

**SENATE**  
**STATE OF MINNESOTA**  
**EIGHTY-SEVENTH LEGISLATURE**      **S.F. No. 898**

(SENATE AUTHORS: GIMSE, Lillie, Kruse, Parry and Wolf)

DATE	D-PG	OFFICIAL STATUS
03/17/2011	547	Introduction and first reading Referred to Transportation
03/25/2011	717a 751	Comm report: To pass as amended and re-refer to Taxes Rule 12.10: report of votes in committee
03/28/2011	777a	Comm report: To pass as amended and re-refer to Finance
03/29/2011	1029a 1033	Comm report: To pass as amended Second reading
03/30/2011	1064	HF substituted on General Orders HF1140 See HF2 (First Special Session)

A bill for an act

1.1 relating to transportation; appropriating money for transportation, Metropolitan  
 1.2 Council, and public safety activities and programs; providing for fund transfers,  
 1.3 contingent appropriations, and tort claims; creating trunk highway economic  
 1.4 development account; modifying provisions for distribution of town road  
 1.5 account; modifying provisions for plates for physically disabled persons;  
 1.6 expanding eligibility for Gold Star license plates; adjusting and clarifying  
 1.7 driver's license fees; extending coverage of certain permit; allowing driver and  
 1.8 vehicle transaction applicants to add \$2 donation for anatomical gift program;  
 1.9 creating anatomical gift account; extending expiration date for collection of  
 1.10 technology surcharge; requiring information and reports concerning fixed  
 1.11 guideway investments; authorizing fund transfers; amending Minnesota Statutes  
 1.12 2010, sections 16A.11, subdivision 3a; 16A.86, subdivision 3a; 161.04, by  
 1.13 adding a subdivision; 162.06, subdivision 1; 162.081, subdivision 4; 162.12,  
 1.14 subdivision 1; 168.013, subdivision 21; 168.021; 168.12, subdivision 5;  
 1.15 168.1253, subdivision 1; 168.33, subdivision 7; 168A.29, subdivision 1;  
 1.16 169.345, subdivisions 1, 3; 169.86, subdivision 5; 171.06, subdivision 2; 174.93;  
 1.17 299A.705, subdivision 3; Laws 2009, chapter 36, article 1, section 3, subdivision  
 1.18 3; proposing coding for new law in Minnesota Statutes, chapter 171.  
 1.19

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

**ARTICLE 1**

**TRANSPORTATION APPROPRIATIONS**

1.23 Section 1. **SUMMARY OF APPROPRIATIONS.**

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

	<b><u>2012</u></b>	<b><u>2013</u></b>	<b><u>Total</u></b>
1.26 <u>General</u>	\$ <u>69,530,000</u>	\$ <u>69,530,000</u>	\$ <u>139,060,000</u>
1.27 <u>Airports</u>	<u>19,609,000</u>	<u>19,609,000</u>	<u>39,218,000</u>
1.28 <u>C.S.A.H.</u>	<u>545,109,000</u>	<u>572,773,000</u>	<u>1,117,882,000</u>
1.29 <u>M.S.A.S.</u>	<u>145,455,000</u>	<u>153,484,000</u>	<u>298,939,000</u>



3.1 to Minnesota Statutes, section 360.305,  
 3.2 subdivision 4.  
 3.3 Notwithstanding Minnesota Statutes, section  
 3.4 16A.28, subdivision 6, this appropriation is  
 3.5 available for five years after appropriation.  
 3.6 If the appropriation for either year is  
 3.7 insufficient, the appropriation for the other  
 3.8 year is available for it.

3.9 If the appropriation for either year does  
 3.10 not exhaust the balance in the state airports  
 3.11 fund, the commissioner of management and  
 3.12 budget, upon request of the commissioner  
 3.13 of transportation, shall notify the chairs and  
 3.14 ranking minority members of the senate and  
 3.15 house of representatives committees with  
 3.16 jurisdiction over transportation finance of the  
 3.17 amount of the remainder and shall then add  
 3.18 that amount to the appropriation. The amount  
 3.19 added is appropriated for the purpose of  
 3.20 airport development and assistance and must  
 3.21 be spent according to Minnesota Statutes,  
 3.22 section 360.305, subdivision 4.

3.23 **(2) Aviation Support and Services** 6,123,000      6,123,000

<u>Appropriations by Fund</u>			
<u>Airports</u>	<u>5,286,000</u>	<u>5,286,000</u>	
<u>Trunk Highway</u>	<u>837,000</u>	<u>837,000</u>	

3.27 \$65,000 the first year and \$65,000 the second  
 3.28 year from the state airports fund are for the  
 3.29 Civil Air Patrol.

3.30 **(b) Transit** 13,067,000      13,067,000

<u>Appropriations by Fund</u>			
<u>General</u>	<u>12,292,000</u>	<u>12,292,000</u>	
<u>Trunk Highway</u>	<u>775,000</u>	<u>775,000</u>	

3.34 Of these appropriations from the general  
 3.35 fund, \$19,300 in each year is for the

4.1 administrative expenses of the Minnesota  
 4.2 Council on Transportation Access, and for  
 4.3 other costs relating to the preparation of  
 4.4 required reports, including the costs of hiring  
 4.5 a consultant.

4.6 The amount used in each year as operating  
 4.7 assistance for public transit systems for  
 4.8 elderly and disabled service must not be  
 4.9 less than the amount used in 2011 for that  
 4.10 purpose.

4.11 The amount used in each year as operating  
 4.12 assistance for rural area service must not be  
 4.13 reduced more than ten percent below the  
 4.14 amount used in 2011 for that purpose.

4.15	<b><u>(c) Freight</u></b>	<u>5,154,000</u>	<u>5,154,000</u>
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4.16	<u>Appropriations by Fund</u>		
4.17	<u>General</u>	<u>257,000</u>	<u>257,000</u>
4.18	<u>Trunk Highway</u>	<u>4,897,000</u>	<u>4,897,000</u>

4.19 **Subd. 3. State Roads**

4.20	<b><u>(a) Operations and Maintenance</u></b>	<u>257,395,000</u>	<u>257,395,000</u>
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4.21	<b><u>(b) Program Planning and Delivery</u></b>	<u>206,918,000</u>	<u>206,733,000</u>
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4.22 Of these appropriations, \$130,000 in each  
 4.23 year is for administrative costs of the  
 4.24 targeted group business program, if a law  
 4.25 is enacted and effective in 2012 and 2013  
 4.26 that establishes a targeted group business  
 4.27 program for state highway construction  
 4.28 contracts.

4.29 \$266,000 the first year and \$266,000 the  
 4.30 second year are available for grants to  
 4.31 metropolitan planning organizations outside  
 4.32 the seven-county metropolitan area.

4.33 \$75,000 the first year and \$75,000 the  
 4.34 second year are for a transportation research

5.1 contingent account to finance research  
 5.2 projects that are reimbursable from the  
 5.3 federal government or from other sources.

5.4 If the appropriation for either year is  
 5.5 insufficient, the appropriation for the other  
 5.6 year is available for it.

5.7 \$600,000 the first year and \$600,000  
 5.8 the second year are available for grants  
 5.9 for transportation studies outside the  
 5.10 metropolitan area to identify critical  
 5.11 concerns, problems, and issues. These  
 5.12 grants are available (1) to regional  
 5.13 development commissions; (2) in regions  
 5.14 where no regional development commission  
 5.15 is functioning, to joint powers boards  
 5.16 established under agreement of two or  
 5.17 more political subdivisions in the region to  
 5.18 exercise the planning functions of a regional  
 5.19 development commission; and (3) in regions  
 5.20 where no regional development commission  
 5.21 or joint powers board is functioning, to the  
 5.22 department's district office for that region.

