

CONFERENCE COMMITTEE REPORT ON S.F. No. 1270

A bill for an act

relating to transportation; modifying provisions governing transportation and public safety policies, including highway signs, highway jurisdictions, accounts, state-aid definitions and variances, vehicle registration and license plates, record retention, conformance with federal law, motor vehicle dealers, type III vehicles, bicycle lanes, speed limit, disability parking, school bus safety, vehicle weights, background checks, senior identification cards, Department of Transportation offices and ombudsperson and surplus land, railroad crossing signs, bus rapid transit, transit planning, operations, and accessibility, and land conveyance; amending Minnesota Statutes 2012, sections 160.80, subdivisions 1, 1a, 2; 161.04, subdivision 5; 161.115, subdivision 229, by adding a subdivision; 161.1231, subdivision 8; 161.44, by adding a subdivision; 162.02, subdivision 3a; 162.09, subdivision 3a; 162.13, subdivision 2; 168.017, subdivisions 2, 3; 168.053, subdivision 1; 168.123, subdivision 2; 168.183, subdivision 1; 168.187, subdivision 17; 168.27, subdivisions 10, 11, by adding a subdivision; 168A.153, subdivisions 1, 2, 3, by adding a subdivision; 168B.15; 169.011, subdivision 71; 169.14, subdivision 2; 169.18, subdivisions 4, 7; 169.19, subdivision 1; 169.34, subdivision 1; 169.346, subdivision 2, by adding a subdivision; 169.443, subdivision 9; 169.447, subdivision 2; 169.454, subdivision 12; 169.824, subdivision 2; 171.01, subdivision 49b; 171.07, subdivisions 3a, 4; 171.12, subdivision 6; 174.02, by adding a subdivision; 174.24, subdivision 5a; 219.17; 219.18; 219.20; 221.0314, subdivisions 2, 3a, 9a; 398A.04, by adding a subdivision; Laws 2002, chapter 393, section 85; Laws 2009, chapter 59, article 3, section 4, subdivision 9, as amended; proposing coding for new law in Minnesota Statutes, chapters 171; 174; repealing Minnesota Statutes 2012, sections 168.094; 174.24, subdivision 5; Minnesota Rules, parts 8820.3300, subpart 2; 8835.0330, subpart 2.

May 9, 2013

The Honorable Sandra L. Pappas
President of the Senate

The Honorable Paul Thissen
Speaker of the House of Representatives

We, the undersigned conferees for S.F. No. 1270 report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and that S.F. No. 1270 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2012, section 160.21, subdivision 6, is amended to read:

Subd. 6. **Uncompleted subdivisions.** (a) A road authority, including a statutory or home rule charter city, may remove snow from unopened or private roads in uncompleted subdivisions containing five or more lots, upon adoption of an annual resolution finding that the subdivision developer, due to general insolvency or pending foreclosure, is unable to maintain the roads and that public safety may be jeopardized if the access of school buses, public works vehicles, or authorized emergency vehicles, as defined in section 169.011, subdivision 3, is obstructed. Snow removal activities are limited to streets reasonably necessary for access by these buses or vehicles.

(b) Snow removal under this subdivision does not constitute:

(1) acceptance of the road from the developer by the road authority for public use;

(2) the opening of the road to public use; nor

(3) a use, repair, or maintenance of the road sufficient for the purposes of dedication of roads under section 160.05.

(c) The road authority may impose a reasonable and proportionate charge on all properties within the subdivision for services provided under this subdivision. These charges, if unpaid, may constitute a lien upon the properties within the subdivision and may be collected as a special assessment as provided by section 429.101 or by charter.

(d) Where a road has been maintained pursuant to this subdivision, the road authority with jurisdiction over the road, and its officers and employees, are exempt from liability for any tort claim for injury to person or property arising from plowing, maintaining, or otherwise working on the road and from traveling on the road and related to its maintenance or condition. This paragraph does not apply to a claim for injury that is affirmatively caused by a negligent act of the road authority or its officers and employees.

(e) This subdivision expires May 2, ~~2013~~ 2014.

EFFECTIVE DATE. This section is effective retroactively from May 1, 2013.

Sec. 2. Minnesota Statutes 2012, section 160.80, subdivision 1, is amended to read:

Subdivision 1. **Commissioner may establish program.** (a) The commissioner of transportation may establish a sign franchise program for the purpose of providing on the right-of-way of interstate and controlled-access trunk highways specific information on gas, food, camping, lodging, attractions, and 24-hour pharmacies for the benefit of the motoring public.

(b) The sign franchise program must include urban interstate highways.

Sec. 3. Minnesota Statutes 2012, section 160.80, subdivision 1a, is amended to read:

Subd. 1a. **Eligibility criteria for business panels.** (a) To be eligible for a business panel on a logo sign panel, a business establishment must:

- (1) be open for business;
- (2) have a sign on site that both identifies the business and is visible to motorists;
- (3) be open to everyone, regardless of race, religion, color, age, sex, national origin, creed, marital status, sexual orientation, or disability; and
- (4) ~~not impose a cover charge or otherwise require customers to purchase additional products or services; and~~
- (5) meet the appropriate criteria in paragraphs (b) to (f) (k).

(b) Gas businesses must provide vehicle services including fuel gas or alternative fuels and oil; restroom facilities and drinking water; continuous, staffed operation at least 12 hours a day, seven days a week; and public access to a telephone.

(c) Food businesses must serve at least two meals a day during normal mealtimes of breakfast, lunch, and dinner; provide a continuous, staffed food service operation at ~~least ten hours a day, seven days a~~ six days per week except holidays as defined in section 645.44, subdivision 5, and except as provided for seasonal food service businesses; provide seating capacity for at least 20 people; provide restroom facilities; provide public access to a telephone; and possess any required state or local licensing or approval. Seasonal food service businesses must provide a continuous, staffed food service operation ~~at least ten hours a day serving at least two meals per day six days per week, seven days a week;~~ during their months of operation.

(d) Lodging businesses must include sleeping accommodations, provide public access to a telephone, provide restroom facilities, and possess any required state or local licensing or approval.

(e) Camping businesses must include sites for camping, include parking accommodations for each campsite, provide sanitary facilities and drinking water, and possess any required state or local licensing or approval.

(f) 24-hour pharmacy businesses must be continuously operated 24 hours per day, seven days per week, and must have a state-licensed pharmacist present and on duty at all times.

(g) Attractions businesses must have regional significance with the primary purpose of providing amusement, historical, cultural, or leisure activities to the public; provide restroom facilities and drinking water; possess any required state or local licensing approval; and provide adequate bus and vehicle parking accommodations for normal attendance.

~~(g)~~ (h) Seasonal businesses must indicate to motorists when they are open for business by either putting the full months of operation directly on the business panel or by having a "closed" plaque applied to the business panel when the business is closed for the season.

~~(h)~~ (i) The maximum distance that an eligible business in ~~Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, or Washington County~~ an urban area can be located from the interchange is: for gas, food, lodging, attraction, and 24-hour pharmacy businesses, ~~one mile~~ three miles; for food businesses, ~~two miles~~; for lodging businesses and 24-hour pharmacies, ~~three miles~~; and for camping businesses, ten miles.

~~(i)~~ (j) The maximum distance that an eligible business in ~~any other county~~ a rural area can be located from the interchange shall not exceed 15 miles in either direction, except the maximum distance that an eligible 24-hour pharmacy business can be located from the interchange shall not exceed three miles in either direction.

~~(j)~~ Logo sign panels must be erected so that motorists approaching an interchange view the panels in the following order: 24-hour pharmacy, camping, lodging, food, gas.

~~(k)~~ If there is insufficient space on a logo sign panel to display all eligible businesses for a specific type of service, the businesses closest to the interchange have priority over businesses farther away from the interchange.

(k) If there is available space on a logo sign panel and no application has been received by the franchise from a fully eligible business, a substantially eligible business may be allowed the space.

Sec. 4. Minnesota Statutes 2012, section 160.80, subdivision 2, is amended to read:

Subd. 2. **Franchises.** The commissioner may, by public negotiation or bid, grant one or more franchises to qualified persons to erect and maintain, on the right-of-way of interstate and controlled-access trunk highways, signs informing the motoring public of gas, food, lodging, camping facilities, attractions, and 24-hour pharmacies. A franchisee shall furnish, install, maintain, and replace signs for the benefit of advertisers who provide gas, food, lodging, camping facilities, attractions, and 24-hour pharmacies for the general public, and lease advertising space on the signs to operators of these facilities.

Sec. 5. Minnesota Statutes 2012, section 161.04, subdivision 5, is amended to read:

Subd. 5. **Trunk highway emergency relief account.** (a) The trunk highway emergency relief account is created in the trunk highway fund. Money in the account is appropriated to the commissioner to be used to fund relief activities related to an emergency, as defined in section 161.32, subdivision 3, or under section 12A.16, subdivision 1.

(b) Reimbursements by the Federal Highway Administration for emergency relief payments made from the trunk highway emergency relief account must be credited to the account. ~~Interest accrued on the account must be credited to the account.~~ Notwithstanding section 16A.28, money in the account is available until spent. If the balance of the account at the end of a fiscal year is greater than \$10,000,000, the amount above \$10,000,000 must be canceled to the trunk highway fund.

(c) By September 1, 2012, and in every subsequent even-numbered year by September 1, the commissioner shall submit a report to the chairs and ranking minority members of the senate and house of representatives committees having jurisdiction over transportation policy and finance. The report must include the balance, as well as details of payments made from and deposits made to the trunk highway emergency relief account since the last report.

Sec. 6. Minnesota Statutes 2012, section 161.115, subdivision 229, is amended to read:

Subd. 229. **Route No. 298.** Beginning at a point on Route No. 21 in the city of Faribault; thence extending in a southerly and easterly direction ~~through the grounds of the Minnesota State Academy for the Blind, the Faribault Regional Treatment Center, and the Minnesota Correctional Facility - Faribault~~ to a point on Route No. 323.

Sec. 7. Minnesota Statutes 2012, section 161.115, is amended by adding a subdivision to read:

Subd. 270. **Route No. 339.** Beginning at a point on Route No. 45, thence extending easterly to a point on the boundary line between the states of Minnesota and Wisconsin.

Sec. 8. Minnesota Statutes 2012, section 161.1231, subdivision 8, is amended to read:

Subd. 8. **Special account.** Fees collected by the commissioner under this section must be deposited in the state treasury and credited to a special account. Money in the account is appropriated to the commissioner to construct, operate, repair, and maintain: (1) the parking facilities and the high-occupancy vehicle, (2) managed lanes on I-394, and (3) related multimodal and technology improvements that serve users of the parking facilities.

Sec. 9. Minnesota Statutes 2012, section 161.44, is amended by adding a subdivision to read:

Subd. 1a. **Periodic review.** (a) The commissioner is encouraged to examine all real property owned by the state and under the custodial control of the department to decide whether any real property may be suitable for sale or some other means of disposal.

(b) The commissioner may not sell or otherwise dispose of property under this subdivision unless: (1) an analysis has been performed of suitability of the property for bicycle or pedestrian facilities, which must take into account any relevant nonmotorized transportation plans or in the absence of such plans, demographic and development factors affecting the region; and (2) the analysis demonstrates that (i) the property is not reasonably suitable for bicycle or pedestrian facilities, and (ii) there is not a likelihood of facility development involving the property.

(c) The commissioner shall report the findings under paragraph (a) to the house of representatives and senate committees with jurisdiction over transportation policy and finance by March 1 of each odd-numbered year. The report may be submitted electronically, and is subject to section 3.195, subdivision 1.

