

A bill for an act relating to government finance; appropriating money for transportation, Metropolitan Council, and public safety activities and programs; providing for fund transfers and tort claims; authorizing an account and certain contingent appropriations; prioritizing use of revenues from metropolitan transportation area sales tax; reducing funding for 2010 state road construction; authorizing temporary transfers from the metropolitan livable communities fund accounts and the right-of-way loan acquisition fund for transit operating deficits; modifying funding sources for metropolitan livable communities fund accounts; establishing direct appropriation from transit assistance fund; establishing an account; modifying various provisions related to transportation finance and policy; modifying provisions related to licensing drivers; mandating and amending legislative reports; making technical and clarifying changes; amending Minnesota Statutes 2010, sections 16A.11, subdivision 3a; 16A.86, subdivision 3a; 16A.88; 162.06, subdivision 1; 162.12, subdivision 1; 168.12, subdivision 5; 171.06, subdivision 2; 171.0701; 171.13, subdivision 1, by adding a subdivision; 174.93; 297A.992, by adding a subdivision; Laws 2009, chapter 36, article 1, section 3, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 171.

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

ARTICLE 1

TRANSPORTATION APPROPRIATIONS

Section 1. SUMMARY OF APPROPRIATIONS.

The amounts shown in this section summarize direct appropriations, by fund, made in this article.

		<u>2012</u>		<u>2013</u>		<u>Total</u>
<u>General</u>	\$	<u>20,880,000</u>	\$	<u>20,880,000</u>	\$	<u>41,760,000</u>
<u>Airports</u>		<u>19,609,000</u>		<u>21,384,000</u>		<u>40,993,000</u>
<u>C.S.A.H.</u>		<u>545,109,000</u>		<u>572,773,000</u>		<u>1,117,882,000</u>
<u>M.S.A.S.</u>		<u>145,455,000</u>		<u>153,484,000</u>		<u>298,939,000</u>

2.1	<u>Special Revenue</u>	<u>49,088,000</u>	<u>49,088,000</u>	<u>98,176,000</u>
2.2	<u>Transit Assistance</u>	<u>214,280,000</u>	<u>227,735,000</u>	<u>442,015,000</u>
2.3	<u>H.U.T.D.</u>	<u>10,406,000</u>	<u>10,406,000</u>	<u>20,812,000</u>
2.4	<u>Trunk Highway</u>	<u>1,540,960,000</u>	<u>1,335,146,000</u>	<u>2,876,106,000</u>
2.5	<u>Total</u>	<u>\$ 2,545,787,000</u>	<u>\$ 2,390,896,000</u>	<u>\$ 4,936,683,000</u>

2.6 Sec. 2. TRANSPORTATION APPROPRIATIONS.

2.7 The sums shown in the columns marked "Appropriations" are appropriated to
2.8 the agencies and for the purposes specified in this article. The appropriations are from
2.9 the trunk highway fund, or another named fund, and are available for the fiscal years
2.10 indicated for each purpose. The figures "2012" and "2013" used in this article mean that
2.11 the appropriations listed under them are available for the fiscal year ending June 30, 2012,
2.12 or June 30, 2013, respectively. "The first year" is fiscal year 2012. "The second year" is
2.13 fiscal year 2013. "The biennium" is fiscal years 2012 and 2013. "Each year" is fiscal year
2.14 2012 and fiscal year 2013 respectively. Appropriations for the fiscal year ending June 30,
2.15 2011, are effective the day following final enactment.

2.16	<u>APPROPRIATIONS</u>
2.17	<u>Available for the Year</u>
2.18	<u>Ending June 30</u>
2.19	<u>2012 2013</u>

2.20 Sec. 3. DEPARTMENT OF
2.21 TRANSPORTATION

2.22 Subdivision 1. Total Appropriation \$ 2,199,019,000 \$ 2,033,292,000

2.23	<u>Appropriations by Fund</u>		
2.24		<u>2012</u>	<u>2013</u>
2.25	<u>General</u>	<u>12,926,000</u>	<u>12,926,000</u>
2.26	<u>Airports</u>	<u>19,609,000</u>	<u>21,384,000</u>
2.27	<u>C.S.A.H.</u>	<u>545,109,000</u>	<u>572,773,000</u>
2.28	<u>M.S.A.S.</u>	<u>145,455,000</u>	<u>153,484,000</u>
2.29	<u>Transit Assistance</u>	<u>21,428,000</u>	<u>24,047,000</u>
2.30	<u>Trunk Highway</u>	<u>1,454,492,000</u>	<u>1,248,678,000</u>

2.31 The amounts that may be spent for each
2.32 purpose are specified in the following
2.33 subdivisions.

2.34 Subd. 2. Multimodal Systems

2.35 (a) Aeronautics

3.1	<u>(1) Airport Development and Assistance</u>	<u>14,298,000</u>	<u>16,073,000</u>
3.2	<u>This appropriation is from the state</u>		
3.3	<u>airports fund and must be spent according</u>		
3.4	<u>to Minnesota Statutes, section 360.305,</u>		
3.5	<u>subdivision 4.</u>		
3.6	<u>The base appropriation for fiscal years 2014</u>		
3.7	<u>and 2015 is \$14,298,000 for each year.</u>		
3.8	<u>Notwithstanding Minnesota Statutes, section</u>		
3.9	<u>16A.28, subdivision 6, this appropriation is</u>		
3.10	<u>available for five years after appropriation.</u>		
3.11	<u>If the appropriation for either year is</u>		
3.12	<u>insufficient, the appropriation for the other</u>		
3.13	<u>year is available for it.</u>		
3.14	<u>If the commissioner of transportation</u>		
3.15	<u>determines that a balance remains in</u>		
3.16	<u>the state airports fund following the</u>		
3.17	<u>appropriations made in this article, and that</u>		
3.18	<u>the appropriations made are insufficient</u>		
3.19	<u>for advancing airport development and</u>		
3.20	<u>assistance projects, an amount necessary</u>		
3.21	<u>to advance the projects, not to exceed</u>		
3.22	<u>the balance in the state airports fund, is</u>		
3.23	<u>appropriated in each year to the commissioner</u>		
3.24	<u>and must be spent according to Minnesota</u>		
3.25	<u>Statutes, section 360.305, subdivision</u>		
3.26	<u>4. Within two weeks of a determination</u>		
3.27	<u>under this contingent appropriation, the</u>		
3.28	<u>commissioner of transportation shall notify</u>		
3.29	<u>the commissioner of management and budget</u>		
3.30	<u>and the chairs and ranking minority members</u>		
3.31	<u>of the legislative committees with jurisdiction</u>		
3.32	<u>over transportation finance concerning funds</u>		
3.33	<u>appropriated. Funds appropriated under this</u>		
3.34	<u>contingent appropriation do not adjust the</u>		