5.23 **(c) State Road Construction** 881,000,000      555,000,000

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

5.26 It is estimated that these appropriations will  
 5.27 be funded as follows:

5.28	<u>Appropriations by Fund</u>		
5.29	<u>Federal Highway</u>		
5.30	<u>Aid</u>	<u>494,800,000</u>	<u>268,800,000</u>
5.31	<u>Highway User Taxes</u>	<u>386,200,000</u>	<u>286,200,000</u>

5.32 The commissioner of transportation shall  
 5.33 notify the chairs and ranking minority  
 5.34 members of the senate and house of  
 5.35 representatives committees with jurisdiction

6.1 over transportation finance of any significant  
6.2 events that should cause these estimates to  
6.3 change.

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

6.13 The commissioner may transfer up to  
6.14 \$100,000,000 in the first year from the  
6.15 trunk highway fund to the trunk highway  
6.16 economic development account established  
6.17 under Minnesota Statutes, section 161.04,  
6.18 subdivision 6.

6.19 The commissioner shall expend up to  
6.20 one-half of one percent of the federal  
6.21 appropriations under this paragraph as grants  
6.22 to opportunity industrialization centers and  
6.23 other nonprofit job training centers for  
6.24 job training programs related to highway  
6.25 construction.

6.26 The commissioner may transfer up to  
6.27 \$15,000,000 each year to the transportation  
6.28 revolving loan fund.

6.29 The commissioner may receive money  
6.30 covering other shares of the cost of  
6.31 partnership projects. These receipts are  
6.32 appropriated to the commissioner for these  
6.33 projects.

6.34 **(d) Highway Debt Service** 137,876,000 158,247,000

7.1 \$123,876,000 the first year and \$144,247,000  
 7.2 the second year are for transfer to the state  
 7.3 bond fund. If this appropriation is insufficient  
 7.4 to make all transfers required in the year  
 7.5 for which it is made, the commissioner of  
 7.6 management and budget shall notify the  
 7.7 Committee on Finance of the senate and  
 7.8 the Committee on Ways and Means of the  
 7.9 house of representatives of the amount of the  
 7.10 deficiency and shall then transfer that amount  
 7.11 under the statutory open appropriation. Any  
 7.12 excess appropriation cancels to the trunk  
 7.13 highway fund.

7.14 **(e) Electronic Communications** 5,171,000 5,171,000

	<u>Appropriations by Fund</u>	
7.15 <u>General</u>	<u>3,000</u>	<u>3,000</u>
7.16 <u>Trunk Highway</u>	<u>5,168,000</u>	<u>5,168,000</u>

7.18 The general fund appropriation is to equip  
 7.19 and operate the Roosevelt signal tower for  
 7.20 Lake of the Woods weather broadcasting.

7.21 **Subd. 4. Local Roads**

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

7.23 This appropriation is from the county  
 7.24 state-aid highway fund and is available until  
 7.25 spent.

7.26 **(b) Municipal State Aids** 145,455,000 153,484,000

7.27 This appropriation is from the municipal  
 7.28 state-aid street fund and is available until  
 7.29 spent.

7.30 **(c) State Aid Appropriation Adjustments**

7.31 If an appropriation for either county state  
 7.32 aids or municipal state aids does not exhaust  
 7.33 the balance in the fund from which it is  
 7.34 made in the year for which it is made,

8.1 the commissioner of management and  
 8.2 budget, upon request of the commissioner  
 8.3 of transportation, shall notify the chairs and  
 8.4 ranking minority members of the senate and  
 8.5 house of representatives committees with  
 8.6 jurisdiction over transportation finance of the  
 8.7 amount of the remainder and shall then add  
 8.8 that amount to the appropriation. The amount  
 8.9 added is appropriated for the purposes of  
 8.10 county state aids or municipal state aids, as  
 8.11 appropriate.

8.12 If the appropriation for either county state  
 8.13 aids or municipal state aids does exhaust  
 8.14 the balance in the fund from which it is  
 8.15 made in the year for which it is made,  
 8.16 the commissioner of management and  
 8.17 budget shall notify the chairs and ranking  
 8.18 minority members of the senate and house of  
 8.19 representatives committees with jurisdiction  
 8.20 over transportation finance of the amount by  
 8.21 which the appropriation exceeds the balance  
 8.22 and shall then reduce that amount from the  
 8.23 appropriation.

8.24 **Subd. 5. Agency Management**

8.25 **(a) Agency Services** 41,997,000 41,997,000

	<u>Appropriations by Fund</u>		
8.27	<u>Airports</u>	<u>25,000</u>	<u>25,000</u>
8.28	<u>Trunk Highway</u>	<u>41,972,000</u>	<u>41,972,000</u>

8.29 **(b) Buildings** 17,838,000 17,838,000

	<u>Appropriations by Fund</u>		
8.31	<u>General</u>	<u>54,000</u>	<u>54,000</u>
8.32	<u>Trunk Highway</u>	<u>17,784,000</u>	<u>17,784,000</u>

8.33 If the appropriation for either year is  
 8.34 insufficient, the appropriation for the other  
 8.35 year is available for it.

9.1 Subd. 6. Transfers

9.2 (a) With the approval of the commissioner of  
9.3 management and budget, the commissioner  
9.4 of transportation may transfer unencumbered  
9.5 balances among the appropriations from the  
9.6 trunk highway fund and the state airports  
9.7 fund made in this section. No transfer may  
9.8 be made from the appropriation for state  
9.9 road construction. No transfer may be made  
9.10 from the appropriations for debt service to  
9.11 any other appropriation. Transfers under  
9.12 this paragraph may not be made between  
9.13 funds. Transfers between programs must  
9.14 be reported immediately to the chairs and  
9.15 ranking minority members of the senate and  
9.16 house of representatives committees with  
9.17 jurisdiction over transportation finance.

9.18 (b) The commissioner shall transfer from  
9.19 the flexible highway account in the county  
9.20 state-aid highway fund (1) \$1,000,000 in the  
9.21 first year to the municipal turnback account  
9.22 in the municipal state-aid street fund; (2)  
9.23 \$1,900,000 in the first year to the trunk  
9.24 highway fund; and (3) the remainder in  
9.25 each year to the county turnback account  
9.26 in the county state-aid highway fund. The  
9.27 funds transferred are for highway turnback  
9.28 purposes as provided under Minnesota  
9.29 Statutes, section 161.081, subdivision 3.

9.30 Subd. 7. Use of State Road Construction  
9.31 Appropriations

9.32 Any money appropriated to the commissioner  
9.33 of transportation for state road construction  
9.34 for any fiscal year before fiscal year  
9.35 2012 is available to the commissioner

10.1 during the biennium to the extent that the  
10.2 commissioner spends the money on the  
10.3 state road construction project for which the  
10.4 money was originally encumbered during  
10.5 the fiscal year for which it was appropriated.

10.6 The commissioner of transportation shall  
10.7 report to the commissioner of management  
10.8 and budget by August 1, 2011, and August  
10.9 1, 2012, on a form the commissioner of  
10.10 management and budget provides, on  
10.11 expenditures made during the previous fiscal  
10.12 year that are authorized by this subdivision.

