

SENATE  
STATE OF MINNESOTA  
NINETY-FIRST SESSION

S.F. No. 1749

(SENATE AUTHORS: NEWMAN)

DATE	D-PG	OFFICIAL STATUS
02/27/2019	545	Introduction and first reading
		Referred to Transportation Finance and Policy
03/14/2019		Comm report: To pass as amended and re-refer to Finance

1.1 A bill for an act

1.2 relating to transportation; making miscellaneous policy changes, including but not

1.3 limited to provisions governing bicycles, school bus warning lights, driver's license

1.4 suspension, airport zoning, legislative route removals, and memorial highways

1.5 and bridges; amending Minnesota Statutes 2018, sections 3.972, subdivision 4;

1.6 13.461, by adding a subdivision; 13.72, subdivision 10; 160.02, subdivision 1a;

1.7 161.115, subdivision 111; 161.14, by adding subdivisions; 161.32, subdivision 2;

1.8 168A.29, subdivision 1; 169.011, subdivisions 5, 9; 169.18, subdivisions 3, 7;

1.9 169.20, by adding a subdivision; 169.222, subdivisions 1, 4; 169.442, subdivision

1.10 5, by adding a subdivision; 169.448, subdivision 1; 169.4503, subdivisions 5, 13,

1.11 by adding a subdivision; 169.55, subdivision 1; 169.57, subdivision 3; 169.64,

1.12 subdivisions 3, 8, by adding a subdivision; 169.81, by adding a subdivision;

1.13 169.8261, subdivision 2; 169.829, subdivision 4; 169.92, subdivision 4; 171.041;

1.14 171.06, subdivision 2; 171.16, subdivisions 2, 3; 171.18, subdivision 1; 174.12,

1.15 subdivision 8; 299A.705; 360.013, by adding a subdivision; 360.017, subdivision

1.16 1; 360.021, subdivision 1; 360.024; 360.062; 360.063, subdivisions 1, 3; 360.064,

1.17 subdivision 1; 360.065, subdivision 1; 360.066, subdivision 1; 360.067, by adding

1.18 a subdivision; 360.071, subdivision 2; 360.305, subdivision 6; 394.22, by adding

1.19 a subdivision; 394.23; 394.231; 394.25, subdivision 3; 462.352, by adding a

1.20 subdivision; 462.355, subdivision 1; 462.357, subdivision 9, by adding a

1.21 subdivision; 473.13, by adding a subdivision; 473.386, by adding a subdivision;

1.22 574.26, subdivision 1a; Laws 2014, chapter 312, article 11, section 38, subdivisions

1.23 5, 6; proposing coding for new law in Minnesota Statutes, chapters 299A; 360;

1.24 repealing Minnesota Statutes 2018, sections 168.013, subdivision 21; 360.063,

1.25 subdivision 4; 360.065, subdivision 2; 360.066, subdivisions 1a, 1b.

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

1.27 Section 1. Minnesota Statutes 2018, section 3.972, subdivision 4, is amended to read:

1.28 Subd. 4. **Certain transit financial activity reporting.** (a) The legislative auditor must

1.29 perform a transit financial activity review of financial information for the Metropolitan

1.30 Council's Transportation Division ~~and the joint powers board under section 297A.992.~~

1.31 ~~Within 14 days of the end of each fiscal quarter,~~ two times each year. The first report, due

1.32 April 1, must include the quarters ending on September 30 and December 31 of the previous

2.1 calendar year. The second report, due October 1, must include the quarters ending on March  
 2.2 31 and June 30 of the current year. The legislative auditor must submit the review to the  
 2.3 Legislative Audit Commission and the chairs and ranking minority members of the legislative  
 2.4 committees with jurisdiction over transportation policy and finance, finance, and ways and  
 2.5 means.

2.6 (b) At a minimum, each transit financial activity review must include:

2.7 (1) a summary of monthly financial statements, including balance sheets and operating  
 2.8 statements, that shows income, expenditures, and fund balance;

2.9 (2) a list of any obligations and agreements entered into related to transit purposes,  
 2.10 whether for capital or operating, including but not limited to bonds, notes, grants, and future  
 2.11 funding commitments;

2.12 (3) the amount of funds in clause (2) that has been committed;

2.13 (4) independent analysis by the fiscal oversight officer of the fiscal viability of revenues  
 2.14 and fund balance compared to expenditures, taking into account:

2.15 (i) all expenditure commitments;

2.16 (ii) cash flow;

2.17 (iii) sufficiency of estimated funds; and

2.18 (iv) financial solvency of anticipated transit projects; and

2.19 (5) a notification concerning whether the requirements under paragraph (c) have been  
 2.20 met.

2.21 (c) The Metropolitan Council ~~and the joint powers board under section 297A.992~~ must  
 2.22 produce monthly financial statements as necessary for the review under paragraph (b),  
 2.23 clause (1), and provide timely information as requested by the legislative auditor.

2.24 (d) This subdivision expires on April 15, 2024.

2.25 **EFFECTIVE DATE.** This section is effective June 1, 2019.

2.26 Sec. 2. Minnesota Statutes 2018, section 13.461, is amended by adding a subdivision to  
 2.27 read:

2.28 Subd. 33. **Metropolitan Council special transportation service.** Data sharing between  
 2.29 the commissioner of human services and the Metropolitan Council to administer and  
 2.30 coordinate transportation services for individuals with disabilities and elderly individuals  
 2.31 is governed by section 473.386, subdivision 9.

3.1 **EFFECTIVE DATE.** This section is effective June 1, 2019, and applies in the counties  
 3.2 of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

3.3 Sec. 3. Minnesota Statutes 2018, section 13.72, subdivision 10, is amended to read:

3.4 Subd. 10. **Transportation service data.** (a) Personal, medical, financial, familial, or  
 3.5 locational information data pertaining to applicants for or users of services providing  
 3.6 transportation for ~~the disabled~~ individuals with disabilities or elderly individuals are private  
 3.7 data on individuals.

3.8 (b) Private transportation service data may be disclosed between the commissioner of  
 3.9 human services and the Metropolitan Council to administer and coordinate human services  
 3.10 programs and transportation services for individuals with disabilities and elderly individuals  
 3.11 under section 473.386.

3.12 **EFFECTIVE DATE.** This section is effective June 1, 2019, and applies in the counties  
 3.13 of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

3.14 Sec. 4. Minnesota Statutes 2018, section 160.02, subdivision 1a, is amended to read:

3.15 Subd. 1a. **Bikeway.** "~~Bikeway~~" ~~means a bicycle lane, bicycle path, shared use path,~~  
 3.16 ~~bicycle route, or similar bicycle facility, regardless of whether designed for the exclusive~~  
 3.17 ~~use of bicycles or for shared use with other transportation modes~~ has the meaning given in  
 3.18 section 169.011, subdivision 9.

3.19 Sec. 5. Minnesota Statutes 2018, section 161.115, subdivision 111, is amended to read:

3.20 Subd. 111. **Route No. 180.** Beginning at a point on Route No. ~~392 southwest or west~~  
 3.21 ~~of Ashby 3 at or near Erdahl,~~ thence extending in a general northerly or northeasterly  
 3.22 direction to a point on ~~Route No. 153 as herein established at or near Ashby,~~ thence extending  
 3.23 ~~in a northeasterly direction to a point on~~ Route No. 181 as herein established at or near  
 3.24 Ottertail.

3.25 Sec. 6. Minnesota Statutes 2018, section 161.14, is amended by adding a subdivision to  
 3.26 read:

3.27 Subd. 88. **Trooper Ray Krueger Memorial Highway.** That segment of marked Trunk  
 3.28 Highway 210 within Cass County is designated as "Trooper Ray Krueger Memorial  
 3.29 Highway." Subject to section 161.139, the commissioner shall adopt a suitable design to  
 3.30 mark this highway and erect appropriate signs in the vicinity of the location where Trooper  
 3.31 Krueger died.

4.1 Sec. 7. Minnesota Statutes 2018, section 161.14, is amended by adding a subdivision to  
4.2 read:

4.3 Subd. 89. **Warrant Officer Dennis A. Groth Memorial Bridge.** The bridge on marked  
4.4 U.S. Highway 52 over Dakota County State-Aid Highway 42, known as 145th Street within  
4.5 the city of Rosemount, is designated as "Warrant Officer Dennis A. Groth Memorial Bridge."  
4.6 Subject to section 161.139, the commissioner shall adopt a suitable design to mark the  
4.7 bridge and erect appropriate signs.

4.8 Sec. 8. Minnesota Statutes 2018, section 161.14, is amended by adding a subdivision to  
4.9 read:

4.10 Subd. 90. **Specialist Noah Pierce Bridge.** The bridge on marked U.S. Highway 53 over  
4.11 marked Trunk Highway 37 in the city of Eveleth is designated as "Specialist Noah Pierce  
4.12 Bridge." Subject to section 161.139, the commissioner shall adopt a suitable design to mark  
4.13 this bridge and erect appropriate signs.

4.14 Sec. 9. Minnesota Statutes 2018, section 161.32, subdivision 2, is amended to read:

4.15 Subd. 2. **Direct negotiation.** In cases where the estimated cost of construction work or  
4.16 maintenance work does not exceed ~~\$150,000~~ \$250,000, the commissioner may enter into  
4.17 a contract for the work by direct negotiation, by obtaining two or more quotations for the  
4.18 work, and without advertising for bids or otherwise complying with the requirements of  
4.19 competitive bidding if the total contractual obligation of the state for the directly negotiated  
4.20 contract or contracts on any single project does not exceed ~~\$150,000~~ \$250,000. All quotations  
4.21 obtained shall be kept on file for a period of at least one year after receipt of the quotation.

4.22 Sec. 10. Minnesota Statutes 2018, section 168A.29, subdivision 1, is amended to read:

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

4.24 (1) for filing an application for and the issuance of an original certificate of title, ~~the~~  
4.25 ~~sum of:~~

4.26 ~~(i) until December 31, 2016, \$6.25 of which \$3.25 must be paid into the vehicle services~~  
4.27 ~~operating account of the special revenue fund under section 299A.705, and from July 1,~~  
4.28 ~~2012, to June 30, 2016, a surcharge of \$1 must be added to the fee and credited to the driver~~  
4.29 ~~and vehicle services technology account; and~~

4.30 ~~(ii) on and after January 1, 2017, \$8.25, of which \$4.15 must be paid into the vehicle~~  
4.31 ~~services operating account under section 299A.705;~~

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

5.5 ~~(3) until December 31, 2016, for the transfer of the interest of an owner and the issuance~~  
 5.6 ~~of a new certificate of title, the sum of \$5.50 of which \$2.50 must be paid into the vehicle~~  
 5.7 ~~services operating account of the special revenue fund under section 299A.705, and from~~  
 5.8 ~~July 1, 2012, to June 30, 2016, a surcharge of \$1 must be added to the fee and credited to~~  
 5.9 ~~the driver and vehicle services technology account;~~

5.10 ~~(4)~~ (3) for each assignment of a security interest when first noted on a certificate of title,  
 5.11 unless noted concurrently with the security interest, ~~the sum of \$1~~; and

5.12 ~~(5)~~ (4) for issuing a duplicate certificate of title, ~~the sum of \$7.25~~, of which \$3.25 must  
 5.13 be paid into the vehicle services operating account ~~of the special revenue fund~~ under section  
 5.14 299A.705; ~~from July 1, 2012, to June 30, 2016, a surcharge of \$1 must be added to the fee~~  
 5.15 ~~and credited to the driver and vehicle services technology account.~~

5.16 (b) In addition to the fee required under paragraph (a), clause (1), the department must  
 5.17 be paid \$3.50. The additional \$3.50 fee collected under this paragraph must be deposited  
 5.18 in the special revenue fund and credited to the public safety motor vehicle account established  
 5.19 in section 299A.70.

5.20 Sec. 11. Minnesota Statutes 2018, section 169.011, subdivision 5, is amended to read:

5.21 Subd. 5. **Bicycle lane.** "Bicycle lane" means a portion of a roadway ~~or shoulder~~ designed  
 5.22 for exclusive or preferential use by persons using bicycles. Bicycle lanes are to be  
 5.23 distinguished from the portion of the roadway ~~or shoulder~~ used for motor vehicle traffic by  
 5.24 physical barrier, striping, marking, or other similar device.

5.25 Sec. 12. Minnesota Statutes 2018, section 169.011, subdivision 9, is amended to read:

5.26 Subd. 9. **Bikeway.** "Bikeway" means a bicycle lane, bicycle path, ~~or bicycle route~~, shared  
 5.27 use path, or similar bicycle facility, regardless of whether it is designed for the exclusive  
 5.28 use of bicycles or ~~is to be~~ for shared use with other transportation modes.

6.1 Sec. 13. Minnesota Statutes 2018, section 169.18, subdivision 3, is amended to read:

6.2 Subd. 3. **Passing.** ~~The following rules shall govern the overtaking and passing of vehicles~~  
 6.3 ~~proceeding in the same direction, subject to the limitations, exceptions, and special rules~~  
 6.4 ~~hereinafter stated:~~

6.5 ~~(1) (a)~~ The driver of a vehicle overtaking another vehicle proceeding in the same direction  
 6.6 ~~shall~~ must pass to the left ~~thereof~~ of the other vehicle at a safe distance and ~~shall not again~~  
 6.7 ~~drive~~ is prohibited from returning to the right side of the roadway until safely clear of the  
 6.8 overtaken vehicle;

6.9 ~~(2) (b)~~ Except when overtaking and passing on the right is permitted, the driver of an  
 6.10 overtaken vehicle ~~shall~~ must give way to the right in favor of the overtaking vehicle ~~on~~  
 6.11 ~~audible warning,~~ and ~~shall~~ must not increase the speed of ~~the overtaken vehicle~~ until  
 6.12 completely passed by the overtaking vehicle; ~~and.~~

6.13 ~~(3) (c)~~ The operator of a motor vehicle overtaking a bicycle or individual proceeding in  
 6.14 the same direction on the roadway ~~shall leave or shoulder~~ must:

6.15 (1) either (i) maintain a safe clearance distance while passing, but in no case less than  
 6.16 three feet clearance, when passing the bicycle or individual or one-half the width of the  
 6.17 motor vehicle, whichever is greater; or (ii) completely enter another lane of the roadway  
 6.18 while passing; and shall

6.19 (2) maintain clearance until the motor vehicle has safely past passed the overtaken bicycle  
 6.20 or individual.

