

1.1 A bill for an act

1.2 relating to transportation; modifying or adding provisions relating to
1.3 transportation construction impacts on business, rest areas, highways, bridges,
1.4 special license plates, deputy registrars, vehicles, impounds, towing, intersection
1.5 gridlock, bus operation, various traffic regulations, cargo tank vehicle weight
1.6 exemptions, transportation department goals and mission, a Minnesota Council
1.7 of Transportation Access, a Commuter Rail Corridor Coordinating Committee,
1.8 railroad track safety, motor carriers of railroad employees, airport authorities,
1.9 property acquisition for highways, transit, and town road interest extinguishment
1.10 nullification; providing for State Patrol tax compliance and vehicle crimes
1.11 investigations; requiring reports; making technical and clarifying changes;
1.12 appropriating money; amending Minnesota Statutes 2008, sections 161.14,
1.13 by adding subdivisions; 165.14, subdivisions 4, 5; 168.12, subdivision 2b,
1.14 by adding a subdivision; 168.123, subdivisions 1, 2; 168.33, subdivision 2;
1.15 168B.06, subdivision 1; 168B.07, subdivision 3; 169.041, subdivision 5; 169.15;
1.16 169.306; 169.87, by adding a subdivision; 174.01, subdivisions 1, 2; 174.02,
1.17 subdivision 1a; 174.86, subdivision 5; 219.01; 221.012, subdivision 38, by
1.18 adding a subdivision; 360.061, subdivision 3; 473.167, subdivision 2a; 473.411,
1.19 subdivision 5; 514.18, subdivision 1a; Minnesota Statutes 2009 Supplement,
1.20 sections 160.165; 161.14, subdivision 62; 169.71, subdivision 1; 169.865,
1.21 subdivision 1; 299D.03, subdivision 5; Laws 2008, chapter 287, article 1, section
1.22 122; Laws 2009, chapter 36, article 1, sections 1; 3, subdivision 3; 5, subdivisions
1.23 1, 3; proposing coding for new law in Minnesota Statutes, chapters 160; 174;
1.24 221; repealing Minnesota Statutes 2008, section 169.041, subdivisions 3, 4.

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

1.26 Section 1. Minnesota Statutes 2009 Supplement, section 160.165, is amended to read:

1.27 **160.165 MITIGATING TRANSPORTATION CONSTRUCTION IMPACTS**
1.28 **ON BUSINESS.**

1.29 Subdivision 1. **Definitions.** For the purposes of this section, the following terms
1.30 have the meanings given:

1.31 (1) "project" means construction work to maintain, construct, reconstruct, or
1.32 improve a street or highway or for a rail transit project;

2.1 (2) "substantial business impacts" means impairment of road access, parking, or
2.2 visibility for one or more business establishments as a result of a project, for a minimum
2.3 period of one month; and

2.4 (3) "transportation authority" means the commissioner, as to trunk highways; the
2.5 county board, as to county state-aid highways and county highways; the town board, as to
2.6 town roads; ~~and~~ statutory or home rule charter cities, as to city streets; the Metropolitan
2.7 Council, for rail transit projects located entirely within the metropolitan area as defined in
2.8 section 473.121, subdivision 2; and the commissioner, for all other rail transit projects.

2.9 Subd. 2. **Business liaison.** (a) Before beginning construction work on a project,
2.10 a transportation authority shall identify whether the project is anticipated to include
2.11 substantial business impacts. For such projects, the transportation authority shall designate
2.12 an individual to serve as business liaison between the transportation authority and affected
2.13 businesses.

2.14 (b) The business liaison shall consult with affected businesses before and
2.15 during construction to investigate means of mitigating project impacts to businesses.
2.16 The mitigation considered must include signage. The business liaison shall provide
2.17 information to the identified businesses before and during construction, concerning project
2.18 duration and timetables, lane and road closures, detours, access impacts, customer parking
2.19 impacts, visibility, noise, dust, vibration, and public participation opportunities.

2.20 Subd. 3. **Exception.** This section does not apply to construction work in connection
2.21 with the Central Corridor light rail transit line that will connect downtown Minneapolis
2.22 and downtown St. Paul.

2.23 **EFFECTIVE DATE.** Subdivision 1 is effective July 1, 2012. Subdivision 3 is
2.24 effective July 1, 2010.

2.25 Sec. 2. **[160.2755] PROHIBITED ACTIVITIES AT REST AREAS.**

2.26 Subdivision 1. **Prohibited activities.** It is unlawful at rest areas to:

2.27 (1) dispose of travel-related trash and rubbish, except if depositing it in a designated
2.28 receptacle;

2.29 (2) dump household or commercial trash and rubbish into containers or anywhere
2.30 else on site; or

2.31 (3) drain or dump refuse or waste from any trailer, recreational vehicle, or other
2.32 vehicle except where receptacles are provided and designated to receive the refuse or
2.33 waste.

2.34 Subd. 2. **Penalty.** Violation of this section is a petty misdemeanor.

3.1 EFFECTIVE DATE. This section is effective August 1, 2010, and applies to acts
3.2 committed on or after that date.

3.3 Sec. 3. Minnesota Statutes 2009 Supplement, section 161.14, subdivision 62, is
3.4 amended to read:

3.5 Subd. 62. **Clearwater County Veterans Memorial Highway.** (a) The following
3.6 described route is designated the "Clearwater County Veterans Memorial Highway": that
3.7 portion of Legislative Route No. 168, marked on August 1, 2009, as Trunk Highway 200,
3.8 from its intersection with Clearwater County State-Aid Highway ~~37~~ 39 to its intersection
3.9 with Legislative Route No. 169, marked on August 1, 2009, as Trunk Highway 92; and that
3.10 portion of Route No. 169 to its intersection with Clearwater County State-Aid Highway 5.

3.11 (b) The commissioner shall adopt a suitable marking design to mark this highway
3.12 and erect appropriate signs, subject to section 161.139.

3.13 Sec. 4. Minnesota Statutes 2008, section 161.14, is amended by adding a subdivision
3.14 to read:

3.15 Subd. 64. **Veterans Memorial Highway.** Legislative Route No. 31, signed as
3.16 Trunk Highway 200 as of the effective date of this section, from the border with North
3.17 Dakota to the city of Mahnomen, is designated as the "Veterans Memorial Highway." The
3.18 commissioner shall adopt a suitable design to mark this highway and erect appropriate
3.19 signs, subject to section 161.139.

3.20 Sec. 5. Minnesota Statutes 2008, section 161.14, is amended by adding a subdivision
3.21 to read:

3.22 Subd. 65. **Becker County Veterans Memorial Highway.** Marked Trunk Highway
3.23 34, from its intersection with Washington Avenue in Detroit Lakes to its intersection with
3.24 County State-Aid Highway 39; and marked Trunk Highway 87, from its intersection
3.25 with County State-Aid Highway 33 to its intersection with County State-Aid Highway
3.26 39, is named and designated the "Becker County Veterans Memorial Highway." Subject
3.27 to section 161.139, the commissioner shall adopt a suitable marking design to mark this
3.28 highway and erect appropriate signs.

3.29 Sec. 6. Minnesota Statutes 2008, section 161.14, is amended by adding a subdivision
3.30 to read:

3.31 Subd. 66. **Granite City Crossing.** The bridge over the Mississippi River on marked
3.32 Trunk Highway 23 in St. Cloud is designated "Granite City Crossing." The commissioner

4.1 of transportation shall adopt a suitable design to mark this bridge and erect appropriate
4.2 signs, subject to section 161.139.

4.3 Sec. 7. Minnesota Statutes 2008, section 165.14, subdivision 4, is amended to read:

4.4 Subd. 4. **Prioritization of bridge projects.** (a) The commissioner shall classify all
4.5 bridges in the program into tier 1, 2, or 3 bridges, where tier 1 is the highest tier. Unless
4.6 the commissioner identifies a reason for proceeding otherwise, before commencing bridge
4.7 projects in a lower tier, all bridge projects within a higher tier must to the extent feasible
4.8 be selected and funded in the approved state transportation improvement program, at
4.9 any stage in the project development process, solicited for bids, in contract negotiation,
4.10 under construction, or completed.

4.11 (b) The classification of each tier is as follows:

4.12 (1) tier 1 consists of any bridge in the program that (i) has an average daily traffic
4.13 count that is above 1,000 and has a sufficiency rating that is at or below 50, or (ii) is
4.14 identified by the commissioner as a priority project;

4.15 (2) tier 2 consists of any bridge that is not a tier 1 bridge, and (i) is classified as
4.16 fracture-critical, or (ii) has a sufficiency rating that is at or below 80; and

4.17 (3) tier 3 consists of any other bridge in the program that is not a tier 1 or tier 2 bridge.

4.18 (c) By June 30, 2018, all tier 1 and tier 2 bridges originally included in the program
4.19 must be under contract for repair or replacement with a new bridge that contains a
4.20 load-path-redundant design, except that a specific bridge may remain in continued service
4.21 if the reasons are documented in the report required under subdivision 5.

4.22 (d) All bridge projects funded under this section in fiscal year 2012 or later must
4.23 include bicycle and pedestrian accommodations if both sides of the bridge are located in a
4.24 city or the bridge links a pedestrian way, shared-use path, trail, or scenic bikeway.

4.25 Bicycle and pedestrian accommodations would not be required if:

4.26 (1) a comprehensive assessment demonstrates that there is an absence of need for
4.27 bicycle and pedestrian accommodations for the life of the bridge; or

4.28 (2) there is a reasonable alternative bicycle and pedestrian crossing within
4.29 one-quarter mile of the bridge project.

4.30 All bicycle and pedestrian accommodations should enable a connection to any existing
4.31 bicycle and pedestrian infrastructure in close proximity to the bridge. All pedestrian
4.32 facilities must meet or exceed federal accessibility requirements as outlined in Title II of
4.33 the Americans with Disabilities Act, codified in United States Code, title 42, chapter
4.34 126, subchapter II, and Section 504 of the Rehabilitation Act of 1973, codified in United
4.35 States Code, title 29, section 794.

5.1 (e) The commissioner shall establish criteria for determining the priority of bridge
5.2 projects within each tier, and must include safety considerations as a criterion.

5.3 **EFFECTIVE DATE.** This section is effective July 1, 2010.

