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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 2295

03/17/2021 Authored by Bernardy
The bill was read for the first time and referred to the Committee on Transportation Finance and Policy

1.1 A bill for an act
1.2 relating to transportation; establishing a work zone safety pilot program; requiring
1.3 reporting; appropriating money.

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

1.5 Section 1. WORK ZONE SAFETY PILOT PROGRAM DEVELOPMENT.

1.6 Subdivision 1. Definitions. (a) For purposes of this section, the following terms have
1.7 the meanings given.

1.8 (b) "Automated enforcement system" means an electronic system of cameras or other
1.9 sensors that is designed to automatically produce recorded images of a motor vehicle operated
1.10 in violation of traffic regulations under Minnesota Statutes, chapter 169.

1.11 (c) "Commissioner" means the commissioner of transportation.

1.12 (d) "Commissioners" means the commissioner of transportation as the lead in coordination
1.13 with the commissioner of public safety.

1.14 (e) "Work zone" has the meaning given in Minnesota Statutes, section 169.011,
1.15 subdivision 95.

1.16 Subd. 2. Pilot program development and schedule. (a) The commissioner of
1.17 transportation, in coordination with the commissioner of public safety, must commence
1.18 development of a pilot program to enforce speeding violations through the use of automated
1.19 enforcement systems in work zones and in locations where work is performed within the
1.20 highway right-of-way.

2.1 (b) To the extent that existing legal authority in conjunction with any law enacted in the
2.2 2022 legislative session enables the implementation plan under subdivision 5, or a comparable
2.3 plan, the commissioners must:

2.4 (1) in the 2022 construction season, commence field operations to use automated
2.5 enforcement systems;

2.6 (2) annually through at least 2024, undertake field operations; and

2.7 (3) no later than in 2026, conclude field operations.

2.8 Subd. 3. **Advisory group.** (a) The commissioners must establish and collaborate with
2.9 an advisory group to perform the work zone speed management assessment under subdivision
2.10 4 and develop the implementation plan under subdivision 5.

2.11 (b) The advisory group must include representatives from appropriate labor organizations,
2.12 contractors who operate in highway rights-of-way, law enforcement agencies, traffic safety
2.13 organizations, traffic safety research entities, the League of Minnesota Cities, and the
2.14 Association of Minnesota Counties.

2.15 Subd. 4. **Work zone speed management assessment.** (a) The commissioners must
2.16 perform a work zone speed management assessment.

2.17 (b) At a minimum, the assessment must:

2.18 (1) evaluate existing legal authority for strategies, practices, and methods to reduce
2.19 vehicle speeds and enhance worker safety in work zones, which may include but is not
2.20 limited to use of traffic control devices, use of barriers, traffic control design modifications,
2.21 and speed enforcement actions;

2.22 (2) propose a process for contractors operating in a work zone that:

2.23 (i) allows contractors to request modifications to a project's traffic control plan, in order
2.24 to reduce vehicle speeds or improve worker safety in a work zone; and

2.25 (ii) establishes standards for appeals; and

2.26 (3) make recommendations for immediate changes in work zone safety, to be implemented
2.27 starting with the remainder of the 2021 construction season.

2.28 (c) By July 1, 2021, the commissioners must complete the assessment and submit it to
2.29 the chairs and ranking minority members of the legislative committees with jurisdiction
2.30 over transportation policy and finance.

3.1 Subd. 5. **Implementation plan.** (a) The commissioners must develop an implementation
3.2 plan for the pilot program.

3.3 (b) At a minimum, the implementation plan must:

3.4 (1) set program design, requirements, and procedures;

3.5 (2) determine any legal barriers and other considerations to address prior to
3.6 implementation and propose law changes and actions to address identified issues;

3.7 (3) identify resources that are needed and available to implement the pilot program and
3.8 propose methods to address any resource gaps;

3.9 (4) determine how automated enforcement will augment ongoing traffic and speed
3.10 compliance efforts;

3.11 (5) identify and assess locations for automated enforcement, which must include work
3.12 zones and other locations where work is scheduled to be performed within the highway
3.13 right-of-way;

3.14 (6) specify how the general public will be notified about automated speed enforcement
3.15 activities prior to and during use of automated enforcement equipment;

3.16 (7) propose a fine or assessment and the disposition of revenue, for violations identified
3.17 by automated enforcement systems; and

3.18 (8) analyze performance measures for evaluation of traffic safety impacts under the pilot
3.19 program.

3.20 (c) By November 1, 2021, the commissioners must complete the implementation plan
3.21 and submit it to the chairs and ranking minority members of the legislative committees with
3.22 jurisdiction over transportation policy and finance.

3.23 Subd. 6. **Evaluation.** (a) The commissioner must arrange for independent evaluation of
3.24 pilot program operations and impacts. The evaluation must be performed by a nonprofit
3.25 transportation research entity from outside the Departments of Transportation and Public
3.26 Safety.

3.27 (b) At a minimum, the evaluation must:

3.28 (1) analyze the effectiveness of automated enforcement systems in lowering travel speeds,
3.29 reducing speed differentials, and meeting any other safety or performance measures identified
3.30 in the implementation plan;

4.1 (2) perform statistical analysis of traffic speeds, intrusions, crashes, near miss incidents,
4.2 injuries, and fatalities;

4.3 (3) identify any changes in traffic congestion attributable to automated enforcement
4.4 systems; and

4.5 (4) analyze financial impacts of (i) the pilot program, and (ii) potential ongoing
4.6 implementation of automated enforcement systems.

4.7 (c) Preliminary evaluations must be completed by November 1 annually in each year of
4.8 pilot program field operations. The final evaluation must be completed by November 1 in
4.9 the concluding year of pilot program field operations. Upon completion of each preliminary
4.10 evaluation and the final evaluation, the commissioner must submit a copy to the chairs and
4.11 ranking minority members of the legislative committees with jurisdiction over transportation
4.12 policy and finance.

4.13 Subd. 7. **Expiration.** The pilot program under this section expires on December 31,
4.14 2026.

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

4.16 Sec. 2. **WORK ZONE SAFETY PILOT PROGRAM; APPROPRIATION.**

4.17 \$20,000 in fiscal year 2021 is appropriated from the trunk highway fund to the
4.18 commissioner of transportation for the work zone safety pilot program under section 1. This
4.19 is a onetime appropriation and is available until June 30, 2022.

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