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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SEVENTH SESSION

H. F. No. 1068

03/14/2011 Authored by Beard, Benson, M., Morrow, Hornstein and Murdock
The bill was read for the first time and referred to the Committee on Transportation Policy and Finance
05/03/2011 Adoption of Report: Pass as Amended and re-referred to the Committee on Ways and Means
05/17/2011 Adoption of Report: Pass as Amended and Read Second Time
05/23/2011 Pursuant to Rule 4.20, re-referred to the Committee on Ways and Means
01/24/2012 By motion, recalled and re-referred to the Committee on Transportation Policy and Finance

A bill for an act

1.1 relating to transportation; providing for various provisions governing
1.2 transportation and public safety policies, including data practices, bicycles and
1.3 bikeways, highways and bridges, transportation construction contracts, motor
1.4 vehicles, traffic regulations, driver licensing and training, alternative financing
1.5 for transportation projects, railroads, motor carriers and commercial drivers, and
1.6 agency reporting; establishing certain fees and an account; expanding a pilot
1.7 program; providing variance for seaplane base; repealing certain provisions;
1.8 making technical changes; appropriating money; amending Minnesota Statutes
1.9 2010, sections 85.015, by adding a subdivision; 85.018, subdivisions 2, 4;
1.10 160.263, subdivision 2; 161.14, subdivision 66, by adding a subdivision;
1.11 161.321; 161.3212; 162.081, subdivision 4; 162.09, by adding a subdivision;
1.12 168.002, subdivisions 24, 26, 40, by adding subdivisions; 168.012, subdivision
1.13 1; 168.017, subdivision 3; 168.021; 168.12, subdivisions 1, 2b, 5; 168.123,
1.14 subdivision 1; 168A.11, subdivision 4; 168B.011, subdivision 12; 169.011,
1.15 subdivision 27; 169.035, subdivision 1, by adding a subdivision; 169.06,
1.16 subdivisions 5, 7; 169.19, subdivision 5; 169.223, subdivision 5; 169.306;
1.17 169.345, subdivisions 1, 3; 169.346, subdivision 3; 169.4503, by adding a
1.18 subdivision; 169.64, subdivision 2; 169.685, subdivision 6; 169.86, subdivisions
1.19 4, 5; 169.99, subdivision 1b; 169A.54, subdivisions 1, 6; 171.03; 171.05,
1.20 subdivision 2; 171.06, subdivision 2; 171.061, subdivision 4; 171.0701; 171.12,
1.21 subdivision 6; 171.13, subdivision 1, by adding a subdivision; 171.27; 171.30,
1.22 subdivision 1; 171.306, subdivision 4; 174.02, by adding a subdivision; 174.56;
1.23 174.632; 174.80, by adding a subdivision; 174.88, by adding a subdivision;
1.24 221.0314, subdivision 3a; 222.50, subdivision 4; 222.51; 222.53; 222.63,
1.25 subdivision 9; Laws 2009, chapter 59, article 3, section 4, as amended; proposing
1.26 coding for new law in Minnesota Statutes, chapters 160; 161; 171; repealing
1.27 Minnesota Statutes 2010, sections 161.08, subdivision 2; 161.115, subdivision
1.28 263; 168.012, subdivision 1b; 169A.54, subdivision 5; 222.48, subdivision 3a;
1.29 Laws 2002, chapter 393, section 85; Laws 2008, chapter 350, article 1, section 5,
1.30 as amended.
1.31

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

1.33 Section 1. Minnesota Statutes 2010, section 85.015, is amended by adding a
1.34 subdivision to read:

2.1 Subd. 1d. **Bicycle use of trails.** The commissioner may not prohibit operation of an
2.2 electric-assisted bicycle, as defined in section 169.011, subdivision 27, on any trail under
2.3 this section for which bicycle use is permitted, unless the commissioner determines that
2.4 operation of the electric-assisted bicycle is not consistent with safe use and enjoyment of
2.5 the trail.

2.6 Sec. 2. Minnesota Statutes 2010, section 85.018, subdivision 2, is amended to read:

2.7 Subd. 2. **Authority of local government.** (a) A local government unit that receives
2.8 state grants-in-aid for any trail, with the concurrence of the commissioner, and the
2.9 landowner or land lessee, may:

2.10 (1) designate the trail for use by snowmobiles or for nonmotorized use from
2.11 December 1 to April 1 of any year; and

2.12 (2) issue any permit required under subdivisions 3 to 5.

2.13 (b) A local government unit that receives state grants-in-aid under section 84.794,
2.14 subdivision 2, 84.803, subdivision 2, or 84.927, subdivision 2, for any trail, with the
2.15 concurrence of the commissioner, and landowner or land lessee, may:

2.16 (1) designate the trail specifically for use at various times of the year by all-terrain or
2.17 off-road vehicles or off-highway motorcycles, for nonmotorized use such as ski touring,
2.18 snowshoeing, and hiking, and for multiple use, but not for motorized and nonmotorized
2.19 use at the same time; and

2.20 (2) issue any permit required under subdivisions 3 to 5.

2.21 (c) A local unit of government that receives state grants-in-aid for any trail, with the
2.22 concurrence of the commissioner and landowner or land lessee, may designate certain
2.23 trails for joint use by snowmobiles, off-highway motorcycles, all-terrain vehicles, and
2.24 off-road vehicles.

2.25 (d) A local unit of government may not prohibit operation of an electric-assisted
2.26 bicycle, as defined in section 169.011, subdivision 27, on any trail under this section
2.27 designated for bicycle use or nonmotorized use that includes bicycles, unless the local unit
2.28 of government determines that operation of the electric-assisted bicycle is not consistent
2.29 with safe use and enjoyment of the trail.

2.30 Sec. 3. Minnesota Statutes 2010, section 85.018, subdivision 4, is amended to read:

2.31 Subd. 4. **Nonmotorized use trails.** (a) No motorized vehicle shall be operated on a
2.32 trail designated for nonmotorized use. This subdivision does not apply to (1) motorized
2.33 wheelchairs or other motorized devices operated by an individual who is physically
2.34 disabled and (2) electric-assisted bicycles, as defined in section 169.011, subdivision 27.

3.1 Sec. 4. Minnesota Statutes 2010, section 160.263, subdivision 2, is amended to read:

3.2 Subd. 2. **Powers of political subdivisions.** (a) The governing body of any political
3.3 subdivision may by ordinance or resolution:

3.4 (1) designate any roadway or shoulder or portion thereof under its jurisdiction as
3.5 a bicycle lane or bicycle route;

3.6 (2) designate any sidewalk or portion thereof under its jurisdiction as a bicycle path
3.7 provided that the designation does not destroy a pedestrian way or pedestrian access;

3.8 (3) develop and designate bicycle paths;

3.9 (4) designate as bikeways all bicycle lanes, bicycle routes, and bicycle paths.

3.10 (b) A governing body may not prohibit operation of an electric-assisted bicycle,
3.11 as defined in section 169.011, subdivision 27, on any bikeway, roadway, or shoulder,
3.12 unless the governing body determines that operation of the electric-assisted bicycle is not
3.13 consistent with safe use and enjoyment of the bikeway, roadway, or shoulder.

3.14 Sec. 5. **[160.266] MISSISSIPPI RIVER TRAIL.**

3.15 Subdivision 1. **Definitions.** For the purposes of this section:

3.16 (1) "bicycle path" has the meaning given in section 169.011, subdivision 6; and

3.17 (2) "bikeway" has the meaning given in section 169.011, subdivision 9.

3.18 Subd. 2. **Creation.** The commissioner, in cooperation with road and trail authorities
3.19 including the commissioner of natural resources, shall identify a bikeway that originates at
3.20 Itasca State Park in Clearwater, Beltrami, and Hubbard Counties, then generally parallels
3.21 the Mississippi River through the cities of Bemidji in Beltrami County, Grand Rapids in
3.22 Itasca County, Brainerd in Crow Wing County, Little Falls in Morrison County, Sauk
3.23 Rapids in Benton County, St. Cloud in Stearns County, Minneapolis in Hennepin County,
3.24 St. Paul in Ramsey County, Hastings in Dakota County, Red Wing in Goodhue County,
3.25 Wabasha in Wabasha County, Winona in Winona County, and La Crescent in Houston
3.26 County to Minnesota's boundary with Iowa and there terminates. Where opportunities
3.27 exist, the bikeway may be designated on both sides of the Mississippi River.

3.28 Subd. 3. **Connections with other bikeways.** (a) The commissioner, in cooperation
3.29 with road and trail authorities including the commissioner of natural resources, shall:

3.30 (1) identify existing bikeways of regional significance that are in reasonable
3.31 proximity but not connected to the bikeway established in this section, including but not
3.32 limited to the Lake Wobegon Trail in the counties of Stearns and Todd; and

3.33 (2) support development of linkages between bikeways identified under clause (1)
3.34 and the bikeway established in this section.

4.1 (b) The requirements of this subdivision are a secondary priority for use of funds
4.2 available under this section following establishment and enhancement of the bikeway
4.3 under subdivision 1.

4.4 Subd. 4. **Cooperation with other entities.** The commissioner may contract and
4.5 enter into agreements with federal agencies, other state agencies, and local governments to
4.6 establish, develop, maintain, and operate the bikeway and to interpret associated natural
4.7 and cultural resources.

4.8 Subd. 5. **Funding.** Bicycle paths included within the bikeway and not administered
4.9 by the commissioner of natural resources are eligible for funding from the environment
4.10 and natural resources trust fund under chapter 116P, from the parks and trails grant
4.11 program under section 85.535, from the local recreation grants program under section
4.12 85.019, subdivision 4b, and from other sources.

4.13 Sec. 6. Minnesota Statutes 2010, section 161.14, subdivision 66, is amended to read:

4.14 Subd. 66. **Veterans Memorial Highway.** ~~Legislative Route No. 31, signed as~~
4.15 Trunk Highway marked 200 as of July 1, 2010, from the border with North Dakota to the
4.16 city of Mahnomen, is designated as the "Veterans Memorial Highway." The commissioner
4.17 shall adopt a suitable design to mark this highway and erect appropriate signs, subject
4.18 to section 161.139.

4.19 Sec. 7. Minnesota Statutes 2010, section 161.14, is amended by adding a subdivision
4.20 to read:

4.21 Subd. 70. **Arianna Celeste Macnamara Memorial Bridge.** The pedestrian
4.22 bridge over Route No. 7, signed as Trunk Highway 14 on the effective date of this
4.23 section, located in the city of Rochester west of Route No. 20, signed as U.S. Highway
4.24 52 on the effective date of this section, is designated as "Arianna Celeste Macnamara
4.25 Memorial Bridge." Subject to section 161.139, the commissioner shall adopt a suitable
4.26 marking design to memorialize the bridge and shall erect the appropriate signs as close as
4.27 practicable to the bridge.

4.28 Sec. 8. [161.3207] **CONSTRUCTION MANAGER/GENERAL CONTRACTOR**
4.29 **CONTRACTS; DEFINITIONS.**

4.30 Subdivision 1. **Scope.** The terms used in sections 161.3207 to 161.3209 have the
4.31 meanings given them in this section.

4.32 Subd. 2. **Acceptance.** "Acceptance" means an action of the commissioner
4.33 authorizing the execution of a construction manager/general contractor contract.

5.1 Subd. 3. **Commissioner.** "Commissioner" means the commissioner of
5.2 transportation.

5.3 Subd. 4. **Construction manager/general contractor.** "Construction
5.4 manager/general contractor" means a proprietorship, partnership, limited liability
5.5 partnership, joint venture, corporation, any type of limited liability company, professional
5.6 corporation, or any legal entity selected by the commissioner to act as a construction
5.7 manager to manage the construction process, which includes, but is not limited to,
5.8 responsibility for the price, schedule, and workmanship of preconstruction services or the
5.9 construction performed according to section 161.3209, or both.

5.10 Subd. 5. **Construction manager/general contractor contract.** "Construction
5.11 manager/general contractor contract" means a contract for construction of a project
5.12 between a construction manager/general contractor and the commissioner, which
5.13 must include terms providing for a price, construction schedule, and workmanship of
5.14 the construction performed. The construction manager/general contractor contract
5.15 may include provisions for incremental price contracts for specific work packages,
5.16 additional work performed, contingencies, or other contract provisions that will allow the
5.17 commissioner to negotiate time and cost changes to the contract.

5.18 Subd. 6. **Past performance; experience.** "Past performance" or "experience" does
5.19 not include the exercise or assertion of a person's legal rights.

5.20 Subd. 7. **Preconstruction services.** "Preconstruction services" means all
5.21 non-construction-related services that a construction manager/general contractor is
5.22 allowed to perform before execution of a construction manager/general contractor contract
5.23 or work package.

5.24 Subd. 8. **Preconstruction services contract.** "Preconstruction services contract"
5.25 means a contract under which a construction manager/general contractor is paid on the
5.26 basis of the actual cost to perform the work specified in the contract plus an amount for
5.27 overhead and profit for all preconstruction services.

5.28 Subd. 9. **Project.** "Project" means any project selected by the commissioner as a
5.29 construction manager/general contractor project under section 161.3208.

5.30 Subd. 10. **Request for proposals; RFP.** "Request for proposals" or "RFP" means
5.31 the document or publication soliciting proposals for a construction manager/general
5.32 contractor contract.

5.33 Subd. 11. **Request for qualifications; RFQ.** "Request for qualifications" or "RFQ"
5.34 means a document or publication used to prequalify and short-list potential construction
5.35 managers/general contractors.

6.1 Subd. 12. **Work package.** "Work package" means the scope of work for a defined
6.2 portion of a project. A defined portion includes construction services on any project
6.3 aspect, including procuring materials or services.

6.4 Sec. 9. [161.3208] CONSTRUCTION MANAGER/GENERAL CONTRACTOR
6.5 AUTHORITY.

6.6 Subdivision 1. **Selection authority; limitation.** Notwithstanding sections 16C.25,
6.7 161.32, and 161.321, or any other law to the contrary, the commissioner may select a
6.8 construction manager/general contractor as provided in section 161.3209, and award a
6.9 construction manager/general contractor contract. The commissioner may not award more
6.10 than two construction manager/general contractor projects during any fiscal year.

6.11 Subd. 2. **Determination.** Final determination to use a construction manager/general
6.12 contractor contracting procedure may be made only by the commissioner.

6.13 Subd. 3. **Cancellation.** The solicitation of construction manager/general contractor
6.14 requests for qualifications or proposals does not obligate the commissioner to enter into a
6.15 construction manager/general contractor contract. In accordance with the stated criteria
6.16 and subcriteria for evaluating qualifications or proposals, the commissioner may accept
6.17 or reject any or all responses received as a result of the request. The solicitation of
6.18 proposals may be canceled at any time at the commissioner's sole discretion if cancellation
6.19 is considered to be in the public's best interest. If the commissioner rejects all responses
6.20 or cancels the solicitation for proposals, the commissioner may resolicit a request for
6.21 proposals using the same or different requirements.

6.22 Subd. 4. **Reporting.** The commissioner shall notify the chairs and ranking minority
6.23 members of the senate and house of representatives committees with jurisdiction over
6.24 transportation policy and transportation finance each time the commissioner decides to
6.25 use the construction manager/general contractor method of procurement and explain why
6.26 that method was chosen.

6.27 Sec. 10. [161.3209] CONSTRUCTION MANAGER/GENERAL CONTRACTOR;
6.28 PROCEDURES.

6.29 Subdivision 1. **Solicitation of proposals.** If the commissioner determines that
6.30 a construction manager/general contractor method of procurement is appropriate for
6.31 a project, the commissioner shall establish a two-phase procedure for awarding the
6.32 construction manager/general contractor contract, as described in subdivisions 2 and 3.

7.1 Subd. 2. Phase 1 - request for proposals. (a) The commissioner shall prepare
7.2 or have prepared an RFP for each construction manager/general contractor contract as
7.3 provided in this section. The RFP must contain, at a minimum, the following elements:

7.4 (1) the minimum qualifications of the construction manager/general contractor;

7.5 (2) the procedures for submitting proposals and the criteria for evaluation of
7.6 qualifications and the relative weight for each criteria;

7.7 (3) the form of the contract to be awarded;

7.8 (4) the scope of intended construction work;

7.9 (5) a listing of the types of preconstruction services that will be required;

7.10 (6) an anticipated schedule for commencing and completing the project;

7.11 (7) any applicable budget limits for the project;

7.12 (8) the requirements for insurance, statutorily required performance, and payment
7.13 bonds;

7.14 (9) the requirements that the construction manager/general contractor provide a
7.15 letter from a surety or insurance company stating that the construction manager/general
7.16 contractor is capable of obtaining a performance bond and payment bond covering the
7.17 estimated contract cost;

7.18 (10) the method for how construction manager/general contractor fees for the
7.19 preconstruction services contract will be negotiated;

7.20 (11) a statement that past performance or experience does not include the exercise
7.21 or assertion of a person's legal rights; and

7.22 (12) any other information desired by the commissioner.