10.13 **Subd. 8. Contingent Appropriation**

10.14 The commissioner of transportation, with  
10.15 the approval of the governor and the written  
10.16 approval of at least five members of a  
10.17 group consisting of the members of the  
10.18 Legislative Advisory Commission under  
10.19 Minnesota Statutes, section 3.30, and the  
10.20 ranking minority members of the house of  
10.21 representatives and senate committees with  
10.22 jurisdiction over transportation finance, may  
10.23 transfer all or part of the unappropriated  
10.24 balance in the trunk highway fund to an  
10.25 appropriation (1) for trunk highway design,  
10.26 construction, or inspection in order to  
10.27 take advantage of an unanticipated receipt  
10.28 of income to the trunk highway fund or  
10.29 to take advantage of federal advanced  
10.30 construction funding, (2) for trunk highway  
10.31 maintenance in order to meet an emergency,  
10.32 or (3) to pay tort or environmental claims.

10.33 Nothing in this subdivision authorizes the  
10.34 commissioner to increase the use of federal  
10.35 advanced construction funding beyond  
10.36 amounts specifically authorized. Any



12.1 service reductions and route elimination, in  
 12.2 the order stated:  
 12.3 (1) use the maximum feasible amount of  
 12.4 the council's reserve funds for bus transit  
 12.5 operations in fiscal years 2012 and 2013; and  
 12.6 (2) exercise the authority granted to the  
 12.7 council in article 2, sections 29 and 30.

12.8 The council may require service reductions or  
 12.9 route eliminations only after both strategies  
 12.10 have been fully deployed. The council may  
 12.11 not increase fares unless both strategies have  
 12.12 been fully deployed and service cuts have  
 12.13 been made.

12.14 Subd. 3. Rail Operations 5,174,000 5,174,000

12.15 Sec. 5. DEPARTMENT OF PUBLIC SAFETY

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

	<u>Appropriations by Fund</u>	
	<u>2012</u>	<u>2013</u>
12.19 <u>General</u>	<u>7,954,000</u>	<u>7,954,000</u>
12.20 <u>Special Revenue</u>	<u>49,088,000</u>	<u>49,088,000</u>
12.21 <u>H.U.T.D.</u>	<u>10,406,000</u>	<u>10,406,000</u>
12.22 <u>Trunk Highway</u>	<u>85,868,000</u>	<u>85,868,000</u>

12.23 The amounts that may be spent for each  
 12.24 purpose are specified in the following  
 12.25 subdivisions.

12.26 Subd. 2. Administration and Related Services

12.27 (a) Office of Communications 434,000 434,000

	<u>Appropriations by Fund</u>	
12.29 <u>General</u>	<u>41,000</u>	<u>41,000</u>
12.30 <u>Trunk Highway</u>	<u>393,000</u>	<u>393,000</u>

12.31 (b) Public Safety Support 8,168,000 8,168,000

	<u>Appropriations by Fund</u>	
12.33 <u>General</u>	<u>3,296,000</u>	<u>3,296,000</u>

13.1	<u>H.U.T.D.</u>	<u>1,366,000</u>	<u>1,366,000</u>
13.2	<u>Trunk Highway</u>	<u>3,506,000</u>	<u>3,506,000</u>
13.3	<u>\$380,000 the first year and \$380,000 the</u>		
13.4	<u>second year are appropriated from the general</u>		
13.5	<u>fund for payment of public safety officer</u>		
13.6	<u>survivor benefits under Minnesota Statutes,</u>		
13.7	<u>section 299A.44. If the appropriation for</u>		
13.8	<u>either year is insufficient, the appropriation</u>		
13.9	<u>for the other year is available for it.</u>		
13.10	<u>\$1,367,000 the first year and \$1,367,000</u>		
13.11	<u>the second year are appropriated from the</u>		
13.12	<u>general fund to be deposited in the public</u>		
13.13	<u>safety officer's benefit account. This money</u>		
13.14	<u>is available for reimbursements under</u>		
13.15	<u>Minnesota Statutes, section 299A.465.</u>		
13.16	<u>\$508,000 the first year and \$508,000 the</u>		
13.17	<u>second year are appropriated from the general</u>		
13.18	<u>fund for soft body armor reimbursements</u>		
13.19	<u>under Minnesota Statutes, section 299A.38.</u>		
13.20	<u>\$792,000 the first year and \$792,000</u>		
13.21	<u>the second year are appropriated from the</u>		
13.22	<u>general fund for transfer by the commissioner</u>		
13.23	<u>of finance to the trunk highway fund on</u>		
13.24	<u>December 31, 2011, and December 31, 2012,</u>		
13.25	<u>respectively, in order to reimburse the trunk</u>		
13.26	<u>highway fund for expenses not related to the</u>		
13.27	<u>fund. These represent amounts appropriated</u>		
13.28	<u>out of the trunk highway fund for general</u>		
13.29	<u>fund purposes in the administration and</u>		
13.30	<u>related services program.</u>		
13.31	<u>\$610,000 the first year and \$610,000 the</u>		
13.32	<u>second year are appropriated from the</u>		
13.33	<u>highway user tax distribution fund for</u>		
13.34	<u>transfer by the commissioner of management</u>		
13.35	<u>and budget to the trunk highway fund on</u>		

14.1 December 31, 2011, and December 31, 2012,  
 14.2 respectively, in order to reimburse the trunk  
 14.3 highway fund for expenses not related to the  
 14.4 fund. These represent amounts appropriated  
 14.5 out of the trunk highway fund for highway  
 14.6 user tax distribution fund purposes in the  
 14.7 administration and related services program.

14.8 \$716,000 the first year and \$716,000  
 14.9 the second year are appropriated from  
 14.10 the highway user tax distribution fund  
 14.11 for transfer by the commissioner of  
 14.12 management and budget to the general fund  
 14.13 on December 31, 2011, and December 31,  
 14.14 2012, respectively, in order to reimburse the  
 14.15 general fund for expenses not related to the  
 14.16 fund. These represent amounts appropriated  
 14.17 out of the general fund for operation of the  
 14.18 criminal justice data network related to driver  
 14.19 and motor vehicle licensing.

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

14.21	<u>Appropriations by Fund</u>		
14.22	<u>General</u>	<u>1,472,000</u>	<u>1,472,000</u>
14.23	<u>H.U.T.D.</u>	<u>19,000</u>	<u>19,000</u>
14.24	<u>Trunk Highway</u>	<u>2,344,000</u>	<u>2,344,000</u>

14.25 **Subd. 3. State Patrol**

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

14.27	<u>Appropriations by Fund</u>		
14.28	<u>General</u>	<u>37,000</u>	<u>37,000</u>
14.29	<u>H.U.T.D.</u>	<u>92,000</u>	<u>92,000</u>
14.30	<u>Trunk Highway</u>	<u>71,393,000</u>	<u>71,393,000</u>

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

14.32 This appropriation is from the trunk highway  
 14.33 fund.

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

15.1 This appropriation is from the general fund.

15.2 The commissioner may not: (1) spend

15.3 any money from the trunk highway fund

15.4 for capitol security; or (2) permanently

15.5 transfer any state trooper from the patrolling

15.6 highways activity to capitol security.

15.7 The commissioner may not transfer any

15.8 money: (1) appropriated for Department of

15.9 Public Safety administration, the patrolling of

15.10 highways, commercial vehicle enforcement,

15.11 or driver and vehicle services to capitol

15.12 security; or (2) from capitol security.

