

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, tort claims, and certain contingent appropriations; providing for use of revenues from metropolitan transportation area sales tax; reducing funding for 2011 state road construction; authorizing transfers from metropolitan livable communities fund accounts, right-of-way loan acquisition fund for transit operating deficits, and Metropolitan Council operating budget; establishing accounts; 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; 161.04, by adding a subdivision; 162.06, subdivision 1; 162.12, subdivision 1; 168.12, subdivision 5; 168.1253, subdivision 1; 169.86, subdivision 5; 171.06, subdivision 2; 171.0701; 171.13, subdivision 1, by adding a subdivision; 174.93; 297A.992, subdivision 5, by adding a subdivision; Laws 2009, chapter 36, article 1, section 3, subdivision 3, as amended; 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>\$ 31,079,000</u>	<u>\$ 31,079,000</u>	<u>\$ 62,158,000</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>
<u>Special Revenue</u>	<u>49,088,000</u>	<u>49,088,000</u>	<u>98,176,000</u>

2.1	<u>H.U.T.D.</u>	<u>10,406,000</u>	<u>10,406,000</u>	<u>20,812,000</u>
2.2	<u>Trunk Highway</u>	<u>1,561,090,000</u>	<u>1,335,276,000</u>	<u>2,896,366,000</u>
2.3	<u>Total</u>	<u>\$ 2,361,836,000</u>	<u>\$ 2,173,490,000</u>	<u>\$ 4,535,326,000</u>

2.4 Sec. 2. **TRANSPORTATION APPROPRIATIONS.**

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

2.13		<u>APPROPRIATIONS</u>
2.14		<u>Available for the Year</u>
2.15		<u>Ending June 30</u>
2.16		<u>2012</u> <u>2013</u>

2.17 Sec. 3. **DEPARTMENT OF**
2.18 **TRANSPORTATION**

2.19 Subdivision 1. **Total Appropriation** **\$ 2,197,672,000** **\$ 2,009,326,000**

2.20	<u>Appropriations by Fund</u>		
2.21		<u>2012</u>	<u>2013</u>
2.22	<u>General</u>	<u>12,877,000</u>	<u>12,877,000</u>
2.23	<u>Airports</u>	<u>19,609,000</u>	<u>21,384,000</u>
2.24	<u>C.S.A.H.</u>	<u>545,109,000</u>	<u>572,773,000</u>
2.25	<u>M.S.A.S</u>	<u>145,455,000</u>	<u>153,484,000</u>
2.26	<u>Trunk Highway</u>	<u>1,474,622,000</u>	<u>1,248,808,000</u>

2.27 The amounts that may be spent for each
2.28 purpose are specified in the following
2.29 subdivisions.

2.30 Subd. 2. **Multimodal Systems**

2.31 (a) **Aeronautics**

2.32 (1) **Airport Development and Assistance** 14,298,000 16,073,000

2.33 This appropriation is from the state
2.34 airports fund and must be spent according

3.1	<u>to Minnesota Statutes, section 360.305,</u>		
3.2	<u>subdivision 4.</u>		
3.3	<u>The base appropriation for fiscal years 2014</u>		
3.4	<u>and 2015 is \$14,298,000 for each year.</u>		
3.5	<u>Notwithstanding Minnesota Statutes, section</u>		
3.6	<u>16A.28, subdivision 6, this appropriation is</u>		
3.7	<u>available for five years after appropriation.</u>		
3.8	<u>If the appropriation for either year is</u>		
3.9	<u>insufficient, the appropriation for the other</u>		
3.10	<u>year is available for it.</u>		
3.11	<u>If the commissioner of transportation</u>		
3.12	<u>determines that a balance remains in</u>		
3.13	<u>the state airports fund following the</u>		
3.14	<u>appropriations made in this article, and that</u>		
3.15	<u>the appropriations made are insufficient</u>		
3.16	<u>for advancing airport development and</u>		
3.17	<u>assistance projects, an amount necessary</u>		
3.18	<u>to advance the projects, not to exceed</u>		
3.19	<u>the balance in the state airports fund, is</u>		
3.20	<u>appropriated in each year to the commissioner</u>		
3.21	<u>and must be spent according to Minnesota</u>		
3.22	<u>Statutes, section 360.305, subdivision</u>		
3.23	<u>4. Within two weeks of a determination</u>		
3.24	<u>under this contingent appropriation, the</u>		
3.25	<u>commissioner of transportation shall notify</u>		
3.26	<u>the commissioner of management and budget</u>		
3.27	<u>and the chairs and ranking minority members</u>		
3.28	<u>of the legislative committees with jurisdiction</u>		
3.29	<u>over transportation finance concerning funds</u>		
3.30	<u>appropriated. Funds appropriated under this</u>		
3.31	<u>contingent appropriation do not adjust the</u>		
3.32	<u>base appropriation for fiscal years 2014 and</u>		
3.33	<u>2015.</u>		
3.34	<u>(2) Aviation Support and Services</u>	<u>6,123,000</u>	<u>6,123,000</u>

4.1	<u>Appropriations by Fund</u>		
4.2	<u>Airports</u>	<u>5,286,000</u>	<u>5,286,000</u>
4.3	<u>Trunk Highway</u>	<u>837,000</u>	<u>837,000</u>
4.4	<u>\$65,000 in each year is from the state airports</u>		
4.5	<u>fund for the Civil Air Patrol.</u>		
4.6	<u>(b) Transit</u>	<u>13,338,000</u>	<u>13,338,000</u>
4.7	<u>Appropriations by Fund</u>		
4.8	<u>General</u>	<u>12,563,000</u>	<u>12,563,000</u>
4.9	<u>Trunk Highway</u>	<u>775,000</u>	<u>775,000</u>
4.10	<u>The base appropriation from the general</u>		
4.11	<u>fund is \$12,563,000 for fiscal year 2014 and</u>		
4.12	<u>\$12,482,000 for fiscal year 2015.</u>		
4.13	<u>The amount used in each year as operating</u>		
4.14	<u>assistance for public transit systems for</u>		
4.15	<u>elderly and disabled service must not be</u>		
4.16	<u>less than the amount used in 2011 for that</u>		
4.17	<u>purpose.</u>		
4.18	<u>\$100,000 in each year is from the general</u>		
4.19	<u>fund for the administrative expenses of the</u>		
4.20	<u>Minnesota Council on Transportation Access</u>		
4.21	<u>under Minnesota Statutes, section 174.285.</u>		
4.22	<u>(c) Freight</u>	<u>5,154,000</u>	<u>5,154,000</u>
4.23	<u>Appropriations by Fund</u>		
4.24	<u>General</u>	<u>257,000</u>	<u>257,000</u>
4.25	<u>Trunk Highway</u>	<u>4,897,000</u>	<u>4,897,000</u>
4.26	<u>Subd. 3. State Roads</u>		
4.27	<u>(a) Operations and Maintenance</u>	<u>257,395,000</u>	<u>257,395,000</u>
4.28	<u>(b) Program Planning and Delivery</u>	<u>206,918,000</u>	<u>206,733,000</u>
4.29	<u>Of these appropriations, \$130,000 in each</u>		
4.30	<u>year is for administrative costs of the</u>		
4.31	<u>targeted group business program, if a law</u>		
4.32	<u>is enacted and effective in 2012 and 2013</u>		
4.33	<u>that establishes a targeted group business</u>		

