

169.31 **STOP AT SIDEWALKS.** The driver of a vehicle within a business or residence district emerging from an alley, driveway, or building shall stop such vehicle immediately prior to driving onto a sidewalk or into the sidewalk area extending across any alleyway or private driveway and shall yield the right of way to any pedestrian and all other traffic on the sidewalk.

Sec. 14. [169.315] **OPENING AND CLOSING VEHICLE DOORS.** No person shall open any door on a motor vehicle unless and until it is reasonably safe to do so and can be done without interfering with the movement of other traffic. No person shall allow any door on the side of a vehicle adjacent to moving traffic to remain open for a period of time longer than necessary to load or unload passengers.

Sec. 15. Minnesota Statutes 1976, Section 169.221 is repealed.

Approved April 5, 1978.

CHAPTER 740-H.F.No.544

[Coded in Part]

An act relating to highways; lifting the construction moratorium on I-35E in the city of St. Paul; removing a certain route from the trunk highway system; establishing priorities for planning for construction of a certain trunk route; amending Minnesota Statutes 1976, Sections 161.117; 161.12; 161.123; and Chapter 161, by adding a section.

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

Section 1. Minnesota Statutes 1976, Section 161.117, is amended to read:

161.117 **TRUNK HIGHWAYS; ADDITIONAL ROUTES.** There may be added by order of the commissioner of transportation to the trunk highway system new routes described as follows:

(1) Route No. 380. Beginning at a point on Route No. 390 at its intersection with Shepard Road in the city of St. Paul; thence extending in a northeasterly direction generally following along the course of Shepard Road to a point on Route No. 112; thence extending in a northeasterly direction to a point on Route No. 392 easterly of the downtown area of St. Paul; providing a connector route between Route No. 390 and Routes No. 112 and 392;

(2) Route No. 384. Beginning at a point on Route No. 112, northerly of the Lafayette Street bridge in the city of St. Paul; thence extending in a northwesterly direction to a point on Route No. 390 southerly of Maryland Avenue in the city of St. Paul; providing a connector route between Route No. 112 and Route No. 390; and

(3) Route No. 382. Beginning at a point on Route No. 390 at its junction with Route No. 111, thence extending in a general northerly direction, within the corridor of

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the right of way already acquired on May 31, 1975, for Route No. 390, to a point on Short Line Road; thence extending in a northeasterly direction within said corridor of right of way to the intersection of Pleasant Avenue and Kellogg Boulevard in the city of St. Paul.

Sec. 2. Minnesota Statutes 1976, Section 161.12, is amended to read:

161.12 ADDITIONAL ROUTES ADDED TO TRUNK HIGHWAY SYSTEM. To take advantage of federal aid made available by the United States to the state of Minnesota for highway purposes, the following trunk highway routes are added to the trunk highway system which routes form a part of the national system of interstate and defense highways and may be referred to as the interstate system:

Route No. 390. Beginning at a point on the boundary between the states of Minnesota and Iowa, southerly of Albert Lea; thence extending in a ~~general northerly~~ general northerly direction to a point on Route No. 111 in the city of St. Paul; and then beginning again at a point on Route No. 392 in the city of St. Paul; thence extending in a general northeasterly direction to a point in Duluth on the boundary between the states of Minnesota and Wisconsin. Route No. 390 shall not include any portion of Route No. 382 as designated by section 161.117 or any portion of any route connecting Route No. 382 to Route No. 392, nor shall it include any portion of trunk highway marked No. 3 from trunk highway marked No. 110 in Dakota county to East Seventh Street in the city of St. Paul.

Route No. 391. Beginning at a point on the boundary between the states of Minnesota and South Dakota, westerly of Luverne; thence extending in a general easterly direction to a point on the boundary between the states of Minnesota and Wisconsin, near La Crescent.

Route No. 392. Beginning at a point on the boundary between the states of Minnesota and North Dakota in or near Moorhead; thence extending in a general southeasterly direction through the city of Minneapolis; thence in a general easterly direction through the city of St. Paul to a point on the boundary between the states of Minnesota and Wisconsin in or near Lakeland.

Route No. 393. Beginning at a point on Route No. 392, easterly of the city of St. Paul; thence in a general southerly and westerly direction through the city of South St. Paul; thence in a general westerly direction to a point in Eden Prairie Township, Hennepin County; thence in a general northerly direction to a point in the city of Maple Grove, Hennepin County; thence in a general easterly direction to a point on Route 390; thence in a general easterly, southeasterly and southerly direction to the point of beginning on Route No. 392, easterly of St. Paul.

Route No. 394. Beginning at a point on Route No. 390, southerly of the Minnesota River; thence extending in a general northerly and northeasterly direction through the city of Minneapolis; thence continuing in a northeasterly direction to a point on Route No. 390, near Forest Lake and there terminating.