7.23 (b) Before receiving any responses to the RFP, the commissioner shall appoint a
7.24 technical review committee of at least five individuals, of which one is a Department of
7.25 Transportation manager who is also a licensed professional engineer in Minnesota.

7.26 (c) The technical review committee shall evaluate the construction manager/general
7.27 contractor proposals according to criteria and subcriteria published in the RFP and
7.28 procedures established by the commissioner, and rank each construction manager/general
7.29 contractor using the elements described in paragraph (a). If the commissioner does
7.30 not receive at least two proposals from construction managers/general contractors, the
7.31 commissioner may:

7.32 (1) solicit new proposals;

7.33 (2) revise the RFP and thereafter solicit new proposals using the revised RFP;

7.34 (3) select another allowed procurement method; or

7.35 (4) reject all proposals.

8.1 (d) Unless all proposals are rejected, the commissioner shall conduct contract
8.2 negotiations for a preconstruction services contract with the construction manager/general
8.3 contractor with the highest ranking. If the construction manager/general contractor with
8.4 the highest ranking declines or is unable to reach an agreement, the commissioner may
8.5 begin contract negotiations with the next highest ranked construction manager/general
8.6 contractor.

8.7 (e) Before issuing the RFP, the commissioner may elect to issue a request for
8.8 qualifications (RFQ) and short-list the most highly qualified construction managers/general
8.9 contractors. The RFQ must include the procedures for submitting statements of
8.10 qualification, the criteria for evaluation of qualifications, and the relative weight for each
8.11 criterion. The statements of qualifications must be evaluated by the technical review
8.12 committee.

8.13 Subd. 3. **Phase 2 - construction manager/general contractor contract.** (a) Before
8.14 conducting any construction-related services, the commissioner shall:

8.15 (1) conduct an independent cost estimate for the project or each work package; and

8.16 (2) conduct contract negotiations with the construction manager/general contractor
8.17 to develop a construction manager/general contractor contract.

8.18 (b) If the construction manager/general contractor and the commissioner are unable
8.19 to negotiate a contract, the commissioner may use other contract procurement processes or
8.20 may readvertise the construction manager/general contractor contract. The construction
8.21 manager/general contractor may not (1) bid on the project if advertised under section
8.22 161.32 or (2) join a design-build team if advertised under sections 161.3410 to 161.3428.

8.23 Sec. 11. Minnesota Statutes 2010, section 161.321, is amended to read:

8.24 **161.321 SMALL BUSINESS CONTRACTS.**

8.25 Subdivision 1. **Definitions.** For purposes of this section the following terms have
8.26 the meanings given them, except where the context clearly indicates a different meaning is
8.27 intended.

8.28 (a) "Award" means the granting of a contract in accordance with all applicable laws
8.29 and rules governing competitive bidding except as otherwise provided in this section.

8.30 (b) "Contract" means an agreement entered into between a business entity and the
8.31 state of Minnesota for the construction of transportation improvements.

8.32 (c) "Subcontractor" means a business entity which enters into a legally binding
8.33 agreement with another business entity which is a party to a contract as defined in
8.34 paragraph (b).

9.1 (d) "Targeted group business" means a business designated under section 16C.16,
9.2 subdivision 5.

9.3 (e) "Veteran-owned small business" means a business designated under section
9.4 16C.16, subdivision 6a.

9.5 Subd. 2. **Small business set-asides; procurement and construction contract**
9.6 **preferences.** (a) The commissioner may award up to a six percent preference in the
9.7 amount bid for specified construction work to small targeted group businesses and
9.8 veteran-owned small businesses.

9.9 (b) The commissioner may designate a contract for construction work for award only
9.10 to small targeted group businesses if the commissioner determines that at least three small
9.11 targeted group businesses are likely to bid. The commissioner may designate a contract for
9.12 construction work for award only to veteran-owned small businesses if the commissioner
9.13 determines that at least three veteran-owned small businesses are likely to bid.

9.14 ~~(c) The commissioner, as a condition of awarding a construction contract, may~~
9.15 ~~set goals that require the prime contractor to subcontract a portion of the contract to~~
9.16 ~~small targeted group businesses and veteran-owned small businesses. The commissioner~~
9.17 ~~must establish a procedure for granting waivers from the subcontracting requirement~~
9.18 ~~when qualified small targeted group businesses and veteran-owned small businesses~~
9.19 ~~are not reasonably available. The commissioner may establish financial incentives for~~
9.20 ~~prime contractors who exceed the goals for use of subcontractors and financial penalties~~
9.21 ~~for prime contractors who fail to meet goals under this paragraph. The subcontracting~~
9.22 ~~requirements of this paragraph do not apply to prime contractors who are small targeted~~
9.23 ~~group businesses or veteran-owned small businesses.~~

9.24 ~~(d)~~ The commissioner may award up to a four percent preference in the amount
9.25 bid on procurement for specified construction work to small businesses located in an
9.26 economically disadvantaged area as defined in section 16C.16, subdivision 7.

9.27 Subd. 2a. **Subcontracting goals.** (a) The commissioner, as a condition of awarding
9.28 a construction contract, may set goals that require the prime contractor to subcontract
9.29 portions of the contract to small targeted group businesses and veteran-owned small
9.30 businesses. Prime contractors must demonstrate good faith efforts to meet the project
9.31 goals. The commissioner shall establish a procedure for granting waivers from the
9.32 subcontracting requirement when either qualified small targeted group businesses or
9.33 veteran-owned small businesses, or both, are not reasonably available. The commissioner
9.34 may establish (1) financial incentives for prime contractors who exceed the goals set for
9.35 the use of subcontractors under this subdivision and (2) sanctions for prime contractors
9.36 who fail to make good faith efforts to meet the goals set under this subdivision.

10.1 (b) The small targeted group business subcontracting requirements of this
10.2 subdivision do not apply to prime contractors who are small targeted group businesses.
10.3 The veteran-owned small business subcontracting requirements of this subdivision do not
10.4 apply to prime contractors who are veteran-owned small businesses.

10.5 Subd. 3. **Subcontract awards to small businesses.** At least 75 percent of
10.6 subcontracts awarded to small targeted group businesses must be performed by the
10.7 business to which the subcontract is awarded or another small targeted group business.
10.8 At least 75 percent of subcontracts awarded to veteran-owned small businesses must be
10.9 performed by the business to which the subcontract is awarded or another veteran-owned
10.10 small business.

10.11 Subd. 4. **Contract awards, limitations.** Contracts awarded pursuant to this
10.12 section are subject to all limitations contained in rules adopted by the commissioner
10.13 of administration.

10.14 Subd. 4a. **Limited duration and reevaluation.** The commissioner shall cooperate
10.15 with the commissioner of administration to periodically reevaluate the targeted group
10.16 businesses to determine that there is a statistical disparity between the percentage of
10.17 construction contracts awarded to businesses owned by targeted group members and the
10.18 representation of businesses owned by targeted group members among all businesses in
10.19 the state in the construction category. The commissioner of administration shall designate
10.20 targeted groups pursuant to section 16C.16, subdivision 5.

10.21 Subd. 5. **Recourse to other businesses.** If the commissioner is unable to award
10.22 a contract pursuant to the provisions of subdivisions 2 ~~and 3~~ to 4a, the award may be
10.23 placed pursuant to the normal solicitation and award provisions set forth in this chapter
10.24 and chapter 16C.

10.25 Subd. 6. **Rules; eligibility.** (a) The rules adopted by the commissioner of
10.26 administration to define small businesses and to set time and other eligibility requirements
10.27 for participation in programs under sections 16C.16 to 16C.19 apply to this section. The
10.28 commissioner may promulgate other rules necessary to carry out this section.

10.29 (b) In addition to other eligibility requirements, a small targeted group business or
10.30 veteran-owned small business is eligible for the bid preferences under this section only
10.31 for eight years following the later of (1) the effective date of this act, or (2) the date of
10.32 initial designation as a small targeted group business or veteran-owned small business by
10.33 the commissioner of administration under section 16C.16.

10.34 Subd. 7. **Noncompetitive bids.** The commissioner is encouraged to purchase
10.35 from small targeted group businesses and veteran-owned small businesses designated

11.1 under section 16C.16 when making purchases that are not subject to competitive bidding
11.2 procedures.

11.3 Subd. 8. ~~Report by commissioner~~ Reporting. (a) The commissioner ~~of~~
11.4 ~~transportation~~ shall report to the commissioner of administration on compliance with this
11.5 section. The information must be reported at the time and in the manner requested by the
11.6 commissioner of administration.

11.7 (b) By February 1 of each even-numbered year, the commissioner shall submit a
11.8 report to the chairs and ranking minority members of the legislative committees with
11.9 jurisdiction over transportation policy and finance concerning contract awards under this
11.10 section. At a minimum, the report must include:

11.11 (1) a summary of the program;

11.12 (2) a review of the use of preferences for contracting, including frequency of
11.13 establishment of a preference and frequency of contract award to a small targeted group
11.14 business or veteran-owned small business;

11.15 (3) a review of goals and good faith efforts to use small targeted group businesses
11.16 and veteran-owned small businesses in subcontracts, including analysis of methods used
11.17 for, and effectiveness of, good faith efforts;

11.18 (4) a summary of any financial incentives or sanctions imposed;

11.19 (5) information on each reevaluation under subdivision 4a, including details on the
11.20 methodology for reevaluation; and

11.21 (6) any recommendations for legislative or programmatic changes.

11.22 Sec. 12. Minnesota Statutes 2010, section 161.3212, is amended to read:

11.23 **161.3212 WORKING CAPITAL FUND.**

11.24 The commissioner, to the extent allowed by other law or contract, may grant
11.25 available money that has been appropriated for socially or economically disadvantaged
11.26 business programs to a guaranty fund administered by a nonprofit organization that makes
11.27 or guarantees working capital loans to ~~businesses~~ small business concerns owned and
11.28 operated by socially ~~or~~ and economically disadvantaged ~~persons as defined~~ individuals.
11.29 "Small business concern" and "socially and economically disadvantaged individual" have
11.30 the meanings given them in Code of Federal Regulations, title 49, section ~~23.5~~ 26.5. The
11.31 purpose of loans made or guaranteed by the organization must be to provide short-term
11.32 working capital to enable eligible businesses to be awarded contracts for goods and
11.33 services or for construction-related services from government agencies.

11.34 Money contributed from a constitutionally or statutorily dedicated fund must be used
11.35 only for purposes consistent with the purposes of the dedicated fund.

12.1 Sec. 13. Minnesota Statutes 2010, section 162.081, subdivision 4, is amended to read:

12.2 Subd. 4. **Formula for distribution to towns; purposes.** (a) Money apportioned to a
12.3 county from the town road account must be distributed to the treasurer of each town within
12.4 the county, according to a distribution formula adopted by the county board. The formula
12.5 must take into account each town's levy for road and bridge purposes, its population and
12.6 town road mileage, and other factors the county board deems advisable in the interests
12.7 of achieving equity among the towns. Distribution of town road funds to each town
12.8 treasurer must be made by March 1, annually, or within 30 days after receipt of payment
12.9 from the commissioner. Distribution of funds to town treasurers in a county which has
12.10 not adopted a distribution formula under this subdivision must be made according to a
12.11 formula prescribed by the commissioner by rule. ~~A formula adopted by a county board or
12.12 by the commissioner must provide that a town, in order to be eligible for distribution of
12.13 funds from the town road account in a calendar year, must have levied for taxes payable in
12.14 the previous year for road and bridge purposes at least 0.04835 percent of taxable market
12.15 value. For purposes of this eligibility requirement, taxable market value means taxable
12.16 market value for taxes payable two years prior to the aid distribution year.~~

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

12.20 Sec. 14. Minnesota Statutes 2010, section 162.09, is amended by adding a subdivision
12.21 to read:

12.22 Subd. 4a. **Municipal state-aid transition.** (a) Notwithstanding subdivision 4, a city
12.23 that has a population of less than 5,000 according to a federal decennial census, and that
12.24 has a population of 5,000 or more as determined by the most recent population estimate
12.25 of the Metropolitan Council or state demographer made prior to the census, is deemed
12.26 for purposes of this chapter to have a population that is the greater of (1) 5,000, or (2) as
12.27 otherwise determined under subdivision 4, paragraph (b), (c), or (d).

12.28 (b) This subdivision applies only to the first four calendar years for which population
12.29 is determined for purposes of this chapter on the basis of a federal decennial census.

12.30 **EFFECTIVE DATE.** This section is effective July 1, 2011.

12.31 Sec. 15. Minnesota Statutes 2010, section 168.002, is amended by adding a subdivision
12.32 to read:

12.33 Subd. 21a. **Noncommercial vehicle.** "Noncommercial vehicle" means a one-ton
12.34 pickup truck registered under section 168.013, subdivision 1e, with a 15,000 pounds or

13.1 less gross vehicle weight rating and for which the owner has made a declaration that the
13.2 vehicle will be operated exclusively for personal use. The declaration must be based
13.3 on one or more of the following:

- 13.4 (1) a change of vehicle use;
13.5 (2) registration of a new vehicle;
13.6 (3) transfer of vehicle ownership; or
13.7 (4) registration renewal.

13.8 Sec. 16. Minnesota Statutes 2010, section 168.002, is amended by adding a subdivision
13.9 to read:

13.10 Subd. 21b. **One-ton pickup truck.** "One-ton pickup truck" means any truck
13.11 resembling a pickup truck with a manufacturer's nominal rated carrying capacity of
13.12 one ton. If the manufacturer's nominal rated carrying capacity is not provided or is not
13.13 known, then the value specified by the manufacturer as the gross vehicle weight rating as
13.14 indicated on the manufacturer's certification label must be 10,001 pounds or more, not
13.15 to exceed 15,000 pounds.

13.16 Sec. 17. Minnesota Statutes 2010, section 168.002, subdivision 24, is amended to read:

13.17 Subd. 24. **Passenger automobile.** (a) "Passenger automobile" means any motor
13.18 vehicle designed and used for carrying not more than 15 individuals, including the driver.

13.19 (b) "Passenger automobile" does not include motorcycles, motor scooters, buses,
13.20 school buses, or commuter vans as defined in section 168.126. ~~Except as provided in~~
13.21 ~~paragraph (c), clause (1), a vehicle with a gross vehicle weight rating of 9,000 to 13,000~~
13.22 ~~pounds that is a pickup truck or a van is not a passenger automobile.~~

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

13.24 (1) ~~a vehicle that is (i) a pickup truck or a van, (ii) not used in furtherance of a~~
13.25 ~~commercial enterprise, and (iii) not subject to state or federal regulation as a commercial~~
13.26 ~~motor vehicle as defined in subdivisions 26 and 40;~~

13.27 (2) neighborhood electric vehicles, as defined in section 169.011, subdivision 47; and

13.28 (3) medium-speed electric vehicles, as defined in section 169.011, subdivision 39.

13.29 **EFFECTIVE DATE.** This section is effective August 1, 2011.

13.30 Sec. 18. Minnesota Statutes 2010, section 168.002, subdivision 26, is amended to read:

13.31 Subd. 26. **Pickup truck.** "Pickup truck" means any truck with a manufacturer's
13.32 nominal rated carrying capacity of three-fourths ton or less and commonly known as a
13.33 pickup truck. If the manufacturer's nominal rated carrying capacity is not provided or

14.1 cannot be determined, then the value specified by the manufacturer as the gross vehicle
14.2 weight rating as indicated on the manufacturer's certification label must be less than
14.3 10,000 pounds.

14.4 Sec. 19. Minnesota Statutes 2010, section 168.002, subdivision 40, is amended to read:

14.5 Subd. 40. **Van.** "Van" means any vehicle of box-like design with no barrier or
14.6 separation between the operator's area and the remainder of the cargo-carrying area, and
14.7 with a manufacturer's nominal rated carrying capacity of three-fourths ton or less. If
14.8 the manufacturer's nominal rated carrying capacity is not provided or not known, then
14.9 the value specified by the manufacturer as the maximum gross weight or gross vehicle
14.10 weight rating as indicated on the manufacturer's certification label must be less than
14.11 10,000 pounds.