6.21 Sec. 14. Minnesota Statutes 2018, section 169.18, subdivision 7, is amended to read:

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

6.25 ~~(a) (1)~~ a vehicle shall be driven as nearly as practicable entirely within a single lane and  
 6.26 ~~shall~~ must not be moved from ~~such~~ the lane until the driver has first ascertained that ~~such~~  
 6.27 the movement can be made with safety;

6.28 ~~(b) (2)~~ upon a roadway which is not a one-way roadway and which is divided into three  
 6.29 lanes, a vehicle ~~shall~~ must not be driven in the center lane except when overtaking and  
 6.30 passing another vehicle where the roadway is clearly visible and ~~such~~ the center lane is  
 6.31 clear of traffic within a safe distance, or in preparation for a left turn or where ~~such~~ the  
 6.32 center lane is at the time allocated exclusively to traffic moving in the direction the vehicle

7.1 is proceeding, and is signposted to give notice of ~~such~~ the allocation. The left lane of a  
 7.2 three-lane roadway which is not a one-way roadway ~~shall~~ must not be used for overtaking  
 7.3 and passing another vehicle;

7.4 ~~(e)~~ (3) official signs may be erected directing slow-moving traffic to use a designated  
 7.5 lane or allocating specified lanes to traffic moving in the same direction, and drivers of  
 7.6 vehicles ~~shall~~ must obey the ~~directions of every such~~ sign;

7.7 ~~(d)~~ (4) whenever a bicycle lane has been established on a roadway, any person operating  
 7.8 a motor vehicle on ~~such~~ the roadway ~~shall~~ must not drive in the bicycle lane except to  
 7.9 perform parking maneuvers in order to park where parking is permitted, to enter or leave  
 7.10 the highway, to prepare for a turn as provided in section 169.19, subdivision 1, or to stop  
 7.11 a school bus for the purpose of receiving or discharging any person provided the school bus  
 7.12 is equipped and identified as provided in sections 169.441 and 169.442, subdivision 1, and  
 7.13 the flashing red signals are activated and stop-signal arm is extended; and

7.14 (5) notwithstanding clause (1), the operator of a vehicle or combination of vehicles with  
 7.15 a total length exceeding 40 feet or a total width exceeding ten feet may, with due regard for  
 7.16 all other traffic, deviate from the lane in which the operator is driving to the extent necessary  
 7.17 to approach and drive through a roundabout.

7.18 Sec. 15. Minnesota Statutes 2018, section 169.20, is amended by adding a subdivision to  
 7.19 read:

7.20 Subd. 8. **Roundabouts.** If two vehicles or combinations of vehicles each having a total  
 7.21 length exceeding 40 feet or a total width exceeding ten feet approach or drive through a  
 7.22 roundabout at approximately the same time or so closely as to constitute a hazard of collision,  
 7.23 the operator of the vehicle or combination of vehicles on the right must yield the right-of-way  
 7.24 to the vehicle or combination of vehicles on the left and, if necessary, must reduce speed  
 7.25 or stop in order to so yield.

7.26 Sec. 16. Minnesota Statutes 2018, section 169.222, subdivision 1, is amended to read:

7.27 Subdivision 1. **Traffic laws apply.** (a) Every person operating a bicycle ~~shall have~~ has  
 7.28 all of the rights and duties applicable to the driver of any other vehicle by this chapter,  
 7.29 except in respect to those provisions in this chapter relating expressly to bicycles and in  
 7.30 respect to those provisions of this chapter which by their nature cannot reasonably be applied  
 7.31 to bicycles. This subdivision applies to a bicycle operating on the shoulder of a roadway.

8.1 (b) A person lawfully operating a bicycle (1) on a sidewalk, or (2) across a roadway or  
 8.2 shoulder on a crosswalk, has all the rights and duties applicable to a pedestrian under the  
 8.3 same circumstances.

8.4 Sec. 17. Minnesota Statutes 2018, section 169.222, subdivision 4, is amended to read:

8.5 Subd. 4. **Riding rules.** (a) Every person operating a bicycle ~~upon a roadway shall~~ on a  
 8.6 road must ride as close as practicable to the right-hand curb or edge of the roadway except  
 8.7 under any of the following situations road as the bicycle operator determines is safe. A  
 8.8 person operating a bicycle is not required to ride as close to the right-hand curb when:

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

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

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

8.15 (4) ~~when~~ operating on the shoulder of a roadway or in a bicycle lane; or

8.16 (5) operating in a right-hand turn lane before entering an intersection.

8.17 (b) If a bicycle is traveling on a shoulder of a roadway, the bicycle ~~shall~~ operator must  
 8.18 travel in the same direction as adjacent vehicular traffic.

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

8.22 (d) A person operating a bicycle upon a sidewalk, or across a roadway or shoulder on a  
 8.23 crosswalk, ~~shall~~ must yield the right-of-way to any pedestrian and ~~shall~~ give an audible  
 8.24 signal when necessary before overtaking and passing any pedestrian. ~~No~~ A person shall  
 8.25 must not ride a bicycle upon a sidewalk within a business district unless permitted by local  
 8.26 authorities. Local authorities may prohibit the operation of bicycles on any sidewalk or  
 8.27 crosswalk under their jurisdiction.

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

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

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

9.8 (g) Notwithstanding section 169.06, subdivision 4, a bicycle operator may cross an  
9.9 intersection proceeding from a dedicated right-hand turn lane without turning right.

9.10 Sec. 18. Minnesota Statutes 2018, section 169.442, subdivision 5, is amended to read:

9.11 Subd. 5. **White strobe lamps on certain buses transporting children.** ~~Notwithstanding~~  
9.12 ~~section 169.55, subdivision 1, or 169.57, subdivision 3, paragraph (b), or other law to the~~  
9.13 ~~contrary, A school bus that is subject to and complies with the equipment requirements of~~  
9.14 ~~subdivision 1 and section 169.441, subdivision 1, or a Head Start bus, may be equipped~~  
9.15 ~~with a flashing strobe lamp under section 169.64, subdivision 8.~~

9.16 Sec. 19. Minnesota Statutes 2018, section 169.442, is amended by adding a subdivision  
9.17 to read:

9.18 Subd. 6. **Supplemental warning system.** In addition to the signals required under  
9.19 subdivision 1, a type A, B, C, or D school bus may be equipped with a supplemental warning  
9.20 system under section 169.4503, subdivision 31.

9.21 Sec. 20. Minnesota Statutes 2018, section 169.448, subdivision 1, is amended to read:

9.22 Subdivision 1. **Restrictions on appearance; misdemeanor.** (a) A bus that is not used  
9.23 as a school bus ~~may~~ must not be operated on a street or highway unless it is painted a color  
9.24 significantly different than national school bus glossy yellow.

9.25 (b) A bus that is not used as a school bus or Head Start bus may not be operated if it is  
9.26 equipped with school bus or Head Start bus-related equipment and printing.

9.27 (c) A violation of this subdivision is a misdemeanor.

9.28 (d) This subdivision does not apply to a school bus owned by or under contract to a  
9.29 school district operated as a charter or leased bus.

9.30 (e) This subdivision does not apply to a school bus operated by a licensed child care  
9.31 provider if:

10.1 (1) the ~~stop~~ stop-signal arm is removed;

10.2 (2) the ~~eight-light system is~~ lighting systems for prewarning flashing amber signals,  
10.3 flashing red signals, and supplemental warnings under section 169.4503, subdivision 31,  
10.4 are deactivated;

10.5 (3) the school bus is identified as a "child care bus" in letters at least eight inches high  
10.6 on the front and rear top of the bus;

10.7 (4) the name, address, and telephone number of the owner or operator of the bus is  
10.8 identified on each front door of the bus in letters not less than three inches high; and

10.9 (5) the conditions under section 171.02, subdivision 2a, paragraphs (a) ~~through~~ to (j);  
10.10 and (l), and (n), have been met.

10.11 Sec. 21. Minnesota Statutes 2018, section 169.4503, subdivision 5, is amended to read:

10.12 Subd. 5. **Colors.** Fenderettes may be black. The beltline may be painted yellow over  
10.13 black or black over yellow. The rub rails ~~shall~~ must be black or yellow. The area around  
10.14 the lenses of alternately flashing signal lamps extending outward from the edge of the lamp  
10.15 three inches, plus or minus one-quarter inch, to the sides and top and at least one inch to  
10.16 the bottom, ~~shall~~ must be black. Visors or hoods, black in color, with a minimum of four  
10.17 inches may be provided.

10.18 Sec. 22. Minnesota Statutes 2018, section 169.4503, subdivision 13, is amended to read:

10.19 Subd. 13. **Identification.** (a) Each bus ~~shall~~ must, in the beltline, identify the school  
10.20 district serviced, or company name, or owner of the bus. Numbers necessary for identification  
10.21 must appear on the sides and rear of the bus. Symbols or letters may be used on the outside  
10.22 of the bus near the entrance door for student identification. A manufacturer's nameplate or  
10.23 logo may be placed on the bus.

10.24 (b) ~~Effective December 31, 1994,~~ All type A, B, C, and D buses sold must display  
10.25 lettering "Unlawful to pass when red lights are flashing" on the rear of the bus. The lettering  
10.26 ~~shall~~ must be in two-inch black letters on school bus yellow background. This message ~~shall~~  
10.27 must be displayed directly below the upper window of the rear door. On rear engine buses,  
10.28 it ~~shall~~ must be centered at approximately the same location. Only signs and lettering  
10.29 approved or required by state law ~~may~~ are permitted to be displayed.

10.30 (c) The requirements of paragraph (b) do not apply to a type A, B, C, or D school bus  
10.31 that is equipped with a changeable electronic message sign on the rear of the bus that:

11.1 (1) displays one or more of the messages: "Caution / stopping," "Unlawful to pass,"  
 11.2 "Stop / do not pass," or similar messages approved by the commissioner;

11.3 (2) displays messages in conjunction with bus operation and activation of prewarning  
 11.4 flashing amber signals, flashing red signals, or stop-signal arm, as appropriate; and

11.5 (3) is a supplemental warning system under section 169.4503, subdivision 31.

11.6 Sec. 23. Minnesota Statutes 2018, section 169.4503, is amended by adding a subdivision  
 11.7 to read:

11.8 Subd. 31. **Supplemental warning system; temporary authority.** (a) Prior to August  
 11.9 1, 2022, the commissioner may approve a type A, B, C, or D school bus to be equipped  
 11.10 with a supplemental warning system. On and after that date, a school bus may continue to  
 11.11 be equipped with a previously approved supplemental warning system.

11.12 (b) To determine approval of a supplemental warning system, the commissioner must  
 11.13 consider:

11.14 (1) signal colors, which are limited to one or more of the colors white, amber, and red;

11.15 (2) flashing patterns;

11.16 (3) vehicle mounting and placement;

11.17 (4) supplemental warning system activation in conjunction with activation of prewarning  
 11.18 flashing amber signals, stop-signal arm, and flashing red signals;

11.19 (5) light intensity; and

11.20 (6) permissible text, signage, and graphics, if any.

11.21 (c) The commissioner must review relevant research findings and experience in other  
 11.22 jurisdictions, and must consult with interested stakeholders, including but not limited to  
 11.23 representatives from school district pupil transportation directors, private school bus  
 11.24 operators, and pupil transportation and traffic safety associations.

11.25 Sec. 24. Minnesota Statutes 2018, section 169.55, subdivision 1, is amended to read:

11.26 Subdivision 1. **Lights or reflectors required.** At the times when lighted lamps on  
 11.27 vehicles are required each vehicle including an animal-drawn vehicle and any vehicle  
 11.28 specifically excepted in sections 169.47 to 169.79, with respect to equipment and not  
 11.29 ~~hereinbefore specifically~~ previously required to be equipped with lamps, ~~shall~~ must be  
 11.30 equipped with one or more lighted lamps or lanterns projecting a white light visible from

12.1 a distance of 500 feet to the front of the vehicle and with a lamp or lantern exhibiting a red  
 12.2 light visible from a distance of 500 feet to the rear, except that reflectors meeting the  
 12.3 maximum requirements of this chapter may be used in lieu of the lights required in this  
 12.4 subdivision. ~~It shall be unlawful except as otherwise provided in this subdivision, to project~~  
 12.5 ~~a white light to the rear of any such vehicle while traveling on any street or highway, unless~~  
 12.6 ~~such vehicle is moving in reverse. A lighting device mounted on top of a vehicle engaged~~  
 12.7 ~~in deliveries to residences may project a white light to the rear if the sign projects one or~~  
 12.8 ~~more additional colors to the rear. An authorized emergency vehicle may display an~~  
 12.9 ~~oscillating, alternating, or rotating white light used in connection with an oscillating,~~  
 12.10 ~~alternating, or rotating red light when responding to emergency calls.~~

12.11 Sec. 25. Minnesota Statutes 2018, section 169.57, subdivision 3, is amended to read:

12.12 Subd. 3. **Maintenance.** (a) When a vehicle is equipped with stop lamps or signal lamps,  
 12.13 ~~such~~ the lamps shall must at all times be maintained in good working condition.

12.14 (b) ~~No stop lamps or signal lamp shall project a glaring or dazzling light.~~

12.15 (e) All mechanical signal devices ~~shall~~ must be self-illuminated when in use at the times  
 12.16 when lighted lamps on vehicles are required.

12.17 Sec. 26. Minnesota Statutes 2018, section 169.64, subdivision 3, is amended to read:

12.18 Subd. 3. **Flashing lights; glaring lights.** (a) Flashing lights are prohibited, except:

12.19 (1) on an authorized emergency vehicle, school bus, bicycle as provided in section  
 12.20 169.222, subdivision 6, road maintenance equipment, tow truck or towing vehicle as provided  
 12.21 in section 168B.16, service vehicle, farm tractor, self-propelled farm equipment, rural mail  
 12.22 carrier vehicle, or funeral home vehicle, ~~or~~;

12.23 (2) on any vehicle as a means of indicating a right or left turn, or the presence of a  
 12.24 vehicular traffic hazard requiring unusual care in approaching, overtaking, or passing; or

12.25 (3) as otherwise provided in this section.

12.26 (b) All flashing warning lights ~~shall~~ must be of the type authorized by section 169.59,  
 12.27 subdivision 4, unless otherwise permitted or required in this chapter.

12.28 (c) A stop lamp or signal lamp is prohibited from projecting a glaring or dazzling light,  
 12.29 except for:

12.30 (1) strobe lamps as provided under subdivision 8 or section 169.59, subdivision 4; or

13.1 (2) a school bus equipped with a supplemental warning system under section 169.4503,  
 13.2 subdivision 31.

13.3 Sec. 27. Minnesota Statutes 2018, section 169.64, is amended by adding a subdivision to  
 13.4 read:

13.5 Subd. 4a. **White light.** (a) It is unlawful to project a white light at the rear of a vehicle  
 13.6 while traveling on any street or highway, except:

13.7 (1) for a vehicle moving in reverse;

13.8 (2) for a school bus equipped with a supplemental warning system under section  
 13.9 169.4503, subdivision 31;

13.10 (3) for a strobe lamp as provided under subdivision 8;

13.11 (4) as required for license plate illumination under section 169.50, subdivision 2;

13.12 (5) as provided in section 169.59, subdivision 4; and

13.13 (6) as otherwise provided in this subdivision.