Sec. 10. Minnesota Statutes 2012, section 162.02, subdivision 3a, is amended to read:

Subd. 3a. **Variances from rules and engineering standards.** (a) The commissioner may grant variances from the rules and from the engineering standards developed pursuant to section 162.021 or 162.07, subdivision 2. A political subdivision in which a county state-aid highway is located or is proposed to be located may submit a written request to the commissioner for a variance for that highway. The commissioner shall comply with section 174.75, subdivision 5, in evaluating a variance request related to a complete streets project.

~~(b) The commissioner shall publish notice of the request in the State Register and give notice to all persons known to the commissioner to have an interest in the matter. The commissioner may grant or deny the variance within 30 days of providing notice of receiving the variance request. If a written objection to the request is received within seven days of providing notice, the variance shall be granted or denied only after a contested case hearing has been held on the request. If no timely objection is received and the variance is denied without hearing, the political subdivision may request, within 30 days of receiving notice of denial, and shall be granted a contested case hearing.~~

(c) For purposes of this subdivision, "political subdivision" includes (1) an agency of a political subdivision which has jurisdiction over parks, and (2) a regional park authority.

Sec. 11. Minnesota Statutes 2012, section 162.09, subdivision 3a, is amended to read:

Subd. 3a. **Variances from rules and engineering standards.** (a) The commissioner may grant variances from the rules and from the engineering standards developed pursuant to section 162.13, subdivision 2. A political subdivision in which a municipal state-aid street is located or is proposed to be located may submit a written request to the

commissioner for a variance for that street. The commissioner shall comply with section 174.75, subdivision 5, in evaluating a variance request related to a complete streets project.

~~(b) The commissioner shall publish notice of the request in the State Register and give notice to all persons known to the commissioner to have an interest in the matter.~~

The commissioner may grant or deny the variance within 30 days of ~~providing notice of receiving the variance request. If a written objection to the request is received within seven days of providing notice, the variance shall be granted or denied only after a contested case hearing has been held on the request. If no timely objection is received and the variance is denied without hearing, the political subdivision may request, within 30 days of receiving notice of denial, and shall be granted a contested case hearing.~~

(c) For purposes of this subdivision, "political subdivision" includes (1) an agency of a political subdivision which has jurisdiction over parks, and (2) a regional park authority.

Sec. 12. Minnesota Statutes 2012, section 162.13, subdivision 2, is amended to read:

Subd. 2. **Money needs defined.** For the purpose of this section money needs of each city having a population of 5,000 or more are defined as the estimated cost of constructing and maintaining over a period of 25 years the municipal state-aid street system in such city. Right-of-way costs and drainage shall be included in money needs. Lighting costs and other costs incidental to construction and maintenance, or a specified portion of such costs, as set forth in the commissioner's rules, may be included in determining money needs. ~~When a county locates a county state-aid highway over a portion of a street in any such city and the remaining portion is designated as a municipal state-aid street only the construction and maintenance costs of the portion of the street other than the portions taken over by the county shall be included in the money needs of the city.~~ To avoid variances in costs due to differences in construction and maintenance policy, construction and maintenance costs shall be estimated on the basis of the engineering standards developed cooperatively by the commissioner and the engineers, or a committee thereof, of the cities.

Sec. 13. Minnesota Statutes 2012, section 168.017, subdivision 2, is amended to read:

Subd. 2. **12 uniform registration periods.** There are established 12 registration periods, each to be designated by a calendar month and to start on the first day of such month and end on the last day of the 12th month from the date of commencing. ~~The registrar shall administer the monthly series system of registration to distribute the work of registering vehicles described in subdivision 1 as uniformly as practicable through the calendar year.~~ The registrar shall register all vehicles subject to registration under the monthly series system for a minimum period of 12 consecutive calendar months.

Sec. 14. Minnesota Statutes 2012, section 168.017, subdivision 3, is amended to read:

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

(1) the application is an original ~~rather than renewal application~~ under section 168.127; or

(2) the applicant is a licensed motor vehicle lessor under section 168.27 and the vehicle is leased or rented for periods of time of not more than 28 days, in which case the applicant may apply for initial or renewed registration of a vehicle for a period of four or more months, the month of expiration to be designated by the applicant at the time of registration. To qualify for this exemption, the applicant must present the application to the ~~registrar at St. Paul, or~~ a designated deputy registrar office. Subsequent registration periods when the applicant is not a qualified motor vehicle lessor under this subdivision must be for a period of 12 months commencing from the last month for which registration was issued.

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

Sec. 15. Minnesota Statutes 2012, section 168.053, subdivision 1, is amended to read:

Subdivision 1. **Application; fee; penalty.** Any person, firm, or corporation engaged in the business of transporting motor vehicles owned by another, by delivering, by drive-away or towing methods, either singly or by means of the full mount method, the saddle mount method, the tow bar method, or any other combination thereof, and under their own power, vehicles over the highways of the state from the manufacturer or any other point of origin, to any point of destination, within or without the state, shall make application to the registrar for a drive-away in-transit license. This application for annual license shall be accompanied by a registration fee of \$250 and contain ~~such~~ information as the registrar may require. Upon the filing of the application and the payment of the fee, the registrar shall issue to each drive-away operator a drive-away in-transit license plate, which must be carried and displayed on the power unit consistent with section 169.79 and the plate shall remain on the vehicle while being operated within ~~the state~~ Minnesota. The license plate issued under this subdivision is not valid for the purpose of permanent vehicle registration and is not valid outside Minnesota. Additional drive-away in-transit license plates desired by any drive-away operator may be secured from the registrar of motor vehicles upon the payment of a fee of \$5 for each set of additional license plates. Any person, firm, or corporation engaging in the business as a drive-away operator, of

transporting and delivering by means of full mount method, the saddle mount method, the tow bar method, or any combination thereof, and under their own power, motor vehicles, who fails or refuses to file or cause to be filed an application, as is required by law, and to pay the fees therefor as the law requires, shall be found guilty of violating the provisions of sections 168.053 to 168.057; and, upon conviction, fined not less than \$50, and not more than \$100, and all costs of court. Each day so operating without securing the license and plates as required therein shall constitute a separate offense within the meaning thereof.

Sec. 16. Minnesota Statutes 2012, section 168.123, subdivision 2, is amended to read:

Subd. 2. **Design.** The commissioner of veterans affairs shall design the emblem for the veterans' special plates, subject to the approval of the commissioner, that satisfy the following requirements:

(a) For a Vietnam veteran who served after July 1, 1961, and before July 1, 1978, in the active military service in a branch of the armed forces of the United States or a nation or society allied with the United States the special plates must bear the inscription "VIETNAM VET." and the letters "V" and "V" with the first letter directly above the second letter and both letters just preceding the first numeral of the special plate number.

(b) For a veteran stationed on the island of Oahu, Hawaii, or offshore, during the attack on Pearl Harbor on December 7, 1941, the special plates must bear the inscription "PEARL HARBOR SURVIVOR." and the letters "P" and "H" with the first letter directly above the second letter and both letters just preceding the first numeral of the special plate number.

(c) For a veteran who served during World War I or World War II, the plates must bear the inscription "WORLD WAR VET." and:

(1) for a World War I veteran, the characters "W" and "I" with the first character directly above the second character and both characters just preceding the first numeral of the special plate number; or

(2) for a World War II veteran, the characters "W" and "H" with the first character directly above the second character and both characters just preceding the first numeral of the special plate number.

(d) For a veteran who served during the Korean Conflict, the special plates must bear the inscription "KOREAN VET." and the letters "K" and "V" with the first letter directly above the second letter and both letters just preceding the first numeral of the special plate number.

(e) For a combat wounded veteran who is a recipient of the Purple Heart medal, the plates must bear the inscription "COMBAT WOUNDED VET" and have a facsimile or an

emblem of the official Purple Heart medal ~~and the letters "C" over "W" with the first letter directly over the second letter just preceding the first numeral of the special plate number.~~

A member of the United States armed forces who is serving actively in the military and who is a recipient of the Purple Heart medal is also eligible for this license plate. The commissioner of public safety shall ensure that information regarding the required proof of eligibility for any applicant under this paragraph who has not yet been issued military discharge papers is distributed to the public officials responsible for administering this section.

(f) For a Persian Gulf War veteran, the plates must bear the inscription "GULF WAR VET." ~~and the letters "G" and "W" with the first letter directly above the second letter and both letters just preceding the first numeral of the special plate number.~~ For the purposes of this section, "Persian Gulf War veteran" means a person who served on active duty after August 1, 1990, in a branch of the armed forces of the United States or a nation or society allied with the United States or the United Nations during Operation Desert Shield, Operation Desert Storm, or other military operation in the Persian Gulf area combat zone as designated in United States Presidential Executive Order No. 12744, dated January 21, 1991.

(g) For a veteran who served in the Laos War after July 1, 1961, and before July 1, 1978, the special plates must bear the inscription "LAOS WAR VET." ~~and the letters "L" and "V" with the first letter directly above the second letter and both letters just preceding the first numeral of the special plate number.~~

(h) For a veteran who is the recipient of:

(1) the Iraq Campaign Medal, the special plates must be inscribed with a facsimile of that medal and must bear the inscription "IRAQ WAR VET" directly below the special plate number;

(2) the Afghanistan Campaign Medal, the special plates must be inscribed with a facsimile of that medal and must bear the inscription "AFGHAN WAR VET" directly below the special plate number;

(3) the Global War on Terrorism Expeditionary Medal, the special plates must be inscribed with a facsimile of that medal and must bear the inscription "GWOT VETERAN" directly below the special plate number; or

(4) the Armed Forces Expeditionary Medal, the special plates must bear an appropriate inscription that includes a facsimile of that medal.

(i) For a veteran who is the recipient of the Global War on Terrorism Service Medal, the special plates must be inscribed with a facsimile of that medal and must bear the inscription "GWOT VETERAN" directly below the special plate number. In addition,

11.1 any member of the National Guard or other military reserves who has been ordered to
 11.2 federally funded state active service under United States Code, title 32, as defined in
 11.3 section 190.05, subdivision 5b, and who is the recipient of the Global War on Terrorism
 11.4 Service Medal, is eligible for the license plate described in this paragraph, irrespective of
 11.5 whether that person qualifies as a veteran under section 197.447.

11.6 (j) For a veteran who is the recipient of the Korean Defense Service Medal,
 11.7 the special plates must be inscribed with a facsimile of that medal and must bear the
 11.8 inscription "KOREAN DEFENSE SERVICE" directly below the special plate number.

11.9 (k) For a veteran who is a recipient of the Bronze Star medal, the plates must bear
 11.10 the inscription "BRONZE STAR VET" and have a facsimile or an emblem of the official
 11.11 Bronze Star medal.

11.12 (l) For a veteran who is a recipient of the Silver Star medal, the plates must bear
 11.13 the inscription "SILVER STAR VET" and have a facsimile or an emblem of the official
 11.14 Silver Star medal.