5.1 program for state highway construction
5.2 contracts.
5.3 \$266,000 in each year is available for grants
5.4 to metropolitan planning organizations
5.5 outside the seven-county metropolitan area.
5.6 \$75,000 in each year is available for a
5.7 transportation research contingent account
5.8 to finance research projects that are
5.9 reimbursable from the federal government or
5.10 from other sources. If the appropriation for
5.11 either year is insufficient, the appropriation
5.12 for the other year is available for it.
5.13 \$600,000 in each year is available for
5.14 grants for transportation studies outside
5.15 the metropolitan area to identify critical
5.16 concerns, problems, and issues. These
5.17 grants are available: (1) to regional
5.18 development commissions; (2) in regions
5.19 where no regional development commission
5.20 is functioning, to joint powers boards
5.21 established under agreement of two or
5.22 more political subdivisions in the region to
5.23 exercise the planning functions of a regional
5.24 development commission; and (3) in regions
5.25 where no regional development commission
5.26 or joint powers board is functioning, to the
5.27 department's district office for that region.
5.28 **(c) State Road Construction** 801,000,000 555,000,000
5.29 It is estimated that these appropriations will
5.30 be funded as follows:
5.31 Appropriations by Fund
5.32 Federal Highway
5.33 Aid 490,800,000 264,800,000
5.34 Highway User Taxes 310,200,000 290,200,000

6.1 The commissioner of transportation shall
6.2 notify the chairs and ranking minority
6.3 members of the legislative committees with
6.4 jurisdiction over transportation finance of
6.5 any significant events that should cause these
6.6 estimates to change.

6.7 This appropriation is for the actual
6.8 construction, reconstruction, and
6.9 improvement of trunk highways, including
6.10 design-build contracts and consultant usage
6.11 to support these activities. This includes the
6.12 cost of actual payment to landowners for
6.13 lands acquired for highway rights-of-way,
6.14 payment to lessees, interest subsidies, and
6.15 relocation expenses.

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

6.18 The commissioner may transfer up to
6.19 \$20,000,000 in the first year from the
6.20 trunk highway fund to the trunk highway
6.21 economic development account established
6.22 under Minnesota Statutes, section 161.04,
6.23 subdivision 6.

6.24 The commissioner may expend up to one-half
6.25 of one percent of the federal appropriations
6.26 under this paragraph as grants to opportunity
6.27 industrialization centers and other nonprofit
6.28 job training centers for job training programs
6.29 related to highway construction.

6.30 The commissioner may transfer up to
6.31 \$15,000,000 each year to the transportation
6.32 revolving loan fund.

6.33 The commissioner may receive money
6.34 covering other shares of the cost of
6.35 partnership projects. These receipts are

7.1	<u>appropriated to the commissioner for these</u>		
7.2	<u>projects.</u>		
7.3	<u>(d) Highway Debt Service</u>	<u>137,876,000</u>	<u>158,247,000</u>
7.4	<u>\$123,876,000 the first year and \$144,247,000</u>		
7.5	<u>the second year are for transfer to the state</u>		
7.6	<u>bond fund. If an appropriation is insufficient</u>		
7.7	<u>to make all transfers required in the year</u>		
7.8	<u>for which it is made, the commissioner of</u>		
7.9	<u>management and budget shall notify the</u>		
7.10	<u>Committee on Finance of the senate and</u>		
7.11	<u>the Committee on Ways and Means of the</u>		
7.12	<u>house of representatives of the amount of the</u>		
7.13	<u>deficiency and shall then transfer that amount</u>		
7.14	<u>under the statutory open appropriation. Any</u>		
7.15	<u>excess appropriation cancels to the trunk</u>		
7.16	<u>highway fund.</u>		
7.17	<u>(e) Electronic Communications</u>	<u>5,171,000</u>	<u>5,171,000</u>
7.18	<u>Appropriations by Fund</u>		
7.19	<u>General</u>	<u>3,000</u>	<u>3,000</u>
7.20	<u>Trunk Highway</u>	<u>5,168,000</u>	<u>5,168,000</u>
7.21	<u>The general fund appropriation is to equip</u>		
7.22	<u>and operate the Roosevelt signal tower for</u>		
7.23	<u>Lake of the Woods weather broadcasting.</u>		
7.24	<u>Subd. 4. Local Roads</u>		
7.25	<u>(a) County State Aids</u>	<u>545,109,000</u>	<u>572,773,000</u>
7.26	<u>This appropriation is from the county</u>		
7.27	<u>state-aid highway fund under Minnesota</u>		
7.28	<u>Statutes, sections 161.082 to 161.085; and</u>		
7.29	<u>Minnesota Statutes, chapter 162. This</u>		
7.30	<u>appropriation is available until spent.</u>		
7.31	<u>If the commissioner of transportation</u>		
7.32	<u>determines that a balance remains in the</u>		
7.33	<u>county state-aid highway fund following</u>		
7.34	<u>the appropriations and transfers made in</u>		

8.1 this subdivision, and that the appropriations
8.2 made are insufficient for advancing county
8.3 state-aid highway projects, an amount
8.4 necessary to advance the projects, not to
8.5 exceed the balance in the county state-aid
8.6 highway fund, is appropriated in each year
8.7 to the commissioner. Within two weeks
8.8 of a determination under this contingent
8.9 appropriation, the commissioner of
8.10 transportation shall notify the commissioner
8.11 of management and budget and the chairs
8.12 and ranking minority members of the
8.13 legislative committees with jurisdiction over
8.14 transportation finance concerning funds
8.15 appropriated.