4.1	<u>base appropriation for fiscal years 2014 and</u>		
4.2	<u>2015.</u>		
4.3	<u>(2) Aviation Support and Services</u>	<u>6,123,000</u>	<u>6,123,000</u>
4.4	<u>Appropriations by Fund</u>		
4.5		<u>2012</u>	<u>2013</u>
4.6	<u>Airports</u>	<u>5,286,000</u>	<u>5,286,000</u>
4.7	<u>Trunk Highway</u>	<u>837,000</u>	<u>837,000</u>
4.8	<u>\$65,000 in each year is from the state airports</u>		
4.9	<u>fund for the Civil Air Patrol.</u>		
4.10	<u>(b) Transit</u>	<u>34,766,000</u>	<u>37,385,000</u>
4.11	<u>Appropriations by Fund</u>		
4.12		<u>2012</u>	<u>2013</u>
4.13	<u>General</u>	<u>12,563,000</u>	<u>12,563,000</u>
4.14	<u>Transit Assistance</u>	<u>21,428,000</u>	<u>24,047,000</u>
4.15	<u>Trunk Highway</u>	<u>775,000</u>	<u>775,000</u>
4.16	<u>The transit assistance fund appropriation is</u>		
4.17	<u>from the greater Minnesota transit account</u>		
4.18	<u>under Minnesota Statutes, section 16A.88.</u>		
4.19	<u>The base appropriation from the general</u>		
4.20	<u>fund is \$12,563,000 for fiscal year 2014 and</u>		
4.21	<u>\$12,482,000 for fiscal year 2015.</u>		
4.22	<u>\$100,000 in each year is from the general</u>		
4.23	<u>fund for the administrative expenses of the</u>		
4.24	<u>Minnesota Council on Transportation Access</u>		
4.25	<u>under Minnesota Statutes, section 174.285.</u>		
4.26	<u>If the commissioner of transportation</u>		
4.27	<u>determines that a balance remains in</u>		
4.28	<u>the greater Minnesota transit account</u>		
4.29	<u>following the appropriations made in this</u>		
4.30	<u>paragraph, and that the appropriations</u>		
4.31	<u>made are insufficient for transit financial</u>		
4.32	<u>assistance, an amount necessary to provide</u>		
4.33	<u>financial assistance, not to exceed the</u>		
4.34	<u>balance in the greater Minnesota transit</u>		
4.35	<u>account, is appropriated in each year to</u>		

5.1 the commissioner for operating assistance
5.2 grants under Minnesota Statutes, section
5.3 174.24. Within two weeks of a determination
5.4 under this contingent appropriation, the
5.5 commissioner of transportation shall notify
5.6 the commissioner of management and budget
5.7 and the chairs and ranking minority members
5.8 of the legislative committees with jurisdiction
5.9 over transportation finance concerning funds
5.10 appropriated. Funds appropriated under this
5.11 contingent appropriation do not adjust the
5.12 base appropriation for fiscal years 2014 and
5.13 2015.

5.14 **(c) Commuter and Passenger Rail**

5.15 The commissioner of transportation may not
5.16 expend funds from the appropriations under
5.17 this section for passenger rail purposes under
5.18 Minnesota Statutes, sections 174.632 to
5.19 174.636, unless the commissioner identifies
5.20 special circumstances of an immediate
5.21 nature. Within two weeks of an expenditure
5.22 under this paragraph, the commissioner
5.23 shall notify the chairs and ranking minority
5.24 members of the legislative committees
5.25 with jurisdiction over transportation finance
5.26 and policy concerning the expenditure and
5.27 circumstances.

5.28 **(d) Freight** 5,203,000 5,203,000

5.29	<u>Appropriations by Fund</u>		
5.30		<u>2012</u>	<u>2013</u>
5.31	<u>General</u>	<u>306,000</u>	<u>306,000</u>
5.32	<u>Trunk Highway</u>	<u>4,897,000</u>	<u>4,897,000</u>

5.33 **Subd. 3. State Roads**

5.34	<u>(a) Infrastructure Operations and Maintenance</u>	<u>257,395,000</u>	<u>257,395,000</u>
5.35	<u>(b) Program Planning and Delivery</u>	<u>206,788,000</u>	<u>206,603,000</u>

6.1 \$266,000 in each year is for grants to
6.2 metropolitan planning organizations outside
6.3 the seven-county metropolitan area.

6.4 \$75,000 in each year is for a transportation
6.5 research contingent account to finance
6.6 research projects that are reimbursable
6.7 from the federal government or from other
6.8 sources. If the appropriation for either year
6.9 is insufficient, the appropriation for the other
6.10 year is available for it.

6.11 \$600,000 in each year is for grants
6.12 for transportation studies outside the
6.13 metropolitan area to identify critical
6.14 concerns, problems, and issues. These
6.15 grants are available (1) to regional
6.16 development commissions; (2) in regions
6.17 where no regional development commission
6.18 is functioning, to joint powers boards
6.19 established under agreement of two or
6.20 more political subdivisions in the region to
6.21 exercise the planning functions of a regional
6.22 development commission; and (3) in regions
6.23 where no regional development commission
6.24 or joint powers board is functioning, to the
6.25 department's district office for that region.

6.26	<u>(c) State Road Construction</u>	<u>781,000,000</u>	<u>555,000,000</u>
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6.27 It is estimated that these appropriations will
6.28 be funded as follows:

6.29	<u>Appropriations by Fund</u>		
6.30		<u>2012</u>	<u>2013</u>
6.31	<u>Federal Highway</u>		
6.32	<u>Aid</u>	<u>494,800,000</u>	<u>268,800,000</u>
6.33	<u>Highway User Taxes</u>	<u>286,200,000</u>	<u>286,200,000</u>

6.34 The commissioner of transportation shall
6.35 notify the chairs and ranking minority

7.1 members of the legislative committees with
7.2 jurisdiction over transportation finance of
7.3 any significant events that should cause these
7.4 estimates to change.

7.5 This appropriation is for the actual
7.6 construction, reconstruction, and
7.7 improvement of trunk highways, including
7.8 design-build contracts and consultant usage
7.9 to support these activities. This includes the
7.10 cost of actual payment to landowners for
7.11 lands acquired for highway rights-of-way,
7.12 payment to lessees, interest subsidies, and
7.13 relocation expenses.

7.14 The base appropriation for fiscal years 2014
7.15 and 2015 is \$635,000,000 for each year.

7.16 The commissioner may expend up to one-half
7.17 of one percent of the federal appropriations
7.18 under this paragraph as grants to opportunity
7.19 industrialization centers and other nonprofit
7.20 job training centers for job training programs
7.21 related to highway construction.

7.22 The commissioner may transfer up to
7.23 \$15,000,000 each year to the transportation
7.24 revolving loan fund.

7.25 The commissioner may receive money
7.26 covering other shares of the cost of
7.27 partnership projects. These receipts are
7.28 appropriated to the commissioner for these
7.29 projects.

7.30 <u>(d) Highway Debt Service</u>	<u>137,876,000</u>	<u>158,247,000</u>
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7.31 \$123,876,000 the first year and \$144,247,000
7.32 the second year are for transfer to the state
7.33 bond fund. If this appropriation is insufficient
7.34 to make all transfers required in the year

8.1 for which it is made, the commissioner of
8.2 management and budget shall notify the
8.3 Committee on Finance of the senate and
8.4 the Committee on Ways and Means of the
8.5 house of representatives of the amount of the
8.6 deficiency and shall then transfer that amount
8.7 under the statutory open appropriation. Any
8.8 excess appropriation cancels to the trunk
8.9 highway fund.