11.15 Sec. 17. Minnesota Statutes 2012, section 168.183, subdivision 1, is amended to read:

11.16 Subdivision 1. **Payment of taxes.** All trucks, truck-tractors, ~~trailers and semitrailers,~~
 11.17 trucks using combination, and buses which comply with all of the provisions of section
 11.18 168.181, subdivision 1, clause (6), but are excluded from the exemptions ~~provided therein~~
 11.19 solely because of the intrastate temporary nature of their movement in this state, ~~owned~~
 11.20 ~~by nonresidents owning or operating circuses, carnivals or similar amusement attractions~~
 11.21 ~~or concessions~~ shall be required to comply with all laws and rules as to the payment of
 11.22 taxes applicable to like vehicles owned by Minnesota residents ~~but such, except that~~
 11.23 nonresidents may make application to pay ~~such~~ the tax for each vehicle proportionate
 11.24 to the number of months or fraction thereof ~~such~~ the vehicles are in this state. For the
 11.25 purposes of this subdivision, buses do not include charter buses that are considered
 11.26 proratable vehicles under section 168.187, subdivision 4.

11.27 Sec. 18. Minnesota Statutes 2012, section 168.187, subdivision 17, is amended to read:

11.28 Subd. 17. **Trip permit.** Subject to agreements or arrangements made or entered into
 11.29 pursuant to subdivision 7, the commissioner may issue trip permits for use of Minnesota
 11.30 highways by individual vehicles, on an occasional basis, for periods not to exceed 120
 11.31 hours in compliance with rules promulgated pursuant to subdivision 23 and upon payment
 11.32 of a fee of \$15. For the purposes of this subdivision, "on an occasional basis" means
 11.33 no more than one permit per vehicle within a 30-day period, which begins the day a
 11.34 permit is effective.

12.1 Sec. 19. Minnesota Statutes 2012, section 168.27, is amended by adding a subdivision
12.2 to read:

12.3 Subd. 3d. **Used vehicle parts dealer.** A used vehicle parts dealer licensee may sell,
12.4 solicit, or advertise the sale of used parts and the remaining scrap metals, but is prohibited
12.5 from selling any new or used motor vehicles for use at retail or for resale to a dealer.

12.6 Sec. 20. Minnesota Statutes 2012, section 168.27, subdivision 10, is amended to read:

12.7 Subd. 10. **Place of business.** (a) All licensees under this section shall have an
12.8 established place of business which shall include as a minimum:

12.9 (1) For a new motor vehicle dealer, the following:

12.10 (i) a commercial building owned or under lease by the licensee. The lease must
12.11 be for a minimum term of one year. The building must contain office space where the
12.12 books, records, and files necessary to conduct the business are kept and maintained with
12.13 personnel available during normal business hours. Dealership business hours must be
12.14 conspicuously posted on the place of doing business and readily viewable by the public;

12.15 (ii) a bona fide contract or franchise (A) in effect with a manufacturer or distributor
12.16 of the new motor vehicles the dealer proposes to sell, broker, wholesale, or auction, or (B)
12.17 in effect with the first-stage manufacturer or distributor of new motor vehicles purchased
12.18 from a van converter or modifier which the dealer proposes to sell, broker, wholesale, or
12.19 auction, or (C) in effect with the final-stage manufacturer of the new type A, B, or C motor
12.20 homes which the dealer proposes to sell, broker, wholesale, or auction;

12.21 (iii) a facility for the repair and servicing of motor vehicles and the storage of parts
12.22 and accessories, not to exceed ten miles distance from the principal place of business. The
12.23 service may be provided through contract with bona fide operators actually engaged
12.24 in the services;

12.25 (iv) an area either indoors or outdoors to display motor vehicles that is owned or
12.26 under lease by the licensee; and

12.27 (v) a sign readily viewable by the public that clearly identifies the dealership by name.

12.28 (2) For a used motor vehicle dealer, the following:

12.29 (i) a commercial building owned or under lease by the licensee. The lease must
12.30 be for a minimum term of one year. The building must contain office space where the
12.31 books, records, and files necessary to conduct the business are kept and maintained with
12.32 personnel available during normal business hours or automatic telephone answering
12.33 service during normal business hours. Dealership business hours must be conspicuously
12.34 posted on the place of doing business and readily viewable by the public;

13.1 (ii) an area either indoors or outdoors to display motor vehicles which is owned or
13.2 under lease by the licensee; and

13.3 (iii) a sign readily viewable by the public that clearly identifies the dealership by
13.4 name.

13.5 (3) For a motor vehicle lessor, the following: a commercial office space where the
13.6 books, records, and files necessary to conduct the business are kept and maintained with
13.7 personnel available during normal business hours or an automatic telephone answering
13.8 service during normal business hours. Business hours must be conspicuously posted on
13.9 the place of doing business and readily viewable by the public. The office space must be
13.10 owned or under lease for a minimum term of one year by the licensee.

13.11 (4) For a motor vehicle wholesaler, the following: a commercial office space where
13.12 the books, records, and files necessary to conduct the business are kept and maintained
13.13 with personnel available during normal business hours or an automatic telephone
13.14 answering service during normal business hours. The office space must be owned or under
13.15 lease for a minimum term of one year by the licensee.

13.16 (5) For a motor vehicle auctioneer, the following: a permanent enclosed commercial
13.17 building, within or without the state, on a permanent foundation, owned or under lease
13.18 by the licensee. The lease must be for a minimum term of one year. The building must
13.19 contain office space where the books, records, and files necessary to conduct the business
13.20 are kept and maintained with personnel available during normal business hours or an
13.21 automatic telephone answering service during normal business hours.

13.22 (6) For a motor vehicle broker, the following: a commercial office space where
13.23 books, records, and files necessary to conduct business are kept and maintained with
13.24 personnel available during normal business hours, or an automatic telephone answering
13.25 service available during normal business hours. A sign, clearly identifying the motor
13.26 vehicle broker by name and listing the broker's business hours, must be posted in a location
13.27 and manner readily viewable by a member of the public visiting the office space. The
13.28 office space must be owned or under lease for a minimum term of one year by the licensee.

13.29 (7) For a limited used vehicle license holder, the following: a commercial office
13.30 space where books, records, and files necessary to conduct nonprofit charitable activities
13.31 are kept and maintained with personnel available during normal business hours, or an
13.32 automatic telephonic answering service available during normal business hours. The
13.33 office space must be owned or under lease for a minimum term of one year by the licensee.

13.34 (b) If a new or used motor vehicle dealer maintains more than one place of doing
13.35 business in a county, the separate places must be listed on the application. If additional

14.1 places of business are maintained outside of one county, separate licenses must be
14.2 obtained for each county.

14.3 (c) If a motor vehicle lessor, wholesaler, auctioneer, or motor vehicle broker
14.4 maintains more than one permanent place of doing business, either in one or more
14.5 counties, the separate places must be listed in the application, but only one license is
14.6 required. If a lessor proposes to sell previously leased or rented vehicles or if a broker
14.7 proposes to establish an office at a location outside the seven-county metropolitan area, as
14.8 defined in section 473.121, subdivision 2, other than cities of the first class, the lessor or
14.9 broker must obtain a license for each nonmetropolitan area county in which the lessor's
14.10 sales are to take place or where the broker proposes to locate an office.

14.11 (d) If a motor vehicle dealer, lessor, wholesaler, or motor vehicle broker does not
14.12 have direct access to a public road or street, any privately owned roadway providing
14.13 access to a public road or street must be clearly identified and adequately maintained.

14.14 (e) A new or used motor vehicle dealer may establish a temporary place of business
14.15 outside the county where it maintains its licensed location to sell horse trailers exclusively
14.16 without obtaining an additional license.

14.17 (f) A new or used motor vehicle dealer may establish a temporary place of business
14.18 outside the county where it maintains its licensed location to sell recreational vehicles
14.19 exclusively without obtaining an additional license if:

14.20 (1) the dealer establishes a temporary place of business for the sale of recreational
14.21 vehicles not more than four times during any calendar year;

14.22 (2) each temporary place of business other than an official county fair or the
14.23 Minnesota State Fair within the seven-county metropolitan area, as defined in section
14.24 473.121, subdivision 2, is established jointly with at least four other recreational vehicle
14.25 dealers;

14.26 (3) each temporary place of business other than an official county fair outside
14.27 the seven-county metropolitan area, as defined in section 473.121, subdivision 2, is
14.28 established jointly with at least one other recreational vehicle dealer;

14.29 (4) each establishment of a temporary place of business for the sale of recreational
14.30 vehicles is for no more than 12 consecutive days; and

14.31 (5) the dealer notifies the registrar of motor vehicles of each temporary place of
14.32 business for the sale of recreational vehicles.

14.33 Sec. 21. Minnesota Statutes 2012, section 168.27, subdivision 11, is amended to read:

14.34 Subd. 11. **Dealers' licenses; location change notice; fee.** (a) Application for
14.35 a dealer's license or notification of a change of location of the place of business on a

dealer's license must include a street address, not a post office box, and is subject to the commissioner's approval.

(b) Upon the filing of an application for a dealer's license and the proper fee, unless the application on its face appears to be invalid, the commissioner shall grant a 90-day temporary license. During the 90-day period following issuance of the temporary license, the commissioner shall inspect the place of business site and insure compliance with this section and rules adopted under this section.

(c) The commissioner may extend the temporary license 30 days to allow the temporarily licensed dealer to come into full compliance with this section and rules adopted under this section.

(d) In no more than 120 days following issuance of the temporary license, the dealer license must either be granted or denied.

(e) A license must be denied under the following conditions:

(1) The license must be denied if within the previous ten years the applicant was enjoined due to a violation of section 325F.69 or convicted of violating section 325E.14, 325E.15, 325E.16, or 325F.69, or convicted under section 609.53 of receiving or selling stolen vehicles, or convicted of violating United States Code, title 15, sections 1981 to 1991 or pleaded guilty, entered a plea of nolo contendere or no contest, or has been found guilty in a court of competent jurisdiction of any charge of failure to pay state or federal income or sales taxes or felony charge of forgery, embezzlement, obtaining money under false pretenses, theft by swindle, extortion, conspiracy to defraud, or bribery.

~~(2) The license must also be denied if within the previous year the applicant has been denied a dealer license.~~

~~(3)~~ (2) A license must also be denied if the applicant has had a dealer license revoked within the previous ten years.

(f) If the application is approved, the commissioner shall license the applicant as a dealer for one year from the date the temporary license is granted and issue a certificate of license that must include a distinguishing number of identification of the dealer. The license must be displayed in a prominent place in the dealer's licensed place of business.

(g) Each initial application for a license must be accompanied by a fee of \$100 in addition to the annual fee. The annual fee is \$150. The initial fees and annual fees must be paid into the state treasury and credited to the general fund except that \$50 of each initial and annual fee must be paid into the vehicle services operating account in the special revenue fund under section 299A.705.

Sec. 22. Minnesota Statutes 2012, section 168A.153, subdivision 1, is amended to read:

16.1 Subdivision 1. **Older model vehicle.** (a) A dealer who buys an older model vehicle
16.2 to dismantle or destroy must:

16.3 (1) obtain the certificate of title or verify ownership on the department's electronic
16.4 record;

16.5 (2) notify any secured parties; and

16.6 (3) retain the certificate of title or a copy of the motor vehicle record.

16.7 (b) A dealer who buys an older model vehicle to be dismantled dismantle or
16.8 destroyed shall report to destroy must notify the department within 30 ten days including.
16.9 The notification must be made electronically as prescribed by the registrar, and must
16.10 include the vehicle's license plate number and identification number, and the seller's
16.11 name and driver's license number.

16.12 (c) The records and information retained or submitted under paragraphs (a) and (b)
16.13 shall be kept and maintained in a manner consistent with the requirements of section
16.14 168A.11, subdivision 3.