8.16	<u>(b) Municipal State Aids</u>	<u>145,455,000</u>	<u>153,484,000</u>
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8.17 This appropriation is from the municipal
8.18 state-aid street fund for municipal state-aid
8.19 streets under Minnesota Statutes, chapter
8.20 162. This appropriation is available until
8.21 spent.

8.22 If the commissioner of transportation
8.23 determines that a balance remains in the
8.24 municipal state-aid street fund following
8.25 the appropriations made in this subdivision,
8.26 and that the appropriations made are
8.27 insufficient for advancing municipal state-aid
8.28 street projects, an amount necessary to
8.29 advance the projects, not to exceed the
8.30 balance in the municipal state-aid street
8.31 fund, is appropriated in each year to
8.32 the commissioner. Within two weeks
8.33 of a determination under this contingent
8.34 appropriation, the commissioner of
8.35 transportation shall notify the commissioner

9.1 of management and budget and the chairs
9.2 and ranking minority members of the
9.3 legislative committees with jurisdiction over
9.4 transportation finance concerning funds
9.5 appropriated.

9.6 Subd. 5. Agency Management

9.7 (a) Agency Services 41,997,000 41,997,000

9.8 Appropriations by Fund

9.9 <u>Airports</u>	<u>25,000</u>	<u>25,000</u>
9.10 <u>Trunk Highway</u>	<u>41,972,000</u>	<u>41,972,000</u>

9.11 (b) Buildings 17,838,000 17,838,000

9.12 Appropriations by Fund

9.13 <u>General</u>	<u>54,000</u>	<u>54,000</u>
9.14 <u>Trunk Highway</u>	<u>17,784,000</u>	<u>17,784,000</u>

9.15 If the appropriation for either year is
9.16 insufficient, the appropriation for the other
9.17 year is available for it.

9.18 Subd. 6. Transfers

9.19 (a) With the approval of the commissioner of
9.20 management and budget, the commissioner
9.21 of transportation may transfer unencumbered
9.22 balances among the appropriations from the
9.23 trunk highway fund and the state airports
9.24 fund made in this section. No transfer
9.25 may be made from the appropriations for
9.26 state road construction or for debt service.
9.27 Transfers under this paragraph may not be
9.28 made between funds. Transfers under this
9.29 paragraph must be reported immediately to
9.30 the chairs and ranking minority members of
9.31 the legislative committees with jurisdiction
9.32 over transportation finance.

9.33 (b) The commissioner shall transfer from
9.34 the flexible highway account in the county

10.1 state-aid highway fund: (1) \$1,000,000
10.2 in the first year to the municipal turnback
10.3 account in the municipal state-aid street
10.4 fund; (2) \$1,900,000 in the first year to the
10.5 trunk highway fund; and (3) the remainder
10.6 in each year to the county turnback account
10.7 in the county state-aid highway fund. The
10.8 funds transferred are for highway turnback
10.9 purposes as provided under Minnesota
10.10 Statutes, section 161.081, subdivision 3.
10.11 **Subd. 7. Use of State Road Construction**
10.12 **Appropriations**

10.13 Any money appropriated to the commissioner
10.14 of transportation for state road construction
10.15 for any fiscal year before the first year is
10.16 available to the commissioner during the
10.17 biennium to the extent that the commissioner
10.18 spends the money on the state road
10.19 construction project for which the money
10.20 was originally encumbered during the fiscal
10.21 year for which it was appropriated. The
10.22 commissioner of transportation shall report to
10.23 the commissioner of management and budget
10.24 by August 1, 2011, and August 1, 2012, on
10.25 a form the commissioner of management
10.26 and budget provides, on expenditures made
10.27 during the previous fiscal year that are
10.28 authorized by this subdivision.
10.29 **Subd. 8. Contingent Appropriation**

10.30 The commissioner of transportation, with
10.31 the approval of the governor and the
10.32 written approval of at least five members
10.33 of a group consisting of the members of
10.34 the Legislative Advisory Commission
10.35 under Minnesota Statutes, section 3.30,

11.1 and the ranking minority members of the
11.2 legislative committees with jurisdiction over
11.3 transportation finance, may transfer all or
11.4 part of the unappropriated balance in the
11.5 trunk highway fund to an appropriation:
11.6 (1) for trunk highway design, construction,
11.7 or inspection in order to take advantage of
11.8 an unanticipated receipt of income to the
11.9 trunk highway fund or to take advantage
11.10 of federal advanced construction funding;
11.11 (2) for trunk highway maintenance in order
11.12 to meet an emergency; or (3) to pay tort
11.13 or environmental claims. Nothing in this
11.14 subdivision authorizes the commissioner
11.15 to increase the use of federal advanced
11.16 construction funding beyond amounts
11.17 specifically authorized. Any transfer as
11.18 a result of the use of federal advanced
11.19 construction funding must include an
11.20 analysis of the effects on the long-term
11.21 trunk highway fund balance. The amount
11.22 transferred is appropriated for the purpose of
11.23 the account to which it is transferred.

11.24 Subd. 9. Use of Trunk Highway Fund

11.25 No transfer or expenditure of trunk highway
11.26 funds may be made for the purpose of paying
11.27 personnel costs incurred on behalf of the
11.28 Governor's Office.

11.29 Sec. 4. METROPOLITAN COUNCIL \$ 10,248,000 \$ 10,248,000

11.30 This appropriation is from the general
11.31 fund for transit system operations under
11.32 Minnesota Statutes, sections 473.371 to
11.33 473.449.

12.1 Of this appropriation, \$140,000 in each
12.2 fiscal year is for transit service for disabled
12.3 veterans under Minnesota Statutes, section
12.4 473.408, subdivision 10.

12.5 The base appropriation is \$39,248,000 for
12.6 fiscal year 2014 and \$39,329,000 for fiscal
12.7 year 2015.

12.8 The Metropolitan Council shall deploy
12.9 the following strategies as necessary to
12.10 avoid transit service reductions and route
12.11 elimination, in the order stated:

12.12 (1) use the maximum feasible amount of
12.13 the council's reserve funds for bus transit
12.14 operations in fiscal years 2012 and 2013;

12.15 (2) exercise the authority granted to the
12.16 council in article 2, sections 3 to 5;

12.17 (3) increase fares; and

12.18 (4) if the strategies under clauses (1) to
12.19 (3) have been deployed, perform service
12.20 reductions or route eliminations except as
12.21 otherwise prohibited under this section.

