

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	872a	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 and appearance,
- 1.4

reporting requirements, traffic regulations, and aircraft acquisition costs; amending
- 1.5

Minnesota Statutes 2018, sections 3.972, subdivision 4; 160.02, subdivision 1a;
- 1.6

168A.29, subdivision 1; 169.011, subdivisions 5, 9; 169.18, subdivision 7; 169.20,
- 1.7

by adding a subdivision; 169.222, subdivisions 1, 4; 169.26, subdivisions 1, 4;
- 1.8

169.28; 169.29; 169.442, subdivision 5, by adding a subdivision; 169.448,
- 1.9

subdivision 1; 169.4503, subdivisions 5, 13, by adding a subdivision; 169.55,
- 1.10

subdivision 1; 169.57, subdivision 3; 169.64, subdivisions 3, 8, by adding a
- 1.11

subdivision; 171.06, subdivision 2; 174.12, subdivision 8; 221.031, by adding a
- 1.12

subdivision; 299A.705; 360.024; 473.13, by adding a subdivision; Laws 2014,
- 1.13

chapter 312, article 11, section 38, subdivisions 5, 6; proposing coding for new
- 1.14

law in Minnesota Statutes, chapter 299A; repealing Minnesota Statutes 2018,
- 1.15

section 168.013, subdivision 21.
- 1.16

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.17

Section 1. Minnesota Statutes 2018, section 3.972, subdivision 4, is amended to read:
- 1.18

Subd. 4. **Certain transit financial activity reporting.** (a) The legislative auditor must
- 1.19

perform a transit financial activity review of financial information for the Metropolitan
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Council's Transportation Division ~~and the joint powers board under section 297A.992.~~
- 1.21

~~Within 14 days of the end of each fiscal quarter,~~ two times each year. The first report, due
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April 1, must include the quarters ending on September 30 and December 31 of the previous
- 1.23

calendar year. The second report, due October 1, must include the quarters ending on March
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31 and June 30 of the current year. The legislative auditor must submit the review to the
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Legislative Audit Commission and the chairs and ranking minority members of the legislative
- 1.26

committees with jurisdiction over transportation policy and finance, finance, and ways and
- 1.27

means.
- 1.28

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

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

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

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

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

(i) all expenditure commitments;

(ii) cash flow;

(iii) sufficiency of estimated funds; and

(iv) financial solvency of anticipated transit projects; and

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

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

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

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

Sec. 2. Minnesota Statutes 2018, section 160.02, subdivision 1a, is amended to read:

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

Sec. 3. Minnesota Statutes 2018, section 168A.29, subdivision 1, is amended to read:

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

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

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

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

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

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

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

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

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

Sec. 4. Minnesota Statutes 2018, section 169.011, subdivision 5, is amended to read:

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

Sec. 5. Minnesota Statutes 2018, section 169.011, subdivision 9, is amended to read:

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

Sec. 6. Minnesota Statutes 2018, section 169.18, subdivision 7, is amended to read:

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

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

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

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

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

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

Sec. 7. Minnesota Statutes 2018, section 169.20, is amended by adding a subdivision to read:

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

Sec. 8. Minnesota Statutes 2018, section 169.222, subdivision 1, is amended to read:

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

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

Sec. 9. Minnesota Statutes 2018, section 169.222, subdivision 4, is amended to read:

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

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

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

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

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

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

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

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

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

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

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

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

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

Sec. 10. Minnesota Statutes 2018, section 169.26, subdivision 1, is amended to read:

Subdivision 1. **Requirements.** (a) Except as provided in section 169.28, subdivision 1, when any person driving a vehicle approaches a railroad grade crossing under any of the circumstances stated in this paragraph, the driver shall stop the vehicle not less than ten feet from the nearest railroad track and shall not proceed until safe to do so and until the roadway is clear of traffic so that the vehicle can proceed without stopping until the rear of the vehicle is at least ten feet past the farthest railroad track. These requirements apply when:

(1) a clearly visible electric or mechanical signal device warns of the immediate approach of a railroad train or other on-track equipment; or

(2) an approaching railroad train or other on-track equipment is plainly visible and is in hazardous proximity.