5.4 Sec. 8. Minnesota Statutes 2008, section 165.14, subdivision 5, is amended to read:

5.5 Subd. 5. **Statewide transportation planning report.** In conjunction with each
5.6 update to the Minnesota statewide transportation plan, or at least every six years, the
5.7 commissioner shall submit a report to the chairs and ranking minority members of the
5.8 house of representatives and senate committees with jurisdiction over transportation
5.9 finance. The report must include:

5.10 (1) an explanation of the criteria and decision-making processes used to prioritize
5.11 bridge projects;

5.12 (2) a historical and projected analysis of the extent to which all trunk highway
5.13 bridges meet bridge performance targets and comply with the accessibility requirements
5.14 of Title II of the Americans with Disabilities Act of 1990, Public Law 101-336;

5.15 (3) a summary of bridge projects (i) completed in the previous six years or since the
5.16 last update to the Minnesota statewide transportation plan, and (ii) currently in progress
5.17 under the program;

5.18 (4) a summary of bridge projects scheduled in the next four fiscal years and included
5.19 in the state transportation improvement program;

5.20 (5) a projection of annual needs over the next 20 years;

5.21 (6) a calculation of funding necessary to meet the completion date under subdivision
5.22 4, paragraph (c), compared to the total amount of bridge-related funding available; and

5.23 (7) for any tier 1 fracture-critical bridge that is repaired but not replaced, an
5.24 explanation of the reasons for repair instead of replacement.

5.25 Sec. 9. Minnesota Statutes 2008, section 168.12, subdivision 2b, is amended to read:

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

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

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

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

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

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

6.6 (c) Special plates issued under this subdivision may only be used during the period
6.7 that the owner of the motor vehicle is a member of a fire department as specified in this
6.8 subdivision. When the individual to whom the special plates were issued is no longer a
6.9 member of a fire department or when the motor vehicle ownership is transferred, the
6.10 owner shall remove the special plates from the motor vehicle. If the commissioner
6.11 receives written notification that an individual is no longer qualified for these special
6.12 plates, the commissioner shall invalidate the plates and notify the individual of this
6.13 action. The individual may retain the plate only upon demonstrating compliance with the
6.14 qualifications of this subdivision. Upon removal or invalidation of the special plates, or
6.15 special motorcycle plate, ~~either~~ the owner or purchaser of the motor vehicle shall obtain
6.16 regular plates ~~or~~ a regular motorcycle plate, or special plates for the proper registration
6.17 classification for the motor vehicle.

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

6.20 (e) Upon payment of a fee of \$5, plates issued under this subdivision for a passenger
6.21 automobile or truck may be transferred to another passenger automobile or truck owned
6.22 or jointly owned by the person to whom the plates were issued. On payment of a fee of
6.23 \$5, a plate issued under this subdivision for a motorcycle may be transferred to another
6.24 motorcycle owned or jointly owned by the person to whom the plate was issued.

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

6.28 Sec. 10. Minnesota Statutes 2008, section 168.12, is amended by adding a subdivision
6.29 to read:

6.30 Subd. 2g. **Retired firefighters; special plates.** (a) The commissioner shall issue
6.31 special retired firefighters plates to an applicant who:

6.32 (1) is a retired member of a fire department defined in section 299N.01, subdivision
6.33 2, has a letter from the fire chief affirming that the applicant is a retired firefighter who
6.34 served ten or more years and separated in good standing, and is a registered owner of a
6.35 passenger automobile, a pickup truck, or a motorcycle;

7.1 (2) pays a fee of \$10 for each set of license plates applied for along with any other
7.2 fees required by this chapter; and

7.3 (3) complies with this chapter and rules governing registration of motor vehicles
7.4 and licensing of drivers.

7.5 (b) The commissioner shall design the special plate so that it is distinguishable from
7.6 the firefighter special plates issued under subdivision 2b.

7.7 (c) On payment of a transfer fee of \$5, plates issued under this subdivision may be
7.8 transferred to another passenger automobile registered to the individual to whom the
7.9 special plates were issued.

7.10 (d) Fees collected under this subdivision must be credited to the vehicle services
7.11 operating account in the special revenue fund.

7.12 Sec. 11. Minnesota Statutes 2008, section 168.123, subdivision 1, is amended to read:

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

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

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

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

7.33 (c) The veteran must have a certified copy of the veteran's discharge papers,
7.34 indicating character of discharge, at the time of application. If an applicant served in the
7.35 active military service in a branch of the armed forces of a nation or society allied with the

8.1 United States in conducting a foreign war and is unable to obtain a record of that service
8.2 and discharge status, the commissioner of veterans affairs may certify the applicant as
8.3 qualified for the veterans' plates provided under this section.

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

8.8 Sec. 12. Minnesota Statutes 2008, section 168.123, subdivision 2, is amended to read:

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

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

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

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

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

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

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

8.34 (e) For a combat wounded veteran who is a recipient of the purple heart medal, the
8.35 plates must bear the inscription "COMBAT WOUNDED VET" and have a facsimile on an

9.1 emblem of the official purple heart medal and the letters "C" over "W" with the first letter
9.2 directly over the second letter just preceding the first numeral of the special plate number.

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

9.12 (g) For a veteran who served in the Laos War after July 1, 1961, and before July 1,
9.13 1978, the special plates must bear the inscription "LAOS WAR VET" and the letters "L"
9.14 and "V" with the first letter directly above the second letter and both letters just preceding
9.15 the first numeral of the special plate number.

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

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

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

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

9.26 (4) the Armed Forces Expeditionary Medal, the special plates must be inscribed
9.27 with a facsimile of that medal and the letters "E" directly over "M" just preceding the
9.28 first numeral of the special plate number.

9.29 (i) For a veteran who is the recipient of the Global War on Terrorism Service Medal,
9.30 the special plates must be inscribed with a facsimile of that medal and must bear the
9.31 inscription "GWOT VETERAN" directly below the special plate number. In addition,
9.32 any member of the National Guard or other military reserves who has been ordered to
9.33 federally funded state active service under United States Code, title 32, as defined in
9.34 section 190.05, subdivision 5b, and who is the recipient of the Global War on Terrorism
9.35 Service Medal, is eligible for the license plate described in this paragraph, irrespective of
9.36 whether that person qualifies as a veteran under section 197.447.

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

10.4 Sec. 13. Minnesota Statutes 2008, section 168.33, subdivision 2, is amended to read:

10.5 Subd. 2. **Deputy registrars.** (a) The commissioner may appoint, and for cause
10.6 discontinue, a deputy registrar for any statutory or home rule charter city as the public
10.7 interest and convenience may require, without regard to whether the county auditor of
10.8 the county in which the city is situated has been appointed as the deputy registrar for the
10.9 county or has been discontinued as the deputy registrar for the county, and without regard
10.10 to whether the county in which the city is situated has established a county license bureau
10.11 that issues motor vehicle licenses as provided in section 373.32.

10.12 (b) The commissioner may appoint, and for cause discontinue, a deputy registrar
10.13 for any statutory or home rule charter city as the public interest and convenience may
10.14 require, if the auditor for the county in which the city is situated chooses not to accept
10.15 appointment as the deputy registrar for the county or is discontinued as a deputy registrar,
10.16 or if the county in which the city is situated has not established a county license bureau
10.17 that issues motor vehicle licenses as provided in section 373.32. The individual appointed
10.18 by the commissioner as a deputy registrar for any statutory or home rule charter city must
10.19 be a resident of the county in which the city is situated.

10.20 (c) The commissioner may appoint, and for cause discontinue, the county auditor of
10.21 each county as a deputy registrar.

10.22 (d) Despite any other provision, a person other than a county auditor or a director
10.23 of a county license bureau, who was appointed by the registrar before August 1, 1976,
10.24 as a deputy registrar for any statutory or home rule charter city, may continue to serve
10.25 as deputy registrar and may be discontinued for cause only by the commissioner. The
10.26 county auditor who appointed the deputy registrars is responsible for the acts of deputy
10.27 registrars appointed by the auditor.

10.28 (e) Each deputy, before entering upon the discharge of duties, shall take and
10.29 subscribe an oath to faithfully discharge the duties and to uphold the laws of the state.

10.30 (f) If a deputy registrar appointed under this subdivision is not an officer or employee
10.31 of a county or statutory or home rule charter city, the deputy shall in addition give bond to
10.32 the state in the sum of \$10,000, or a larger sum as may be required by the commissioner,
10.33 conditioned upon the faithful discharge of duties as deputy registrar.

10.34 (g) ~~Until January 1, 2012,~~ A corporation governed by chapter 302A or 317A
10.35 may be appointed a deputy registrar. Upon application by an individual serving as a

11.1 deputy registrar and the giving of the requisite bond as provided in this subdivision,
11.2 personally assured by the individual or another individual approved by the commissioner,
11.3 a corporation named in an application then becomes the duly appointed and qualified
11.4 successor to the deputy registrar. ~~The appointment of any corporation as a deputy registrar~~
11.5 ~~expires January 1, 2012. The commissioner shall appoint an individual as successor to~~
11.6 ~~the corporation as a deputy registrar. The commissioner shall appoint as the successor~~
11.7 ~~agent to a corporation whose appointment expires under this paragraph an officer of the~~
11.8 ~~corporation if the officer applies for appointment before July 1, 2012.~~

11.9 (h) Each deputy registrar appointed under this subdivision shall keep and maintain
11.10 office locations approved by the commissioner for the registration of vehicles and the
11.11 collection of taxes and fees on vehicles.

11.12 (i) The deputy registrar shall keep records and make reports to the commissioner as
11.13 the commissioner requires. The records must be maintained at the offices of the deputy
11.14 registrar. The records and offices of the deputy registrar must at all times be open to the
11.15 inspection of the commissioner or the commissioner's agents. The deputy registrar shall
11.16 report to the commissioner by the next working day following receipt all registrations
11.17 made and taxes and fees collected by the deputy registrar.