12.22 The Metropolitan Council may not reduce
12.23 the level of service provided in the biennium
12.24 for special transportation service under
12.25 Minnesota Statutes, section 473.386, from
12.26 the level of service provided by the council
12.27 on January 1, 2011. The Metropolitan
12.28 Council may not restrict eligibility in the
12.29 biennium for special transportation service
12.30 under Minnesota Statutes, section 473.386,
12.31 beyond the eligibility requirements in place
12.32 on January 1, 2011. Level of service includes,
12.33 but is not limited to, geographic coverage
12.34 area, hours of service, hours of operation for

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13.1 reservation services, and any other aspects of
13.2 the program having a substantial impact on
13.3 usability of the service.

13.4 Notwithstanding Minnesota Statutes, section
13.5 473.388, subdivision 4, in each year of the
13.6 biennium, the Metropolitan Council shall
13.7 provide financial assistance to each transit
13.8 provider under Minnesota Statutes, section
13.9 473.388, in an amount equal to the amount of
13.10 assistance provided to that transit provider by
13.11 the Metropolitan Council in fiscal year 2011.

13.12 **Sec. 5. DEPARTMENT OF PUBLIC SAFETY**

13.13	Subdivision 1. <u>Total Appropriation</u>	\$	<u>153,316,000</u>	\$	<u>153,316,000</u>
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13.14 Appropriations by Fund

13.15		<u>2012</u>	<u>2013</u>
13.16	<u>General</u>	<u>7,954,000</u>	<u>7,954,000</u>
13.17	<u>Special Revenue</u>	<u>49,088,000</u>	<u>49,088,000</u>
13.18	<u>H.U.T.D.</u>	<u>10,406,000</u>	<u>10,406,000</u>
13.19	<u>Trunk Highway</u>	<u>85,868,000</u>	<u>85,868,000</u>

13.20 The amounts that may be spent for each
13.21 purpose are specified in the following
13.22 subdivisions.

13.23 Subd. 2. **Administration and Related Services**

13.24	(a) Office of Communications	434,000	434,000
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13.25 Appropriations by Fund

13.26	<u>General</u>	<u>41,000</u>	<u>41,000</u>
13.27	Trunk Highway	393,000	393,000

13.28	(b) Public Safety Support	8,168,000	8,168,000
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13.29 Appropriations by Fund

13.30	<u>General</u>	<u>3,296,000</u>	<u>3,296,000</u>
13.31	<u>H.U.T.D.</u>	<u>1,366,000</u>	<u>1,366,000</u>
13.32	Trunk Highway	3,506,000	3,506,000

13.33 \$380,000 in each year is from the general
13.34 fund for payment of public safety officer

14.1 survivor benefits under Minnesota Statutes,
14.2 section 299A.44. If the appropriation for
14.3 either year is insufficient, the appropriation
14.4 for the other year is available for it.

14.5 \$1,367,000 in each year is from the general
14.6 fund to be deposited in the public safety
14.7 officer's benefit account. This money
14.8 is available for reimbursements under
14.9 Minnesota Statutes, section 299A.465.

14.10 \$508,000 in each year is from the general
14.11 fund for soft body armor reimbursements
14.12 under Minnesota Statutes, section 299A.38.

14.13 \$792,000 in each year is from the general
14.14 fund for transfer by the commissioner of
14.15 management and budget to the trunk highway
14.16 fund on December 31, 2011, and December
14.17 31, 2012, respectively, in order to reimburse
14.18 the trunk highway fund for expenses not
14.19 related to the fund. These represent amounts
14.20 appropriated out of the trunk highway
14.21 fund for general fund purposes in the
14.22 administration and related services program.

14.23 \$610,000 in each year is from the highway
14.24 user tax distribution fund for transfer by the
14.25 commissioner of management and budget
14.26 to the trunk highway fund on December 31,
14.27 2011, and December 31, 2012, respectively,
14.28 in order to reimburse the trunk highway
14.29 fund for expenses not related to the fund.

14.30 These represent amounts appropriated out
14.31 of the trunk highway fund for highway
14.32 user tax distribution fund purposes in the
14.33 administration and related services program.

14.34 \$716,000 in each year is from the highway
14.35 user tax distribution fund for transfer by the

15.1 commissioner of management and budget to
 15.2 the general fund on December 31, 2011, and
 15.3 December 31, 2012, respectively, in order to
 15.4 reimburse the general fund for expenses not
 15.5 related to the fund. These represent amounts
 15.6 appropriated out of the general fund for
 15.7 operation of the criminal justice data network
 15.8 related to driver and motor vehicle licensing.

15.9 **(c) Technology and Support Service** 3,835,000 3,835,000

15.10 Appropriations by Fund
 15.11 General 1,472,000 1,472,000
 15.12 H.U.T.D. 19,000 19,000
 15.13 Trunk Highway 2,344,000 2,344,000

15.14 **Subd. 3. State Patrol**

15.15 **(a) Patrolling Highways** 71,522,000 71,522,000

15.16 Appropriations by Fund
 15.17 General 37,000 37,000
 15.18 H.U.T.D. 92,000 92,000
 15.19 Trunk Highway 71,393,000 71,393,000

15.20 **(b) Commercial Vehicle Enforcement** 7,796,000 7,796,000

15.21 \$600,000 in each year is for the Office of
 15.22 Pupil Transportation Safety under Minnesota
 15.23 Statutes, section 169.435.

15.24 **(c) Capitol Security** 3,108,000 3,108,000

15.25 This appropriation is from the general fund.
 15.26 The commissioner may not: (1) spend
 15.27 any money from the trunk highway fund
 15.28 for capitol security; or (2) permanently
 15.29 transfer any state trooper from the patrolling
 15.30 highways activity to capitol security.
 15.31 The commissioner may not transfer any
 15.32 money appropriated to the commissioner
 15.33 under this section: (1) to capitol security; or
 15.34 (2) from capitol security.

