

SENATE  
STATE OF MINNESOTA  
EIGHTY-SEVENTH LEGISLATURE

S.F. No. 2597

(SENATE AUTHORS: GIMSE)

DATE	D-PG	OFFICIAL STATUS
04/05/2012	5785	Introduction and first reading Referred to Transportation
04/18/2012	5929	Comm report: To pass Joint rule 2.03, referred to Rules and Administration

A bill for an act  
relating to transportation; authorizing toll facility on segment of Interstate  
Highway 35E; redirecting MnPASS revenues; amending Minnesota Statutes  
2010, sections 160.845; 160.93, subdivisions 1, 2; repealing Minnesota Statutes  
2010, section 160.93, subdivision 2a.

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

Section 1. Minnesota Statutes 2010, section 160.845, is amended to read:

**160.845 RESTRICTIONS ON TOLL FACILITY.**

(a) A road authority, including the governing body of a city, or a private operator  
may not convert, transfer, or utilize any portion of a highway to impose tolls or for use  
as a toll facility. A road authority, including the governing body of a city, or a private  
operator may not limit operation of a commercial motor vehicle, as defined in section  
169.011, subdivision 16, to a toll facility or otherwise require that a commercial motor  
vehicle use the tolled portion of a highway.

(b) This section does not apply to (1) any toll facility or high-occupancy vehicle lane  
constructed, converted, or established before September 1, 2007, (2) any additional lane,  
including a priced dynamic shoulder lane, high-occupancy vehicle lane, or high-occupancy  
toll lane, added to a highway after September 1, 2007, ~~and~~ (3) any other general purpose  
lane that adds capacity, or (4) an additional lane on each side of that segment of Interstate  
Highway 35E between its intersection with Interstate Highway 94 and its intersection with  
Interstate Highway 694.

Sec. 2. Minnesota Statutes 2010, section 160.93, subdivision 1, is amended to read:

Subdivision 1. **Fees authorized.** To improve efficiency and provide more options to individuals traveling in a trunk highway corridor, the commissioner of transportation may charge user fees to owners or operators of single-occupant vehicles using dynamic shoulder lanes as designated by the commissioner ~~and~~, any designated high-occupancy vehicle lanes, and any other high-occupancy toll lanes. The fees may be collected using electronic or other toll-collection methods and may vary in amount with the time of day and level of traffic congestion within the corridor. The commissioner shall consult with the Metropolitan Council and obtain necessary federal authorizations before implementing user fees on a high-occupancy vehicle lane or dynamic shoulder lane. Fees under this section are not subject to section 16A.1283.

Sec. 3. Minnesota Statutes 2010, section 160.93, subdivision 2, is amended to read:

Subd. 2. **Deposit of revenues; appropriation.** ~~(a) Except as provided in subdivision 2a,~~ Money collected from fees authorized under subdivision 1 must be deposited in a high-occupancy vehicle lane user fee account in the special revenue fund. ~~A separate account must be established for each trunk highway corridor.~~ Money in the account is appropriated to the commissioner.

(b) From this appropriation the commissioner shall ~~first repay the trunk highway fund and any other fund source for money spent to install, equip, or modify the corridor for the purposes of subdivision 1, and then shall pay all the costs of implementing and for administering and operating the fee collection system for that corridor, including payments for operating the fee collection system, and for maintaining and operating tolling and related equipment.~~

(c) The commissioner shall spend remaining money in the account ~~as follows:~~

~~(1) one-half must be spent for transportation capital improvements within the corridor, and MnPASS system, including the replacement of tolling and related equipment.~~

~~(2) one-half must be transferred to the Metropolitan Council for expansion and improvement of bus transit services within the corridor beyond the level of service provided on the date of implementation of subdivision 1.~~

Sec. 4. **REPEALER.**

Minnesota Statutes 2010, section 160.93, subdivision 2a, is repealed.