

A bill for an act

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

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

Section 1. **[160.2755] PROHIBITED ACTIVITIES AT REST AREAS.**

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

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

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

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

(4) consume alcoholic beverages or possess open containers of alcoholic beverages, except in accordance with section 169A.35, subdivision 6;

(5) remain for a period of over six hours, except (i) as provided under section 160.2721, and (ii) for an employee who is working at the rest area;

(6) make arrangements for camping at the rest area; or

(7) allow a motor vehicle or trailer to remain unattended, when no member of a party or group travelling in association with the motor vehicle or trailer is also present at the rest area.

Subd. 2. **Penalty.** Violation of this section is a petty misdemeanor, except that violation of subdivision 1, clause (4), is a misdemeanor.

Sec. 2. Minnesota Statutes 2008, section 161.14, subdivision 62, as added by Laws 2009, chapter 18, section 1, is amended to read:

Subd. 62. **Clearwater County Veterans Memorial Highway.** (a) The following described route is designated the "Clearwater County Veterans Memorial Highway": that portion of Legislative Route No. 168, marked on the effective date of this section as Trunk Highway 200, from its intersection with Clearwater County State-Aid Highway ~~37~~39 to its intersection with Legislative Route No. 169, marked on the effective date of this section as Trunk Highway 92; and that portion of Route No. 169 to its intersection with Clearwater County State-Aid Highway 5.

(b) The commissioner shall adopt a suitable marking design to mark this highway and erect appropriate signs, subject to section 161.139.

Sec. 3. Minnesota Statutes 2008, section 161.14, is amended by adding a subdivision to read:

Subd. 63. **Veterans Memorial Highway.** Legislative Route No. 31, signed as Trunk Highway 200 as of the effective date of this section, from the border with North Dakota to the city of Mahanomen, is designated as the "Veterans Memorial Highway." The commissioner shall adopt a suitable design to mark this highway and erect appropriate signs, subject to section 161.139.

Sec. 4. Minnesota Statutes 2008, section 161.14, is amended by adding a subdivision to read:

Subd. 64. **Becker County Veterans Memorial Highway.** Marked Trunk Highway 34, from its intersection with Washington Avenue in Detroit Lakes to its intersection with County State-Aid Highway 39; and marked Trunk Highway 87, from its intersection with County State-Aid Highway 33 to its intersection with County State-Aid Highway 39, is named and designated the "Becker County Veterans Memorial Highway." Subject to section 161.139, the commissioner shall adopt a suitable marking design to mark this highway and erect appropriate signs.

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

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

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

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

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

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

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

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

~~expires January 1, 2012. The commissioner shall appoint an individual as successor to the corporation as a deputy registrar. The commissioner shall appoint as the successor agent to a corporation whose appointment expires under this paragraph an officer of the corporation if the officer applies for appointment before July 1, 2012.~~

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

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

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

Sec. 6. Minnesota Statutes 2008, section 169.011, is amended by adding a subdivision to read:

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

(b) A mini truck does not include:

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

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

Sec. 7. Minnesota Statutes 2008, section 169.045, is amended to read:

169.045 SPECIAL VEHICLE USE ON ROADWAY.

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

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

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

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

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

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

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

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

Sec. 8. Minnesota Statutes 2008, section 169.045, is amended by adding a subdivision to read:

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

- (1) at least two headlamps;
- (2) at least two taillamps;
- (3) front and rear turn-signal lamps;
- (4) an exterior mirror mounted on the driver's side of the vehicle and either (i) an exterior mirror mounted on the passenger's side of the vehicle or (ii) an interior mirror;
- (5) a windshield;
- (6) a seat belt for the driver and front passenger; and
- (7) a parking brake.

Sec. 9. Minnesota Statutes 2008, section 169.15, is amended to read:

169.15 IMPEDING TRAFFIC; INTERSECTION GRIDLOCK.

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

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

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

Sec. 10. Minnesota Statutes 2008, section 169.306, is amended to read:

169.306 USE OF SHOULDERS BY BUSES.

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

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

(c) Buses authorized to use the shoulder under this section may be operated on the shoulder only when main-line traffic speeds are less than 35 miles per hour. Drivers of buses being operated on the shoulder may not exceed the speed of main-line traffic by more than 15 miles per hour and may never exceed 35 miles per hour. Drivers of buses being operated on the shoulder must yield to merging, entering, and exiting traffic and

must yield to other vehicles on the shoulder. Buses operated on the shoulder must be registered with the Department of Transportation.

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

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

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

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

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

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

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

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

(i) sun visors and;

(ii) rearview mirrors;

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

(iv) electronic toll collection devices; or

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

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

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

Sec. 12. Minnesota Statutes 2008, section 171.12, subdivision 6, is amended to read:

Subd. 6. **Certain convictions not recorded.** (a) Except as provided in paragraph (b), the department shall not keep on the record of a driver any conviction for a violation of a speed limit of 55 or 60 miles per hour unless the violation consisted of a speed greater than ten miles per hour in excess of ~~a 55 miles per hour the speed limit, or more than five miles per hour in excess of a 60 miles per hour speed limit.~~

(b) This subdivision does not apply to (1) a violation that occurs in a commercial motor vehicle, or (2) a violation committed by a holder of a class A, B, or C commercial

9.1 driver's license, without regard to whether the violation was committed in a commercial
9.2 motor vehicle or another vehicle.

9.3 Sec. 13. **[171.163] COMMERCIAL DRIVER'S LICENSE RECORD KEEPING.**

9.4 An agency, court, or public official in Minnesota shall not mask, defer imposition of
9.5 judgment, or allow an individual to enter into a diversion program that would prevent a
9.6 conviction for a violation of a state or local traffic control law, except a parking violation,
9.7 from appearing on the driving record of a holder of a commercial driver's license, when
9.8 the violation is committed in any type of motor vehicle, or on the driving record of an
9.9 individual who committed the violation in a commercial motor vehicle.