11.18 (j) The filing fee imposed under subdivision 7 must be deposited in the treasury of
11.19 the place for which appointed or, if not a public official, a deputy shall retain the filing fee,
11.20 but the registration tax and any additional fees for delayed registration the deputy registrar
11.21 has collected the deputy registrar shall deposit by the next working day following receipt
11.22 in an approved state depository to the credit of the state through the commissioner of
11.23 management and budget. The place for which the deputy registrar is appointed through its
11.24 governing body must provide the deputy registrar with facilities and personnel to carry out
11.25 the duties imposed by this subdivision if the deputy is a public official. In all other cases,
11.26 the deputy shall maintain a suitable facility for serving the public.

11.27 Sec. 14. Minnesota Statutes 2008, section 168B.06, subdivision 1, is amended to read:

11.28 Subdivision 1. **Written notice of impound.** (a) When an impounded vehicle is
11.29 taken into custody, the unit of government or impound lot operator taking it into custody
11.30 shall give written notice of the taking within five days to the registered vehicle owner
11.31 and any lienholders.

11.32 (b) The notice must:

11.33 (1) set forth the date and place of the taking;

12.1 (2) provide the year, make, model, and serial number of the impounded motor
12.2 vehicle, if such information can be reasonably obtained, and the place where the vehicle
12.3 is being held;

12.4 (3) inform the owner and any lienholders of their right to reclaim the vehicle under
12.5 section 168B.07;

12.6 (4) state that failure of the owner or lienholders to:

12.7 (i) exercise their right to reclaim the vehicle within the appropriate time allowed
12.8 under section 168B.051, subdivision 1, 1a, or 2, and under the conditions set forth in
12.9 section 168B.07, subdivision 1, constitutes a waiver by them of all right, title, and interest
12.10 in the vehicle and a consent to the transfer of title to and disposal or sale of the vehicle
12.11 pursuant to section 168B.08; or

12.12 (ii) exercise their right to reclaim the contents of the vehicle within the appropriate
12.13 time allowed and under the conditions set forth in section 168B.07, subdivision 3,
12.14 constitutes a waiver by them of all right, title, and interest in the contents and consent to
12.15 sell or dispose of the contents under section 168B.08; and

12.16 (5) state that a vehicle owner who provides to the impound lot operator
12.17 documentation from a government or nonprofit agency or legal aid office that the owner
12.18 is homeless, receives relief based on need, or is eligible for legal aid services, ~~or has a~~
12.19 ~~household income at or below 50 percent of state median income~~ has the unencumbered
12.20 right to retrieve any and all contents without charge.

12.21 Sec. 15. Minnesota Statutes 2008, section 168B.07, subdivision 3, is amended to read:

12.22 Subd. 3. **Retrieval of contents.** (a) For purposes of this subdivision:

12.23 (1) "contents" does not include any permanently affixed mechanical or
12.24 nonmechanical automobile parts; automobile body parts; or automobile accessories,
12.25 including audio or video players; and

12.26 (2) "relief based on need" includes, but is not limited to, receipt of MFIP
12.27 and Diversionary Work Program, medical assistance, general assistance, general
12.28 assistance medical care, emergency general assistance, Minnesota supplemental aid,
12.29 MSA-emergency assistance, MinnesotaCare, Supplemental Security Income, energy
12.30 assistance, emergency assistance, food stamps, earned income tax credit, or Minnesota
12.31 working family tax credit.

12.32 (b) A unit of government or impound lot operator shall establish reasonable
12.33 procedures for retrieval of vehicle contents, and may establish reasonable procedures to
12.34 protect the safety and security of the impound lot and its personnel.

13.1 (c) At any time before the expiration of the waiting periods provided in section
13.2 168B.051, a registered owner who provides documentation from a government or
13.3 nonprofit agency or legal aid office that the registered owner is homeless, receives relief
13.4 based on need, or is eligible for legal aid services, ~~or has a household income at or below~~
13.5 ~~50 percent of state median income~~ has the unencumbered right to retrieve any and all
13.6 contents without charge and regardless of whether the registered owner pays incurred
13.7 charges or fees, transfers title, or reclaims the vehicle.

13.8 Sec. 16. Minnesota Statutes 2008, section 169.041, subdivision 5, is amended to read:

13.9 Subd. 5. **Towing prohibited.** ~~Unless the vehicle is described in subdivision 4, (a)~~ A
13.10 towing authority may not tow a motor vehicle because:

13.11 (1) the vehicle has expired registration tabs that have been expired for less than
13.12 90 days; or

13.13 (2) the vehicle is at a parking meter on which the time has expired and the vehicle
13.14 has fewer than five unpaid parking tickets.

13.15 (b) A towing authority may tow a motor vehicle, notwithstanding paragraph (a), if:

13.16 (1) the vehicle is parked in violation of snow emergency regulations;

13.17 (2) the vehicle is parked in a rush-hour restricted parking area;

13.18 (3) the vehicle is blocking a driveway, alley, or fire hydrant;

13.19 (4) the vehicle is parked in a bus lane, or at a bus stop, during hours when parking
13.20 is prohibited;

13.21 (5) the vehicle is parked within 30 feet of a stop sign and visually blocking the
13.22 stop sign;

13.23 (6) the vehicle is parked in a disability transfer zone or disability parking space
13.24 without a disability parking certificate or disability license plates;

13.25 (7) the vehicle is parked in an area that has been posted for temporary restricted
13.26 parking (A) at least 12 hours in advance in a home rule charter or statutory city having
13.27 a population under 50,000, or (B) at least 24 hours in advance in another political
13.28 subdivision;

13.29 (8) the vehicle is parked within the right-of-way of a controlled-access highway or
13.30 within the traveled portion of a public street when travel is allowed there;

13.31 (9) the vehicle is unlawfully parked in a zone that is restricted by posted signs to
13.32 use by fire, police, public safety, or emergency vehicles;

13.33 (10) the vehicle is unlawfully parked on property at the Minneapolis-St. Paul
13.34 International Airport owned by the Metropolitan Airports Commission;

14.1 (11) a law enforcement official has probable cause to believe that the vehicle is
14.2 stolen, or that the vehicle constitutes or contains evidence of a crime and impoundment is
14.3 reasonably necessary to obtain or preserve the evidence;

14.4 (12) the driver, operator, or person in physical control of the vehicle is taken into
14.5 custody and the vehicle is impounded for safekeeping;

14.6 (13) a law enforcement official has probable cause to believe that the owner,
14.7 operator, or person in physical control of the vehicle has failed to respond to five or more
14.8 citations for parking or traffic offenses;

14.9 (14) the vehicle is unlawfully parked in a zone that is restricted by posted signs
14.10 to use by taxicabs;

14.11 (15) the vehicle is unlawfully parked and prevents egress by a lawfully parked
14.12 vehicle;

14.13 (16) the vehicle is parked, on a school day during prohibited hours, in a school zone
14.14 on a public street where official signs prohibit parking; or

14.15 (17) the vehicle is a junk, abandoned, or unauthorized vehicle, as defined in section
14.16 168B.011, and subject to immediate removal under chapter 168B.

14.17 Sec. 17. Minnesota Statutes 2008, section 169.15, is amended to read:

14.18 **169.15 IMPEDING TRAFFIC; INTERSECTION GRIDLOCK.**

14.19 **Subdivision 1. Impeding traffic; drive at slow speed.** No person shall drive a
14.20 motor vehicle at such a slow speed as to impede or block the normal and reasonable
14.21 movement of traffic except when reduced speed is necessary for safe operation or in
14.22 compliance with law or except when the vehicle is temporarily unable to maintain a greater
14.23 speed due to a combination of the weight of the vehicle and the grade of the highway.

14.24 **Subd. 2. Intersection gridlock; stop or block traffic.** (a) Except as provided
14.25 in paragraph (b), a driver of a vehicle shall not enter an intersection controlled by a
14.26 traffic-control signal until the driver is able to move the vehicle immediately, continuously,
14.27 and completely through the intersection without impeding or blocking the subsequent
14.28 movement of cross traffic.

14.29 (b) Paragraph (a) does not apply to movement of a vehicle made:

14.30 (1) at the direction of a city-authorized traffic-control agent or a peace officer;

14.31 (2) to facilitate passage of an authorized emergency vehicle with its emergency
14.32 lights activated; or

14.33 (3) to make a turn, as permitted under section 169.19, that allows the vehicle to
14.34 safely leave the intersection.

15.1 (c) A violation of this subdivision does not constitute grounds for suspension or
15.2 revocation of the violator's driver's license.

15.3 **EFFECTIVE DATE.** This section is effective January 1, 2011, and applies to acts
15.4 committed on or after that date.

15.5 Sec. 18. Minnesota Statutes 2008, section 169.306, is amended to read:

15.6 **169.306 USE OF SHOULDERS BY BUSES.**

15.7 (a) The commissioner of transportation ~~may~~ is authorized to permit the use by transit
15.8 buses and Metro Mobility buses of a shoulder, as designated by the commissioner, of a
15.9 freeway or expressway, as defined in section 160.02, ~~in the seven-county metropolitan~~
15.10 area in Minnesota.

15.11 (b) If the commissioner permits the use of a freeway or expressway shoulder by
15.12 transit buses, the commissioner shall ~~also~~ permit the use on that shoulder of a bus (1) with
15.13 a seating capacity of 40 passengers or more operated by a motor carrier of passengers,
15.14 as defined in section 221.012, subdivision 26, while operating in intrastate commerce or
15.15 (2) providing regular route transit service, as defined in section 174.22, subdivision 8, or
15.16 Metro Mobility services, and operated by or under contract with the Metropolitan Council,
15.17 a local transit authority, or a transit authority created by the legislature. Drivers of these
15.18 buses must have adequate training in the requirements of paragraph (c), as determined by
15.19 the commissioner.

15.20 (c) Buses authorized to use the shoulder under this section may be operated on the
15.21 shoulder only when main-line traffic speeds are less than 35 miles per hour. Drivers of
15.22 buses being operated on the shoulder may not exceed the speed of main-line traffic by
15.23 more than 15 miles per hour and may never exceed 35 miles per hour. Drivers of buses
15.24 being operated on the shoulder must yield to merging, entering, and exiting traffic and
15.25 must yield to other vehicles on the shoulder. Buses operated on the shoulder must be
15.26 registered with the Department of Transportation.

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

15.30 (1) ~~operated by the Metropolitan Council, or operated by~~ operated by or under contract with a
15.31 public or private entity receiving financial assistance to provide transit services from the
15.32 Metropolitan Council or the commissioner of transportation; and

15.33 (2) ~~authorized by the council~~ authorized by the commissioner to use freeway or expressway shoulders.