8.10 (e) Electronic Communications 5,171,000 5,171,000

8.11	<u>Appropriations by Fund</u>		
8.12		<u>2012</u>	<u>2013</u>
8.13	<u>General</u>	<u>3,000</u>	<u>3,000</u>
8.14	<u>Trunk Highway</u>	<u>5,168,000</u>	<u>5,168,000</u>

8.15 The general fund appropriation in each
8.16 year is to equip and operate the Roosevelt
8.17 signal tower for Lake of the Woods weather
8.18 broadcasting.

8.19 Subd. 4. Local Roads

8.20 (a) County State Aids 545,109,000 572,773,000

8.21 This appropriation is from the county
8.22 state-aid highway fund for county state-aid
8.23 highways, town roads and bridges, and
8.24 flexible highway purposes under Minnesota
8.25 Statutes, sections 161.081 to 161.085; and
8.26 Minnesota Statutes, chapter 162. This
8.27 appropriation is available until spent.

8.28 Of this amount, the commissioner shall
8.29 transfer from the flexible highway account
8.30 in the county state-aid highway fund: (1)
8.31 \$1,000,000 in the first year to the municipal
8.32 turnback account in the municipal state-aid
8.33 street fund; (2) \$1,900,000 in the first
8.34 year to the trunk highway fund; and (3)
8.35 the remainder in each year to the county

9.1 turnback account in the county state-aid
9.2 highway fund. The funds transferred are
9.3 for highway turnback purposes as provided
9.4 under Minnesota Statutes, section 161.081,
9.5 subdivision 3.

9.6 If the commissioner of transportation
9.7 determines that a balance remains in the
9.8 county state-aid highway fund following
9.9 the appropriations and transfers made in
9.10 this subdivision, and that the appropriations
9.11 made are insufficient for advancing county
9.12 state-aid highway projects, an amount
9.13 necessary to advance the projects, not to
9.14 exceed the balance in the county state-aid
9.15 highway fund, is appropriated in each year
9.16 to the commissioner. Within two weeks
9.17 of a determination under this contingent
9.18 appropriation, the commissioner of
9.19 transportation shall notify the commissioner
9.20 of management and budget and the chairs
9.21 and ranking minority members of the
9.22 legislative committees with jurisdiction over
9.23 transportation finance concerning funds
9.24 appropriated.

9.25	<u>(b) Municipal State Aids</u>	<u>145,455,000</u>	<u>153,484,000</u>
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9.26 This appropriation is from the municipal
9.27 state-aid street fund for municipal state-aid
9.28 streets under Minnesota Statutes, chapter
9.29 162. This appropriation is available until
9.30 spent.

9.31 If the commissioner of transportation
9.32 determines that a balance remains in the
9.33 municipal state-aid street fund following
9.34 the appropriations made in this subdivision,
9.35 and that the appropriations made are

10.1 insufficient for advancing municipal state-aid
10.2 street projects, an amount necessary to
10.3 advance the projects, not to exceed the
10.4 balance in the municipal state-aid street
10.5 fund, is appropriated in each year to
10.6 the commissioner. Within two weeks
10.7 of a determination under this contingent
10.8 appropriation, the commissioner of
10.9 transportation shall notify the commissioner
10.10 of management and budget and the chairs
10.11 and ranking minority members of the
10.12 legislative committees with jurisdiction over
10.13 transportation finance concerning funds
10.14 appropriated.

10.15 Subd. 5. Agency Management

10.16	<u>(a) Agency Services</u>	<u>41,997,000</u>	<u>41,997,000</u>
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10.17	<u>Appropriations by Fund</u>		
10.18		<u>2012</u>	<u>2013</u>
10.19	<u>Airports</u>	<u>25,000</u>	<u>25,000</u>
10.20	<u>Trunk Highway</u>	<u>41,972,000</u>	<u>41,972,000</u>

10.21	<u>(b) Buildings</u>	<u>17,838,000</u>	<u>17,838,000</u>
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10.22	<u>Appropriations by Fund</u>		
10.23		<u>2012</u>	<u>2013</u>
10.24	<u>General</u>	<u>54,000</u>	<u>54,000</u>
10.25	<u>Trunk Highway</u>	<u>17,784,000</u>	<u>17,784,000</u>

10.26 If the appropriation for either year is
10.27 insufficient, the appropriation for the other
10.28 year is available for it.

10.29 Subd. 6. Transfers Among Appropriations

10.30 With the approval of the commissioner of
10.31 management and budget, the commissioner
10.32 of transportation may transfer unencumbered
10.33 balances among the appropriations from the
10.34 trunk highway fund and the state airports
10.35 fund made in this section. No transfer may

11.1 be made from the appropriation for state
11.2 road construction. No transfer may be made
11.3 from the appropriations for debt service.
11.4 Transfers under this subdivision may not be
11.5 made between funds. Transfers under this
11.6 subdivision must be reported immediately to
11.7 the chairs and ranking minority members of
11.8 the legislative committees with jurisdiction
11.9 over transportation finance.

11.10 **Subd. 7. Carryforward of State Road**
11.11 **Construction Appropriations**

11.12 Any money appropriated to the commissioner
11.13 of transportation for state road construction
11.14 for any fiscal year before the first year is
11.15 available to the commissioner during the
11.16 biennium to the extent that the commissioner
11.17 spends the money on the state road
11.18 construction project for which the money
11.19 was originally encumbered during the fiscal
11.20 year for which it was appropriated. The
11.21 commissioner of transportation shall report to
11.22 the commissioner of management and budget
11.23 by August 1, 2011, and August 1, 2012, on
11.24 a form the commissioner of management
11.25 and budget provides, on expenditures made
11.26 during the previous fiscal year that are
11.27 authorized by this subdivision.

11.28 **Subd. 8. Contingent Appropriation**

11.29 The commissioner of transportation, with
11.30 the approval of the governor and the
11.31 written approval of at least five members
11.32 of a group consisting of the members of
11.33 the Legislative Advisory Commission
11.34 under Minnesota Statutes, section 3.30,
11.35 and the ranking minority members of the

12.1 legislative committees with jurisdiction over
12.2 transportation finance, may transfer all or
12.3 part of the unappropriated balance in the
12.4 trunk highway fund to an appropriation (1)
12.5 for trunk highway design, construction, or
12.6 inspection in order to take advantage of
12.7 an unanticipated receipt of income to the
12.8 trunk highway fund or to take advantage
12.9 of federal advanced construction funding,
12.10 (2) for trunk highway maintenance in order
12.11 to meet an emergency, or (3) to pay tort
12.12 or environmental claims. Nothing in this
12.13 subdivision authorizes the commissioner
12.14 to increase the use of federal advanced
12.15 construction funding beyond amounts
12.16 specifically authorized. Any transfer as
12.17 a result of the use of federal advanced
12.18 construction funding must include an
12.19 analysis of the effects on the long-term
12.20 trunk highway fund balance. The amount
12.21 transferred is appropriated for the purpose of
12.22 the account to which it is transferred.