14.12 Sec. 20. Minnesota Statutes 2010, section 168.012, subdivision 1, is amended to read:

14.13 Subdivision 1. **Vehicles exempt from tax, fees, or plate display.** (a) The following
14.14 vehicles are exempt from the provisions of this chapter requiring payment of tax and
14.15 registration fees, except as provided in subdivision 1c:

14.16 (1) vehicles owned and used solely in the transaction of official business by the
14.17 federal government, the state, or any political subdivision;

14.18 (2) vehicles owned and used exclusively by educational institutions and used solely
14.19 in the transportation of pupils to and from those institutions;

14.20 (3) vehicles used solely in driver education programs at nonpublic high schools;

14.21 (4) vehicles owned by nonprofit charities and used exclusively to transport disabled
14.22 persons for charitable, religious, or educational purposes;

14.23 (5) vehicles owned by nonprofit charities and used exclusively for disaster response
14.24 and related activities;

14.25 (6) vehicles owned by ambulance services licensed under section 144E.10 that
14.26 are equipped and specifically intended for emergency response or providing ambulance
14.27 services; and

14.28 (7) vehicles owned by a commercial driving school licensed under section 171.34,
14.29 or an employee of a commercial driving school licensed under section 171.34, and the
14.30 vehicle is used exclusively for driver education and training.

14.31 (b) Provided the general appearance of the vehicle is unmistakable, the following
14.32 vehicles are not required to register or display number plates:

14.33 (1) vehicles owned by the federal government;

15.1 (2) fire apparatuses, including fire-suppression support vehicles, owned or leased by
15.2 the state or a political subdivision;

15.3 (3) police patrols owned or leased by the state or a political subdivision; and

15.4 (4) ambulances owned or leased by the state or a political subdivision.

15.5 (c) Unmarked vehicles used in general police work, liquor investigations, or arson
15.6 investigations, and passenger automobiles, pickup trucks, and buses owned or operated by
15.7 the Department of Corrections or by conservation officers of the Division of Enforcement
15.8 and Field Service of the Department of Natural Resources, must be registered and must
15.9 display appropriate license number plates, furnished by the registrar at cost. Original and
15.10 renewal applications for these license plates authorized for use in general police work and
15.11 for use by the Department of Corrections or by conservation officers must be accompanied
15.12 by a certification signed by the appropriate chief of police if issued to a police vehicle,
15.13 the appropriate sheriff if issued to a sheriff's vehicle, the commissioner of corrections if
15.14 issued to a Department of Corrections vehicle, or the appropriate officer in charge if
15.15 issued to a vehicle of any other law enforcement agency. The certification must be on a
15.16 form prescribed by the commissioner and state that the vehicle will be used exclusively
15.17 for a purpose authorized by this section.

15.18 (d) Unmarked vehicles used by the Departments of Revenue and Labor and Industry,
15.19 fraud unit, in conducting seizures or criminal investigations must be registered and must
15.20 display passenger vehicle classification license number plates, furnished at cost by the
15.21 registrar. Original and renewal applications for these passenger vehicle license plates
15.22 must be accompanied by a certification signed by the commissioner of revenue or the
15.23 commissioner of labor and industry. The certification must be on a form prescribed by
15.24 the commissioner and state that the vehicles will be used exclusively for the purposes
15.25 authorized by this section.

15.26 (e) Unmarked vehicles used by the Division of Disease Prevention and Control of the
15.27 Department of Health must be registered and must display passenger vehicle classification
15.28 license number plates. These plates must be furnished at cost by the registrar. Original
15.29 and renewal applications for these passenger vehicle license plates must be accompanied
15.30 by a certification signed by the commissioner of health. The certification must be on a
15.31 form prescribed by the commissioner and state that the vehicles will be used exclusively
15.32 for the official duties of the Division of Disease Prevention and Control.

15.33 (f) Unmarked vehicles used by staff of the Gambling Control Board in gambling
15.34 investigations and reviews must be registered and must display passenger vehicle
15.35 classification license number plates. These plates must be furnished at cost by the
15.36 registrar. Original and renewal applications for these passenger vehicle license plates must

16.1 be accompanied by a certification signed by the board chair. The certification must be on a
16.2 form prescribed by the commissioner and state that the vehicles will be used exclusively
16.3 for the official duties of the Gambling Control Board.

16.4 (g) Unmarked vehicles used in general investigation, surveillance, supervision,
16.5 and monitoring by the staff of the Department of Human Services Office of Special
16.6 Investigations and the executive director of the Minnesota sex offender program must
16.7 be registered and must display passenger vehicle classification license number plates,
16.8 furnished by the registrar at cost. Original and renewal applications for passenger vehicle
16.9 license plates must be accompanied by a certification signed by the commissioner of
16.10 human services. The certification must be on a form prescribed by the commissioner and
16.11 state that the vehicles must be used exclusively for the official duties of the Office of
16.12 Special Investigations and the executive director of the Minnesota sex offender program.

16.13 (h) Each state hospital and institution for persons who are mentally ill and
16.14 developmentally disabled may have one vehicle without the required identification on
16.15 the sides of the vehicle. The vehicle must be registered and must display passenger
16.16 vehicle classification license number plates. These plates must be furnished at cost by the
16.17 registrar. Original and renewal applications for these passenger vehicle license plates must
16.18 be accompanied by a certification signed by the hospital administrator. The certification
16.19 must be on a form prescribed by the commissioner and state that the vehicles will be used
16.20 exclusively for the official duties of the state hospital or institution.

16.21 (i) Each county social service agency may have vehicles used for child and
16.22 vulnerable adult protective services without the required identification on the sides of the
16.23 vehicle. The vehicles must be registered and must display passenger vehicle classification
16.24 license number plates. These plates must be furnished at cost by the registrar. Original
16.25 and renewal applications for these passenger vehicle license plates must be accompanied
16.26 by a certification signed by the agency administrator. The certification must be on a form
16.27 prescribed by the commissioner and state that the vehicles will be used exclusively for the
16.28 official duties of the social service agency.

16.29 (j) All other motor vehicles must be registered and display tax-exempt number
16.30 plates, furnished by the registrar at cost, except as provided in subdivision 1c. All
16.31 vehicles required to display tax-exempt number plates must have the name of the state
16.32 department or political subdivision, nonpublic high school operating a driver education
16.33 program, licensed commercial driving school, or other qualifying organization or entity,
16.34 plainly displayed on both sides of the vehicle. This identification must be in a color
16.35 giving contrast with that of the part of the vehicle on which it is placed and must endure
16.36 throughout the term of the registration. The identification must not be on a removable

17.1 plate or placard and must be kept clean and visible at all times; except that a removable
17.2 plate or placard may be utilized on vehicles leased or loaned to a political subdivision or
17.3 to a nonpublic high school driver education program.

17.4 Sec. 21. Minnesota Statutes 2010, section 168.017, subdivision 3, is amended to read:

17.5 Subd. 3. **Exceptions.** (a) The registrar shall register all vehicles subject to
17.6 registration under the monthly series system for a period of 12 consecutive calendar
17.7 months, unless:

17.8 (1) the application is an original rather than renewal application; or

17.9 (2) the applicant is a licensed motor vehicle lessor under section 168.27 and the
17.10 vehicle is leased or rented for periods of time of not more than 28 days, in which case the
17.11 applicant may apply for initial or renewed registration of a vehicle for a period of four
17.12 or more months, the month of expiration to be designated by the applicant at the time of
17.13 registration. ~~However, To qualify for this exemption, the applicant must (1) present the~~
17.14 ~~application to the registrar at St. Paul, or a designated deputy registrar office, and (2)~~
17.15 ~~stamp in red, on the certificate of title, the phrase "The expiration month of this vehicle~~
17.16 ~~is" with the blank filled in with the month of expiration as if the vehicle is being~~
17.17 ~~registered for a period of 12 calendar months. Subsequent registration periods when the~~
17.18 applicant is not a qualified motor vehicle lessor under this subdivision must be for a period
17.19 of 12 months commencing from the last month for which registration was issued.

17.20 (b) In any instance except that of a licensed motor vehicle lessor, the registrar shall
17.21 not approve registering the vehicle subject to the application for a period of less than three
17.22 months, except when the registrar determines that to do otherwise will help to equalize
17.23 the registration and renewal work load of the department.

17.24 **EFFECTIVE DATE.** This section is effective August 1, 2011, and applies to all
17.25 applications for registration filed on or after that date.

17.26 Sec. 22. Minnesota Statutes 2010, section 168.021, is amended to read:

17.27 **168.021 PLATES FOR PHYSICALLY DISABLED PERSONS.**

17.28 Subdivision 1. **Disability plates; application.** (a) When a motor vehicle registered
17.29 under section 168.017, a motorcycle, ~~a truck having a manufacturer's nominal rated~~
17.30 ~~capacity of one ton and resembling a one-ton pickup truck,~~ or a self-propelled recreational
17.31 vehicle is owned or primarily operated by a permanently physically disabled person or a
17.32 custodial parent or guardian of a permanently physically disabled minor, the owner may
17.33 apply for and secure from the commissioner (1) immediately, a temporary permit valid

18.1 for 30 days if the applicant is eligible for the disability plates issued under this section
18.2 and (2) two disability plates with attached emblems, one plate to be attached to the front,
18.3 and one to the rear of the motor vehicle, truck, or recreational vehicle, or, in the case of a
18.4 motorcycle, one disability plate the same size as a regular motorcycle plate.

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

18.9 (c) When the owner first applies for the disability plate or plates, the owner must
18.10 submit a medical statement in a format approved by the commissioner under section
18.11 169.345, or proof of physical disability provided for in that section.

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

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

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

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

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

18.30 Subd. 2. **Plate design; furnished by commissioner.** The commissioner shall design
18.31 and furnish two disability plates, or one disability plate for a motorcycle that is the same
18.32 size as a regular motorcycle plate, with attached emblem or emblems to an eligible owner.
18.33 The emblem must bear the internationally accepted wheelchair symbol, as designated in
18.34 section 326B.106, subdivision 9, approximately three inches square. The emblem must
18.35 be large enough to be visible plainly from a distance of 50 feet. An applicant eligible

19.1 for a disability plate or plates shall pay the motor vehicle registration fee authorized
19.2 by sections 168.013 and 168.09.

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

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

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

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

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

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

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

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

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

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

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

20.3 Sec. 23. Minnesota Statutes 2010, section 168.12, subdivision 1, is amended to read:

20.4 Subdivision 1. **Plates; design, visibility, periods of issuance.** (a) The commissioner,
20.5 upon approval and payment, shall issue to the applicant the plates required by this chapter,
20.6 bearing the state name and an assigned vehicle registration number. The number assigned
20.7 by the commissioner may be a combination of a letter or sign with figures. The color of the
20.8 plates and the color of the abbreviation of the state name and the number assigned must
20.9 be in marked contrast. The plates must be lettered, spaced, or distinguished to suitably
20.10 indicate the registration of the vehicle according to the rules of the commissioner.

20.11 (b) When a vehicle is registered on the basis of total gross weight, the plates issued
20.12 must clearly indicate by letters or other suitable insignia the maximum gross weight
20.13 for which the tax has been paid.

20.14 (c) Plates issued to a noncommercial vehicle must bear the inscription
20.15 "noncommercial" unless the vehicle is displaying a special plate authorized and issued
20.16 under this chapter.

20.17 (d) A one-ton pickup truck that is used for commercial purposes and is subject to
20.18 section 168.185, is eligible to display special plates as authorized and issued under this
20.19 chapter.

20.20 ~~(e)~~ (e) The plates must be so treated as to be at least 100 times brighter than the
20.21 conventional painted number plates. When properly mounted on an unlighted vehicle, the
20.22 plates, when viewed from a vehicle equipped with standard headlights, must be visible for
20.23 a distance of not less than 1,500 feet and readable for a distance of not less than 110 feet.

20.24 ~~(f)~~ (f) The commissioner shall issue plates for the following periods:

20.25 (1) New plates issued pursuant to section 168.012, subdivision 1, must be issued to a
20.26 vehicle for as long as the vehicle is owned by the exempt agency and the plate shall not be
20.27 transferable from one vehicle to another but the plate may be transferred with the vehicle
20.28 from one tax-exempt agency to another.

20.29 (2) Plates issued for passenger automobiles must be issued for a seven-year period.
20.30 All plates issued under this paragraph must be replaced if they are seven years old or older
20.31 at the time of registration renewal or will become so during the registration period.

20.32 (3) Plates issued under sections 168.053 and 168.27, subdivisions 16 and 17, must
20.33 be for a seven-year period.

20.34 (4) Plates issued under subdivisions 2c and 2d and section 168.123 must be issued
20.35 for the life of the veteran under section 169.79.

21.1 (5) Plates for any vehicle not specified in clauses (1) to (3) must be issued for the
21.2 life of the vehicle.

21.3 ~~(e)~~ (g) In a year in which plates are not issued, the commissioner shall issue for each
21.4 registration a sticker to designate the year of registration. This sticker must show the year
21.5 or years for which the sticker is issued, and is valid only for that period. The plates and
21.6 stickers issued for a vehicle may not be transferred to another vehicle during the period
21.7 for which the sticker is issued, except when issued for a vehicle registered under section
21.8 168.187.

21.9 ~~(f)~~ (h) Despite any other provision of this subdivision, plates issued to a vehicle
21.10 used for behind-the-wheel instruction in a driver education course in a public school
21.11 may be transferred to another vehicle used for the same purpose without payment of any
21.12 additional fee. The public school shall notify the commissioner of each transfer of plates
21.13 under this paragraph. The commissioner may prescribe a format for notification.

21.14 Sec. 24. Minnesota Statutes 2010, section 168.12, subdivision 2b, is amended to read:

21.15 Subd. 2b. **Firefighters; special plates, rules.** (a) The commissioner shall issue
21.16 special plates, or a single license plate in the case of a motorcycle plate, to any applicant
21.17 who:

21.18 (1) is a member of a fire department receiving state aid under chapter 69, has a
21.19 letter from the fire chief, and is an owner of a passenger automobile, ~~a truck with a~~
21.20 ~~manufacturer's nominal rated capacity of one ton and resembling a pickup truck, a one-ton~~
21.21 pickup truck, or a motorcycle;

21.22 (2) pays a fee of \$10 and any other fees required by this chapter;

21.23 (3) pays the registration tax required by this chapter for the motor vehicle; and

21.24 (4) complies with this chapter and rules governing the registration of motor vehicles
21.25 and licensing of drivers.

21.26 (b) In lieu of the identification required under subdivision 1, the special plates must
21.27 bear an emblem of a Maltese Cross together with any numbers or characters prescribed by
21.28 the commissioner.

21.29 (c) Special plates issued under this subdivision may only be used during the period
21.30 that the owner of the motor vehicle is a member of a fire department as specified in this
21.31 subdivision. When the individual to whom the special plates were issued is no longer a
21.32 member of a fire department or when the motor vehicle ownership is transferred, the
21.33 owner shall remove the special plates from the motor vehicle. If the commissioner
21.34 receives written notification that an individual is no longer qualified for these special
21.35 plates, the commissioner shall invalidate the plates and notify the individual of this

22.1 action. The individual may retain the plate only upon demonstrating compliance with the
 22.2 qualifications of this subdivision. Upon removal or invalidation of the special plates, or
 22.3 special motorcycle plate, either the owner or purchaser of the motor vehicle shall obtain
 22.4 regular plates or a regular motorcycle plate for the proper registration classification for
 22.5 the motor vehicle.

22.6 (d) A special motorcycle license plate issued under this subdivision must be the
 22.7 same size as a standard motorcycle license plate.

22.8 (e) Upon payment of a fee of \$5, plates issued under this subdivision for a passenger
 22.9 automobile or truck may be transferred to another passenger automobile or truck owned
 22.10 or jointly owned by the person to whom the plates were issued. On payment of a fee of
 22.11 \$5, a plate issued under this subdivision for a motorcycle may be transferred to another
 22.12 motorcycle owned or jointly owned by the person to whom the plate was issued.

22.13 (f) The commissioner may adopt rules under the Administrative Procedure Act,
 22.14 sections 14.001 to 14.69, to govern the issuance and use of the special plates authorized
 22.15 in this subdivision.

22.16 Sec. 25. Minnesota Statutes 2010, section 168.12, subdivision 5, is amended to read:

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

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

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

23.1	Stickers			
23.2	Duplicate year	\$	1.00	\$ 1.00
23.3	International Fuel Tax Agreement	\$	2.50	

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

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

23.9 Sec. 26. Minnesota Statutes 2010, section 168.123, subdivision 1, is amended to read:

23.10 Subdivision 1. **General requirements; fees.** (a) On payment of a fee of \$10 for
 23.11 each set of two plates, or for a single plate in the case of a motorcycle plate, payment of
 23.12 the registration tax required by law, and compliance with other applicable laws relating to
 23.13 vehicle registration and licensing, as applicable, the commissioner shall issue:

23.14 (1) special veteran's plates to an applicant who served in the active military service
 23.15 in a branch of the armed forces of the United States or of a nation or society allied with the
 23.16 United States in conducting a foreign war, was discharged under honorable conditions,
 23.17 and is a registered owner of a passenger automobile, recreational motor vehicle, or ~~truck~~
 23.18 ~~resembling a pickup truck and having a manufacturer's nominal rated capacity of one ton~~
 23.19 one-ton pickup truck, but which is not a commercial motor vehicle as defined in section
 23.20 169.011, subdivision 16; or

23.21 (2) a veteran's special motorcycle plate as described in subdivision 2, paragraph (a),
 23.22 (f), (h), (i), or (j), or another special plate designed by the commissioner to an applicant
 23.23 who is a registered owner of a motorcycle and meets the criteria listed in this paragraph
 23.24 and in subdivision 2, paragraph (a), (f), (h), (i), or (j). Plates issued under this clause must
 23.25 be the same size as regular motorcycle plates. Special motorcycle license plates issued
 23.26 under this clause are not subject to section 168.1293.