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

16.1 Sec. 19. Minnesota Statutes 2009 Supplement, section 169.71, subdivision 1, is
16.2 amended to read:

16.3 Subdivision 1. **Prohibitions generally; exceptions.** (a) A person shall not drive or
16.4 operate any motor vehicle with:

16.5 (1) a windshield cracked or discolored to an extent to limit or obstruct proper vision;

16.6 (2) any objects suspended between the driver and the windshield, other than:

16.7 (i) sun visors;

16.8 (ii) rearview mirrors;

16.9 (iii) driver feedback and safety-monitoring equipment when mounted immediately
16.10 behind, slightly above, or slightly below the rearview mirror;

16.11 ~~(iii)~~ (iv) global positioning systems or navigation systems when mounted or located
16.12 near the bottommost portion of the windshield; and

16.13 ~~(iv)~~ (v) electronic toll collection devices; or

16.14 (3) any sign, poster, or other nontransparent material upon the front windshield,
16.15 sidewings, or side or rear windows of the vehicle, other than a certificate or other paper
16.16 required to be so displayed by law or authorized by the state director of the Division of
16.17 Emergency Management or the commissioner of public safety.

16.18 (b) Paragraph (a), clauses (2) and (3), do not apply to law enforcement vehicles.

16.19 (c) Paragraph (a), clause (2), does not apply to authorized emergency vehicles.

16.20 Sec. 20. Minnesota Statutes 2009 Supplement, section 169.865, subdivision 1, is
16.21 amended to read:

16.22 Subdivision 1. **Six-axle vehicles.** (a) A road authority may issue an annual permit
16.23 authorizing a vehicle or combination of vehicles with a total of six or more axles to haul
16.24 raw or unprocessed agricultural products and be operated with a gross vehicle weight
16.25 of up to:

16.26 (1) 90,000 pounds; and

16.27 (2) 99,000 pounds during the period set by the commissioner under section 169.826,
16.28 subdivision 1.

16.29 (b) Notwithstanding subdivision ~~4~~ 3, paragraph (a), clause (4), a vehicle or
16.30 combination of vehicles operated under this subdivision and transporting only sealed
16.31 intermodal containers may be operated on an interstate highway if allowed by the United
16.32 States Department of Transportation.

16.33 (c) The fee for a permit issued under this subdivision is \$300.

16.34 **EFFECTIVE DATE.** This section is effective retroactively from July 1, 2008.

17.1 Sec. 21. Minnesota Statutes 2008, section 169.87, is amended by adding a subdivision
17.2 to read:

17.3 Subd. 7. **Cargo tank vehicles.** (a) Weight restrictions imposed by the commissioner
17.4 under subdivisions 1 and 2 do not apply to cargo tank vehicles with two or three permanent
17.5 axles when delivering propane for heating or dyed fuel oil on seasonally weight-restricted
17.6 roads if the vehicle is loaded at no more than 50 percent capacity of the cargo tank.

17.7 (b) To be exempt from weight restrictions under paragraph (a), a cargo tank vehicle
17.8 used for propane must have an operating gauge on the cargo tank that shows the amount of
17.9 propane as a percent of capacity of the cargo tank. Documentation of the capacity of the
17.10 cargo tank must be available on the cargo tank or in the cab of the vehicle. For purposes of
17.11 this subdivision, propane weighs 4.2 pounds per gallon.

17.12 (c) To be exempt from weight restrictions under paragraph (a), a cargo tank vehicle
17.13 used for dyed fuel oil must utilize the forward two tank compartments and must carry
17.14 documentation of the empty weight of the cargo tank vehicle from a certified scale in the
17.15 cab of the vehicle. For purposes of this subdivision, dyed fuel oil weighs seven pounds
17.16 per gallon.

17.17 (d) To the extent practicable, cargo tank vehicles that are exempt from weight
17.18 restrictions under paragraph (a) shall complete deliveries on seasonally weight restricted
17.19 roads by 12:00 p.m. and before the last week of April.

17.20 Sec. 22. Minnesota Statutes 2008, section 174.01, subdivision 1, is amended to read:

17.21 Subdivision 1. **Department created.** In order to provide ~~a balanced~~ an integrated
17.22 transportation system, including of aeronautics, highways, motor carriers, ports, public
17.23 transit, railroads, and pipelines, and including facilities for walking and bicycling, a
17.24 Department of Transportation is created. The department is the principal agency of the
17.25 state for development, implementation, administration, consolidation, and coordination of
17.26 state transportation policies, plans, and programs.

17.27 Sec. 23. Minnesota Statutes 2008, section 174.01, subdivision 2, is amended to read:

17.28 Subd. 2. **Transportation goals.** The goals of the state transportation system are
17.29 as follows:

17.30 (1) to ~~provide safe transportation~~ minimize fatalities and injuries for transportation
17.31 users throughout the state;

17.32 (2) to provide multimodal and intermodal transportation ~~that enhances mobility and~~
17.33 ~~economic development and provides access to all persons and businesses in Minnesota~~
17.34 ~~while ensuring that there is no~~ facilities and services to increase access for all persons and

18.1 businesses and to ensure economic well-being and quality of life without undue burden
18.2 placed on any community;

18.3 (3) to provide a reasonable travel time for commuters;

18.4 (4) to enhance economic development and provide for the economical, efficient, and
18.5 safe movement of goods to and from markets by rail, highway, and waterway;

18.6 (5) to encourage tourism by providing appropriate transportation to Minnesota
18.7 facilities designed to attract tourists and to enhance the appeal, through transportation
18.8 investments, of tourist destinations across the state;

18.9 (6) to provide transit services ~~throughout~~ to all counties in the state to meet the
18.10 needs of transit users;

18.11 (7) to promote ~~productivity~~ accountability through ~~system~~ systematic management
18.12 of system performance and productivity through the utilization of technological
18.13 advancements;

18.14 (8) to maximize the long-term benefits received for each state transportation
18.15 investment;

18.16 (9) to provide for and prioritize funding for of transportation investments that, at a
18.17 minimum, preserves the transportation infrastructure ensures that the state's transportation
18.18 infrastructure is maintained in a state of good repair;

18.19 (10) to ensure that the planning and implementation of all modes of transportation
18.20 are consistent with the environmental and energy goals of the state;

18.21 (11) to promote and increase the use of high-occupancy vehicles and low-emission
18.22 vehicles;

18.23 (12) to provide an air transportation system sufficient to encourage economic growth
18.24 and allow all regions of the state the ability to participate in the global economy;

18.25 (13) to increase ~~transit~~ use of transit as a percentage of all trips statewide by giving
18.26 highest priority to the transportation modes with the greatest people-moving capacity and
18.27 lowest long-term economic and environmental cost;

18.28 (14) to promote and increase bicycling and walking as a percentage of all trips as an
18.29 energy-efficient, nonpolluting, and healthful form healthy forms of transportation;

18.30 (15) to reduce greenhouse gas emissions from the state's transportation sector; and

18.31 (16) to accomplish these goals with minimal impact on the environment.

18.32 Sec. 24. Minnesota Statutes 2008, section 174.02, subdivision 1a, is amended to read:

18.33 Subd. 1a. **Mission; efficiency; legislative report, recommendations.** It is part
18.34 of the department's mission that within the department's resources the commissioner
18.35 shall endeavor to:

- 19.1 (1) prevent the waste or unnecessary spending of public money;
- 19.2 (2) use innovative fiscal and human resource practices to manage the state's
19.3 resources and operate the department as efficiently as possible;
- 19.4 (3) minimize the degradation of air ~~and~~ water quality, and the climate, including
19.5 reduction in greenhouse gas emissions;
- 19.6 (4) coordinate the department's activities wherever appropriate with the activities
19.7 of other governmental agencies;
- 19.8 (5) use technology where appropriate to increase agency productivity, improve
19.9 customer service, increase public access to information about government, and increase
19.10 public participation in the business of government;
- 19.11 (6) utilize constructive and cooperative labor-management practices to the extent
19.12 otherwise required by chapters 43A and 179A;
- 19.13 (7) report to the legislature on the performance of agency operations and the
19.14 accomplishment of agency goals in the agency's biennial budget according to section
19.15 16A.10, subdivision 1; and
- 19.16 (8) recommend to the legislature appropriate changes in law necessary to carry out
19.17 the mission and improve the performance of the department.

19.18 Sec. 25. [174.285] MINNESOTA COUNCIL ON TRANSPORTATION ACCESS.

19.19 Subdivision 1. Council established. A Minnesota Council on Transportation
19.20 Access is established to study, evaluate, oversee, and make recommendations to improve
19.21 the coordination, availability, accessibility, efficiency, cost-effectiveness, and safety of
19.22 transportation services provided to the transit public. "Transit public" means those persons
19.23 who utilize public transit and those who, because of mental or physical disability, income
19.24 status, or age are unable to transport themselves and are dependent upon others for
19.25 transportation services.

