Highway 10; Coon Rapids** 30,000,000

63.31 This appropriation is for ~~a grant to Anoka~~
 63.32 ~~County~~ for preliminary engineering,

64.1 environmental analysis, final design,
 64.2 right-of-way acquisition, construction, and
 64.3 construction administration of a third travel
 64.4 lane in each direction of marked U.S. Highway
 64.5 10 from east of the interchange with Hanson
 64.6 Boulevard to Round Lake Boulevard in the
 64.7 city of Coon Rapids.

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

64.9 Sec. 80. Laws 2023, chapter 68, article 2, section 2, subdivision 7, is amended to read:

64.10 **Subd. 7. U.S. Highway 169 Interchange; Scott**
 64.11 **County** 4,200,000

64.12 This appropriation is ~~for a grant to Scott~~
 64.13 ~~County~~ to design and construct trunk highway
 64.14 improvements associated with an interchange
 64.15 at U.S. Highway 169, marked Trunk Highway
 64.16 282, and Scott County State-Aid Highway 9
 64.17 in the city of Jordan, including
 64.18 accommodations for bicycles and pedestrians
 64.19 and for bridge and road construction.

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

64.21 Sec. 81. Laws 2023, chapter 68, article 2, section 2, subdivision 9, is amended to read:

64.22 **Subd. 9. U.S. Highway 8; Chisago County** 42,000,000

64.23 This appropriation is ~~for a grant to Chisago~~
 64.24 ~~County~~ for predesign, design, engineering,
 64.25 and reconstruction of marked U.S. Highway
 64.26 8 from Karmel Avenue in Chisago City to
 64.27 marked Interstate Highway 35, including
 64.28 pedestrian and bike trails along and crossings
 64.29 of this segment of marked U.S. Highway 8.
 64.30 The reconstruction project may include
 64.31 expanding segments of marked U.S. Highway
 64.32 8 to four lanes, constructing or reconstructing
 64.33 frontage roads and backage roads, and

65.1 realigning local roads to consolidate, remove,
 65.2 and relocate access onto and off of U.S.
 65.3 Highway 8. This appropriation is for the
 65.4 portion of the project that is eligible for use
 65.5 of proceeds of trunk highway bonds. ~~This~~
 65.6 ~~appropriation is not available until the~~
 65.7 ~~commissioner of management and budget~~
 65.8 ~~determines that sufficient resources have been~~
 65.9 ~~committed from nonstate sources to complete~~
 65.10 ~~the project.~~

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

65.12 Sec. 82. Laws 2023, chapter 68, article 2, section 3, is amended to read:

65.13 **Sec. 3. BOND SALE EXPENSES** **\$ 610,000**

65.14 (a) This appropriation is to the commissioner
 65.15 of management and budget for bond sale
 65.16 expenses under Minnesota Statutes, sections
 65.17 16A.641, subdivision 8, and 167.50,
 65.18 subdivision 4.

65.19 (b) This appropriation is available in the
 65.20 amounts of:

- 65.21 (1) \$330,000 in fiscal year 2024;
- 65.22 (2) \$140,000 in fiscal year 2025; and
- 65.23 (3) \$140,000 in fiscal year 2026.

65.24 (c) The appropriation in this section cancels
 65.25 as specified under Minnesota Statutes, section
 65.26 16A.642, except that the commissioner of
 65.27 management and budget must count the start
 65.28 of authorization for issuance of state bonds as
 65.29 the first day of the fiscal year during which
 65.30 the bonds are available to be issued as
 65.31 specified under paragraph (b), and not as the
 65.32 date of enactment of this section.

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

66.2 Sec. 83. **TRAFFIC ENGINEERING STUDIES AND INVESTIGATIONS.**

66.3 (a) Notwithstanding the requirements of the Minnesota Manual on Uniform Traffic
66.4 Control Devices established by the commissioner of transportation under Minnesota Statutes,
66.5 section 169.06, subdivision 2, by July 1, 2024, the commissioner must implement section
66.6 2B.21 of the Manual on Uniform Traffic Control Devices for Streets and Highways, 11th
66.7 Edition, as incorporated by the United States Department of Transportation, pertaining to
66.8 traffic engineering studies and investigations for establishing or reevaluating speed limits
66.9 within speed zones.

66.10 (b) This section expires upon adoption of relevant revisions to the Minnesota Manual
66.11 on Uniform Traffic Control Devices that pertain to traffic engineering studies and
66.12 investigations for speed zones. The commissioner must notify the revisor of statutes, whether
66.13 electronically or in writing, of the expiration.

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

66.15 Sec. 84. **FULL-SERVICE PROVIDER.**

66.16 (a) For purposes of this section, the following terms have the meanings given:

66.17 (1) "commissioner" means the commissioner of public safety; and

66.18 (2) "full-service provider" has the meaning given in Minnesota Statutes, section 168.002,
66.19 subdivision 12a.

66.20 (b) A driver's license agent under Minnesota Statutes, section 171.061, who was appointed
66.21 before January 1, 2024, and is recognized by the commissioner as a limited licensing agent
66.22 under Minnesota Rules, part 7404.0340, may apply to the commissioner to become a
66.23 full-service provider at the agent's current office location. A driver's license agent must
66.24 submit an application on or before June 1, 2025. By June 30, 2025, an applicant under this
66.25 section must satisfactorily complete any additional staff training required by the
66.26 commissioner to offer expanded services as a full-service provider.

66.27 (c) The commissioner may appoint an applicant who meets the requirements under this
66.28 section as a full-service provider.

66.29 (d) Minnesota Rules, chapter 7404, applies to an appointment under this section, except
66.30 that this section applies notwithstanding Minnesota Rules, parts 7404.0300, subparts 4, 5,

67.1 and 6; 7404.0305, subpart 1, item B; 7404.0345, item D; 7404.0350; 7404.0360, subpart
67.2 2; and 7404.0400, subpart 4, item B.

67.3 Sec. 85. **MINNESOTA STATE FAIR TRANSPORTATION PLANNING.**

67.4 (a) By August 1, 2024, the board of managers of the State Agricultural Society, in
67.5 consultation with the Metropolitan Council, must develop a multimodal Minnesota State
67.6 Fair transportation plan for implementation at the 2024 Minnesota State Fair and must
67.7 submit a copy of the plan to the chairs and ranking minority members of the legislative
67.8 committees with jurisdiction over agriculture and transportation policy and finance.

67.9 (b) At a minimum, the plan must:

67.10 (1) determine methods to reduce motor vehicle traffic, congestion, and parking in the
67.11 area of the Minnesota State Fairgrounds;

67.12 (2) identify improvements to the transportation experience for attendees at the Minnesota
67.13 State Fair;

67.14 (3) expand bicycle access and secure storage, including at park-and-ride locations;

67.15 (4) improve support for ride hailing and transportation network companies; and

67.16 (5) specify public distribution of information on transportation options and services.

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

67.18 Sec. 86. **REPEALER.**

67.19 (a) Minnesota Statutes 2022, sections 169.011, subdivision 70; 169.25; 171.0605,
67.20 subdivision 4; and 221.033, subdivision 2c, are repealed.

67.21 (b) Minnesota Statutes 2023 Supplement, section 171.06, subdivisions 9, 10, and 11,
67.22 are repealed.

67.23 (c) Minnesota Rules, part 7411.7600, subpart 3, is repealed.

67.24 **EFFECTIVE DATE.** Paragraph (c) is effective July 1, 2024.

ARTICLE 2

GREATER MINNESOTA TRANSIT PROGRAM

68.1
68.2
68.3 Section 1. Minnesota Statutes 2022, section 174.22, is amended by adding a subdivision
68.4 to read:

68.5 Subd. 1a. **Complementary paratransit service (ADA).** "Complementary paratransit
68.6 service (ADA)" means public transportation service provided on a regular basis where fixed
68.7 route public transit service exists and is designed exclusively or primarily to serve individuals
68.8 who are elderly or disabled and unable to use regular means of public transportation.

68.9 Sec. 2. Minnesota Statutes 2022, section 174.22, subdivision 2b, is amended to read:

68.10 Subd. 2b. **Elderly and disabled service.** "Elderly and disabled service" means
68.11 transportation service provided on a regular basis in small urbanized or large urbanized
68.12 areas and designed exclusively or primarily to serve individuals who are elderly or disabled
68.13 and unable to use regular means of public transportation.