23.27 (b) The additional fee of \$10 is payable for each set of veteran's plates, is payable
 23.28 only when the plates are issued, and is not payable in a year in which stickers are issued
 23.29 instead of plates.

23.30 (c) The veteran must have a certified copy of the veteran's discharge papers,
 23.31 indicating character of discharge, at the time of application. If an applicant served in the
 23.32 active military service in a branch of the armed forces of a nation or society allied with the
 23.33 United States in conducting a foreign war and is unable to obtain a record of that service
 23.34 and discharge status, the commissioner of veterans affairs may certify the applicant as
 23.35 qualified for the veterans' plates provided under this section.

24.1 (d) For license plates issued for one-ton trucks described in paragraph (a), clause
24.2 (1), the commissioner shall collect a surcharge of \$5 on each \$10 fee collected under
24.3 paragraph (a). The surcharge must be deposited in the vehicle services operating account
24.4 in the special revenue fund.

24.5 Sec. 27. Minnesota Statutes 2010, section 168A.11, subdivision 4, is amended to read:

24.6 Subd. 4. **Centralized record keeping.** ~~Three~~ Two or more new motor vehicle
24.7 dealers under common management or control may ~~designate~~ apply to the department
24.8 in writing ~~a single location for maintaining~~ for permission to maintain the records
24.9 required by this section ~~that are more than 12 months old~~ and section 168.27, subdivision
24.10 10, paragraph (a), clause (1), item (i), at a single location. The department shall not
24.11 unreasonably withhold its consent to the application. The records must be open to
24.12 inspection by a representative of the department or a peace officer during reasonable
24.13 business hours. The location must be at the established place of business of one of the
24.14 affiliated dealers or at a location within Minnesota not further than 25 miles from the
24.15 established place of business of one of the affiliated dealers.

24.16 Sec. 28. Minnesota Statutes 2010, section 168B.011, subdivision 12, is amended to
24.17 read:

24.18 Subd. 12. **Public impound lot.** "Public impound lot" means an impound lot owned
24.19 by or ~~contracting with~~ exclusively contracted solely for public use by a unit of government
24.20 under section 168B.09.

24.21 Sec. 29. Minnesota Statutes 2010, section 169.011, subdivision 27, is amended to read:

24.22 Subd. 27. **Electric-assisted bicycle.** "Electric-assisted bicycle" means a ~~motor~~
24.23 ~~vehicle~~ bicycle with two or three wheels that:

24.24 (1) has a saddle and fully operable pedals for human propulsion;

24.25 (2) meets the requirements:

24.26 (i) of federal motor vehicle safety standards in Code of Federal Regulations, title 49,
24.27 sections 571.1 et seq.; or

24.28 (ii) for bicycles under Code of Federal Regulations, title 15, part 1512, and successor
24.29 requirements; and

24.30 (3) has an electric motor that (i) has a power output of not more than 1,000 watts, (ii)
24.31 is incapable of propelling the vehicle at a speed of more than 20 miles per hour, (iii) is
24.32 incapable of further increasing the speed of the device when human power alone is used

25.1 to propel the vehicle at a speed of more than 20 miles per hour, and (iv) disengages or
25.2 ceases to function when the vehicle's brakes are applied.

25.3 Sec. 30. Minnesota Statutes 2010, section 169.035, subdivision 1, is amended to read:

25.4 Subdivision 1. **Working on highway.** (a) The provisions of this chapter shall not
25.5 apply to persons, motor vehicles, and other equipment while actually engaged in work
25.6 upon the highway, except as provided in paragraphs (b) and (c).

25.7 (b) This chapter shall apply to those persons and vehicles when traveling to or
25.8 from such work, except that persons operating equipment owned, rented or hired by
25.9 road authorities shall be exempt from the width, height and length provisions of sections
25.10 169.80 and 169.81 and shall be exempt from the weight limitations of this chapter while
25.11 performing the following actions on behalf of the state or a local governmental unit:

25.12 (1) while loading, readying, or moving the vehicles or equipment in preparation for
25.13 combating anticipated slippery road conditions or removing snow or ice;

25.14 (2) while actually engaged in snow or ice removal and or combating slippery road
25.15 conditions, including but not limited to pretreatment and anti-icing activities; or

25.16 (3) while engaged in flood control operations ~~on behalf of the state or a local~~
25.17 ~~governmental unit.~~

25.18 (c) Chapter 169A and section 169.444 apply to persons while actually engaged in
25.19 work upon the highway.

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

25.21 Sec. 31. Minnesota Statutes 2010, section 169.035, is amended by adding a subdivision
25.22 to read:

25.23 Subd. 4. **Trains.** (a) For purposes of this subdivision, "railroad operator" means
25.24 a person who is a locomotive engineer, conductor, member of the crew of a railroad
25.25 locomotive or train, or an operator of on-track equipment.

25.26 (b) A peace officer may not issue a citation for violation of this chapter or chapter
25.27 171 to a railroad operator involving the operation of a railroad locomotive or train, or
25.28 on-track equipment while being operated upon rails.

25.29 (c) Notwithstanding section 171.08, a railroad operator is not required to display or
25.30 furnish a driver's license to a peace officer in connection with the operation of a railroad
25.31 locomotive or train, or on-track equipment while being operated upon rails.

25.32 Sec. 32. Minnesota Statutes 2010, section 169.06, subdivision 5, is amended to read:

26.1 Subd. 5. **Traffic-control signal.** (a) Whenever traffic is controlled by traffic-control
26.2 signals exhibiting different colored lights, or colored lighted arrows, successively one at a
26.3 time or in combination, only the colors Green, Red, and Yellow shall be used, except for
26.4 special pedestrian signals carrying a word or legend. The traffic-control signal lights or
26.5 colored lighted arrows indicate and apply to drivers of vehicles and pedestrians as follows:

26.6 (1) Green indication:

26.7 (i) Vehicular traffic facing a circular green signal may proceed straight through or
26.8 turn right or left unless a sign ~~at such place~~ prohibits either turn. But vehicular traffic,
26.9 including vehicles turning right or left, shall yield the right-of-way to other vehicles and to
26.10 pedestrians lawfully within the intersection or adjacent crosswalk at the time this signal
26.11 is exhibited. Vehicular traffic turning left or making a U-turn to the left shall yield the
26.12 right-of-way to other vehicles approaching from the opposite direction so closely as to
26.13 constitute an immediate hazard.

26.14 (ii) Vehicular traffic facing a green arrow signal, shown alone or in combination with
26.15 another indication, may cautiously enter the intersection only to make the movement
26.16 indicated by the arrow, or other movement as permitted by other indications shown at the
26.17 same time. ~~Such~~ Vehicular traffic shall yield the right-of-way to pedestrians lawfully
26.18 within an adjacent crosswalk and to other traffic lawfully using the intersection.

26.19 (iii) Unless otherwise directed by a pedestrian-control signal as provided in
26.20 subdivision 6, pedestrians facing any green signal, except when the sole green signal is a
26.21 turn arrow, may proceed across the roadway within any marked or unmarked crosswalk.
26.22 Every driver of a vehicle shall yield the right-of-way to such pedestrian, except that the
26.23 pedestrian shall yield the right-of-way to vehicles lawfully within the intersection at the
26.24 time that the green signal indication is first shown.

26.25 (2) Steady yellow indication:

26.26 (i) Vehicular traffic facing a steady circular yellow or yellow arrow signal is thereby
26.27 warned that the related green movement is being terminated or that a red indication will be
26.28 exhibited immediately thereafter when vehicular traffic must not enter the intersection,
26.29 except for the continued movement allowed by any green arrow indication simultaneously
26.30 exhibited.

26.31 (ii) Pedestrians facing a circular yellow signal, unless otherwise directed by a
26.32 pedestrian-control signal as provided in subdivision 6, are thereby advised that there is
26.33 insufficient time to cross the roadway before a red indication is shown and no pedestrian
26.34 shall then start to cross the roadway.

26.35 (3) Steady red indication:

27.1 (i) Vehicular traffic facing a circular red signal alone must stop at a clearly marked
27.2 stop line but, if none, before entering the crosswalk on the near side of the intersection
27.3 or, if none, then before entering the intersection and shall remain standing until a green
27.4 indication is shown, except as follows: (A) the driver of a vehicle stopped as close
27.5 as practicable at the entrance to the crosswalk on the near side of the intersection or,
27.6 if none, then at the entrance to the intersection in obedience to a red or stop signal,
27.7 and with the intention of making a right turn may make the right turn, after stopping,
27.8 unless an official sign has been erected prohibiting such movement, but shall yield the
27.9 right-of-way to pedestrians and other traffic lawfully proceeding as directed by the signal
27.10 at that intersection; or (B) the driver of a vehicle on a one-way street intersecting another
27.11 one-way street on which traffic moves to the left shall stop in obedience to a red or stop
27.12 signal and may then make a left turn into the one-way street, unless an official sign has
27.13 been erected prohibiting the movement, but shall yield the right-of-way to pedestrians and
27.14 other traffic lawfully proceeding as directed by the signal at that intersection.

27.15 (ii) Unless otherwise directed by a pedestrian-control signal as provided in
27.16 subdivision 6, pedestrians facing a steady red signal alone shall not enter the roadway.

27.17 (iii) Vehicular traffic facing a steady red arrow signal, with the intention of making a
27.18 movement indicated by the arrow, must stop at a clearly marked stop line but, if none,
27.19 before entering the crosswalk on the near side of the intersection or, if none, then before
27.20 entering the intersection and must remain standing until a permissive signal indication
27.21 permitting the movement indicated by the red arrow is displayed, except as follows: when
27.22 an official sign has been erected permitting a turn on a red arrow signal, the vehicular
27.23 traffic facing a red arrow signal indication is permitted to enter the intersection to turn
27.24 right, or to turn left from a one-way street into a one-way street on which traffic moves
27.25 to the left, after stopping, but must yield the right-of-way to pedestrians and other traffic
27.26 lawfully proceeding as directed by the signal at that intersection.

27.27 (b) In the event an official traffic-control signal is erected and maintained at a place
27.28 other than an intersection, the provisions of this section are applicable except those which
27.29 can have no application. Any stop required must be made at a sign or marking on the
27.30 pavement indicating where the stop must be made, but in the absence of any such sign or
27.31 marking the stop must be made at the signal.

27.32 (c) When a traffic-control signal indication or indications placed to control a certain
27.33 movement or lane are so identified by placing a sign near the indication or indications,
27.34 no other traffic-control signal indication or indications within the intersection controls
27.35 vehicular traffic for that movement or lane.

28.1 Sec. 33. Minnesota Statutes 2010, section 169.06, subdivision 7, is amended to read:

28.2 Subd. 7. **Flashing signal.** When flashing red or yellow signals are used they shall
28.3 require obedience by vehicular traffic as follows:

28.4 (a) When a circular red lens is illuminated with rapid intermittent flashes, drivers of
28.5 vehicles shall stop at a clearly marked stop line, but if none, before entering the crosswalk
28.6 on the near side of the intersection, or if none, then at the point nearest the intersecting
28.7 roadway where the driver has a view of approaching traffic on the intersecting roadway
28.8 before entering the intersection, and the right to proceed shall be subject to the rules
28.9 applicable after making a stop at a stop sign.

28.10 (b) When a red arrow lens is illuminated with rapid intermittent flashes drivers of
28.11 vehicles with the intention of making a movement indicated by the arrow shall stop at a
28.12 clearly marked stop line, but if none, before entering the crosswalk on the near side of
28.13 the intersection, or if none, then at the point nearest the intersecting roadway where the
28.14 driver has a view of approaching traffic on the intersecting roadway before entering the
28.15 intersection, and the right to proceed shall be subject to the rules applicable after making a
28.16 stop at a stop sign.

28.17 (c) When a circular yellow lens is illuminated with rapid intermittent flashes, drivers
28.18 of vehicles may proceed through the intersection or past the signals only with caution. But
28.19 vehicular traffic, including vehicles turning right or left, shall yield the right-of-way to
28.20 other vehicles and to pedestrians lawfully within the intersection or adjacent crosswalk at
28.21 the time this signal is exhibited. Vehicular traffic turning left or making a U-turn to the left
28.22 shall yield the right-of-way to other vehicles approaching from the opposite direction so
28.23 closely as to constitute an immediate hazard.

28.24 (d) When a yellow arrow indication is illuminated with rapid intermittent flashes,
28.25 drivers of vehicles with the intention of making a movement indicated by the arrow may
28.26 proceed through the intersection or past the signals only with caution; but shall yield
28.27 the right-of-way to other vehicles and to pedestrians lawfully within the intersection or
28.28 adjacent crosswalk at the time this signal is exhibited. Vehicular traffic turning left or
28.29 making a U-turn to the left shall yield the right-of-way to other vehicles approaching from
28.30 the opposite direction so closely as to constitute an immediate hazard.

28.31 Sec. 34. Minnesota Statutes 2010, section 169.19, subdivision 5, is amended to read:

28.32 Subd. 5. **Signal to turn.** A signal of intention to turn right or left shall be given
28.33 continuously during not less than the last 100 feet traveled by the vehicle before turning.
28.34 A person whose vehicle is exiting a roundabout is exempt from the requirement in this
28.35 subdivision.

29.1 Sec. 35. Minnesota Statutes 2010, section 169.223, subdivision 5, is amended to read:

29.2 Subd. 5. **Other operation requirements and prohibitions.** (a) A person operating
29.3 a motorized bicycle on a roadway shall ride as close as practicable to the right-hand curb
29.4 or edge of the roadway except in one of the following situations:

29.5 (1) when overtaking and passing another vehicle proceeding in the same direction;

29.6 (2) when preparing for a left turn at an intersection or into a private road or
29.7 driveway; or

29.8 (3) when reasonably necessary to avoid conditions, including fixed or moving
29.9 objects, vehicles, pedestrians, animals, surface hazards, or narrow width lanes, that make
29.10 it unsafe to continue along the right-hand curb or edge.

29.11 (b) Persons operating motorized bicycles on a roadway may not ride more than two
29.12 abreast and may not impede the normal and reasonable movement of traffic. On a laned
29.13 roadway, a person operating a motorized bicycle shall ride within a single lane.

29.14 (c) This section does not permit the operation of a motorized bicycle on a bicycle
29.15 path or bicycle lane that is reserved for the exclusive use of nonmotorized traffic, except
29.16 that an electric-assisted bicycle may be operated on the path or lane if not otherwise
29.17 prohibited under section 85.015, subdivision 1d; 85.018, subdivision 2, paragraph (d);
29.18 or 160.263, subdivision 2, paragraph (b), as applicable.

29.19 ~~(d) Subject to the provisions of section 160.263, subdivision 3,~~ A person may
29.20 operate an electric-assisted bicycle on a bikeway or bicycle lane trail. A person may
29.21 operate an electric-assisted bicycle on the shoulder of a roadway if the electric-assisted
29.22 bicycle is traveling in the same direction as the adjacent vehicular traffic.

29.23 Sec. 36. Minnesota Statutes 2010, section 169.306, is amended to read:

29.24 **169.306 USE OF SHOULDERS BY BUSES.**

29.25 (a) ~~The commissioner of transportation~~ A road authority, as defined in section
29.26 160.02, subdivision 25, is authorized to permit ~~the use by~~ transit buses and Metro Mobility
29.27 buses the use of a shoulder, as designated by the ~~commissioner~~ road authority, of a
29.28 freeway or expressway, as defined in section 160.02, in Minnesota.

29.29 (b) ~~If the commissioner~~ a road authority permits the use of a freeway or expressway
29.30 shoulder by transit buses, the ~~commissioner~~ road authority shall permit the use on that
29.31 shoulder of a bus (1) with a seating capacity of 40 passengers or more operated by a motor
29.32 carrier of passengers, as defined in section 221.012, subdivision 26, while operating in
29.33 intrastate commerce or (2) providing regular route transit service, as defined in section
29.34 174.22, subdivision 8, or Metro Mobility services, and operated by or under contract
29.35 with the Metropolitan Council, a local transit authority, or a transit authority created by

30.1 the legislature. Drivers of these buses must have adequate training in the requirements of
 30.2 paragraph (c), as determined by the commissioner.

