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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 4608

03/07/2024 Authored by Tabke, Koegel, Brand, Noor, Lislegard and others
The bill was read for the first time and referred to the Committee on Transportation Finance and Policy

1.1 A bill for an act
1.2 relating to transportation; providing for commercial transportation; establishing a
1.3 commercial driver training assistance program; establishing a truck parking
1.4 improvement program; appropriating money; authorizing the sale and issuance of
1.5 state bonds; amending Minnesota Statutes 2022, sections 171.01, by adding a
1.6 subdivision; 171.13, subdivision 8; 171.3213; proposing coding for new law in
1.7 Minnesota Statutes, chapters 171; 174; repealing Minnesota Rules, part 7410.6180.

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

1.9 Section 1. Minnesota Statutes 2022, section 171.01, is amended by adding a subdivision
1.10 to read:

1.11 Subd. 45c. Road test. "Road test" means the actual physical demonstration of skills and
1.12 ability to exercise ordinary and reasonable control in the operation of a motor vehicle. As
1.13 appropriate, a road test includes demonstration of ability to perform an inspection of a
1.14 vehicle and equipment.

1.15 Sec. 2. Minnesota Statutes 2022, section 171.13, subdivision 8, is amended to read:

1.16 Subd. 8. Test scheduling. The commissioner must not schedule or reserve recurring
1.17 time with a public, private, or commercial driver education program for purposes of
1.18 administering skills or road tests to a class D or commercial driver's license applicant.

1.19 Sec. 3. Minnesota Statutes 2022, section 171.3213, is amended to read:

1.20 171.3213 THIRD-PARTY TESTING OF SCHOOL BUS CERTAIN DRIVERS.

1.21 (a) A school district that is a third-party testing program and owns or operates school
1.22 buses may enter into an agreement with other school districts to administer the road test for

2.1 the other districts' school bus driver employees. A school bus company that is a third-party
 2.2 testing program and owns or operates school buses may enter into an agreement with other
 2.3 school bus companies to administer the road test for the other companies' school bus driver
 2.4 employees.

2.5 (b) A third-party testing program may enter into an agreement with a public, private, or
 2.6 commercial driver education program to administer the road test for a commercial driver's
 2.7 license, and any necessary associated endorsements, to a student enrolled at the driver
 2.8 education program.

2.9 (c) A third-party testing program that performs testing under this section may be
 2.10 reimbursed by the tested driver's school district or, school bus company, or driver education
 2.11 program.

2.12 (d) The agreement under this section must be submitted to the commissioner for approval.
 2.13 A certified third-party tester must be employed by a school district or a school bus company
 2.14 providing the third-party testing program that provides the testing services.

2.15 Sec. 4. **[171.45] COMMERCIAL DRIVER TRAINING ASSISTANCE PROGRAM.**

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

2.18 (b) "Award recipient" means an individual who receives an award of financial assistance
 2.19 under the program.

2.20 (c) "CDL training" means education and training for purposes of an individual to operate
 2.21 a motor vehicle under a commercial driver's license or related endorsement.

2.22 (d) "Commercial driver training school" has the meaning given in section 171.33,
 2.23 subdivision 1.

2.24 (e) "Driver training school" means a commercial driver training school or a postsecondary
 2.25 school that provides CDL training.

2.26 (f) "Postsecondary school" means a postsecondary college or university that provides a
 2.27 driver education program that is exempt from approval or licensure by the commissioner
 2.28 under rules adopted by the commissioner.

2.29 (g) "Program" means the commercial driver training assistance program established in
 2.30 this section.

2.31 (h) "Registered employer" means an employer that the commissioner has registered as
 2.32 a participant in the program.

3.1 (i) "Registered provider" means a driver training school that the commissioner has
3.2 registered as a participant in the program.

3.3 Subd. 2. **Program establishment.** Subject to available funds, the commissioner must
3.4 implement a commercial driver training assistance program to provide financial support for
3.5 individuals to receive education and training to operate a motor vehicle under a commercial
3.6 driver's license or related endorsement.