13.14 (b) A lighting device mounted on top of a vehicle engaged in deliveries to residences  
 13.15 may project a white light to the rear if the sign projects one or more additional colors to the  
 13.16 rear.

13.17 (c) An authorized emergency vehicle may display an oscillating, alternating, or rotating  
 13.18 white light used in connection with an oscillating, alternating, or rotating red light when  
 13.19 responding to emergency calls.

13.20 Sec. 28. Minnesota Statutes 2018, section 169.64, subdivision 8, is amended to read:

13.21 Subd. 8. **Strobe lamp.** (a) Notwithstanding ~~sections 169.55, subdivision 1; 169.57,~~  
 13.22 ~~subdivision 3, paragraph (b); or any other law to the contrary,~~ a vehicle may be equipped  
 13.23 with a 360-degree flashing strobe lamp that emits a white light with a flash rate of 60 to  
 13.24 120 flashes a minute, and the lamp may be used as provided in this subdivision, if the vehicle  
 13.25 is:

13.26 (1) a school bus that is subject to and complies with the equipment requirements of  
 13.27 ~~sections 169.441, subdivision 1, and~~ section 169.442, subdivision 1, or a Head Start bus.

13.28 The lamp must operate from a separate switch containing an indicator lamp to show when  
 13.29 the strobe lamp is in use; or

14.1 (2) a road maintenance vehicle owned or under contract to the Department of  
 14.2 Transportation or a road authority of a county, home rule or statutory city, or town, but the  
 14.3 strobe lamp may only be operated while the vehicle is actually engaged in snow removal  
 14.4 during daylight hours.

14.5 (b) Notwithstanding ~~sections 169.55, subdivision 1; 169.57, subdivision 3, paragraph~~  
 14.6 ~~(b); or any other law to the contrary~~, a vehicle may be equipped with a 360-degree flashing  
 14.7 strobe lamp that emits an amber light with a flash rate of 60 to 120 flashes a minute, and  
 14.8 the lamp may be used as provided in this subdivision, if the vehicle is a rural mail carrier  
 14.9 vehicle, provided that the strobe lamp is mounted at the highest practicable point on the  
 14.10 vehicle. The strobe lamp may only be operated while the vehicle is actually engaged during  
 14.11 daylight hours in the delivery of mail to residents on a rural mail route.

14.12 (c) A strobe lamp authorized by this ~~section shall~~ subdivision must be of a double flash  
 14.13 type certified to the commissioner of public safety by the manufacturer as being weatherproof  
 14.14 and having a ~~minimum~~ an effective light output of ~~200 candelas as measured by the~~  
 14.15 ~~Blondel-Rey formula~~ that meets or exceeds the most recent version of SAE International  
 14.16 standard J845, Class 2, or a subsequent standard.

14.17 Sec. 29. Minnesota Statutes 2018, section 169.81, is amended by adding a subdivision to  
 14.18 read:

14.19 Subd. 11. **Automobile transporter.** (a) For purposes of this subdivision, the following  
 14.20 terms have the meanings given them:

14.21 (1) "automobile transporter" means any vehicle combination designed and used to  
 14.22 transport assembled highway vehicles, including truck camper units;

14.23 (2) "stinger-steered combination automobile transporter" means a truck tractor semitrailer  
 14.24 having the fifth wheel located on a drop frame located behind and below the rear-most axle  
 14.25 of the power unit; and

14.26 (3) "backhaul" means the return trip of a vehicle transporting cargo or general freight,  
 14.27 including when carrying goods back over all or part of the same route.

14.28 (b) Stinger-steered combination automobile transporters having a length of 80 feet or  
 14.29 less may be operated on interstate highways and other highways designated in this section,  
 14.30 and in addition may carry a load that extends the length by four feet or less in the front of  
 14.31 the vehicle and six feet or less in the rear of the vehicle.

15.1 (c) An automobile transporter may transport cargo or general freight on a backhaul,  
15.2 provided it complies with weight limitations for a truck tractor and semitrailer combination  
15.3 under section 169.824.

15.4 Sec. 30. Minnesota Statutes 2018, section 169.8261, subdivision 2, is amended to read:

15.5 Subd. 2. **Conditions.** (a) A vehicle or combination of vehicles described in subdivision  
15.6 1 must:

15.7 (1) comply with seasonal load restrictions in effect between the dates set by the  
15.8 commissioner under section 169.87, subdivision 2;

15.9 (2) comply with bridge load limits posted under section 169.84;

15.10 (3) be equipped and operated with six or more axles and brakes on all wheels;

15.11 (4) not exceed 90,000 pounds gross vehicle weight, or 99,000 pounds gross vehicle  
15.12 weight during the time when seasonal increases are authorized under section 169.826;

15.13 (5) not be operated on interstate highways;

15.14 (6) obtain an annual permit from the commissioner of transportation;

15.15 (7) obey all road postings; and

15.16 (8) not exceed 20,000 pounds gross weight on any single axle.

15.17 (b) A vehicle operated under this section may exceed the legal axle weight limits listed  
15.18 in section 169.824 by not more than 12.5 percent; except that, the weight limits may be  
15.19 exceeded by not more than 23.75 percent during the time when seasonal increases are  
15.20 authorized under section 169.826, subdivision 1.

15.21 (c) Notwithstanding paragraph (a), clause (5), a vehicle or combination of vehicles  
15.22 hauling raw or unfinished forest products may operate on the segment of marked Interstate  
15.23 Highway 35 provided under United States Code, title 23, section 127(q)(2)(D).

15.24 Sec. 31. Minnesota Statutes 2018, section 169.829, subdivision 4, is amended to read:

15.25 Subd. 4. **Certain emergency vehicles.** (a) The provisions of sections 169.80 to 169.88  
15.26 governing size, weight, and load do not apply to a fire apparatus, a law enforcement special  
15.27 response vehicle, or a licensed land emergency ambulance service vehicle.

15.28 (b) Emergency vehicles designed to transport personnel and equipment to support the  
15.29 suppression of fires and to mitigate other hazardous situations are subject to the following  
15.30 weight limitations when operated on an interstate highway: (1) 24,000 pounds on a single

16.1 steering axle; (2) 33,500 pounds on a single drive axle; (3) 52,000 pounds on a tandem rear  
16.2 drive steer axle; and (4) 62,000 pounds on a tandem axle. The gross weight of an emergency  
16.3 vehicle operating on an interstate highway must not exceed 86,000 pounds.

16.4 Sec. 32. Minnesota Statutes 2018, section 169.92, subdivision 4, is amended to read:

16.5 Subd. 4. **Suspension of driver's license.** (a) Upon receiving a report from the court, or  
16.6 from the driver licensing authority of a state, district, territory, or possession of the United  
16.7 States or a province of a foreign country which has an agreement in effect with this state  
16.8 pursuant to section 169.91, that a resident of this state or a person licensed as a driver in  
16.9 this state did not appear in court in compliance with the terms of a citation, the commissioner  
16.10 of public safety ~~shall~~ must notify the driver that the driver's license will be suspended unless  
16.11 the commissioner receives notice within 30 days that the driver has appeared in the  
16.12 appropriate court ~~or, if the offense is a petty misdemeanor for which a guilty plea was~~  
16.13 ~~entered under section 609.491, that the person has paid any fine imposed by the court.~~ If  
16.14 the commissioner does not receive notice of the appearance in the appropriate court ~~or~~  
16.15 ~~payment of the fine~~ within 30 days of the date of the commissioner's notice to the driver,  
16.16 the commissioner may suspend the driver's license, subject to the notice requirements of  
16.17 section 171.18, subdivision 2. Notwithstanding the requirements in this section, the  
16.18 commissioner is prohibited from suspending the driver's license of a person based solely  
16.19 on the fact that the person did not appear in court (1) in compliance with the terms of a  
16.20 citation for a petty misdemeanor, or (2) for a violation of section 171.24, subdivision 1.

16.21 (b) The order of suspension ~~shall~~ must indicate the reason for the order and ~~shall~~ must  
16.22 notify the driver that the driver's license ~~shall remain~~ remains suspended until the driver  
16.23 has furnished evidence, satisfactory to the commissioner, of compliance with any order  
16.24 entered by the court.

16.25 (c) Suspension shall be ordered under this subdivision only when the report clearly  
16.26 identifies the person arrested; describes the violation, specifying the section of the traffic  
16.27 law, ordinance or rule violated; indicates the location and date of the offense; and describes  
16.28 the vehicle involved and its registration number.

16.29 Sec. 33. Minnesota Statutes 2018, section 171.041, is amended to read:

16.30 **171.041 RESTRICTED LICENSE FOR FARM WORK.**

16.31 (a) Notwithstanding any provisions of section 171.04 relating to the age of an applicant  
16.32 to the contrary, the commissioner may issue a restricted farm work license to operate a  
16.33 motor vehicle to a person who has attained the age of 15 years and who, except for age, is

17.1 qualified to hold a driver's license. The applicant is not required to comply with the six-month  
 17.2 instruction permit possession provisions of sections 171.04, subdivision 1, clause (2), and  
 17.3 171.05, subdivision 2a, or with the 12-month provisional license possession provision of  
 17.4 section 171.04, subdivision 1, clause (1), item (i).

17.5 (b) The restricted license ~~shall~~ must be issued solely for the purpose of authorizing the  
 17.6 person to whom the restricted license is issued to assist the person's parents or guardians  
 17.7 with farm work. An individual may perform farm work under the restricted license for any  
 17.8 entity authorized to farm under section 500.24. A person holding this restricted license may  
 17.9 operate a motor vehicle only during daylight hours and only within a radius of ~~20~~ 40 miles  
 17.10 of the parent's or guardian's farmhouse; however, in no case may a person holding the  
 17.11 restricted license operate a motor vehicle in a city of the first class.

17.12 (c) An applicant for a restricted license ~~shall~~ must apply to the commissioner for the  
 17.13 license on forms prescribed by the commissioner. The application ~~shall~~ must be accompanied  
 17.14 by:

17.15 (1) a copy of a property tax statement showing that the applicant's parent or guardian  
 17.16 owns land that is classified as agricultural land or a copy of a rental statement or agreement  
 17.17 showing that the applicant's parent or guardian rents land classified as agricultural land; and

17.18 (2) a written verified statement by the applicant's parent or guardian setting forth the  
 17.19 necessity for the license.

17.20 **EFFECTIVE DATE.** This section is effective June 1, 2019.

17.21 Sec. 34. Minnesota Statutes 2018, section 171.06, subdivision 2, is amended to read:

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

17.23	REAL ID Compliant or				
17.24	Noncompliant Classified				
17.25	Driver's License	D-\$17.25	C-\$21.25	B-\$28.25	A-\$36.25
17.26	REAL ID Compliant or				
17.27	Noncompliant Classified				
17.28	Under-21 D.L.	D-\$17.25	C-\$21.25	B-\$28.25	A-\$16.25
17.29	Enhanced Driver's License	D-\$32.25	C-\$36.25	B-\$43.25	A-\$51.25
17.30	REAL ID Compliant or				
17.31	Noncompliant Instruction				
17.32	Permit				\$5.25
17.33	Enhanced Instruction				
17.34	Permit				\$20.25
17.35	Commercial Learner's				
17.36	Permit				\$2.50

- 18.1 REAL ID Compliant or  
18.2 Noncompliant Provisional  
18.3 License \$8.25
- 18.4 Enhanced Provisional  
18.5 License \$23.25
- 18.6 Duplicate REAL ID  
18.7 Compliant or Noncompliant  
18.8 License or duplicate REAL  
18.9 ID Compliant or  
18.10 Noncompliant identification  
18.11 card \$6.75
- 18.12 Enhanced Duplicate  
18.13 License or enhanced  
18.14 duplicate identification card \$21.75
- 18.15 REAL ID Compliant or  
18.16 Noncompliant Minnesota  
18.17 identification card or REAL  
18.18 ID Compliant or  
18.19 Noncompliant Under-21  
18.20 Minnesota identification  
18.21 card, other than duplicate,  
18.22 except as otherwise  
18.23 provided in section 171.07,  
18.24 subdivisions 3 and 3a \$11.25
- 18.25 Enhanced Minnesota  
18.26 identification card \$26.25
- 18.27 ~~In addition to each fee required in this paragraph, the commissioner shall collect a surcharge~~  
18.28 ~~of: (1) \$1.75 until June 30, 2012; and (2) \$1.00 from July 1, 2012, to June 30, 2016.~~  
18.29 ~~Surcharges collected under this paragraph must be credited to the driver and vehicle services~~  
18.30 ~~technology account in the special revenue fund under section 299A.705.~~
- 18.31 (b) Notwithstanding paragraph (a), an individual who holds a provisional license and  
18.32 has a driving record free of (1) convictions for a violation of section 169A.20, 169A.33,  
18.33 169A.35, sections 169A.50 to 169A.53, or section 171.177, (2) convictions for crash-related  
18.34 moving violations, and (3) convictions for moving violations that are not crash related, ~~shall~~  
18.35 must have a \$3.50 credit toward the fee for any classified under-21 driver's license. "Moving  
18.36 violation" has the meaning given it in section 171.04, subdivision 1.
- 18.37 (c) In addition to the driver's license fee required under paragraph (a), the commissioner  
18.38 ~~shall~~ must collect an additional \$4 processing fee from each new applicant or individual  
18.39 renewing a license with a school bus endorsement to cover the costs for processing an  
18.40 applicant's initial and biennial physical examination certificate. The department ~~shall~~ must  
18.41 not charge these applicants any other fee to receive or renew the endorsement.
- 18.42 (d) In addition to the fee required under paragraph (a), a driver's license agent may charge  
18.43 and retain a filing fee as provided under section 171.061, subdivision 4.

19.1 (e) In addition to the fee required under paragraph (a), the commissioner ~~shall~~ must  
19.2 charge a filing fee at the same amount as a driver's license agent under section 171.061,  
19.3 subdivision 4. Revenue collected under this paragraph must be deposited in the driver  
19.4 services operating account.

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

19.9 Sec. 35. Minnesota Statutes 2018, section 171.16, subdivision 2, is amended to read:

19.10 Subd. 2. **Commissioner shall suspend.** (a) The court may recommend the suspension  
19.11 of the driver's license of the person so convicted, and the commissioner ~~shall~~ must suspend  
19.12 such license as recommended by the court, without a hearing ~~as provided herein~~.

19.13 (b) The commissioner is prohibited from suspending a person's driver's license if the  
19.14 person was convicted only under section 171.24, subdivision 1 or 2.