16.1	<u>(d) Vehicle Crimes Unit</u>	<u>693,000</u>	<u>693,000</u>
16.2	<u>This appropriation is from the highway user</u>		
16.3	<u>tax distribution fund.</u>		
16.4	<u>This appropriation is to investigate: (1)</u>		
16.5	<u>registration tax and motor vehicle sales tax</u>		
16.6	<u>liabilities from individuals and businesses</u>		
16.7	<u>that currently do not pay all taxes owed;</u>		
16.8	<u>and (2) illegal or improper activity related</u>		
16.9	<u>to sale, transfer, titling, and registration of</u>		
16.10	<u>motor vehicles.</u>		
16.11	<u>Subd. 4. Driver and Vehicle Services</u>		
16.12	<u>(a) Vehicle Services</u>	<u>27,259,000</u>	<u>27,259,000</u>
16.13	<u>Appropriations by Fund</u>		
16.14	<u>Special Revenue</u> <u>19,023,000</u>	<u>19,023,000</u>	
16.15	<u>H.U.T.D.</u> <u>8,236,000</u>	<u>8,236,000</u>	
16.16	<u>The special revenue fund appropriation is</u>		
16.17	<u>from the vehicle services operating account.</u>		
16.18	<u>(b) Driver Services</u>	<u>28,712,000</u>	<u>28,712,000</u>
16.19	<u>Appropriations by Fund</u>		
16.20	<u>Special Revenue</u> <u>28,711,000</u>	<u>28,711,000</u>	
16.21	<u>Trunk Highway</u> <u>1,000</u>	<u>1,000</u>	
16.22	<u>The special revenue fund appropriation is</u>		
16.23	<u>from the driver services operating account.</u>		
16.24	<u>Subd. 5. Traffic Safety</u>	<u>435,000</u>	<u>435,000</u>
16.25	<u>The commissioner of public safety shall</u>		
16.26	<u>spend 50 percent of the money available to</u>		
16.27	<u>the state under United States Code, title 23,</u>		
16.28	<u>section 164, and the remaining 50 percent</u>		
16.29	<u>must be transferred to the commissioner</u>		
16.30	<u>of transportation for hazard elimination</u>		
16.31	<u>activities under United States Code, title 23,</u>		
16.32	<u>section 152.</u>		
16.33	<u>Subd. 6. Pipeline Safety</u>	<u>1,354,000</u>	<u>1,354,000</u>

17.1 This appropriation is from the pipeline safety
17.2 account in the special revenue fund.
17.3 Subd. 7. Use of Trunk Highway Fund
17.4 No transfer or expenditure of trunk highway
17.5 funds may be made for the purpose of paying
17.6 personnel costs incurred on behalf of the
17.7 Governor's Office.

17.8	Sec. 6. <u>TORT CLAIMS</u>	\$	<u>600,000</u>	\$	<u>600,000</u>
17.9	<u>This appropriation is to the commissioner of</u>				
17.10	<u>management and budget.</u>				
17.11	<u>If the appropriation for either year is</u>				
17.12	<u>insufficient, the appropriation for the other</u>				
17.13	<u>year is available for it.</u>				

17.14 Sec. 7. Laws 2009, chapter 36, article 1, section 3, subdivision 3, as amended by Laws
17.15 2010, chapter 351, section 66, is amended to read:

17.16 Subd. 3. **State Roads**

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

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

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

17.24 \$266,000 the first year and \$266,000 the
17.25 second year are available for grants to
17.26 metropolitan planning organizations outside
17.27 the seven-county metropolitan area.

17.28 \$75,000 the first year and \$75,000 the
17.29 second year are for a transportation research
17.30 contingent account to finance research
17.31 projects that are reimbursable from the

18.1 federal government or from other sources.

18.2 If the appropriation for either year is

18.3 insufficient, the appropriation for the other

18.4 year is available for it.

18.5 \$600,000 the first year and \$600,000

18.6 the second year are available for grants

18.7 for transportation studies outside the

18.8 metropolitan area to identify critical

18.9 concerns, problems, and issues. These

18.10 grants are available (1) to regional

18.11 development commissions; (2) in regions

18.12 where no regional development commission

18.13 is functioning, to joint powers boards

18.14 established under agreement of two or

18.15 more political subdivisions in the region to

18.16 exercise the planning functions of a regional

18.17 development commission; and (3) in regions

18.18 where no regional development commission

18.19 or joint powers board is functioning, to the

18.20 department's district office for that region.

18.21 \$200,000 the second year is for grants

18.22 to nonprofit job training centers for: (1)

18.23 job training programs related to highway

18.24 construction; and (2) business training for

18.25 companies that are certified disadvantaged

18.26 business enterprises.

18.27			598,700,000
18.28	(2) State Road Construction	551,300,000	<u>555,700,000</u>

18.29 The base appropriation for fiscal years 2012

18.30 and 2013 is \$635,000,000 for each year.

18.31 It is estimated that these appropriations will

18.32 be funded as follows:

18.33	Appropriations by Fund		
18.34	Federal Highway		388,500,000
18.35	Aid	301,100,000	<u>345,500,000</u>
18.36	Highway User Taxes	250,200,000	210,200,000

19.1 The commissioner of transportation shall
19.2 notify the chairs and ranking minority
19.3 members of the senate and house of
19.4 representatives committees with jurisdiction
19.5 over transportation finance of any significant
19.6 events that should cause these estimates to
19.7 change.

19.8 This appropriation is for the actual
19.9 construction, reconstruction, and
19.10 improvement of trunk highways, including
19.11 design-build contracts and consultant usage
19.12 to support these activities. This includes the
19.13 cost of actual payment to landowners for
19.14 lands acquired for highway rights-of-way,
19.15 payment to lessees, interest subsidies, and
19.16 relocation expenses.

19.17 The commissioner may spend up to \$250,000
19.18 of trunk highway funds in fiscal year 2011
19.19 to pay the operating costs of bus service
19.20 between Hastings and Minneapolis-St. Paul
19.21 to mitigate the traffic impacts of the project
19.22 involving construction of a bridge crossing
19.23 the Mississippi River in the city of Hastings
19.24 on marked Trunk Highway 61.

19.25 The commissioner shall expend up to
19.26 one-half of one percent of the federal
19.27 appropriations under this paragraph as grants
19.28 to opportunity industrialization centers and
19.29 other nonprofit job training centers for
19.30 job training programs related to highway
19.31 construction.

19.32 The commissioner may transfer up to
19.33 \$15,000,000 each year to the transportation
19.34 revolving loan fund.

20.1 The commissioner may receive money
20.2 covering other shares of the cost of
20.3 partnership projects. These receipts are
20.4 appropriated to the commissioner for these
20.5 projects.