3.7 Subd. 3. **Program administration.** (a) The commissioner must establish program
3.8 requirements in conformance with this section, which must include but is not limited to:

3.9 (1) establishing procedures to allocate financial assistance on a first-come, first-served
3.10 basis to (i) an individual under subdivision 8, or (ii) a motor carrier under subdivision 9;

3.11 (2) publishing a manual on the program that describes requirements and procedures;

3.12 (3) establishing standards for calculation of stipends for living expenses; and

3.13 (4) maintaining functionality and information for the program on the department's website
3.14 that includes:

3.15 (i) an overview of the program;

3.16 (ii) a summary of expenditures and awards of financial assistance;

3.17 (iii) methods for submission of applications under subdivisions 4 to 6;

3.18 (iv) listings of registered providers and registered employers, with appropriate detail
3.19 and descriptions; and

3.20 (v) methods for submission of reports under subdivision 10.

3.21 (b) The commissioner must not expend more than three percent of funds made available
3.22 in a fiscal year under this section on program administration.

3.23 Subd. 4. **Eligibility for assistance.** To be eligible to receive financial assistance under
3.24 the program, an individual must:

3.25 (1) submit an application for financial assistance that is approved by the commissioner,
3.26 which must include:

3.27 (i) identification of at least two motor carriers with whom the applicant has performed
3.28 a job shadow involving operation of a commercial motor vehicle; and

3.29 (ii) a summary of work plans or career pathway goals involving commercial driving;

3.30 (2) possess a valid Minnesota driver's license;

4.1 (3) be a citizen of the United States;

4.2 (4) be a resident of this state;

4.3 (5) be 18 years of age or older;

4.4 (6) meet the requirements of an applicant for a class A, class B, or class C commercial
4.5 driver's license under section 171.162; and

4.6 (7) not have had a driver's license suspended or revoked for a driving-related violation
4.7 within the last five years.

4.8 Subd. 5. **Driver training schools.** To be a registered provider, a driver training school
4.9 must:

4.10 (1) submit a registration application to the commissioner;

4.11 (2) provide CDL training in compliance with the requirements under Code of Federal
4.12 Regulations, title 49, part 380, subpart F, or successor requirements;

4.13 (3) be listed on the training provider registry maintained by the Federal Motor Carrier
4.14 Safety Administration; and

4.15 (4) be in good standing, as determined by the commissioner.

4.16 Subd. 6. **Employers.** To be a registered employer, an employer must:

4.17 (1) submit a registration application to the commissioner;

4.18 (2) agree to:

4.19 (i) provide or participate in job shadowing, ride-alongs, and career exploration events;
4.20 and

4.21 (ii) submit information to the commissioner on individuals and activities involved under
4.22 item (i);

4.23 (3) offer supplemental driver instruction or another form of entry-level driver support
4.24 for the first year of a grant recipient's employment; and

4.25 (4) unless the employer is self-insured, provide an approval from an insurer that the
4.26 employer may hire a person who has recently obtained a commercial driver's license.

4.27 Subd. 7. **Applications; denials; removals.** (a) An application submitted under
4.28 subdivisions 4 to 6 must be in the form and manner specified by the commissioner.

4.29 (b) Following a registration application submitted under subdivision 5 or 6, the
4.30 commissioner must register or deny registration for the applicant. On a determination of

5.1 good cause, the commissioner may remove a registered provider or a registered employer.
5.2 The commissioner must establish a process for an applicant, registered provider, or registered
5.3 employer to initiate a review of the denial or removal.

5.4 Subd. 8. **Financial assistance; awards to individuals.** (a) The commissioner may only
5.5 award financial assistance to an individual who:

5.6 (1) meets the requirements under subdivision 4;

5.7 (2) receives CDL training from a registered provider; and

5.8 (3) agrees to the terms of financial assistance and repayment established by the
5.9 commissioner as provided under subdivision 10.

5.10 (b) Subject to available funds, the amount awarded to an individual must equal:

5.11 (1) the total customarily charged by the registered provider for education and training
5.12 specifically related to a commercial driver's license, which may include but is not limited
5.13 to tuition, books and course materials, and associated fees; plus

5.14 (2) a stipend for reasonable living expenses, as determined by the commissioner; less

5.15 (3) any amount of financial aid or deductions that are reasonably applicable to reduce
5.16 the total that would otherwise be charged for the training and education.