9.10 Sec. 14. **[174.632] PASSENGER RAIL; COMMISSIONER'S DUTIES.**

9.11 If the commissioner undertakes planning, design, construction, operation, or
9.12 maintenance of passenger rail, the commissioner shall preserve all railroad employee
9.13 rights under the Railway Labor Act, Federal Employers Liability Act, and Railroad
9.14 Retirement and Unemployment Insurance Act, and federal railroad safety, occupational
9.15 safety, and health laws.

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

9.17 Sec. 15. Minnesota Statutes 2008, section 174.86, subdivision 5, is amended to read:

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

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

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

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

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

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

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

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

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

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

Sec. 16. Minnesota Statutes 2008, section 221.012, is amended by adding a subdivision to read:

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

Sec. 17. Minnesota Statutes 2008, section 221.012, subdivision 38, is amended to read:

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

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

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

Sec. 18. Minnesota Statutes 2008, section 221.0252, is amended by adding a subdivision to read:

Subd. 8. **Motor carrier of railroad employees.** (a) A motor carrier of railroad employees must meet the requirements specified in this subdivision.

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

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

11.4 (2) submit to a physical examination.

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

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

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

11.9 (3) handling emergency situations;

11.10 (4) proper use of seat belts;

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

11.13 (6) proper maintenance of required records.

11.14 (d) The carrier must:

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

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

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

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

11.21 (5) maintain uninsured and underinsured coverage in a minimum amount of
11.22 \$1,000,000.

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

11.27 (e) A person who sustains a conviction of violating section 169A.25, 169A.26,
11.28 169A.27, or 169A.31, or whose driver's license is revoked under sections 169A.50 to
11.29 169A.53 of the implied consent law, or who is convicted of or whose driver's license is
11.30 revoked under a similar statute or ordinance of another state, may not operate a vehicle
11.31 under this subdivision for five years from the date of conviction. A person who sustains a
11.32 conviction of a moving offense in violation of chapter 169 within three years of the first
11.33 of three other moving offenses may not operate a vehicle under this subdivision for one
11.34 year from the date of the last conviction. A person who has ever been convicted of a
11.35 disqualifying offense as defined in section 171.3215, subdivision 1, paragraph (c), may
11.36 not operate a vehicle under this subdivision.

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

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

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

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

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

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

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

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

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

Sec. 19. [299C.563] LIFESAVER PROGRAM.

Subdivision 1. **Program assistance.** The commissioner of public safety shall assist local law enforcement agencies with the development and implementation of lifesaver rapid response programs designed to quickly find individuals with medical conditions that cause wandering and result in many of these individuals becoming lost

and missing. The search and rescue program must electronically track a lost or missing vulnerable senior citizen or an individual who is mentally impaired due to autism, Down Syndrome, Alzheimer's disease, or other mental impairment that causes wandering. The lifesaver program participant wears a small transmitter on the wrist to allow the local law enforcement agency to electronically locate the participant, if necessary, using a radio receiver. The commissioner shall promote the lifesaver program throughout the state and serve as liaison to lifesaver programs developed and implemented by local law enforcement agencies.

Subd. 2. **Lifesaver advisory task force.** (a) The commissioner of public safety shall convene a voluntary lifesaver advisory task force to facilitate the development and implementation of lifesaver programs by local law enforcement agencies. The commissioner shall appoint at least five persons from various geographic areas of the state to the voluntary task force. The task force must be composed of at least one member experienced in an area of mental impairment, one member experienced in the area of law enforcement, and one member experienced in the development of a lifesaver or similar program. Members serve without compensation at the pleasure of the commissioner.

(b) The voluntary task force expires June 30, 2013.

Subd. 3. **Report to legislature.** The commissioner shall report to the house of representatives and senate committees having jurisdiction over public safety by January 15, 2012, on the effectiveness of lifesaver programs developed and implemented by local law enforcement agencies.

Sec. 20. Minnesota Statutes 2008, section 473.167, subdivision 2a, is amended to read:

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

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

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

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

14.4 (3) the owner is unable to sell the homestead property at its appraised market
14.5 value because the property is located in a proposed state trunk highway right-of-way or
14.6 project as indicated on an official map or plat adopted under section 160.085, 394.361, or
14.7 462.359; and

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

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

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

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

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

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

14.26 Sec. 21. Laws 2008, chapter 287, article 1, section 122, is amended to read:

14.27 Sec. 122. **NULLIFICATION OF EXPEDITED TOWN ROAD**
14.28 **EXTINGUISHMENT.**

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

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

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

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

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

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

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

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

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

Sec. 22. **TRUNK HIGHWAY 19 CLOSURE IN NEW PRAGUE.**

The commissioner of transportation shall annually authorize the city of New Prague to close Route No. 100, signed as Trunk Highway 19 on the effective date of this section, from the intersection with Route No. 13, signed as Trunk Highways 13 and 21 on the effective date of this section, to 10th Avenue SE, located in the city of New Prague. The closure under this section is limited to one weekend in the month of September of each year, and is for the city's annual Dozinky Festival. The commissioner shall (1) establish reasonable requirements for traffic flow, traffic control devices, and safety related to implementation of an appropriate detour route; and (2) allow the road closure from 5:30 p.m. on Friday until 6:00 a.m. on Sunday.

Sec. 23. **EFFECTIVE DATE.**

Sections 6 to 8 are effective August 1, 2009, and expire July 31, 2012.