15.13 **(d) Vehicle Crimes Unit**

693,000

693,000

15.14 This appropriation is from the highway user

15.15 tax distribution fund, and is to investigate:

15.16 (1) registration tax and motor vehicle sales

15.17 tax liabilities from individuals and businesses

15.18 that currently do not pay all taxes owed;

15.19 and (2) illegal or improper activity related

15.20 to sale, transfer, titling, and registration of

15.21 motor vehicles.

15.22 By February 1, 2015, the commissioner shall

15.23 submit a report to the house of representatives

15.24 and senate committees having jurisdiction

15.25 over transportation finance on the revenues

15.26 generated by the Vehicle Crimes Unit. This

15.27 report must be made available electronically

15.28 and made available in print only upon

15.29 request.

15.30 **Subd. 4. Driver and Vehicle Services**

15.31 **(a) Vehicle Services**

27,259,000

27,259,000

15.32 Appropriations by Fund

15.33 Special Revenue                      19,023,000                      19,023,000

15.34 H.U.T.D.                                      8,236,000                                      8,236,000

16.1 The special revenue fund appropriation is  
 16.2 from the vehicle services operating account.

16.3 **(b) Driver Services** 28,712,000      28,712,000

<u>Appropriations by Fund</u>			
<u>Special Revenue</u>	<u>28,711,000</u>	<u>28,711,000</u>	
<u>Trunk Highway</u>	<u>1,000</u>	<u>1,000</u>	

16.7 The special revenue fund appropriation is  
 16.8 from the driver services operating account.

16.9 **Subd. 5. Traffic Safety** 435,000      435,000

16.10 The commissioner of public safety shall  
 16.11 spend 50 percent of the money available  
 16.12 to the state under Public Law 105-206,  
 16.13 section 164, and the remaining 50 percent  
 16.14 must be transferred to the commissioner  
 16.15 of transportation for hazard elimination  
 16.16 activities under United States Code, title 23,  
 16.17 section 152.

16.18 **Subd. 6. Pipeline Safety** 1,354,000      1,354,000

16.19 This appropriation is from the pipeline safety  
 16.20 account in the special revenue fund.

16.21 **Subd. 7. Use of Trunk Highway Fund**

16.22 No transfer or expenditure of trunk highway  
 16.23 funds may be made for the purpose of paying  
 16.24 personnel costs incurred on behalf of the  
 16.25 Governor's Office.

16.26 **Sec. 6. TORT CLAIMS** \$ 600,000      \$ 600,000

16.27 This appropriation is to the commissioner of  
 16.28 management and budget.

16.29 If the appropriation for either year is  
 16.30 insufficient, the appropriation for the other  
 16.31 year is available for it.

16.32 Sec. 7. Laws 2009, chapter 36, article 1, section 3, subdivision 3, is amended to read:

17.1 Subd. 3. **State Roads**

17.2	<b>(a) Infrastructure Operations and Maintenance</b>	251,643,000	245,892,000
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17.3 The base appropriation for fiscal years 2012  
17.4 and 2013 is \$257,395,000 for each year.

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

17.6	<b>(1) Infrastructure Investment Support</b>	201,461,000	196,935,000
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17.7 The base appropriation for fiscal years 2012  
17.8 and 2013 is \$205,988,000 for each year.

17.9 \$266,000 the first year and \$266,000 the  
17.10 second year are available for grants to  
17.11 metropolitan planning organizations outside  
17.12 the seven-county metropolitan area.

17.13 \$75,000 the first year and \$75,000 the  
17.14 second year are for a transportation research  
17.15 contingent account to finance research  
17.16 projects that are reimbursable from the  
17.17 federal government or from other sources.

17.18 If the appropriation for either year is  
17.19 insufficient, the appropriation for the other  
17.20 year is available for it.

17.21 \$600,000 the first year and \$600,000  
17.22 the second year are available for grants  
17.23 for transportation studies outside the  
17.24 metropolitan area to identify critical  
17.25 concerns, problems, and issues. These  
17.26 grants are available (1) to regional  
17.27 development commissions; (2) in regions  
17.28 where no regional development commission  
17.29 is functioning, to joint powers boards  
17.30 established under agreement of two or  
17.31 more political subdivisions in the region to  
17.32 exercise the planning functions of a regional  
17.33 development commission; and (3) in regions  
17.34 where no regional development commission

18.1 or joint powers board is functioning, to the  
 18.2 department's district office for that region.

18.3			<del>598,700,000</del>
18.4	<b>(2) State Road Construction</b>	551,300,000	<u>555,700,000</u>

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

18.7 It is estimated that these appropriations will  
 18.8 be funded as follows:

18.9	Appropriations by Fund		
18.10	Federal Highway		<del>388,500,000</del>
18.11	Aid	301,100,000	<u>345,500,000</u>
18.12	Highway User Taxes	250,200,000	210,200,000

18.13 The commissioner of transportation shall  
 18.14 notify the chairs and ranking minority  
 18.15 members of the senate and house of  
 18.16 representatives committees with jurisdiction  
 18.17 over transportation finance of any significant  
 18.18 events that should cause these estimates to  
 18.19 change.

18.20 This appropriation is for the actual  
 18.21 construction, reconstruction, and  
 18.22 improvement of trunk highways, including  
 18.23 design-build contracts and consultant usage  
 18.24 to support these activities. This includes the  
 18.25 cost of actual payment to landowners for  
 18.26 lands acquired for highway rights-of-way,  
 18.27 payment to lessees, interest subsidies, and  
 18.28 relocation expenses.

18.29 The commissioner shall expend up to  
 18.30 one-half of one percent of the federal  
 18.31 appropriations under this paragraph as grants  
 18.32 to opportunity industrialization centers and  
 18.33 other nonprofit job training centers for  
 18.34 job training programs related to highway  
 18.35 construction.

19.1 The commissioner may transfer up to  
19.2 \$15,000,000 each year to the transportation  
19.3 revolving loan fund.

19.4 The commissioner may receive money  
19.5 covering other shares of the cost of  
19.6 partnership projects. These receipts are  
19.7 appropriated to the commissioner for these  
19.8 projects.

19.9 **(3) Highway Debt Service** 101,170,000 173,400,000

19.10 \$86,517,000 the first year and \$157,304,000  
19.11 the second year are for transfer to the state  
19.12 bond fund. If this appropriation is insufficient  
19.13 to make all transfers required in the year for  
19.14 which it is made, the commissioner of finance  
19.15 shall notify the Committee on Finance of  
19.16 the senate and the Committee on Ways and  
19.17 Means of the house of representatives of  
19.18 the amount of the deficiency and shall then  
19.19 transfer that amount under the statutory open  
19.20 appropriation. Any excess appropriation  
19.21 cancels to the trunk highway fund.

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

19.23	Appropriations by Fund		
19.24	General	9,000	9,000
19.25	Trunk Highway	5,168,000	5,168,000

19.26 The general fund appropriation is to equip  
19.27 and operate the Roosevelt signal tower for  
19.28 Lake of the Woods weather broadcasting.

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

19.30 **ARTICLE 2**

19.31 **TRANSPORTATION DEVELOPMENT**

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

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

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

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

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

20.11 (2) the public purpose of the project;

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

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

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

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

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

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

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

20.29 Subd. 6. **Trunk highway economic development account.** (a) The trunk highway  
20.30 economic development account is created in the trunk highway fund. Money in the  
20.31 account is annually appropriated to the commissioner and does not lapse. Interest earned  
20.32 from investment of money in this account must be deposited in the trunk highway  
20.33 economic development account.