16.15 Sec. 23. Minnesota Statutes 2012, section 168A.153, subdivision 2, is amended to read:

16.16 Subd. 2. **Late-model or high-value vehicle.** (a) A dealer who buys a late-model or
16.17 high-value vehicle to be dismantled dismantle or destroyed shall destroy must:

16.18 (1) obtain the certificate of title;

16.19 (2) notify the any secured party parties, if any, and the commissioner in the manner
16.20 prescribed in subdivision 3. The dealer must then properly destroy the certificate of
16.21 title; and

16.22 (3) retain the certificate of title or a copy of the motor vehicle record.

16.23 (b) A dealer who buys a late-model or high-value vehicle to dismantle or destroy
16.24 must notify the department within ten days. The notification must be made electronically
16.25 as prescribed by the registrar, must include the vehicle's license plate number and
16.26 identification number, and must include the seller's name and driver's license number.

16.27 (c) The records and information retained or submitted under paragraphs (a) and (b)
16.28 shall be kept and maintained in a manner consistent with the requirements of section
16.29 168A.11, subdivision 3.

16.30 Sec. 24. Minnesota Statutes 2012, section 168A.153, is amended by adding a
16.31 subdivision to read:

16.32 Subd. 2a. **Purchase of abandoned vehicles from a dealer.** (a) Subdivision 1 does
16.33 not apply to purchase of a scrap vehicle as an abandoned vehicle from a license holder
16.34 under section 168.27 who is in possession of the vehicle for service or repair.

17.1 (b) A scrap vehicle dealer acquiring a scrap vehicle under this subdivision shall
 17.2 obtain the selling dealer's business name and address, a copy of the repair order, and,
 17.3 if available, a bill of sale or other evidence of open or legitimate purchase. The scrap
 17.4 vehicle dealer must notify the department within ten days. The notification must be made
 17.5 electronically as prescribed by the registrar, must include the vehicle's license plate
 17.6 number and identification number, and must include the seller's name.

17.7 (c) The records and information obtained or submitted under paragraph (b) shall be
 17.8 maintained in a manner consistent with the requirements of section 168A.11, subdivision 3.

17.9 Sec. 25. Minnesota Statutes 2012, section 168A.153, subdivision 3, is amended to read:

17.10 Subd. 3. **Notification on vehicle to be dismantled or destroyed; service fee.** Within
 17.11 the time frames prescribed in subdivisions 1 ~~and 2~~, and 2a of acquiring a vehicle titled and
 17.12 registered in Minnesota, a dealer shall notify the registrar that the dealership purchased the
 17.13 vehicle to be dismantled or destroyed. The notification must be made electronically as
 17.14 prescribed by the registrar. The dealer may contract this service to a deputy registrar and
 17.15 the registrar may charge a fee not to exceed \$7 per transaction to provide this service.

17.16 Sec. 26. Minnesota Statutes 2012, section 168B.15, is amended to read:

17.17 **168B.15 TOW TRUCK PERMIT.**

17.18 The commissioner of transportation may issue permits to an applicant who pays a
 17.19 single \$300 annual fee to cover all tow trucks and towing vehicles owned by the applicant
 17.20 and meets any other conditions prescribed by the commissioner. The permit authorizes the
 17.21 tow truck or towing vehicle, when towing a disabled or damaged vehicle to a place of repair
 17.22 or to a place of safekeeping, to exceed the length and weight limitations of ~~this chapter~~ 169.

17.23 Sec. 27. Minnesota Statutes 2012, section 169.011, subdivision 71, is amended to read:

17.24 Subd. 71. **School bus.** (a) "School bus" means a motor vehicle used to transport
 17.25 pupils to or from a school defined in section 120A.22, or to or from school-related
 17.26 activities, by the school or a school district, or by someone under an agreement with the
 17.27 school or a school district. A school bus does not include a motor vehicle transporting
 17.28 children to or from school for which parents or guardians receive direct compensation
 17.29 from a school district, a motor coach operating under charter carrier authority, a transit
 17.30 bus providing services as defined in section 174.22, subdivision 7, or a vehicle otherwise
 17.31 qualifying as a type III vehicle under paragraph (h), when the vehicle is properly
 17.32 registered and insured and being driven by an employee or agent of a school district for
 17.33 nonscheduled or nonregular transportation.

(b) A school bus may be type A, type B, type C, or type D, multifunction school activity bus, or type III as provided in paragraphs (c) to (h).

(c) A "type A school bus" is a van conversion or bus constructed utilizing a cutaway front section vehicle with a left-side driver's door. This definition includes two classifications: type A-I, with a gross vehicle weight rating (GVWR) less than or equal to 14,500 pounds; and type A-II, with a GVWR greater than 14,500 pounds and less than or equal to 21,500 pounds.

(d) A "type B school bus" is constructed utilizing a stripped chassis. The entrance door is behind the front wheels. This definition includes two classifications: type B-I, with a GVWR less than or equal to 10,000 pounds; and type B-II, with a GVWR greater than 10,000 pounds.

(e) A "type C school bus" is constructed utilizing a chassis with a hood and front fender assembly. The entrance door is behind the front wheels. A "type C school bus" also includes a cutaway truck chassis or truck chassis with cab, with or without a left side door, and with a GVWR greater than 21,500 pounds.

(f) A "type D school bus" is constructed utilizing a stripped chassis. The entrance door is ahead of the front wheels.

(g) A "multifunction school activity bus" is a school bus that meets the definition of a multifunction school activity bus in Code of Federal Regulations, title 49, section 571.3. A vehicle that meets the definition of a type III vehicle is not a multifunction school activity bus.

(h) A "type III vehicle" is restricted to passenger ~~cars, station wagons, vans,~~ vehicles and buses having a maximum manufacturer's rated seating capacity of ten or fewer people, including the driver, and a gross vehicle weight rating of 10,000 pounds or less. A "type III vehicle" must not be outwardly equipped and identified as a type A, B, C, or D school bus or type A, B, C, or D Head Start bus. A van or bus converted to a seating capacity of ten or fewer and placed in service on or after August 1, 1999, must have been originally manufactured to comply with the passenger safety standards.

(i) In this subdivision, "gross vehicle weight rating" means the value specified by the manufacturer as the loaded weight of a single vehicle.

Sec. 28. Minnesota Statutes 2012, section 169.18, subdivision 4, is amended to read:

Subd. 4. **Passing on the right.** The driver of a vehicle may overtake and pass upon the right of another vehicle only upon the following conditions:

(1) when the vehicle overtaken is making or about to make a left turn;

(2) upon a street or highway with unobstructed pavement not occupied by parked vehicles of sufficient width for two or more lines of moving vehicles in each direction;

(3) upon a one-way street, or upon any roadway on which traffic is restricted to one direction of movement, where the roadway is free from obstructions and of sufficient width for two or more lines of moving vehicles;

(4) when the driver of a vehicle may overtake and pass another vehicle upon the right only under conditions permitting such movement in safety. In no event shall such movement be made by driving in a bicycle lane or onto the shoulder, whether paved or unpaved, or off the pavement or main-traveled portion of the roadway.

Sec. 29. Minnesota Statutes 2012, section 169.18, subdivision 7, is amended to read:

Subd. 7. **Laned highway.** When any roadway has been divided into two or more clearly marked lanes for traffic, the following rules, in addition to all others consistent herewith, shall apply:

(a) A vehicle shall be driven as nearly as practicable entirely within a single lane and shall not be moved from such lane until the driver has first ascertained that such movement can be made with safety.

(b) Upon a roadway which is not a one-way roadway and which is divided into three lanes, a vehicle shall not be driven in the center lane except when overtaking and passing another vehicle where the roadway is clearly visible and such center lane is clear of traffic within a safe distance, or in preparation for a left turn or where such center lane is at the time allocated exclusively to traffic moving in the direction the vehicle is proceeding, and is signposted to give notice of such allocation. The left lane of a three-lane roadway which is not a one-way roadway shall not be used for overtaking and passing another vehicle.

(c) Official signs may be erected directing slow-moving traffic to use a designated lane or allocating specified lanes to traffic moving in the same direction, and drivers of vehicles shall obey the directions of every such sign.

(d) Whenever a bicycle lane has been established on a roadway, any person operating a motor vehicle on such roadway shall not drive in the bicycle lane except to perform parking maneuvers in order to park where parking is permitted, to enter or leave the highway, or to prepare for a turn as provided in section 169.19, subdivision 1.

Sec. 30. Minnesota Statutes 2012, section 169.19, subdivision 1, is amended to read:

Subdivision 1. **Turning at intersection.** The driver of a vehicle intending to turn at an intersection shall do so as follows:

(a) Both the approach for a right turn and a right turn shall be made as close as practicable to the right-hand curb or edge of the roadway.

(b) Approach for a left turn on other than one-way roadways shall be made in that portion of the right half of the roadway nearest the centerline thereof, and after entering the intersection the left turn shall be made so as to leave the intersection to the right of the centerline of the roadway being entered. Whenever practicable the left turn shall be made in that portion of the intersection to the left of the center of the intersection.

(c) Approach for a left turn from a two-way roadway into a one-way roadway shall be made in that portion of the right half of the roadway nearest the centerline thereof and by passing to the right of such centerline where it enters the intersection.

(d) A left turn from a one-way roadway into a two-way roadway shall be made from the left-hand lane and by passing to the right of the centerline of the roadway being entered upon leaving the intersection.

(e) Where both streets or roadways are one way, both the approach for a left turn and a left turn shall be made as close as practicable to the left-hand curb or edge of the roadway.

(f) Local authorities in their respective jurisdictions may cause markers, buttons, or signs to be placed within or adjacent to intersections and thereby require and direct that a different course from that specified in this section be traveled by vehicles turning at an intersection, and when markers, buttons, or signs are so placed no driver of a vehicle shall turn a vehicle at an intersection other than as directed and required by such markers, buttons, or signs.

(g) Whenever it is necessary for the driver of a motor vehicle to cross a bicycle lane adjacent to the driver's lane of travel to make a turn, the driver shall first signal the movement, then drive the motor vehicle into the bicycle lane prior to making the turn, and shall make the turn, but only after it is safe to do so. The driver shall then make the turn consistent with any traffic markers, buttons, or signs, yielding the right-of-way to any vehicles or bicycles approaching so close thereto as to constitute an immediate hazard.

Sec. 31. Minnesota Statutes 2012, section 169.222, subdivision 2, is amended to read:

Subd. 2. **Manner and number riding.** No bicycle, including a tandem bicycle, cargo or utility bicycle, or trailer, shall be used to carry more persons at one time than the number for which it is designed and equipped, except ~~(1) on a baby seat attached to the bicycle, provided that the baby seat is equipped with a harness to hold the child securely in the seat and that protection is provided against the child's feet hitting the spokes of the wheel or~~ (2) in a seat attached to the bicycle operator an adult rider may carry a child in a seat designed for carrying children that is securely attached to the bicycle.

21.1 Sec. 32. Minnesota Statutes 2012, section 169.222, subdivision 4, is amended to read:

21.2 Subd. 4. **Riding rules.** (a) Every person operating a bicycle upon a roadway shall
21.3 ride as close as practicable to the right-hand curb or edge of the roadway except under
21.4 any of the following situations:

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

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

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

21.10 (4) when operating on the shoulder of a roadway or in a bicycle lane.

21.11 (b) If a bicycle is traveling on a shoulder of a roadway, the bicycle shall travel in the
21.12 same direction as adjacent vehicular traffic.