(b) The fact that a moving railroad train or other on-track equipment approaching a railroad grade crossing is visible from the crossing is prima facie evidence that it is not safe to proceed.

(c) The driver of a vehicle shall stop and remain stopped and not traverse the grade crossing when (1) a human flagger signals the approach or passage of a railroad train or other on-track equipment or ~~when~~ (2) a crossing gate is lowered warning of the immediate approach or passage of a railroad train or other on-track equipment. No person may drive a vehicle past a flagger at a railroad crossing until the flagger signals that the way is clear to proceed or drive a vehicle past a lowered crossing gate.

Sec. 11. Minnesota Statutes 2018, section 169.26, subdivision 4, is amended to read:

Subd. 4. **Pedestrians; penalty.** (a) A pedestrian shall not pass through, around, over, or under any crossing gate or barrier at a railroad grade crossing while the gate or barrier is closed or is being opened or closed.

(b) A pedestrian shall not enter, remain upon, or traverse over a railroad track, grade crossing, or pedestrian walkway crossing a railroad track when an audible bell or clearly visible electric or mechanical signal device is operational and warning of the presence, approach, passage, or departure of a railroad train or other on-track equipment.

(c) A person who violates this subdivision is subject to a fine of up to \$100.

Sec. 12. Minnesota Statutes 2018, section 169.28, is amended to read:

169.28 CERTAIN VEHICLES TO STOP AT RAILROAD CROSSING.

Subdivision 1. **Requirements.** (a) The driver of any motor vehicle carrying passengers for hire, or of any school bus whether carrying passengers or not, or of any Head Start bus whether carrying passengers or not, or of any vehicle that is required to stop at railroad grade crossings under Code of Federal Regulations, title 49, section 392.10, before crossing at grade any track or tracks of a railroad, shall stop the vehicle not less than 15 feet nor more than 50 feet from the nearest rail of the railroad and while so stopped shall listen and look in both directions along the track for any approaching railroad train or other on-track equipment, and for signals indicating the approach of a railroad train or other on-track equipment, except as ~~hereinafter~~ otherwise provided, ~~and shall~~ in this section. The driver must not proceed until safe to do so and until the roadway is clear of traffic so that the

8.1 vehicle can proceed without stopping until the rear of the vehicle is at least ten feet past the
8.2 farthest railroad track. The driver must not shift gears while crossing the railroad tracks.

8.3 (b) A school bus or Head Start bus shall not be flagged across railroad grade crossings
8.4 except at those railroad grade crossings that the local school administrative officer may
8.5 designate.

8.6 (c) A type III vehicle, as defined in section 169.011, is exempt from the requirement of
8.7 school buses to stop at railroad grade crossings.

8.8 (d) The requirements of this subdivision do not apply to the crossing of light rail vehicle
8.9 track or tracks that are located in a public street when:

8.10 (1) the crossing occurs within the intersection of two or more public streets;

8.11 (2) the intersection is controlled by a traffic-control signal; and

8.12 (3) the intersection is marked with signs indicating to drivers that the requirements of
8.13 this subdivision do not apply. Notwithstanding any other provision of law, the owner or
8.14 operator of the track or tracks is authorized to place, maintain, and display the signs upon
8.15 and in the view of the public street or streets.

8.16 Subd. 2. **Exempt crossing.** (a) The commissioner may designate a crossing as an exempt
8.17 crossing:

8.18 (1) if the crossing is on a rail line on which service has been abandoned;

8.19 (2) if the crossing is on a rail line that carries fewer than five railroad trains each year,
8.20 traveling at speeds of ten miles per hour or less; or

8.21 (3) as agreed to by the operating railroad and the Department of Transportation, following
8.22 a diagnostic review of the crossing.

8.23 (b) The commissioner shall direct the railroad to erect at the crossing signs bearing the
8.24 word "Exempt" that conform to section 169.06. The installation or presence of an exempt
8.25 sign does not relieve a driver of the duty to use due care.

8.26 (c) A railroad train or other on-track equipment must not proceed across an exempt
8.27 crossing unless a police officer is present to direct traffic or a railroad employee is on the
8.28 ground to warn traffic until the railroad train enters the crossing.