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

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

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

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

21.14 Subdivision 1. **Estimate.** (a) By December 15 of each year the commissioner shall  
21.15 estimate the amount of money that will be available to the county state-aid highway fund  
21.16 during that fiscal year. The amount available must be based on actual receipts from July  
21.17 1 through ~~November 30~~ October 31, the unallocated fund balance, and the projected  
21.18 receipts for the remainder of the fiscal year. The amount available, except for deductions  
21.19 as provided in this section, shall be apportioned by the commissioner to the counties as  
21.20 provided in section 162.07.

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

21.23 Sec. 5. Minnesota Statutes 2010, section 162.081, subdivision 4, is amended to read:

21.24 Subd. 4. **Formula for distribution to towns; purposes.** (a) Money apportioned to  
21.25 a county from the town road account must be distributed to the treasurer of each town  
21.26 within the county, according to a distribution formula adopted by the county board.  
21.27 The formula must take into account each town's levy for road and bridge purposes, its  
21.28 population and town road mileage, and other factors the county board deems advisable  
21.29 in the interests of achieving equity among the towns. Distribution of town road funds  
21.30 to each town treasurer must be made by March 1, annually, or within 30 days after  
21.31 receipt of payment from the commissioner. Distribution of funds to town treasurers in a  
21.32 county which has not adopted a distribution formula under this subdivision must be made  
21.33 according to a formula prescribed by the commissioner by rule. A formula adopted by a  
21.34 county board or by the commissioner must provide that a town, in order to be eligible for

**S.F. No. 898, 3rd Engrossment - 87th Legislative Session (2011-2012) [S0898-3]**

22.1 distribution of funds from the town road account in a calendar year, must have levied for  
22.2 taxes payable in the previous year for road and bridge purposes ~~at least 0.04835 percent of~~  
22.3 ~~taxable market value. For purposes of this eligibility requirement, taxable market value~~  
22.4 ~~means taxable market value for taxes payable two years prior to the aid distribution year~~  
22.5 an amount equal to or greater than the amount distributed to that town from the town road  
22.6 account under this section in the year prior to the previous year.

22.7 (b) Money distributed to a town under this subdivision may be expended by the  
22.8 town only for the construction, reconstruction, and gravel maintenance of town roads  
22.9 within the town.

22.10 Sec. 6. Minnesota Statutes 2010, section 162.12, subdivision 1, is amended to read:

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

22.18 Sec. 7. Minnesota Statutes 2010, section 168.013, subdivision 21, is amended to read:

22.19 Subd. 21. **Technology surcharge.** For every vehicle registration renewal required  
22.20 under this chapter, until June 30, 2015, the commissioner shall collect a surcharge of  
22.21 \$1.75. Surcharges collected under this subdivision must be credited to the driver and  
22.22 vehicle services technology account in the special revenue fund under section 299A.705.

22.23 Sec. 8. Minnesota Statutes 2010, section 168.021, is amended to read:

22.24 **168.021 PLATES FOR PHYSICALLY DISABLED PERSONS.**

22.25 Subdivision 1. **Disability plates; application.** (a) When a motor vehicle registered  
22.26 under section 168.017, a motorcycle, a truck having a manufacturer's nominal rated  
22.27 capacity of one ton and resembling a pickup truck, or a self-propelled recreational vehicle  
22.28 is owned or primarily operated by a permanently physically disabled person or a custodial  
22.29 parent or guardian of a permanently physically disabled minor, the owner may apply for  
22.30 and secure from the commissioner (1) immediately, a temporary permit valid for 30 days  
22.31 if the applicant is eligible for the disability plates issued under this section and (2) two  
22.32 disability plates with attached emblems, one plate to be attached to the front, and one to

23.1 the rear of the motor vehicle, truck, or recreational vehicle, or, in the case of a motorcycle,  
23.2 one disability plate the same size as a regular motorcycle plate.

23.3 (b) The commissioner shall not issue more than one plate to the owner of a  
23.4 motorcycle and not more than one set of plates to any owner of a ~~motor~~ another vehicle  
23.5 described in paragraph (a) at the same time unless the state Council on Disability approves  
23.6 the issuance of a second plate or set of plates to a ~~motor vehicle~~ an owner.

23.7 (c) When the owner first applies for the disability plate or plates, the owner must  
23.8 submit a medical statement in a format approved by the commissioner under section  
23.9 169.345, or proof of physical disability provided for in that section.

23.10 (d) No medical statement or proof of disability is required when an owner ~~of a motor~~  
23.11 ~~vehicle~~ applies for a plate or plates for one or more ~~motor~~ vehicles listed in paragraph (a)  
23.12 that are specially modified for and used exclusively by permanently physically disabled  
23.13 persons.

23.14 (e) The owner of a ~~motor~~ vehicle listed in paragraph (a) may apply for and secure  
23.15 (i) immediately, a permit valid for 30 days, if the applicant is eligible to receive the  
23.16 disability plate or plates issued under this section, and (ii) a ~~set of~~ disability plate or plates  
23.17 for a ~~motor~~ the vehicle if:

23.18 (1) the owner employs a permanently physically disabled person who would qualify  
23.19 for the disability plate or plates under this section; and

23.20 (2) the owner furnishes the motor vehicle to the physically disabled person for the  
23.21 exclusive use of that person in the course of employment.

23.22 Subd. 1a. **Scope of privilege.** If a physically disabled person parks a ~~motor~~  
23.23 vehicle described in subdivision 1, displaying the disability plate or plates described in  
23.24 this section, or a permit valid for 30 days and issued to an eligible person awaiting receipt  
23.25 of the disability plate or plates described in this section, or any person parks the motor  
23.26 vehicle for a physically disabled person, that person is entitled to park the motor vehicle  
23.27 as provided in section 169.345.

23.28 Subd. 2. **Plate design; furnished by commissioner.** The commissioner shall design  
23.29 and furnish two disability plates, or one disability plate for a motorcycle that is the same  
23.30 size as a regular motorcycle plate, with attached emblem or emblems to an eligible owner.  
23.31 The emblem must bear the internationally accepted wheelchair symbol, as designated in  
23.32 section 326B.106, subdivision 9, approximately three inches square. The emblem must  
23.33 be large enough to be visible plainly from a distance of 50 feet. An applicant eligible  
23.34 for a disability plate or plates shall pay the motor vehicle registration fee authorized  
23.35 by sections 168.013 and 168.09.

24.1 Subd. 2a. **Plate transfer.** (a) When ~~motor vehicle~~ ownership of a vehicle described  
24.2 in subdivision 1 is transferred, the owner of the ~~motor~~ vehicle shall remove the disability  
24.3 plate or plates. The buyer of the motor vehicle is entitled to receive a regular plate or plates  
24.4 for the ~~motor~~ vehicle without further cost for the remainder of the registration period.

24.5 (b) Notwithstanding section 168.12, subdivision 1, the disability plate or plates  
24.6 may be transferred to a replacement ~~motor~~ vehicle on notification to the commissioner.  
24.7 However, the disability plate or plates may not be transferred unless the replacement  
24.8 ~~motor~~ vehicle (1) is listed under section 168.012, subdivision 1, and, in case of a single  
24.9 plate for a motorcycle, the replacement vehicle is a motorcycle, and (2) is owned or  
24.10 primarily operated by the permanently physically disabled person.

24.11 Subd. 2b. **When not eligible.** On becoming ineligible for the disability plate  
24.12 or plates, the owner of the motor vehicle shall remove the disability plate or plates.  
24.13 The owner may receive regular plates for the ~~motor~~ vehicle without further cost for the  
24.14 remainder of the registration period.