21.13 (c) Persons riding bicycles upon a roadway or shoulder shall not ride more than two
21.14 abreast and shall not impede the normal and reasonable movement of traffic and, on a
21.15 laned roadway, shall ride within a single lane.

21.16 (d) A person operating a bicycle upon a sidewalk, or across a roadway or shoulder
21.17 on a crosswalk, shall yield the right-of-way to any pedestrian and shall give an audible
21.18 signal when necessary before overtaking and passing any pedestrian. No person shall ride
21.19 a bicycle upon a sidewalk within a business district unless permitted by local authorities.
21.20 Local authorities may prohibit the operation of bicycles on any sidewalk or crosswalk
21.21 under their jurisdiction.

21.22 (e) An individual operating a bicycle or other vehicle on a bikeway shall leave a safe
21.23 distance when overtaking a bicycle or individual proceeding in the same direction on the
21.24 bikeway, and shall maintain clearance until safely past the overtaken bicycle or individual.

21.25 (f) A person lawfully operating a bicycle on a sidewalk, or across a roadway or
21.26 shoulder on a crosswalk, shall have all the rights and duties applicable to a pedestrian
21.27 under the same circumstances.

21.28 (g) A person may operate an electric-assisted bicycle on the shoulder of a roadway,
21.29 on a bikeway, or on a bicycle trail if not otherwise prohibited under section 85.015,
21.30 subdivision 1d; 85.018, subdivision 2, paragraph (d); or 160.263, subdivision 2, paragraph
21.31 (b), as applicable.

21.32 Sec. 33. Minnesota Statutes 2012, section 169.222, subdivision 6, is amended to read:

21.33 Subd. 6. **Bicycle equipment.** (a) No person shall operate a bicycle at nighttime
21.34 unless the bicycle or its operator is equipped with (1) a lamp which emits a white light
21.35 visible from a distance of at least 500 feet to the front; and (2) a red reflector of a type

22.1 approved by the Department of Public Safety which is visible from all distances from 100
 22.2 feet to 600 feet to the rear when directly in front of lawful lower beams of headlamps on a
 22.3 motor vehicle. A bicycle equipped with lamps that are visible from a distance of at least
 22.4 500 feet from both the front and the rear is deemed to fully comply with this paragraph.

22.5 (b) No person may operate a bicycle at any time when there is not sufficient light to
 22.6 render persons and vehicles on the highway clearly discernible at a distance of 500 feet
 22.7 ahead unless the bicycle or its operator is equipped with reflective surfaces that shall be
 22.8 visible during the hours of darkness from 600 feet when viewed in front of lawful lower
 22.9 beams of headlamps on a motor vehicle. The reflective surfaces shall include reflective
 22.10 materials on each side of each pedal to indicate their presence from the front or the rear and
 22.11 with a minimum of 20 square inches of reflective material on each side of the bicycle or its
 22.12 operator. Any bicycle equipped with side reflectors as required by regulations for new
 22.13 bicycles prescribed by the United States Consumer Product Safety Commission shall be
 22.14 considered to meet the requirements for side reflectorization contained in this subdivision.

22.15 (c) A bicycle may be equipped with a front lamp that emits a white flashing signal,
 22.16 or a rear lamp that emits a red flashing signal, or both.

22.17 (d) A bicycle may be equipped with tires having studs, spikes, or other protuberances
 22.18 designed to increase traction.

22.19 (e) No person shall operate a bicycle unless it is equipped with a rear brake or
 22.20 front and rear brakes which will enable the operator to make ~~the~~ a braked ~~wheels~~ wheel
 22.21 skid on dry, level, clean pavement. A bicycle equipped with a direct or fixed gear that
 22.22 can make the rear wheel skid on dry, level, clean pavement shall be deemed to fully
 22.23 comply with this paragraph.

22.24 (f) A bicycle may be equipped with a horn or bell designed to alert motor vehicles,
 22.25 other bicycles, and pedestrians of the bicycle's presence.

22.26 ~~(f)~~ (g) No person shall operate upon a highway any two-wheeled bicycle equipped
 22.27 with handlebars so raised that the operator must elevate the hands above the level of the
 22.28 shoulders in order to grasp the normal steering grip area.

22.29 ~~(g)~~ (h) No person shall operate upon a highway any bicycle which is of such a size
 22.30 as to prevent the operator from stopping the bicycle, supporting it with at least one foot
 22.31 on the highway surface and restarting in a safe manner.

22.32 Sec. 34. Minnesota Statutes 2012, section 169.222, subdivision 7, is amended to read:

22.33 Subd. 7. **Sale with reflectors and other equipment.** (a) No person shall sell or
 22.34 offer for sale any new bicycle unless it is equipped with reflectors and other equipment as

23.1 required by subdivision 6, paragraphs (b) and (e) and by applicable regulations for new
23.2 bicycles prescribed by the United States Consumer Product Safety Commission.

23.3 (b) Notwithstanding paragraph (a), a new bicycle may be sold or offered for sale
23.4 without pedals if the bicycle otherwise meets the requirements of paragraph (a).

23.5 Sec. 35. Minnesota Statutes 2012, section 169.34, subdivision 1, is amended to read:

23.6 Subdivision 1. **Prohibitions.** (a) No person shall stop, stand, or park a vehicle,
23.7 except when necessary to avoid conflict with other traffic or in compliance with the
23.8 directions of a police officer or traffic-control device, in any of the following places:

23.9 (1) on a sidewalk;

23.10 (2) in front of a public or private driveway;

23.11 (3) within an intersection;

23.12 (4) within ten feet of a fire hydrant;

23.13 (5) on a crosswalk;

23.14 (6) within 20 feet of a crosswalk at an intersection;

23.15 (7) within 30 feet upon the approach to any flashing beacon, stop sign, or
23.16 traffic-control signal located at the side of a roadway;

23.17 (8) between a safety zone and the adjacent curb or within 30 feet of points on the
23.18 curb immediately opposite the ends of a safety zone, unless a different length is indicated
23.19 by signs or markings;

23.20 (9) within 50 feet of the nearest rail of a railroad crossing;

23.21 (10) within 20 feet of the driveway entrance to any fire station and on the side of
23.22 a street opposite the entrance to any fire station within 75 feet of said entrance when
23.23 properly signposted;

23.24 (11) alongside or opposite any street excavation or obstruction when such stopping,
23.25 standing, or parking would obstruct traffic;

23.26 (12) on the roadway side of any vehicle stopped or parked at the edge or curb of a
23.27 street;

23.28 (13) upon any bridge or other elevated structure upon a highway or within a highway
23.29 tunnel, except as otherwise provided by ordinance;

23.30 (14) within a bicycle lane, except when posted signs permit parking; or

23.31 ~~(14)~~ (15) at any place where official signs prohibit stopping.

23.32 (b) No person shall move a vehicle not owned by such person into any prohibited
23.33 area or away from a curb such distance as is unlawful.

24.1 (c) No person shall, for camping purposes, leave or park a travel trailer on or within
24.2 the limits of any highway or on any highway right-of-way, except where signs are erected
24.3 designating the place as a campsite.

24.4 (d) No person shall stop or park a vehicle on a street or highway when directed or
24.5 ordered to proceed by any peace officer invested by law with authority to direct, control,
24.6 or regulate traffic.

24.7 Sec. 36. Minnesota Statutes 2012, section 169.346, is amended by adding a subdivision
24.8 to read:

24.9 Subd. 1a. **Disability parking when designated spaces occupied or unavailable.**
24.10 In the event the designated disability parking spaces are either occupied or unavailable,
24.11 a vehicle bearing a valid disability parking certificate issued under section 169.345 or
24.12 license plates for physically disabled persons under section 168.021 may park at an angle
24.13 and occupy two standard parking spaces.

24.14 Sec. 37. Minnesota Statutes 2012, section 169.346, subdivision 2, is amended to read:

24.15 Subd. 2. **Disability parking space signs.** (a) Parking spaces reserved for physically
24.16 disabled persons must be designated and identified by the posting of signs incorporating
24.17 the international symbol of access in white on blue and indicating that violators are subject
24.18 to a fine of up to \$200. These parking spaces are reserved for disabled persons with motor
24.19 vehicles displaying the required certificate, plates, permit valid for 30 days, or insignia.

24.20 (b) For purposes of this subdivision, a parking space that is clearly identified as
24.21 reserved for physically disabled persons by a permanently posted sign that does not
24.22 meet all design standards, is considered designated and reserved for physically disabled
24.23 persons. A sign posted for the purpose of this section must be visible from inside a motor
24.24 vehicle parked in the space, be kept clear of snow or other obstructions which block its
24.25 visibility, and be nonmovable ~~or only movable by authorized persons.~~

24.26 Sec. 38. Minnesota Statutes 2012, section 169.443, subdivision 9, is amended to read:

24.27 Subd. 9. **Personal cellular phone call prohibition.** (a) As used in this subdivision,
24.28 "school bus" has the meaning given in section 169.011, subdivision 71. In addition, the
24.29 term includes type III vehicles as defined in section 169.011, subdivision 71, when driven
24.30 by employees or agents of school districts.

24.31 (b) A school bus driver may not operate a school bus while communicating over, or
24.32 otherwise operating, a cellular phone for personal reasons, whether handheld or hands
24.33 free, when the vehicle is in motion or a part of traffic.

25.1 Sec. 39. Minnesota Statutes 2012, section 169.447, subdivision 2, is amended to read:

25.2 Subd. 2. **Driver seat belt.** School buses and Head Start buses must be equipped
25.3 with driver seat belts and seat belt assemblies of the type described in section 169.685,
25.4 subdivision 3. ~~School bus drivers and Head Start bus drivers must use these seat belts.~~ A
25.5 properly adjusted and fastened seat belt, including both the shoulder and lap belt when the
25.6 vehicle is so equipped, shall be worn by the driver.

25.7 Sec. 40. Minnesota Statutes 2012, section 169.454, subdivision 12, is amended to read:

25.8 Subd. 12. **Option.** ~~Passenger cars and station wagons~~ Type III vehicles may carry
25.9 fire extinguisher, first aid kit, and warning triangles in the trunk or trunk area of the vehicle,
25.10 if a label in the driver and front passenger area clearly indicates the location of these items.

25.11 Sec. 41. Minnesota Statutes 2012, section 169.68, is amended to read:

25.12 **169.68 HORN, SIREN.**

25.13 (a) Every motor vehicle when operated upon a highway must be equipped with
25.14 a horn in good working order and capable of emitting sound audible under normal
25.15 conditions from a distance of not less than 200 feet. However, the horn or other warning
25.16 device must not emit an unreasonably loud or harsh sound or a whistle. The driver of a
25.17 motor vehicle shall, when reasonably necessary to insure safe operation, give audible
25.18 warning with the horn, but shall not otherwise use the horn when upon a highway.

25.19 (b) A vehicle must not be equipped with, and a person shall not use upon a vehicle,
25.20 any siren, whistle, or bell, except as otherwise permitted in this section.

25.21 (c) It is permissible, but not required, for any commercial vehicle to be equipped
25.22 with a theft alarm signal device, so arranged that it cannot be used by the driver as an
25.23 ordinary warning signal.

25.24 (d) All authorized emergency vehicles must be equipped with a siren capable of
25.25 emitting sound audible under normal conditions from a distance of not less than 500 feet
25.26 and of a type conforming to the federal certification standards for sirens, as determined by
25.27 the General Services Administration. However, the siren must not be used except when the
25.28 vehicle is operated in response to an emergency call or in the immediate pursuit of an actual
25.29 or suspected violator of the law, in which latter events the driver of the vehicle shall sound
25.30 the siren when necessary to warn pedestrians and other drivers of the vehicle's approach.