20.6	(3) Highway Debt Service	101,170,000	173,400,000
20.7	\$86,517,000 the first year and \$157,304,000		
20.8	the second year are for transfer to the state		
20.9	bond fund. If this appropriation is insufficient		
20.10	to make all transfers required in the year for		
20.11	which it is made, the commissioner of finance		
20.12	shall notify the Committee on Finance of		
20.13	the senate and the Committee on Ways and		
20.14	Means of the house of representatives of		
20.15	the amount of the deficiency and shall then		
20.16	transfer that amount under the statutory open		
20.17	appropriation. Any excess appropriation		
20.18	cancels to the trunk highway fund.		

20.19	(c) Electronic Communications	5,177,000	5,177,000
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20.20	Appropriations by Fund		
20.21	General	9,000	9,000
20.22	Trunk Highway	5,168,000	5,168,000

20.23 The general fund appropriation is to equip
20.24 and operate the Roosevelt signal tower for
20.25 Lake of the Woods weather broadcasting.

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

20.27 **ARTICLE 2**

20.28 **METROPOLITAN TRANSIT FINANCE**

20.29 Section 1. Minnesota Statutes 2010, section 297A.992, subdivision 5, is amended to
20.30 read:

20.31 Subd. 5. **Grant application and awards; Grant Evaluation and Ranking System**
20.32 **(GEARS) Committee.** (a) The joint powers board shall establish a grant application
20.33 process and identify the amount of available funding for grant awards. Grant applications

21.1 must be submitted in a form prescribed by the joint powers board. An applicant must
21.2 provide, in addition to all other information required by the joint powers board, the
21.3 estimated cost of the project, the amount of the grant sought, possible sources of funding
21.4 in addition to the grant sought, and identification of any federal funds that will be utilized
21.5 if the grant is awarded. A grant application seeking transit capital funding must identify
21.6 the source of money necessary to operate the transit improvement.

21.7 (b) The joint powers board shall establish a timeline and procedures for the award of
21.8 grants, and may award grants only to the state and political subdivisions. The board shall
21.9 define objective criteria for the award of grants, which must include, but not be limited to,
21.10 consistency with the most recent version of the transportation policy plan adopted by the
21.11 Metropolitan Council under section 473.146. The joint powers board shall maximize the
21.12 availability and use of federal funds in projects funded under this section.

21.13 (c) The joint powers board shall establish a GEARS Committee, which must consist
21.14 of:

21.15 (1) one county commissioner from each county that is in the metropolitan
21.16 transportation area, appointed by its county board;

21.17 (2) one elected city representative from each county that is in the metropolitan
21.18 transportation area;

21.19 (3) one additional elected city representative from each county for every additional
21.20 400,000 in population, or fraction of 400,000, in the county that is above 400,000 in
21.21 population; and

21.22 (4) the chair of the Metropolitan Council Transportation Committee.

21.23 (d) Each city representative must be elected at a meeting of cities in the metropolitan
21.24 transportation area, which must be convened for that purpose by the Association of
21.25 Metropolitan Municipalities.

21.26 (e) The committee shall evaluate grant applications following objective criteria
21.27 established by the joint powers board, and must provide to the joint powers board a
21.28 selection list of transportation projects that includes a priority ranking.

21.29 (f) A grant award for a transit project located within the metropolitan area, as defined
21.30 in section 473.121, subdivision 2, may be funded only after the Metropolitan Council
21.31 reviews the project for consistency with the transit portion of the Metropolitan Council
21.32 policy plan and one of the following occurs:

21.33 (1) the Metropolitan Council finds the project to be consistent;

21.34 (2) the Metropolitan Council initially finds the project to be inconsistent, but after a
21.35 good faith effort to resolve the inconsistency through negotiations with the joint powers
21.36 board, agrees that the grant award may be funded; or

(3) the Metropolitan Council finds the project to be inconsistent, and submits the consistency issue for final determination to a panel, which determines the project to be consistent. The panel is composed of a member appointed by the chair of the Metropolitan Council, a member appointed by the joint powers board, and a member agreed upon by both the chair and the joint powers board.

(g) Grants must be funded by the proceeds of the taxes imposed under this section, bonds, notes, or other obligations issued by the joint powers board under subdivision 7.

~~(h) Notwithstanding the provisions of this subdivision, in fiscal year 2009, of the initial revenue collected under this section, the joint powers board shall allocate at least \$30,783,000 to the Metropolitan Council for operating assistance for transit.~~
Notwithstanding the provisions of this section except subdivision 6a, of the revenue collected under this section, the joint powers board may allocate to the Metropolitan Council, in fiscal years 2012 and 2013, any amount that is not provided as grant awards for transit ways or park-and-ride facilities.

(i) The Metropolitan Council shall expend any funds allocated under paragraph (h):

(1) for bus operations under sections 473.371 to 473.449, and excluding (i) bus rapid transit operations, and (ii) light rail transit and commuter rail operations under sections 174.90, 473.3993 to 473.3999, and 473.4051 to 473.4057; and

(2) solely within those counties that are in the metropolitan transportation area.

(j) Nothing in paragraph (h) or (i) prevents grant awards to the Metropolitan Council for capital and operating assistance for transit ways and park-and-ride facilities.

Sec. 2. Minnesota Statutes 2010, section 297A.992, is amended by adding a subdivision to read:

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

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

(2) as otherwise authorized under this section.

Sec. 3. **METROPOLITAN LIVABLE COMMUNITIES FUND; TRANSFERS.**

(a) Notwithstanding Minnesota Statutes, sections 473.25 to 473.255, or any other law, the Metropolitan Council may transfer to its transit operating budget in 2011, 2012, and 2013 up to 100 percent of the sum of balances in, revenues in, and amounts otherwise credited, transferred, or distributed to, each of the following accounts in 2011, 2012, and 2013:

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

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

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

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

(c) The council shall use any amounts transferred under this section to cover operating deficits for transit services provided or assisted by the council under Minnesota Statutes, sections 473.371 to 473.449. If the council transfers funds pursuant to this section, the council shall amend the annual distribution plan described in Minnesota Statutes, section 473.25, paragraph (d), and include information about the transfer in the annual report required under Minnesota Statutes, section 473.25, paragraph (e).

Sec. 4. RIGHT-OF-WAY ACQUISITION LOAN FUND; TRANSFERS.