24.15 Subd. 3. **Penalties for unauthorized use of plates.** (a) A person who uses the  
24.16 disability plate or plates or permit provided under this section on a motor vehicle in  
24.17 violation of this section is guilty of a misdemeanor, and is subject to a fine of \$500. This  
24.18 subdivision does not preclude a person who is not physically disabled from operating a  
24.19 ~~motor~~ vehicle bearing the disability plates or permit if:

24.20 (1) the person is the owner of the ~~motor~~ vehicle described in subdivision 1 and  
24.21 permits its operation by a physically disabled person;

24.22 (2) the person operates the ~~motor~~ vehicle with the consent of the owner who is  
24.23 physically disabled; or

24.24 (3) the person is the owner of the ~~motor~~ vehicle, is the custodial parent or guardian  
24.25 of a permanently physically disabled minor, and operates the ~~motor~~ vehicle to transport  
24.26 the minor.

24.27 (b) A driver who is not disabled is not entitled to the parking privileges provided  
24.28 in this section and in section 169.346 unless parking the ~~motor~~ vehicle for a physically  
24.29 disabled person.

24.30 Subd. 4. **Fees; disposition.** All fees collected from the sale of a disability plate or  
24.31 plates under this section must be deposited in the state treasury to the credit of the vehicle  
24.32 services operating account under section 299A.705, subdivision 1.

24.33 Subd. 5. **Definitions.** For the purposes of this section, the term "physically disabled  
24.34 person" has the meaning given it in section 169.345, subdivision 2.

24.35 Subd. 6. **Driver's license law not affected.** This section must not be construed to  
24.36 revoke, limit, or amend chapter 171.

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25.1 Sec. 9. Minnesota Statutes 2010, section 168.12, subdivision 5, is amended to read:

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

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

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

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

25.27 (d) As part of procedures for payment of the fee under paragraph (b), the  
25.28 commissioner shall allow a vehicle owner to add to the fee, a \$2 donation for the purposes  
25.29 of public information and education on anatomical gifts under section 171.07.

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

25.31 Sec. 10. Minnesota Statutes 2010, section 168.1253, subdivision 1, is amended to read:

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

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

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

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

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

26.9 Sec. 11. Minnesota Statutes 2010, section 168.33, subdivision 7, is amended to read:

26.10 Subd. 7. **Filing fees; allocations.** (a) In addition to all other statutory fees and  
26.11 taxes, a filing fee of:

26.12 (1) ~~\$4.50~~ \$6 is imposed on every vehicle registration renewal, excluding pro rate  
26.13 transactions; and

26.14 (2) ~~\$8.50~~ \$10 is imposed on every other type of vehicle transaction, including pro  
26.15 rate transactions;

26.16 except that a filing fee may not be charged for a document returned for a refund or for  
26.17 a correction of an error made by the Department of Public Safety, a dealer, or a deputy  
26.18 registrar. The filing fee must be shown as a separate item on all registration renewal  
26.19 notices sent out by the commissioner. No filing fee or other fee may be charged for the  
26.20 permanent surrender of a title for a vehicle.

26.21 (b) The statutory fees and taxes, and the filing fees imposed under paragraph (a)  
26.22 may be paid by credit card or debit card. The deputy registrar may collect a surcharge  
26.23 on the statutory fees, taxes, and filing fee not greater than the cost of processing a credit  
26.24 card or debit card transaction, in accordance with emergency rules established by the  
26.25 commissioner of public safety. The surcharge must be used to pay the cost of processing  
26.26 credit and debit card transactions.

26.27 (c) All of the fees collected under paragraph (a), clause (1), by the department, must  
26.28 be paid into the vehicle services operating account in the special revenue fund under  
26.29 section 299A.705. Of the fee collected under paragraph (a), clause (2), by the department,  
26.30 \$3.50 must be paid into the general fund with the remainder deposited into the vehicle  
26.31 services operating account in the special revenue fund under section 299A.705.

26.32 Sec. 12. Minnesota Statutes 2010, section 168A.29, subdivision 1, is amended to read:

26.33 Subdivision 1. **Amounts.** (a) The department must be paid the following fees:

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27.1 (1) for filing an application for and the issuance of an original certificate of title, the  
27.2 sum of \$6.25 of which \$3.25 must be paid into the vehicle services operating account of  
27.3 the special revenue fund under section 299A.705; until June 30, ~~2012~~ 2015, a surcharge of  
27.4 \$1.75 must be added to the fee and credited to the driver and vehicle services technology  
27.5 account;

27.6 (2) for each security interest when first noted upon a certificate of title, including the  
27.7 concurrent notation of any assignment thereof and its subsequent release or satisfaction,  
27.8 the sum of \$2, except that no fee is due for a security interest filed by a public authority  
27.9 under section 168A.05, subdivision 8;

27.10 (3) for the transfer of the interest of an owner and the issuance of a new certificate of  
27.11 title, the sum of \$5.50 of which \$2.50 must be paid into the vehicle services operating  
27.12 account of the special revenue fund under section 299A.705; until June 30, ~~2012~~ 2015, a  
27.13 surcharge of \$1.75 must be added to the fee and credited to the driver and vehicle services  
27.14 technology account;

27.15 (4) for each assignment of a security interest when first noted on a certificate of title,  
27.16 unless noted concurrently with the security interest, the sum of \$1;

27.17 (5) for issuing a duplicate certificate of title, the sum of \$7.25 of which \$3.25 must  
27.18 be paid into the vehicle services operating account of the special revenue fund under  
27.19 section 299A.705; until June 30, ~~2012~~ 2015, a surcharge of \$1.75 must be added to the fee  
27.20 and credited to the driver and vehicle services technology account.

27.21 (b) After June 30, 1994, in addition to each of the fees required under paragraph (a),  
27.22 clauses (1) and (3), the department must be paid \$3.50. The additional \$3.50 fee collected  
27.23 under this paragraph must be deposited in the special revenue fund and credited to the  
27.24 public safety motor vehicle account established in section 299A.70.

27.25 Sec. 13. Minnesota Statutes 2010, section 169.345, subdivision 1, is amended to read:

27.26 Subdivision 1. **Scope of privilege.** (a) A ~~motor~~ vehicle described in section 168.021,  
27.27 subdivision 1, paragraph (a), that prominently displays the certificate authorized by this  
27.28 section or that bears the disability plate or plates issued under section 168.021 may be  
27.29 parked by or solely for the benefit of a physically disabled person:

27.30 (1) in a designated parking space for disabled persons, as provided in section  
27.31 169.346;

27.32 (2) in a metered parking space without obligation to pay the meter fee and without  
27.33 time restrictions unless time restrictions are separately posted on official signs; and

28.1 (3) without time restrictions in a nonmetered space where parking is otherwise  
28.2 allowed for passenger vehicles but restricted to a maximum period of time and that does  
28.3 not specifically prohibit the exercise of disabled parking privileges in that space.

28.4 A person may park ~~a motor~~ the vehicle for a physically disabled person in a parking space  
28.5 described in clause (1) or (2) only when actually transporting the physically disabled  
28.6 person for the sole benefit of that person and when the parking space is within a reasonable  
28.7 distance from the drop-off point.

