

## CHAPTER 123—S.F.No. 629

*An act relating to metropolitan government; modifying provisions governing taxicabs at airports; modifying policy plan provisions; removing the requirement for adoption of a separate airports or aviation system plan; repealing provisions for planning administration between the Metropolitan Council and the Metropolitan Airports Commission; repealing obsolete provisions; amending Minnesota Statutes 2004, sections 221.091, subdivision 3; 473.146, subdivisions 1, 3; 473.192, subdivisions 2, 3; 473.655; 473.852, subdivision 8; repealing Minnesota Statutes 2004, sections 473.155; 473.619.*

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

Section 1. Minnesota Statutes 2004, section 221.091, subdivision 3, is amended to read:

Subd. 3. **AUTHORITY OF METROPOLITAN AIRPORTS COMMISSION.**  
Notwithstanding any other law:

(a) The Metropolitan Airports Commission may regulate ground transportation to and from an airport under its jurisdiction, subject to the provisions of paragraphs (b), (c), (d), and (e). The authority under this paragraph includes, but is not limited to, regulating the number and types of transportation services, making concession agreements, and establishing vehicle standards.

(b) The Metropolitan Airports Commission may regulate small passenger vehicles, including taxicabs, serving an airport under its jurisdiction only by ordinance. An ordinance adopted under this paragraph must at a minimum (1) define taxicabs and, (2) provide for driver qualifications, insurance, and vehicle safety, and may (3) provide for issuance of permits to taxicabs and other small passenger vehicles and limits on. An ordinance under this paragraph may limit the number of permits issued to taxicabs. An ordinance under this paragraph may not provide for making concession agreements relating to small passenger vehicle service, including taxicabs.

(c) If the Metropolitan Airports Commission determines that it is in the public interest to reduce the number of annual taxicab permits issued at the Minneapolis-St. Paul International Airport, the commission shall first reduce the number of permits in the following order:

(1) permits held by permit holders who have not picked up a passenger at the Minneapolis-St. Paul International Airport within three months immediately preceding the decision to reduce permits;

(2) permits issued to permit holders who have not continuously held an annual or semi-annual permit prior to and since January 1, 2005; and

(3) permits issued to corporations that have sold or transferred at least a majority of the shares of the corporation since January 1, 2005.

(d) In deciding whether it is in the public interest to reduce the number of taxicab permits, the commission shall consider, at a minimum, the following factors:

(1) the number of taxicab permits issued in relation to the number of taxicab customers at the Minneapolis-St. Paul International Airport;

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(2) the wait times for taxicab drivers; and

(3) the impact to current permit holders, including, but not limited to, permit holders who have held a permit during a permitting period prior to January 1, 2005.

(e) If the Metropolitan Airports Commission allows for taxicab permit transfers, the commission shall not prohibit permit transfers between sole proprietors, individual owner taxicab operators, or corporations, unless the commission also prohibits permit transfers from one corporation to another corporation.

Sec. 2. Minnesota Statutes 2004, section 473.146, subdivision 1, is amended to read:

Subdivision 1. **REQUIREMENT.** The council shall adopt a long-range comprehensive policy plan for transportation, airports, and wastewater treatment. The plans must substantially conform to all policy statements, purposes, goals, standards, and maps in the development guide developed and adopted by the council under this chapter. Each policy plan must include, to the extent appropriate to the functions, services, and systems covered, the following:

(1) forecasts of changes in the general levels and distribution of population, households, employment, land uses, and other relevant matters, for the metropolitan area and appropriate subareas;

(2) a statement of issues, problems, needs, and opportunities with respect to the functions, services, and systems covered;

(3) a statement of the council's goals, objectives, and priorities with respect to the functions, services, and systems covered, addressing areas and populations to be served, the levels, distribution, and staging of services; a general description of the facility systems required to support the services; the estimated cost of improvements required to achieve the council's goals for the regional systems, including an analysis of what portion of the funding for each improvement is proposed to come from the state, Metropolitan Council levies, and cities, counties, and towns in the metropolitan area, respectively, and other similar matters;

(4) a statement of policies to effectuate the council's goals, objectives, and priorities;

(5) a statement of the fiscal implications of the council's plan, including a statement of: (i) the resources available under existing fiscal policy; (ii) the adequacy of resources under existing fiscal policy and any shortfalls and unattended needs; (iii) additional resources, if any, that are or may be required to effectuate the council's goals, objectives, and priorities; and (iv) any changes in existing fiscal policy, on regional revenues and intergovernmental aids respectively, that are expected or that the council has recommended or may recommend;

(6) a statement of the relationship of the policy plan to other policy plans and chapters of the Metropolitan Development Guide;

(7) a statement of the relationships to local comprehensive plans prepared under sections 473.851 to 473.871; and

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(8) additional general information as may be necessary to develop the policy plan or as may be required by the laws relating to the metropolitan agency and function covered by the policy plan.