5.17 (c) The commissioner may make payments to an award recipient or to a registered
5.18 provider who provides driver training to an award recipient.

5.19 Subd. 9. **Financial assistance; reimbursement to motor carriers.** (a) A motor carrier
5.20 is eligible to receive financial assistance under the program.

5.21 (b) The commissioner may only provide reimbursement to a motor carrier that:

5.22 (1) submits a request for reimbursement that is approved by the commissioner;

5.23 (2) is a private driver training school that provides CDL training and meets the
5.24 requirements under subdivision 5, clauses (2) to (4);

5.25 (3) is a registered employer; and

5.26 (4) agrees to the terms of financial assistance and repayment established by the
5.27 commissioner as provided under subdivision 10.

5.28 (c) Subject to available funds, the amount of reimbursement must equal the costs
5.29 customarily incurred by the motor carrier for CDL training of only those individuals who
5.30 meet the requirements under subdivision 4, clauses (2) to (7), which include but are not

6.1 limited to instructor salaries, books and course materials, vehicle maintenance and operating
6.2 costs, fuel, and insurance.

6.3 (d) The reimbursement under paragraph (c) must not exceed \$..... per individual.

6.4 Subd. 10. **Financial assistance; terms and repayment.** (a) The commissioner must
6.5 establish terms of financial assistance that include requiring that the applicable individual:

6.6 (1) successfully completes driver training with a registered provider or a motor carrier
6.7 under subdivision 9;

6.8 (2) is issued a commercial driver's license within six months of training completion
6.9 under clause (1);

6.10 (3) is employed with one or more registered employers for a total period of at least one
6.11 year in a position that requires a commercial driver's license, which must occur within 24
6.12 months of training completion under clause (1); and

6.13 (4) does not lose motor vehicle operating privileges during the period under clauses (1)
6.14 to (3).

6.15 (b) The commissioner must establish requirements and a schedule for prorated repayment
6.16 of financial assistance for an applicable individual who does not meet the terms under
6.17 paragraph (a).

6.18 Subd. 11. **Reporting.** (a) The following entities must submit quarterly reporting
6.19 information in the form and manner specified by the commissioner:

6.20 (1) an award recipient;

6.21 (2) a registered provider that provides education and training to an award recipient;

6.22 (3) a registered employer that employs an award recipient; and

6.23 (4) a motor carrier that receives financial assistance.

6.24 (b) Reports are required under paragraph (a), clauses (1) and (2), during the period that
6.25 an award recipient receives financial assistance. Reports are required under paragraph (a),
6.26 clause (3), for a period of one year following initial hiring of an award recipient. Reports
6.27 are required under paragraph (a), clause (4), for a period of one year following completion
6.28 of driver training.

6.29 Sec. 5. **[174.68] TRUCK PARKING IMPROVEMENT PROGRAM.**

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

7.1 (b) "Commissioner" means the commissioner of transportation.

7.2 (c) "Program" means the truck parking improvement program established in this section.

7.3 Subd. 2. **Program established.** The commissioner must implement a truck parking
7.4 improvement program to support improvements related to truck parking access, availability,
7.5 and safety.

7.6 Subd. 3. **Program administration.** (a) The commissioner must establish program
7.7 requirements in conformance with this section, including but not limited to a competitive
7.8 process for project evaluation and discretionary award of financial assistance.

7.9 (b) The commissioner must conduct a solicitation for projects under the program in each
7.10 fiscal year for which funds are available. The commissioner must make reasonable efforts
7.11 to publicize each solicitation among all eligible recipients.

7.12 (c) The commissioner may authorize expenditures, provide grants, or provide other
7.13 financial assistance for a project.

7.14 (d) The commissioner is prohibited from expending more than one percent of available
7.15 funds in a fiscal year under this section on program administration.