28.8 (b) For purposes of this subdivision, a certificate is prominently displayed if it is  
28.9 displayed so that it may be viewed from the front and rear of the motor vehicle by hanging  
28.10 it from the rearview mirror attached to the front windshield of the motor vehicle or, in  
28.11 the case of a motorcycle, is secured to the vehicle. If there is no rearview mirror or if the  
28.12 certificate holder's disability precludes placing the certificate on the mirror, the certificate  
28.13 must be displayed on the dashboard on the driver's side of the vehicle. No part of the  
28.14 certificate may be obscured.

28.15 (c) Notwithstanding paragraph (a), clauses (1), (2), and (3), this section does not  
28.16 permit parking in areas prohibited by sections 169.32 and 169.34, in designated no  
28.17 parking spaces, or in parking spaces reserved for specified purposes or vehicles. A local  
28.18 governmental unit may, by ordinance, prohibit parking on any street or highway to create  
28.19 a fire lane, or to accommodate heavy traffic during morning and afternoon rush hours and  
28.20 these ordinances also apply to physically disabled persons.

28.21 Sec. 14. Minnesota Statutes 2010, section 169.345, subdivision 3, is amended to read:

28.22 Subd. 3. **Identifying certificate.** (a) The commissioner shall issue (1) immediately,  
28.23 a permit valid for 30 days if the person is eligible for the certificate issued under this  
28.24 section and (2) an identifying certificate for a ~~motor~~ vehicle described in section 168.021,  
28.25 subdivision 1, paragraph (a), when a physically disabled applicant submits proof of  
28.26 physical disability under subdivision 2a. The commissioner shall design separate  
28.27 certificates for persons with permanent and temporary disabilities that can be readily  
28.28 distinguished from each other from outside a ~~motor~~ vehicle at a distance of 25 feet or, in  
28.29 the case of a motorcycle, can be readily secured to the motorcycle. An applicant may be  
28.30 issued up to two certificates if the applicant has not been issued disability plates under  
28.31 section 168.021.

28.32 (b) The operator of a ~~motor~~ vehicle displaying a certificate has the parking  
28.33 privileges provided in subdivision 1 only while the ~~motor~~ vehicle is actually parked while  
28.34 transporting a physically disabled person.

29.1 (c) The commissioner shall cancel all certificates issued to an applicant who fails to  
29.2 comply with the requirements of this subdivision.

29.3 Sec. 15. Minnesota Statutes 2010, section 169.86, subdivision 5, is amended to read:

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

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

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

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

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

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

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

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

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

29.24 (6) noncommercial transportation of a boat by the owner or user of the boat;

29.25 (7) motor vehicles carrying bales of agricultural products authorized under section  
29.26 169.862; and

29.27 (8) special milk-hauling vehicles authorized under section 169.867.

29.28 (d) \$120 for an oversize annual permit to be issued for a period not to exceed 12  
29.29 consecutive months. Annual permits may be issued for:

29.30 (1) mobile cranes;

29.31 (2) construction equipment, machinery, and supplies;

29.32 (3) manufactured homes and manufactured storage buildings;

29.33 (4) implements of husbandry;

29.34 (5) double-deck buses;

30.1 (6) commercial boat hauling and transporting waterfront structures, including, but  
 30.2 not limited to, portable boat docks and boat lifts;

30.3 (7) three-vehicle combinations consisting of two empty, newly manufactured trailers  
 30.4 for cargo, horses, or livestock, not to exceed 28-1/2 feet per trailer; provided, however,  
 30.5 the permit allows the vehicles to be moved from a trailer manufacturer to a trailer dealer  
 30.6 only while operating on twin-trailer routes designated under section 169.81, subdivision 3,  
 30.7 paragraph (c); and

30.8 (8) vehicles operating on that portion of marked Trunk Highway 36 described in  
 30.9 section 169.81, subdivision 3, paragraph (e).

30.10 (e) For vehicles which have axle weights exceeding the weight limitations of  
 30.11 sections 169.823 to 169.829, an additional cost added to the fees listed above. However,  
 30.12 this paragraph applies to any vehicle described in section 168.013, subdivision 3,  
 30.13 paragraph (b), but only when the vehicle exceeds its gross weight allowance set forth in  
 30.14 that paragraph, and then the additional cost is for all weight, including the allowance  
 30.15 weight, in excess of the permitted maximum axle weight. The additional cost is equal  
 30.16 to the product of the distance traveled times the sum of the overweight axle group cost  
 30.17 factors shown in the following chart:

30.18 Overweight Axle Group Cost Factors

30.19 Weight (pounds)	30.19 Cost Per Mile For Each Group Of:		
30.20 exceeding weight	30.20 Two	30.20 Three	
30.21 limitations on axles	30.21 consecutive	30.21 consecutive	
	30.22 axles spaced	30.22 axles spaced	30.22 Four consecutive
	30.23 within 8 feet	30.23 within 9 feet	30.23 axles spaced within
	30.24 or less	30.24 or less	30.24 14 feet or less
30.25 0-2,000	.12	.05	.04
30.26 2,001-4,000	.14	.06	.05
30.27 4,001-6,000	.18	.07	.06
30.28 6,001-8,000	.21	.09	.07
30.29 8,001-10,000	.26	.10	.08
30.30 10,001-12,000	.30	.12	.09
30.31 12,001-14,000	Not permitted	.14	.11
30.32 14,001-16,000	Not permitted	.17	.12
30.33 16,001-18,000	Not permitted	.19	.15
30.34 18,001-20,000	Not permitted	Not permitted	.16
30.35 20,001-22,000	Not permitted	Not permitted	.20

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

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

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

31.12	Gross Weight (pounds) of Vehicle	Annual Permit Fee
31.13	90,000 or less	\$200
31.14	90,001 - 100,000	\$300
31.15	100,001 - 110,000	\$400
31.16	110,001 - 120,000	\$500
31.17	120,001 - 130,000	\$600
31.18	130,001 - 140,000	\$700
31.19	140,001 - 145,000	\$800

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

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

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

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

31.34 (1) in fiscal years 2005 through 2010:

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

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

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

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

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

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

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

32.12 Sec. 16. Minnesota Statutes 2010, section 171.06, subdivision 2, is amended to read:

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

32.15		<del>D-\$22.25</del>	<del>C-\$26.25</del>	<del>B-\$33.25</del>	<del>A-\$41.25</del>
32.16	Classified Driver's License	<u>D-\$17.25</u>	<u>C-\$21.25</u>	<u>B-\$28.25</u>	<u>A-\$36.25</u>
32.17		<del>D-\$22.25</del>	<del>C-\$26.25</del>	<del>B-\$33.25</del>	<del>A-\$21.25</del>
32.18	Classified Under-21 D.L.	<u>D-\$17.25</u>	<u>C-\$21.25</u>	<u>B-\$28.25</u>	<u>A-\$16.25</u>
32.19		<del>D-\$37.25</del>	<del>C-\$41.25</del>	<del>B-\$48.25</del>	<del>A-\$56.25</del>
32.20	Enhanced Driver's License	<u>D-\$32.25</u>	<u>C-\$36.25</u>	<u>B-\$43.25</u>	<u>A-\$51.25</u>
32.21	Instruction Permit			<del>\$10.25</del>	<u>\$5.25</u>
32.22	Enhanced Instruction				<del>\$25.25</del>
32.23	Permit				<u>\$20.25</u>
32.24	Provisional License			<del>\$13.25</del>	<u>\$8.25</u>
32.25	Enhanced Provisional				<del>\$28.25</del>
32.26	License				<u>\$23.25</u>
32.27	Duplicate License or				
32.28	duplicate identification				
32.29	card			<del>\$11.75</del>	<u>\$6.75</u>
32.30	Enhanced Duplicate				
32.31	License or enhanced				
32.32	duplicate identification				<del>\$26.75</del>
32.33	card				<u>\$21.75</u>
32.34	Minnesota identification				
32.35	card or Under-21				
32.36	Minnesota identification				
32.37	card, other than duplicate,				
32.38	except as otherwise				
32.39	provided in section 171.07,				<del>\$16.25</del>
32.40	subdivisions 3 and 3a				<u>\$11.25</u>
32.41	Enhanced Minnesota				<del>\$31.25</del>
32.42	identification card				<u>\$26.25</u>

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33.1 In addition to each fee required in this paragraph, the commissioner shall collect a  
33.2 surcharge of \$1.75 until June 30, ~~2012~~ 2015. Surcharges collected under this paragraph  
33.3 must be credited to the driver and vehicle services technology account in the special  
33.4 revenue fund under section 299A.705.