68.14 Sec. 3. Minnesota Statutes 2022, section 174.22, is amended by adding a subdivision to
68.15 read:

68.16 Subd. 3a. **Large urbanized area service.** "Large urbanized area service" means a public
68.17 transportation service operated in areas located outside the metropolitan area with a
68.18 population greater than 200,000 that is designated by the United States Census Bureau.
68.19 Large urbanized area service does not include complementary paratransit service (ADA),
68.20 as defined in subdivision 1a.

68.21 Sec. 4. Minnesota Statutes 2022, section 174.22, subdivision 7, is amended to read:

68.22 Subd. 7. **Public transit or transit transportation.** ~~"Public transit" or "transit" means~~
68.23 ~~general or specific transportation service provided to the public on a regular and continuing~~
68.24 ~~basis. "Public transit" or "transit" includes paratransit and regular route transit. "Public~~
68.25 transportation" means regular, continuing shared-ride surface transportation services that
68.26 are open to the general public or open to a segment of the general public defined by age,
68.27 disability, or low income. Public transportation does not include:

68.28 (1) intercity passenger rail transportation provided by the entity described in United
68.29 States Code, title 49, section 243, or a successor entity;

68.30 (2) intercity bus service;

68.31 (3) charter bus service;

69.1 (4) school bus service;

69.2 (5) sightseeing service;

69.3 (6) courtesy shuttle service for patrons of one or more specific establishments; or

69.4 (7) intraterminal or intrafacility shuttle services.

69.5 Sec. 5. Minnesota Statutes 2022, section 174.22, subdivision 12, is amended to read:

69.6 Subd. 12. **Rural area service.** "Rural area service" means a public transportation service
 69.7 ~~primarily operated in an area having population centers of less than 2,500 persons~~ rural
 69.8 areas that have not been designated in the most recent decennial census as an urbanized
 69.9 area by the United States Census Bureau.

69.10 Sec. 6. Minnesota Statutes 2022, section 174.22, subdivision 14, is amended to read:

69.11 Subd. 14. **Small ~~urban~~ urbanized area service.** "Small ~~urban~~ urbanized area service"
 69.12 means a public transportation service ~~operating in an area with a population between 2,500~~
 69.13 ~~and 50,000~~ operated in areas located outside the metropolitan area with a population of at
 69.14 least 50,000 but less than 200,000 that is designated by the United States Census Bureau.
 69.15 Small urbanized area service does not include complementary paratransit service (ADA),
 69.16 as defined in subdivision 1a.

69.17 Sec. 7. Minnesota Statutes 2022, section 174.23, subdivision 2, is amended to read:

69.18 Subd. 2. **Financial assistance; application, approval.** (a) The commissioner ~~shall~~ must
 69.19 seek out and select eligible recipients of financial assistance under sections 174.21 to 174.27.

69.20 (b) The commissioner ~~shall~~ must establish ~~by rule~~ the procedures and standards for
 69.21 review and approval of applications for financial assistance submitted to the commissioner
 69.22 pursuant to sections 174.21 to 174.27. Any applicant ~~shall~~ must provide to the commissioner
 69.23 any financial or other information required by the commissioner to carry out the
 69.24 commissioner's duties. The commissioner may require local contributions from applicants
 69.25 as a condition for receiving financial assistance.

69.26 ~~(c) Before the commissioner approves any grant, the application for the grant may be~~
 69.27 ~~reviewed by the appropriate regional development commission only for consistency with~~
 69.28 ~~regional transportation plans and development guides. If an applicant proposes a project~~
 69.29 ~~within the jurisdiction of a transit authority or commission or a transit system assisted or~~
 69.30 ~~operated by a city or county, the application shall also be reviewed by that commission,~~

70.1 ~~authority, or political subdivision for consistency with its transit programs, policies, and~~
70.2 ~~plans.~~

70.3 Sec. 8. Minnesota Statutes 2022, section 174.24, subdivision 1a, is amended to read:

70.4 Subd. 1a. **Greater Minnesota transit investment plan.** (a) The commissioner ~~shall~~
70.5 must develop a greater Minnesota transit investment plan that contains a goal of meeting
70.6 at least 80 percent of total transit service needs in greater Minnesota by July 1, 2015, and
70.7 meeting at least 90 percent of total transit service needs in greater Minnesota by July 1,
70.8 2025.

70.9 (b) The plan must include, but is not limited to, the following:

70.10 (1) an analysis of ridership and total transit service needs throughout greater Minnesota;

70.11 (2) a calculation of the level and type of service required to meet total transit service
70.12 needs, for the transit system classifications as provided under subdivision 3b, paragraph
70.13 (c), of large urbanized area, small urban urbanized area, rural area, and elderly and disabled
70.14 service, and complementary paratransit service (ADA);

70.15 (3) an analysis of costs and revenue options;

70.16 (4) a plan to reduce total transit service needs as specified in this subdivision; and

70.17 (5) identification of the operating and capital costs necessary to meet 100 percent of the
70.18 greater Minnesota transit targeted and projected bus service hours, as identified in the greater
70.19 Minnesota transit plan, for 2010, 2015, 2020, 2025, and 2030.

70.20 (c) The plan must specifically address special transportation service ridership and needs.
70.21 The plan must also provide that recipients of operating assistance under this section provide
70.22 fixed route public transit service without charge for disabled veterans in accordance with
70.23 subdivision 7.

70.24 Sec. 9. Minnesota Statutes 2022, section 174.24, subdivision 3b, is amended to read:

70.25 Subd. 3b. **Operating assistance; recipient classifications.** ~~(a) The commissioner shall~~
70.26 ~~determine the total operating cost of any public transit system receiving or applying for~~
70.27 ~~assistance in accordance with generally accepted accounting principles. To be eligible for~~
70.28 ~~financial assistance, an applicant or recipient shall provide to the commissioner all financial~~
70.29 ~~records and other information and shall permit any inspection reasonably necessary to~~
70.30 ~~determine total operating cost and correspondingly the amount of assistance that may be~~
70.31 ~~paid to the applicant or recipient. Where more than one county or municipality contributes~~

71.1 ~~assistance to the operation of a public transit system, the commissioner shall identify one~~
 71.2 ~~as lead agency for the purpose of receiving money under this section.~~

71.3 ~~(b)~~ (a) Prior to distributing operating assistance to eligible recipients for any contract
 71.4 period, the commissioner ~~shall~~ must place all recipients into one of the following
 71.5 classifications: large urbanized area service, small urban urbanized area service, rural area
 71.6 service, and elderly and disabled service, and complementary paratransit service (ADA).

71.7 ~~(e)~~ (b) The commissioner ~~shall~~ must distribute ~~funds~~ the operating assistance amount
 71.8 under this section so that the percentage of ~~total contracted operating cost~~ from local sources
 71.9 paid by any recipient ~~from local sources~~ will not exceed the following percentage for that
 71.10 recipient's classification, except as provided in this subdivision. ~~The percentages must be:~~

71.11 (1) for urbanized area service and small urban area service, 20 percent;

71.12 (2) for rural area service, 15 percent; and

71.13 (3) for elderly and disabled service and complementary paratransit service (ADA), 15
 71.14 percent.

71.15 ~~Except as provided in a United States Department of Transportation program allowing or~~
 71.16 ~~requiring a lower percentage to be paid from local sources, the remainder of the recipient's~~
 71.17 ~~total contracted operating cost will be paid from state sources of funds less any assistance~~
 71.18 ~~received by the recipient from the United States Department of Transportation.~~

71.19 ~~(d)~~ (c) For purposes of this subdivision, "local sources" means all local sources of funds
 71.20 and includes all operating revenue, tax levies, and contributions from public funds, ~~except~~
 71.21 ~~that the commissioner may exclude from the total assistance contract revenues derived from~~
 71.22 ~~operations the cost of which is excluded from the computation of total operating cost.~~

71.23 ~~(e)~~ (d) If a recipient informs the commissioner in writing after the establishment of these
 71.24 percentages but prior to the distribution of financial assistance for any year that paying its
 71.25 designated percentage of ~~total operating cost~~ the operating assistance amount from local
 71.26 sources will cause undue hardship, the commissioner may reduce the percentage to be paid
 71.27 from local sources by the recipient and increase the percentage to be paid from local sources
 71.28 by one or more other recipients inside or outside the classification. However, the
 71.29 commissioner may not reduce or increase any recipient's percentage under this paragraph
 71.30 for more than two years successively. If for any year the funds appropriated to the
 71.31 commissioner to carry out the purposes of this section are insufficient to allow the
 71.32 commissioner to pay the state share of ~~total operating cost~~ the operating assistance amount

72.1 as provided in this paragraph, the commissioner ~~shall~~ must reduce the state share in each
72.2 classification to the extent necessary.