30.3 (c) Buses authorized to use the shoulder under this section may be operated on
 30.4 the shoulder only when main-line traffic speeds are less than 35 miles per hour, except
 30.5 as provided for in paragraph (f). Drivers of buses being operated on the shoulder may
 30.6 not exceed the speed of main-line traffic by more than 15 miles per hour and may never
 30.7 exceed 35 miles per hour, except as provided for in paragraph (f). Drivers of buses being
 30.8 operated on the shoulder must yield to merging, entering, and exiting traffic and must yield
 30.9 to other vehicles on the shoulder. Buses operated on the shoulder must be registered with
 30.10 the Department of Transportation.

30.11 (d) For the purposes of this section, the term "Metro Mobility bus" means a motor
 30.12 vehicle of not less than 20 feet in length engaged in providing special transportation
 30.13 services under section 473.386 that is:

30.14 (1) operated by or under contract with a public or private entity receiving financial
 30.15 assistance to provide transit services from the Metropolitan Council or the commissioner
 30.16 of transportation; and

30.17 (2) authorized by ~~the commissioner~~ a road authority to use freeway or expressway
 30.18 shoulders.

30.19 (e) This section does not apply to the operation of buses on dynamic shoulder lanes.

30.20 (f) The commissioner may authorize different operating conditions and maximum
 30.21 speeds, not to exceed the posted speed limit, based upon an engineering study and
 30.22 recommendation by the road authority. The engineering study must be conducted by the
 30.23 road authority and must conform with the manual and specifications adopted under section
 30.24 169.06, subdivision 1, and applicable state and federal standards. The road authority shall
 30.25 consult the public transit operator before recommending operating conditions different
 30.26 from those authorized by law.

30.27 Sec. 37. Minnesota Statutes 2010, section 169.345, subdivision 1, is amended to read:

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

30.32 (1) in a designated parking space for disabled persons, as provided in section
 30.33 169.346;

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

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

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

31.8 (b) For purposes of this subdivision, a certificate is prominently displayed if it is
31.9 displayed so that it may be viewed from the front and rear of the motor vehicle by hanging
31.10 it from the rearview mirror attached to the front windshield of the motor vehicle or, in
31.11 the case of a motorcycle, is secured to the vehicle. If there is no rearview mirror or if the
31.12 certificate holder's disability precludes placing the certificate on the mirror, the certificate
31.13 must be displayed on the dashboard ~~on the driver's side~~ of the vehicle. No part of the
31.14 certificate may be obscured.

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

31.21 Sec. 38. Minnesota Statutes 2010, section 169.345, subdivision 3, is amended to read:

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

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

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

32.3 Sec. 39. Minnesota Statutes 2010, section 169.346, subdivision 3, is amended to read:

32.4 Subd. 3. **Misdemeanor; enforcement.** A person who violates subdivision 1 is
32.5 guilty of a misdemeanor and must be fined not less than \$100 and not more than \$200. This
32.6 subdivision must be enforced in the same manner as parking ordinances or regulations in
32.7 the governmental subdivision in which the violation occurs. Law enforcement officers
32.8 may tag motor vehicles parked on either private or public property in violation of
32.9 subdivision 1. Parking enforcement employees or agents of statutory or home rule charter
32.10 cities or towns may tag or otherwise issue citations for motor vehicles parked on public
32.11 property in violation of subdivision 1. If a holder of a disability certificate or disability
32.12 plates allows a person who is not otherwise eligible to use the certificate or plates, then
32.13 the holder is not eligible to be issued or to use a disability certificate or plates for 12
32.14 months after the date of violation. Except when the permit or certificate is expired by, or is
32.15 otherwise invalid for, more than 90 days, a physically disabled person, or a person parking
32.16 a motor vehicle for a disabled person, who is charged with violating subdivision 1 because
32.17 the person parked in a parking space for physically disabled persons without the required
32.18 certificate, license plates, or permit must not be convicted if the person (1) produces in
32.19 court or before the court appearance the required certificate, permit, or evidence that the
32.20 person has been issued plates under section 168.021, (2) surrenders the expired permit or
32.21 certificate, and (3) demonstrates entitlement to the certificate, plates, or permit at the time
32.22 of arrest or tagging. To be valid, the certificate or permit must show that it is owned by the
32.23 same person that owned the expired certificate or permit displayed at the time the tag was
32.24 issued. The registered vehicle owner is subject to the provisions of this subdivision.

32.25 Sec. 40. Minnesota Statutes 2010, section 169.4503, is amended by adding a
32.26 subdivision to read:

32.27 Subd. 28. **Crossing control arm.** All buses manufactured for use in Minnesota after
32.28 January 1, 2012, must be equipped with a crossing control arm mounted at the right front
32.29 corner of the front bumper. The crossing control arm must be automatically activated
32.30 whenever the bus is stopped with the flashing red signals in use.

32.31 Sec. 41. Minnesota Statutes 2010, section 169.64, subdivision 2, is amended to read:

32.32 Subd. 2. **Colored light.** (a) Unless otherwise authorized by the commissioner of
32.33 public safety, no vehicle shall be equipped, nor shall any person drive or move any vehicle

33.1 or equipment upon any highway with any lamp or device displaying a red light or any
33.2 colored light other than those required or permitted in this chapter.

33.3 (b) A vehicle manufactured for use as an emergency vehicle may display and use
33.4 colored lights that are not otherwise required or permitted in this chapter, provided that
33.5 the vehicle is owned and operated according to section 168.10, is owned and operated
33.6 solely as a collector's item and not for general transportation purposes, and is registered
33.7 under section 168.10, subdivision 1a, 1b, 1c, 1d, 1g, or 1h. A person may not activate the
33.8 colored lights authorized under this paragraph on streets or highways except as part of
33.9 a parade or other special event.

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

33.11 Sec. 42. Minnesota Statutes 2010, section 169.685, subdivision 6, is amended to read:

33.12 Subd. 6. **Exceptions.** (a) This section does not apply to:

33.13 (1) a person transporting a child in an emergency medical vehicle while in the
33.14 performance of official duties and when the physical or medical needs of the child make
33.15 the use of a child passenger restraint system unreasonable or when a child passenger
33.16 restraint system is not available;

33.17 (2) a peace officer transporting a child while in the performance of official duties
33.18 and when a child passenger restraint system is not available, provided that a seat belt
33.19 must be substituted;

33.20 (3) a person while operating a motor vehicle for hire, including a taxi, airport
33.21 limousine, and bus, but excluding a rented, leased, or borrowed motor vehicle; and

33.22 (4) a person while operating a school bus, ~~and that has a gross vehicle weight rating~~
33.23 of greater than 10,000 pounds.

33.24 ~~(5) a person while operating a type III vehicle described in section 169.011,~~
33.25 ~~subdivision 71, paragraph (h), if the vehicle meets the seating and crash protection~~
33.26 ~~requirements of Federal Motor Vehicle Safety Standard 222, Code of Federal Regulations,~~
33.27 ~~title 49, part 571.~~

33.28 (b) A child passenger restraint system is not required for a child who cannot, in the
33.29 judgment of a licensed physician, be safely transported in a child passenger restraint
33.30 system because of a medical condition, body size, or physical disability. A motor vehicle
33.31 operator claiming exemption for a child under this paragraph must possess a typewritten
33.32 statement from the physician stating that the child cannot be safely transported in a child
33.33 passenger restraint system. The statement must give the name and birth date of the child,
33.34 be dated within the previous six months, and be made on the physician's letterhead or
33.35 contain the physician's name, address, and telephone number. A person charged with

34.1 violating subdivision 5 may not be convicted if the person produces the physician's
34.2 statement in court or in the office of the arresting officer.

34.3 (c) A person offering a motor vehicle for rent or lease shall provide a child passenger
34.4 restraint device to a customer renting or leasing the motor vehicle who requests the device.
34.5 A reasonable rent or fee may be charged for use of the child passenger restraint device.

34.6 Sec. 43. Minnesota Statutes 2010, section 169.86, subdivision 4, is amended to read:

34.7 Subd. 4. **Display and inspection of permit.** ~~Every such~~ A permit shall must be
34.8 carried in the vehicle or combination of vehicles to which it refers and shall must be open
34.9 to inspection by any police peace officer or authorized agent of any authority granting
34.10 such the permit, and. A permit may be carried in electronic format if it is easily read. No
34.11 person shall violate any of the terms or conditions of ~~such~~ a special permit.

34.12 Sec. 44. Minnesota Statutes 2010, section 169.86, subdivision 5, is amended to read:

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

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

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

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

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

34.27 (2) motor vehicles ~~which that~~ travel on interstate highways and carry loads
34.28 authorized under subdivision 1a;

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

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

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

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

35.1 (7) motor vehicles carrying bales of agricultural products authorized under section
 35.2 169.862; and

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

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

35.6 (1) mobile cranes;

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

35.8 (3) manufactured homes and manufactured storage buildings;

35.9 (4) implements of husbandry;

35.10 (5) double-deck buses;

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

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

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

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

35.28 Overweight Axle Group Cost Factors

35.29 Weight (pounds)	35.29 Cost Per Mile For Each Group Of:		
35.30 exceeding weight	35.30 Two	35.30 Three	
35.31 limitations on axles	35.31 consecutive	35.31 consecutive	
	35.32 axles spaced	35.32 axles spaced	35.32 Four consecutive
	35.33 within 8 feet	35.33 within 9 feet	35.33 axles spaced within
	35.34 or less	35.34 or less	35.34 14 feet or less
35.35 0-2,000	35.35 .12	35.35 .05	35.35 .04
35.36 2,001-4,000	35.36 .14	35.36 .06	35.36 .05
35.37 4,001-6,000	35.37 .18	35.37 .07	35.37 .06
35.38 6,001-8,000	35.38 .21	35.38 .09	35.38 .07
35.39 8,001-10,000	35.39 .26	35.39 .10	35.39 .08

36.1	10,001-12,000	.30	.12	.09
36.2		Not		
36.3	12,001-14,000	permitted	.14	.11
36.4		Not		
36.5	14,001-16,000	permitted	.17	.12
36.6		Not		
36.7	16,001-18,000	permitted	.19	.15
36.8		Not	Not	
36.9	18,001-20,000	permitted	permitted	.16
36.10		Not	Not	
36.11	20,001-22,000	permitted	permitted	.20

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

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

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

36.23	Gross Weight (pounds) of Vehicle	Annual Permit Fee
36.24	90,000 or less	\$200
36.25	90,001 - 100,000	\$300
36.26	100,001 - 110,000	\$400
36.27	110,001 - 120,000	\$500
36.28	120,001 - 130,000	\$600
36.29	130,001 - 140,000	\$700
36.30	140,001 - 145,000	\$800
36.31	<u>145,001 - 155,000</u>	<u>\$900</u>

36.32 If the gross weight of the vehicle is more than ~~145,000~~ 155,000 pounds the permit fee is
 36.33 determined under paragraph (e).

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

36.38 (h) \$85 for an annual permit to be issued for a period not to exceed 12 months, for
 36.39 refuse-compactor vehicles that carry a gross weight of not more than: 22,000 pounds on

37.1 a single rear axle; 38,000 pounds on a tandem rear axle; or, subject to section 169.828,
37.2 subdivision 2, 46,000 pounds on a tridem rear axle. A permit issued for up to 46,000
37.3 pounds on a tridem rear axle must limit the gross vehicle weight to not more than 62,000
37.4 pounds.

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

37.7 ~~(1) in fiscal years 2005 through 2010:~~

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

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

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

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

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

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

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

37.21 Sec. 45. Minnesota Statutes 2010, section 169.99, subdivision 1b, is amended to read:

37.22 Subd. 1b. **Speed.** The uniform traffic ticket must provide a blank or space wherein
37.23 an officer who issues a citation for a violation of a speed limit of 55 or 60 miles per
37.24 hour must specify whether the speed was greater than ten miles per hour in excess of ~~a~~
37.25 ~~55 miles per hour speed limit, or more than five miles per hour in excess of a 60 miles~~
37.26 ~~per hour~~ the speed limit.

37.27 Sec. 46. Minnesota Statutes 2010, section 169A.54, subdivision 1, is amended to read:

37.28 Subdivision 1. **Revocation periods for DWI convictions.** Except as provided in
37.29 subdivision 7, the commissioner shall revoke the driver's license of a person convicted
37.30 of violating section 169A.20 (driving while impaired) or an ordinance in conformity
37.31 with it, as follows:

37.32 (1) not less than 30 days for an offense under section 169A.20, subdivision 1
37.33 (driving while impaired crime); ~~not less than 30 days;~~

38.1 (2) not less than 90 days for an offense under section 169A.20, subdivision 2 (refusal
38.2 to submit to chemical test crime), ~~not less than 90 days;~~

38.3 (3) not less than one year for:

38.4 (i) an offense occurring within ten years of a qualified prior impaired driving
38.5 incident, ~~or;~~

38.6 (ii) an offense occurring after two qualified prior impaired driving incidents, ~~not~~
38.7 ~~less than one year;~~ ~~or if~~

38.8 (iii) an offense occurring when a person has an alcohol concentration of twice the
38.9 legal limit or more as measured at the time, or within two hours of the time, of the offense
38.10 and the person has no qualified prior impaired driving incident within ten years;

38.11 (4) not less than two years for an offense occurring under clause (3), item (i) or (ii),
38.12 and the test results indicate an alcohol concentration of twice the legal limit or more,
38.13 ~~not less than two years~~ and until the court has certified that treatment or rehabilitation
38.14 has been successfully completed where prescribed in accordance with section 169A.70
38.15 (chemical use assessments);

38.16 ~~(4)~~ (5) not less than three years for an offense occurring within ten years of the
38.17 first of two qualified prior impaired driving incidents or occurring after three qualified
38.18 prior impaired driving incidents, ~~not less than three years, together and~~ with denial under
38.19 section 171.04, subdivision 1, clause (10), until rehabilitation is established according to
38.20 standards established by the commissioner; and

38.21 ~~(5)~~ (6) not less than four years for an offense occurring within ten years of the first of
38.22 three qualified prior impaired driving incidents, ~~not less than four years, together and~~ with
38.23 denial under section 171.04, subdivision 1, clause (10), until rehabilitation is established
38.24 according to standards established by the commissioner; or

38.25 ~~(6)~~ (7) not less than six years for an offense occurring after four or more qualified
38.26 prior impaired driving incidents, ~~not less than six years, together and~~ with denial under
38.27 section 171.04, subdivision 1, clause (10), until rehabilitation is established according to
38.28 standards established by the commissioner.

38.29 **EFFECTIVE DATE.** This section is effective July 1, 2011.

38.30 Sec. 47. Minnesota Statutes 2010, section 169A.54, subdivision 6, is amended to read:

38.31 Subd. 6. **Applicability of implied consent revocation.** (a) Any person whose
38.32 license has been revoked pursuant to section 169A.52 (license revocation for test failure
38.33 or refusal) as the result of the same incident, and who does not have a qualified prior
38.34 impaired driving incident, is subject to the mandatory revocation provisions of subdivision
38.35 1, clause (1) or (2), in lieu of the mandatory revocation provisions of section 169A.52.

39.1 (b) Paragraph (a) does not apply to:

39.2 (1) a person whose license has been revoked under subdivision 2 (driving while
39.3 impaired by person under age 21); or

39.4 (2) a person whose driver's license has been revoked for, or who is charged with;
39.5 (i) an alcohol concentration of twice the legal limit or more as measured at the time, or
39.6 within two hours, of the time of the offense; or (ii) a violation of section 169A.20 (driving
39.7 while impaired) with an aggravating factor described in section 169A.03, subdivision
39.8 3, clause (2) or (3).

39.9 **EFFECTIVE DATE.** This section is effective July 1, 2011.

39.10 Sec. 48. Minnesota Statutes 2010, section 171.03, is amended to read:

39.11 **171.03 PERSONS EXEMPT.**

39.12 The following persons are exempt from license hereunder:

39.13 (a) A person in the employ or service of the United States federal government is
39.14 exempt while driving or operating a motor vehicle owned by or leased to the United
39.15 States federal government.

39.16 (b) A person in the employ or service of the United States federal government is
39.17 exempt from the requirement to possess a valid class A, class B, or class C commercial
39.18 driver's license while driving or operating for military purposes a commercial motor
39.19 vehicle for the United States federal government if the person is:

39.20 (1) on active duty in the U. S. Coast Guard;

39.21 (2) on active duty in a branch of the U. S. armed forces, which includes the Army,
39.22 Air Force, Navy, and Marine Corps;

39.23 (3) a member of a reserve component of the U. S. armed forces; or

39.24 (4) on active duty in the Army National Guard or Air National Guard, which
39.25 includes (i) a member on full-time National Guard duty, (ii) a member undergoing
39.26 part-time National Guard training, and (iii) a National Guard military technician, who is a
39.27 civilian required to wear a military uniform.

