A bill for an act

relating to transportation; requiring commissioner of transportation to consider insurance standards in road construction; reclassifying certain trucks and vans for vehicle registration purposes; prescribing method of registration of spotter trucks; modifying provisions relating to registration of special mobile equipment; requiring study of complete streets policy; amending Minnesota Statutes 2006, sections 162.02, by adding a subdivision; 168.011, subdivisions 7, 22, by adding a subdivision; 168.013, subdivision 1e; 168.28; 168A.01, subdivision 21; proposing coding for new law in Minnesota Statutes, chapter 169.

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

Section 1. Minnesota Statutes 2006, section 162.02, is amended by adding a subdivision to read:

Subd. 3b. **Insurance standards.** The commissioner of transportation shall adopt rules concerning trunk highway and state-aid route roadway design standards to require adherence to standards developed by the automobile insurance industry, in addition to standards contained in Department of Transportation manuals, American Association of State Highway and Transportation Officials manual on design of highways and streets, and applicable federal publications.

Sec. 2. Minnesota Statutes 2006, section 168.011, subdivision 7, is amended to read:

Subd. 7. **Passenger automobile.** (a) "Passenger automobile" means any motor vehicle designed and used for carrying not more than 15 individuals, including the driver.

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

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

(1) a pickup ~~trucks and vans~~ truck or van, including ~~those vans~~ a van designed to carry passengers, with a manufacturer's nominal rated carrying capacity of one ton; ~~and~~

(2) a pickup truck or van with a manufacturer's nominal rated carrying capacity in excess of one ton, unless the pickup truck or van is used in furtherance of a commercial enterprise and subject to state or federal regulation as a commercial motor vehicle; and

(3) a neighborhood electric ~~vehicles~~ vehicle, as defined in section 169.01, subdivision 91.

Sec. 3. Minnesota Statutes 2006, section 168.011, is amended by adding a subdivision to read:

Subd. 10a. **Spotter truck.** A "spotter truck" means any motor vehicle used exclusively for the staging or shuttling of trailers in the course of operating a truck freight operation or freight shipping operation.

EFFECTIVE DATE. This section is effective the day following final enactment and expires June 30, 2013.

Sec. 4. Minnesota Statutes 2006, section 168.011, subdivision 22, is amended to read:

Subd. 22. **Special mobile equipment.** (a) "Special mobile equipment" means every self-propelled vehicle not designed or used ~~primarily~~ for the transportation of persons or property and only incidentally operated or moved over a highway, ~~including~~ except vehicles described in paragraph (b). Special mobile equipment includes, but is not limited to: ditch-digging apparatuses, ~~moving dollies, pump hoists and other water well-drilling equipment registered under chapter 103I,~~ street-sweeping vehicles, and ~~other~~ road construction or road maintenance machinery ~~such as asphalt spreaders, bituminous mixers, bucket loaders, tractors other than truck-tractors, ditchers, leveling graders, finishing machines, motor graders, road rollers, scarifiers, truck-mounted log loaders, earth-moving carryalls, scrapers, power shovels, draglines, self-propelled cranes, and earth-moving equipment~~. ~~The term~~

(b) "Special mobile equipment" does not include ~~travel trailers,~~ machinery that has been temporarily or permanently mounted on a commercial motor vehicle chassis or dump trucks~~, truck-mounted transit mixers, truck-mounted feed grinders, or other motor vehicles designed for the transportation of persons or property to which machinery has been attached~~.

Sec. 5. Minnesota Statutes 2006, section 168.013, subdivision 1e, is amended to read:

Subd. 1e. **Truck; tractor; combination; exceptions.** (a) On trucks and tractors, including spotter trucks, except those trucks and tractors in this chapter defined as farm trucks, on truck-tractor and semitrailer combinations except those defined as farm combinations, and on commercial zone vehicles, the tax based on total gross weight shall be graduated according to the Minnesota base rate schedule prescribed in this subdivision, but in no event less than $120.