72.3 Sec. 10. Minnesota Statutes 2022, section 174.24, subdivision 3c, is amended to read:

72.4 Subd. 3c. **Nonoperating assistance.** The commissioner ~~shall~~ must determine the total
72.5 cost of any planning and engineering design, capital assistance, other capital expenditures,
72.6 and other assistance for public transit services that furthers the purposes of section 174.21
72.7 for any public transit system receiving or applying for the assistance in accordance with
72.8 generally accepted accounting principles. The percentage of local sources paid by any
72.9 recipient must not exceed 20 percent of the awarded amount. To be eligible for
72.10 non-operating-cost financial assistance, an applicant or recipient ~~shall~~ must provide to the
72.11 commissioner all financial records and other information and ~~shall~~ must permit any inspection
72.12 reasonably necessary to determine total cost and the amount of assistance that may be paid
72.13 to the applicant or recipient. When more than one county or municipality contributes
72.14 assistance to the operation of a public transit system, the commissioner ~~shall~~ must identify
72.15 one as a lead agency for the purpose of receiving money under this section. The commissioner
72.16 has the sole discretion to determine the amount of state funds distributed to any recipient
72.17 for non-operating-cost assistance.

72.18 Sec. 11. Minnesota Statutes 2022, section 174.247, is amended to read:

72.19 **174.247 ANNUAL TRANSIT REPORT.**

72.20 (a) By February 15 annually, the commissioner ~~shall~~ must submit a report to the
72.21 legislature on transit services outside the metropolitan area. ~~The Metropolitan Council and~~
72.22 Any public transit system receiving assistance under section 174.24 ~~shall~~ must provide
72.23 assistance in creating the report, as requested by the commissioner.

72.24 (b) The report must include, at a minimum, the following:

72.25 (1) a descriptive overview of public transit in Minnesota;

72.26 (2) a descriptive summary of funding sources and assistance programs;

72.27 (3) a summary of each public transit system receiving assistance under section 174.24;

72.28 (4) data that identifies use of volunteers in providing transit service;

72.29 (5) financial data that identifies for each public transit system and for each transit system
72.30 classification under section 174.24, subdivision 3b:

72.31 (i) the operating and capital costs;

- 73.1 (ii) each of the funding sources used to provide financial assistance; and
- 73.2 (iii) for federal funds, the amount from each specific federal program under which
73.3 funding is provided;
- 73.4 (6) a summary of the differences in program implementation requirements and aid
73.5 recipient eligibility between federal aid and state sources of funds; and
- 73.6 (7) ~~in each odd-numbered year~~, an analysis of public transit system needs and operating
73.7 expenditures on an annual basis, which must include a methodology for identifying monetary
73.8 needs, and calculations of:
- 73.9 (i) the total monetary needs for all public transit systems, for the year of the report and
73.10 the ensuing five years;
- 73.11 (ii) the total expenditures from local sources for each transit system classification;
- 73.12 (iii) the comprehensive transit assistance percentage for each transit system classification,
73.13 which equals (A) the expenditures identified under item (ii), for a transit system classification,
73.14 divided by (B) the amounts identified under subitem (A), plus the sum of state sources of
73.15 funds plus federal funds provided to all transit systems in that classification; and
- 73.16 (iv) the amount of surplus or insufficient funds available for paying capital and operating
73.17 costs to fully implement the greater Minnesota transit investment plan under section 174.24,
73.18 subdivision 1a.

73.19 **Sec. 12. REPEALER.**

73.20 (a) Minnesota Statutes 2022, sections 174.22, subdivisions 5 and 15; and 174.23,
73.21 subdivision 7, are repealed.

73.22 (b) Minnesota Rules, parts 8835.0110, subparts 1, 1a, 6, 7, 10, 11a, 12a, 12b, 13a, 14a,
73.23 15, 15a, 16, 17, 18, and 19; 8835.0210; 8835.0220; 8835.0230; 8835.0240; 8835.0250;
73.24 8835.0260; 8835.0265; 8835.0270; 8835.0275; 8835.0280; 8835.0290; 8835.0310;
73.25 8835.0320; 8835.0330, subparts 1, 3, and 4; and 8835.0350, subparts 1, 3, 4, and 5, are
73.26 repealed.

74.1

ARTICLE 3

74.2

CONFORMING CHANGES

74.3 Section 1. Minnesota Statutes 2023 Supplement, section 256B.0625, subdivision 17, is
74.4 amended to read:

74.5 Subd. 17. **Transportation costs.** (a) "Nonemergency medical transportation service"
74.6 means motor vehicle transportation provided by a public or private person that serves
74.7 Minnesota health care program beneficiaries who do not require emergency ambulance
74.8 service, as defined in section 144E.001, subdivision 3, to obtain covered medical services.

74.9 (b) For purposes of this subdivision, "rural urban commuting area" or "RUCA" means
74.10 a census-tract based classification system under which a geographical area is determined
74.11 to be urban, rural, or super rural.

74.12 (c) Medical assistance covers medical transportation costs incurred solely for obtaining
74.13 emergency medical care or transportation costs incurred by eligible persons in obtaining
74.14 emergency or nonemergency medical care when paid directly to an ambulance company,
74.15 nonemergency medical transportation company, or other recognized providers of
74.16 transportation services. Medical transportation must be provided by:

74.17 (1) nonemergency medical transportation providers who meet the requirements of this
74.18 subdivision;

74.19 (2) ambulances, as defined in section 144E.001, subdivision 2;

74.20 (3) taxicabs that meet the requirements of this subdivision;

74.21 (4) public transit, within the meaning of "public transportation" as defined in section
74.22 174.22, subdivision 7; or

74.23 (5) not-for-hire vehicles, including volunteer drivers, as defined in section 65B.472,
74.24 subdivision 1, paragraph (h).

74.25 (d) Medical assistance covers nonemergency medical transportation provided by
74.26 nonemergency medical transportation providers enrolled in the Minnesota health care
74.27 programs. All nonemergency medical transportation providers must comply with the
74.28 operating standards for special transportation service as defined in sections 174.29 to 174.30
74.29 and Minnesota Rules, chapter 8840, and all drivers must be individually enrolled with the
74.30 commissioner and reported on the claim as the individual who provided the service. All
74.31 nonemergency medical transportation providers shall bill for nonemergency medical
74.32 transportation services in accordance with Minnesota health care programs criteria. Publicly

75.1 operated transit systems, volunteers, and not-for-hire vehicles are exempt from the
75.2 requirements outlined in this paragraph.

75.3 (e) An organization may be terminated, denied, or suspended from enrollment if:

75.4 (1) the provider has not initiated background studies on the individuals specified in
75.5 section 174.30, subdivision 10, paragraph (a), clauses (1) to (3); or

75.6 (2) the provider has initiated background studies on the individuals specified in section
75.7 174.30, subdivision 10, paragraph (a), clauses (1) to (3), and:

75.8 (i) the commissioner has sent the provider a notice that the individual has been
75.9 disqualified under section 245C.14; and

75.10 (ii) the individual has not received a disqualification set-aside specific to the special
75.11 transportation services provider under sections 245C.22 and 245C.23.

75.12 (f) The administrative agency of nonemergency medical transportation must:

75.13 (1) adhere to the policies defined by the commissioner;

75.14 (2) pay nonemergency medical transportation providers for services provided to
75.15 Minnesota health care programs beneficiaries to obtain covered medical services;

75.16 (3) provide data monthly to the commissioner on appeals, complaints, no-shows, canceled
75.17 trips, and number of trips by mode; and

75.18 (4) by July 1, 2016, in accordance with subdivision 18e, utilize a web-based single
75.19 administrative structure assessment tool that meets the technical requirements established
75.20 by the commissioner, reconciles trip information with claims being submitted by providers,
75.21 and ensures prompt payment for nonemergency medical transportation services.

75.22 (g) Until the commissioner implements the single administrative structure and delivery
75.23 system under subdivision 18e, clients shall obtain their level-of-service certificate from the
75.24 commissioner or an entity approved by the commissioner that does not dispatch rides for
75.25 clients using modes of transportation under paragraph (l), clauses (4), (5), (6), and (7).