39.28 The exemption provided under this paragraph does not apply to a U. S. armed forces
39.29 reserve technician.

39.30 (c) Any person while driving or operating any farm tractor or implement of
39.31 husbandry temporarily on a highway is exempt. For purposes of this section, an all-terrain
39.32 vehicle, as defined in section 84.92, subdivision 8, an off-highway motorcycle, as defined
39.33 in section 84.787, subdivision 7, and an off-road vehicle, as defined in section 84.797,
39.34 subdivision 7, are not implements of husbandry.

40.1 (d) A nonresident who is at least 15 years of age and who has in immediate
40.2 possession a valid driver's license issued to the nonresident in the home state or country
40.3 may operate a motor vehicle in this state only as a driver.

40.4 (e) A nonresident who has in immediate possession a valid commercial driver's
40.5 license issued by a state or jurisdiction in accordance with the standards of Code of
40.6 Federal Regulations, title 49, part 383, and who is operating in Minnesota the class of
40.7 commercial motor vehicle authorized by the issuing state or jurisdiction is exempt.

40.8 (f) Any nonresident who is at least 18 years of age, whose home state or country does
40.9 not require the licensing of drivers may operate a motor vehicle as a driver, but only for a
40.10 period of not more than 90 days in any calendar year, if the motor vehicle so operated is
40.11 duly registered for the current calendar year in the home state or country of the nonresident.

40.12 (g) Any person who becomes a resident of the state of Minnesota and who has in
40.13 possession a valid driver's license issued to the person under and pursuant to the laws of
40.14 some other state or jurisdiction or by military authorities of the United States may operate
40.15 a motor vehicle as a driver, but only for a period of not more than 60 days after becoming
40.16 a resident of this state, without being required to have a Minnesota driver's license as
40.17 provided in this chapter.

40.18 (h) Any person who becomes a resident of the state of Minnesota and who has in
40.19 possession a valid commercial driver's license issued by another state or jurisdiction in
40.20 accordance with the standards of Code of Federal Regulations, title 49, part 383, is exempt
40.21 for not more than 30 days after becoming a resident of this state.

40.22 (i) Any person operating a snowmobile, as defined in section 84.81, is exempt.

40.23 (j) A railroad operator, as defined in section 169.035, subdivision 4, paragraph (a),
40.24 is exempt while operating a railroad locomotive or train, or on-track equipment while
40.25 being operated upon rails. This exemption includes operation while crossing a street or
40.26 highway, whether public or private.

40.27 Sec. 49. Minnesota Statutes 2010, section 171.05, subdivision 2, is amended to read:

40.28 Subd. 2. **Person less than 18 years of age.** (a) Notwithstanding any provision
40.29 in subdivision 1 to the contrary, the department may issue an instruction permit to an
40.30 applicant who is 15, 16, or 17 years of age and who:

40.31 (1) has completed a course of driver education in another state, has a previously
40.32 issued valid license from another state, or ~~is enrolled in either:~~

40.33 (i) the applicant is enrolled in behind-the-wheel training in a public, private, or
40.34 commercial driver education program that utilizes simulation or behind-the-wheel
40.35 instruction and that is approved by the commissioner of public safety; and

41.1 (ii) the applicant:

41.2 (A) has successfully completed the classroom phase of instruction in a public,
 41.3 private, or commercial driver education program that is approved by the commissioner of
 41.4 public safety and that includes classroom and behind-the-wheel training; or

41.5 ~~(ii) an approved behind-the-wheel driver education program;~~

41.6 (B) has successfully completed home-school driver training, when the student is
 41.7 receiving full-time instruction in a home school within the meaning of sections 120A.22
 41.8 and 120A.24, the student is working toward a ~~homeschool~~ home-school diploma,
 41.9 the student's status as a ~~homeschool~~ home-school student has been certified by the
 41.10 superintendent of the school district in which the student resides, and the ~~student is~~
 41.11 ~~taking home-classroom driver training with~~ classroom materials are approved by the
 41.12 commissioner of public safety;

41.13 (C) has completed an Internet-based theory driver education program that is
 41.14 approved by the commissioner of public safety; or

41.15 (D) concurrent to the instruction under item (i), is enrolled in the classroom phase of
 41.16 instruction in a public, private, or commercial driver education program that is approved
 41.17 by the commissioner of public safety, and completes 15 hours of classroom instruction and
 41.18 one behind-the-wheel lesson with an instructor;

41.19 ~~(2) has completed the classroom phase of instruction in the driver education program;~~

41.20 ~~(3)~~ (2) has passed a test of the applicant's eyesight;

41.21 ~~(4)~~ (3) has passed a department-administered test of the applicant's knowledge
 41.22 of traffic laws;

41.23 ~~(5)~~ (4) has completed the required application, which must be approved by (i) either
 41.24 parent when both reside in the same household as the minor applicant or, if otherwise,
 41.25 then (ii) the parent or spouse of the parent having custody or, in the event there is no court
 41.26 order for custody, then (iii) the parent or spouse of the parent with whom the minor is
 41.27 living or, if items (i) ~~to~~ through (iii) do not apply, then (iv) the guardian having custody of
 41.28 the minor, ~~(v) the foster parent or the director of the transitional living program in which~~
 41.29 ~~the child resides~~ or, in the event a person under the age of 18 has no living father, mother,
 41.30 or guardian, then (v) the foster parent or the director of the transitional living program
 41.31 in which the child resides or, if items (i) through (v) do not apply or the minor applicant
 41.32 is married or otherwise legally emancipated, then (vi) the applicant's adult spouse, adult
 41.33 close family member, or adult employer; provided, that the approval required by this
 41.34 clause contains a verification of the age of the applicant and the identity of the parent,
 41.35 guardian, foster parent, program director, adult spouse, adult close family member, or
 41.36 adult employer; and

42.1 ~~(6)~~ (5) has paid ~~the fee~~ all fees required in section 171.06, subdivision 2.

42.2 (b) The instruction permit is valid for two years from the date of application and
42.3 may be renewed upon payment of a fee equal to the fee for issuance of an instruction
42.4 permit under section 171.06, subdivision 2.

42.5 (c) A provider of an Internet-based theory driver education program approved by
42.6 the commissioner shall issue a certificate of completion to each person who successfully
42.7 completes the program. The commissioner shall furnish numbered certificate forms to
42.8 approved providers who shall pay the commissioner a fee of \$2 for each certificate. The
42.9 commissioner shall deposit proceeds of the fee in the driver services operating account in
42.10 the special revenue fund. The commissioner shall terminate the fee when the department
42.11 has fully recovered its costs to implement Internet driver education under this section.
42.12 Proceeds from the fee under this paragraph are annually appropriated to the commissioner
42.13 from the driver services operating account for administrative costs to implement Internet
42.14 driver education.

42.15 Sec. 50. Minnesota Statutes 2010, section 171.06, subdivision 2, is amended to read:

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

42.18	Classified Driver's License	D-\$22.25	C-\$26.25	B-\$33.25	A-\$41.25
42.19	Classified Under-21 D.L.	D-\$22.25	C-\$26.25	B-\$33.25	A-\$21.25
42.20	Enhanced Driver's License	D-\$37.25	C-\$41.25	B-\$48.25	A-\$56.25
42.21	Instruction Permit				\$10.25
42.22	Enhanced Instruction				
42.23	Permit				\$25.25
42.24	Provisional License				\$13.25
42.25	Enhanced Provisional				
42.26	License				\$28.25
42.27	Duplicate License or				
42.28	duplicate identification				
42.29	card				\$11.75
42.30	Enhanced Duplicate				
42.31	License or enhanced				
42.32	duplicate identification				
42.33	card				\$26.75
42.34	Minnesota identification				
42.35	card or Under-21				
42.36	Minnesota identification				
42.37	card, other than duplicate,				
42.38	except as otherwise				
42.39	provided in section 171.07,				
42.40	subdivisions 3 and 3a				\$16.25
42.41	Enhanced Minnesota				
42.42	identification card				\$31.25

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

43.5 (b) Notwithstanding paragraph (a), an individual who holds a provisional license and
43.6 has a driving record free of (1) convictions for a violation of section 169A.20, 169A.33,
43.7 169A.35, or sections 169A.50 to 169A.53, (2) convictions for crash-related moving
43.8 violations, and (3) convictions for moving violations that are not crash related, shall have a
43.9 \$3.50 credit toward the fee for any classified under-21 driver's license. "Moving violation"
43.10 has the meaning given it in section 171.04, subdivision 1.

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

43.17 (d) In addition to the instruction permit fee required under paragraph (a), the
43.18 commissioner shall collect an additional \$5 program implementation fee from an applicant
43.19 who is enrolled in concurrent driver education instruction as provided in section 171.05,
43.20 subdivision 2, paragraph (a), clause (1)(ii)(D). The commissioner shall terminate the fee
43.21 under this paragraph when the department has fully recovered its costs to implement
43.22 concurrent classroom phase and behind-the-wheel instruction under section 171.05.
43.23 The commissioner shall deposit proceeds of the fee in the driver services operating
43.24 account in the special revenue fund. Proceeds from the fee under this paragraph are
43.25 annually appropriated to the commissioner from the driver services operating account for
43.26 administrative costs to implement concurrent driver education.

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

43.31 Sec. 51. Minnesota Statutes 2010, section 171.061, subdivision 4, is amended to read:

43.32 Subd. 4. **Fee; equipment.** (a) The agent may charge and retain a filing fee of \$5 for
43.33 each application. Except as provided in paragraph ~~(b)~~ (c), the fee shall cover all expenses
43.34 involved in receiving, accepting, or forwarding to the department the applications and

44.1 fees required under sections 171.02, subdivision 3; 171.06, subdivisions 2 and 2a; and
44.2 171.07, subdivisions 3 and 3a.

44.3 (b) The statutory fees and the filing fees imposed under paragraph (a) may be paid
44.4 by credit card or debit card. The driver's license agent may collect a convenience fee on
44.5 the statutory fees and filing fees not greater than the cost of processing a credit card or
44.6 debit card transaction. The convenience fee must be used to pay the cost of processing
44.7 credit card and debit card transactions. The commissioner shall adopt rules to administer
44.8 this paragraph, using the exempt procedures of section 14.386, except that section 14.386,
44.9 paragraph (b), does not apply.

44.10 ~~(b)~~ (c) The department shall maintain the photo identification equipment for all
44.11 agents appointed as of January 1, 2000. Upon the retirement, resignation, death, or
44.12 discontinuance of an existing agent, and if a new agent is appointed in an existing office
44.13 pursuant to Minnesota Rules, chapter 7404, and notwithstanding the above or Minnesota
44.14 Rules, part 7404.0400, the department shall provide and maintain photo identification
44.15 equipment without additional cost to a newly appointed agent in that office if the office
44.16 was provided the equipment by the department before January 1, 2000. All photo
44.17 identification equipment must be compatible with standards established by the department.

44.18 ~~(c)~~ (d) A filing fee retained by the agent employed by a county board must be paid
44.19 into the county treasury and credited to the general revenue fund of the county. An
44.20 agent who is not an employee of the county shall retain the filing fee in lieu of county
44.21 employment or salary and is considered an independent contractor for pension purposes,
44.22 coverage under the Minnesota State Retirement System, or membership in the Public
44.23 Employees Retirement Association.

44.24 ~~(d)~~ (e) Before the end of the first working day following the final day of the
44.25 reporting period established by the department, the agent must forward to the department
44.26 all applications and fees collected during the reporting period except as provided in
44.27 paragraph ~~(c)~~ (d).

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

44.29 Sec. 52. Minnesota Statutes 2010, section 171.0701, is amended to read:

44.30 **171.0701 DRIVER EDUCATION CONTENT.**

44.31 **Subdivision 1. Driver education requirements.** (a) The commissioner shall adopt
44.32 rules requiring a minimum of 30 minutes of instruction, beginning January 1, 2007,
44.33 relating to organ and tissue donations and the provisions of section 171.07, subdivision

45.1 5, for persons enrolled in driver education programs offered at public schools, private
45.2 schools, and commercial driver training schools.

45.3 (b) The commissioner shall adopt rules for persons enrolled in driver education
45.4 programs offered at public schools, private schools, and commercial driver training
45.5 schools, requiring inclusion in the course of instruction, by January 1, 2009, a section on
45.6 awareness and safe interaction with commercial motor vehicle traffic. The rules must
45.7 require classroom instruction and behind-the-wheel training that includes, but is not
45.8 limited to, truck stopping distances, proper distances for following trucks, identification of
45.9 truck blind spots, and avoidance of driving in truck blind spots.

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

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

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

45.22 Sec. 53. [171.0703] INTERNET-BASED DRIVER EDUCATION.

45.23 The commissioner shall include in administrative rules on Internet-based theory
45.24 driver education programs, a requirement that a program may offer no more than three
45.25 hours of instruction per day to a student.

45.26 Sec. 54. [171.075] ANATOMICAL GIFTS.

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

45.33 Subd. 2. Anatomical gift education grants. (a) The commissioner shall make
45.34 grants to (1) a Minnesota organ procurement organization that is certified by the federal

46.1 Centers for Medicare and Medicaid Services; or (2) an entity that is a charitable entity
 46.2 under section 501(c)(3) of the Internal Revenue Code, as defined in section 289A.02,
 46.3 subdivision 7, and is dedicated to advocacy for organ, tissue, and eye donation.

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

46.7 Sec. 55. Minnesota Statutes 2010, section 171.12, subdivision 6, is amended to read:

46.8 Subd. 6. **Certain convictions not recorded.** (a) Except as provided in paragraph
 46.9 (b), the department shall not keep on the record of a driver any conviction for a violation
 46.10 of a speed limit of 55 or 60 miles per hour unless the violation consisted of a speed greater
 46.11 than ten miles per hour in excess of ~~a 55 miles per hour the speed limit, or more than five~~
 46.12 ~~miles per hour in excess of a 60 miles per hour speed limit.~~

46.13 (b) This subdivision does not apply to (1) a violation that occurs in a commercial
 46.14 motor vehicle, or (2) a violation committed by a holder of a class A, B, or C commercial
 46.15 driver's license, without regard to whether the violation was committed in a commercial
 46.16 motor vehicle or another vehicle.

46.17 Sec. 56. Minnesota Statutes 2010, section 171.13, subdivision 1, is amended to read:

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

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

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

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

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

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

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

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

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

47.15 Sec. 57. Minnesota Statutes 2010, section 171.13, is amended by adding a subdivision
47.16 to read:

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

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

47.21 Sec. 58. Minnesota Statutes 2010, section 171.27, is amended to read:

47.22 **171.27 EXPIRATION OF LICENSE; MILITARY EXCEPTION.**

47.23 (a) The expiration date for each driver's license, other than under-21 licenses, is the
47.24 birthday of the driver in the fourth year following the date of issuance of the license. The
47.25 birthday of the driver shall be as indicated on the application for a driver's license. A
47.26 license may be renewed on or before expiration or within one year after expiration upon
47.27 application, payment of the required fee, and passing the examination required of all
47.28 drivers for renewal. Driving privileges shall be extended or renewed on or preceding the
47.29 expiration date of an existing driver's license unless the commissioner believes that the
47.30 licensee is no longer qualified as a driver.

47.31 (b) The expiration date for each under-21 license shall be the 21st birthday of the
47.32 licensee. Upon the licensee attaining the age of 21 and upon the application, payment
47.33 of the required fee, and passing the examination required of all drivers for renewal, a

48.1 driver's license shall be issued unless the commissioner determines that the licensee is
48.2 no longer qualified as a driver.

48.3 (c) The expiration date for each provisional license is two years after the date of
48.4 application for the provisional license.

48.5 (d) Any valid Minnesota driver's license issued to a person then or subsequently ~~on~~
48.6 ~~active duty with~~ serving outside Minnesota in active military service, as defined in section
48.7 190.05, subdivision 5, in any branch or unit of the armed forces of the United States, or
48.8 the person's spouse, shall continue in full force and effect without requirement for renewal
48.9 ~~until 90 days after the date of the person's discharge from such service, provided that a~~
48.10 ~~spouse's license must be renewed if the spouse is residing within the state at the time~~
48.11 ~~the license expires or within 90 days after the spouse returns to Minnesota and resides~~
48.12 ~~within the state.~~ the date one year following the service member's separation or discharge
48.13 from active military service, and until the license holder's birthday in the fourth full year
48.14 following the person's most recent license renewal or, in the case of a provisional license,
48.15 until the person's birthday in the third full year following the renewal.

48.16 **EFFECTIVE DATE.** This section is effective July 1, 2011, and applies to
48.17 Minnesota drivers' licenses that are valid on or after that date.