12.23 Subd. 9. Use of Trunk Highway Fund

12.24 No transfer or expenditure of trunk highway
12.25 funds may be made for the purpose of paying
12.26 personnel costs incurred on behalf of the
12.27 Governor's Office.

12.28 Sec. 4. METROPOLITAN COUNCIL \$ 192,852,000 \$ 203,688,000

12.29 This appropriation is from the metropolitan
12.30 area transit account in the transit assistance
12.31 fund under Minnesota Statutes, section
12.32 16A.88, for transit system operations under
12.33 Minnesota Statutes, sections 473.371 to
12.34 473.449.

13.1 The base appropriation from the general
13.2 fund is \$39,199,000 for fiscal year 2014 and
13.3 \$39,280,000 for fiscal year 2015.

13.4 If the chair of the Metropolitan Council
13.5 determines that a balance remains in the
13.6 metropolitan area transit account following
13.7 the appropriations made in this section, and
13.8 that the appropriations made are insufficient
13.9 for transit operations, an amount necessary
13.10 to provide for such operations, not to
13.11 exceed the balance in the metropolitan area
13.12 transit account, is appropriated in each
13.13 year to the Metropolitan Council. Within
13.14 two weeks of a determination under this
13.15 contingent appropriation, the Metropolitan
13.16 Council shall notify the commissioner of
13.17 management and budget and the chairs
13.18 and ranking minority members of the
13.19 legislative committees with jurisdiction over
13.20 transportation finance concerning funds
13.21 appropriated. Funds appropriated under this
13.22 contingent appropriation do not adjust the
13.23 base appropriation for fiscal years 2014 and
13.24 2015.

13.25 Notwithstanding Minnesota Statutes, section
13.26 473.388, subdivision 4, in each year of the
13.27 biennium, the Metropolitan Council shall
13.28 provide financial assistance to each transit
13.29 provider under Minnesota Statutes, section
13.30 473.388, in an amount equal to the amount of
13.31 assistance provided to that transit provider by
13.32 the Metropolitan Council in fiscal year 2011.

13.33 Sec. 5. DEPARTMENT OF PUBLIC SAFETY

13.34 Subdivision 1. Total Appropriation \$ 153,316,000 \$ 153,316,000

14.1	<u>Appropriations by Fund</u>		
14.2		<u>2012</u>	<u>2013</u>
14.3	<u>General</u>	<u>7,954,000</u>	<u>7,954,000</u>
14.4	<u>Special Revenue</u>	<u>49,088,000</u>	<u>49,088,000</u>
14.5	<u>H.U.T.D.</u>	<u>10,406,000</u>	<u>10,406,000</u>
14.6	<u>Trunk Highway</u>	<u>85,868,000</u>	<u>85,868,000</u>
14.7	<u>The amounts that may be spent for each</u>		
14.8	<u>purpose are specified in the following</u>		
14.9	<u>subdivisions.</u>		
14.10	<u>Subd. 2. Administration and Related Services</u>		
14.11	<u>(a) Office of Communications</u>	<u>434,000</u>	<u>434,000</u>
14.12	<u>Appropriations by Fund</u>		
14.13		<u>2012</u>	<u>2013</u>
14.14	<u>General</u>	<u>41,000</u>	<u>41,000</u>
14.15	<u>Trunk Highway</u>	<u>393,000</u>	<u>393,000</u>
14.16	<u>(b) Public Safety Support</u>	<u>8,168,000</u>	<u>8,168,000</u>
14.17	<u>Appropriations by Fund</u>		
14.18		<u>2012</u>	<u>2013</u>
14.19	<u>General</u>	<u>3,296,000</u>	<u>3,296,000</u>
14.20	<u>H.U.T.D.</u>	<u>1,366,000</u>	<u>1,366,000</u>
14.21	<u>Trunk Highway</u>	<u>3,506,000</u>	<u>3,506,000</u>
14.22	<u>\$380,000 in each year is from the general</u>		
14.23	<u>fund for payment of public safety officer</u>		
14.24	<u>survivor benefits under Minnesota Statutes,</u>		
14.25	<u>section 299A.44. If the appropriation for</u>		
14.26	<u>either year is insufficient, the appropriation</u>		
14.27	<u>for the other year is available for it.</u>		
14.28	<u>\$1,367,000 in each year is from the general</u>		
14.29	<u>fund to be deposited in the public safety</u>		
14.30	<u>officer's benefit account. This money</u>		
14.31	<u>is available for reimbursements under</u>		
14.32	<u>Minnesota Statutes, section 299A.465.</u>		
14.33	<u>\$508,000 in each year is from the general</u>		
14.34	<u>fund for soft body armor reimbursements</u>		
14.35	<u>under Minnesota Statutes, section 299A.38.</u>		

15.1 \$792,000 the first year and \$792,000 the
15.2 second year are from the general fund for
15.3 transfer by the commissioner of management
15.4 and budget to the trunk highway fund on
15.5 December 31, 2011, and December 31, 2012,
15.6 respectively, in order to reimburse the trunk
15.7 highway fund for expenses not related to the
15.8 fund. These represent amounts appropriated
15.9 out of the trunk highway fund for general
15.10 fund purposes in the administration and
15.11 related services program.

15.12 \$610,000 the first year and \$610,000 the
15.13 second year are from the highway user
15.14 tax distribution fund for transfer by the
15.15 commissioner of management and budget
15.16 to the trunk highway fund on December 31,
15.17 2011, and December 31, 2012, respectively,
15.18 in order to reimburse the trunk highway
15.19 fund for expenses not related to the fund.
15.20 These represent amounts appropriated out
15.21 of the trunk highway fund for highway
15.22 user tax distribution fund purposes in the
15.23 administration and related services program.

15.24 \$716,000 the first year and \$716,000 the
15.25 second year are from the highway user
15.26 tax distribution fund for transfer by the
15.27 commissioner of management and budget to
15.28 the general fund on December 31, 2011, and
15.29 December 31, 2012, respectively, in order to
15.30 reimburse the general fund for expenses not
15.31 related to the fund. These represent amounts
15.32 appropriated out of the general fund for
15.33 operation of the criminal justice data network
15.34 related to driver and motor vehicle licensing.