75.26 (h) The commissioner may use an order by the recipient's attending physician, advanced
75.27 practice registered nurse, physician assistant, or a medical or mental health professional to
75.28 certify that the recipient requires nonemergency medical transportation services.

75.29 Nonemergency medical transportation providers shall perform driver-assisted services for
75.30 eligible individuals, when appropriate. Driver-assisted service includes passenger pickup
75.31 at and return to the individual's residence or place of business, assistance with admittance

76.1 of the individual to the medical facility, and assistance in passenger securement or in securing
76.2 of wheelchairs, child seats, or stretchers in the vehicle.

76.3 (i) Nonemergency medical transportation providers must take clients to the health care
76.4 provider using the most direct route, and must not exceed 30 miles for a trip to a primary
76.5 care provider or 60 miles for a trip to a specialty care provider, unless the client receives
76.6 authorization from the local agency.

76.7 (j) Nonemergency medical transportation providers may not bill for separate base rates
76.8 for the continuation of a trip beyond the original destination. Nonemergency medical
76.9 transportation providers must maintain trip logs, which include pickup and drop-off times,
76.10 signed by the medical provider or client, whichever is deemed most appropriate, attesting
76.11 to mileage traveled to obtain covered medical services. Clients requesting client mileage
76.12 reimbursement must sign the trip log attesting mileage traveled to obtain covered medical
76.13 services.

76.14 (k) The administrative agency shall use the level of service process established by the
76.15 commissioner to determine the client's most appropriate mode of transportation. If public
76.16 transit or a certified transportation provider is not available to provide the appropriate service
76.17 mode for the client, the client may receive a onetime service upgrade.

76.18 (l) The covered modes of transportation are:

76.19 (1) client reimbursement, which includes client mileage reimbursement provided to
76.20 clients who have their own transportation, or to family or an acquaintance who provides
76.21 transportation to the client;

76.22 (2) volunteer transport, which includes transportation by volunteers using their own
76.23 vehicle;

76.24 (3) unassisted transport, which includes transportation provided to a client by a taxicab
76.25 or public transit. If a taxicab or public transit is not available, the client can receive
76.26 transportation from another nonemergency medical transportation provider;

76.27 (4) assisted transport, which includes transport provided to clients who require assistance
76.28 by a nonemergency medical transportation provider;

76.29 (5) lift-equipped/ramp transport, which includes transport provided to a client who is
76.30 dependent on a device and requires a nonemergency medical transportation provider with
76.31 a vehicle containing a lift or ramp;

76.32 (6) protected transport, which includes transport provided to a client who has received
76.33 a prescreening that has deemed other forms of transportation inappropriate and who requires

77.1 a provider: (i) with a protected vehicle that is not an ambulance or police car and has safety
77.2 locks, a video recorder, and a transparent thermoplastic partition between the passenger and
77.3 the vehicle driver; and (ii) who is certified as a protected transport provider; and

77.4 (7) stretcher transport, which includes transport for a client in a prone or supine position
77.5 and requires a nonemergency medical transportation provider with a vehicle that can transport
77.6 a client in a prone or supine position.

77.7 (m) The local agency shall be the single administrative agency and shall administer and
77.8 reimburse for modes defined in paragraph (l) according to paragraphs (p) and (q) when the
77.9 commissioner has developed, made available, and funded the web-based single administrative
77.10 structure, assessment tool, and level of need assessment under subdivision 18e. The local
77.11 agency's financial obligation is limited to funds provided by the state or federal government.

77.12 (n) The commissioner shall:

77.13 (1) verify that the mode and use of nonemergency medical transportation is appropriate;

77.14 (2) verify that the client is going to an approved medical appointment; and

77.15 (3) investigate all complaints and appeals.

77.16 (o) The administrative agency shall pay for the services provided in this subdivision and
77.17 seek reimbursement from the commissioner, if appropriate. As vendors of medical care,
77.18 local agencies are subject to the provisions in section 256B.041, the sanctions and monetary
77.19 recovery actions in section 256B.064, and Minnesota Rules, parts 9505.2160 to 9505.2245.

77.20 (p) Payments for nonemergency medical transportation must be paid based on the client's
77.21 assessed mode under paragraph (k), not the type of vehicle used to provide the service. The
77.22 medical assistance reimbursement rates for nonemergency medical transportation services
77.23 that are payable by or on behalf of the commissioner for nonemergency medical
77.24 transportation services are:

77.25 (1) \$0.22 per mile for client reimbursement;

77.26 (2) up to 100 percent of the Internal Revenue Service business deduction rate for volunteer
77.27 transport;

77.28 (3) equivalent to the standard fare for unassisted transport when provided by public
77.29 transit, and \$12.10 for the base rate and \$1.43 per mile when provided by a nonemergency
77.30 medical transportation provider;

77.31 (4) \$14.30 for the base rate and \$1.43 per mile for assisted transport;

77.32 (5) \$19.80 for the base rate and \$1.70 per mile for lift-equipped/ramp transport;

78.1 (6) \$75 for the base rate and \$2.40 per mile for protected transport; and

78.2 (7) \$60 for the base rate and \$2.40 per mile for stretcher transport, and \$9 per trip for
78.3 an additional attendant if deemed medically necessary.

78.4 (q) The base rate for nonemergency medical transportation services in areas defined
78.5 under RUCA to be super rural is equal to 111.3 percent of the respective base rate in
78.6 paragraph (p), clauses (1) to (7). The mileage rate for nonemergency medical transportation
78.7 services in areas defined under RUCA to be rural or super rural areas is:

78.8 (1) for a trip equal to 17 miles or less, equal to 125 percent of the respective mileage
78.9 rate in paragraph (p), clauses (1) to (7); and

78.10 (2) for a trip between 18 and 50 miles, equal to 112.5 percent of the respective mileage
78.11 rate in paragraph (p), clauses (1) to (7).

78.12 (r) For purposes of reimbursement rates for nonemergency medical transportation services
78.13 under paragraphs (p) and (q), the zip code of the recipient's place of residence shall determine
78.14 whether the urban, rural, or super rural reimbursement rate applies.

78.15 (s) The commissioner, when determining reimbursement rates for nonemergency medical
78.16 transportation under paragraphs (p) and (q), shall exempt all modes of transportation listed
78.17 under paragraph (l) from Minnesota Rules, part 9505.0445, item R, subitem (2).

78.18 (t) Effective for the first day of each calendar quarter in which the price of gasoline as
78.19 posted publicly by the United States Energy Information Administration exceeds \$3.00 per
78.20 gallon, the commissioner shall adjust the rate paid per mile in paragraph (p) by one percent
78.21 up or down for every increase or decrease of ten cents for the price of gasoline. The increase
78.22 or decrease must be calculated using a base gasoline price of \$3.00. The percentage increase
78.23 or decrease must be calculated using the average of the most recently available price of all
78.24 grades of gasoline for Minnesota as posted publicly by the United States Energy Information
78.25 Administration.

78.26 Sec. 2. Minnesota Statutes 2022, section 473.121, subdivision 19, is amended to read:

78.27 Subd. 19. **Public transit or transit.** "Public transit" or "transit" has the meaning given
78.28 to "public transportation" in section 174.22, subdivision 7.

78.29 Sec. 3. Minnesota Statutes 2023 Supplement, section 609.855, subdivision 7, is amended
78.30 to read:

78.31 Subd. 7. **Definitions.** (a) The definitions in this subdivision apply in this section.

79.1 (b) "Public transit" or "transit" has the meaning given to "public transportation" in section
79.2 174.22, subdivision 7.

79.3 (c) "Public transit vehicle" or "transit vehicle" means any vehicle used for the purpose
79.4 of providing public transit, whether or not the vehicle is owned or operated by a public
79.5 entity.

79.6 (d) "Public transit facilities" or "transit facilities" means any vehicles, equipment,
79.7 property, structures, stations, improvements, plants, parking or other facilities, or rights that
79.8 are owned, leased, held, or used for the purpose of providing public transit, whether or not
79.9 the facility is owned or operated by a public entity.

79.10 (e) "Fare medium" means a ticket, smart card, pass, coupon, token, transfer, or other
79.11 medium sold or distributed by a public transit provider, or its authorized agents, for use in
79.12 gaining entry to or use of the public transit facilities or vehicles of the provider.