Minnesota Base Rate Schedule

Scheduled taxes include five percent

surtax provided for in subdivision 14

	TOTAL GROSS WEIGHT IN POUNDS			TAX
A	0	-	1,500	$ 15
B	1,501	-	3,000	20
C	3,001	-	4,500	25
D	4,501	-	6,000	35
E	6,001	-	9,000	45
F	9,001	-	12,000	70
G	12,001	-	15,000	105
H	15,001	-	18,000	145
I	18,001	-	21,000	190
J	21,001	-	26,000	270
K	26,001	-	33,000	360
L	33,001	-	39,000	475
M	39,001	-	45,000	595
N	45,001	-	51,000	715
O	51,001	-	57,000	865
P	57,001	-	63,000	1015
Q	63,001	-	69,000	1185
R	69,001	-	73,280	1325
S	73,281	-	78,000	1595
T	78,001	-	81,000	1760

(b) For purposes of the Minnesota base rate schedule, for vehicles with six or more axles in the "S" and "T" categories, the base rates are $1,520 and $1,620 respectively.

(c) For each vehicle with a gross weight in excess of 81,000 pounds an additional tax of $50 is imposed for each ton or fraction thereof in excess of 81,000 pounds, subject to subdivision 12.

(d) Truck-tractors except those herein defined as farm and commercial zone vehicles shall be taxed in accord with the foregoing gross weight tax schedule on the basis of the combined gross weight of the truck-tractor and any semitrailer or semitrailers which the applicant proposes to combine with the truck-tractor.

(e) Commercial zone trucks include only trucks, truck-tractors, and semitrailer combinations which are:

(1) used by an authorized local cartage carrier operating under a permit issued under section 221.296 and whose gross transportation revenue consists of at least 60 percent obtained solely from local cartage carriage, and are operated solely within an area composed of two contiguous cities of the first class and municipalities contiguous thereto as defined by section 221.011, subdivision 17; or

(2) operated by an interstate carrier registered under section 221.60, or by an authorized local cartage carrier or other carrier receiving operating authority under chapter 221, and operated solely within a zone exempt from regulation pursuant to United States Code, title 49, section 13506.

(f) The license plates issued for commercial zone vehicles shall be plainly marked. A person operating a commercial zone vehicle outside the zone or area in which its operation is authorized is guilty of a misdemeanor and, in addition to the penalty therefor, shall have the registration of the vehicle as a commercial zone vehicle revoked by the registrar and shall be required to reregister the vehicle at 100 percent of the full annual tax prescribed in the Minnesota base rate schedule, and no part of this tax shall be refunded during the balance of the registration year.

(g) On commercial zone trucks the tax shall be based on the total gross weight of the vehicle and during each of the first eight years of vehicle life shall be 75 percent of the Minnesota base rate schedule. During the ninth and succeeding years of vehicle life the tax shall be 50 percent of the Minnesota base rate schedule.

(h) On trucks, truck-tractors and semitrailer combinations, except those defined as farm trucks and farm combinations, and except for those commercial zone vehicles specifically provided for in this subdivision, the tax for each of the first eight years of vehicle life shall be 100 percent of the tax imposed in the Minnesota base rate schedule, and during the ninth and succeeding years of vehicle life, the tax shall be 75 percent of the Minnesota base rate prescribed by this subdivision.

(i) For the purpose of registration, trailers coupled with a truck-tractor, semitrailer combination are semitrailers.

EFFECTIVE DATE. This section is effective the day following final enactment and expires June 30, 2013.

Sec. 6. Minnesota Statutes 2006, section 168.28, is amended to read:

168.28 VEHICLES SUBJECT TO TAX; EXCEPTIONS.

Every motor vehicle (except those exempted in section 168.012, and except those which are being towed upon the streets ~~and highways~~ and which shall not be deemed to be using the streets ~~and highways~~ within the meaning of this section) shall be deemed to be one using the public streets ~~and highways~~ and hence as such subject to taxation under this chapter if such motor vehicle has since April 23, 1921, used such public streets ~~or highways~~, or shall actually use them, or if it shall come into the possession of an owner other than as a manufacturer, dealer, warehouse operator, mortgagee or pledgee. New and unused motor vehicles in the possession of a dealer solely for the purpose of sale, and used ~~or secondhand~~ motor vehicles which have not theretofore used the public streets ~~or highways~~ of this state which are in the possession of a dealer solely for the purpose of sale and which are duly listed as herein provided, shall not be deemed to be vehicles using the public streets ~~or highways~~. The driving or operating of a motor vehicle upon the public streets ~~or highways~~ of this state by a motor vehicle dealer or any employee of such motor vehicle dealer for demonstration purposes or for any purpose incident to the usual and customary conduct and operation of the business in which licensed under section 168.27 to engage, or solely for the purpose of moving it from points outside or within the state to the place of business or storage of a licensed dealer within the state or solely for the purpose of moving it from the place of business of a manufacturer, or licensed dealer within the state to the place of business or residence of a purchaser outside the state, shall not be deemed to be using the public streets ~~or highways~~ in the state within the meaning of this chapter or of the Constitution of the state of Minnesota, article XIV, and shall not be held to make the motor vehicle subject to taxation under this chapter as one using the public streets ~~or highways~~, if during such driving or moving the dealer's plates herein provided for shall be duly displayed upon such vehicle. Any dealer or distributor may register a motor vehicle prior to its assessment or taxation as personal property, and pay the license fee and tax thereon for the full calendar year as one using the public streets ~~and highways~~, and thereafter such vehicle shall be deemed to be one using the public streets ~~and highways~~ and shall not be subject to assessment or taxation as personal property during the calendar year for which it is so registered, whether or not such vehicle shall actually have used the streets ~~or highways~~.<u> Special mobile equipment is subject to a penalty equal to the tax due under this chapter for the full registration year if it is used to transport persons or property at any time using the public streets.</u>

Sec. 7. Minnesota Statutes 2006, section 168A.01, subdivision 21, is amended to read:

Subd. 21. **Special mobile equipment.** <u>(a) </u>"Special mobile equipment" means every <u>self-propelled </u>vehicle not designed or used ~~primarily~~ for the transportation of persons or property and only incidentally operated or moved over a highway, ~~including~~ except vehicles described in paragraph (b). Special mobile equipment includes, but is not limited to: ditch-digging apparatuses, ~~well-boring apparatuses, moving dollies, sawing machines, corn shellers,~~ street-sweeping vehicles, and road construction ~~and~~ or road maintenance machinery ~~such as asphalt spreaders, bituminous mixers, bucket loaders, tractors other than truck-tractors, ditchers, leveling graders, finishing machines, motor graders, road rollers, scarifiers, earth-moving carryalls and scrapers, power shovels and draglines, and self-propelled cranes and earth-moving equipment. The term does not include travel trailers, dump trucks, truck-mounted transit mixers, truck-mounted feed grinders, or other vehicles designed for the transportation of persons or property to which machinery has been attached~~.

(b) "Special mobile equipment" does not include machinery that has been temporarily or permanently mounted on a commercial motor vehicle chassis or dump trucks.

Sec. 8. **[169.147] SPECIAL MOBILE EQUIPMENT.**

No person may drive special mobile equipment, within the meaning of section 168.011, subdivision 22:

(1) at a speed greater than 30 miles per hour; or

(2) without an escort vehicle or some other means of separating the special mobile equipment from traffic on a public roadway.

Sec. 9. **COMPLETE STREETS.**

The commissioner of transportation, in cooperation with the Metropolitan Council and representatives of counties, statutory and home rule charter cities, and towns, shall study the benefits, feasibility, and cost of adopting a complete streets policy applicable to plans to construct, reconstruct, and relocate streets and roads that includes the following elements:

(1) safe access for all users, including pedestrians, bicyclists, motorists, and transit riders;

(2) bicycle and pedestrian ways in urbanized areas except where bicyclists and pedestrians are prohibited by law, where costs would be excessively disproportionate, and where there is no need for bicycle and pedestrian ways;

(3) paved shoulders on rural roads;

(4) safe pedestrian travel, including for people with disabilities, on sidewalks and street crossings;

(5) utilization of the latest and best design standards; and

(6) consistency of complete streets plan with community context.

The commissioner shall report findings, conclusions, and recommendations to the senate Transportation Budget and Policy Division and the house of representatives Transportation Finance Division and Transportation and Transit Policy Subcommittee by December 5, 2008.