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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FOURTH SESSION

H. F. No. 185

02/10/2025 Authored by Koegel, Olson, Koznick, Tabke, Kraft and others
The bill was read for the first time and referred to the Committee on Transportation Finance and Policy

1.1 A bill for an act
1.2 relating to transportation; establishing a resilient pavement program for certain
1.3 trunk highway project modifications to pavement design life; appropriating money;
1.4 proposing coding for new law in Minnesota Statutes, chapter 174.

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

1.6 Section 1. [174.205] RESILIENT PAVEMENT PROGRAM.

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

1.9 (b) "Baseline project" means a trunk highway project without revision to pavement
1.10 design life.

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

1.12 (d) "Modified project" means a project that is revised or under a revision analysis to
1.13 contain a modified pavement design life using funds provided under the program.

1.14 (e) "Pavement cost" means the estimated total cost of pavement items for the project,
1.15 in conformance with standard specifications for construction established by the commissioner.

1.16 (f) "Program" means the resilient pavement program under this section.

1.17 Subd. 2. Program established. Subject to available funds, the commissioner must
1.18 establish a resilient pavement program to provide supplemental funding for revisions to
1.19 pavement design of trunk highway projects on the basis of long-term cost effectiveness.

1.20 Subd. 3. Administration. (a) In implementing the program, the commissioner must: (1)
1.21 establish procedures for identification, analysis, and selection of projects that receive funding

2.1 and are accordingly revised in the pavement design; and (2) specify a modified pavement
2.2 design life of at least 50 years for modified projects.

2.3 (b) The commissioner must determine pavement design life using the current standard
2.4 models used by the department for pavement design.

2.5 Subd. 4. **Project eligibility; cost effectiveness.** (a) To be eligible for funds under the
2.6 program, a project must:

2.7 (1) be for trunk highway construction, reconstruction, maintenance, or improvement;

2.8 (2) be included in a prior or the current state transportation improvement program or
2.9 capital highway investment plan with a proposed design life of less than or equal to 20
2.10 years;

2.11 (3) be a modified project with a pavement design life as specified under subdivision 3,
2.12 paragraph (a), clause (2); and

2.13 (4) have a cost effectiveness ratio, as calculated under paragraph (b), that equals or is
2.14 greater than two.

2.15 (b) The cost effectiveness ratio is calculated as:

2.16 (1) the pavement cost of the baseline project, divided by the pavement design life of the
2.17 baseline project; divided by

2.18 (2) the pavement cost of the modified project, divided by the modified pavement design
2.19 life.

2.20 Subd. 5. **Use of funds.** (a) For a project selected under the program, the commissioner
2.21 may expend program funds for up to 110 percent of the difference in anticipated pavement
2.22 costs between the modified project and the baseline project.

2.23 (b) The commissioner may expend up to one-third of the funds on projects located wholly
2.24 or substantially inside the Department of Transportation metropolitan district, as calculated
2.25 using total funds under the program over (1) the current fiscal year, and (2) the latest prior
2.26 two years in which funds are allocated.

2.27 (c) The commissioner must not expend funds under the program for program delivery.

2.28 Subd. 6. **Public information.** The commissioner must publish information regarding
2.29 the program on the department's website. The information must include:

2.30 (1) a description of program implementation;

2.31 (2) identification of projects analyzed and selected under the program; and

3.1 (3) for each project selected, an overview that includes a brief project description, the
3.2 pavement design changes, and information on expenditures from program funds.

3.3 Sec. 2. **APPROPRIATION; RESILIENT PAVEMENT PROGRAM.**

3.4 \$150,000,000 in fiscal year 2027 is appropriated from the general fund to the
3.5 commissioner of transportation for the resilient pavement program under Minnesota Statutes,
3.6 section 174.205. This is a onetime appropriation and is available until June 30, 2035. Any
3.7 excess amount cancels to the general fund.