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State of Minnesota
HOUSE OF REPRESENTATIVES
NINETIETH SESSION

H. F. No. 1630

02/23/2017 Authored by Runbeck
The bill was read for the first time and referred to the Committee on Transportation and Regional Governance Policy

1.1 A bill for an act
1.2 relating to mass transit; establishing a moratorium on certain guideway projects;
1.3 requiring a plan that maximizes transit service and operations; requiring planning
1.4 and a legislative report; amending Minnesota Statutes 2016, sections 174.93,
1.5 subdivision 1; 398A.10, subdivision 1; 473.3999; proposing coding for new law
1.6 in Minnesota Statutes, chapters 174; 471.

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

1.8 Section 1. Minnesota Statutes 2016, section 174.93, subdivision 1, is amended to read:

1.9 Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have
1.10 the meanings given:

1.11 (1) "commissioner" means the commissioner of transportation;

1.12 (2) "guideway" means a form of transportation service provided to the public on a regular
1.13 and ongoing basis; that operates on ~~exclusive or controlled rights-of-way or rails in whole~~
1.14 ~~or in part~~ rails or operates primarily or substantially within separated rights-of-way dedicated
1.15 for or primarily used by the service, and includes:

1.16 (i) each line for intercity passenger rail, commuter rail, light rail transit, and streetcars;
1.17 ~~and;~~

1.18 (ii) each line for dedicated bus service, which may include but is not limited to arterial
1.19 or highway bus rapid transit, limited stop bus service, and express bus service; and

1.20 (iii) any intermodal facility serving two or more lines identified in items (i) and (ii); and

1.21 (3) "local unit of government" means a county, statutory or home rule charter city, town,
1.22 or other political subdivision including, but not limited to, a regional railroad authority or
1.23 joint powers board.

2.1 (b) For purposes of this section, "sources of funds" includes, but is not limited to, money
 2.2 from federal aid, state appropriations, the Metropolitan Council, special taxing districts,
 2.3 local units of government, fare box recovery, and nonpublic sources.

2.4 (c) For purposes of this section, "budget activity" includes, but is not limited to,
 2.5 environmental analysis, land acquisition, easements, design, preliminary and final
 2.6 engineering, acquisition of vehicles and rolling stock, track improvement and rehabilitation,
 2.7 and construction.

2.8 (d) Guideway does not include bus rapid transit, limited-stop bus service, or express bus
 2.9 service that does not primarily or substantially operate within separated rights-of-way.

2.10 (e) Separated rights-of-way does not include a shoulder, dynamic shoulder lane, or priced
 2.11 lane under section 160.93.

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

2.13 **Sec. 2. [174.94] GUIDEWAY PROJECTS MORATORIUM.**

2.14 (a) For purposes of this section, the term "guideway" has the meaning given in section
 2.15 174.93, subdivision 1, except that it excludes intercity passenger rail.

2.16 (b) Notwithstanding any law to the contrary, the state, the Metropolitan Council, and
 2.17 any other political subdivisions are prohibited from expending public sources of funds for
 2.18 a guideway project, whether for a new line or extending a line. The prohibition under this
 2.19 section includes but is not limited to study, alternatives analysis, design, engineering,
 2.20 environmental analysis, land acquisition, purchasing rolling stock and other equipment, and
 2.21 construction.

2.22 (c) The prohibition under this section does not apply to funds obtained from contributions,
 2.23 grants, or other voluntary payments made by nongovernmental entities from private sources.

2.24 **EFFECTIVE DATE; APPLICATION.** This section is effective the day following
 2.25 final enactment. The portion of this section that relates to the Metropolitan Council applies
 2.26 in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

2.27 Sec. 3. Minnesota Statutes 2016, section 398A.10, subdivision 1, is amended to read:

2.28 Subdivision 1. **Capital costs.** A county regional railroad authority ~~may not contribute~~
 2.29 ~~more than ten percent of the capital costs of a light rail transit or commuter rail project. This~~
 2.30 ~~subdivision does not apply to a light rail transit project for which a county regional railroad~~
 2.31 ~~authority commits to providing an amount greater than ten percent of the capital costs, if~~

3.1 ~~the commitment (1) is made before October 2, 2008, (2) is made as part of an application~~
 3.2 ~~for federal funds, and (3) is adjusted by the county regional railroad authority to meet the~~
 3.3 ~~requirements of this subdivision as part of the next scheduled federal funding application~~
 3.4 ~~for the project~~ is subject to section 174.94.

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

3.6 Sec. 4. **[471.987] GUIDEWAY PROJECTS.**

3.7 A county and a home rule charter or statutory city are subject to section 174.94.

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

3.9 Sec. 5. Minnesota Statutes 2016, section 473.3999, is amended to read:

3.10 **473.3999 LIGHT RAIL TRANSIT CONSTRUCTION; ~~COUNCIL AUTHORITY~~**
 3.11 **MORATORIUM.**

3.12 ~~The Metropolitan Council may exercise the powers granted in this chapter and in other~~
 3.13 ~~applicable law, as necessary, to plan, design, acquire, construct, and equip light rail transit~~
 3.14 ~~facilities in the metropolitan area as defined in section 473.121, subdivision 2~~ The council
 3.15 is subject to section 174.94.

3.16 **EFFECTIVE DATE; APPLICATION.** This section is effective the day following
 3.17 final enactment and applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey,
 3.18 Scott, and Washington.

3.19 Sec. 6. **LIGHT RAIL TRANSIT; EXISTING AGREEMENTS.**

3.20 (a) Notwithstanding Minnesota Statutes, section 174.94, the Metropolitan Council may
 3.21 fulfill the requirements of an agreement for work on a light rail transit line, if:

3.22 (1) the agreement was entered into on or before January 15, 2017; and

3.23 (2) the agreement does not provide for its cancellation.

3.24 (b) Nothing in this section permits change orders that increase amount owed by the
 3.25 council under an agreement.

3.26 **EFFECTIVE DATE; APPLICATION.** This section is effective the day following
 3.27 final enactment and applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey,
 3.28 Scott, and Washington.

4.1 Sec. 7. MAXIMIZING TRANSIT OPERATIONS PLAN.

4.2 By December 15, 2017, the Metropolitan Council must submit a report analyzing how
4.3 to maximize transit service and operations to the chairs and ranking minority members of
4.4 the legislative committees with jurisdiction over transportation policy and finance. At a
4.5 minimum, the report must provide a plan that identifies specific changes to enhance the
4.6 transit system in a manner that maximizes:

4.7 (1) mobility;

4.8 (2) ridership;

4.9 (3) service level for transit-dependent populations;

4.10 (4) cost effectiveness, including but not limited to cost efficiency on a life-cycle basis
4.11 for capital, operating, and capital maintenance;

4.12 (5) safety; and

4.13 (6) system flexibility.

4.14 **EFFECTIVE DATE; APPLICATION.** This section is effective the day following
4.15 final enactment and applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey,
4.16 Scott, and Washington.