8.29 ~~(e)~~ (d) A vehicle that must stop at grade crossings under subdivision 1 is not required
8.30 to stop at a marked exempt crossing unless directed otherwise by a police officer or a railroad
8.31 employee.

9.1 Sec. 13. Minnesota Statutes 2018, section 169.29, is amended to read:

9.2 **169.29 CROSSING RAILROAD TRACKS WITH CERTAIN EQUIPMENT.**

9.3 (a) No person shall operate or move any caterpillar tractor, steam shovel, derrick, roller,
9.4 or any equipment or structure having a normal operating speed of six or less miles per hour
9.5 or a vertical body or load clearance of less than nine inches above the level surface of a
9.6 roadway upon or across any tracks at a railroad grade crossing without first complying with
9.7 this section.

9.8 (b) Before making any crossing, the person operating or moving any vehicle or equipment
9.9 set forth in this section shall first stop the same not less than ten, nor more than 50, feet
9.10 from the nearest rail of the railway, and while so stopped shall listen and look in both
9.11 directions along the track for any approaching railroad train or other on-track equipment
9.12 and for signals indicating the approach of a railroad train or other on-track equipment, and
9.13 shall not proceed until the crossing can be made safely.

9.14 (c) No crossing shall be made when warning is given by automatic signal or crossing
9.15 gates or a flagger or otherwise of the immediate approach of a railroad train or other on-track
9.16 equipment or car.

9.17 (d) ~~No A stop need be made~~ is not required at a crossing on a rail line on which service
9.18 has been abandoned and where a sign erected in conformance with section 169.06 and
9.19 bearing the word "Exempt" has been installed, unless directed otherwise by a flagger. The
9.20 installation or presence of an exempt sign shall not relieve any driver of the duty to use due
9.21 care.

9.22 Sec. 14. Minnesota Statutes 2018, section 169.442, subdivision 5, is amended to read:

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

9.28 Sec. 15. Minnesota Statutes 2018, section 169.442, is amended by adding a subdivision
9.29 to read:

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

10.1 Sec. 16. Minnesota Statutes 2018, section 169.448, subdivision 1, is amended to read:

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

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

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

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

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

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

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

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

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

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

10.22 Sec. 17. Minnesota Statutes 2018, section 169.4503, subdivision 5, is amended to read:

10.23 Subd. 5. **Colors.** Fenderettes may be black. The beltline may be painted yellow over
10.24 black or black over yellow. The rub rails ~~shall~~ adjacent to the beltline may be black or
10.25 yellow. All other rub rails must be black. The area around the lenses of alternately flashing
10.26 signal lamps extending outward from the edge of the lamp three inches, plus or minus
10.27 one-quarter inch, to the sides and top and at least one inch to the bottom, ~~shall~~ must be
10.28 black. Visors or hoods, black in color, with a minimum of four inches may be provided.

11.1 Sec. 18. Minnesota Statutes 2018, section 169.4503, subdivision 13, is amended to read:

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

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

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

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

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

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

11.20 Sec. 19. Minnesota Statutes 2018, section 169.4503, is amended by adding a subdivision
11.21 to read:

11.22 Subd. 31. **Supplemental warning system; temporary authority.** (a) Prior to August
11.23 1, 2022, the commissioner may approve a type A, B, C, or D school bus to be equipped
11.24 with a supplemental warning system. On and after that date, a school bus may continue to
11.25 be equipped with a previously approved supplemental warning system.