19.26 Subd. 2. Duties of council. In order to accomplish the purposes in subdivision
19.27 1, the council, following consultation with the legislative committees or divisions
19.28 with jurisdiction over transportation policy and budget, or with appropriate legislative
19.29 transportation subcommittees, shall adopt a biennial work plan that must incorporate
19.30 the following activities:

19.31 (1) compile information on existing transportation alternatives for the transit public,
19.32 and serve as a clearinghouse for information on services, funding sources, innovations,
19.33 and coordination efforts;

19.34 (2) identify best practices and strategies that have been successful in Minnesota and
19.35 in other states for coordination of local, regional, state, and federal funding and services;

20.1 (3) recommend statewide objectives for providing public transportation services
20.2 for the transit public;

20.3 (4) identify barriers prohibiting coordination and accessibility of public
20.4 transportation services and aggressively pursue the elimination of those barriers;

20.5 (5) recommend policies and procedures for coordinating local, regional, state, and
20.6 federal funding and services for the transit public;

20.7 (6) identify stakeholders in providing services for the transit public, and seek input
20.8 from them concerning barriers and appropriate strategies;

20.9 (7) recommend guidelines for developing transportation coordination plans
20.10 throughout the state;

20.11 (8) encourage all state agencies participating in the council to purchase trips within
20.12 the coordinated system;

20.13 (9) facilitate the creation and operation of transportation brokerages to match
20.14 riders to the appropriate service, promote shared dispatching, compile and disseminate
20.15 information on transportation options, and promote regional communication;

20.16 (10) encourage volunteer driver programs and recommend legislation to address
20.17 liability and insurance issues;

20.18 (11) recommend minimum performance standards for delivery of services;

20.19 (12) identify methods to eliminate fraud and abuse in special transportation services;

20.20 (13) develop a standard method for addressing liability insurance requirements for
20.21 transportation services purchased, provided, or coordinated;

20.22 (14) design and develop a contracting template for providing coordinated
20.23 transportation services;

20.24 (15) recommend an interagency uniform contracting and billing and accounting
20.25 system for providing coordinated transportation services;

20.26 (16) encourage the design and development of training programs for coordinated
20.27 transportation services;

20.28 (17) encourage the use of public school transportation vehicles for the transit public;

20.29 (18) develop an allocation methodology that equitably distributes transportation
20.30 funds to compensate units of government and all entities that provide coordinated
20.31 transportation services;

20.32 (19) identify policies and necessary legislation to facilitate vehicle sharing; and

20.33 (20) advocate aggressively for eliminating barriers to coordination, implementing
20.34 coordination strategies, enacting necessary legislation, and appropriating resources to
20.35 achieve the council's objectives.

21.1 Subd. 3. **Coordination with legislative committees.** The council shall coordinate
21.2 its meeting schedule and activities pursuant to its work plan, to the extent practicable, with
21.3 legislative committees and divisions with jurisdiction over transportation budget and
21.4 policy, or with appropriate subcommittees. The chairperson of the council shall act as
21.5 a liaison with the chairs and ranking minority members of the legislative transportation
21.6 committees, divisions, and appropriate subcommittees, in carrying out these duties.

21.7 Subd. 4. **Membership.** (a) The council is composed of the following 13 members:

21.8 (1) one representative from the Office of the Governor;

21.9 (2) one representative from the Council on Disability;

21.10 (3) one representative from the Minnesota Public Transit Association;

21.11 (4) the commissioner of transportation or a designee;

21.12 (5) the commissioner of human services or a designee;

21.13 (6) the commissioner of health or a designee;

21.14 (7) the chair of the Metropolitan Council or a designee;

21.15 (8) the commissioner of education or a designee;

21.16 (9) the commissioner of veterans affairs or a designee;

21.17 (10) one representative from the Board on Aging;

21.18 (11) the commissioner of employment and economic development or a designee;

21.19 (12) the commissioner of commerce or a designee; and

21.20 (13) the commissioner of management and budget or a designee.

21.21 (b) All appointments required by paragraph (a) must be completed by August
21.22 1, 2010.

21.23 (c) The commissioner of transportation or a designee shall convene the first meeting
21.24 of the council within two weeks after the members have been appointed to the council.

21.25 The members shall elect a chairperson from their membership at the first meeting.

21.26 (d) The Department of Transportation and the Department of Human Services shall
21.27 provide necessary staff support for the council.

21.28 Subd. 5. **Report.** By January 15 of each year, beginning in 2012, the council shall
21.29 report its findings, recommendations, and activities to the governor's office and to the
21.30 chairs and ranking minority members of the legislative committees with jurisdiction
21.31 over transportation, health, and human services, and to the legislature as provided under
21.32 section 3.195.

21.33 Subd. 6. **Reimbursement.** Members of the council shall receive reimbursement
21.34 of expenses from the commissioner of transportation as provided in section 15.059,
21.35 subdivision 3.

22.1 Subd. 7. **Transfer of appropriation.** The amount appropriated to the Metropolitan
22.2 Council in Laws 2009, chapter 36, article 1, section 3, subdivision 2, for the administrative
22.3 expenses of the Minnesota Council on Transportation Access, and for other costs relating
22.4 to the preparation of required reports, including the costs of hiring a consultant, is
22.5 transferred to the Department of Transportation for the same purposes.

22.6 Subd. 8. **Expiration.** This section expires June 30, 2014.

22.7 Sec. 26. Minnesota Statutes 2008, section 174.86, subdivision 5, is amended to read:

22.8 **Subd. 5. Commuter Rail Corridor Coordinating Committee.** (a) A Commuter
22.9 Rail Corridor Coordinating Committee ~~shall be~~ is established to advise the commissioner
22.10 on issues relating to the alternatives analysis, environmental review, advanced corridor
22.11 planning, preliminary engineering, final design, implementation method, construction of
22.12 commuter rail, public involvement, land use, service, and safety. The Commuter Rail
22.13 Corridor Coordinating Committee shall consist of:

22.14 (1) one member representing each significant funding partner in whose jurisdiction
22.15 the line or lines are located;

22.16 (2) one member appointed by each county in which the corridors are located;

22.17 (3) one member appointed by each city in which advanced corridor plans indicate
22.18 that a station may be located;

22.19 (4) two members appointed by the commissioner, one of whom shall be designated
22.20 by the commissioner as the chair of the committee;

22.21 (5) one member appointed by each metropolitan planning organization through
22.22 which the commuter rail line may pass; ~~and~~

22.23 (6) one member appointed by the president of the University of Minnesota, if a
22.24 designated corridor provides direct service to the university; and

22.25 (7) two ex-officio members who are members of labor organizations operating
22.26 in, and with authority for, trains or rail yards or stations junctioning with freight and
22.27 commuter rail lines on corridors, with one member appointed by the speaker of the house
22.28 and the other member appointed by the senate Rules and Administration Subcommittee
22.29 on Committees.

22.30 (b) A joint powers board existing on April 1, 1999, consisting of local governments
22.31 along a commuter rail corridor, shall perform the functions set forth in paragraph (a) in
22.32 place of the committee.

22.33 (c) Notwithstanding section 15.059, subdivision 5, the committee does not expire.

23.1 Sec. 27. Minnesota Statutes 2008, section 219.01, is amended to read:

23.2 **219.01 TRACK SAFETY STANDARDS; SAFETY TECHNOLOGY GRANTS.**

23.3 (a) The track safety standards of the United States Department of Transportation and
23.4 Federal Railroad Administration apply to railroad trackage and are the standards for the
23.5 determination of unsafe trackage within the state.

23.6 (b) The commissioner of transportation shall apply to the Federal Railroad
23.7 Administration under Public Law 110-432, the Railroad Safety Enhancement Act of
23.8 2008 (the act), for (1) railroad safety technology grant funding available under section
23.9 105 of the act and (2) development and installation of rail safety technology, including
23.10 provision for switch position indicator signals in nonsignalized main track territory,
23.11 under section 406 of the act. The commissioner shall respond and make application to
23.12 the Federal Railroad Administration notice of funds availability under the Rail Safety
23.13 Assurance Act in a timely manner and before the date of the program deadline to assure
23.14 full consideration of the application. The commissioner shall (i) prioritize grant requests
23.15 for the installation of switch indicator signals on all segments of nonsignalized track
23.16 where posted speeds are in excess of 20 miles per hour and (ii) apply for grant funding in
23.17 each year after 2010 until all nonsignalized track territory in the state has switch indicator
23.18 signals installed and in operation.

23.19 (c) Prior to applying for funds under paragraph (b), the commissioner shall solicit
23.20 grant requests from all eligible railroads. The commissioner shall submit written notice to
23.21 the chairs of the legislative committees with jurisdiction over transportation policy and
23.22 finance of an acceptance by a class I or class II railroad of federal grant program funding
23.23 for switch point indicator monitor systems.

23.24 (d) Participating railroads shall provide the 20 percent nonfederal match. Railroads
23.25 shall provide all technical documentation requested by the commissioner and required by
23.26 the Federal Railroad Administration for the applications under paragraph (b). Railroads
23.27 are responsible for developing, acquiring, and installing all rail safety technology obtained
23.28 under this section in accordance with requirements established by the Federal Railroad
23.29 Administration.

23.30 Sec. 28. Minnesota Statutes 2008, section 221.012, is amended by adding a subdivision
23.31 to read:

23.32 Subd. 27a. **Motor carrier of railroad employees.** "Motor carrier of railroad
23.33 employees" means a motor carrier engaged in the for-hire transportation of railroad
23.34 employees of a class I or II common carrier, as defined in Code of Federal Regulations,

24.1 title 49, part 1201, general instruction 1-1, under the terms of a contractual agreement with
24.2 a common carrier, as defined in section 218.011, subdivision 10.

24.3 Sec. 29. Minnesota Statutes 2008, section 221.012, subdivision 38, is amended to read:

24.4 Subd. 38. **Small vehicle passenger service.** (a) "Small vehicle passenger service"
24.5 means a service provided by a person engaged in the for-hire transportation of passengers
24.6 in a vehicle designed to transport seven or fewer persons, including the driver.

24.7 (b) In the metropolitan area as defined in section 473.121, subdivision 2, "small
24.8 vehicle passenger service" also includes for-hire transportation of persons who are certified
24.9 by the Metropolitan Council to use special transportation service provided under section
24.10 473.386, in a vehicle designed to transport not more than 15 persons including the driver,
24.11 that is equipped with a wheelchair lift and at least three wheelchair securement positions.

24.12 (c) Small vehicle passenger service does not include a motor carrier of railroad
24.13 employees.

24.14 Sec. 30. **[221.0255] MOTOR CARRIER OF RAILROAD EMPLOYEES.**

24.15 (a) A motor carrier of railroad employees must meet the requirements specified in
24.16 this section, is subject to section 221.291, and is otherwise exempt from the provisions
24.17 of this chapter.

24.18 (b) A vehicle operator for a motor carrier of railroad employees who transports
24.19 passengers must:

24.20 (1) have a valid driver's license under chapter 171; and

24.21 (2) submit to a physical examination.

24.22 (c) The carrier must implement a policy that provides for annual training and
24.23 certification of the operator in:

24.24 (1) safe operation of the vehicle transporting railroad employees;

24.25 (2) knowing and understanding relevant laws, rules of the road, and safety policies;

24.26 (3) handling emergency situations;

24.27 (4) proper use of seat belts;

24.28 (5) performance of pretrip and posttrip vehicle inspections, and inspection record
24.29 keeping; and

24.30 (6) proper maintenance of required records.