19.15 Sec. 36. Minnesota Statutes 2018, section 171.16, subdivision 3, is amended to read:

19.16 Subd. 3. ~~Suspension for Failure to pay fine. When any court reports to~~ The  
19.17 commissioner must not suspend a person's driver's license based solely on the fact that a  
19.18 person: (1) has been convicted of violating a law of this state or an ordinance of a political  
19.19 subdivision which regulates the operation or parking of motor vehicles, (2) has been  
19.20 sentenced to the payment of a fine or had a surcharge levied against that person, or sentenced  
19.21 to a fine upon which a surcharge was levied, and (3) has refused or failed to comply with  
19.22 that sentence or to pay the surcharge, ~~notwithstanding the fact that the court has determined~~  
19.23 ~~that the person has the ability to pay the fine or surcharge, the commissioner shall suspend~~  
19.24 ~~the driver's license of such person for 30 days for a refusal or failure to pay or until notified~~  
19.25 ~~by the court that the fine or surcharge, or both if a fine and surcharge were not paid, has~~  
19.26 ~~been paid.~~

19.27 Sec. 37. Minnesota Statutes 2018, section 171.18, subdivision 1, is amended to read:

19.28 Subdivision 1. **Offenses.** (a) The commissioner may suspend the license of a driver  
19.29 without preliminary hearing upon a showing by department records or other sufficient  
19.30 evidence that the licensee:

19.31 (1) has committed an offense for which mandatory revocation of license is required upon  
19.32 conviction;

20.1 (2) has been convicted by a court for violating a provision of chapter 169 or an ordinance  
20.2 regulating traffic, other than a conviction for a petty misdemeanor, and department records  
20.3 show that the violation contributed in causing an accident resulting in the death or personal  
20.4 injury of another, or serious property damage;

20.5 (3) is an habitually reckless or negligent driver of a motor vehicle;

20.6 (4) is an habitual violator of the traffic laws;

20.7 (5) is incompetent to drive a motor vehicle as determined in a judicial proceeding;

20.8 (6) has permitted an unlawful or fraudulent use of the license;

20.9 (7) has committed an offense in another state that, if committed in this state, would be  
20.10 grounds for suspension;

20.11 (8) has committed a violation of section 169.444, subdivision 2, paragraph (a), within  
20.12 five years of a prior conviction under that section;

20.13 (9) has committed a violation of section 171.22, except that the commissioner may not  
20.14 suspend a person's driver's license based solely on the fact that the person possessed a  
20.15 fictitious or fraudulently altered Minnesota identification card;

20.16 (10) has failed to appear in court as provided in section 169.92, subdivision 4;

20.17 (11) has failed to report a medical condition that, if reported, would have resulted in  
20.18 cancellation of driving privileges;

20.19 (12) has been found to have committed an offense under section 169A.33; or

20.20 (13) has paid or attempted to pay a fee required under this chapter for a license or permit  
20.21 by means of a dishonored check issued to the state or a driver's license agent, which must  
20.22 be continued until the registrar determines or is informed by the agent that the dishonored  
20.23 check has been paid in full.

20.24 However, an action taken by the commissioner under clause (2) or (5) must conform to the  
20.25 recommendation of the court when made in connection with the prosecution of the licensee.

20.26 (b) Notwithstanding paragraph (c), the commissioner may suspend the license of a driver  
20.27 when any court reports to the commissioner that a driver has eight unpaid parking tickets  
20.28 within a 12-month period or ten unpaid parking tickets within a 24-month period.

20.29 ~~(b)~~ (c) The commissioner ~~may not suspend~~ is prohibited from suspending the driver's  
20.30 license of an individual under paragraph (a) who was convicted of a violation of section

21.1 171.24, subdivision 1, ~~whose license was under suspension at the time solely because of~~  
21.2 ~~the individual's failure to appear in court or failure to pay a fine~~ or 2.

21.3 Sec. 38. Minnesota Statutes 2018, section 174.12, subdivision 8, is amended to read:

21.4 Subd. 8. **Legislative report.** (a) By February 1 of each odd-numbered year, the  
21.5 commissioner of transportation, with assistance from the commissioner of employment and  
21.6 economic development, ~~shall~~ must submit a report on the transportation economic  
21.7 development program to the chairs and ranking minority members of the legislative  
21.8 committees with jurisdiction over transportation policy and finance and economic  
21.9 development policy and finance.

21.10 (b) At a minimum, the report must:

21.11 (1) summarize the requirements and implementation of the transportation economic  
21.12 development program established in this section;

21.13 (2) review the criteria and economic impact performance measures used for evaluation,  
21.14 prioritization, and selection of projects;

21.15 (3) provide a brief overview of each project that received financial assistance under the  
21.16 program, which must at a minimum identify:

21.17 (i) basic project characteristics, such as funding recipient, geographic location, and type  
21.18 of transportation modes served;

21.19 (ii) sources and respective amounts of project funding; and

21.20 (iii) the degree of economic benefit anticipated or observed, following the economic  
21.21 impact performance measures established under subdivision 4;

21.22 (4) identify the allocation of funds, including but not limited to a breakdown of total  
21.23 project funds by transportation mode, the amount expended for administrative costs, and  
21.24 the amount transferred to the transportation economic development assistance account;

21.25 (5) evaluate the overall economic impact of the program; and

21.26 (6) provide recommendations for any legislative changes related to the program.

21.27 (c) Notwithstanding paragraph (a), a report is not required in an odd-numbered year if  
21.28 no project received financial assistance during the preceding 24 months.

22.1 Sec. 39. **[299A.704] DRIVER AND VEHICLE SERVICES FUND.**

22.2 A driver and vehicle services fund is established within the state treasury. The fund  
 22.3 consists of accounts and money as specified by law, and any other money donated, allotted,  
 22.4 transferred, or otherwise provided to the fund.

22.5 Sec. 40. Minnesota Statutes 2018, section 299A.705, is amended to read:

22.6 **299A.705 DRIVER AND VEHICLE SERVICES ACCOUNTS.**

22.7 Subdivision 1. **Vehicle services operating account.** (a) The vehicle services operating  
 22.8 account is created in the ~~special revenue~~ driver and vehicle services fund, consisting of all  
 22.9 money from the vehicle services fees specified in chapters 168, 168A, and 168D, and any  
 22.10 other money ~~otherwise~~ donated, allotted, ~~appropriated, or legislated~~ transferred, or otherwise  
 22.11 provided to this the account.

22.12 (b) Funds ~~appropriated~~ are available from the account must be used by the commissioner  
 22.13 of public safety to administer the vehicle services as specified in chapters 168, 168A, and  
 22.14 168D, and section 169.345, including:

22.15 (1) designing, producing, issuing, and mailing vehicle registrations, plates, emblems,  
 22.16 and titles;

22.17 (2) collecting title and registration taxes and fees;

22.18 (3) transferring vehicle registration plates and titles;

22.19 (4) maintaining vehicle records;

22.20 (5) issuing disability certificates and plates;

22.21 (6) licensing vehicle dealers;

22.22 (7) appointing, monitoring, and auditing deputy registrars; and

22.23 (8) inspecting vehicles when required by law.

22.24 Subd. 2. **Driver services operating account.** (a) The driver services operating account  
 22.25 is created in the ~~special revenue~~ driver and vehicle services fund, consisting of all money  
 22.26 collected under chapter 171 and any other money ~~otherwise~~ donated, allotted, ~~appropriated,~~  
 22.27 ~~or legislated~~ transferred, or otherwise provided to the account.

22.28 (b) ~~Money in the~~ Funds appropriated from the account must be used by the commissioner  
 22.29 of public safety to administer the driver services specified in chapters 169A and 171,  
 22.30 including the activities associated with producing and mailing drivers' licenses and  
 22.31 identification cards and notices relating to issuance, renewal, or withdrawal of driving and

23.1 identification card privileges for any fiscal year or years and for the testing and examination  
23.2 of drivers.

23.3 Subd. 3. **Driver and vehicle services technology account.** (a) The driver and vehicle  
23.4 services technology account is created in the ~~special revenue~~ driver and vehicle services  
23.5 fund, consisting of the technology surcharge collected as specified in ~~chapters 168, 168A,~~  
23.6 ~~and 171; the filing fee revenue collected under section 168.33, subdivision 7; section 168.33~~  
23.7 and any other money ~~otherwise~~ donated, allotted, ~~appropriated, or legislated~~ transferred, or  
23.8 otherwise provided to this the account.

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

23.12 (c) ~~Following completion of the deposit of filing fee revenue into the driver and vehicle~~  
23.13 ~~services technology account as provided under section 168.33, subdivision 7~~ Annually by  
23.14 February 1, the commissioner ~~shall~~ must submit a ~~notification~~ report to the chairs and  
23.15 ranking minority members of the legislative committees with jurisdiction over transportation  
23.16 policy and finance ~~concerning driver and vehicle services information system implementation,~~  
23.17 ~~which must include information~~ on (1) total revenue deposited in the driver and vehicle  
23.18 services technology account for the previous calendar year, with a breakdown by sources  
23.19 of funds; (2) total project costs incurred through December 31 of the previous calendar year,  
23.20 with a breakdown by key project components; and (3) an estimate of ongoing system  
23.21 maintenance costs.

23.22 Subd. 4. **Prohibited expenditures.** The commissioner is prohibited from expending  
23.23 money from driver and vehicle services accounts created in the ~~special revenue~~ driver and  
23.24 vehicle services fund for any purpose that is not specifically authorized in this section or in  
23.25 the chapters specified in this section.

23.26 Sec. 41. Minnesota Statutes 2018, section 360.013, is amended by adding a subdivision  
23.27 to read:

23.28 Subd. 46a. **Comprehensive plan.** "Comprehensive plan" has the meaning given in  
23.29 section 394.22, subdivision 9, or 462.352, subdivision 5.

23.30 **EFFECTIVE DATE; APPLICATION.** This section is effective August 1, 2019.

24.1 Sec. 42. Minnesota Statutes 2018, section 360.017, subdivision 1, is amended to read:

24.2 Subdivision 1. **Creation; authorized disbursements.** (a) There is hereby created a fund  
24.3 to be known as the state airports fund. The fund shall consist of all money appropriated to  
24.4 it, or directed to be paid into it, by the legislature.

24.5 (b) The state airports fund shall be paid out on authorization of the commissioner and  
24.6 shall be used:

24.7 (1) to acquire, construct, improve, maintain, and operate airports and other air navigation  
24.8 facilities;

24.9 (2) to assist municipalities in the planning, acquisition, construction, improvement, and  
24.10 maintenance of airports and other air navigation facilities;

24.11 (3) to assist municipalities to initiate, enhance, and market scheduled air service at their  
24.12 airports;

24.13 (4) to promote interest and safety in aeronautics through education and information; and

24.14 (5) to pay the salaries and expenses of the Department of Transportation related to  
24.15 aeronautic planning, administration, and operation. All allotments of money from the state  
24.16 airports fund for salaries and expenses shall be approved by the commissioner of management  
24.17 and budget.

24.18 ~~(e) A municipality that adopts a comprehensive plan that the commissioner finds is~~  
24.19 ~~incompatible with the state aviation plan is not eligible for assistance from the state airports~~  
24.20 ~~fund.~~

24.21 **EFFECTIVE DATE; APPLICATION.** This section is effective August 1, 2019, and  
24.22 applies to airport sponsors that make or plan to make changes to runway lengths or  
24.23 configurations on or after that date. Airport safety zoning ordinances that were approved  
24.24 by the commissioner and effective before August 1, 2019, remain valid until or unless the  
24.25 airport sponsor (1) makes or plans to make changes to runway lengths or configurations,  
24.26 or (2) is required to update airport safety zoning ordinances.

24.27 Sec. 43. Minnesota Statutes 2018, section 360.021, subdivision 1, is amended to read:

24.28 Subdivision 1. **Authority to establish.** The commissioner is authorized and empowered,  
24.29 on behalf of and in the name of this state, within the limitation of available appropriations,  
24.30 to acquire, by purchase, gift, devise, lease, condemnation proceedings, or otherwise, property,  
24.31 real or personal, for the purpose of establishing and constructing restricted landing areas  
24.32 and other air navigation facilities and to acquire in like manner, own, control, establish,

25.1 construct, enlarge, improve, maintain, equip, operate, regulate, and police such restricted  
25.2 landing areas and other air navigation facilities, either within or without this state; and to  
25.3 make, prior to any such acquisition, investigations, surveys, and plans. The commissioner  
25.4 may maintain, equip, operate, regulate, and police airports, either within or without this  
25.5 state. The operation and maintenance of airports is an essential public service. The  
25.6 commissioner may maintain at such airports facilities for the servicing of aircraft and for  
25.7 the comfort and accommodation of air travelers. The commissioner may dispose of any  
25.8 such property, airport, restricted landing area, or any other air navigation facility, by sale,  
25.9 lease, or otherwise, in accordance with the laws of this state governing the disposition of  
25.10 other like property of the state. The commissioner may not acquire or take over any restricted  
25.11 landing area, or other air navigation facility without the consent of the owner. The  
25.12 commissioner shall not acquire any additional state airports nor establish any additional  
25.13 state-owned airports. The commissioner may erect, equip, operate, and maintain on any  
25.14 airport buildings and equipment necessary and proper to maintain, and conduct such airport  
25.15 and air navigation facilities connected therewith. The commissioner shall not expend money  
25.16 for land acquisition, or for the construction, improvement, or maintenance of airports, or  
25.17 for air navigation facilities for an airport, unless the ~~governmental unit~~ municipality, county,  
25.18 or joint airport zoning board involved has or is establishing a zoning authority for that  
25.19 airport, and the authority has made a good-faith showing that it is in the process of and will  
25.20 complete with due diligence, an airport zoning ordinance in accordance with sections 360.061  
25.21 to 360.074. The commissioner may provide funds to support airport safety projects that  
25.22 maintain existing infrastructure, regardless of a zoning authority's efforts to complete a  
25.23 zoning regulation. The commissioner may withhold funding from only the airport subject  
25.24 to the proposed zoning ordinance. Notwithstanding the foregoing prohibition, the  
25.25 commissioner may continue to maintain the state-owned airport at Pine Creek.

25.26 **EFFECTIVE DATE; APPLICATION.** This section is effective August 1, 2019, and  
25.27 applies to airport sponsors that make or plan to make changes to runway lengths or  
25.28 configurations on or after that date. Airport safety zoning ordinances that were approved  
25.29 by the commissioner and effective before August 1, 2019, remain valid until or unless the  
25.30 airport sponsor (1) makes or plans to make changes to runway lengths or configurations,  
25.31 or (2) is required to update airport safety zoning ordinances.

26.1 Sec. 44. Minnesota Statutes 2018, section 360.024, is amended to read:

26.2 **360.024 AIR TRANSPORTATION SERVICE CHARGE.**

26.3 Subdivision 1. Charges. (a) The commissioner ~~shall~~ must charge users of air  
26.4 transportation services provided by the commissioner for direct operating costs, excluding  
26.5 pilot salary ~~and~~.

26.6 (b) The commissioner must charge users for a portion of aircraft acquisition, replacement,  
26.7 or leasing costs.