79.13 (f) "Proof of fare payment" means a fare medium valid for the place or time at, or the
79.14 manner in, which it is used. If using a reduced-fare medium, proof of fare payment also
79.15 includes proper identification demonstrating a person's eligibility for the reduced fare. If
79.16 using a fare medium issued solely for the use of a particular individual, proof of fare payment
79.17 also includes an identification document bearing a photographic likeness of the individual
79.18 and demonstrating that the individual is the person to whom the fare medium is issued.

79.19 (g) "Authorized transit representative" means the person authorized by the transit provider
79.20 to operate the transit vehicle, a peace officer, a transit official under section 473.4075,
79.21 subdivision 1, or any other person designated by the transit provider as an authorized transit
79.22 representative under this section.

79.23 Sec. 4. **REVISOR INSTRUCTION.**

79.24 (a) The revisor of statutes must renumber the subdivisions in Minnesota Statutes, section
79.25 174.22, in alphabetical order and correct any cross-reference changes that result.

79.26 (b) The revisor of statutes must change the term "public transit" to "public transportation"
79.27 wherever the term appears in Minnesota Statutes, sections 174.21 to 174.27.

79.28 (c) Except as otherwise provided in this article, the revisor of statutes must change the
79.29 term "public transit" to "public transportation" wherever the term appears in Minnesota
79.30 Statutes in conjunction with a specific reference to Minnesota Statutes, section 174.22,
79.31 subdivision 7.

169.011 DEFINITIONS.

Subd. 70. **Safety zone.** "Safety zone" means the area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times set apart as a safety zone.

169.25 SAFETY ZONE.

No vehicle shall at any time be driven through a safety zone.

171.06 APPLICATION FOR LICENSE, PERMIT, IDENTIFICATION CARD; FEES.

Subd. 9. **Noncompliant license or identification card; general requirements.** (a) A document submitted under this subdivision or subdivision 10 or 11 must include the applicant's name and must be:

- (1) issued to or provided for the applicant;
 - (2) legible and unaltered;
 - (3) an original or a copy certified by the issuing agency or by a court; and
 - (4) accompanied by a certified translation or an affidavit of translation into English, if the document is not in English.
- (b) If the applicant's current legal name is different from the name on a document submitted under subdivision 10 or 11, the applicant must submit:
- (1) a certified copy of a court order that specifies the applicant's name change;
 - (2) a certified copy of the applicant's certificate of marriage;
 - (3) a certified copy of a divorce decree or dissolution of marriage that specifies the applicant's name change, issued by a court; or
 - (4) similar documentation of a lawful change of name, as determined by the commissioner.
- (c) A form issued by a federal agency that is specified under subdivisions 10 and 11 includes any subsequent form or version.
- (d) The commissioner must establish a process to grant a waiver from the requirements under this subdivision and subdivisions 10 and 11.
- (e) The same document must not be submitted as both a primary document under subdivision 10 and a secondary document under subdivision 11.
- (f) For purposes of this subdivision and subdivisions 10 and 11:
- (1) "court" includes a foreign court of competent jurisdiction; and
 - (2) "foreign" means a jurisdiction that is not, and is not within, the United States, the Commonwealth of the Northern Mariana Islands, the Commonwealth of Puerto Rico, Guam, the United States Virgin Islands, or a territory of the United States.

Subd. 10. **Noncompliant license or identification card; primary documents.** (a) For purposes of a noncompliant driver's license or identification card, a primary document under Minnesota Rules, part 7410.0400, subpart 2, or successor rules, includes:

- (1) an unexpired foreign passport or a foreign consular identification document that bears a photograph of the applicant;
 - (2) a certified birth certificate issued by a foreign jurisdiction; and
 - (3) a certified adoption certificate issued by a foreign jurisdiction that includes the applicant's name and date of birth.
- (b) A document submitted under this subdivision must contain security features that make the document as impervious to alteration as is reasonably practicable in its design and quality of material and technology.
- (c) Submission of more than one primary document is not required under this subdivision.

APPENDIX
Repealed Minnesota Statutes: H3436-2

Subd. 11. **Noncompliant license or identification card; secondary documents.** (a) For purposes of a noncompliant driver's license or identification card, a secondary document under Minnesota Rules, part 7410.0400, subpart 3, or successor rules, includes:

- (1) a second primary document listed under subdivision 10, paragraph (a);
 - (2) a notice of action on or proof of submission of a completed Application for Asylum and for Withholding of Removal issued by the United States Department of Homeland Security, Form I-589;
 - (3) a Certificate of Eligibility for Nonimmigrant Student Status issued by the United States Department of Homeland Security, Form I-20;
 - (4) a Certificate of Eligibility for Exchange Visitor Status issued by the United States Department of State, Form DS-2019;
 - (5) a Deferred Action for Childhood Arrival approval notice issued by the United States Department of Homeland Security;
 - (6) an employment authorization document issued by the United States Department of Homeland Security, Form I-688, Form I-688A, Form I-688B, or Form I-766;
 - (7) a document issued by the Internal Revenue Service with an individual taxpayer identification number;
 - (8) a Social Security card;
 - (9) a Supplemental Security Income award statement issued no more than 12 months before the application;
 - (10) an unexpired Selective Service card;
 - (11) military orders that are still in effect at the time of application;
 - (12) a Minnesota unemployment insurance benefit statement issued no more than 90 days before the application;
 - (13) a valid identification card for health benefits or an assistance or social services program;
 - (14) a Minnesota vehicle certificate of title issued no more than 12 months before the application;
 - (15) mortgage documents for the applicant's residence;
 - (16) a filed property deed or title for the applicant's residence;
 - (17) a Minnesota property tax statement for the current or prior calendar year, or a proposed Minnesota property tax notice for the current year, that shows the applicant's principal residential address both on the mailing portion and the portion stating what property is being taxed;
 - (18) a certified copy of a divorce decree or dissolution of marriage that specifies the applicant's name or name change, issued by a court; and
 - (19) any of the following documents issued by a foreign jurisdiction:
 - (i) a driver's license that is current or has been expired for five years or less;
 - (ii) a high school, college, or university student identification card with a certified transcript from the school;
 - (iii) an official high school, college, or university transcript that includes the applicant's date of birth and a photograph of the applicant at the age the record was issued;
 - (iv) a federal electoral card issued on or after January 1, 1991, that contains the applicant's photograph;
 - (v) a certified copy of the applicant's certificate of marriage; and
 - (vi) a certified copy of a court order or judgment from a court of competent jurisdiction that contains the applicant's name and date of birth.
- (b) Submission of more than one secondary document is not required under this subdivision.

171.0605 EVIDENCE OF IDENTITY AND LAWFUL PRESENCE.

Subd. 4. **Evidence; Social Security number.** The following is satisfactory evidence of an applicant's Social Security number or related documentation under section 171.06, subdivision 3, paragraph (b):

- (1) a Social Security card;
- (2) if a Social Security card is not available:
 - (i) a federal Form W-2;
 - (ii) a federal Form SSA-1099 or other federal Form 1099 having the applicant's Social Security number; or
 - (iii) a computer-printed United States employment pay stub with the applicant's name, address, and Social Security number; or
- (3) for an applicant who provides a passport under subdivision 2, paragraph (a), clause (9), documentation demonstrating nonwork authorized status.

174.22 DEFINITIONS.

Subd. 5. **Operating deficit.** "Operating deficit" means the amount by which the total prudent operating expenses incurred in the operation of the public transit system exceeds the amount of operating revenue derived from the system.

Subd. 15. **Urbanized area service.** "Urbanized area service" means a transportation service operating in an urban area of more than 50,000 persons but does not include elderly and disabled service, as defined in subdivision 2b.

174.23 GENERAL POWERS AND DUTIES.

Subd. 7. **Rulemaking; total operating cost.** The commissioner shall by rule define "total operating cost" as the term is used in carrying out the purposes of section 174.24. "Total operating cost" may include provisions for a fee for service. The commissioner shall consult with eligible recipients to the maximum extent feasible in formulating these rules and develop necessary and reasonable changes in cost and fee allowability provisions and financial examination procedures where possible. The rules are subject to the provisions in the Administrative Procedure Act of sections 14.001 to 14.69.

221.033 REGULATION OF HAZARDOUS MATERIALS.

Subd. 2c. **Age of petroleum tank truck driver.** A driver of a motorized tank truck vehicle having a capacity of less than 3,500 gallons, who is engaged in the intrastate transportation of petroleum products, must be at least 18 years of age.

7411.7600 REQUIREMENTS FOR APPROVAL AND OPERATION.

Subp. 3. **Course length restrictions.** The course of study may not be less than a total of eight hours, with no more than four hours of instruction required in a 24-hour period.