24.31 (d) The carrier must:

24.32 (1) perform a background check or background investigation of the operator;

24.33 (2) annually verify the operator's driver's license;

25.1 (3) document meeting the requirements in this subdivision, and maintain the file
25.2 at the carrier's business location;

25.3 (4) maintain liability insurance in a minimum amount of \$5,000,000 regardless
25.4 of the seating capacity of the vehicle; and

25.5 (5) maintain uninsured and underinsured coverage in a minimum amount of
25.6 \$1,000,000.

25.7 If a party contracts with the motor carrier on behalf of the railroad to transport the railroad
25.8 employees, then the insurance requirements may be satisfied by either that party or the
25.9 motor carrier, so long as the motor carrier is a named insured or additional insured under
25.10 any policy.

25.11 (e) A person who sustains a conviction of violating section 169A.25, 169A.26,
25.12 169A.27, or 169A.31, or whose driver's license is revoked under sections 169A.50 to
25.13 169A.53 of the implied consent law, or who is convicted of or has their driver's license
25.14 revoked under a similar statute or ordinance of another state, may not operate a vehicle
25.15 under this subdivision for five years from the date of conviction. A person who sustains a
25.16 conviction of a moving offense in violation of chapter 169 within three years of the first
25.17 of three other moving offenses may not operate a vehicle under this subdivision for one
25.18 year from the date of the last conviction. A person who has ever been convicted of a
25.19 disqualifying offense as defined in section 171.3215, subdivision 1, paragraph (c), may
25.20 not operate a vehicle under this subdivision.

25.21 (f) An operator who sustains a conviction as described in paragraph (e) while
25.22 employed by the carrier shall report the conviction to the carrier within ten days of the
25.23 date of the conviction.

25.24 (g) A carrier must implement a mandatory alcohol and controlled substance testing
25.25 program as provided under sections 181.950 to 181.957 that consists of preemployment
25.26 testing, postaccident testing, random testing, reasonable suspicion testing, return-to-duty
25.27 testing, and follow-up testing.

25.28 (h) A motor carrier of railroad employees shall not allow or require a driver to drive
25.29 or remain on duty for more than: ten hours after eight consecutive hours off duty; 15 hours
25.30 of combined on-duty time and drive time since last obtaining eight consecutive hours of
25.31 off-duty time; or 70 hours of on-duty and drive time in any period of eight consecutive
25.32 days. After 24 hours off duty, a driver begins a new seven consecutive day period and
25.33 on-duty time is reset to zero.

25.34 (i) An operator who encounters an emergency and cannot, because of that
25.35 emergency, safely complete a transportation assignment within the ten-hour maximum
25.36 driving time permitted under paragraph (h), may drive for not more than two additional

26.1 hours in order to complete that transportation assignment or to reach a place offering
26.2 safety for the occupants of the vehicle and security for the transport motor vehicle, if the
26.3 transportation assignment reasonably could have been completed within the ten-hour
26.4 period absent the emergency.

26.5 (j) A carrier shall maintain and retain for a period of six months accurate time
26.6 records that show the time the driver reports for duty each day; the total number of hours
26.7 of on-duty time for each driver for each day; the time the driver is released from duty each
26.8 day; and the total number of hours driven each day.

26.9 (k) For purposes of this subdivision, the following terms have the meanings given:

26.10 (1) "conviction" has the meaning given in section 609.02; and

26.11 (2) "on-duty time" means all time at a terminal, facility, or other property of a
26.12 contract carrier or on any public property waiting to be dispatched. On-duty time includes
26.13 time spent inspecting, servicing, or conditioning the vehicle.

26.14 **EFFECTIVE DATE.** Paragraph (d), clause (5), is effective July 1, 2011.

26.15 Sec. 31. Minnesota Statutes 2009 Supplement, section 299D.03, subdivision 5, is
26.16 amended to read:

26.17 Subd. 5. **Traffic fines and forfeited bail money.** (a) All fines and forfeited bail
26.18 money collected from persons apprehended or arrested by officers of the State Patrol
26.19 shall be transmitted by the person or officer collecting the fines, forfeited bail money,
26.20 or installments thereof, on or before the tenth day after the last day of the month in
26.21 which these moneys were collected, to the commissioner of management and budget.
26.22 Except where a different disposition is required in this subdivision or section 387.213, or
26.23 otherwise provided by law, three-eighths of these receipts must be deposited in the state
26.24 treasury and credited to the state general fund. The other five-eighths of these receipts
26.25 must be deposited in the state treasury and credited as follows: (1) the first ~~\$600,000~~
26.26 \$1,000,000 in each fiscal year must be credited to the Minnesota grade crossing safety
26.27 account in the special revenue fund, and (2) remaining receipts must be credited to the state
26.28 trunk highway fund. If, however, the violation occurs within a municipality and the city
26.29 attorney prosecutes the offense, and a plea of not guilty is entered, one-third of the receipts
26.30 shall be deposited in the state treasury and credited to the state general fund, one-third of
26.31 the receipts shall be paid to the municipality prosecuting the offense, and one-third shall be
26.32 deposited in the state treasury and credited to the Minnesota grade crossing safety account
26.33 or the state trunk highway fund as provided in this paragraph. When section 387.213 also
26.34 is applicable to the fine, section 387.213 shall be applied before this paragraph is applied.

27.1 All costs of participation in a nationwide police communication system chargeable to the
27.2 state of Minnesota shall be paid from appropriations for that purpose.

27.3 (b) ~~Notwithstanding any other provisions of law,~~ All fines and forfeited bail money
27.4 from violations of statutes governing the maximum weight of motor vehicles, collected
27.5 from persons apprehended or arrested by employees of the state of Minnesota, by means
27.6 of stationary or portable scales operated by these employees, shall be transmitted by the
27.7 person or officer collecting the fines or forfeited bail money, on or before the tenth day
27.8 after the last day of the month in which the collections were made, to the commissioner
27.9 of management and budget. Five-eighths of these receipts shall be deposited in the state
27.10 treasury and credited to the state highway user tax distribution fund. Three-eighths of
27.11 these receipts shall be deposited in the state treasury and credited to the state general fund.

27.12 Sec. 32. Minnesota Statutes 2008, section 360.061, subdivision 3, is amended to read:

27.13 Subd. 3. **Municipality.** "Municipality" does not include a county unless the county
27.14 owns or controls an airport, in which case such county may exercise all the powers
27.15 granted by said sections to other municipalities. It specifically includes a town, an airport
27.16 authority, the Metropolitan Airports Commission established and operated pursuant to
27.17 chapter 473, and the state of Minnesota.

27.18 Sec. 33. Minnesota Statutes 2008, section 473.167, subdivision 2a, is amended to read:

27.19 Subd. 2a. **Hardship Loans for acquisition and relocation.** (a) The council may
27.20 make ~~hardship~~ loans to acquiring authorities within the metropolitan area to purchase
27.21 homestead property located in a proposed state trunk highway right-of-way or project,
27.22 and to provide relocation assistance. Acquiring authorities are authorized to accept the
27.23 loans and to acquire the property. Except as provided in this subdivision, the loans shall
27.24 be made as provided in subdivision 2. Loans shall be in the amount of the fair market
27.25 value of the homestead property plus relocation costs and less salvage value. Before
27.26 construction of the highway begins, the acquiring authority shall convey the property to
27.27 the commissioner of transportation at the same price it paid, plus relocation costs and less
27.28 its salvage value. Acquisition and assistance under this subdivision must conform to
27.29 sections 117.50 to 117.56.

27.30 (b) The council may make ~~hardship~~ loans only when:

27.31 (1) the owner of affected homestead property requests acquisition and relocation
27.32 assistance from an acquiring authority;

27.33 (2) federal or state financial participation is not available;

28.1 (3) the owner is unable to sell the homestead property at its appraised market
28.2 value because the property is located in a proposed state trunk highway right-of-way or
28.3 project as indicated on an official map or plat adopted under section 160.085, 394.361, or
28.4 462.359; and

28.5 (4) the council agrees to and approves the fair market value of the homestead
28.6 property, which approval shall not be unreasonably withheld; and

28.7 ~~(5) the owner of the homestead property is burdened by circumstances that constitute~~
28.8 ~~a hardship, such as catastrophic medical expenses; a transfer of the homestead owner by~~
28.9 ~~the owner's employer to a distant site of employment; or inability of the owner to maintain~~
28.10 ~~the property due to physical or mental disability or the permanent departure of children~~
28.11 ~~from the homestead.~~

28.12 (c) For purposes of this subdivision, the following terms have the meanings given
28.13 them.

28.14 (1) "Acquiring authority" means counties, towns, and statutory and home rule
28.15 charter cities in the metropolitan area.

28.16 (2) "Homestead property" means: (i) a single-family dwelling occupied by the
28.17 owner, and the surrounding land, not exceeding a total of ten acres; or (ii) a manufactured
28.18 home, as defined in section 327B.01, subdivision 13.

28.19 (3) "Salvage value" means the probable sale price of the dwelling and other property
28.20 that is severable from the land if offered for sale on the condition that it be removed from
28.21 the land at the buyer's expense, allowing a reasonable time to find a buyer with knowledge
28.22 of the possible uses of the property, including separate use of serviceable components and
28.23 scrap when there is no other reasonable prospect of sale.

28.24 Sec. 34. Minnesota Statutes 2008, section 473.411, subdivision 5, is amended to read:

28.25 Subd. 5. **Use of public roadways and appurtenances.** The council may use for the
28.26 purposes of sections 473.405 to 473.449 upon the conditions stated in this subdivision
28.27 any state highway or other public roadway, parkway, or lane, or any bridge or tunnel or
28.28 other appurtenance of a roadway, without payment of any compensation, provided the
28.29 use does not interfere unreasonably with the public use or maintenance of the roadway or
28.30 appurtenance or entail any substantial additional costs for maintenance. The provisions of
28.31 this subdivision do not apply to the property of any common carrier railroad or common
28.32 carrier railroads. The consent of the public agency in charge of such state highway or other
28.33 public highway or roadway or appurtenance is not required; except that if the council seeks
28.34 to use a designated parkway for regular route service in the city of Minneapolis, it must
28.35 obtain permission from and is subject to reasonable limitations imposed by a joint board

29.1 consisting of two representatives from the council, two members of the board of park
29.2 commissioners, and a fifth member jointly selected by the ~~representatives of the council~~
29.3 ~~and the park~~ other members of the board. If the use is a designated Minneapolis parkway
29.4 for regular route service adjacent to the city of Minneapolis, it must obtain permission
29.5 from and is subject to reasonable limitations imposed by a joint board consisting of two
29.6 representatives from the council, two members of the board of park commissioners, and a
29.7 fifth member jointly selected by other members of the board. The joint board must include
29.8 a nonvoting member appointed by the council of the city in which the parkway is located.