7.16 Subd. 4. **Eligibility.** Eligible recipients of financial assistance under this section are:

7.17 (1) the Department of Transportation;

7.18 (2) a county;

7.19 (3) a statutory or home rule charter city that receives aid from the municipal state-aid
7.20 street fund under chapter 162;

7.21 (4) a statutory or home rule charter city or a town in partnership with a political
7.22 subdivision under clause (2) or (3);

7.23 (5) a metropolitan planning organization;

7.24 (6) a public or private port authority;

7.25 (7) an established truck stop business; and

7.26 (8) an entity operating under a public-private partnership authorized by the commissioner.

7.27 Subd. 5. **Project evaluation.** In developing and maintaining criteria to evaluate
7.28 applications, the commissioner must consult with the Minnesota Trucking Association and
7.29 any advisory committees on the freight transportation system established by the
7.30 commissioner.

8.1 Subd. 6. Use of funds. (a) Financial assistance under the program may be used for:

8.2 (1) predesign, design, engineering, acquisition of land or permanent easements,
8.3 environmental analysis and remediation, construction, reconstruction, and maintenance of
8.4 truck parking facilities;

8.5 (2) construction and maintenance of truck parking information systems;

8.6 (3) construction and maintenance of bathroom facilities that serve truck parking facilities;

8.7 (4) installation and relocation of utilities necessary for additional truck parking capacity;

8.8 (5) local match for federal grants for truck safety, truck parking, and hydrogen or electric
8.9 truck fueling improvements; and

8.10 (6) truck parking studies.

8.11 (b) Financial assistance provided under the program from the bond proceeds fund may
8.12 only be expended on bond-eligible costs as determined by the commissioner of management
8.13 and budget. Financial assistance provided under the program from the bond proceeds account
8.14 in the trunk highway fund may only be expended on trunk highway bond-eligible costs as
8.15 determined by the commissioner of management and budget.

8.16 Subd. 7. Public information. The commissioner must publish information regarding
8.17 the program on the department's website. The information must include:

8.18 (1) an overview of program requirements and implementation;

8.19 (2) identification of all projects considered in each project selection round; and

8.20 (3) a review of each selected project, with amounts and sources of funding.

8.21 **Sec. 6. APPROPRIATION; COMMERCIAL DRIVER TRAINING ASSISTANCE**
8.22 **PROGRAM.**

8.23 (a) \$6,000,000 in fiscal year 2025 is appropriated from the general fund to the
8.24 commissioner of transportation for the commercial driver training assistance program under
8.25 Minnesota Statutes, section 171.45. This is a onetime appropriation and is available until
8.26 June 30, 2027.

8.27 (b) The commissioner may expend money in the driver and vehicle services technology
8.28 account in the special revenue fund for information systems purposes related to the
8.29 commercial driver training assistance program.

9.1 Sec. 7. **APPROPRIATIONS; TRUCK PARKING IMPROVEMENT PROGRAM.**

9.2 Subdivision 1. Appropriation; general fund. \$..... in fiscal year 2025 is appropriated
9.3 from the general fund to the commissioner of transportation for the truck parking
9.4 improvement program under Minnesota Statutes, section 174.68. This is a onetime
9.5 appropriation and is available until June 30, 2027.

9.6 Subd. 2. Appropriation; general obligation bonds. \$..... is appropriated from the
9.7 bond proceeds fund to the commissioner of transportation for the truck parking improvement
9.8 program under Minnesota Statutes, section 174.68.

9.9 Subd. 3. Bond sale. To provide the money appropriated in subdivision 2 from the bond
9.10 proceeds fund, the commissioner of management and budget must sell and issue bonds of
9.11 the state in an amount up to \$..... in the manner, upon the terms, and with the effect
9.12 prescribed by Minnesota Statutes, sections 16A.631 to 16A.675, and by the Minnesota
9.13 Constitution, article XI, sections 4 to 7.

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

9.15 Sec. 8. **REPEALER.**

9.16 Minnesota Rules, part 7410.6180, is repealed.

7410.6180 COMMERCIAL MOTOR VEHICLE TESTING PROGRAM.

A public, postsecondary educational institution or school as described in part 7410.6100 applying to be a third-party testing program for commercial motor vehicles shall offer a training course for commercial motor vehicle operation that consists of at least 180 hours of training.