25.31 (e) It is permissible, but not required, for a bicycle to be equipped with a horn or bell
25.32 designed to alert motor vehicles, other bicycles, and pedestrians of the bicycle's presence.

25.33 Sec. 42. Minnesota Statutes 2012, section 169.824, subdivision 2, is amended to read:

Subd. 2. **Gross vehicle weight of all axles; credit for idle reduction technology.**

(a) The gross vehicle weight of all axles of a vehicle or combination of vehicles must not exceed:

(1) 80,000 pounds for any vehicle or combination of vehicles on all streets and highways, unless posted at a lower axle weight under section 169.87, subdivision 1; and

(2) 88,000 pounds for any vehicle or combination of vehicles with six or more axles while exclusively engaged in hauling livestock on all state trunk highways other than interstate highways, if the vehicle has a permit under section 169.86, subdivision 5, paragraph (j).

(b) Notwithstanding the maximum weight provisions of this section, and in order to promote the reduction of fuel use and emissions, the maximum gross vehicle weight limits and the axle weight limits for any motor vehicle subject to sections 169.80 to 169.88 and equipped with idle reduction technology or emissions-reduction technology must be increased by the amount of weight necessary to compensate for the weight of the idle reduction technology or emissions-reduction technology, not to exceed ~~400~~ 550 pounds. At the request of an authorized representative of the Department of Transportation or the Department of Public Safety, the vehicle operator shall provide proof that the vehicle is equipped with this technology through documentation or demonstration.

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

Sec. 43. Minnesota Statutes 2012, section 171.01, subdivision 49b, is amended to read:

Subd. 49b. **Valid medical examiner's certificate.** (a) "Valid medical examiner's certificate" means a record, on a form prescribed by the department:

(1) of a medical examiner's examination of a person who holds or is applying for a class A, class B, or class C commercial driver's license;

(2) upon which the medical examiner attests that the applicant or license holder is physically qualified to drive a commercial motor vehicle; and

(3) that is not expired.

(b) A valid medical examiner's certificate must be issued by a medical examiner who is certified by the Federal Motor Carrier Administration and listed on the National Registry of Certified Medical Examiners.

EFFECTIVE DATE. The section is effective May 1, 2014.

Sec. 44. **[171.017] BACKGROUND INVESTIGATIONS; DEPARTMENT EMPLOYEES.**

Subdivision 1. **Background checks authorized.** The commissioner shall investigate the criminal history background of any current or prospective employees of the department being considered for any position with the department that has or will have:

(1) the ability to create or modify records of applicants for enhanced drivers' licenses under section 171.01, subdivision 31a, or enhanced identification cards under section 171.01, subdivision 31b;

(2) the ability to issue enhanced drivers' licenses under section 171.01, subdivision 31a, or enhanced identification cards under section 171.01, subdivision 31b; or

(3) the ability to administer knowledge or skills tests under section 171.13 to an applicant for a commercial driver's license.

Subd. 2. **Procedure.** (a) The commissioner must request a criminal history background check from the superintendent of the Bureau of Criminal Apprehension on all individuals specified in subdivision 1. A request under this section must be accompanied by an executed criminal history consent form, including fingerprints, signed by the current or prospective employee being investigated.

(b) After receiving a request under paragraph (a), the superintendent of the Bureau of Criminal Apprehension shall perform the background check required under subdivision 1. The superintendent shall retrieve criminal history data as defined in section 13.87, conduct a search of the national criminal records repository, and provide wants and warrant information from federal and state repositories. The superintendent is authorized to exchange fingerprints with the Federal Bureau of Investigation for purposes of the criminal history check. The superintendent shall return the results of the background checks to the commissioner to determine whether:

(1) the employee or applicant for employment specified in subdivision 1, clause (1) or (2), has committed a disqualifying crime under Code of Federal Regulations, title 49, section 1572.103; or

(2) the employee or applicant for employment specified in subdivision 1, clause (3), has a conviction of the type specified by Code of Federal Regulations, title 49, section 384.228(j).

(c) The superintendent shall recover the cost to the bureau of a background check through a fee charged to the commissioner.

Subd. 3. **Notification by other criminal justice agencies.** Criminal justice agencies, as defined by section 13.02, subdivision 3a, shall provide the commissioner with information they possess and that the commissioner requires for the purposes of determining the employment suitability of current or prospective employees subject to this section.

Subd. 4. **Annual background checks in certain instances.** Consistent with Code of Federal Regulations, title 49, section 384.228, the commissioner shall request and the superintendent shall conduct annual background checks for the department employees specified in subdivision 1, clause (3). Annual background checks under this subdivision shall be performed in a manner consistent with subdivisions 2 and 3.

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

Sec. 45. Minnesota Statutes 2012, section 171.07, subdivision 3a, is amended to read:

Subd. 3a. **Identification cards for seniors.** A Minnesota identification card issued to an applicant 65 years of age or over shall be of a distinguishing color and plainly marked "senior." The fee for the card issued to an applicant 65 years of age or over shall be one-half the required fee for a class D driver's license rounded down to the nearest quarter dollar. A Minnesota identification card or a Minnesota driver's license issued to a person 65 years of age or over shall be valid identification for the purpose of qualifying for reduced rates, free licenses or services provided by any board, commission, agency or institution that is wholly or partially funded by state appropriations. This subdivision does not apply to an enhanced identification card issued to an applicant age 65 or older.

Sec. 46. Minnesota Statutes 2012, section 171.07, subdivision 4, is amended to read:

Subd. 4. **Expiration.** (a) Except as otherwise provided in this subdivision, the expiration date of Minnesota identification cards of applicants under the age of 65 shall be the birthday of the applicant in the fourth year following the date of issuance of the card.

(b) A Minnesota identification card issued to an applicant age 65 or over shall be valid for the lifetime of the applicant, except that for the purposes of this paragraph, "Minnesota identification card" does not include an enhanced identification card issued to an applicant age 65 or older.

(c) The expiration date for an Under-21 identification card is the cardholder's 21st birthday. The commissioner shall issue an identification card to a holder of an Under-21 identification card who applies for the card, pays the required fee, and presents proof of identity and age, unless the commissioner determines that the applicant is not qualified for the identification card.

Sec. 47. Minnesota Statutes 2012, section 174.02, is amended by adding a subdivision to read:

Subd. 2a. **Transportation ombudsperson.** (a) The commissioner shall appoint a person to the position of transportation ombudsperson. The transportation ombudsperson

reports directly to the commissioner. The ombudsperson must be selected without regard to political affiliation and must be qualified to perform the duties specified in this subdivision.

(b) Powers and duties of the transportation ombudsperson include, but are not limited to:

(1) providing a neutral, independent resource for dispute and issue resolution between the department and the general public where another mechanism or forum is not available;

(2) gathering information about decisions, acts, and other matters of the department;

(3) providing information to the general public;

(4) facilitating discussions or arranging mediation when appropriate; and

(5) maintaining and monitoring performance measures for the ombudsperson program.

(c) The transportation ombudsperson may not hold another formal position within the department. The transportation ombudsperson may not impose a complaint fee.

Sec. 48. Minnesota Statutes 2012, section 174.03, subdivision 1d, is amended to read:

Subd. 1d. **Freight rail economic development study.** (a) The commissioner of transportation, in cooperation with the commissioner of the Department of Employment and Economic Development, shall conduct a freight rail economic development study. The study will assess the economic impact of freight railroads in the state and identify opportunities to expand business development and enhance economic competitiveness through improved utilization of freight rail options. Findings from the study shall be incorporated as an amendment to the statewide freight and passenger rail plan.

(b) The commissioner of transportation shall provide an interim progress report on the study by January 15, 2013, and a final report on ~~September 1~~ November 15, 2013, to the chairs and ranking minority members of the legislative committees with jurisdiction over transportation policy and finance and over employment and economic development. The reports shall include any recommended legislative initiatives.

(c) The commissioner of transportation may expend up to \$216,000 in fiscal year 2013 under section 222.50, subdivision 7, to pay the costs of this study and report.

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

Sec. 49. Minnesota Statutes 2012, section 174.24, subdivision 5a, is amended to read:

Subd. 5a. **Method of payment, ~~nonoperating~~ assistance.** Payments for planning and engineering design, eligible capital assistance, operating assistance, and other eligible assistance for public transit services furthering the purposes of section 174.21, ~~excluding operating assistance~~, shall be made in an appropriate manner as determined by the

30.1 commissioner, except that payments for operating assistance shall be made quarterly.
30.2 The first quarterly payment for operating assistance shall be made no later than the last
30.3 business day of the first month of the contract.

30.4 Sec. 50. **[174.45] PUBLIC-PRIVATE PARTNERSHIPS; JOINT PROGRAM**
30.5 **OFFICE.**

30.6 The commissioner may establish a joint program office to oversee and coordinate
30.7 activities to develop, evaluate, and implement public-private partnerships involving public
30.8 infrastructure investments. At the request of the commissioner of transportation, the
30.9 commissioner of Minnesota Management and Budget, the commissioner of employment
30.10 and economic development, the executive director of the Public Facilities Authority, and
30.11 other state agencies shall cooperate with and provide assistance to the commissioner
30.12 of transportation for activities related to public-private partnerships involving public
30.13 infrastructure investments.

30.14 Sec. 51. Minnesota Statutes 2012, section 174.632, is amended to read:

30.15 **174.632 PASSENGER RAIL; COMMISSIONER'S DUTIES.**

30.16 Subdivision 1. **Definition.** "Passenger rail" means intercity rail passenger
30.17 transportation as defined in United States Code, title 49, section 24102 (4).

30.18 Subd. 2. **Responsibilities.** (a) The planning, design, development, construction,
30.19 operation, and maintenance of passenger rail track, facilities, and services are
30.20 governmental functions, serve a public purpose, and are a matter of public necessity.

30.21 (b) The commissioner is responsible for all aspects of planning, designing,
30.22 developing, constructing, equipping, operating, and maintaining passenger rail, including
30.23 system planning, alternatives analysis, environmental studies, preliminary engineering,
30.24 final design, construction, negotiating with railroads, and developing financial and
30.25 operating plans.

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

30.29 Sec. 52. Minnesota Statutes 2012, section 174.636, is amended to read:

30.30 **174.636 PASSENGER RAIL; EXERCISE OF POWER.**

30.31 Subdivision 1. **Powers.** (a) The commissioner has all powers necessary to carry out
30.32 the duties specified in section 174.632. In the exercise of those powers, the commissioner
30.33 may:

(1) acquire by purchase, gift, or by eminent domain proceedings as provided by law, all land and property necessary to preserve future passenger rail corridors or to construct, maintain, and improve passenger rail corridors;

(2) let all necessary contracts as provided by law; and

(3) make agreements with and cooperate with any ~~governmental authority~~ public or private entity, including Amtrak, to carry out statutory duties related to passenger rail.

Subd. 2. Consultation. ~~(b)~~ The commissioner shall consult with metropolitan planning organizations and regional rail authorities in areas where passenger rail corridors are under consideration to ensure that passenger rail services are integrated with existing rail and transit services and other transportation facilities to provide as nearly as possible connected, efficient, and integrated services.