48.18 Sec. 59. Minnesota Statutes 2010, section 171.30, subdivision 1, is amended to read:

48.19 Subdivision 1. **Conditions of issuance.** (a) The commissioner may issue a limited
48.20 license to the driver under the conditions in paragraph (b) in any case where a person's
48.21 license has been:

48.22 (1) suspended under section 171.18, 171.173, or 171.186;

48.23 (2) revoked, canceled, or denied under section:

48.24 (i) 169.792;

48.25 (ii) 169.797;

48.26 (iii) 169A.52:

48.27 (A) subdivision 3, paragraph (a), clause (1) or (2);

48.28 (B) subdivision 3, paragraph (a), clause (4), (5), or (6), if in compliance with section
48.29 171.306;

48.30 (C) subdivision 4, paragraph (a), clause (1) or (2), if the test results indicate an
48.31 alcohol concentration of less than twice the legal limit;

48.32 (D) subdivision 4, paragraph (a), clause (4), (5), or (6), if in compliance with section
48.33 171.306;

48.34 (iv) 171.17; or

48.35 (v) 171.172; or

49.1 (3) revoked, canceled, or denied under section 169A.54:

49.2 (i) subdivision 1, clause (1), if the test results indicate an alcohol concentration
49.3 of less than twice the legal limit;

49.4 (ii) subdivision 1, clause (2);

49.5 (iii) subdivision 1, clause ~~(4)~~, (5), ~~or (6)~~, or (7), if in compliance with section
49.6 171.306; or

49.7 (iv) subdivision 2, if the person does not have a qualified prior impaired driving
49.8 incident as defined in section 169A.03, subdivision 22, on the person's record, and the test
49.9 results indicate an alcohol concentration of less than twice the legal limit.

49.10 (b) The following conditions for a limited license under paragraph (a) include:

49.11 (1) if the driver's livelihood or attendance at a chemical dependency treatment or
49.12 counseling program depends upon the use of the driver's license;

49.13 (2) if the use of a driver's license by a homemaker is necessary to prevent the
49.14 substantial disruption of the education, medical, or nutritional needs of the family of
49.15 the homemaker; or

49.16 (3) if attendance at a postsecondary institution of education by an enrolled student of
49.17 that institution depends upon the use of the driver's license.

49.18 (c) The commissioner in issuing a limited license may impose such conditions and
49.19 limitations as in the commissioner's judgment are necessary to the interests of the public
49.20 safety and welfare including reexamination as to the driver's qualifications. The license
49.21 may be limited to the operation of particular vehicles, to particular classes and times of
49.22 operation, and to particular conditions of traffic. The commissioner may require that an
49.23 applicant for a limited license affirmatively demonstrate that use of public transportation
49.24 or carpooling as an alternative to a limited license would be a significant hardship.

49.25 (d) For purposes of this subdivision:

49.26 (1) "homemaker" refers to the person primarily performing the domestic tasks in a
49.27 household of residents consisting of at least the person and the person's dependent child
49.28 or other dependents; and

49.29 (2) "twice the legal limit" means an alcohol concentration of two times the limit
49.30 specified in section 169A.20, subdivision 1, clause (5).

49.31 (e) The limited license issued by the commissioner shall clearly indicate the
49.32 limitations imposed and the driver operating under the limited license shall have the
49.33 license in possession at all times when operating as a driver.

49.34 (f) In determining whether to issue a limited license, the commissioner shall consider
49.35 the number and the seriousness of prior convictions and the entire driving record of the
49.36 driver and shall consider the number of miles driven by the driver annually.

50.1 (g) If the person's driver's license or permit to drive has been revoked under
50.2 section 169.792 or 169.797, the commissioner may only issue a limited license to the
50.3 person after the person has presented an insurance identification card, policy, or written
50.4 statement indicating that the driver or owner has insurance coverage satisfactory to
50.5 the commissioner of public safety. The commissioner of public safety may require
50.6 the insurance identification card provided to satisfy this subdivision be certified by the
50.7 insurance company to be noncancelable for a period not to exceed 12 months.

50.8 (h) The limited license issued by the commissioner to a person under section
50.9 171.186, subdivision 4, must expire 90 days after the date it is issued. The commissioner
50.10 must not issue a limited license to a person who previously has been issued a limited
50.11 license under section 171.186, subdivision 4.

50.12 (i) The commissioner shall not issue a limited driver's license to any person
50.13 described in section 171.04, subdivision 1, clause (6), (7), (8), (11), or (14).

50.14 (j) The commissioner shall not issue a class A, class B, or class C limited license.

50.15 **EFFECTIVE DATE.** This section is effective July 1, 2011.

50.16 Sec. 60. Minnesota Statutes 2010, section 171.306, subdivision 4, is amended to read:

50.17 Subd. 4. **Issuance of restricted license.** (a) The commissioner shall issue a class
50.18 D driver's license, subject to the applicable limitations and restrictions of this section,
50.19 to a program participant who meets the requirements of this section and the program
50.20 guidelines. The commissioner shall not issue a license unless the program participant has
50.21 provided satisfactory proof that:

50.22 (1) a certified ignition interlock device has been installed on the participant's motor
50.23 vehicle at an installation service center designated by the device's manufacturer; and

50.24 (2) the participant has insurance coverage on the vehicle equipped with the ignition
50.25 interlock device. The commissioner shall require the participant to present an insurance
50.26 identification card, policy, or written statement as proof of insurance coverage, and may
50.27 require the insurance identification card provided be certified by the insurance company to
50.28 be noncancelable for a period not to exceed 12 months.

50.29 (b) A license issued under authority of this section must contain a restriction
50.30 prohibiting the program participant from driving, operating, or being in physical control of
50.31 any motor vehicle not equipped with a functioning ignition interlock device certified by
50.32 the commissioner. A participant may drive an employer-owned vehicle not equipped with
50.33 an interlock device while in the normal course and scope of employment duties pursuant
50.34 to the program guidelines established by the commissioner and with the employer's
50.35 written consent.

51.1 (c) A program participant whose driver's license has been revoked under section
51.2 169A.52, subdivision 3, paragraph (a), clause (1), (2), or (3), or subdivision 4, paragraph
51.3 (a), clause (1), (2), or (3), or section 169A.54, subdivision 1, clause (1), (2), ~~or (3)~~, or (4),
51.4 may apply for conditional reinstatement of the driver's license, subject to the ignition
51.5 interlock restriction.

51.6 (d) A program participant whose driver's license has been revoked, canceled, or
51.7 denied under section 169A.52, subdivision 3, paragraph (a), clause (4), (5), or (6), or
51.8 subdivision 4, paragraph (a), clause (4), (5), or (6), or section 169A.54, subdivision 1,
51.9 clause ~~(4)~~, (5), ~~or (6)~~, or (7), may apply for a limited license, subject to the ignition
51.10 interlock restriction, if the program participant is enrolled in a licensed chemical
51.11 dependency treatment or rehabilitation program as recommended in a chemical use
51.12 assessment, and if the participant meets the other applicable requirements of section
51.13 171.30. After completing a licensed chemical dependency treatment or rehabilitation
51.14 program and one year of limited license use without violating the ignition interlock
51.15 restriction, the conditions of limited license use, or program guidelines, the participant
51.16 may apply for conditional reinstatement of the driver's license, subject to the ignition
51.17 interlock restriction. If the program participant's ignition interlock device subsequently
51.18 registers a positive breath alcohol concentration of 0.02 or higher, the commissioner shall
51.19 cancel the driver's license, and the program participant may apply for another limited
51.20 license according to this paragraph.

51.21 (e) Notwithstanding any statute or rule to the contrary, the commissioner has
51.22 authority to determine when a program participant is eligible for restoration of full driving
51.23 privileges, except that the commissioner shall not reinstate full driving privileges until the
51.24 program participant has met all applicable prerequisites for reinstatement under section
51.25 169A.55 and until the program participant's device has registered no positive breath
51.26 alcohol concentrations of 0.02 or higher during the preceding 90 days.

51.27 **EFFECTIVE DATE.** This section is effective July 1, 2011.

51.28 Sec. 61. Minnesota Statutes 2010, section 174.02, is amended by adding a subdivision
51.29 to read:

51.30 **Subd. 9. Alternative financing and investment in transportation projects.** (a)
51.31 The commissioner may enter into agreements with governmental or nongovernmental
51.32 entities, including private and nonprofit entities, to finance or invest in transportation
51.33 projects, including repayment agreements, subject to (1) the availability of state money
51.34 or other dedicated revenue or resources and (2) the approval of the commissioner of
51.35 management and budget.

52.1 (b) The commissioner shall submit to the chairs and ranking minority members of
 52.2 the legislative committees having jurisdiction over transportation policy and finance,
 52.3 a listing of all agreements executed under this subdivision. The listing must identify
 52.4 each agreement, the contracting entities, contract amount, duration, and any repayment
 52.5 requirements. The listing may be submitted electronically, and is subject to section 3.195,
 52.6 subdivision 1.

52.7 (c) The commissioner may only use the authority granted under this subdivision
 52.8 for one pilot project.

52.9 Sec. 62. Minnesota Statutes 2010, section 174.56, is amended to read:

52.10 **174.56 REPORT ON MAJOR HIGHWAY PROJECTS AND TRUNK**
 52.11 **HIGHWAY FUND EXPENDITURES.**

52.12 Subdivision 1. **Report required.** (a) The commissioner of transportation shall
 52.13 submit a report ~~on January 15, 2009, and on January~~ by December 15 of each year
 52.14 ~~thereafter~~, on (1) the status of major highway projects completed during the previous two
 52.15 years or under construction or planned during the year of the report and for the ensuing 15
 52.16 years; and (2) trunk highway fund expenditures.

52.17 (b) For purposes of this section, a "major highway project" is a highway project that
 52.18 has a total cost for all segments that the commissioner estimates at the time of the report to
 52.19 be at least (1) ~~\$25,000,000~~ \$15,000,000 in the metropolitan highway construction district,
 52.20 or (2) ~~\$10,000,000~~ \$5,000,000 in any nonmetropolitan highway construction district.

52.21 Subd. 2. **Report contents; major highway projects.** For each major highway
 52.22 project the report must include:

52.23 (1) a description of the project sufficient to specify its scope and location;

52.24 (2) a history of the project, including, but not limited to, previous official actions
 52.25 by the department or the appropriate area transportation partnership, or both, the date on
 52.26 which the project was first included in the state transportation improvement plan, the cost
 52.27 of the project at that time, the planning estimate for the project, the engineer's estimate, the
 52.28 award price, the final cost as of six months after substantial completion, including any
 52.29 supplemental agreements and cost overruns or cost savings, the dates of environmental
 52.30 approval, the dates of municipal approval, the date of final geometric layout, and the date
 52.31 of establishment of any construction limits;

52.32 (3) the project's priority listing or rank within its construction district, if any, as
 52.33 well as the reasons for that listing or rank, the criteria used in prioritization or rank, any
 52.34 changes in that prioritization or rank since the project was first included in a department
 52.35 work plan, and the reasons for those changes; ~~and~~

53.1 (4) past and potential future reasons for delay in letting or completing the project,
53.2 details of all project cost changes that exceed \$500,000, and specific modifications to the
53.3 overall program that are made as a result of delays and project cost changes;

53.4 (5) two representative trunk highway construction projects, one each from the
53.5 department's metropolitan district and from greater Minnesota, and for each project report
53.6 the cost of environmental mitigation and compliance; and

53.7 (6) the annual budget for products and services for each Department of
53.8 Transportation district and office, with comparison to actual spending and including
53.9 measures of productivity for the previous fiscal year.

53.10 **Subd. 2a. Report contents; trunk highway fund expenditures.** The commissioner
53.11 shall include in the report information on the total expenditures from the trunk highway
53.12 fund during the previous fiscal year, for each Department of Transportation district, in
53.13 the following categories: road construction; planning; design and engineering; labor;
53.14 compliance with environmental regulations; administration; acquisition of right-of-way,
53.15 including costs for attorney fees and other compensation for property owners; litigation
53.16 costs, including payment of claims, settlements, and judgments; maintenance; and road
53.17 operations.

53.18 **Subd. 3. Department resources.** The commissioner shall prepare and submit the
53.19 report with existing department staff and resources.

53.20 **EFFECTIVE DATE.** This section is effective August 1, 2011, except that (1) the
53.21 changes in subdivision 2, clause (2), apply to projects that are substantially completed
53.22 on or after July 1, 2011; and (2) subdivision 2, clause (6), is effective beginning with the
53.23 report due by December 15, 2012.

53.24 Sec. 63. Minnesota Statutes 2010, section 174.632, is amended to read:

53.25 **174.632 PASSENGER RAIL; COMMISSIONER'S DUTIES.**

53.26 (a) The planning, design, development, construction, operation, and maintenance of
53.27 passenger rail track, facilities, and services are governmental functions, serve a public
53.28 purpose, and are a matter of public necessity.

53.29 (b) The commissioner is responsible for all aspects of planning, designing,
53.30 developing, constructing, equipping, operating, and maintaining passenger rail, including
53.31 system planning, alternatives analysis, environmental studies, preliminary engineering,
53.32 final design, construction, negotiating with railroads, and developing financial and
53.33 operating plans.

54.1 (c) The commissioner may enter into a memorandum of understanding or agreement
54.2 with a public or private entity, including a regional railroad authority, a joint powers board,
54.3 and a railroad, to carry out these activities.

54.4 (d) A contract entered into under this section does not affect rights of employees
54.5 under the Federal Employers' Liability Act (Railroads), United States Code, title 45,
54.6 chapter 2, or the federal Railway Labor Act, United States Code, title 45, chapter 8.

54.7 Sec. 64. Minnesota Statutes 2010, section 174.80, is amended by adding a subdivision
54.8 to read:

54.9 Subd. 5. **Dan Patch line.** "Dan Patch line" means the commuter rail line between
54.10 Northfield and Minneapolis identified in the Metropolitan Council's transit 2020 master
54.11 plan as the Dan Patch line.

54.12 Sec. 65. Minnesota Statutes 2010, section 174.88, is amended by adding a subdivision
54.13 to read:

54.14 Subd. 3. **Dan Patch line.** The commissioner and a political subdivision, including
54.15 but not limited to the Metropolitan Council and regional rail authorities, may not expend
54.16 funds for specific study, planning, preliminary engineering, final design, or construction of
54.17 the Dan Patch line.

54.18 Sec. 66. Minnesota Statutes 2010, section 221.0314, subdivision 3a, is amended to
54.19 read:

54.20 Subd. 3a. **Waiver for other medical condition.** (a) The commissioner may grant
54.21 a waiver to a person who is not physically qualified to drive under Code of Federal
54.22 Regulations, title 49, section 391.41, paragraph (b)(3) to (b)(13). A waiver granted under
54.23 this subdivision applies to intrastate transportation only.

54.24 (b) A person who wishes to obtain a waiver under this subdivision must give the
54.25 commissioner the following information:

54.26 (1) the applicant's name, address, and telephone number;

54.27 (2) the name, address, and telephone number of an employer coapplicant, if any;

54.28 (3) a description of the applicant's experience in driving the type of vehicle to be
54.29 operated under the waiver;

54.30 (4) a description of the type of driving to be done under the waiver;

54.31 (5) a description of any modifications to the vehicle the applicant intends to drive
54.32 under the waiver that are designed to accommodate the applicant's medical condition or
54.33 disability;

55.1 (6) whether the applicant has been granted another waiver under this subdivision;

55.2 (7) a copy of the applicant's current driver's license;

55.3 (8) a copy of a medical examiner's certificate showing that the applicant is medically
55.4 unqualified to drive unless a waiver is granted;

55.5 (9) a statement from the applicant's treating physician that includes:

55.6 (i) the extent to which the physician is familiar with the applicant's medical history;

55.7 (ii) a description of the applicant's medical condition for which a waiver is necessary;

55.8 (iii) assurance that the applicant has the ability and willingness to follow any course
55.9 of treatment prescribed by the physician, including the ability to self-monitor or manage
55.10 the medical condition; and

55.11 (iv) the physician's professional opinion that the applicant's condition will not
55.12 adversely affect the applicant's ability to operate a motor vehicle safely; and

55.13 (10) any other information considered necessary by the commissioner including
55.14 requiring a physical examination or medical report from a physician who specializes
55.15 in a particular field of medical practice.

55.16 (c) In granting a waiver under this subdivision, the commissioner may impose
55.17 conditions the commissioner considers necessary to ensure that an applicant is able to
55.18 operate a motor vehicle safely and that the safety of the general public is protected.

55.19 (d) A person who is granted a waiver under this subdivision must:

55.20 (1) at intervals specified in the waiver, give the commissioner periodic reports from
55.21 the person's treating physician, or a medical specialist if the commissioner so requires in
55.22 the waiver, that contain the information described in paragraph (b), clause (9), together
55.23 with a description of any episode that involved the person's loss of consciousness or loss
55.24 of ability to operate a motor vehicle safely; and

55.25 (2) immediately report the person's involvement in an accident for which a report is
55.26 required under section 169.09, subdivision 7.