(a) Notwithstanding Minnesota Statutes, section 473.167, or any other law, the Metropolitan Council may transfer to its transit operating budget in 2011, 2012, and 2013 up to 100 percent of the amounts levied and collected in 2011, 2012, and 2013 under Minnesota Statutes, section 473.167, subdivision 3. The council shall use the amounts transferred to cover operating deficits for transit services provided or assisted by the council under Minnesota Statutes, sections 473.371 to 473.449.

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

Sec. 5. METROPOLITAN COUNCIL OPERATING BUDGET; TRANSFERS.

(a) Notwithstanding Minnesota Statutes, chapter 473, or any other law, the Metropolitan Council may transfer to its transit operating budget in 2011, 2012, and 2013 up to 100 percent of the amounts levied and collected in 2011, 2012, and 2013, respectively, under Minnesota Statutes, section 473.249, that are otherwise budgeted in that year in the council's operating budget under Minnesota Statutes, section 473.13, for the following departments or functions:

(1) government affairs;

(2) public affairs;

(3) regional systems planning and growth strategy; and

ARTICLE 3

TRANSPORTATION DEVELOPMENT

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

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

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

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

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

(2) the public purpose of the project;

(3) the extent to which the political subdivision has or expects to provide local, 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

25.1 the political subdivision has submitted the project predesign to the commissioner of
25.2 administration for review and approval; and
25.3 (8) if applicable, the information required under section 174.93, subdivision 1a.

25.4 Sec. 3. Minnesota Statutes 2010, section 161.04, is amended by adding a subdivision
25.5 to read:

25.6 Subd. 6. **Trunk highway economic development account.** (a) The trunk highway
25.7 economic development account is created in the trunk highway fund. Money in the
25.8 account is annually appropriated to the commissioner and does not lapse. Interest earned
25.9 from investment of money in this account must be deposited in the trunk highway
25.10 economic development account.

25.11 (b) Money in the account must be used to fund construction, reconstruction, and
25.12 improvement of trunk highways that will promote economic development, increase
25.13 employment, and relieve growing traffic congestion.

25.14 (c) The commissioner shall design a project application and selection process to
25.15 distribute money in the account. The process must include specified eligibility and
25.16 prioritizing criteria.

25.17 (d) Money in the account must be allocated 50 percent to the department's
25.18 metropolitan district, and 50 percent to districts in greater Minnesota except as provided
25.19 in this paragraph. If there are not sufficient project applications that meet eligibility and
25.20 prioritizing criteria in either the metropolitan district or greater Minnesota districts to
25.21 permit an equal division of available money, the commissioner shall fund projects that
25.22 meet the selection criteria without regard to location in the state.

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

25.24 Subdivision 1. **Estimate.** (a) By December 15 of each year the commissioner shall
25.25 estimate the amount of money that will be available to the county state-aid highway fund
25.26 during that fiscal year. The amount available must be based on actual receipts from July
25.27 1 through ~~November 30~~ October 31, the unallocated fund balance, and the projected
25.28 receipts for the remainder of the fiscal year. The amount available, except for deductions
25.29 as provided in this section, shall be apportioned by the commissioner to the counties as
25.30 provided in section 162.07.

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

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

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

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

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

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

License Plate	Single	Double
Regular and Disability	\$ 4.50	\$ 6.00
Special	\$ 8.50	\$ 10.00
Personalized (Replacement)	\$ 10.00	\$ 14.00
Collector Category	\$ 13.50	\$ 15.00
Emergency Vehicle Display	\$ 3.00	\$ 6.00
Utility Trailer Self-Adhesive	\$ 2.50	
Vertical Motorcycle Plate	\$ 100.00	NA
Stickers		
Duplicate year	\$ 1.00	\$ 1.00
International Fuel Tax Agreement	\$ 2.50	

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

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

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

27.2 Sec. 7. Minnesota Statutes 2010, section 168.1253, subdivision 1, is amended to read:

27.3 Subdivision 1. **Definitions.** (a) The terms used in this section have the meanings
27.4 given them in this subdivision.

27.5 (b) "Active service" has the meaning given in section 190.05, subdivision 5.

27.6 (c) "Eligible person" means a surviving spouse ~~or, child, parent or legal guardian, or~~
27.7 sibling of a person who has died while serving honorably in active service. For purposes
27.8 of this section, an eligibility relationship may be established by birth or adoption.

27.9 (d) "Motor vehicle" means a vehicle for personal use, not used for commercial
27.10 purposes, and may include a passenger automobile, motorcycle, recreational vehicle,
27.11 pickup truck, or van.

27.12 **EFFECTIVE DATE.** This section is effective August 1, 2011, for registrations
27.13 applied for or renewed on or after that date.

27.14 Sec. 8. Minnesota Statutes 2010, section 169.86, subdivision 5, is amended to read:

27.15 Subd. 5. **Fees; proceeds deposited; appropriation.** The commissioner, with
27.16 respect to highways under the commissioner's jurisdiction, may charge a fee for each
27.17 permit issued. All such fees for permits issued by the commissioner of transportation shall
27.18 be deposited in the state treasury and credited to the trunk highway fund. Except for
27.19 those annual permits for which the permit fees are specified elsewhere in this chapter, the
27.20 fees shall be:

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

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

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

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

27.29 (2) motor vehicles which travel on interstate highways and carry loads authorized
27.30 under subdivision 1a;