Subd. 3. Authority to contract; liability. (a) The commissioner, or a public entity contracting with the commissioner, may contract with a railroad as defined in Code of Federal Regulations, title 49, section 200.3(i), for the joint or shared use of the railroad's right-of-way or the construction, operation, or maintenance of rail track, facilities, or services for passenger rail purposes. Notwithstanding section 3.732, subdivision 1, clause (2), or 466.01, subdivision 6, sections 466.04 and 466.06 govern the liability of a Class I railroad and its employees arising from the joint or shared use of the railroad right-of-way or the provision of passenger rail construction, operation, or maintenance services pursuant to the contract. Notwithstanding any law to the contrary, a contract with a Class I railroad for any passenger rail service, or joint or shared use of the railroad's right-of-way, may also provide for the allocation of financial responsibility, indemnification, and the procurement of insurance for the parties for all types of claims or damages.

(b) State passenger rail operations or a contract entered into under this section shall be subject to the Federal Employers Liability Act, United States Code, title 45, section 51 et seq.; federal railroad safety laws under United States Code, title 49, section 20101 et seq.; the Railway Labor Act, United States Code, title 45, section 151 et seq.; and the Railroad Retirement Act, United States Code, title 45, section 231 et seq.

Subd. 4. Public hearings. The commissioner shall hold public hearings as required by federal requirements.

Sec. 53. Minnesota Statutes 2012, section 219.17, is amended to read:

219.17 UNIFORM WARNING SIGNS.

The commissioner by rule shall require that uniform warning signs be placed at grade crossings. There ~~must be at least three~~ are four distinct types of uniform warning signs: a ~~home crossing~~ crossbuck sign, for use in the immediate vicinity of the crossing;

32.1 an ~~approach crossing~~ advance warning sign, to indicate the approach to a grade crossing; a
 32.2 yield sign with the word "yield" plainly appearing on it; and, when deemed necessary and
 32.3 instead of a yield sign, a stop sign with the word "stop" plainly appearing on it, to indicate
 32.4 that persons on the highway approaching the crossing, whether in vehicles or otherwise,
 32.5 must come to a stop before proceeding over the grade crossing.

32.6 Sec. 54. Minnesota Statutes 2012, section 219.18, is amended to read:

32.7 **219.18 RAILROAD TO ERECT SIGN.**

32.8 At each grade crossing established after April 23, 1925 and where and when crossing
 32.9 signs existing as of April 24, 1925 are replaced, the railway company operating the railroad
 32.10 at that crossing shall erect and maintain one or more uniform ~~home crossing~~ crossbuck
 32.11 signs. The signs must be on each side of the railroad tracks and within ~~75~~ 50 feet from the
 32.12 nearest rail, or at a distance greater than 50 feet as determined by the commissioner.

32.13 Sec. 55. Minnesota Statutes 2012, section 219.20, is amended to read:

32.14 **219.20 STOP SIGN; YIELD SIGN.**

32.15 Subdivision 1. **When installation required; procedure.** At each grade crossing not
 32.16 equipped with flashing lights or flashing lights and gates where, because of the dangers
 32.17 attendant upon its use, the reasonable protection of life and property makes it necessary
 32.18 for persons approaching the crossing to stop or yield before crossing the railroad tracks,
 32.19 stop signs or yield signs must be installed. When the government entity responsible for a
 32.20 road that crosses a railroad track deems it necessary to install stop signs or yield signs
 32.21 at that crossing, it shall petition the commissioner to order the installation of the stop
 32.22 signs or yield signs. The commissioner shall respond to the petition by investigating
 32.23 the conditions at the crossing to determine whether stop signs or yield signs should be
 32.24 installed at the crossing. On determining, after an investigation following a petition from
 32.25 a governmental agency or subdivision or on the commissioner's own motion, that stop
 32.26 signs or yield signs should be installed at a crossing, the commissioner shall designate
 32.27 the crossing as a stop crossing or yield crossing and shall notify the railway company
 32.28 operating the railroad at the crossing of this designation. Within 30 days after notification,
 32.29 the railway company shall erect the uniform stop crossing signs or yield crossing signs in
 32.30 accordance with the commissioner's order.

32.31 Subd. 2. **Stopping distances.** When a stop sign or a yield sign has been erected at
 32.32 a railroad crossing, the driver of a vehicle approaching a railroad crossing shall stop or
 32.33 yield within 50 feet, but not less than ten feet, from the nearest track of the crossing and
 32.34 shall proceed only upon exercising due care.

33.1 Sec. 56. Minnesota Statutes 2012, section 221.0314, subdivision 2, is amended to read:

33.2 Subd. 2. **Qualification of driver.** Code of Federal Regulations, title 49, part
 33.3 391 and appendixes D and E, are incorporated by reference except for sections 391.2;
 33.4 391.11, paragraph (b)(1); 391.47; 391.49; 391.62; 391.64; 391.67; 391.68; and 391.69. In
 33.5 addition, cross-references to sections or paragraphs not incorporated in this subdivision
 33.6 are not incorporated by reference. For medical examinations conducted on and after May
 33.7 21, 2014, the term "medical examiner" as used in this section and in the rules adopted
 33.8 under this section means an individual certified by the Federal Motor Carrier Safety
 33.9 Administration and listed on the National Registry of Certified Medical Examiners.

33.10 Sec. 57. Minnesota Statutes 2012, section 221.0314, subdivision 3a, is amended to read:

33.11 Subd. 3a. **Waiver for other medical condition.** (a) The commissioner may grant
 33.12 a waiver to a person who is not physically qualified to drive under Code of Federal
 33.13 Regulations, title 49, section 391.41, ~~paragraph (b)(3) to (b)(13)~~ paragraph (b)(3), (b)(10),
 33.14 or (b)(11). A waiver granted under this subdivision applies to intrastate transportation only.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Sec. 58. Minnesota Statutes 2012, section 221.0314, subdivision 9a, is amended to read:

Subd. 9a. **Hours of service exemptions.** The federal regulations incorporated in subdivision 9 for maximum driving and on-duty time do not apply to drivers engaged in the interstate or intrastate transportation of:

(1) agricultural commodities or farm supplies for agricultural purposes in Minnesota during the planting and harvesting seasons from March 15 to December 15 of each year; or

(2) sugar beets during the harvesting season for sugar beets from September 1 to May 15 of each year;

if the transportation is limited to an area within a ~~100-air-mile~~ 150-air-mile radius from the source of the commodities or from the retail or wholesale distribution point for of the farm supplies.

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

Sec. 59. Minnesota Statutes 2012, section 398A.04, is amended by adding a subdivision to read:

Subd. 2a. **Bus rapid transit development.** A regional rail authority may exercise the powers conferred under this section to: plan, establish, acquire, develop, purchase, enlarge, extend, improve, maintain, equip, regulate, and protect; and pay costs of construction and operation of a bus rapid transit system located within its county on transit ways included in and approved by the Metropolitan Council's 2030 Transportation Policy Plan. This subdivision applies only to the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

EFFECTIVE DATE. This section is effective the day following final enactment and applies only to the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

Sec. 60. Laws 2009, chapter 59, article 3, section 4, subdivision 9, as amended by Laws 2010, chapter 197, section 1, and Laws 2011, chapter 87, section 1, subdivision 9, is amended to read:

Subd. 9. **Sunset.** A city or county participating in this pilot program may accept an individual for diversion into the pilot program until June 30, ~~2013~~ 2017. The third party administering the diversion program may collect and disburse fees collected pursuant to subdivision 6, paragraph (a), clause (2), through December 31, ~~2014~~ 2018, at which time the pilot program under this section expires.

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

36.1 Sec. 61. **CENTRAL CORRIDOR LIGHT RAIL TRANSIT; CENTRAL**
36.2 **STATION ACCESSIBILITY.**

36.3 (a) For purposes of this section:

36.4 (1) "city" means the city of St. Paul;

36.5 (2) "council" has the meaning given in Minnesota Statutes, section 473.121,
36.6 subdivision 3; and

36.7 (3) "pedestrian skyway system" has the meaning given in Minnesota Statutes,
36.8 section 469.125, subdivision 4.

36.9 (b) Notwithstanding any law to the contrary, for the Central Station on the
36.10 Central Corridor light rail transit line, the council and city shall include construction or
36.11 establishment of access to a pedestrian skyway system as part of the initial transit line
36.12 construction project. The council and city shall ensure that public access to the pedestrian
36.13 skyway system is provided by an elevator located at the site of the station.

36.14 (c) The council and city shall meet the requirements under this section at the time of
36.15 initial construction of the Central Corridor light rail transit line and the Central Station.

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

36.17 Sec. 62. **CONVEYANCE OF STATE LAND; KOOCHICHING COUNTY.**

36.18 (a) Notwithstanding Minnesota Statutes, sections 16B.281 to 16B.287, 92.45,
36.19 161.43, 161.44 and 222.63, or any other law to the contrary, the commissioner of
36.20 transportation may convey and quitclaim to a private party all right, title, and interest of
36.21 the state of Minnesota, in the land described in paragraph (d).

36.22 (b) The conveyance must be in a form approved by the attorney general. The
36.23 attorney general may make changes to the land description to correct errors and ensure
36.24 accuracy. The conveyance may take place only upon conditions as determined by the
36.25 commissioner of transportation.

36.26 (c) No direct access shall be permitted between marked Trunk Highway 71 and
36.27 the lands to be conveyed.

36.28 (d) The land to be conveyed is located in Koochiching County and is described
36.29 as follows:

36.30 That part of Tract A described below:

36.31 Tract A. All that portion of the Burlington Northern Railroad Company's (formerly
36.32 Northern Pacific Railway Company) former 400.0 foot wide Station Ground Property
36.33 at Grand Falls, Minnesota, lying within a distance of 300.0 feet northwesterly of said
36.34 Railroad Company's former main track centerline upon, over, and across the Northwest
36.35 Quarter of the Southwest Quarter, the Northwest Quarter of the Northeast Quarter of the

37.1 Southwest Quarter, the Southeast Quarter of the Southwest Quarter of the Northwest
37.2 Quarter, and the Southeast Quarter of the Northwest Quarter of Section 36, Township 155
37.3 North, Range 25 West, Koochiching County, Minnesota;

37.4 which lies southerly of Line 1 described below:

37.5 Line 1. Commencing at a point on the north line of the Northeast Quarter of
37.6 said Section 36, distant 466.0 feet easterly of the northwest corner thereof; thence
37.7 southwesterly at an angle of 56 degrees 41 minutes from said north line (measured from
37.8 west to south) for 458.6 feet; thence deflect to the right on a 01 degree 00 minute curve,
37.9 delta angle 13 degrees 08 minutes, for 1313.3 feet; thence on tangent to said curve for
37.10 1500.0 feet; thence deflect to the left at an angle of 90 degrees 00 minutes for 200 feet to
37.11 the point of beginning of Line 1 to be described; thence deflect to the left at an angle of 90
37.12 degrees 00 minutes for 1500.0 feet; thence deflect to the right at an angle of 90 degrees 00
37.13 minutes for 200 feet and there terminating;

37.14 containing 16.45 acres, more or less, of which 0.55 acres is contained within a
37.15 public road (Koochiching County State-Aid Highway 31).

37.16 (e) The conveyance in this section is subject to the following restrictions:

37.17 (1) the right of way of the public road (Koochiching County State-Aid Highway
37.18 31 as now located and established) running along the east and west quarter line of said
37.19 Section 36; and

37.20 (2) no access shall be permitted to marked Trunk Highway 71 or to remaining rail
37.21 bank lands in said Section 36 from the lands conveyed in this section; except that access
37.22 shall be permitted by way of said Koochiching County State-Aid Highway 31.