15.35	<u>(c) Technology and Support Services</u>	<u>3,835,000</u>	<u>3,835,000</u>
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16.1	<u>Appropriations by Fund</u>		
16.2		<u>2012</u>	<u>2013</u>
16.3	<u>General</u>	<u>1,472,000</u>	<u>1,472,000</u>
16.4	<u>H.U.T.D.</u>	<u>19,000</u>	<u>19,000</u>
16.5	<u>Trunk Highway</u>	<u>2,344,000</u>	<u>2,344,000</u>
16.6	<u>Subd. 3. State Patrol</u>		
16.7	<u>(a) Patrolling Highways</u>	<u>71,522,000</u>	<u>71,522,000</u>
16.8	<u>Appropriations by Fund</u>		
16.9		<u>2012</u>	<u>2013</u>
16.10	<u>General</u>	<u>37,000</u>	<u>37,000</u>
16.11	<u>H.U.T.D.</u>	<u>92,000</u>	<u>92,000</u>
16.12	<u>Trunk Highway</u>	<u>71,393,000</u>	<u>71,393,000</u>
16.13	<u>(b) Commercial Vehicle Enforcement</u>	<u>7,796,000</u>	<u>7,796,000</u>
16.14	<u>\$600,000 in each year is for the Office of</u>		
16.15	<u>Pupil Transportation Safety under Minnesota</u>		
16.16	<u>Statutes, section 169.435.</u>		
16.17	<u>(c) Capitol Security</u>	<u>3,108,000</u>	<u>3,108,000</u>
16.18	<u>(1) This appropriation is from the general</u>		
16.19	<u>fund.</u>		
16.20	<u>(2) The commissioner may not (i) spend</u>		
16.21	<u>any money from the trunk highway fund for</u>		
16.22	<u>capitol security or (ii) permanently transfer</u>		
16.23	<u>any state trooper capitol security from</u>		
16.24	<u>another budget activity.</u>		
16.25	<u>(3) The commissioner may not transfer any</u>		
16.26	<u>money appropriated to the commissioner</u>		
16.27	<u>under this section (i) to capitol security or (ii)</u>		
16.28	<u>from capitol security.</u>		
16.29	<u>(d) Vehicle Crimes Unit</u>	<u>693,000</u>	<u>693,000</u>
16.30	<u>This appropriation is from the highway user</u>		
16.31	<u>tax distribution fund.</u>		
16.32	<u>This appropriation is to investigate (1)</u>		
16.33	<u>registration tax and motor vehicle sales tax</u>		
16.34	<u>liabilities from individuals and businesses</u>		

17.1	<u>that currently do not pay all taxes owed,</u>		
17.2	<u>and (2) illegal or improper activity related</u>		
17.3	<u>to sale, transfer, titling, and registration of</u>		
17.4	<u>motor vehicles.</u>		
17.5	<u>Subd. 4. Driver and Vehicle Services</u>		
17.6	<u>(a) Vehicle Services</u>	<u>27,259,000</u>	<u>27,259,000</u>
17.7	<u>Appropriations by Fund</u>		
17.8		<u>2012</u>	<u>2013</u>
17.9	<u>Special Revenue</u>	<u>19,023,000</u>	<u>19,023,000</u>
17.10	<u>H.U.T.D.</u>	<u>8,236,000</u>	<u>8,236,000</u>
17.11	<u>The special revenue fund appropriation is</u>		
17.12	<u>from the vehicle services operating account.</u>		
17.13	<u>(b) Driver Services</u>	<u>28,712,000</u>	<u>28,712,000</u>
17.14	<u>Appropriations by Fund</u>		
17.15		<u>2012</u>	<u>2013</u>
17.16	<u>Special Revenue</u>	<u>28,711,000</u>	<u>28,711,000</u>
17.17	<u>Trunk Highway</u>	<u>1,000</u>	<u>1,000</u>
17.18	<u>The special revenue fund appropriation is</u>		
17.19	<u>from the driver services operating account.</u>		
17.20	<u>Subd. 5. Traffic Safety</u>	<u>435,000</u>	<u>435,000</u>
17.21	<u>The commissioner of public safety shall</u>		
17.22	<u>spend 50 percent of the money available</u>		
17.23	<u>to the state under Public Law 105-206,</u>		
17.24	<u>section 164, and the remaining 50 percent</u>		
17.25	<u>must be transferred to the commissioner</u>		
17.26	<u>of transportation for hazard elimination</u>		
17.27	<u>activities under United States Code, title 23,</u>		
17.28	<u>section 152.</u>		
17.29	<u>Subd. 6. Pipeline Safety</u>	<u>1,354,000</u>	<u>1,354,000</u>
17.30	<u>This appropriation is from the pipeline safety</u>		
17.31	<u>account in the special revenue fund.</u>		
17.32	<u>Subd. 7. Use of Trunk Highway Fund</u>		

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18.1 No transfer or expenditure of trunk highway
18.2 funds may be made for the purpose of paying
18.3 personnel costs incurred on behalf of the
18.4 Governor's Office.

18.5	Sec. 6. <u>TORT CLAIMS</u>	\$	<u>600,000</u>	\$	<u>600,000</u>
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18.6 This appropriation is to the commissioner of
18.7 management and budget.

18.8 If the appropriation for either year is
18.9 insufficient, the appropriation for the other
18.10 year is available for it.

18.11 Sec. 7. Minnesota Statutes 2010, section 297A.992, is amended by adding a
18.12 subdivision to read:

18.13 Subd. 6a. **Priority of fund uses.** The joint powers board shall allocate all revenues
18.14 from the taxes imposed under this section in conformance with the following priority order:

18.15 (1) payment of debt service necessary for the fiscal year on bonds or other
18.16 obligations issued prior to January 1, 2011, under subdivision 7;

18.17 (2) allocations to the Metropolitan Council under subdivision 5, paragraph (h); and

18.18 (3) as otherwise authorized under this section.

18.19 Sec. 8. Laws 2009, chapter 36, article 1, section 3, subdivision 3, is amended to read:

18.20 Subd. 3. **State Roads**

18.21	(a) Infrastructure Operations and Maintenance	251,643,000	245,892,000
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18.22 The base appropriation for fiscal years 2012
18.23 and 2013 is \$257,395,000 for each year.

18.24 (b) **Infrastructure Investment and Planning**

18.25	(1) Infrastructure Investment Support	201,461,000	196,935,000
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18.26 The base appropriation for fiscal years 2012
18.27 and 2013 is \$205,988,000 for each year.

18.28 \$266,000 the first year and \$266,000 the
18.29 second year are available for grants to
18.30 metropolitan planning organizations outside
18.31 the seven-county metropolitan area.

19.1 \$75,000 the first year and \$75,000 the
19.2 second year are for a transportation research
19.3 contingent account to finance research
19.4 projects that are reimbursable from the
19.5 federal government or from other sources.
19.6 If the appropriation for either year is
19.7 insufficient, the appropriation for the other
19.8 year is available for it.

19.9 \$600,000 the first year and \$600,000
19.10 the second year are available for grants
19.11 for transportation studies outside the
19.12 metropolitan area to identify critical
19.13 concerns, problems, and issues. These
19.14 grants are available (1) to regional
19.15 development commissions; (2) in regions
19.16 where no regional development commission
19.17 is functioning, to joint powers boards
19.18 established under agreement of two or
19.19 more political subdivisions in the region to
19.20 exercise the planning functions of a regional
19.21 development commission; and (3) in regions
19.22 where no regional development commission
19.23 or joint powers board is functioning, to the
19.24 department's district office for that region.