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Route No. 395. Beginning at a point on Route No. 390 at or near the intersection of Superior Street and Nineteenth Avenue West in the city of Duluth, thence extending in a northeasterly direction to a point on Route No. 103 at or near the intersection of Superior Street and Tenth Avenue East in the city of Duluth.

Sec. 3. Minnesota Statutes 1976, Section 161.123, is amended to read:

161.123 **HIGHWAY CONSTRUCTION; PROHIBITIONS.** Following May 31, 1975 the department of transportation shall not cause any construction on, nor shall any lands be acquired for, any of the trunk highways designated as I-335, ~~that portion of I-35E in Ramsey county described in section 161.117, clause (3), as Route No. 382, nor for proposed I-394 between I-494 and the Hawthorne interchange, nor for any extension or connector of the Dartmouth interchange of the interstate route designated as I-94; nor shall the department construct or improve Legislative Route No. 116, marked trunk highway route No. 55, within the city of Minneapolis, to freeway or expressway standards; provided, that nothing in this section shall be construed to prohibit the department from taking the following actions:~~

(1) Construction of a parkway facility of not more than four lanes of traffic in the corridor previously designated for I-335 in the city of Minneapolis.

(2) Construction of not more than six lanes of travel on Legislative Routes No. 10 and No. 107 marked TH12 between I-494 and the Hawthorne interchange in the city of Minneapolis, provided that no additional lands shall be acquired for any such purpose except which is necessary for construction of six lanes of travel on said highway.

~~(3) Construction of, on the route designated in section 161.117, clause (3), as Route No. 382, a four lane parkway facility with limited access, provided that such parkway shall not be physically connected with Legislative Route No. 392.~~

(4) ~~(3)~~ Generally utilizing and widening present lanes of travel, increasing the number of lanes of travel up to but not exceeding six lanes, and upgrading Legislative Route No. 116 within the city of Minneapolis generally along its present traveled corridor.

~~The commissioner of transportation shall prepare~~

~~(4) Preparation of any~~ environmental impact statements, recreational and other land use reports, and other elements of the planning process required by federal and state law, utilizing the most reasonably recent available data, on the following:

Routes and corridors enumerated above and all feasible and prudent alternate routes and corridors, giving the fullest possible consideration to each, without regard to prior authorization or to whether legislative approval or other action is necessary. In the preparation of such environmental impact statements the commissioner shall analyze and evaluate:

(a) Design modifications which may mitigate any adverse environmental impact; and

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(b) The recommendations of the metropolitan council, transportation advisory board, and interstate study committee as reported to the legislature pursuant to Laws 1975, Chapter 203, Section 16; and

(c) All other matters required of an environmental impact statement by applicable state and federal laws.

Any highway facility authorized by this section shall be compatible with the immediate residential areas through which it passes. Upon the completion of any highway facility authorized herein, any right of way previously acquired within the utilized corridor and not needed for the construction and maintenance of such facility, shall be transferred to the city within which such excess right of way is located, for public purposes, or sold for utilization in a manner compatible with the immediate residential area through which it passes, such excess right of way being determined by order of the commissioner. The transfer shall be evidenced by a quit claim deed, in such form as the attorney general approves, executed by the governor in the name of the state of Minnesota to such city.

The commissioner of transportation shall consider a parkway or other alternatives for that portion of the trunk highway designated as I-35 or Route No. 390 in the city of Duluth.

Sec. 4. Minnesota Statutes 1976, Chapter 161, is amended by adding a section to read:

[161.1245] HIGHWAY CONSTRUCTION; AUTHORIZATIONS AND RESTRICTIONS. Subdivision 1. The commissioner of transportation is authorized to construct a four-lane parkway with limited access along the right of way of Route No. 382 in the city of St. Paul, which parkway may be connected with Route No. 392 by a roadway that is not a controlled access highway as defined in section 160.02. The commissioner shall not construct any highway on Route No. 382 or connection to Route No. 392 other than that described in this subdivision.

Subd. 2. The completion of an environmental impact statement analyzing all options for Route No. 382 and for that uncompleted portion of Route No. 390 in the metropolitan area shall be the responsibility of the metropolitan council. The metropolitan council shall pursuant to agreement with the commissioner of transportation complete the draft environmental impact statement with all reasonable speed and in conformance with all legal requirements but in any event no later than September 1, 1979. The commissioner of transportation and the city of St. Paul shall cooperate fully with and provide all necessary technical assistance to the metropolitan council.

Subd. 3. The commissioner of transportation shall not authorize the construction of any traffic lanes on trunk highway marked No. 3 from trunk highway marked No. 110 in Dakota county to East Seventh Street in the city of St. Paul in addition to those in existence on January 1, 1978.

Sec. 5. **EFFECTIVE DATE.** This act is effective the day following its final enactment.

Approved April 5, 1978.

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