26.8 Subd. 2. Accounts; appropriation. (a) An air transportation services account is  
26.9 established in the state airports fund. The account consists of money collected under  
26.10 subdivision 1, paragraph (a), and any other money donated, allotted, transferred, or otherwise  
26.11 provided to the account. All receipts for these services shall be deposited in the air  
26.12 transportation services account in the state airports fund and are Money in the account is  
26.13 annually appropriated to the commissioner to pay these direct air service operating costs.

26.14 (b) An aircraft capital account is established in the state airports fund. The account  
26.15 consists of collections under subdivision 1, paragraph (b), proceeds from the sale of aircraft  
26.16 under jurisdiction of the department, and any other money donated, allotted, transferred, or  
26.17 otherwise provided to the account. Money in the account must be used for aircraft acquisition,  
26.18 replacement, or leasing costs. Except as provided by law, the commissioner must not transfer  
26.19 money into or out of the account.

26.20 EFFECTIVE DATE. This section is effective July 1, 2019.

26.21 Sec. 45. Minnesota Statutes 2018, section 360.062, is amended to read:

26.22 **360.062 AIRPORT HAZARD PREVENTION; PROTECTING EXISTING**  
26.23 **NEIGHBORHOOD LAND USES.**

26.24 (a) It is hereby found that an airport hazard endangers the lives and property of users of  
26.25 the airport and of occupants of land in its vicinity, and may reduce the size of the area  
26.26 available for the landing, takeoff, and maneuvering of aircraft, thereby impairing the utility  
26.27 of the airport and the public investment therein. It is also found that the social and financial  
26.28 costs of disrupting existing land uses around airports ~~in built up urban areas, particularly~~  
26.29 ~~established residential neighborhoods,~~ often outweigh the benefits of a reduction in airport  
26.30 hazards that might result from the elimination or removal of those uses.

26.31 (b) Accordingly, it is hereby declared: (1) ~~that~~ the creation or establishment of an airport  
26.32 hazard is a public nuisance and an injury to the community served by the airport in question;

27.1 (2) ~~that it is therefor~~ necessary in the interest of the public health, public safety, and general  
 27.2 welfare that the creation or establishment of airport hazards be prevented and that this should  
 27.3 be accomplished to the extent legally possible, by exercise of the police power, without  
 27.4 compensation; and (3) ~~that the elimination or removal of existing land uses, particularly~~  
 27.5 ~~established residential neighborhoods in built-up urban areas,~~ or their designation as  
 27.6 nonconforming uses is not in the public interest and should be avoided whenever possible  
 27.7 consistent with reasonable standards of safety.

27.8 (c) It is further declared that the prevention of the creation or establishment of airport  
 27.9 hazards and the elimination, removal, alteration, mitigation, or marking and lighting of  
 27.10 existing airport hazards are essential public purposes services for which political subdivisions  
 27.11 may raise and expend public funds and acquire land or property interests therein.

27.12 **EFFECTIVE DATE; APPLICATION.** This section is effective August 1, 2019, and  
 27.13 applies to airport sponsors that make or plan to make changes to runway lengths or  
 27.14 configurations on or after that date. Airport safety zoning ordinances that were approved  
 27.15 by the commissioner and effective before August 1, 2019, remain valid until or unless the  
 27.16 airport sponsor (1) makes or plans to make changes to runway lengths or configurations,  
 27.17 or (2) is required to update airport safety zoning ordinances.

27.18 Sec. 46. Minnesota Statutes 2018, section 360.063, subdivision 1, is amended to read:

27.19 Subdivision 1. **Enforcement under police power.** (a) In order to prevent the creation  
 27.20 or establishment of airport hazards, every municipality having an airport hazard area within  
 27.21 its territorial limits may, unless a joint airport zoning board is permitted under subdivision  
 27.22 3, adopt, amend from time to time, administer, and enforce, under the police power and in  
 27.23 the manner and upon the conditions hereinafter prescribed, airport zoning regulations for  
 27.24 such airport hazard area, which regulations may divide such area into zones, and, within  
 27.25 such zones, specify the land uses permitted and regulate and restrict the height to which  
 27.26 structures and trees may be erected or allowed to grow.

27.27 (b) ~~For the purpose of promoting~~ In order to promote health, safety, order, convenience,  
 27.28 prosperity, general welfare and ~~for conserving~~ to conserve property values and ~~encouraging~~  
 27.29 encourage the most appropriate use of land, the municipality may regulate ~~the location, size~~  
 27.30 ~~and use of buildings and the density of population in that portion of an airport hazard area~~  
 27.31 ~~under approach zones for a distance not to exceed two miles from the airport boundary and~~  
 27.32 ~~in other portions of an~~ in airport hazard area may regulate by land use zoning for a distance  
 27.33 ~~not to exceed one mile from the airport boundary, and by height-restriction zoning for a~~

28.1 ~~distance not to exceed 1-1/2 miles from the airport boundary~~ areas: (1) land use; (2) height  
 28.2 restrictions; (3) the location, size, and use of buildings; and (4) the density of population.

28.3 (c) The powers granted by this subdivision may be exercised by metropolitan airports  
 28.4 commissions in contiguous cities of the first class in and for which they have been created.

28.5 (d) In the case of airports owned or operated by the state of Minnesota such powers shall  
 28.6 be exercised by the state airport zoning boards or by the commissioner of transportation as  
 28.7 authorized herein.

28.8 **EFFECTIVE DATE; APPLICATION.** This section is effective August 1, 2019, and  
 28.9 applies to airport sponsors that make or plan to make changes to runway lengths or  
 28.10 configurations on or after that date. Airport safety zoning ordinances that were approved  
 28.11 by the commissioner and effective before August 1, 2019, remain valid until or unless the  
 28.12 airport sponsor (1) makes or plans to make changes to runway lengths or configurations,  
 28.13 or (2) is required to update airport safety zoning ordinances.

28.14 Sec. 47. Minnesota Statutes 2018, section 360.063, subdivision 3, is amended to read:

28.15 Subd. 3. **Joint airport zoning board.** (a) Where an airport is owned or controlled by a  
 28.16 municipality and an airport hazard area appertaining to the airport is located within the  
 28.17 territorial limits of another county or municipality, the municipality owning or controlling  
 28.18 the airport may request a county or municipality in which an airport hazard area is located:

28.19 (1) to adopt and enforce airport zoning regulations for the area in question ~~that conform~~  
 28.20 ~~to standards prescribed by the commissioner pursuant to subdivision 4~~ under sections  
 28.21 360.0655 and 360.0656; or

28.22 (2) to join in creating a joint airport zoning board pursuant to paragraph (b). The owning  
 28.23 or controlling municipality shall determine which of these actions it shall request, except  
 28.24 as provided in paragraph (e) for the Metropolitan Airports Commission. The request shall  
 28.25 be made by certified mail to the governing body of each county and municipality in which  
 28.26 an airport hazard area is located.

28.27 (b) Where an airport is owned or controlled by a municipality and an airport hazard area  
 28.28 appertaining to the airport is located within the territorial limits of another county or  
 28.29 municipality, the municipality owning or controlling the airport and the county or other  
 28.30 municipality within which the airport hazard area is located may, by ordinance or resolution  
 28.31 duly adopted, create a joint airport zoning board, which board shall have the same power  
 28.32 to adopt, administer, and enforce airport zoning regulations applicable to the airport hazard  
 28.33 area in question as that vested by subdivision 1 in the municipality within which the area

29.1 is located. A joint board shall have as members two representatives appointed by the  
29.2 municipality owning or controlling the airport and two from the county or municipality, or  
29.3 in case more than one county or municipality is involved two from each county or  
29.4 municipality, in which the airport hazard is located, and in addition a chair elected by a  
29.5 majority of the members so appointed. All members shall serve at the pleasure of their  
29.6 respective appointing authority. Notwithstanding any other provision of law to the contrary,  
29.7 if the owning and controlling municipality is a city of the first class it shall appoint four  
29.8 members to the board, and the chair of the board shall be elected from the membership of  
29.9 the board.

29.10 (c) If a county or municipality, within 60 days of receiving a request from an owning  
29.11 or controlling municipality pursuant to paragraph (a), fails to adopt, or thereafter fails to  
29.12 enforce, the zoning regulations or fails to join in creating a joint airport zoning board, the  
29.13 owning or controlling municipality, or a joint airport zoning board created without  
29.14 participation by the subdivisions which fail to join the board, may itself adopt, administer,  
29.15 and enforce airport zoning regulations for the airport hazard area in question. In the event  
29.16 of conflict between the regulations and airport zoning regulations adopted by the county or  
29.17 municipality within which the airport hazard area is located, section 360.064, subdivision  
29.18 2, applies.

29.19 (d) "Owning or controlling municipality," as used in this subdivision, includes:

29.20 (1) a joint airport operating board created pursuant to section 360.042 that has been  
29.21 granted all the powers of a municipality in zoning matters under the agreement creating the  
29.22 board;

29.23 (2) a joint airport operating board created pursuant to section 360.042 that has not been  
29.24 granted zoning powers under the agreement creating the board; provided that the board shall  
29.25 not itself adopt zoning regulations nor shall a joint airport zoning board created at its request  
29.26 adopt zoning regulations unless all municipalities that created the joint operating board join  
29.27 to create the joint zoning board; and

29.28 (3) the Metropolitan Airports Commission established and operated pursuant to chapter  
29.29 473.

29.30 (e) The Metropolitan Airports Commission shall request creation of one joint airport  
29.31 zoning board for each airport operated under its authority.

29.32 **EFFECTIVE DATE; APPLICATION.** This section is effective August 1, 2019, and  
29.33 applies to airport sponsors that make or plan to make changes to runway lengths or  
29.34 configurations on or after that date. Airport safety zoning ordinances that were approved

30.1 by the commissioner and effective before August 1, 2019, remain valid until or unless the  
 30.2 airport sponsor (1) makes or plans to make changes to runway lengths or configurations,  
 30.3 or (2) is required to update airport safety zoning ordinances.

30.4 Sec. 48. Minnesota Statutes 2018, section 360.064, subdivision 1, is amended to read:

30.5 Subdivision 1. **Comprehensive regulations.** In the event that a municipality has adopted,  
 30.6 or hereafter adopts, a comprehensive zoning ordinance regulating, among other things the  
 30.7 height of buildings, any airport zoning regulations applicable to the same area or portion  
 30.8 thereof ~~may~~ must be incorporated by reference or incorporated in and made a part of such  
 30.9 comprehensive zoning regulations and be administered and enforced in connection therewith.

30.10 **EFFECTIVE DATE; APPLICATION.** This section is effective August 1, 2019, and  
 30.11 applies to airport sponsors that make or plan to make changes to runway lengths or  
 30.12 configurations on or after that date. Airport safety zoning ordinances that were approved  
 30.13 by the commissioner and effective before August 1, 2019, remain valid until or unless the  
 30.14 airport sponsor (1) makes or plans to make changes to runway lengths or configurations,  
 30.15 or (2) is required to update airport safety zoning ordinances.

30.16 Sec. 49. Minnesota Statutes 2018, section 360.065, subdivision 1, is amended to read:

30.17 Subdivision 1. **Notice of proposed zoning regulations, hearing.** (a) No airport zoning  
 30.18 regulations shall be adopted, amended, or changed under sections 360.011 to 360.076,  
 30.19 except by action of the governing body of the municipality ~~or, county in question, or joint~~  
 30.20 airport zoning board under section 360.0655 or 360.0656, or the boards provided for in  
 30.21 section 360.063, subdivisions 3 and 7, or by the commissioner as provided in subdivisions  
 30.22 6 and 8, after public hearings, at which parties in interest and citizens shall have an  
 30.23 opportunity to be heard.

30.24 (b) A public hearing ~~shall~~ must be held on the ~~proposed~~ airport zoning regulations  
 30.25 proposed by a municipality, county, or joint airport zoning board before they are submitted  
 30.26 ~~for approval to the commissioner and after that approval but before final adoption by the~~  
 30.27 local zoning authority for approval. If any changes that alter the regulations placed on a  
 30.28 parcel of land are made to the proposed airport zoning regulations after the initial public  
 30.29 hearing, the municipality, county, or joint airport zoning board must hold a second public  
 30.30 hearing before final adoption of the regulation. The commissioner may require a second  
 30.31 hearing as determined necessary.

30.32 (c) Notice of a hearing ~~required pursuant to this subdivision shall~~ must be published by  
 30.33 the local zoning authority municipality, county, or joint airport zoning board at least three

31.1 times during the period between 15 days and five days before the hearing in an official  
 31.2 newspaper and in a second newspaper designated by that authority which has a wide general  
 31.3 circulation in the area affected by the proposed regulations: and posted on the municipality's,  
 31.4 county's, or joint airport zoning board's website. If there is not a second newspaper of wide  
 31.5 general circulation in the area that the municipality, county, or joint airport zoning board  
 31.6 can designate for the notice, the municipality, county, or joint airport zoning board is only  
 31.7 required to publish the notice once in the official newspaper of the jurisdiction. The notice  
 31.8 shall not be published in the legal notice section of a newspaper. The notice must specify  
 31.9 the time, location, and purpose of the hearing, and must identify any additional location and  
 31.10 time the proposed regulations will be available for public inspection. A copy of the published  
 31.11 notice must be added to the record of the proceedings.

31.12 (d) Notice of a hearing shall also be mailed to the governing body of each political  
 31.13 subdivision in which property affected by the regulations is located. Notice shall must be  
 31.14 given by mail at least ~~15~~ ten days before each hearing to any persons in municipalities that  
 31.15 own land proposed to be included in safety zone A or B as provided in the rules of the  
 31.16 Department of Transportation and landowners where the location or size of a building, or  
 31.17 the density of population, will be regulated. Mailed notice must also be provided at least  
 31.18 ten days before each hearing to persons or municipalities that have previously requested  
 31.19 such notice from the ~~authority~~ municipality, county, or joint airport zoning board. The  
 31.20 notice must specify the time, location, and purpose of the hearing, and must identify any  
 31.21 additional location and time the proposed regulations will be made available for public  
 31.22 inspection. Mailed notice must also identify the property affected by the regulations. For  
 31.23 the purpose of ~~giving~~ providing mailed notice, the ~~authority~~ municipality, county, or joint  
 31.24 airport zoning board may use any appropriate records to determine the names and addresses  
 31.25 of owners. A copy of the notice and a list of the owners and addresses to which the notice  
 31.26 was sent ~~shall be attested to by the responsible person and shall must be made a part of~~  
 31.27 ~~added to the records of the proceedings. The Failure to ~~give~~ provide mailed notice to~~  
 31.28 individual property owners; or ~~defects~~ a defect in the notice, ~~shall does not invalidate the~~  
 31.29 proceedings; ~~provided~~ if a bona fide attempt to comply with this subdivision ~~has been~~ was  
 31.30 made. A notice ~~shall describe the property affected by the proposed regulations and the~~  
 31.31 ~~restrictions to be imposed on the property by the regulations and shall state the place and~~  
 31.32 ~~time at which the proposed regulations are available for public inspection.~~

31.33 **EFFECTIVE DATE; APPLICATION.** This section is effective August 1, 2019, and  
 31.34 applies to airport sponsors that make or plan to make changes to runway lengths or  
 31.35 configurations on or after that date. Airport safety zoning ordinances that were approved

32.1 by the commissioner and effective before August 1, 2019, remain valid until or unless the  
32.2 airport sponsor (1) makes or plans to make changes to runway lengths or configurations,  
32.3 or (2) is required to update airport safety zoning ordinances.