55.27 (e) The commissioner shall deny an application if, during the three years preceding
55.28 the application:

55.29 (1) the applicant's driver's license has been suspended under section 171.18,
55.30 paragraph (a), clauses (1) to (9), (11), and (12), canceled under section 171.14, or revoked
55.31 under section 171.17, 171.172, or 171.174; ~~or~~

55.32 (2) the applicant has been convicted of a violation under section 171.24; or

55.33 ~~(2)~~ (3) the applicant has been convicted of a disqualifying offense, as defined in
55.34 Code of Federal Regulations, title 49, section 383.51, paragraph (b), which is incorporated
55.35 by reference.

56.1 (f) The commissioner may deny an application or may immediately revoke a
 56.2 waiver granted under this subdivision. Notice of the commissioner's reasons for denying
 56.3 an application or for revoking a waiver must be in writing and must be mailed to
 56.4 the applicant's or waiver holder's last known address by certified mail, return receipt
 56.5 requested. A person whose application is denied or whose waiver is revoked is entitled to
 56.6 a hearing under chapter 14.

56.7 (g) A waiver granted under this subdivision expires on the date of expiration shown
 56.8 on the medical examiner's certificate described in paragraph (b), clause (8).

56.9 Sec. 67. Minnesota Statutes 2010, section 222.50, subdivision 4, is amended to read:

56.10 Subd. 4. **Contract.** The commissioner may negotiate and enter into contracts for the
 56.11 purpose of rail service improvement and may incorporate funds available from the federal
 56.12 ~~rail service continuation program~~ government. The participants in these contracts shall be
 56.13 railroads, rail users, and the department, and may be political subdivisions of the state and
 56.14 the federal government. In such contracts, participation by all parties shall be voluntary.
 56.15 The commissioner may provide a portion of the money required to carry out the terms of
 56.16 any such contract by expenditure from the rail service improvement account.

56.17 Sec. 68. Minnesota Statutes 2010, section 222.51, is amended to read:

56.18 **222.51 PARTICIPATION BY POLITICAL SUBDIVISION.**

56.19 The governing body of any political subdivision of the state may with the approval
 56.20 of the commissioner appropriate money for rail service improvement and may participate
 56.21 in the state rail service improvement program and ~~the federal rail service continuation~~
 56.22 ~~program~~ programs.

56.23 Sec. 69. Minnesota Statutes 2010, section 222.53, is amended to read:

56.24 **222.53 ACCEPTANCE OF FEDERAL MONEY.**

56.25 The commissioner may exercise those powers necessary for the state to qualify
 56.26 for, accept, and disburse any federal money ~~that may be made available pursuant to the~~
 56.27 ~~provisions of the federal rail service continuation program~~, including the power to:

56.28 (1) establish an adequate plan for rail service in the state as part of an overall
 56.29 planning process for all transportation services in the state, including a suitable process for
 56.30 updating, revising, and amending the plan;

56.31 (2) administer and coordinate the plan with other state agencies, and provide for the
 56.32 equitable distribution of resources;

57.1 (3) develop, promote, and support safe, adequate, and efficient rail transportation
 57.2 services; employ qualified personnel; maintain adequate programs of investigation,
 57.3 research, promotion, and development, with provisions for public participation; and take
 57.4 all practical steps to improve transportation safety and reduce transportation-related
 57.5 energy utilization and pollution;

57.6 (4) adopt and maintain adequate procedures for financial control, accounting, and
 57.7 performance evaluation in order to assure proper use of state and federal money;

57.8 (5) do all things otherwise necessary to maximize federal assistance to the state
 57.9 ~~under the federal rail service continuation program.~~

57.10 Sec. 70. Minnesota Statutes 2010, section 222.63, subdivision 9, is amended to read:

57.11 Subd. 9. **Rail bank property use; petty misdemeanors.** (a) Except for the actions
 57.12 of road authorities and their agents, employees, and contractors, and of utilities, in carrying
 57.13 out their duties imposed by permit, law, or contract, and except as otherwise provided in
 57.14 this section, it is unlawful to perform any of the following activities on rail bank property:

57.15 (1) obstruct any trail;

57.16 (2) deposit snow or ice;

57.17 (3) remove or place any earth, vegetation, gravel, or rock without authorization;

57.18 (4) obstruct or remove any ditch-draining device, or drain any harmful or dangerous
 57.19 materials;

57.20 (5) erect a fence, or place or maintain any advertising, sign, or memorial, except
 57.21 upon authorization by the commissioner of transportation;

57.22 (6) remove, injure, displace, or destroy right-of-way markers or reference or witness
 57.23 monuments or markers placed to preserve section or quarter-section corners defining
 57.24 rail bank property limits;

57.25 (7) drive upon any portion of rail bank property, except at approved crossings, and
 57.26 except where authorized for snowmobiles, emergency vehicles, maintenance vehicles, or
 57.27 other vehicles authorized to use rail bank property;

57.28 (8) deface, mar, damage, or tamper with any structure, work, material, sign, marker,
 57.29 paving, guardrail, drain, or any other rail bank appurtenance; ~~or~~

57.30 (9) park, overhang, or abandon any unauthorized vehicle or implement of husbandry
 57.31 on, across, or over the limits of rail bank property;

57.32 (10) plow, disc, or perform any other detrimental operation; or

57.33 (11) place or maintain any building or structure.

57.34 (b) Unless a greater penalty is provided elsewhere in statute, any violation of this
 57.35 subdivision is a ~~petty~~ misdemeanor.

58.1 (c) The cost to remove, repair, or perform any other corrective action necessitated by
58.2 a violation of this subdivision may be charged to the violator.

58.3 Sec. 71. Laws 2009, chapter 59, article 3, section 4, as amended by Laws 2010, chapter
58.4 197, section 1, is amended to read:

58.5 Sec. 4. **LICENSE REINSTATEMENT DIVERSION PILOT PROGRAM.**

58.6 Subdivision 1. **Establishment.** An eligible city or county may establish a license
58.7 reinstatement diversion pilot program for holders of class D drivers' licenses who have
58.8 been charged with violating Minnesota Statutes, section 171.24, subdivision 1 or 2, but
58.9 have not yet entered a plea in the proceedings. An individual charged with driving
58.10 after revocation under Minnesota Statutes, section 171.24, subdivision 2, is eligible for
58.11 diversion only if the revocation was due to a violation of Minnesota Statutes, section
58.12 169.791; 169.797; 169A.52; 169A.54; or 171.17, subdivision 1, paragraph (a), clause (6).
58.13 An individual who is a holder of a commercial driver's license or who has committed an
58.14 offense in a commercial motor vehicle is ineligible for participation in the diversion
58.15 pilot program.

58.16 Subd. 2. **Eligible cities.** Each of the cities of Duluth, St. Paul, South St. Paul,
58.17 West St. Paul, and Inver Grove Heights is eligible to establish the license reinstatement
58.18 diversion pilot program within its city. The commissioner of public safety may permit
58.19 other cities or counties to establish license reinstatement diversion pilot programs within
58.20 their ~~cities~~ jurisdiction.

58.21 Subd. 3. **Contract.** Notwithstanding any law or ordinance to the contrary, an
58.22 eligible city or county may contract with a third party to create and administer the
58.23 diversion program.

58.24 Subd. 4. **Diversion of individual.** A prosecutor for a participating city or county
58.25 may determine whether to accept an individual for diversion, and in doing so shall
58.26 consider:

58.27 (1) whether the individual has a record of driving without a valid license or other
58.28 criminal record, or has previously participated in a diversion program;

58.29 (2) the strength of the evidence against the individual, along with any mitigating
58.30 factors; and

58.31 (3) the apparent ability and willingness of the individual to participate in the
58.32 diversion program and comply with its requirements.

58.33 Subd. 5. **Diversion driver's license.** (a) Notwithstanding any law to the contrary,
58.34 the commissioner of public safety may issue a diversion driver's license to a person who

59.1 is a participant in a pilot program for diversion, following receipt of an application and
59.2 payment of:

59.3 (1) the reinstatement fee under Minnesota Statutes, section 171.20, subdivision 4, by
59.4 a participant whose driver's license has been suspended;

59.5 (2) the reinstatement fee under Minnesota Statutes, section 171.29, subdivision 2,
59.6 paragraph (a), by a participant whose driver's license has been revoked under Minnesota
59.7 Statutes, section 169.791; 169.797; or 171.17, subdivision 1, paragraph (a), clause (6); or

59.8 (3) the reinstatement fee under Minnesota Statutes, section 171.29, subdivision 2,
59.9 paragraph (a), by a participant whose driver's license has been revoked under Minnesota
59.10 Statutes, section 169A.52 or 169A.54. The reinstatement fee and surcharge, both of which
59.11 are provided under Minnesota Statutes, section 171.29, subdivision 2, paragraph (b), also
59.12 must be paid during the course of, and as a condition of, the diversion program.

59.13 The diversion driver's license may bear restrictions imposed by the commissioner suitable
59.14 to the licensee's driving ability or other restrictions applicable to the licensee as the
59.15 commissioner may determine to be appropriate to assure the safe operation of a motor
59.16 vehicle by the licensee.

59.17 (b) Payments by participants in the diversion program of the reinstatement fee and
59.18 surcharge under Minnesota Statutes, section 171.29, subdivision 2, paragraph (b), must be
59.19 applied first toward payment of the reinstatement fee, and after the reinstatement fee has
59.20 been fully paid, toward payment of the surcharge. Each payment that is applied toward
59.21 the reinstatement fee must be credited as provided in Minnesota Statutes, section 171.29,
59.22 subdivision 2, paragraph (b), and each payment that is applied toward the surcharge must
59.23 be credited as provided in Minnesota Statutes, section 171.29, subdivision 2, paragraphs
59.24 (c) and (d). After the reinstatement fee and surcharge are satisfied, the participant must
59.25 pay the program participation fee.

59.26 Subd. 6. **Components of program.** (a) At a minimum, the diversion program
59.27 must require individuals to:

59.28 (1) successfully attend and complete, at the individual's expense, educational classes
59.29 that provide, among other things, information on drivers' licensure;

59.30 (2) pay, according to a schedule approved by the prosecutor, all required fees, fines,
59.31 and charges affecting the individual's driver's license status, including applicable statutory
59.32 license reinstatement fees and costs of participation in the program;

59.33 (3) comply with all traffic laws; and

59.34 (4) demonstrate compliance with vehicle insurance requirements.

59.35 (b) An individual who is accepted into the pilot program is eligible to apply for a
59.36 diversion driver's license.

60.1 Subd. 7. **Termination of participation in diversion program.** (a) An individual's
60.2 participation in the diversion program may terminate when:

60.3 (1) during participation in the program, the individual is guilty of a moving traffic
60.4 violation or failure to provide vehicle insurance;

60.5 (2) the third-party administrator of the diversion program informs the court and the
60.6 commissioner of public safety that the individual is no longer satisfying the conditions
60.7 of the diversion; or

60.8 (3) the third-party administrator informs the court, the prosecutor, and the
60.9 commissioner of public safety that the individual has met all conditions of the diversion
60.10 program, including, at a minimum, satisfactory fulfillment of the components in
60.11 subdivision 6, whereupon the court shall dismiss the charge or the prosecutor shall decline
60.12 to prosecute.

60.13 (b) Upon termination of an individual's participation in the diversion program, the
60.14 commissioner shall cancel the individual's diversion driver's license.

60.15 (c) The original charge against the individual of violation of Minnesota Statutes,
60.16 section 171.24, may be reinstated against an individual whose participation in the
60.17 diversion program terminates under paragraph (a), clause (1) or (2).

60.18 (d) The commissioner shall reinstate the driver's license of an individual whose
60.19 participation in the diversion program terminates under paragraph (a), clause (3).

60.20 Subd. 8. **Report.** (a) By February 1, ~~2011~~ 2013, the commissioner of public
60.21 safety and each eligible city and county that participates in the diversion program shall
60.22 report to the legislative committees with jurisdiction over transportation and the judiciary
60.23 concerning the results of the program. The report must be made electronically and
60.24 available in print only upon request. The report must include, without limitation, the
60.25 effect of the program on:

60.26 (1) recidivism rates for participants in the diversion pilot program;

60.27 ~~(2) the number of unlicensed drivers who continue to drive in violation of Minnesota~~
60.28 ~~Statutes, section 171.24;~~

60.29 ~~(3)~~ (2) payment of the fees and fines collected in the diversion pilot program to
60.30 cities, counties, and the state;

60.31 ~~(4)~~ (3) educational support provided to participants in the diversion pilot program;
60.32 and

60.33 ~~(5)~~ (4) the total number of participants in the diversion pilot program and the
60.34 number of participants who have terminated from the pilot program under subdivision 7,
60.35 paragraph (a), clauses (1) to (3).

61.1 (b) The report must include recommendations regarding the future of the program
61.2 and any necessary legislative changes.

61.3 Subd. 9. **Sunset.** A city or county participating in this pilot program may accept an
61.4 individual for diversion into the pilot program until June 30, ~~2011~~ 2013. The third party
61.5 administering the diversion program may collect and disburse fees collected pursuant to
61.6 subdivision 6, paragraph (a), clause (2), through December 31, ~~2012~~ 2014, at which time
61.7 the pilot program under this section expires.

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

61.9 Sec. 72. **ALTERNATIVE ROUTE ELECTION FOR HIGHWAY 53.**

61.10 By March 15, 2015, the commissioner of transportation, in consultation with the
61.11 commissioner of natural resources and Cleveland Cliffs Mining Company or its successor,
61.12 shall designate a route for that portion of marked Trunk Highway 53 in St. Louis County
61.13 near the city of Virginia by electing either the route designated as "Alt. M-1" or the route
61.14 designated as "Alt. M-2." Construction must begin no later than June 1, 2015.

61.15 Sec. 73. **VARIANCE; SEAPLANE BASE.**

61.16 The commissioner of transportation shall grant a variance for Elbow Lake
61.17 Municipal-Pride of the Prairie Airport, airport code Y63, to be licensed as a public
61.18 seaplane base on Flekkefjord Lake. The commissioner may establish conditions or
61.19 limitations as may be necessary, except that the variance must be provided notwithstanding
61.20 the requirements of any rule to the contrary.

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

61.22 Sec. 74. **REPORT ON ANATOMICAL GIFT ACCOUNT.**

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

61.27 Sec. 75. **2012 AND 2013 REPORTS ON MAJOR HIGHWAY PROJECTS AND**
61.28 **TRUNK HIGHWAY FUND EXPENDITURES.**

61.29 For 2012 and 2013 reports required under Minnesota Statutes, section 174.56, the
61.30 commissioner shall include the results of evaluations of management systems currently
61.31 used by the Department of Transportation. The evaluations must specify the extent to

62.1 which the management of data in these systems is consistent with existing policies and
62.2 the need for statewide, reliable, and verifiable information. The evaluations must be
62.3 performed either by the department's office of internal audit or by an independent external
62.4 auditor. The 2012 report must include the evaluation of construction management systems
62.5 and the program and project management system. The 2013 report must include the
62.6 evaluation of pavement management systems and bridge management systems.

62.7 Sec. 76. **REVISOR'S INSTRUCTION.**

62.8 The revisor of statutes shall recodify Minnesota Statutes, section 171.13,
62.9 subdivisions 1b, 1c, 1d, 1e, 1f, 1g, 1h, 1i, 1j, 1k, and 1l, as Minnesota Statutes, section
62.10 171.0705. The revisor shall correct any cross-references made necessary by this
62.11 recodification.

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

62.13 Sec. 77. **REPEALER.**

62.14 (a) Minnesota Statutes 2010, section 161.115, subdivision 263, is repealed.

62.15 (b) Minnesota Statutes 2010, section 222.48, subdivision 3a, is repealed.

62.16 (c) Minnesota Statutes 2010, section 161.08, subdivision 2, is repealed.

62.17 (d) Minnesota Statutes 2010, section 168.012, subdivision 1b, is repealed.

62.18 (e) Laws 2002, chapter 393, section 85, is repealed.

62.19 (f) Minnesota Statutes 2010, section 169A.54, subdivision 5, is repealed.

62.20 (g) Laws 2008, chapter 350, article 1, section 5, the effective date, as amended by
62.21 Laws 2010, chapter 351, section 65, is repealed.

62.22 **EFFECTIVE DATE.** Paragraph (a) is effective the day after the commissioner of
62.23 transportation sends notice to the revisor of statutes electronically or in writing that the
62.24 conditions required to transfer the route have been satisfied. Paragraph (g) is effective
62.25 August 1, 2011.