29.9 The board of park commissioners and the council may designate persons to sit on
29.10 the joint board. In considering a request by the council to use designated parkways for
29.11 additional routes or trips, the joint board consisting of the council or their designees,
29.12 the board of park commissioners or their designees, and the fifth member, shall base its
29.13 decision to grant or deny the request based on the criteria to be established by the joint
29.14 board. The decision to grant or deny the request must be made within 45 days of the
29.15 date of the request. The park board must be notified immediately by the council of any
29.16 temporary route detours. If the park board objects to the temporary route detours within
29.17 five days of being notified, the joint board must convene and decide whether to grant the
29.18 request, otherwise the request is deemed granted. If the agency objects to the proposed
29.19 use or claims reimbursement from the council for additional cost of maintenance, it may
29.20 commence an action against the council in the district court of the county wherein the
29.21 highway, roadway, or appurtenance, or major portion thereof, is located. The proceedings
29.22 in the action must conform to the Rules of Civil Procedure applicable to the district courts.
29.23 The court shall sit without jury. If the court determines that the use in question interferes
29.24 unreasonably with the public use or maintenance of the roadway or appurtenance, it shall
29.25 enjoin the use by the council. If the court determines that the use in question does not
29.26 interfere unreasonably with the public use or maintenance of the roadway or appurtenance,
29.27 but that it entails substantial additional maintenance costs, the court shall award judgment
29.28 to the agency for the amount of the additional costs. Otherwise the court shall award
29.29 judgment to the council. An aggrieved party may appeal from the judgment of the district
29.30 court in the same manner as is provided for such appeals in other civil actions. The council
29.31 may also use land within the right-of-way of any state highway or other public roadway
29.32 for the erection of traffic control devices, other signs, and passenger shelters upon the
29.33 conditions stated in this subdivision and subject only to the approval of the commissioner
29.34 of transportation where required by statute, and subject to the express provisions of other
29.35 applicable statutes and to federal requirements where necessary to qualify for federal aid.

30.1 Sec. 35. Minnesota Statutes 2008, section 514.18, subdivision 1a, is amended to read:

30.2 Subd. 1a. **Towed motor vehicles.** A person who tows and stores a motor vehicle
30.3 at the request of a law enforcement officer shall have a lien on the motor vehicle for the
30.4 value of the storage and towing and the right to retain possession of the motor vehicle
30.5 until the lien is lawfully discharged. This section does not apply to tows ~~authorized~~
30.6 ~~in section 169.041, subdivision 4, clause (1) of vehicles parked in violation of snow~~
30.7 emergency regulations.

30.8 Sec. 36. Laws 2008, chapter 287, article 1, section 122, is amended to read:

30.9 Sec. 122. **NULLIFICATION OF EXPEDITED TOWN ROAD**
30.10 **EXTINGUISHMENT.**

30.11 (a) Any extinguishment of town interest in a town road under Minnesota Statutes,
30.12 section 164.06, subdivision 2, is hereby nullified if:

30.13 (1) the interest was not recorded or filed with the county recorder but was recorded
30.14 or filed with the county auditor prior to 1972;

30.15 (2) the state or a political subdivision has constructed or funded a road or bridge
30.16 improvement on a right-of-way affected by the interest;

30.17 (3) the affected road was the only means of access to a property;

30.18 (4) the extinguishment took place within the last ten years; and

30.19 (5) a person whose only access to property was lost because of the extinguishment
30.20 files a petition of a nullification with the town board stating that the person's property
30.21 became landlocked because of the extinguishment and that the road satisfies all of the
30.22 requirements of paragraph (a), clauses (1) to (4). A copy of the road order found filed or
30.23 recorded with the county auditor must be attached to the petition. The town shall file the
30.24 petition with the county auditor and record it with the county recorder.

30.25 (b) Notwithstanding Minnesota Statutes, sections 164.08, subdivision 1, and
30.26 541.023, for any nullification under paragraph (a), the affected road is hereby deemed to
30.27 be a cartway. No additional damages or other payments may be required other than those
30.28 paid at the time the fee interest was originally acquired and the order filed with the county
30.29 auditor. A cartway created by this paragraph may be converted to a private driveway
30.30 under Minnesota Statutes, section 164.08, subdivision 2.

30.31 (c) For purposes of this section, "affected road" means the road in which the town
30.32 board extinguished its interest.

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

30.34 Sec. 37. Laws 2009, chapter 36, article 1, section 1, is amended to read:

31.1 Section 1. **SUMMARY OF APPROPRIATIONS.**

31.2 The amounts shown in this section summarize direct appropriations, by fund, made
31.3 in this article.

31.4	2010	2011	Total
31.5 General	\$ 98,385,000	\$ 95,885,000	\$ 194,270,000
31.6 Airports	21,909,000	19,659,000	41,568,000
31.7 C.S.A.H.	496,786,000	524,478,000	1,021,264,000
31.8 M.S.A.S.	134,003,000	141,400,000	275,403,000
31.9 Special Revenue	49,038,000	49,038,000	98,076,000
31.10 H.U.T.D.	9,538,000	9,838,000	19,376,000
31.11		1,372,687,000	2,637,608,000
31.12 Trunk Highway	1,264,921,000	<u>1,372,887,000</u>	<u>2,637,808,000</u>
31.13		2,212,985,000	4,287,565,000
31.14 Total	\$ 2,074,580,000	<u>2,213,185,000</u>	<u>4,287,765,000</u>

31.15 **EFFECTIVE DATE.** This section is effective July 1, 2010.

31.16 Sec. 38. Laws 2009, chapter 36, article 1, section 3, subdivision 3, is amended to read:

31.17 Subd. 3. **State Roads**

31.18 (a) **Infrastructure Operations and Maintenance** 251,643,000 245,892,000

31.19 The base appropriation for fiscal years 2012
31.20 and 2013 is \$257,395,000 for each year.

31.21 (b) **Infrastructure Investment and Planning**

31.22 (1) **Infrastructure Investment Support** 201,461,000 196,935,000

31.23 The base appropriation for fiscal years 2012
31.24 and 2013 is \$205,988,000 for each year.

31.25 \$266,000 the first year and \$266,000 the
31.26 second year are available for grants to
31.27 metropolitan planning organizations outside
31.28 the seven-county metropolitan area.

31.29 \$75,000 the first year and \$75,000 the
31.30 second year are for a transportation research
31.31 contingent account to finance research
31.32 projects that are reimbursable from the
31.33 federal government or from other sources.

31.34 If the appropriation for either year is

32.1 insufficient, the appropriation for the other
 32.2 year is available for it.
 32.3 \$600,000 the first year and \$600,000
 32.4 the second year are available for grants
 32.5 for transportation studies outside the
 32.6 metropolitan area to identify critical
 32.7 concerns, problems, and issues. These
 32.8 grants are available (1) to regional
 32.9 development commissions; (2) in regions
 32.10 where no regional development commission
 32.11 is functioning, to joint powers boards
 32.12 established under agreement of two or
 32.13 more political subdivisions in the region to
 32.14 exercise the planning functions of a regional
 32.15 development commission; and (3) in regions
 32.16 where no regional development commission
 32.17 or joint powers board is functioning, to the
 32.18 department's district office for that region.

32.19 **(2) State Road Construction** 551,300,000 598,700,000

32.20 The base appropriation for fiscal years 2012
 32.21 and 2013 is \$635,000,000 for each year.

32.22 It is estimated that these appropriations will
 32.23 be funded as follows:

32.24	Appropriations by Fund		
32.25	Federal Highway		
32.26	Aid	301,100,000	388,500,000
32.27	Highway User Taxes	250,200,000	210,200,000

32.28 The commissioner of transportation shall
 32.29 notify the chairs and ranking minority
 32.30 members of the senate and house of
 32.31 representatives committees with jurisdiction
 32.32 over transportation finance of any significant
 32.33 events that should cause these estimates to
 32.34 change.

33.1 This appropriation is for the actual
33.2 construction, reconstruction, and
33.3 improvement of trunk highways, including
33.4 design-build contracts and consultant usage
33.5 to support these activities. This includes the
33.6 cost of actual payment to landowners for
33.7 lands acquired for highway rights-of-way,
33.8 payment to lessees, interest subsidies, and
33.9 relocation expenses.

33.10 The commissioner may spend up to \$500,000
33.11 of trunk highway funds in fiscal year 2011
33.12 to pay the operating costs of bus service
33.13 between Hastings and Minneapolis-St. Paul
33.14 to mitigate the traffic impacts of the project
33.15 involving construction of a bridge crossing
33.16 the Mississippi River in the city of Hastings
33.17 on marked Trunk Highway 61.

33.18 The commissioner shall expend up to
33.19 one-half of one percent of the federal
33.20 appropriations under this paragraph as grants
33.21 to opportunity industrialization centers and
33.22 other nonprofit job training centers for
33.23 job training programs related to highway
33.24 construction.

33.25 The commissioner may transfer up to
33.26 \$15,000,000 each year to the transportation
33.27 revolving loan fund.

33.28 The commissioner may receive money
33.29 covering other shares of the cost of
33.30 partnership projects. These receipts are
33.31 appropriated to the commissioner for these
33.32 projects.

33.33 **(3) Highway Debt Service** 101,170,000 173,400,000

33.34 \$86,517,000 the first year and \$157,304,000
33.35 the second year are for transfer to the state

34.1 bond fund. If this appropriation is insufficient
 34.2 to make all transfers required in the year for
 34.3 which it is made, the commissioner of finance
 34.4 shall notify the Committee on Finance of
 34.5 the senate and the Committee on Ways and
 34.6 Means of the house of representatives of
 34.7 the amount of the deficiency and shall then
 34.8 transfer that amount under the statutory open
 34.9 appropriation. Any excess appropriation
 34.10 cancels to the trunk highway fund.