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

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

11.29 (2) flashing patterns;

11.30 (3) vehicle mounting and placement;

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

12.3 (5) light intensity; and

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

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

12.9 Sec. 20. Minnesota Statutes 2018, section 169.55, subdivision 1, is amended to read:

12.10 Subdivision 1. **Lights or reflectors required.** At the times when lighted lamps on
12.11 vehicles are required each vehicle including an animal-drawn vehicle and any vehicle
12.12 specifically excepted in sections 169.47 to 169.79, with respect to equipment and not
12.13 ~~hereinbefore specifically previously~~ required to be equipped with lamps, shall must be
12.14 equipped with one or more lighted lamps or lanterns projecting a white light visible from
12.15 a distance of 500 feet to the front of the vehicle and with a lamp or lantern exhibiting a red
12.16 light visible from a distance of 500 feet to the rear, except that reflectors meeting the
12.17 maximum requirements of this chapter may be used in lieu of the lights required in this
12.18 subdivision. It shall be unlawful except as otherwise provided in this subdivision, to project
12.19 a white light to the rear of any such vehicle while traveling on any street or highway, unless
12.20 such vehicle is moving in reverse. A lighting device mounted on top of a vehicle engaged
12.21 in deliveries to residences may project a white light to the rear if the sign projects one or
12.22 more additional colors to the rear. An authorized emergency vehicle may display an
12.23 oscillating, alternating, or rotating white light used in connection with an oscillating,
12.24 alternating, or rotating red light when responding to emergency calls.

12.25 Sec. 21. Minnesota Statutes 2018, section 169.57, subdivision 3, is amended to read:

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

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

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

13.1 Sec. 22. Minnesota Statutes 2018, section 169.64, subdivision 3, is amended to read:

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

13.3 (1) on an authorized emergency vehicle, school bus, bicycle as provided in section
13.4 169.222, subdivision 6, road maintenance equipment, tow truck or towing vehicle as provided
13.5 in section 168B.16, service vehicle, farm tractor, self-propelled farm equipment, rural mail
13.6 carrier vehicle, or funeral home vehicle, or;

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

13.9 (3) as otherwise provided in this section.

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

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

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

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

13.17 Sec. 23. Minnesota Statutes 2018, section 169.64, is amended by adding a subdivision to
13.18 read:

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

13.21 (1) for a vehicle moving in reverse;

13.22 (2) for a school bus equipped with a supplemental warning system under section
13.23 169.4503, subdivision 31;

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

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

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

13.27 (6) as otherwise provided in this subdivision.

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

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

14.4 Sec. 24. Minnesota Statutes 2018, section 169.64, subdivision 8, is amended to read:

14.5 Subd. 8. **Strobe lamp.** (a) Notwithstanding ~~sections 169.55, subdivision 1; 169.57,~~
14.6 ~~subdivision 3, paragraph (b);~~ or any other law to the contrary, a vehicle may be equipped
14.7 with a 360-degree flashing strobe lamp that emits a white light with a flash rate of 60 to
14.8 120 flashes a minute, and the lamp may be used as provided in this subdivision, if the vehicle
14.9 is:

14.10 (1) a school bus that is subject to and complies with the equipment requirements of
14.11 ~~sections 169.441, subdivision 1, and~~ section 169.442, subdivision 1, or a Head Start bus.
14.12 The lamp must operate from a separate switch containing an indicator lamp to show when
14.13 the strobe lamp is in use; or

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

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

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

14.30 Sec. 25. Minnesota Statutes 2018, section 171.06, subdivision 2, is amended to read:

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

15.1	REAL ID Compliant or				
15.2	Noncompliant Classified				
15.3	Driver's License	D-\$17.25	C-\$21.25	B-\$28.25	A-\$36.25
15.4	REAL ID Compliant or				
15.5	Noncompliant Classified				
15.6	Under-21 D.L.	D-\$17.25	C-\$21.25	B-\$28.25	A-\$16.25
15.7	Enhanced Driver's License	D-\$32.25	C-\$36.25	B-\$43.25	A-\$51.25
15.8	REAL ID Compliant or				
15.9	Noncompliant Instruction				
15.10	Permit				\$5.25
15.11	Enhanced Instruction				
15.12	Permit				\$20.25
15.13	Commercial Learner's				
15.14	Permit				\$2.50
15.15	REAL ID Compliant or				
15.16	Noncompliant Provisional				
15.17	License				\$8.25
15.18	Enhanced Provisional				
15.19	License				\$23.25
15.20	Duplicate REAL ID				
15.21	Compliant or Noncompliant				
15.22	License or duplicate REAL				
15.23	ID Compliant or				
15.24	Noncompliant identification				
15.25	card				\$6.75
15.26	Enhanced Duplicate				
15.27	License or enhanced				
15.28	duplicate identification card				\$21.75
15.29	REAL ID Compliant or				
15.30	Noncompliant Minnesota				
15.31	identification card or REAL				
15.32	ID Compliant or				
15.33	Noncompliant Under-21				
15.34	Minnesota identification				
15.35	card, other than duplicate,				
15.36	except as otherwise				
15.37	provided in section 171.07,				
15.38	subdivisions 3 and 3a				\$11.25
15.39	Enhanced Minnesota				
15.40	identification card				\$26.25