19.25			598,700,000
19.26	(2) State Road Construction	551,300,000	<u>555,700,000</u>

19.27 The base appropriation for fiscal years 2012
19.28 and 2013 is \$635,000,000 for each year.

19.29 It is estimated that these appropriations will
19.30 be funded as follows:

19.31	Appropriations by Fund		
19.32	Federal Highway		
19.33	Aid	301,100,000	388,500,000
19.34	Highway User Taxes	250,200,000	210,200,000

19.35 The commissioner of transportation shall
19.36 notify the chairs and ranking minority

20.1 members of the senate and house of
20.2 representatives committees with jurisdiction
20.3 over transportation finance of any significant
20.4 events that should cause these estimates to
20.5 change.

20.6 This appropriation is for the actual
20.7 construction, reconstruction, and
20.8 improvement of trunk highways, including
20.9 design-build contracts and consultant usage
20.10 to support these activities. This includes the
20.11 cost of actual payment to landowners for
20.12 lands acquired for highway rights-of-way,
20.13 payment to lessees, interest subsidies, and
20.14 relocation expenses.

20.15 The commissioner shall expend up to
20.16 one-half of one percent of the federal
20.17 appropriations under this paragraph as grants
20.18 to opportunity industrialization centers and
20.19 other nonprofit job training centers for
20.20 job training programs related to highway
20.21 construction.

20.22 The commissioner may transfer up to
20.23 \$15,000,000 each year to the transportation
20.24 revolving loan fund.

20.25 The commissioner may receive money
20.26 covering other shares of the cost of
20.27 partnership projects. These receipts are
20.28 appropriated to the commissioner for these
20.29 projects.

20.30	(3) Highway Debt Service	101,170,000	173,400,000
20.31	\$86,517,000 the first year and \$157,304,000		
20.32	the second year are for transfer to the state		
20.33	bond fund. If this appropriation is insufficient		
20.34	to make all transfers required in the year for		
20.35	which it is made, the commissioner of finance		

21.1 shall notify the Committee on Finance of
21.2 the senate and the Committee on Ways and
21.3 Means of the house of representatives of
21.4 the amount of the deficiency and shall then
21.5 transfer that amount under the statutory open
21.6 appropriation. Any excess appropriation
21.7 cancels to the trunk highway fund.

21.8 (c) **Electronic Communications** 5,177,000 5,177,000

21.9	Appropriations by Fund		
21.10	General	9,000	9,000
21.11	Trunk Highway	5,168,000	5,168,000

21.12 The general fund appropriation is to equip
21.13 and operate the Roosevelt signal tower for
21.14 Lake of the Woods weather broadcasting.

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

21.16 Sec. 9. **METROPOLITAN LIVABLE COMMUNITIES FUND; TRANSFERS.**

21.17 (a) Notwithstanding Minnesota Statutes, sections 473.25 to 473.255, or any other
21.18 law, the Metropolitan Council may transfer to its transit operating budget in 2011, 2012,
21.19 and 2013 up to 50 percent of the sum of balances in, revenues in, and amounts otherwise
21.20 credited, transferred, or distributed to, each of the following accounts in 2011, 2012,
21.21 and 2013:

21.22 (1) the tax base revitalization account pursuant to Minnesota Statutes, section
21.23 473.252;

21.24 (2) the livable communities demonstration account pursuant to Minnesota Statutes,
21.25 section 473.253; and

21.26 (3) the local housing incentives account pursuant to Minnesota Statutes, section
21.27 473.254.

21.28 (b) The council may not transfer funds under this section that are committed to
21.29 grant or loan awards made by the council.

21.30 (c) The council shall use any amounts transferred under this section to cover
21.31 operating deficits for transit services provided or assisted by the council under Minnesota
21.32 Statutes, sections 473.371 to 473.449. If the council transfers funds pursuant to this
21.33 section, the council shall amend the annual distribution plan described in Minnesota

22.1 Statutes, section 473.25, paragraph (d), and include information about the transfer in the
22.2 annual report required under Minnesota Statutes, section 473.25, paragraph (e).

22.3 Sec. 10. **RIGHT-OF-WAY ACQUISITION LOAN FUND; TRANSFERS.**

22.4 (a) Notwithstanding Minnesota Statutes, section 473.167, or any other law, the
22.5 Metropolitan Council may transfer to its transit operating budget in 2011, 2012, and
22.6 2013 up to 75 percent of the amounts levied and collected in 2011, 2012, and 2013 under
22.7 Minnesota Statutes, section 473.167, subdivision 3. The council shall use the amounts
22.8 transferred to cover operating deficits for transit services provided or assisted by the
22.9 council under Minnesota Statutes, sections 473.371 to 473.449.

22.10 (b) If the council transfers funds pursuant to this section, the council shall within
22.11 two weeks notify the chairs and ranking minority members of the house of representatives
22.12 and senate committees with jurisdiction over transportation policy and finance concerning
22.13 the transfers.

22.14 Sec. 11. **APPLICATION.**

22.15 Sections 9 and 10 apply in the counties of Anoka, Carver, Dakota, Hennepin,
22.16 Ramsey, Scott, and Washington.

22.17 **ARTICLE 2**

22.18 **TRANSPORTATION FINANCE AND POLICY**

22.19 Section 1. Minnesota Statutes 2010, section 16A.11, subdivision 3a, is amended to read:

22.20 Subd. 3a. **Part three: detailed capital budget.** The detailed capital budget must
22.21 include recommendations for capital projects to be funded during the next six fiscal years
22.22 and, if applicable, must meet the requirements under section 174.93, subdivision 1a. It
22.23 must be submitted with projects recommended by the governor and in order of importance
22.24 among that agency's requests as determined by the agency originating the request.

22.25 Sec. 2. Minnesota Statutes 2010, section 16A.86, subdivision 3a, is amended to read:

22.26 Subd. 3a. **Information provided.** All requests for state assistance under this section
22.27 must include the following information:

22.28 (1) the name of the political subdivision that will own the capital project for which
22.29 state assistance is being requested;

22.30 (2) the public purpose of the project;

22.31 (3) the extent to which the political subdivision has or expects to provide local,
22.32 private, user financing, or other nonstate funding for the project;

(4) a list of the bondable activities that the project encompasses; examples of bondable activities are public improvements of a capital nature for land acquisition, predesign, design, construction, and furnishing and equipping for occupancy;

(5) whether the project will require new or additional state operating subsidies;

(6) whether the governing body of the political subdivision requesting the project has passed a resolution in support of the project and has established priorities for all projects within its jurisdiction for which bonding appropriations are requested when submitting multiple requests; ~~and~~

(7) if the project requires a predesign under section 16B.335, whether the predesign has been completed at the time the capital project request is submitted, and whether the political subdivision has submitted the project predesign to the commissioner of administration for review and approval; and

(8) if applicable, the information required under section 174.93, subdivision 1a.

Sec. 3. Minnesota Statutes 2010, section 16A.88, is amended to read:

16A.88 TRANSIT ASSISTANCE FUND.