34.11 (c) **Electronic Communications** 5,177,000 5,177,000

34.12	Appropriations by Fund		
34.13	General	9,000	9,000
34.14	Trunk Highway	5,168,000	5,168,000

34.15 The general fund appropriation is to equip
 34.16 and operate the Roosevelt signal tower for
 34.17 Lake of the Woods weather broadcasting.

34.18 **EFFECTIVE DATE.** This section is effective July 1, 2010.

34.19 Sec. 39. Laws 2009, chapter 36, article 1, section 5, subdivision 1, is amended to read:

34.20			152,578,000
34.21	Subdivision 1. Total Appropriation	\$ 152,478,000	\$ <u>152,778,000</u>

34.22	Appropriations by Fund		
34.23		2010	2011
34.24	General	7,959,000	7,959,000
34.25	Special Revenue	49,038,000	49,038,000
34.26	H.U.T.D.	9,413,000	9,713,000
34.27			85,868,000
34.28	Trunk Highway	86,068,000	<u>86,068,000</u>

34.29 The amounts that may be spent for each
 34.30 purpose are specified in the following
 34.31 subdivisions.

34.32 **EFFECTIVE DATE.** This section is effective July 1, 2010.

34.33 Sec. 40. Laws 2009, chapter 36, article 1, section 5, subdivision 3, is amended to read:

35.1	Subd. 3. State Patrol		
35.2	(a) Patrolling Highways	71,522,000	71,522,000
35.3	Appropriations by Fund		
35.4	General	37,000	37,000
35.5	H.U.T.D.	92,000	92,000
35.6	Trunk Highway	71,393,000	71,393,000
35.7	(b) Commercial Vehicle Enforcement	7,996,000	7,796,000
35.8	This appropriation is from the trunk highway		
35.9	fund.		
35.10	\$800,000 the first year and \$600,000 the		
35.11	second year are for the Office of Pupil		
35.12	Transportation Safety.		
35.13	(c) Capitol Security	3,113,000	3,113,000
35.14	This appropriation is from the general fund.		
35.15	The commissioner may not: (1) spend		
35.16	any money from the trunk highway fund		
35.17	for capitol security; or (2) permanently		
35.18	transfer any state trooper from the patrolling		
35.19	highways activity to capitol security.		
35.20	The commissioner may not transfer any		
35.21	money: (1) appropriated for Department of		
35.22	Public Safety administration, the patrolling of		
35.23	highways, commercial vehicle enforcement,		
35.24	or driver and vehicle services to capitol		
35.25	security; or (2) from capitol security.		
35.26	<u>(d) Vehicle Crimes Unit</u>		<u>200,000</u>
35.27	<u>This appropriation is for the State Patrol to</u>		
35.28	<u>add at least eight troopers to investigate (1)</u>		
35.29	<u>registration tax and motor vehicle sales tax</u>		
35.30	<u>liabilities from individuals and businesses</u>		
35.31	<u>that currently do not pay all taxes owed; and</u>		
35.32	<u>(2) illegal or improper activity related to sale,</u>		
35.33	<u>transfer, titling, and registration of motor</u>		

36.1 vehicles. This initiative is expected to result
36.2 in new revenues for the biennium as follows:

36.3 (1) \$450,000 for the highway user tax
36.4 distribution fund;

36.5 (2) \$300,000 for the transit assistance fund;
36.6 and

36.7 (3) \$50,000 for the general fund.

36.8 The base appropriation is increased by
36.9 \$530,000 in fiscal year 2012 and fiscal year
36.10 2013.

36.11 **EFFECTIVE DATE.** This section is effective July 1, 2010.

36.12 Sec. 41. **ADDITIONAL DEPUTY REGISTRAR OF MOTOR VEHICLES FOR**
36.13 **CITY OF FARMINGTON.**

36.14 Notwithstanding Minnesota Statutes, section 168.33, and rules adopted by the
36.15 commissioner of public safety, limiting sites for the office of deputy registrar based
36.16 on either the distance to an existing deputy registrar office or the annual volume of
36.17 transactions processed by any deputy registrar, the commissioner of public safety shall
36.18 appoint a municipal deputy registrar of motor vehicles for the city of Farmington to
36.19 operate a new full-service Office of Deputy Registrar, with full authority to function
36.20 as a registration and motor vehicle tax collection bureau, at the city hall in the city of
36.21 Farmington. All other provisions regarding the appointment and operation of a deputy
36.22 registrar of motor vehicles under Minnesota Statutes, section 168.33, and Minnesota
36.23 Rules, chapter 7406, apply to the office.

36.24 **EFFECTIVE DATE; LOCAL APPROVAL.** This section is effective the day after
36.25 the governing body of the city of Farmington and its chief clerical officer timely complete
36.26 their compliance with Minnesota Statutes, section 645.021, subdivisions 2 and 3.

36.27 Sec. 42. **REPORT ON FINANCING OF BRIDGE CONSTRUCTION.**

36.28 By January 15, 2011, the commissioner of transportation shall report to the chairs
36.29 and ranking minority members of the legislative committees with jurisdiction over
36.30 transportation policy and finance on the feasibility of utilizing any potential value capture
36.31 options or potential public-private partnerships, which may include charging tolls, for

37.1 construction of a new bridge over the St. Croix River at or near Stillwater. The report
37.2 must be submitted electronically.

37.3 Sec. 43. **STATE ROAD CONSTRUCTION APPROPRIATION.**

37.4 \$30,000,000 is appropriated from the bond proceeds account in the trunk highway
37.5 fund in fiscal year 2011 to the commissioner of transportation for the actual construction,
37.6 reconstruction, and improvement of trunk highways, including design-build contracts and
37.7 consultant usage to support these activities. This includes the cost of actual payments to
37.8 landowners for lands acquired for highway rights-of-way, payments to lessees, interest
37.9 subsidies, and relocation expenses. The commissioner may use up to \$5,100,000 of this
37.10 amount for program delivery.

37.11 Sec. 44. **INTERCHANGE ACCOUNT APPROPRIATION.**

37.12 \$70,000,000 is appropriated from the bond proceeds account in the trunk highway
37.13 fund in fiscal year 2011 to the commissioner of transportation for construction of
37.14 interchanges involving a trunk highway, where the interchange will promote economic
37.15 development, increase employment, relieve growing traffic congestion, and promote traffic
37.16 safety. The amount under this paragraph must be allocated 50 percent to the department's
37.17 metropolitan district, and 50 percent to districts in greater Minnesota.

37.18 Sec. 45. **BOND SALE EXPENSES.**

37.19 \$100,000 is appropriated from the bond proceeds account in the trunk highway fund
37.20 to the commissioner of finance for bond sale expenses under Minnesota Statutes, sections
37.21 16A.641, subdivision 8, and 167.50, subdivision 4.

37.22 Sec. 46. **TRUNK HIGHWAY BONDS AUTHORIZATION.**

37.23 To provide the money appropriated in sections 43, 44, and 45 from the bond
37.24 proceeds account in the trunk highway fund, the commissioner of management and budget
37.25 shall sell and issue bonds of the state in an amount up to \$100,100,000 in the manner,
37.26 upon the terms, and with the effect prescribed by Minnesota Statutes, sections 167.50 to
37.27 167.52, and by the Minnesota Constitution, article XIV, section 11, at the times and in the
37.28 amounts requested by the commissioner of transportation. The proceeds of the bonds,
37.29 except accrued interest and any premium received from the sale of the bonds, must be
37.30 deposited in the bond proceeds account in the trunk highway fund.

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

38.1 Sec. 47. **REPEALER.**

38.2 Minnesota Statutes 2008, section 169.041, subdivisions 3 and 4, are repealed.

169.041 TOWING AUTHORIZED.

Subd. 3. **Four-hour waiting period.** In enforcing state and local parking and traffic laws, a towing authority may not tow, or allow or require the towing of, a motor vehicle from public property for a parking or traffic violation until four hours after issuance of the traffic ticket or citation, except as provided in this section or as provided for an unauthorized vehicle in section 168B.04.

Subd. 4. **Towing allowed.** A towing authority may tow a motor vehicle without regard to the four-hour waiting period if:

- (1) the vehicle is parked in violation of snow emergency regulations;
- (2) the vehicle is parked in a rush-hour restricted parking area;
- (3) the vehicle is blocking a driveway, alley, or fire hydrant;
- (4) the vehicle is parked in a bus lane, or at a bus stop, during hours when parking is prohibited;
- (5) the vehicle is parked within 30 feet of a stop sign and visually blocking the stop sign;
- (6) the vehicle is parked in a disability transfer zone or disability parking space without a disability parking certificate or disability license plates;
- (7) the vehicle is parked in an area that has been posted for temporary restricted parking (i) at least 12 hours in advance in a home rule charter or statutory city having a population under 50,000, or (ii) at least 24 hours in advance in another political subdivision;
- (8) the vehicle is parked within the right-of-way of a controlled-access highway or within the traveled portion of a public street when travel is allowed there;
- (9) the vehicle is unlawfully parked in a zone that is restricted by posted signs to use by fire, police, public safety, or emergency vehicles;
- (10) the vehicle is unlawfully parked on property at the Minneapolis-St. Paul International Airport owned by the Metropolitan Airports Commission;
- (11) a law enforcement official has probable cause to believe that the vehicle is stolen, or that the vehicle constitutes or contains evidence of a crime and impoundment is reasonably necessary to obtain or preserve the evidence;
- (12) the driver, operator, or person in physical control of the vehicle is taken into custody and the vehicle is impounded for safekeeping;
- (13) a law enforcement official has probable cause to believe that the owner, operator, or person in physical control of the vehicle has failed to respond to five or more citations for parking or traffic offenses;
- (14) the vehicle is unlawfully parked in a zone that is restricted by posted signs to use by taxicabs;
- (15) the vehicle is unlawfully parked and prevents egress by a lawfully parked vehicle;
- (16) the vehicle is parked, on a school day during prohibited hours, in a school zone on a public street where official signs prohibit parking; or
- (17) the vehicle is a junk, abandoned, or unauthorized vehicle, as defined in section 168B.011, and subject to immediate removal under chapter 168B.