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In addition to each fee required in this paragraph, the commissioner shall collect a surcharge of: (1) \$1.75 until June 30, 2012; and (2) \$1.00 from July 1, 2012, to June 30, 2016. Surcharges collected under this paragraph must be credited to the driver and vehicle services technology account in the special revenue fund under section 299A.705.

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(b) Notwithstanding paragraph (a), an individual who holds a provisional license and has a driving record free of (1) convictions for a violation of section 169A.20, 169A.33, 169A.35, sections 169A.50 to 169A.53, or section 171.177, (2) convictions for crash-related

16.1 moving violations, and (3) convictions for moving violations that are not crash related, ~~shall~~
16.2 must have a \$3.50 credit toward the fee for any classified under-21 driver's license. "Moving
16.3 violation" has the meaning given it in section 171.04, subdivision 1.

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

16.9 (d) In addition to the fee required under paragraph (a), a driver's license agent may charge
16.10 and retain a filing fee as provided under section 171.061, subdivision 4.

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

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

16.19 Sec. 26. Minnesota Statutes 2018, section 174.12, subdivision 8, is amended to read:

16.20 Subd. 8. **Legislative report.** (a) By February 1 of each odd-numbered year, the
16.21 commissioner of transportation, with assistance from the commissioner of employment and
16.22 economic development, ~~shall~~ must submit a report on the transportation economic
16.23 development program to the chairs and ranking minority members of the legislative
16.24 committees with jurisdiction over transportation policy and finance and economic
16.25 development policy and finance.

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

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

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

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

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

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

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

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

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

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

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

17.13 Sec. 27. Minnesota Statutes 2018, section 221.031, is amended by adding a subdivision
17.14 to read:

17.15 Subd. 2f. **Hours of service exemptions; utility construction.** (a) The federal regulations
17.16 incorporated in section 221.0314, subdivision 9, for hours of service do not apply to drivers
17.17 engaged in intrastate transportation of utility construction materials within a 50-mile radius
17.18 from the site of a construction or maintenance project.

17.19 (b) For purposes of this subdivision, utility construction materials includes supplies and
17.20 materials used in a project to construct or maintain (1) a street or highway; (2) equipment
17.21 or facilities to furnish electric transmission service; (3) a telecommunications system or
17.22 cable communications system; (4) a waterworks system, sanitary sewer, or storm sewer;
17.23 (5) a gas heating service line; (6) a pipeline; and (7) a facility for other similar utility service.

17.24 Sec. 28. **[299A.704] DRIVER AND VEHICLE SERVICES FUND.**

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

Sec. 29. Minnesota Statutes 2018, section 299A.705, is amended to read:

299A.705 DRIVER AND VEHICLE SERVICES ACCOUNTS.

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

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

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

(2) collecting title and registration taxes and fees;

(3) transferring vehicle registration plates and titles;

(4) maintaining vehicle records;

(5) issuing disability certificates and plates;

(6) licensing vehicle dealers;

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

(8) inspecting vehicles when required by law.

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

(b) ~~Money in the~~ Funds appropriated from the account must be used by the commissioner of public safety to administer the driver services specified in chapters 169A and 171, including the activities associated with producing and mailing drivers' licenses and identification cards and notices relating to issuance, renewal, or withdrawal of driving and identification card privileges for any fiscal year or years and for the testing and examination of drivers.