32.4 Sec. 50. **[360.0655] AIRPORT ZONING REGULATIONS BASED ON**  
32.5 **COMMISSIONER'S STANDARDS; SUBMISSION PROCESS.**

32.6 Subdivision 1. **Submission to commissioner; review.** (a) Except as provided in section  
32.7 360.0656, prior to adopting zoning regulations the municipality, county, or joint airport  
32.8 zoning board must submit the proposed regulations to the commissioner for the commissioner  
32.9 to determine whether the regulations conform to the standards prescribed by the  
32.10 commissioner. The municipality, county, or joint airport zoning board may elect to complete  
32.11 custom airport zoning under section 360.0656 instead of using the commissioner's standard,  
32.12 but only after providing written notice to the commissioner.

32.13 (b) Notwithstanding section 15.99, the commissioner must examine the proposed  
32.14 regulations within 90 days of receipt of the regulations and report to the municipality, county,  
32.15 or joint airport zoning board the commissioner's approval or objections, if any. Failure to  
32.16 respond within 90 days is deemed an approval. The commissioner may request additional  
32.17 information from the municipality, county, or joint airport zoning board within the 90-day  
32.18 review period. If the commissioner requests additional information, the 90-day review period  
32.19 is tolled until the commissioner receives information and deems the information satisfactory.

32.20 (c) If the commissioner objects on the grounds that the regulations do not conform to  
32.21 the standards prescribed by the commissioner, the municipality, county, or joint airport  
32.22 zoning board must make amendments necessary to resolve the objections or provide written  
32.23 notice to the commissioner that the municipality, county, or joint airport zoning board has  
32.24 elected to proceed with zoning under section 360.0656.

32.25 (d) If the municipality, county, or joint airport zoning board makes revisions to the  
32.26 proposed regulations after its initial public hearing, the municipality, county, or joint airport  
32.27 zoning board must conduct a second public hearing on the revisions and resubmit the revised  
32.28 proposed regulations to the commissioner for review. The commissioner must examine the  
32.29 revised proposed regulations within 90 days of receipt to determine whether the revised  
32.30 proposed regulations conform to the standards prescribed by the commissioner.

32.31 (e) If, after a second review period, the commissioner determines that the municipality,  
32.32 county, or joint airport zoning board failed to submit proposed regulations that conform to  
32.33 the commissioner's standards, the commissioner must provide a final written decision to  
32.34 the municipality, county, or joint airport zoning board.

33.1 (f) The municipality, county, or joint airport zoning board must not adopt regulations  
33.2 or take other action until the proposed regulations are approved by the commissioner.

33.3 (g) The commissioner may approve local zoning ordinances that are more stringent than  
33.4 the commissioner's standards.

33.5 (h) If the commissioner approves the proposed regulations, the municipality, county, or  
33.6 joint airport zoning board may adopt the regulations.

33.7 (i) A copy of the adopted regulations must be filed with the county recorder in each  
33.8 county that contains a zoned area subject to the regulations.

33.9 (j) Substantive rights that existed and had been exercised prior to August 1, 2019, are  
33.10 not affected by the filing of the regulations.

33.11 **Subd. 2. Protection of existing land uses.** (a) In order to ensure minimum disruption  
33.12 of existing land uses, the commissioner's airport zoning standards and local airport zoning  
33.13 ordinances or regulations adopted under this section must distinguish between the creation  
33.14 or establishment of a use and the elimination of an existing use, and must avoid the  
33.15 elimination, removal, or reclassification of existing uses to the extent consistent with  
33.16 reasonable safety standards. The commissioner's standards must include criteria for  
33.17 determining when an existing land use may constitute an airport hazard so severe that public  
33.18 safety considerations outweigh the public interest in preventing disruption to that land use.

33.19 (b) Airport zoning regulations that classify as a nonconforming use or require  
33.20 nonconforming use classification with respect to any existing low-density structure or  
33.21 existing isolated low-density building lots must be adopted under sections 360.061 to  
33.22 360.074.

33.23 (c) A local airport zoning authority may classify a land use described in paragraph (b)  
33.24 as an airport hazard if the authority finds that the classification is justified by public safety  
33.25 considerations and is consistent with the commissioner's airport zoning standards. Any land  
33.26 use described in paragraph (b) that is classified as an airport hazard must be acquired, altered,  
33.27 or removed at public expense.

33.28 (d) This subdivision must not be construed to affect the classification of any land use  
33.29 under any zoning ordinances or regulations not adopted under sections 360.061 to 360.074.

33.30 **EFFECTIVE DATE; APPLICATION.** This section is effective August 1, 2019, and  
33.31 applies to airport sponsors that make or plan to make changes to runway lengths or  
33.32 configurations on or after that date. Airport safety zoning ordinances that were approved  
33.33 by the commissioner and effective before August 1, 2019, remain valid until or unless the

34.1 airport sponsor (1) makes or plans to make changes to runway lengths or configurations,  
 34.2 or (2) is required to update airport safety zoning ordinances.

34.3 **Sec. 51. [360.0656] CUSTOM AIRPORT ZONING STANDARDS.**

34.4 Subdivision 1. Custom airport zoning standards; factors. (a) Notwithstanding section  
 34.5 360.0655, a municipality, county, or joint airport zoning board must provide notice to the  
 34.6 commissioner when the municipality, county, or joint airport zoning board intends to establish  
 34.7 and adopt custom airport zoning regulations under this section.

34.8 (b) Airport zoning regulations submitted to the commissioner under this subdivision are  
 34.9 not subject to the commissioner's zoning regulations under section 360.0655 or Minnesota  
 34.10 Rules, part 8800.2400.

34.11 (c) When developing and adopting custom airport zoning regulations under this section,  
 34.12 the municipality, county, or joint airport zoning board must include in the record a detailed  
 34.13 analysis that explains how the proposed custom airport zoning regulations addressed the  
 34.14 following factors to ensure a reasonable level of safety:

34.15 (1) the location of the airport, the surrounding land uses, and the character of  
 34.16 neighborhoods in the vicinity of the airport, including:

34.17 (i) the location of vulnerable populations, including schools, hospitals, and nursing  
 34.18 homes, in the airport hazard area;

34.19 (ii) the location of land uses that attract large assemblies of people in the airport hazard  
 34.20 area;

34.21 (iii) the availability of contiguous open spaces in the airport hazard area;

34.22 (iv) the location of wildlife attractants in the airport hazard area;

34.23 (v) airport ownership or control of the federal Runway Protection Zone and the  
 34.24 department's Clear Zone;

34.25 (vi) land uses that create or cause interference with the operation of radio or electronic  
 34.26 facilities used by the airport or aircraft;

34.27 (vii) land uses that make it difficult for pilots to distinguish between airport lights and  
 34.28 other lights, result in glare in the eyes of pilots using the airport, or impair visibility in the  
 34.29 vicinity of the airport;

34.30 (viii) land uses that otherwise inhibit a pilot's ability to land, take off, or maneuver the  
 34.31 aircraft;

35.1 (ix) airspace protection to prevent the creation of air navigation hazards in the airport  
35.2 hazard area; and

35.3 (x) the social and economic costs of restricting land uses;

35.4 (2) the airport's type of operations and how the operations affect safety surrounding the  
35.5 airport;

35.6 (3) the accident rate at the airport compared to a statistically significant sample, including  
35.7 an analysis of accident distribution based on the rate with a higher accident incidence;

35.8 (4) the planned land uses within an airport hazard area, including any applicable platting,  
35.9 zoning, comprehensive plan, or transportation plan; and

35.10 (5) any other information relevant to safety or the airport.

35.11 Subd. 2. **Submission to commissioner; review.** (a) Except as provided in section  
35.12 360.0655, prior to adopting zoning regulations, the municipality, county, or joint airport  
35.13 zoning board must submit its proposed regulations and the supporting record to the  
35.14 commissioner for review. The commissioner must determine whether the proposed custom  
35.15 airport zoning regulations and supporting record (1) evaluate the criteria under subdivision  
35.16 1, and (2) provide a reasonable level of safety.

35.17 (b) Notwithstanding section 15.99, the commissioner must examine the proposed  
35.18 regulations within 90 days of receipt of the regulations and report to the municipality, county,  
35.19 or joint airport zoning board the commissioner's approval or objections, if any. Failure to  
35.20 respond within 90 days is deemed an approval. The commissioner may request additional  
35.21 information from the municipality, county, or joint airport zoning board within the 90-day  
35.22 review period.

35.23 (c) If the commissioner objects on the grounds that the regulations do not provide a  
35.24 reasonable level of safety, the municipality, county, or joint airport zoning board must  
35.25 review, consider, and provide a detailed explanation demonstrating how it evaluated the  
35.26 objections and what action it took or did not take in response to the objections. If the  
35.27 municipality, county, or joint airport zoning board submits amended regulations after its  
35.28 initial public hearing, the municipality, county, or joint airport zoning board must conduct  
35.29 a second public hearing on the revisions and resubmit the revised proposed regulations to  
35.30 the commissioner for review. The commissioner must examine the revised proposed  
35.31 regulations within 90 days of receipt of the regulations. If the commissioner requests  
35.32 additional information, the 90-day review period is tolled until satisfactory information is  
35.33 received by the commissioner. Failure to respond within 90 days is deemed an approval.

36.1 (d) If, after the second review period, the commissioner determines that the municipality,  
 36.2 county, or joint airport zoning board failed to submit proposed regulations that provide a  
 36.3 reasonable safety level, the commissioner must provide a final written decision to the  
 36.4 municipality, county, or joint airport zoning board.

36.5 (e) A municipality, county, or joint airport zoning board is prohibited from adopting  
 36.6 custom regulations or taking other action until the proposed regulations are approved by  
 36.7 the commissioner.

36.8 (f) If the commissioner approves the proposed regulations, the municipality, county, or  
 36.9 joint airport zoning board may adopt the regulations.

36.10 (g) A copy of the adopted regulations must be filed with the county recorder in each  
 36.11 county that contains a zoned area subject to the regulations.

36.12 (h) Substantive rights that existed and had been exercised prior to August 1, 2019, are  
 36.13 not affected by the filing of the regulations.

36.14 **EFFECTIVE DATE; APPLICATION.** This section is effective August 1, 2019, and  
 36.15 applies to airport sponsors that make or plan to make changes to runway lengths or  
 36.16 configurations on or after that date. Airport safety zoning ordinances that were approved  
 36.17 by the commissioner and effective before August 1, 2019, remain valid until or unless the  
 36.18 airport sponsor (1) makes or plans to make changes to runway lengths or configurations,  
 36.19 or (2) is required to update airport safety zoning ordinances.

36.20 Sec. 52. Minnesota Statutes 2018, section 360.066, subdivision 1, is amended to read:

36.21 Subdivision 1. **Reasonableness.** ~~Standards of the commissioner~~ Zoning standards defining  
 36.22 airport hazard areas and the categories of uses permitted and airport zoning regulations  
 36.23 adopted under sections 360.011 to 360.076, ~~shall~~ must be reasonable, and none shall impose  
 36.24 a requirement or restriction ~~which~~ that is not reasonably necessary to effectuate the purposes  
 36.25 of sections 360.011 to 360.076. ~~In determining what minimum airport zoning regulations~~  
 36.26 ~~may be adopted, the commissioner and a local airport zoning authority shall consider, among~~  
 36.27 ~~other things, the character of the flying operations expected to be conducted at the airport,~~  
 36.28 ~~the location of the airport, the nature of the terrain within the airport hazard area, the existing~~  
 36.29 ~~land uses and character of the neighborhood around the airport, the uses to which the property~~  
 36.30 ~~to be zoned are planned and adaptable, and the social and economic costs of restricting land~~  
 36.31 ~~uses versus the benefits derived from a strict application of the standards of the commissioner.~~

36.32 **EFFECTIVE DATE; APPLICATION.** This section is effective August 1, 2019, and  
 36.33 applies to airport sponsors that make or plan to make changes to runway lengths or

37.1 configurations on or after that date. Airport safety zoning ordinances that were approved  
37.2 by the commissioner and effective before August 1, 2019, remain valid until or unless the  
37.3 airport sponsor (1) makes or plans to make changes to runway lengths or configurations,  
37.4 or (2) is required to update airport safety zoning ordinances.

37.5 Sec. 53. Minnesota Statutes 2018, section 360.067, is amended by adding a subdivision  
37.6 to read:

37.7 Subd. 5. **Federal no hazard determination.** (a) Notwithstanding subdivisions 1 and 2,  
37.8 a municipality, county, or joint airport zoning board may include in its custom airport zoning  
37.9 regulations adopted under section 360.0656 an option to permit construction of a structure,  
37.10 an increase or alteration of the height of a structure, or the growth of an existing tree without  
37.11 a variance from height restrictions if the Federal Aviation Administration has analyzed the  
37.12 proposed construction, alteration, or growth under Code of Federal Regulations, title 14,  
37.13 part 77, and has determined the proposed construction, alteration, or growth does not:

37.14 (1) pose a hazard to air navigation;

37.15 (2) require changes to airport or aircraft operations; or

37.16 (3) require any mitigation conditions by the Federal Aviation Administration that cannot  
37.17 be satisfied by the landowner.

37.18 (b) A municipality, county, or joint airport zoning board that permits an exception to  
37.19 height restrictions under this subdivision must require the applicant to file the Federal  
37.20 Aviation Administration's no hazard determination with the applicable zoning administrator.  
37.21 The applicant must obtain written approval of the zoning administrator before construction,  
37.22 alteration, or growth may occur. Failure of the administrator to respond within 60 days to  
37.23 a filing under this subdivision is deemed a denial. The Federal Aviation Administration's  
37.24 no hazard determination does not apply to requests for variation from land use, density, or  
37.25 any other requirement unrelated to the height of structures or the growth of trees.

37.26 **EFFECTIVE DATE; APPLICATION.** This section is effective August 1, 2019, and  
37.27 applies to airport sponsors that make or plan to make changes to runway lengths or  
37.28 configurations on or after that date. Airport safety zoning ordinances that were approved  
37.29 by the commissioner and effective before August 1, 2019, remain valid until or unless the  
37.30 airport sponsor (1) makes or plans to make changes to runway lengths or configurations,  
37.31 or (2) is required to update airport safety zoning ordinances.