Subdivision 1. **Transit assistance fund established.** A transit assistance fund is established within the state treasury. The fund receives money distributed under section 297B.09, subdivision 1, and other money as specified by law. Money in the fund must be allocated to the greater Minnesota transit account under subdivision 1a and the metropolitan area transit account under subdivision 2 in the manner specified in section 297B.09, subdivision 1, and must be used solely for transit purposes under the Minnesota Constitution, article XIV, section 13.

Subd. 1a. **Greater Minnesota transit account.** The greater Minnesota transit account is established within the transit assistance fund in the state treasury. Money in the account is ~~annually appropriated to the commissioner of transportation~~ for assistance to transit systems outside the metropolitan area under section 174.24. The commissioner may use up to ~~\$408,000 in fiscal year 2008 and~~ \$416,000 in fiscal year 2009 and thereafter for administration of the transit program. The commissioner shall use funds appropriated by law from the account for transit operations as provided in section 174.24 and related program administration.

Subd. 2. **Metropolitan area transit account.** The metropolitan area transit account is established within the transit assistance fund in the state treasury. ~~All money in the account is annually appropriated to~~ The Metropolitan Council shall use funds appropriated by law from the account for the funding of transit systems within the metropolitan area under sections 473.384, 473.386, 473.387, 473.388, and 473.405 to 473.449.

24.1 Sec. 4. Minnesota Statutes 2010, section 162.06, subdivision 1, is amended to read:

24.2 Subdivision 1. **Estimate.** (a) By December 15 of each year the commissioner shall
24.3 estimate the amount of money that will be available to the county state-aid highway fund
24.4 during that fiscal year. The amount available must be based on actual receipts from July
24.5 1 through ~~November 30~~ October 31, the unallocated fund balance, and the projected
24.6 receipts for the remainder of the fiscal year. The amount available, except for deductions
24.7 as provided in this section, shall be apportioned by the commissioner to the counties as
24.8 provided in section 162.07.

24.9 (b) For purposes of this section, "amount available" means the amount estimated in
24.10 paragraph (a).

24.11 Sec. 5. Minnesota Statutes 2010, section 162.12, subdivision 1, is amended to read:

24.12 Subdivision 1. **Estimate of accruals.** By December 15 of each year the
24.13 commissioner shall estimate the amount of money that will be available to the municipal
24.14 state-aid street fund during that fiscal year. The amount available is based on actual
24.15 receipts from July 1 through ~~November 30~~ October 31, the unallocated fund balance, and
24.16 the projected receipts for the remainder of the fiscal year. The total available, except for
24.17 deductions as provided herein, shall be apportioned by the commissioner to the cities
24.18 having a population of 5,000 or more as hereinafter provided.

24.19 Sec. 6. Minnesota Statutes 2010, section 168.12, subdivision 5, is amended to read:

24.20 Subd. 5. **Additional fee.** (a) In addition to any fee otherwise authorized or any tax
24.21 otherwise imposed upon any vehicle, the payment of which is required as a condition to
24.22 the issuance of any plate or plates, the commissioner shall impose the fee specified in
24.23 paragraph (b) that is calculated to cover the cost of manufacturing and issuing the plate
24.24 or plates, except for plates issued to disabled veterans as defined in section 168.031 and
24.25 plates issued pursuant to section 168.124, 168.125, or 168.27, subdivisions 16 and 17,
24.26 for passenger automobiles. The commissioner shall issue graphic design plates only
24.27 for vehicles registered pursuant to section 168.017 and recreational vehicles registered
24.28 pursuant to section 168.013, subdivision 1g.

24.29 (b) Unless otherwise specified or exempted by statute, the following plate and
24.30 validation sticker fees apply for the original, duplicate, or replacement issuance of a
24.31 plate in a plate year:

24.32	License Plate	Single	Double
24.33	Regular and Disability	\$ 4.50	\$ 6.00
24.34	Special	\$ 8.50	\$ 10.00

25.1	Personalized (Replacement)	\$	10.00	\$	14.00
25.2	Collector Category	\$	13.50	\$	15.00
25.3	Emergency Vehicle Display	\$	3.00	\$	6.00
25.4	Utility Trailer Self-Adhesive	\$	2.50		
25.5	Vertical Motorcycle Plate	\$	100.00		NA
25.6	Stickers				
25.7	Duplicate year	\$	1.00	\$	1.00
25.8	International Fuel Tax Agreement	\$	2.50		

25.9 (c) For vehicles that require two of the categories above, the registrar shall only
25.10 charge the higher of the two fees and not a combined total.

25.11 (d) As part of procedures for payment of the fee under paragraph (b), the
25.12 commissioner shall allow a vehicle owner to add to the fee a \$2 donation for the purposes
25.13 of public information and education on anatomical gifts under section 171.075.

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

25.15 Sec. 7. Minnesota Statutes 2010, section 171.06, subdivision 2, is amended to read:

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

25.18	Classified Driver's License	D-\$22.25	C-\$26.25	B-\$33.25	A-\$41.25
25.19	Classified Under-21 D.L.	D-\$22.25	C-\$26.25	B-\$33.25	A-\$21.25
25.20	Enhanced Driver's License	D-\$37.25	C-\$41.25	B-\$48.25	A-\$56.25
25.21	Instruction Permit				\$10.25
25.22	Enhanced Instruction				
25.23	Permit				\$25.25
25.24	Provisional License				\$13.25
25.25	Enhanced Provisional				
25.26	License				\$28.25
25.27	Duplicate License or				
25.28	duplicate identification				
25.29	card				\$11.75
25.30	Enhanced Duplicate				
25.31	License or enhanced				
25.32	duplicate identification				
25.33	card				\$26.75
25.34	Minnesota identification				
25.35	card or Under-21				
25.36	Minnesota identification				
25.37	card, other than duplicate,				
25.38	except as otherwise				
25.39	provided in section 171.07,				
25.40	subdivisions 3 and 3a				\$16.25
25.41	Enhanced Minnesota				
25.42	identification card				\$31.25

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

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

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

(d) An application for a Minnesota identification card, instruction permit, provisional license, or driver's license, including an application for renewal, must contain a provision that allows the applicant to add to the fee under paragraph (a), a \$2 donation for the purposes of public information and education on anatomical gifts under section 171.075.

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

Sec. 8. Minnesota Statutes 2010, section 171.0701, is amended to read:

171.0701 DRIVER EDUCATION CONTENT.

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

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

limited to, truck stopping distances, proper distances for following trucks, identification of truck blind spots, and avoidance of driving in truck blind spots.

(c) By January 1, 2012, the commissioner shall adopt rules for persons enrolled in driver education programs offered at public schools, private schools, and commercial driver training schools, requiring inclusion in the course of instruction of a section on carbon monoxide poisoning. The instruction must include but is not limited to (1) a description of the characteristics of carbon monoxide, (2) a review of the risks and potential speed of death from carbon monoxide poisoning, and (3) specific suggestions regarding vehicle idling practices.

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

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

Sec. 9. [171.075] ANATOMICAL GIFTS.