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

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

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

- 28.1
- (6) noncommercial transportation of a boat by the owner or user of the boat;
- 28.2
- (7) motor vehicles carrying bales of agricultural products authorized under section
- 28.3
- 169.862; and
- 28.4
- (8) special milk-hauling vehicles authorized under section 169.867.
- 28.5
- (d) \$120 for an oversize annual permit to be issued for a period not to exceed 12
- 28.6
- consecutive months. Annual permits may be issued for:
- 28.7
- (1) mobile cranes;
- 28.8
- (2) construction equipment, machinery, and supplies;
- 28.9
- (3) manufactured homes and manufactured storage buildings;
- 28.10
- (4) implements of husbandry;
- 28.11
- (5) double-deck buses;
- 28.12
- (6) commercial boat hauling and transporting waterfront structures including, but
- 28.13
- not limited to, portable boat docks and boat lifts;
- 28.14
- (7) three-vehicle combinations consisting of two empty, newly manufactured trailers
- 28.15
- for cargo, horses, or livestock, not to exceed 28-1/2 feet per trailer; provided, however,
- 28.16
- the permit allows the vehicles to be moved from a trailer manufacturer to a trailer dealer
- 28.17
- only while operating on twin-trailer routes designated under section 169.81, subdivision 3,
- 28.18
- paragraph (c); and
- 28.19
- (8) vehicles operating on that portion of marked Trunk Highway 36 described in
- 28.20
- section 169.81, subdivision 3, paragraph (e).
- 28.21
- (e) For vehicles which have axle weights exceeding the weight limitations of
- 28.22
- sections 169.823 to 169.829, an additional cost added to the fees listed above. However,
- 28.23
- this paragraph applies to any vehicle described in section 168.013, subdivision 3,
- 28.24
- paragraph (b), but only when the vehicle exceeds its gross weight allowance set forth in
- 28.25
- that paragraph, and then the additional cost is for all weight, including the allowance
- 28.26
- weight, in excess of the permitted maximum axle weight. The additional cost is equal
- 28.27
- to the product of the distance traveled times the sum of the overweight axle group cost
- 28.28
- factors shown in the following chart:

28.29

Overweight Axle Group Cost Factors			
Weight (pounds)	Cost Per Mile For Each Group Of:		
	Two	Three	Four consecutive
exceeding weight	consecutive	consecutive	axles spaced within
limitations on axles	axles spaced	axles spaced	14 feet or less
	within 8 feet	within 9 feet	
	or less	or less	
0-2,000	.12	.05	.04
2,001-4,000	.14	.06	.05
4,001-6,000	.18	.07	.06

28.38

29.1	6,001-8,000	.21	.09	.07
29.2	8,001-10,000	.26	.10	.08
29.3	10,001-12,000	.30	.12	.09
29.4		Not		
29.5	12,001-14,000	permitted	.14	.11
29.6		Not		
29.7	14,001-16,000	permitted	.17	.12
29.8		Not		
29.9	16,001-18,000	permitted	.19	.15
29.10		Not	Not	
29.11	18,001-20,000	permitted	permitted	.16
29.12		Not	Not	
29.13	20,001-22,000	permitted	permitted	.20

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

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

29.21 (f) As an alternative to paragraph (e), an annual permit may be issued for overweight,
29.22 or oversize and overweight, mobile cranes; construction equipment, machinery, and
29.23 supplies; implements of husbandry; and commercial boat hauling. The fees for the permit
29.24 are as follows:

29.25	Gross Weight (pounds) of Vehicle	Annual Permit Fee
29.26	90,000 or less	\$200
29.27	90,001 - 100,000	\$300
29.28	100,001 - 110,000	\$400
29.29	110,001 - 120,000	\$500
29.30	120,001 - 130,000	\$600
29.31	130,001 - 140,000	\$700
29.32	140,001 - 145,000	\$800

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

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

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

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

(1) in fiscal years 2005 through 2010:

(i) the first \$50,000 in each fiscal year must be deposited in the trunk highway fund for costs related to administering the permit program and inspecting and posting bridges;

(ii) all remaining money in each fiscal year must be deposited in a bridge inspection and signing account in the special revenue fund. Money in the account is appropriated to the commissioner for:

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

(B) erection of weight-posting signs on local bridges; and

(2) in fiscal year 2011 and subsequent years must be deposited in the trunk highway fund.

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

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

Sec. 9. Minnesota Statutes 2010, section 171.06, subdivision 2, is amended to read:

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

Classified Driver's License	D-\$22.25	C-\$26.25	B-\$33.25	A-\$41.25
Classified Under-21 D.L.	D-\$22.25	C-\$26.25	B-\$33.25	A-\$21.25
Enhanced Driver's License	D-\$37.25	C-\$41.25	B-\$48.25	A-\$56.25
Instruction Permit				\$10.25
Enhanced Instruction Permit				\$25.25
Provisional License				\$13.25
Enhanced Provisional License				\$28.25
Duplicate License or duplicate identification card				\$11.75

31.1	Enhanced Duplicate	
31.2	License or enhanced	
31.3	duplicate identification	
31.4	card	\$26.75
31.5	Minnesota identification	
31.6	card or Under-21	
31.7	Minnesota identification	
31.8	card, other than duplicate,	
31.9	except as otherwise	
31.10	provided in section 171.07,	
31.11	subdivisions 3 and 3a	\$16.25
31.12	Enhanced Minnesota	
31.13	identification card	\$31.25

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

31.18 (b) Notwithstanding paragraph (a), an individual who holds a provisional license and
31.19 has a driving record free of (1) convictions for a violation of section 169A.20, 169A.33,
31.20 169A.35, or sections 169A.50 to 169A.53, (2) convictions for crash-related moving
31.21 violations, and (3) convictions for moving violations that are not crash related, shall have a
31.22 \$3.50 credit toward the fee for any classified under-21 driver's license. "Moving violation"
31.23 has the meaning given it in section 171.04, subdivision 1.

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

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

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

31.35 Sec. 10. Minnesota Statutes 2010, section 171.0701, is amended to read:

31.36 **171.0701 DRIVER EDUCATION CONTENT.**

31.37 **Subdivision 1. Driver education requirements.** (a) The commissioner shall adopt
31.38 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. 11. [171.075] ANATOMICAL GIFTS.

Subdivision 1. Anatomical gift account. An anatomical gift account is established in the special revenue fund. The account consists 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) 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.

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

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

33.5 Sec. 12. Minnesota Statutes 2010, section 171.13, subdivision 1, is amended to read:

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

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

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

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

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

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

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

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

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

34.2 Sec. 13. Minnesota Statutes 2010, section 171.13, is amended by adding a subdivision
34.3 to read:

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

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

34.8 Sec. 14. Minnesota Statutes 2010, section 174.93, is amended to read:

34.9 **174.93 GUIDEWAY INVESTMENT.**

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

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

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

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

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

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

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

Sec. 15. **REPORT ON VEHICLE CRIMES UNIT.**

By February 1, 2015, the commissioner of public safety shall submit a report to the legislative committees having jurisdiction over transportation finance on the revenues generated by the Vehicle Crimes Unit. This report must be made available electronically and made available in print only upon request.

Sec. 16. **REPORT ON ANATOMICAL GIFT ACCOUNT.**

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

Sec. 17. **REVISOR'S INSTRUCTION.**

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

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

APPENDIX
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