8835.0110 DEFINITIONS.

Subpart 1. **Scope.** The terms used in this chapter have the meanings given them in this part.

Subp. 1a. **Applicant.** "Applicant" means an entity that is eligible under Minnesota Statutes, section 174.24, subdivision 2, for financial assistance for a new or existing public transit system.

Subp. 6. **Cost reimbursement contract.** "Cost reimbursement contract" means a contract providing for payment to the contractor of allowable costs incurred in the performance of the contract, to the extent prescribed in the contract.

Subp. 7. **Department.** "Department" means the Department of Transportation.

Subp. 10. **Financial assistance.** "Financial assistance" means state funds paid to a recipient in accordance with the public transit participation program established under Minnesota Statutes, section 174.24.

Subp. 11a. **Greater Minnesota.** "Greater Minnesota" has the meaning given in Minnesota Statutes, section 116O.02, subdivision 5.

Subp. 12a. **Local share.** "Local share" means the percentage of total operating costs paid by a recipient according to the distribution classifications in Minnesota Statutes, section 174.24, subdivision 3b, and the percentage of capital costs paid by a recipient according to part 8835.0320.

Subp. 12b. **Local source.** "Local source" has the meaning given it in Minnesota Statutes, section 174.24, subdivision 3b.

Subp. 13a. **Management plan.** "Management plan" means a description of all the elements of a proposed public transit system, as required by part 8835.0260.

Subp. 14a. **Passenger trip.** "Passenger trip" means a one-way movement of a person between two points. Each time a passenger boards a transit vehicle counts as one passenger trip.

Subp. 15. **Public transit or transit.** "Public transit" or "transit" has the meaning given it in Minnesota Statutes, section 174.22, subdivision 7.

Subp. 15a. **Public transit participation program.** "Public transit participation program" means the department's program for providing financial assistance for public transit services in greater Minnesota under Minnesota Statutes, section 174.24.

Subp. 16. **Reasonable cost.** "Reasonable cost" means a price for a commodity or service which, in its nature or amount, does not exceed that which would be incurred by an ordinarily prudent person in the conduct of competitive business.

Subp. 17. **Regional Development Commission.** "Regional Development Commission" has the meaning given it in Minnesota Statutes, section 462.384, subdivision 4.

Subp. 18. **Revenue.** "Revenue" means sources of income.

Subp. 19. **Total operating cost.** "Total operating cost" means the categories of allowable expenses provided in part 8835.0280.

8835.0210 STATUTORY AUTHORITY.

This chapter is adopted pursuant to Minnesota Statutes, section 174.23, subdivisions 2 and 7.

8835.0220 PURPOSE.

The purpose of this chapter is to establish the procedures and standards for review and approval of applications for financial assistance under the public transit participation program in Minnesota Statutes, section 174.24, and to define "total operating cost" as the term is used in carrying out the public transit participation program.

8835.0230 SCOPE.

This chapter applies to applicants for financial assistance under the public transit participation program established by Minnesota Statutes, section 174.24.

8835.0240 ADMINISTRATION OF PUBLIC TRANSIT PARTICIPATION PROGRAM.

The Office of Transit shall administer the public transit participation program as provided by Minnesota Statutes, section 174.23, subdivision 8. The Office of Transit shall allocate:

- A. operating assistance to public transit systems according to the distribution classifications in Minnesota Statutes, section 174.24, subdivision 3b; and
- B. nonoperating or capital assistance to public transit systems according to the discretion provided to the commissioner by Minnesota Statutes, section 174.24, subdivision 3c, and according to part 8835.0320.

The Office of Transit shall make payments of financial assistance by a contract between the department and a recipient as required by Minnesota Statutes, section 174.24, subdivision 3.

8835.0250 APPLICATION FOR FINANCIAL ASSISTANCE.

Subpart 1. **Who may apply.** An applicant may apply for financial assistance under the public transit participation program to provide public transit in greater Minnesota.

Subp. 2. **Public transit.** Public transit includes a single service or a combination of services, such as route deviations, fixed route, flexible fixed route, demand-response/dial-a-ride, rideshare, subscription, volunteer driver services, and other services that meet the needs of individual transit systems to the extent they are consistent with Minnesota Statutes, section 174.21. A public transit system must be available and accessible to the general public.

Subp. 3. **Submission; deadline.** An applicant shall request financial assistance using an application prescribed by the department. The department shall establish a deadline for submission of applications for financial assistance and shall provide adequate notice of the deadline to applicants. A complete application contains a management plan, a resolution from the applicant's governing body, and other forms and certifications required by federal or state law or regulation.

Subp. 4. **Additional review.** In addition to submitting an application to the department, an applicant shall submit an application for review and approval as provided in Minnesota Statutes, section 174.23, subdivision 2.

Subp. 5. **Resolution.** An applicant shall submit with the application a resolution by the governing body that:

- A. resolves to provide public transit;
- B. indicates the person or persons authorized by title to execute a contract with the department and all amendments to the contract; and
- C. authorizes funds for the local share of financial assistance, if applicable.

8835.0260 MANAGEMENT PLAN.

Subpart 1. **Submission in application.** An applicant shall submit a management plan as part of its application for financial assistance.

Subp. 2. **Contents.** The management plan must include the following information:

A. a service plan that describes the levels of service to be provided during the contract period, including a discussion of service area and general population, type or types of service, vehicle descriptions, days and hours of service, service schedules, contract services, and route maps;

B. a description of unmet service needs;

C. a financial plan, including:

(1) a general narrative that supports and explains the budget;

(2) a detailed narrative for each line item in the budget, including increases;

(3) actual statistics on operating expenses and operating revenues for the most recent calendar years;

(4) anticipated statistics on operating expenses and operating revenues for the new contract period;

(5) actual statistics on miles and hours of service and passenger trips for the most recent calendar year; and

(6) anticipated statistics on miles and hours of service and passenger trips for the new contract period;

D. a coordination and marketing plan, including costs and benefits of major elements;

E. a capital plan that describes the major capital assets of the transit system with an outline of how they will be maintained, improved, or replaced;

F. a description of revenue-producing contracts relating to the transit services provided by or for the applicant;

G. a description of expense contracts for services and goods procured by the transit system;

H. a description of the participating public transit system's vehicle maintenance program for the period of financial assistance;

I. a description of the organizational structure established to direct, control, review, and implement the management plan;

J. a description of measurable goals and objectives for the transit system, illustrating the benefits expected to be realized by the investment of state financial assistance;

K. a description of the fare structure of the public transit system;

L. a listing of transit and paratransit systems and their union affiliations currently operating in the applicant's area, and a description of existing or potential coordination with these systems;

M. a description of the transit system's safety and training policies, including its driver selection process;

N. a description of the proposed insurance carrier and the limits of coverage;

O. a description of the internal controls policy for the collection and deposit of fares;

P. a copy of the transit system's most recent drug and alcohol policy as approved by the local recipient's governing body;

Q. all third party contracts relating to transit operations; and

R. a copy of the governing body's third-party contract procurement policy.

Subp. 3. **Incorporation into contract.** The department shall incorporate an approved management plan into the financial assistance contract between the department and the recipient, as provided in part 8835.0330. The department shall approve a management plan after it determines the financial assistance according to part 8835.0270.

8835.0265 THIRD-PARTY CONTRACT FOR OPERATING SERVICES.

A recipient shall include a copy of the third-party contract procurement policy of its governing body in the management plan required in part 8835.0260. A third-party contract for operating services must contain all relevant terms contained in the financial assistance contract between the recipient and the department. The recipient is responsible for third-party contractor compliance with local, state, and federal laws, rules, and regulations. A third-party contract must be available for audit according to part 8835.0350, subpart 3. Before a recipient awards a third-party contract for operating services, the department shall review the third-party contract for compliance with the terms of the financial assistance contract between the department and the recipient.

8835.0270 FINANCIAL ASSISTANCE.

Subpart 1. **Allocation priorities.** The department shall allocate financial assistance to recipients for purposes of the public transit participation program according to the following order of priority:

A. first priority: operating costs for existing public transit systems;

B. second priority: capital costs for existing public transit systems; and

C. third priority: operating and capital costs for the provision of public transit services in a community or area not currently served by public transit.