38.1 Sec. 54. Minnesota Statutes 2018, section 360.071, subdivision 2, is amended to read:

38.2 Subd. 2. **Membership.** (a) Where a zoning board of appeals or adjustment already exists,  
38.3 it may be appointed as the board of adjustment. Otherwise, the board of adjustment shall  
38.4 consist of five members, each to be appointed for a term of three years by the authority  
38.5 adopting the regulations and to be removable by the appointing authority for cause, upon  
38.6 written charges and after public hearing. The length of initial appointments may be staggered.

38.7 (b) In the case of a Metropolitan Airports Commission, five members shall be appointed  
38.8 by the commission chair from the area in and for which the commission was created, any  
38.9 of whom may be members of the commission. In the case of an airport owned or operated  
38.10 by the state of Minnesota, the board of commissioners of the county, or counties, in which  
38.11 the airport hazard area is located shall constitute the airport board of adjustment and shall  
38.12 exercise the powers and duties of such board as provided herein.

38.13 **EFFECTIVE DATE; APPLICATION.** This section is effective August 1, 2019, and  
38.14 applies to airport sponsors that make or plan to make changes to runway lengths or  
38.15 configurations on or after that date. Airport safety zoning ordinances that were approved  
38.16 by the commissioner and effective before August 1, 2019, remain valid until or unless the  
38.17 airport sponsor (1) makes or plans to make changes to runway lengths or configurations,  
38.18 or (2) is required to update airport safety zoning ordinances.

38.19 Sec. 55. Minnesota Statutes 2018, section 360.305, subdivision 6, is amended to read:

38.20 Subd. 6. **Zoning required.** The commissioner ~~shall~~ must not expend money for planning  
38.21 or land acquisition, or for the construction, improvement, or maintenance of airports, or for  
38.22 air navigation facilities for an airport, unless the ~~governmental unit~~ municipality, county,  
38.23 or joint airport zoning board involved has or is establishing a zoning authority for that  
38.24 airport, and the authority has made a good-faith showing that it is in the process of and will  
38.25 complete with due diligence, an airport zoning ordinance in accordance with sections 360.061  
38.26 to 360.074. The commissioner may provide funds to support airport safety projects that  
38.27 maintain existing infrastructure, regardless of a zoning authority's efforts to complete a  
38.28 zoning regulation. The commissioner ~~shall~~ must make maximum use of zoning and easements  
38.29 to eliminate runway and other potential airport hazards rather than land acquisition in fee.

38.30 **EFFECTIVE DATE; APPLICATION.** This section is effective August 1, 2019, and  
38.31 applies to airport sponsors that make or plan to make changes to runway lengths or  
38.32 configurations on or after that date. Airport safety zoning ordinances that were approved  
38.33 by the commissioner and effective before August 1, 2019, remain valid until or unless the

39.1 airport sponsor (1) makes or plans to make changes to runway lengths or configurations,  
39.2 or (2) is required to update airport safety zoning ordinances.

39.3 Sec. 56. Minnesota Statutes 2018, section 394.22, is amended by adding a subdivision to  
39.4 read:

39.5 Subd. 1a. **Airport safety zone.** "Airport safety zone" means an area subject to land use  
39.6 zoning controls adopted under sections 360.061 to 360.074 if the zoning controls regulate  
39.7 (1) the size or location of buildings, or (2) the density of population.

39.8 **EFFECTIVE DATE; APPLICATION.** This section is effective August 1, 2019.

39.9 Sec. 57. Minnesota Statutes 2018, section 394.23, is amended to read:

39.10 **394.23 COMPREHENSIVE PLAN.**

39.11 The board has the power and authority to prepare and adopt by ordinance, a  
39.12 comprehensive plan. A comprehensive plan or plans when adopted by ordinance must be  
39.13 the basis for official controls adopted under the provisions of sections 394.21 to 394.37.  
39.14 The commissioner of natural resources must provide the natural heritage data from the  
39.15 county biological survey, if available, to each county for use in the comprehensive plan.  
39.16 When adopting or updating the comprehensive plan, the board must, if the data is available  
39.17 to the county, consider natural heritage data resulting from the county biological survey. In  
39.18 a county that is not a greater than 80 percent area, as defined in section 103G.005, subdivision  
39.19 10b, the board must consider adopting goals and objectives that will protect open space and  
39.20 the environment. The board must consider the location and dimensions of airport safety  
39.21 zones in any portion of the county, and of any airport improvements, identified in the airport's  
39.22 most recent approved airport layout plan.

39.23 **EFFECTIVE DATE; APPLICATION.** This section is effective August 1, 2019, and  
39.24 applies to airport sponsors that make or plan to make changes to runway lengths or  
39.25 configurations on or after that date. Airport safety zoning ordinances that were approved  
39.26 by the commissioner and effective before August 1, 2019, remain valid until or unless the  
39.27 airport sponsor (1) makes or plans to make changes to runway lengths or configurations,  
39.28 or (2) is required to update airport safety zoning ordinances.

40.1 Sec. 58. Minnesota Statutes 2018, section 394.231, is amended to read:

40.2 **394.231 COMPREHENSIVE PLANS IN GREATER MINNESOTA; OPEN SPACE.**

40.3 A county adopting or updating a comprehensive plan in a county outside the metropolitan  
 40.4 area as defined by section 473.121, subdivision 2, and that is not a greater than 80 percent  
 40.5 area, as defined in section 103G.005, subdivision 10b, shall consider adopting goals and  
 40.6 objectives for the preservation of agricultural, forest, wildlife, and open space land, and  
 40.7 minimizing development in sensitive shoreland areas. Within three years of updating the  
 40.8 comprehensive plan, the county shall consider adopting ordinances as part of the county's  
 40.9 official controls that encourage the implementation of the goals and objectives. The county  
 40.10 shall consider the following goals and objectives:

40.11 (1) minimizing the fragmentation and development of agricultural, forest, wildlife, and  
 40.12 open space lands, including consideration of appropriate minimum lot sizes;

40.13 (2) minimizing further development in sensitive shoreland areas;

40.14 (3) minimizing development near wildlife management areas, scientific and natural  
 40.15 areas, and nature centers;

40.16 (4) encouraging land uses in airport safety zones that are compatible with the safe  
 40.17 operation of the airport and the safety of people in the vicinity of the airport;

40.18 ~~(4)~~ (5) identification of areas of preference for higher density, including consideration  
 40.19 of existing and necessary water and wastewater services, infrastructure, other services, and  
 40.20 to the extent feasible, encouraging full development of areas previously zoned for  
 40.21 nonagricultural uses;

40.22 ~~(5)~~ (6) encouraging development close to places of employment, shopping centers,  
 40.23 schools, mass transit, and other public and private service centers;

40.24 ~~(6)~~ (7) identification of areas where other developments are appropriate; and

40.25 ~~(7)~~ (8) other goals and objectives a county may identify.

40.26 **EFFECTIVE DATE; APPLICATION.** This section is effective August 1, 2019, and  
 40.27 applies to airport sponsors that make or plan to make changes to runway lengths or  
 40.28 configurations on or after that date. Airport safety zoning ordinances that were approved  
 40.29 by the commissioner and effective before August 1, 2019, remain valid until or unless the  
 40.30 airport sponsor (1) makes or plans to make changes to runway lengths or configurations,  
 40.31 or (2) is required to update airport safety zoning ordinances.

41.1 Sec. 59. Minnesota Statutes 2018, section 394.25, subdivision 3, is amended to read:

41.2 Subd. 3. **In district zoning, maps.** Within each such district zoning ordinances or maps  
41.3 may also be adopted designating or limiting the location, height, width, bulk, type of  
41.4 foundation, number of stories, size of, and the specific uses for which dwellings, buildings,  
41.5 and structures may be erected or altered; the minimum and maximum size of yards, courts,  
41.6 or other open spaces; setback from existing roads and highways and roads and highways  
41.7 designated on an official map; protective measures necessary to protect the public interest  
41.8 including but not limited to controls relating to appearance, signs, lighting, hours of operation  
41.9 and other aesthetic performance characteristics including but not limited to noise, heat,  
41.10 glare, vibrations and smoke; the area required to provide for off street loading and parking  
41.11 facilities; heights of trees and structures near airports; and to avoid too great concentration  
41.12 or scattering of the population. All such provisions shall be uniform for each class of land  
41.13 or building throughout each district, but the provisions in one district may differ from those  
41.14 in other districts. No provision may prohibit earth sheltered construction as defined in section  
41.15 216C.06, subdivision 14, or manufactured homes built in conformance with sections 327.31  
41.16 to 327.35 that comply with all other zoning ordinances promulgated pursuant to this section.  
41.17 Airport safety zones must be included on maps that illustrate boundaries of zoning districts  
41.18 and that are adopted as official controls.

41.19 **EFFECTIVE DATE.** This section is effective August 1, 2019, and applies to maps  
41.20 created or updated under this section on or after that date.

41.21 Sec. 60. Minnesota Statutes 2018, section 462.352, is amended by adding a subdivision  
41.22 to read:

41.23 Subd. 1a. **Airport safety zone.** "Airport safety zone" has the meaning given in section  
41.24 394.22, subdivision 1a.

41.25 **EFFECTIVE DATE; APPLICATION.** This section is effective August 1, 2019.

41.26 Sec. 61. Minnesota Statutes 2018, section 462.355, subdivision 1, is amended to read:

41.27 Subdivision 1. **Preparation and review.** The planning agency shall prepare the  
41.28 comprehensive municipal plan. In discharging this duty the planning agency shall consult  
41.29 with and coordinate the planning activities of other departments and agencies of the  
41.30 municipality to insure conformity with and to assist in the development of the comprehensive  
41.31 municipal plan. In its planning activities the planning agency shall take due cognizance of  
41.32 the planning activities of adjacent units of government and other affected public agencies.  
41.33 The planning agency shall periodically review the plan and recommend amendments

42.1 whenever necessary. When preparing or recommending amendments to the comprehensive  
 42.2 plan, the planning agency of a municipality located within a county that is not a greater than  
 42.3 80 percent area, as defined in section 103G.005, subdivision 10b, must consider adopting  
 42.4 goals and objectives that will protect open space and the environment. When preparing or  
 42.5 recommending amendments to the comprehensive plan, the planning agency must consider  
 42.6 (1) the location and dimensions of airport safety zones in any portion of the municipality,  
 42.7 and (2) any airport improvements identified in the airport's most recent approved airport  
 42.8 layout plan.

42.9 **EFFECTIVE DATE; APPLICATION.** This section is effective August 1, 2019, and  
 42.10 applies to airport sponsors that make or plan to make changes to runway lengths or  
 42.11 configurations on or after that date. Airport safety zoning ordinances that were approved  
 42.12 by the commissioner and effective before August 1, 2019, remain valid until or unless the  
 42.13 airport sponsor (1) makes or plans to make changes to runway lengths or configurations,  
 42.14 or (2) is required to update airport safety zoning ordinances.

42.15 Sec. 62. Minnesota Statutes 2018, section 462.357, is amended by adding a subdivision  
 42.16 to read:

42.17 **Subd. 1i. Airport safety zones on zoning maps.** Airport safety zones must be included  
 42.18 on maps that illustrate boundaries of zoning districts and that are adopted as official controls.

42.19 **EFFECTIVE DATE.** This section is effective August 1, 2019, and applies to maps  
 42.20 created or updated under this section on or after that date.

42.21 Sec. 63. Minnesota Statutes 2018, section 462.357, subdivision 9, is amended to read:

42.22 **Subd. 9. Development goals and objectives.** In adopting official controls after July 1,  
 42.23 2008, in a municipality outside the metropolitan area, as defined by section 473.121,  
 42.24 subdivision 2, the municipality shall consider restricting new residential, commercial, and  
 42.25 industrial development so that the new development takes place in areas subject to the  
 42.26 following goals and objectives:

42.27 (1) minimizing the fragmentation and development of agricultural, forest, wildlife, and  
 42.28 open space lands, including consideration of appropriate minimum lot sizes;

42.29 (2) minimizing further development in sensitive shoreland areas;

42.30 (3) minimizing development near wildlife management areas, scientific and natural  
 42.31 areas, and nature centers;

43.1 (4) encouraging land uses in airport safety zones that are compatible with the safe  
 43.2 operation of the airport and the safety of people in the vicinity of the airport;

43.3 ~~(4)~~ (5) identification of areas of preference for higher density, including consideration  
 43.4 of existing and necessary water and wastewater services, infrastructure, other services, and  
 43.5 to the extent feasible, encouraging full development of areas previously zoned for  
 43.6 nonagricultural uses;

43.7 ~~(5)~~ (6) encouraging development close to places of employment, shopping centers,  
 43.8 schools, mass transit, and other public and private service centers;

43.9 ~~(6)~~ (7) identification of areas where other developments are appropriate; and

43.10 ~~(7)~~ (8) other goals and objectives a municipality may identify.

43.11 **EFFECTIVE DATE; APPLICATION.** This section is effective August 1, 2019, and  
 43.12 applies to airport sponsors that make or plan to make changes to runway lengths or  
 43.13 configurations on or after that date. Airport safety zoning ordinances that were approved  
 43.14 by the commissioner and effective before August 1, 2019, remain valid until or unless the  
 43.15 airport sponsor (1) makes or plans to make changes to runway lengths or configurations,  
 43.16 or (2) is required to update airport safety zoning ordinances.

43.17 Sec. 64. Minnesota Statutes 2018, section 473.13, is amended by adding a subdivision to  
 43.18 read:

43.19 **Subd. 1d. Budget changes or variances; reports.** At least quarterly by January 1, April  
 43.20 1, July 1, and October 1, the council must submit a summary to the chairs and ranking  
 43.21 minority members of the house of representatives and senate committees with jurisdiction  
 43.22 over transportation policy and finance and to the Legislative Commission on Metropolitan  
 43.23 Government on any changes to or variances from the budget adopted under subdivision 1.

43.24 **EFFECTIVE DATE; APPLICATION.** This section is effective June 1, 2019, and  
 43.25 applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

43.26 Sec. 65. Minnesota Statutes 2018, section 473.386, is amended by adding a subdivision  
 43.27 to read:

43.28 **Subd. 9. Data practices.** (a) For purposes of administering this section, and only with  
 43.29 the consent of the data subject, the commissioner of human services and the Metropolitan  
 43.30 Council may share the following private data on individuals eligible for special transportation  
 43.31 services:

44.1 (1) name;

44.2 (2) date of birth;

44.3 (3) residential address; and

44.4 (4) program eligibility status with expiration date, to inform the other party of program  
44.5 eligibility.

44.6 (b) The commissioner of human services and the Metropolitan Council must provide  
44.7 notice regarding data sharing to each individual applying for or renewing eligibility to use  
44.8 special transportation services. The notice must seek consent to engage in data sharing under  
44.9 paragraph (a), and must state how and for what purposes the individual's private data will  
44.10 be shared between the commissioner of human services and the Metropolitan Council. A  
44.11 consent to engage in data sharing is effective until the individual's eligibility expires, but  
44.12 may be renewed if the individual applies to renew eligibility.