Sec. 3. Minnesota Statutes 2004, section 473.146, subdivision 3, is amended to read:

Subd. 3. **DEVELOPMENT GUIDE: TRANSPORTATION.** The transportation chapter must include policies relating to all transportation forms and be designed to promote the legislative determinations, policies, and goals set forth in section 473.371. In addition to the requirements of subdivision 1 regarding the contents of the policy plan, the nontransit element of the transportation chapter must include the following:

(1) a statement of the needs and problems of the metropolitan area with respect to the functions covered, including the present and prospective demand for and constraints on access to regional business concentrations and other major activity centers and the constraints on and acceptable levels of development and vehicular trip generation at such centers;

(2) the objectives of and the policies to be forwarded by the policy plan;

(3) a general description of the physical facilities and services to be developed;

(4) a statement as to the general location of physical facilities and service areas;

(5) a general statement of timing and priorities in the development of those physical facilities and service areas;

(6) a detailed statement, updated every two years, of timing and priorities for improvements and expenditures needed on the metropolitan highway system; and

(7) a general statement on the level of public expenditure appropriate to the facilities; and

(8) a long-range assessment of air transportation trends and factors that may affect airport development in the metropolitan area and policies and strategies that will ensure a comprehensive, coordinated, and timely investigation and evaluation of alternatives for airport development.

The council shall develop the nontransit element in consultation with the transportation advisory board and the Metropolitan Airports Commission and cities having an airport located within or adjacent to its corporate boundaries. The council shall also take into consideration the airport development and operations plans and activities of the commission. The council shall transmit the results to the state Department of Transportation.

Sec. 4. Minnesota Statutes 2004, section 473.192, subdivision 2, is amended to read:

Subd. 2. **DEFINITIONS.** For purposes of this section, "metropolitan area" has the meaning given it in section 473.121, subdivision 2. "~~Aviation~~ Transportation policy plan" means the plan adopted by the Metropolitan Council pursuant to section 473.145. "Municipality" has the meaning provided by section 462.352, subdivision 2.

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Sec. 5. Minnesota Statutes 2004, section 473.192, subdivision 3, is amended to read:

Subd. 3. **ORDINANCE.** A municipality in the metropolitan area that, in part or in whole, is within the aircraft noise zones designated in the aviation transportation policy plan may adopt and enforce ordinances and controls to regulate building construction methods and materials for the purpose of attenuating aircraft noise in habitable buildings in and around the noise zone. The ordinance or control shall not apply to remodeling or rehabilitating an existing residential building nor to the construction of an appurtenance to an existing residential building. An ordinance adopted by a municipality must be adequate to implement the Metropolitan Council's guidelines for land use compatibility with aircraft noise. Section 16B.62 does not apply to ordinances adopted under this section.

Sec. 6. Minnesota Statutes 2004, section 473.655, is amended to read:

**473.655 PUBLIC AND GOVERNMENTAL PURPOSES.**

It is hereby determined and declared that the purposes of sections 473.601 to 473.679 are public and governmental; that the development of the metropolitan airports system by the corporation be consistent with the airport transportation chapter of the Metropolitan Council's Development Guide and promote the public safety and welfare of the state; and that the development, extension, maintenance, and operation of the system in such a manner as to assure the residents of the metropolitan area of the minimum environmental impact from air navigation and transportation, with provision for noise abatement, control of airport area land use, and other protective measures, is essential to the development of air navigation and transportation in and through this state, and is necessary in order to assure the inclusion of this state in national and international systems of air transportation, benefits the people of the state as a whole, renders a general public service, and provides employment, and is of great public economic benefit.

Sec. 7. Minnesota Statutes 2004, section 473.852, subdivision 8, is amended to read:

Subd. 8. **METROPOLITAN SYSTEM PLANS.** "Metropolitan system plans" means the airports and transportation portions portion of the Metropolitan Development Guide, and the policy plans, and capital budgets for metropolitan wastewater service, transportation, and regional recreation open space.

**Sec. 8. REPEALER.**

Minnesota Statutes 2004, sections 473.155 and 473.619, are repealed.

**Sec. 9. APPLICATION.**

This act applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

Presented to the governor May 24, 2005

Signed by the governor May 26, 2005, 8:40 p.m.

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