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

37.24 Sec. 63. **CONVEYANCE OF STATE LAND; LE SUEUR COUNTY.**

37.25 (a) Notwithstanding Minnesota Statutes, sections 16B.281 to 16B.287, 92.45,
37.26 161.43, and 161.44, or any other law to the contrary, the commissioner of transportation
37.27 may convey and quitclaim to a private party all right, title, and interest of the state of
37.28 Minnesota, in the land described in paragraph (e). The consideration for a conveyance
37.29 shall be the cost of planning, designing, acquiring, constructing, and equipping a
37.30 comparable rest area facility.

37.31 (b) Proceeds from the sale of real estate or buildings under this section shall be
37.32 deposited in the safety rest area account established in Minnesota Statutes, section
37.33 160.2745.

37.34 (c) The conveyance must be in a form approved by the attorney general. The
37.35 attorney general may make changes to the land description to correct errors and ensure

accuracy. The conveyance may take place only upon conditions determined by the commissioner of transportation.

(d) No direct access shall be permitted between marked Trunk Highway 169 and the land conveyed under this section.

(e) The land to be conveyed is located in Le Sueur County and is described as tracts A, B, and C:

Tract A consists of that part of the West Half of the Southeast Quarter of Section 19, Township 112 North, Range 25 West, Le Sueur County, Minnesota, lying southeasterly of the southeasterly right-of-way line of marked Trunk Highway 169 as the same was located prior to January 1, 1990, and northerly of the northerly right-of-way line of old marked Trunk Highway 169 (now known as County State-Aid Highway 28); excepting therefrom that part thereof lying southwesterly of the following described line: From a point on the east line of said Section 19, distant 1273 feet north of the east quarter corner thereof, run southwesterly at an angle of 37 degrees 47 minutes 00 seconds from said east section line (measured from south to west) for 3332.5 feet; thence deflect to the right on a 01 degree 00 minute 00 second curve (delta angle 40 degrees 11 minutes 00 seconds) having a length of 4018.3 feet for 133.6 feet to the point of beginning of the line to be described; thence deflect to the left at an angle of 90 degrees 00 minutes 00 seconds to the tangent of said curve at said point for 1000 feet and there terminating.

Tract B consists of that part of the East Half of the Southeast Quarter of Section 19, Township 112 North, Range 25 West, Le Sueur County, Minnesota, lying southerly of the southeasterly right-of-way line of marked Trunk Highway 169 as located prior to January 1, 1990, northerly of the northerly right-of-way line of old marked Trunk Highway 169 (now known as County State-Aid Highway 28) and westerly of the following described line: From a point on the east line of said Section 19, distant 1273 feet north of the East Quarter corner thereof, run southwesterly at an angle of 37 degrees 47 minutes 00 seconds from said east section line (measured from south to west) for 2318 feet to the point of beginning of the line to be described; thence deflect to the left at an angle of 90 degrees 00 minutes 00 seconds for 400 feet; thence deflect to the right at an angle of 43 degrees 00 minutes 00 seconds for 1100 feet and there terminating.

Tract C consists of that part of the Southwest Quarter of the Southeast Quarter of Section 19, Township 112 North, Range 25 West, Le Sueur County, Minnesota, lying southeasterly of marked Trunk Highway 169 as located prior to January 1, 1971, and northwesterly of old marked Trunk Highway 169 (now known as County State-Aid Highway 28) and southwesterly of the following described line: From a point on the east line of said Section 19, distant 1273 feet north of the East Quarter corner thereof, run

39.1 southwesterly at an angle of 37 degrees 47 minutes 00 seconds with said east section line
39.2 for 3332.5 feet; thence deflect to the right on a 01 degree 00 minute 00 second curve
39.3 (delta angle 40 degrees 11 minutes 00 seconds) having a length of 4018.3 feet for 133.6
39.4 feet to the point of beginning of the line to be described; thence deflect to the left at an
39.5 angle of 90 degrees 00 minutes 00 seconds with the tangent of said curve at said point for
39.6 1000 feet and there terminating.

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

39.8 Sec. 64. **COMPLIANCE WITH FEDERAL TRANSPORTATION LAW.**

39.9 The commissioner of public safety shall make all reasonable efforts to refrain from
39.10 enforcing state laws that are in conflict with provisions enacted in Public Law 112-141,
39.11 Moving Ahead for Progress in the 21st Century Act (MAP-21).

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

39.13 Sec. 65. **MARKED U.S. HIGHWAY 53 RELOCATION PROJECT.**

39.14 Notwithstanding any law to the contrary, the commissioner of transportation, in
39.15 selecting the preferred alternative for the project involving the relocation of marked U.S.
39.16 Highway 53 between Eveleth and Virginia, shall:

39.17 (1) prioritize as a District 1 project, the acceleration of the scoping, relocation,
39.18 design, and construction of this highway;

39.19 (2) consider the economic and social impacts on the cities of Virginia, Eveleth,
39.20 Gilbert, and Mountain Iron, and not select an alternative that will impose undue negative
39.21 impact on the economies of these cities; and

39.22 (3) refrain from closing the existing U.S. Highway 53 corridor until construction of
39.23 the rerouted highway is complete and the highway is open to vehicle traffic.

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

39.25 Sec. 66. **LEGISLATIVE ROUTE NO. 235 REMOVED.**

39.26 (a) Minnesota Statutes, section 161.115, subdivision 166, is repealed effective the
39.27 day after the commissioner of transportation receives a copy of the agreement between
39.28 the commissioner and the governing body of Otter Tail County to transfer jurisdiction of
39.29 Legislative Route No. 235 and notifies the revisor of statutes under paragraph (b).

39.30 (b) The revisor of statutes shall delete the route identified in paragraph (a) from
39.31 Minnesota Statutes when the commissioner of transportation sends notice to the revisor

40.1 electronically or in writing that the conditions required to transfer the route have been
40.2 satisfied.

40.3 Sec. 67. **LEGISLATIVE ROUTE NO. 256 REMOVED.**

40.4 (a) Minnesota Statutes, section 161.115, subdivision 187, is repealed effective the
40.5 day after the commissioner of transportation receives a copy of the agreement between the
40.6 commissioner and the governing body of Blue Earth County to transfer jurisdiction of
40.7 Legislative Route No. 256 and notifies the revisor of statutes under paragraph (b).

40.8 (b) The revisor of statutes shall delete the route identified in paragraph (a) from
40.9 Minnesota Statutes when the commissioner of transportation sends notice to the revisor
40.10 electronically or in writing that the conditions required to transfer the route have been
40.11 satisfied.

40.12 Sec. 68. **SPECIFIC SERVICE SIGN.**

40.13 Notwithstanding any other law or administrative rule or order, the commissioner of
40.14 transportation, after being assured of adequate funding from nonstate sources, shall erect a
40.15 specific service sign on the east side of marked Trunk Highway 52, near its intersection
40.16 with 37th Street NW in Olmsted County. The sign must display the name or business
40.17 panel, or both, of a retail establishment on the east side of marked Trunk Highway 52 that
40.18 began operation before construction of the noise wall on the east side of marked Trunk
40.19 Highway 52, and the premises of which is blocked from view by the noise wall.

40.20 Sec. 69. **INTERSECTION SIGNAGE; MARKED TRUNK HIGHWAY 47.**

40.21 By August 1, 2013, the commissioner of transportation shall erect additional
40.22 signage on marked Trunk Highway 47 at the intersection with McKinley Street in Anoka
40.23 indicating the turning and through lane requirements for the intersection. The city of
40.24 Anoka shall reimburse the commissioner for the signage.

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

40.26 Sec. 70. **ORIGINAL IGNITION INTERLOCK DEVICE PROGRAM; USE**
40.27 **OF EMPLOYER-OWNED VEHICLES.**

40.28 A person participating in the ignition interlock device program under Minnesota
40.29 Statutes 2009, section 171.305, may drive an employer-owned vehicle not equipped with
40.30 an interlock device while in the normal course and scope of employment duties pursuant to
40.31 the program guidelines established by the commissioner referenced in Minnesota Statutes,
40.32 section 171.306, subdivision 4, paragraph (b), and with the employer's written consent.

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

41.2 Sec. 71. **REPEALER.**

41.3 (a) Minnesota Statutes 2012, sections 168.094; and 174.24, subdivision 5, are
41.4 repealed.

41.5 (b) Minnesota Rules, parts 8820.3300, subpart 2; and 8835.0330, subpart 2, are
41.6 repealed.

41.7 Sec. 72. **EFFECTIVE DATE.**

41.8 Except as provided otherwise, this act is effective August 1, 2013."

41.9 Delete the title and insert:

41.10 "A bill for an act
41.11 relating to transportation; amending various provisions related to transportation
41.12 and public safety policies, including highway signs, trunk highway routes,
41.13 state-aid systems, motor vehicle registration and license plates, record retention,
41.14 motor vehicle dealers, pupil transportation, bicycles, motor vehicle weight and
41.15 equipment, disability parking, drivers' licenses and senior identification cards,
41.16 federal law conformity, agency organization, commercial vehicle regulations,
41.17 railroads, land conveyance, transit and transit planning, operations, and
41.18 accessibility; amending Minnesota Statutes 2012, sections 160.21, subdivision
41.19 6; 160.80, subdivisions 1, 1a, 2; 161.04, subdivision 5; 161.115, subdivision
41.20 229, by adding a subdivision; 161.1231, subdivision 8; 161.44, by adding a
41.21 subdivision; 162.02, subdivision 3a; 162.09, subdivision 3a; 162.13, subdivision
41.22 2; 168.017, subdivisions 2, 3; 168.053, subdivision 1; 168.123, subdivision 2;
41.23 168.183, subdivision 1; 168.187, subdivision 17; 168.27, subdivisions 10, 11, by
41.24 adding a subdivision; 168A.153, subdivisions 1, 2, 3, by adding a subdivision;
41.25 168B.15; 169.011, subdivision 71; 169.18, subdivisions 4, 7; 169.19, subdivision
41.26 1; 169.222, subdivisions 2, 4, 6, 7; 169.34, subdivision 1; 169.346, subdivision
41.27 2, by adding a subdivision; 169.443, subdivision 9; 169.447, subdivision 2;
41.28 169.454, subdivision 12; 169.68; 169.824, subdivision 2; 171.01, subdivision
41.29 49b; 171.07, subdivisions 3a, 4; 174.02, by adding a subdivision; 174.03,
41.30 subdivision 1d; 174.24, subdivision 5a; 174.632; 174.636; 219.17; 219.18;
41.31 219.20; 221.0314, subdivisions 2, 3a, 9a; 398A.04, by adding a subdivision;
41.32 Laws 2009, chapter 59, article 3, section 4, subdivision 9, as amended; proposing
41.33 coding for new law in Minnesota Statutes, chapters 171; 174; repealing
41.34 Minnesota Statutes 2012, sections 168.094; 174.24, subdivision 5; Minnesota
41.35 Rules, parts 8820.3300, subpart 2; 8835.0330, subpart 2."

42.1 We request the adoption of this report and repassage of the bill.

42.2 Senate Conferees:

42.3	.....	.....
42.4	D. Scott Dibble	Susan Kent

42.5	.....	.....
42.6	Jim Carlson	Vicki Jensen

42.7	.....
42.8	John C. Pederson

42.9 House Conferees:

42.10	.....	.....
42.11	Ron Erhardt	Frank Hornstein

42.12	.....	.....
42.13	Sandra Masin	Mary Sawatzky

42.14	.....
42.15	Rod Hamilton