44.13 **EFFECTIVE DATE; APPLICATION.** This section is effective June 1, 2019, and  
44.14 applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.  
44.15 Within 60 days of this section's effective date, the commissioner of human services and the  
44.16 Metropolitan Council must provide notice regarding data sharing to each individual who is  
44.17 currently receiving special transportation services under Minnesota Statutes, section 473.386.  
44.18 The notice must provide an opportunity to opt out of data sharing under paragraph (a) of  
44.19 this section, and must state how and for what purposes the individual's private data will be  
44.20 shared between the commissioner of human services and the Metropolitan Council. An  
44.21 individual who is currently receiving special transportation services on this section's effective  
44.22 date is presumed to have consented to data sharing under paragraph (a) unless, within 60  
44.23 days of the dissemination of the notice, the individual appropriately informs the commissioner  
44.24 of human services or the Metropolitan Council that the individual opts out of data sharing.

44.25 Sec. 66. Minnesota Statutes 2018, section 574.26, subdivision 1a, is amended to read:

44.26 Subd. 1a. **Exemptions: certain manufacturers; commissioner of transportation;**  
44.27 **road maintenance.** (a) Sections 574.26 to 574.32 do not apply to a manufacturer of public  
44.28 transit buses that manufactures at least 100 public transit buses in a calendar year. For  
44.29 purposes of this section, "public transit bus" means a motor vehicle designed to transport  
44.30 people, with a design capacity for carrying more than 40 passengers, including the driver.  
44.31 The term "public transit bus" does not include a school bus, as defined in section 169.011,  
44.32 subdivision 71.

45.1 (b) At the discretion of the commissioner of transportation, sections 574.26 to 574.32  
45.2 do not apply to any projects of the Department of Transportation (1) costing less than the  
45.3 amount in section 471.345, subdivision 3, ~~or~~ (2) involving the permanent or semipermanent  
45.4 installation of heavy machinery, fixtures, or other capital equipment to be used primarily  
45.5 for maintenance or repair, or (3) awarded under section 161.32, subdivision 2.

45.6 (c) Sections 574.26 to 574.32 do not apply to contracts for snow removal, ice removal,  
45.7 grading, or other similar routine road maintenance on town roads.

45.8 Sec. 67. Laws 2014, chapter 312, article 11, section 38, subdivision 5, is amended to read:

45.9 Subd. 5. **Pilot program evaluation.** In coordination with the city, the commissioner of  
45.10 transportation shall evaluate effectiveness of the pilot program under this section, which  
45.11 must include analysis of traffic safety impacts, utility to motorists and tourists, costs and  
45.12 expenditures, extent of community support, and pilot program termination or continuation.  
45.13 By January 15, ~~2021~~ 2025, the commissioner shall submit a report on the evaluation to the  
45.14 ~~chairs and ranking minority members~~ and staff of the legislative committees with jurisdiction  
45.15 over transportation policy and finance.

45.16 Sec. 68. Laws 2014, chapter 312, article 11, section 38, subdivision 6, is amended to read:

45.17 Subd. 6. **Expiration.** The pilot program under this section expires January 1, ~~2022~~ 2026.

45.18 Sec. 69. **LEGISLATIVE ROUTE NO. 222 REMOVED.**

45.19 (a) Minnesota Statutes, section 161.115, subdivision 153, is repealed effective the day  
45.20 after the commissioner of transportation receives a copy of the agreement between the  
45.21 commissioner and the governing body of Red Lake County to transfer jurisdiction of  
45.22 Legislative Route No. 222 and after the commissioner notifies the revisor of statutes under  
45.23 paragraph (b).

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

45.27 Sec. 70. **LEGISLATIVE ROUTE NO. 253 REMOVED.**

45.28 (a) Minnesota Statutes, section 161.115, subdivision 184, is repealed effective the day  
45.29 after the commissioner of transportation receives a copy of the agreement between the  
45.30 commissioner and the governing body of Faribault County to transfer jurisdiction of

46.1 Legislative Route No. 253 and after the commissioner notifies the revisor of statutes under  
46.2 paragraph (b).

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

46.6 **Sec. 71. LEGISLATIVE ROUTE NO. 254 REMOVED.**

46.7 (a) Minnesota Statutes, section 161.115, subdivision 185, is repealed effective the day  
46.8 after the commissioner of transportation receives a copy of the agreement between the  
46.9 commissioner and the governing body of Faribault County to transfer jurisdiction of  
46.10 Legislative Route No. 254 and after the commissioner notifies the revisor of statutes under  
46.11 paragraph (b).

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

46.15 **Sec. 72. LEGISLATIVE ROUTE NO. 277 REMOVED.**

46.16 (a) Minnesota Statutes, section 161.115, subdivision 208, is repealed effective June 1,  
46.17 2019, or the day after the commissioner of transportation receives a copy of the agreement  
46.18 between the commissioner and the governing body of Chippewa County to transfer  
46.19 jurisdiction of Legislative Route No. 277 and after the commissioner notifies the revisor of  
46.20 statutes under paragraph (b), whichever is later.

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

46.24 **Sec. 73. LEGISLATIVE ROUTE NO. 298 REMOVED.**

46.25 (a) Minnesota Statutes, section 161.115, subdivision 229, is repealed effective the day  
46.26 after the commissioner of transportation receives a copy of the agreement between the  
46.27 commissioner and the governing body of the city of Faribault to transfer jurisdiction of  
46.28 Legislative Route No. 298 and after the commissioner notifies the revisor of statutes under  
46.29 paragraph (b).

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

47.4 **Sec. 74. LEGISLATIVE ROUTE NO. 299 REMOVED.**

47.5 (a) Minnesota Statutes, section 161.115, subdivision 230, is repealed effective the day  
47.6 after the commissioner of transportation receives a copy of the agreement between the  
47.7 commissioner and the governing body of the city of Faribault to transfer jurisdiction of  
47.8 Legislative Route No. 299 and after the commissioner notifies the revisor of statutes under  
47.9 paragraph (b).

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

47.13 **Sec. 75. LEGISLATIVE ROUTE NO. 323 REMOVED.**

47.14 (a) Minnesota Statutes, section 161.115, subdivision 254, is repealed effective the day  
47.15 after the commissioner of transportation receives a copy of the agreement between the  
47.16 commissioner and the governing body of the city of Faribault to transfer jurisdiction of  
47.17 Legislative Route No. 323 and after the commissioner notifies the revisor of statutes under  
47.18 paragraph (b).

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

47.22 **Sec. 76. RETROACTIVE DRIVER'S LICENSE REINSTATEMENT.**

47.23 (a) The commissioner of public safety must make an individual's driver's license eligible  
47.24 for reinstatement if the license is solely suspended pursuant to:

47.25 (1) Minnesota Statutes 2016, section 171.16, subdivision 2, if the person was convicted  
47.26 only under Minnesota Statutes, section 171.24, subdivision 1 or 2;

47.27 (2) Minnesota Statutes 2016, section 171.16, subdivision 3; or

47.28 (3) both clauses (1) and (2).

47.29 (b) By May 1, 2020, the commissioner must provide written notice to an individual  
47.30 whose license has been made eligible for reinstatement under paragraph (a), addressed to  
47.31 the licensee at the licensee's last known address.

48.1 (c) Before the license is reinstated, an individual whose driver's license is eligible for  
48.2 reinstatement under paragraph (a) must pay the reinstatement fee under Minnesota Statutes,  
48.3 section 171.20, subdivision 4.

48.4 (d) The following applies for an individual who is eligible for reinstatement under  
48.5 paragraph (a), clause (1), (2), or (3), and whose license was suspended, revoked, or canceled  
48.6 under any other provision in Minnesota Statutes:

48.7 (1) the suspension, revocation, or cancellation under any other provision in Minnesota  
48.8 Statutes remains in effect;

48.9 (2) subject to clause (1), the individual may become eligible for reinstatement under  
48.10 paragraph (a), clause (1), (2), or (3); and

48.11 (3) the commissioner is not required to send the notice described in paragraph (b).

48.12 (e) Paragraph (a) applies notwithstanding Minnesota Statutes 2016, sections 169.92,  
48.13 subdivision 4; 171.16, subdivision 2 or 3; or any other law to the contrary.

48.14 **EFFECTIVE DATE.** This section is effective April 1, 2020.

48.15 **Sec. 77. COMMERCIAL DRIVER'S LICENSE FEDERAL REGULATION WAIVER**  
48.16 **REQUEST.**

48.17 For the sole purpose of authorizing a person to drive a bus with no passengers to deliver  
48.18 the bus to the purchaser, the commissioner of public safety must apply to the Federal Motor  
48.19 Carrier Safety Administration for a waiver from Code of Federal Regulations, title 49,  
48.20 section 383.93, and any other federal rule or regulation that requires a person to have a  
48.21 passenger endorsement.

48.22 **EFFECTIVE DATE.** This section is effective June 1, 2019.

48.23 **Sec. 78. NORTHSTAR COMMUTER RAIL OPERATING COSTS; EXCEPTION.**

48.24 (a) Minnesota Statutes, section 398A.10, subdivision 2, does not apply for reserve funds  
48.25 available to the Anoka County Regional Railroad Authority as of June 30, 2019, that are  
48.26 used to pay operating and maintenance costs of Northstar Commuter Rail.

48.27 (b) This section expires on January 1, 2022.

49.1 Sec. 79. **REVISOR INSTRUCTIONS.**

49.2 (a) The revisor of statutes shall renumber Minnesota Statutes, section 160.02, subdivision  
49.3 27a, as Minnesota Statutes, section 169.011, subdivision 73a. The revisor shall correct any  
49.4 cross-references made necessary by this renumbering.

49.5 (b) The revisor of statutes shall change the term "special revenue fund" to "driver and  
49.6 vehicle services fund" wherever the term appears in Minnesota Statutes when referring to  
49.7 the accounts under Minnesota Statutes, section 299A.705.

49.8 Sec. 80. **REPEALER.**

49.9 (a) Minnesota Statutes 2018, section 168.013, subdivision 21, is repealed.

49.10 (b) Minnesota Statutes 2018, sections 360.063, subdivision 4; 360.065, subdivision 2;  
49.11 and 360.066, subdivisions 1a and 1b, are repealed.

49.12 **EFFECTIVE DATE; APPLICATION.** Paragraph (b) is effective August 1, 2019, and  
49.13 applies to airport sponsors that make or plan to make changes to runway lengths or  
49.14 configurations on or after that date. Airport safety zoning ordinances that were approved  
49.15 by the commissioner and effective before August 1, 2019, remain valid until or unless the  
49.16 airport sponsor (1) makes or plans to make changes to runway lengths or configurations,  
49.17 or (2) is required to update airport safety zoning ordinances.

**168.013 VEHICLE REGISTRATION TAXES.**

Subd. 21. **Technology surcharge.** For every vehicle registration renewal required under this chapter, the commissioner shall collect a surcharge of: (1) \$1.75 until June 30, 2012; and (2) \$1 from July 1, 2012, to June 30, 2016. Surcharges collected under this subdivision must be credited to the driver and vehicle services technology account in the special revenue fund under section 299A.705.

**360.063 AIRPORT ZONING; AUTHORITY, PROCEDURE.**

Subd. 4. **Airport approach.** The commissioner may recommend an airport approach plan for each publicly owned airport in the state and for each privately owned airport of the publicly owned class and from time to time recommend revisions of the plan. A plan shall indicate the circumstances in which structures or trees are or would be airport hazards, the airport hazard area, and what measures should be taken to eliminate airport hazards. The commissioner shall prescribe airport approach and turning standards for airports of various classes, and airport zoning regulations adopted by a municipality, county, or joint airport zoning board shall conform to the standards, except as provided in sections 360.065 and 360.066.

**360.065 AIRPORT ZONING; ADOPTION AND APPROVAL OF PROPOSED REGULATIONS.**

Subd. 2. **Regulations submitted to commissioner.** Prior to adopting zoning regulations for an airport hazard area under sections 360.011 to 360.076, the municipality, county, or joint airport zoning board which is to adopt the regulations shall submit its proposed regulations to the commissioner in order that the commissioner may determine whether it conforms to the standards prescribed by the commissioner. The commissioner shall immediately examine the proposed regulations and report to the municipality, county, or joint airport zoning board the commissioner's approval, or objections, if any. If objections are made by the commissioner on the ground that the regulations do not conform to the standards prescribed by the commissioner for the class of airport involved, the municipality, county, or joint zoning board shall make amendments as are necessary to meet the objections unless it demonstrates that the social and economic costs of restricting land uses in accordance with the standards outweigh the benefits of a strict application of the standards. The governing body of the municipality or county or the joint airport zoning board shall not adopt the regulations or take other action until the proposed regulations are approved by the commissioner. The commissioner may approve local zoning ordinances that are more stringent than the standards. A copy of the regulations as adopted shall be filed with the county recorder in each county in which the zoned area is located.

Substantive rights existing prior to the passage of this subdivision and previously exercised are not affected by the filing of the regulations.

**360.066 AIRPORT ZONING; MINIMUM STANDARDS, LAND USES.**

Subd. 1a. **Protection of existing neighborhood.** (a) In order to ensure the minimum disruption of existing land uses, particularly established residential neighborhoods in built-up urban areas, the airport zoning standards of the commissioner and the local airport zoning ordinances or regulations adopted under sections 360.061 to 360.074 shall distinguish between the creation or establishment of a use and the elimination of an existing use, and shall avoid the elimination, removal, or reclassification of existing uses to the extent consistent with reasonable standards of safety. The standards of the commissioner shall include criteria for determining when an existing land use may constitute an airport hazard so severe that considerations of public safety outweigh the public interest in preventing disruption to that land use.

(b) No airport zoning standards or local airport zoning ordinances or regulations shall be adopted pursuant to sections 360.061 to 360.074 that classify as a nonconforming use or require such classification with respect to any low-density residential structure or isolated low-density residential building lots existing on January 1, 1978 in an established residential neighborhood.

(c) A local airport zoning authority may classify a land use described in paragraph (b) as an airport hazard if that authority finds that this classification is justified by considerations of public safety and is consistent with the airport zoning standards of the commissioner. Any land use described in paragraph (b) which is classified as an airport hazard shall be acquired, altered, or removed at public expense.

(d) The provisions of this subdivision shall not be construed to affect the classification of any land use under any zoning ordinances or regulations not adopted pursuant to sections 360.061 to 360.074.

APPENDIX  
Repealed Minnesota Statutes: 19-3103

Subd. 1b. **Amendment of standards.** Within nine months after March 29, 1978, the commissioner shall amend the standards defining airport hazard areas and categories of uses permitted therein to conform with the requirements of Laws 1978, chapter 654. Until the commissioner adopts amended standards as required by this subdivision the unamended standards, insofar as they require classification of any residential property as a nonconforming use contrary to the provisions of subdivision 1a, paragraph (b), shall be without force or effect.