Subp. 2. **Determination of financial assistance.** To determine financial assistance, the department shall review an applicant's management plan and evaluate the proposed public transit system by considering:

A. the degree to which the proposed system meets the objectives of the public transit participation program;

B. the accessibility of the proposed system to the general public, including persons with disabilities;

C. the amount of local government and community support for the proposed system;

D. the plan for continuation of the proposed system after the first year; and

E. the plan for coordination of transit services in the geographical area.

The department shall evaluate the budget, service delivery and design, and administration of a public transit system. The department shall compare the past performance of a transit system to its current performance and to the performance of other similar transit systems. To measure the performance of a public transit system, the department shall consider cost efficiency, cost-effectiveness, service effectiveness, and quality.

Subp. 3. **Approval of management plan.** The department shall approve a management plan for incorporation into a financial assistance contract after determining the reasonable costs of the proposed public transit system.

8835.0275 DETERMINING FINANCIAL ASSISTANCE; EXPENSE CATEGORIES.

In determining the total operating costs of a public transit system, upon which financial assistance is based, part 8835.0290 and the definitions of expense categories in part 8835.0280 apply and have the meanings given them.

8835.0280 TOTAL OPERATING COST.

Subpart 1. **Definition.** "Total operating cost" means the categories of allowable expenses provided in subparts 2 to 7. The total operating cost is subject to the audit provisions of part 8835.0350, subpart 3.

Subp. 2. **Personnel services expense.** The "personnel services" expense category includes:

A. administrative, management, and supervisory services, which are the amount paid to transit system employees classified as managers, supervisors, coordinators, or administrators and for which the amounts claimed by employees must be supported by daily time distribution records or a cost allocation plan that is supported by the applicant and approved by the department as part of the management plan;

B. operators' wages, which are the total amount paid to transit system employees classified as vehicle operators and for which the amounts claimed by employees must be supported by daily time distribution records;

C. maintenance and repair wages, which are the labor charges incurred in the performance of maintenance and repair of vehicles and other property required for the operation of the transit system, including only wages of maintenance personnel employed by the transit system, and for which the amounts claimed by employees must be supported by daily time distribution records;

D. other direct wages, which are the amount paid to transit system employees not classified as operators, maintenance, or administrative personnel, such as dispatchers, bookkeepers, clerical personnel, janitors, and security personnel, and for which the amounts claimed by employees must be supported by daily time distribution records;

E. indirect labor charges, which are the amount to be allocated to the transit contract for labor that is not traceable to a specific transit activity but which benefits the transit operation and which must be based on a cost allocation plan approved by the department; and

F. fringe benefits, which are the cost of providing fringe benefits for active and retired transit system employees, including pension benefits, vacation and sick leave benefits, social security taxes, workers' compensation insurance, unemployment insurance, life insurance, and first party medical coverage, and which may be allocated indirectly based on a cost allocation plan approved by the department.

Subp. 3. **Administrative charges expense.** The "administrative charges" expense category includes:

A. management fees, which are the amount paid for professional services provided by a management service company engaged contractually to provide operating management to the transit system;

B. tariffs and traffic expenses, which are any necessary tariff filing fees and costs for the procurement of tickets, tokens, and transfers;

C. advertising, marketing, and promotional charges, including the necessary cost of advertising and promoting the transit system;

D. legal, auditing, and other professional fees rendered by individuals or firms, other than transit system employees, for the purpose of maintaining continuing operations of the transit system, including:

APPENDIX
Repealed Minnesota Rules: H3436-2

(1) attorney fees and expenses, court costs, witness fees, and fees for accounting and auditing services, such as accident claims, defending workers' compensation claims, or other items directly related to the management plan and approved by the department; and

(2) fees paid for planning, engineering, or other consultant services that are directly related to the management plan approved by the department;

E. security costs, which are the costs necessary to provide armored car services, patrol services, and electronic surveillance for vehicles, stations, yards, and buildings to detect and prevent criminal activity, fires, and unsafe conditions, when the patrolling is performed by an outside security agency and not by transit system employees;

F. office supplies expense, which is the cost of office supplies and materials and printing and photocopying charges solely attributable to and necessary for the operation of the transit system;

G. lease and rental costs of administrative facilities used for performing the general administrative functions of the transit system, including leases and rentals of such items as land, buildings, office equipment, and furnishings;

H. utilities expense, which is the cost of utilities such as gas, electricity, water, telephone and other communications services, and trash collection;

I. other direct administrative charges, including administrative charges necessary for the continuing operation of the transit system, such as mileage reimbursement for transit support vehicles, approved conference fees, employee travel expenses, employee development, driver's training, approved membership fees for transit associations if the cost of membership is reasonably related to the value of the services or benefits received, and subscriptions to transit publications; and

J. indirect administrative charges, which are the amount allocated to the transit contract for administrative services not traceable to a specific transit activity but which benefit the transit operation and which must be based on a cost allocation plan approved by the department.

For purposes of item I, mileage reimbursement must be based on a rate approved by the local governing body, as long as the rate is reasonable and consistent with similar rates approved by the local governing body.

Subp. 4. **Vehicle charges expense.** The "vehicle charges" expense category applies to vehicles owned or leased by the public transit system and includes:

A. fuel and lubricants expense, including net costs of gasoline, diesel, and alternative fuels and costs of antifreeze, propane, lubricating oil, transmission fluid, and grease used by revenue and service vehicles;

B. maintenance and repair material expense, including costs of parts, materials, and supplies used in the maintenance and repair of revenue and service equipment;

C. contract service maintenance labor expense, which is the cost of labor for maintenance and repair service provided by persons other than transit system employees;

D. tire expense, which is the cost of tires and tubes used on revenue and service equipment including the cost of recapping or regrooving and the rental costs for tires and tubes; and

E. other vehicle charges, including the costs of:

(1) first aid equipment, fire extinguishers, and other emergency equipment required for vehicles; and

(2) noncapitalized vehicle improvements that do not remake a vehicle or appreciably extend its useful life and that have received approval from the department.

Subp. 5. **Operations charges expense.** The "operations charges" expense category includes:

A. purchase of service, which is the cost of having a subcontractor operate the project service, with cost established:

(1) through competitive bidding procedures, except for those recipients covered under Minnesota Statutes, chapter 221;

(2) through a negotiated contract with the prime contractor in bid situations when only one bid is received; or

(3) through a negotiated subcontract in a nonbid situation;

B. depreciation, which is the amount of depreciation or use allowance on depreciable items such as structures, revenue equipment, service vehicles and equipment, and office furniture and equipment and is the amount allowed based on a company's existing depreciation schedule or, if a schedule does not already exist, a depreciation schedule submitted to and approved by the department, but which may not be charged for items purchased, totally or in part, with state or federal funds;

C. mileage reimbursement for passenger service, including the cost of volunteer driver reimbursement for projects incorporating this type of service, as well as mileage reimbursement for transit personnel using private vehicles for emergency replacement passenger transport in the event of mechanical breakdown of transit vehicles;

D. repair and maintenance of other property, including material costs associated with the upkeep and repair of buildings and stations, grounds, nonrevenue equipment owned or leased by the transit company, and miscellaneous expenses such as small tool replacement, and supplies used for cleaning and for general shop and garage purposes;

E. leases and rentals of facilities or equipment used in the operation of the transit system, including leases and rentals of garages, depots, passenger vehicles, service vehicles, passenger stations, communication equipment, and computers, with allowability based on the reasonableness of rates and the presence of evidence that the lease will not give rise to material equity in the property; and

F. other operations charges, including the cost of such things as the purchase or rental and cleaning of uniforms, tools and equipment, sanding and snowplow operations, passenger amenities, and station agents and which may be allocated indirectly based on a cost allocation plan approved by the department.

For purposes of item C, mileage reimbursement must be based on a rate approved by the local governing body, as long as the rate is reasonable and consistent with similar rates approved by the local governing body.

Subp. 6. **Insurance charges expense.** The "insurance charges" expense category includes:

A. public liability and property damage insurance expense on vehicles, including premiums paid to insure the transit system against loss through damage to its own property and to indemnify the transit system and all financial and operational participants against loss from liability for its acts that cause damage to the person or property of others; and

B. public liability and property damage insurance charges other than on vehicles, including excess liability insurance, baggage and express insurance, and fire and theft insurance.

Subp. 7. **Taxes and fees expense.** The "taxes and fees" expense category includes:

A. vehicle registration and permit fees on vehicles; and

B. other taxes and fees, including applicable real estate, property, and sales taxes.

8835.0290 UNALLOWABLE EXPENSES.

Subpart 1. **Scope.** In determining the total operating costs of a public transit system, upon which financial assistance is based, the definitions of unallowable expenses in subparts 2 to 8 apply and have the meanings given them.