33.5 (b) Notwithstanding paragraph (a), an individual who holds a provisional license and  
33.6 has a driving record free of (1) convictions for a violation of section 169A.20, 169A.33,  
33.7 169A.35, or sections 169A.50 to 169A.53, (2) convictions for crash-related moving  
33.8 violations, and (3) convictions for moving violations that are not crash related, shall have a  
33.9 \$3.50 credit toward the fee for any classified under-21 driver's license. "Moving violation"  
33.10 has the meaning given it in section 171.04, subdivision 1.

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

33.17 (d) In addition to the fee required under paragraph (a), a driver's license agent may  
33.18 charge and retain a filing fee under section 171.061, subdivision 4. The department shall  
33.19 charge the same amount as an agent under section 171.061, which must be credited to the  
33.20 driver services operating account in section 299A.705, subdivision 2.

33.21 (e) An application for a Minnesota identification card, instruction permit, provisional  
33.22 license, or driver's license, including an application for renewal, must contain a provision  
33.23 that allows the applicant to add to the fee under paragraph (a), a \$2 donation for the  
33.24 purposes of public information and education on anatomical gifts under section 171.07.

33.25 **EFFECTIVE DATE.** Paragraph (e) is effective January 1, 2012.

33.26 **Sec. 17. [171.075] ANATOMICAL GIFTS.**

33.27 Subdivision 1. **Anatomical gift account.** An anatomical gift account is established  
33.28 in the special revenue fund. The account consists of funds donated under sections  
33.29 168.12, subdivision 5, and 171.06, subdivision 2, and any other money donated,  
33.30 allotted, transferred, or otherwise provided to the account. Money in the account is  
33.31 annually appropriated to the commissioner for: (1) grants under subdivision 2; and (2)  
33.32 administrative expenses in implementing the donation and grant program.

33.33 Subd. 2. **Anatomical gift education grants.** (a) The commissioner shall make  
33.34 grants to: (1) a Minnesota organ procurement organization that is certified by the federal  
33.35 Centers for Medicare and Medicaid Services; or (2) an entity that is a charitable entity

34.1 under section 501(c)(3) of the Internal Revenue Code, as defined in section 289A.02,  
34.2 subdivision 7, and is dedicated to advocacy for organ, tissue, and eye donation.

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

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

34.7 Sec. 18. Minnesota Statutes 2010, section 174.93, is amended to read:

34.8 **174.93 GUIDEWAY INVESTMENT.**

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

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

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

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

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

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

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

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

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

35.3 Subd. 2. **Legislative report.** (a) By November 15 in every odd-numbered year,  
35.4 the commissioner shall prepare, in collaboration with the Metropolitan Council, and  
35.5 submit a report electronically to the chairs and ranking minority members of the house  
35.6 of representatives and senate committees with jurisdiction over transportation policy  
35.7 and finance concerning the status of guideway projects (1) currently in study, planning,  
35.8 development, or construction; (2) identified in the transportation policy plan under section  
35.9 473.146; or (3) identified in the comprehensive statewide freight and passenger rail plan  
35.10 under section 174.03, subdivision 1b.

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

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

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

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

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

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

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

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

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

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

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

35.33 (i) total capital expenditures for guideways;

35.34 (ii) total operations and maintenance expenditures for guideways;

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

36.1 (iv) total funding available for transit service in the metropolitan area; and  
36.2 (2) evaluates the availability of funds and distribution of sources of funds for  
36.3 guideway investments.

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

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

36.9 Sec. 19. Minnesota Statutes 2010, section 299A.705, subdivision 3, is amended to read:

36.10 Subd. 3. **Driver and vehicle services technology account.** (a) The driver and  
36.11 vehicle services technology account is created in the special revenue fund, consisting of  
36.12 the technology surcharge collected as specified in chapters 168, 168A, and 171, and any  
36.13 other money otherwise donated, allotted, appropriated, or legislated to this account.

36.14 (b) Money in the account is annually appropriated to the commissioner of public  
36.15 safety to support the research, development, deployment, and maintenance of a driver  
36.16 and vehicle services information system.

36.17 (c) This subdivision expires on June 30, 2015.

36.18 Sec. 20. **METROPOLITAN LIVABLE COMMUNITIES FUND; TRANSFERS.**

36.19 Notwithstanding Minnesota Statutes, sections 473.25 to 473.255, or any other law,  
36.20 the Metropolitan Council may transfer to its transit operating budget in 2012 and 2013,  
36.21 money that is not committed to grant or loan awards made by the council as follows:

36.22 (1) up to 50 percent of the revenues and amounts credited, transferred, or distributed  
36.23 to the tax base revitalization account in 2012 and 2013, pursuant to Minnesota Statutes,  
36.24 section 473.252;

36.25 (2) up to 50 percent of the revenues and amounts credited, transferred, or distributed  
36.26 to the metropolitan livable communities demonstration account in 2012 and 2013,  
36.27 pursuant to Minnesota Statutes, section 473.253; and

36.28 (3) balances in the metropolitan livable communities fund accounts in 2012 and  
36.29 2013.

36.30 The council shall use the amounts transferred to cover operating deficits for the  
36.31 transit, paratransit, and light rail and commuter rail services provided or assisted by the  
36.32 council under Minnesota Statutes, sections 473.371 to 473.449. If the council transfers  
36.33 funds pursuant to this section, the council shall amend the annual distribution plan  
36.34 described in Minnesota Statutes, section 473.25, paragraph (d), and include information

37.1 about the transfer in the annual report required under Minnesota Statutes, section 473.25,  
37.2 paragraph (e).

37.3 Sec. 21. **RIGHT-OF-WAY ACQUISITION LOAN FUND; TRANSFERS.**

37.4 Notwithstanding Minnesota Statutes, section 473.167, or any other law, the  
37.5 Metropolitan Council may transfer to its transit operating budget in 2012 and 2013 up  
37.6 to 75 percent of the amounts levied and collected in 2012 and 2013, under Minnesota  
37.7 Statutes, section 473.167, subdivision 3. The council shall use the amounts transferred to  
37.8 cover operating deficits for the transit, paratransit, and light rail and commuter rail services  
37.9 provided or assisted by the council under Minnesota Statutes, sections 473.371 to 473.449.

37.10 Sec. 22. **REPORT ON ANATOMICAL GIFT ACCOUNT.**

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

APPENDIX  
Article locations in S0898-3

ARTICLE 1 TRANSPORTATION APPROPRIATIONS ..... Page.Ln 1.21  
ARTICLE 2 TRANSPORTATION DEVELOPMENT ..... Page.Ln 19.30