Subdivision 1. Anatomical gift account. An anatomical gift account is established in the special revenue fund. The account consist of funds donated under sections 168.12, subdivision 5, and 171.06, subdivision 2, and any other money donated, allotted, transferred, or otherwise provided to the account. Money in the account is annually appropriated to the commissioner for (1) grants under subdivision 2, and (2) administrative expenses in implementing the donation and grant program.

Subd. 2. Anatomical gift education grants. (a) The commissioner shall make grants to (1) a Minnesota organ procurement organization that is certified by the federal Centers for Medicare and Medicaid Services; or (2) to an entity that is a charitable entity under section 501(c)(3) of the Internal Revenue Code, as defined in section 289A.02, subdivision 7, and is dedicated to advocacy for organ, tissue, and eye donation.

(b) From a grant under this section, the recipient shall provide resources and implement programs designed to increase the number of Minnesotans who register to be organ, tissue, and eye donors.

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

Sec. 10. Minnesota Statutes 2010, section 171.13, subdivision 1, is amended to read:

Subdivision 1. Examination subjects and locations; provisions for color blindness, disabled veterans. (a) Except as otherwise provided in this section, the

28.1 commissioner shall examine each applicant for a driver's license by such agency as the
28.2 commissioner directs. This examination must include:

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

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

28.6 (3) a test of the applicant's knowledge of (i) traffic laws; ~~knowledge of (ii)~~ the effects
28.7 of alcohol and drugs on a driver's ability to operate a motor vehicle safely and legally,
28.8 and of the legal penalties and financial consequences resulting from violations of laws
28.9 prohibiting the operation of a motor vehicle while under the influence of alcohol or
28.10 drugs; ~~knowledge of (iii)~~ railroad grade crossing safety; ~~knowledge of (iv)~~ slow-moving
28.11 vehicle safety; ~~knowledge of (v)~~ laws relating to pupil transportation safety, including the
28.12 significance of school bus lights, signals, stop arm, and passing a school bus; ~~knowledge~~
28.13 ~~of (vi)~~ traffic laws related to bicycles; and (vii) the circumstances and dangers of carbon
28.14 monoxide poisoning;

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

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

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

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

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

28.29 Sec. 11. Minnesota Statutes 2010, section 171.13, is amended by adding a subdivision
28.30 to read:

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

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

Sec. 12. Minnesota Statutes 2010, section 174.93, is amended to read:

174.93 GUIDEWAY INVESTMENT.

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

(1) "commissioner" means the commissioner of transportation; ~~and~~

(2) "guideway" means a form of transportation service provided to the public on a regular and ongoing basis, that operates on exclusive or controlled rights-of-way or rails in whole or in part, and includes each line for intercity passenger rail, commuter rail, light rail transit, streetcars, and bus rapid transit; and

(3) "local unit of government" means a county, statutory or home rule charter city, town, or other political subdivision, including but not limited to a regional railroad authority or joint powers board.

(b) For purposes of this section, "sources of funds" includes, but is not limited to, money from federal aid, state appropriations, the Metropolitan Council, special taxing districts, local units of government, fare box recovery, and nonpublic sources.

(c) For purposes of this section, "budget activity" includes, but is not limited to, environmental analysis, land acquisition, easements, design, preliminary and final engineering, acquisition of vehicles and rolling stock, track improvement and rehabilitation, and construction.

Subd. 1a. **Capital project requests to legislature.** A state agency or local unit of government that submits a request to the legislature to obtain state funds for a guideway project shall, as part of the request, provide a summary financial plan for the project that presents the following information as reflected by the data and level of detail available in the latest phase of project development:

(1) capital expenditures and funding sources for the project, including expenditures to date and total projected or estimated expenditures, with a breakdown by committed and proposed sources of funds; and

(2) estimated annual operations and maintenance expenditures for the project, with a breakdown by committed and proposed sources of funds.

Subd. 2. **Legislative report.** (a) By November 15 in every odd-numbered year, the commissioner shall prepare, in collaboration with the Metropolitan Council, and submit a report electronically to the chairs and ranking minority members of the house of representatives and senate committees with jurisdiction over transportation policy and finance concerning the status of guideway projects (1) currently in study, planning, development, or construction; (2) identified in the transportation policy plan under section

473.146; or (3) identified in the comprehensive statewide freight and passenger rail plan under section 174.03, subdivision 1b.

(b) At a minimum, the report must include, for each guideway project:

(1) a brief description of the project, including projected ridership;

(2) a summary of the overall status and current phase of the project;

(3) a timeline that includes (i) project phases or milestones; (ii) expected and known dates of commencement of each phase or milestone; and (iii) expected and known dates of completion of each phase or milestone;

(4) a brief progress update on specific project phases or milestones completed since the last previous submission of a report under this subdivision; and

(5) a summary financial plan that identifies, as reflected by the data and level of detail available in the latest phase of project development and to the extent available:

(i) capital expenditures, including expenditures to date and total projected expenditures, with a breakdown by committed and proposed sources of funds for the project; ~~and~~

(ii) estimated annual operations and maintenance expenditures ~~reflecting the level of detail available in the current phase of the project development~~, with a breakdown by committed and proposed sources of funds for the ~~projects in the Metropolitan Council's transportation policy plan.~~ project; and

(iii) if feasible, project expenditures by budget activity.

(c) The report must also include a systemwide capacity analysis for investment in guideway expansion and maintenance that:

(1) provides a funding projection, annually over the ensuing 20 years, and with a breakdown by committed and proposed sources of funds, of:

(i) total capital expenditures for guideways;

(ii) total operations and maintenance expenditures for guideways;

(iii) total funding available for guideways, including from projected or estimated farebox recovery; and

(iv) total funding available for transit service in the metropolitan area; and

(2) evaluates the availability of funds and distribution of sources of funds for guideway investments.

(d) The projection under paragraph (c), clause (1), must be for all guideway lines for which state funds are reasonably expected to be expended in planning, development, construction, or revenue operation during the ensuing 20 years.

(e) Local units of government shall provide assistance and information in a timely manner as requested by the commissioner or council for completion of the report.

31.1 Sec. 13. **REPORT ON ANATOMICAL GIFT ACCOUNT.**

31.2 The commissioner of public safety shall report to the chairs of the legislative
31.3 committees having jurisdiction over transportation policy and finance on the receipts and
31.4 expenditures under Minnesota Statutes, section 171.075. The commission shall submit
31.5 the report by February 1, 2013.

31.6 Sec. 14. **REVISOR'S INSTRUCTION.**

31.7 The revisor of statutes shall recodify Minnesota Statutes, section 171.13,
31.8 subdivisions 1b, 1c, 1d, 1e, 1f, 1g, 1h, 1i, 1j, 1k, and 1l, as Minnesota Statutes, section
31.9 171.0705. The revisor shall correct any cross-references made necessary by this
31.10 recodification.

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

APPENDIX
Article locations in H1140-2

ARTICLE 1 TRANSPORTATION APPROPRIATIONS Page.Ln 1.21
ARTICLE 2 TRANSPORTATION FINANCE AND POLICY Page.Ln 22.17