Subp. 2. **General purpose equipment.** Expenditures for general purpose equipment are unallowable as operating costs. "General purpose equipment" means equipment that is used for other than transit contract purposes, such as communications equipment, office equipment and furnishings, air conditioning equipment, reproduction and printing equipment, and computers and related equipment.

Subp. 3. **Interest and other financial costs.** Interest on borrowing (however represented), bond discounts, cost of financing and refinancing operations, and legal and professional fees paid in connection with these costs are unallowable.

Subp. 4. **Fines and penalties.** Costs resulting from violations of, or failure to comply with federal, state, or local laws and regulations are unallowable.

Subp. 5. **Contingencies.** Contributions to a contingency reserve or any similar provision for unseen events are unallowable.

Subp. 6. **Bad debts.** Any losses arising from uncollectible accounts, other claims, and related costs are unallowable.

Subp. 7. **Donations and entertainment expense.** Contributions and donations are unallowable as are any entertainment expenses.

Subp. 8. **Unrelated costs.** Costs that are not directly related to the provision of public transit are unallowable.

8835.0310 REVENUE CATEGORIES.

Subpart 1. **Operating revenue categories; local sources.** In determining the local sources of funds that may comprise the fixed percentage of total operating costs to be paid by a recipient in accordance with the distribution classifications in Minnesota Statutes, sections 174.24, subdivision 3b, the definitions of revenue categories in subparts 2 to 7 apply and have the meanings given them.

Subp. 2. **Passenger fare.** "Passenger fare" means revenue earned from transporting passengers on the public transit system, including a cash fare, a donation received instead of a set fare, and an advance fare received from the sale of a coupon, token, or pass.

Subp. 3. **Contract revenue.** "Contract revenue" means revenue received from a contract with a beneficiary of a specific transit service. Contract revenue includes:

A. an amount paid by an organization for a special route guarantee; and

B. revenue earned for a ride given in regular transit service but paid for by an organization, including a state or local social service agency or a private social service organization, for the benefit of the rider.

Subp. 4. **School revenue.** "School revenue" means revenue earned from service provided under a contract with a school district, including an amount paid for transporting school children on regularly scheduled service, and an amount paid by a college or university for operating a transit vehicle on or between campuses.

Subp. 5. **Charter revenue.** "Charter revenue" includes reimbursement for charter service received in association with publicly funded transit service, providing that charter service rates are developed so that cost recovery equals or exceeds the full cost of providing the charter service.

Subp. 6. **Auxiliary revenue.** "Auxiliary revenue" means revenue earned from an activity closely associated with the transit operation, including revenue received from an advertising service, delivery, a lease, and station and vehicle concessions.

Subp. 7. **Other financial assistance.** "Other financial assistance" includes revenue earned from an activity not associated with the provision of the recipient's transit service but which is applied to help cover the system's costs, including tax levies, a federal cash grant, senior citizen fare assistance, investment income, and any general donation.

8835.0320 CAPITAL ASSISTANCE.

Subpart 1. **Budget.** An applicant seeking financial assistance for capital costs shall include in its budget a description of the vehicle, facility, or equipment desired, its cost and the reason for the request.

Subp. 2. **Criteria.** The department shall use the following criteria to evaluate requests for capital assistance:

A. the extent to which the request maintains public transit services, promotes safety, and promotes efficient operations;

B. the extent to which accessibility is enhanced; and

C. the availability of local share money.

Subp. 3. **Allocation formula.** The department shall determine the amount of capital assistance for the public transit participation program according to the discretion provided to the commissioner in Minnesota Statutes, section 174.24, subdivision 3c. Except as provided in subparts 4 and 5, the department shall fund 80 percent of the capital costs approved by the department under the public transit participation program. The recipient shall provide the remaining 20 percent of the approved capital costs from local sources.

Subp. 4. **Program deviation from allocation formula.** Under the discretion provided to the commissioner in Minnesota Statutes, section 174.24, subdivision 3c, the department may establish a capital assistance allocation formula that deviates from the formula established in subpart 3. In setting this formula, the department must consider all relevant conditions relating to funding the public transit participation program.

Subp. 5. **Individual exception to allocation formula.** The department may deviate from the capital assistance allocation formula for an exceptional circumstance. A recipient that seeks capital assistance from the public transit participation program in an amount greater than the allocation formula, established under subpart 3 or 4, must make a written request to the department that includes:

A. a detailed description of the exceptional circumstance that is the basis of the written request; and

B. a resolution from the governing body that the request is due to an exceptional circumstance.

The department shall consider a request for an individual exception to the allocation formula after assessing the nature of the exceptional circumstance, balancing the request against other requests from recipients for capital assistance, and considering the assurance provided by the governing body that the circumstance that gave rise to the request is exceptional.

Subp. 6. **Vehicle replacement or disposition.** The department shall determine financial assistance to a public transit system to replace, refurbish, or dispose of a vehicle based on the condition of the vehicle and the availability of funds.

Subp. 7. **Contract.** The financial assistance contract between the department and the recipient must specify the maximum amount of capital assistance to be allocated to the

recipient and the terms and conditions of assistance. The department shall determine the actual amount of capital assistance based on the availability of funds.

8835.0330 CONTRACT FOR FINANCIAL ASSISTANCE.

Subpart 1. **Content.** The financial assistance contract is a cost reimbursement contract that is based on the total operating cost in part 8835.0280. The contract must specify the maximum amount of financial assistance to be awarded to the recipient by the department and state the terms and conditions of assistance. The management plan must be incorporated into the contract as a legal part of the contract document. A resolution by the governing body, as provided in part 8835.0250, subpart 5, must be included with the contract.

Subp. 3. **Penalties.** If a recipient fails to comply with the terms and conditions of the contract, the department may withhold payment at any time or may terminate the financial assistance contract upon 30 days' written notice.

Subp. 4. **Amendments.** A recipient or the department may initiate an amendment to the contract. Before implementation, an amendment must be fully executed by the parties to the original contract, or their successors.

8835.0350 FINANCIAL RECORDS.

Subpart 1. **Records.** A recipient and any third party contractor shall maintain their financial records in accordance with generally accepted accounting principles. The records must permit audit verification of transit cost allocations claimed during the contract period. The recipient and any third party contractor also shall keep records on miles and hours of service and passenger trips. Records must be kept available for a period of six years from the date of final payment or the expiration date of the contract, whichever occurs first.

Subp. 3. **Audits.** The financial records of the recipient must be audited. They may be audited by the department or the department may accept all or part of the audit of an independent auditor instead of a departmental audit if the audit meets department standards. In addition to chapter 8835, department audits must be based on the contract cost principles and procedures in Code of Federal Regulations, title 48, chapter 1, part 31, and Office of Management and Budget Circular, Number A-87 and Number A-122, as amended. The financial records of a subcontractor may be audited at the department's discretion. The department shall submit year-end financial statements to the department auditor by April 15 of the year following the period covered by the financial assistance contract. Audits at the end of a contract period must establish approved total operating costs. New recipients are subject to a preaward audit before contract execution and fund encumbrance. As provided by Minnesota Statutes, section 16C.05, subdivision 5, the records, books, documents, and accounting practices of the recipient and of any third party contractor relating to the contract are subject to audit and examination by the department and the legislative auditor during working hours. If the department determines it has overpaid a recipient on a previous contract, the department may reduce payments under the current contract by the amount of overpayment.

Subp. 4. **Project monitoring.** The department shall use the management plan required under part 8835.0260 as a basis for monitoring and evaluating the performance of the public transit system during the contract period. Public transit policy decisions made by the recipient and actions taken during the contract period must conform with the management plan. A proposed deviation from the management plan must be reported to the department and approval secured in writing before implementation. Approval will be granted if it is clearly documented that the proposed deviation will not increase overall project costs. Failure to secure approval jeopardizes continued financial assistance.

Subp. 5. **Reserve account.** If a public transit system generates operating revenue in excess of the recipient's local share amount, the recipient shall deposit the excess into a reserve account to be used for approved operating expenses that are not covered by the contract or for part of the local share of capital expenses of the transit system. The recipient

APPENDIX
Repealed Minnesota Rules: H3436-2

shall report this revenue and expenses charged against it to the department on reporting forms provided by the department.