Subd. 3. **Driver and vehicle services technology account.** (a) The driver and vehicle services technology account is created in the ~~special-revenue~~ driver and vehicle services

19.1 fund, consisting of the technology surcharge collected as specified in ~~chapters 168, 168A,~~
 19.2 ~~and 171; the filing fee revenue collected under section 168.33, subdivision 7; section 168.33~~
 19.3 and any other money ~~otherwise~~ donated, allotted, appropriated, or legislated transferred, or
 19.4 otherwise provided to this the account.

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

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

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

19.22 Sec. 30. Minnesota Statutes 2018, section 360.024, is amended to read:

19.23 **360.024 AIR TRANSPORTATION SERVICE CHARGE.**

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

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

19.29 Subd. 2. Accounts; appropriation. (a) An air transportation services account is
 19.30 established in the state airports fund. The account consists of money collected under
 19.31 subdivision 1, paragraph (a), and any other money donated, allotted, transferred, or otherwise
 19.32 provided to the account. ~~All receipts for these services shall be deposited in the air~~

~~transportation services account in the state airports fund and are~~ Money in the account is
annually appropriated to the commissioner to pay ~~these~~ direct air service operating costs.

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

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

Sec. 31. Minnesota Statutes 2018, section 473.13, is amended by adding a subdivision to
read:

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

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

Sec. 32. Laws 2014, chapter 312, article 11, section 38, subdivision 5, is amended to read:

Subd. 5. **Pilot program evaluation.** In coordination with the city, the commissioner of
transportation shall evaluate effectiveness of the pilot program under this section, which
must include analysis of traffic safety impacts, utility to motorists and tourists, costs and
expenditures, extent of community support, and pilot program termination or continuation.
By January 15, ~~2024~~ 2025, the commissioner shall submit a report on the evaluation to the
~~chairs and ranking minority members and staff~~ of the legislative committees with jurisdiction
over transportation policy and finance.

Sec. 33. Laws 2014, chapter 312, article 11, section 38, subdivision 6, is amended to read:

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

21.1 Sec. 34. **ENGINE BRAKES; REGULATION BY MINNEAPOLIS.**

21.2 Notwithstanding any other law or charter provision, the governing body of the city of
21.3 Minneapolis may by ordinance restrict or prohibit the use of an engine brake on motor
21.4 vehicles along Legislative Route No. 392, also known as marked Interstate Highway 94, in
21.5 the westbound lanes beginning at LaSalle Avenue and extending west to the Lowry Tunnel.
21.6 Upon notification by the city of Minneapolis to the commissioner of transportation of the
21.7 city's adoption of the ordinance, the commissioner of transportation shall erect the appropriate
21.8 signs, with the cost of the signs to be paid by the city. For purposes of this section, "engine
21.9 brake" means any device that uses the engine and transmission to impede the forward motion
21.10 of the motor vehicle by compression of the engine.

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

21.12 Sec. 35. **ENGINE BRAKES; REGULATION BY BURNSVILLE.**

21.13 Notwithstanding any other law or ordinance, the governing body of the city of Burnsville
21.14 may by ordinance restrict or prohibit the use of an engine brake on motor vehicles along
21.15 Legislative Route No. 117, also known as marked Trunk Highway 13, between Nicollet
21.16 Avenue and Portland Avenue. Upon notification by the city of Burnsville to the commissioner
21.17 of transportation of the city's adoption of the ordinance, the commissioner of transportation
21.18 shall erect the appropriate signs, with the cost of the signs to be paid by the city. For purposes
21.19 of this section, "engine brake" means any device that uses the engine and transmission to
21.20 impede the forward motion of the motor vehicle by compression of the engine.

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

21.22 Sec. 36. **NORTHSTAR COMMUTER RAIL OPERATING COSTS; EXCEPTION.**

21.23 (a) Minnesota Statutes, section 398A.10, subdivision 2, does not apply for reserve funds
21.24 available to the Anoka County Regional Railroad Authority as of June 30, 2018, that are
21.25 used to pay operating and maintenance costs of Northstar Commuter Rail.

21.26 (b) This section expires on January 1, 2021.

21.27 Sec. 37. **REPEALER.**

21.28 Minnesota Statutes 2018, section 168.013, subdivision 21, is repealed.

APPENDIX
Repealed Minnesota Statutes: S1749-1

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.