

SENATE
STATE OF MINNESOTA
EIGHTY-SEVENTH LEGISLATURE **S.F. No. 920**

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DATE	D-PG	OFFICIAL STATUS
03/21/2011	598	Introduction and first reading Referred to Transportation
03/23/2011	635	Author added Sheran
05/03/2011	1670a	Comm report: To pass as amended and re-refer to Finance
05/11/2011	1972a	Comm report: To pass as amended
	1974	Second reading
05/16/2011	2063a	Special Order: Amended
	2069	Laid on table Taken from table
	2070a	Amended
	2073	Third reading
	2073	Laid on table See SF1115, Sec. 6, 11, 96 See SF1072, Sec.1-9, 11, 13-16, 18, 20-22, 24-32, 36-37, 39, 44-48, 51-53

A bill for an act

1.1 relating to transportation; requiring report on trunk highway fund expenditures;
1.2 modifying provisions relating to electric-assisted bicycles, special vehicles,
1.3 conservation officer vehicles and vehicle permits; establishing Mississippi River
1.4 Trail bikeway; designating highways; providing for special plates for woman
1.5 veterans; modifying location requirements for motor vehicle dealer record
1.6 keeping; clarifying drivers license requirement for train crews; clarifying traffic
1.7 laws regarding flashing yellow lights and arrows; expanding authority for bus
1.8 operation on highway shoulders; modifying vehicle equipment provisions;
1.9 removing exceptions from child passenger restraint law; authorizing gross
1.10 weight increase for transportation of sweet corn; authorizing drivers education
1.11 online component; requiring driver education on carbon monoxide poisoning;
1.12 extending drivers license expiration for certain military members; modifying
1.13 Department of Transportation reporting requirements; authorizing the sale
1.14 of non-oxygenated gasoline for use by a manufacturer in the research and
1.15 development of certain recreational vehicles; allowing city of Paynesville to
1.16 retain certain funds; removing obsolete language; making technical changes;
1.17 appropriating money; amending Minnesota Statutes 2010, sections 84.777,
1.18 subdivision 2; 84.92, subdivisions 8, 9, 10; 84.9257; 84.928, subdivision 1;
1.19 85.015, by adding a subdivision; 85.018, subdivisions 2, 4; 160.263, subdivision
1.20 2; 160.845; 160.93, subdivisions 1, 2; 161.14, subdivision 66, by adding a
1.21 subdivision; 168.012, subdivision 1; 168.013, subdivisions 1e, 3, 12; 168.017,
1.22 subdivision 3; 168.123, subdivision 2; 168A.11, subdivision 4; 169.011,
1.23 subdivision 27; 169.035, by adding a subdivision; 169.045, subdivisions 1, 2, 3,
1.24 5, 6, 7, 8; 169.06, subdivisions 5, 7; 169.223, subdivision 5; 169.306; 169.4503,
1.25 by adding a subdivision; 169.64, subdivision 2; 169.685, subdivisions 6, 7;
1.26 169.826, subdivision 1a; 169.85, subdivision 2; 169.86, subdivisions 1, 4, 5,
1.27 by adding a subdivision; 171.03; 171.05, subdivision 2; 171.0701; 171.13,
1.28 subdivision 1, by adding a subdivision; 171.27; 174.56; 221.0314, subdivision
1.29 3a; 222.50, subdivision 4; 222.51; 222.53; 239.791, by adding a subdivision;
1.30 proposing coding for new law in Minnesota Statutes, chapters 160; 171; repealing
1.31 Minnesota Statutes 2010, sections 160.93, subdivision 2a; 161.08, subdivision
1.32 2; 168.012, subdivision 1b; 222.48, subdivision 3a.

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

1.35 Section 1. Minnesota Statutes 2010, section 84.777, subdivision 2, is amended to read:

2.1 Subd. 2. **Off-highway vehicle seasonal restrictions.** (a) ~~The commissioner shall~~
2.2 ~~prescribe seasons for off-highway vehicle use on state forest lands.~~ Except for designated
2.3 forest roads, a person must not operate an off-highway vehicle on state forest lands: ~~(1)~~
2.4 ~~outside of the seasons prescribed under this paragraph; or (2) during the firearms deer~~
2.5 hunting season in areas of the state where deer may be taken by rifle. This paragraph
2.6 does not apply to a person in possession of a valid deer hunting license operating an
2.7 off-highway vehicle before or after legal shooting hours or from 11:00 a.m. to 2:00 p.m.

2.8 (b) The commissioner may designate and post winter trails on state forest lands
2.9 for use by off-highway vehicles.

2.10 (c) For the purposes of this subdivision, "state forest lands" means forest lands under
2.11 the authority of the commissioner as defined in section 89.001, subdivision 13, and lands
2.12 managed by the commissioner under section 282.011.

2.13 Sec. 2. Minnesota Statutes 2010, section 84.92, subdivision 8, is amended to read:

2.14 Subd. 8. **All-terrain vehicle or vehicle.** "All-terrain vehicle" or "vehicle" means a
2.15 motorized ~~floatation-tired~~ vehicle ~~of not less than three low pressure tires, but not more~~
2.16 ~~than six tires, that is limited in engine displacement of less than 960 cubic centimeters~~
2.17 equipped with three to six nonhighway tires, and includes a class 1 all-terrain vehicle and
2.18 class 2 all-terrain vehicle. "All-terrain vehicle" or "vehicle" does not include a golf cart,
2.19 mini truck, dune buggy, go cart, or vehicle designed specifically for lawn maintenance,
2.20 agriculture, logging, or mining purposes.

2.21 Sec. 3. Minnesota Statutes 2010, section 84.92, subdivision 9, is amended to read:

2.22 Subd. 9. **Class 1 all-terrain vehicle.** "Class 1 all-terrain vehicle" means an
2.23 all-terrain vehicle that has a total dry weight of less than 1,000 pounds and: (1) has a
2.24 manufacturer's published width of 50 inches or less; or (2) has a straddled seat.

2.25 Sec. 4. Minnesota Statutes 2010, section 84.92, subdivision 10, is amended to read:

2.26 Subd. 10. **Class 2 all-terrain vehicle.** "Class 2 all-terrain vehicle" means an
2.27 all-terrain vehicle that is not a class 1 all-terrain vehicle, has a total dry weight of 1,000 to
2.28 1,800 pounds or less, and a manufacturer's published width of 68 inches or less.

2.29 Sec. 5. Minnesota Statutes 2010, section 84.9257, is amended to read:

2.30 **84.9257 PASSENGERS.**

2.31 (a) A person 18 years of age or older may operate a class 1 all-terrain vehicle
2.32 carrying only one passenger.

3.1 (b) A person 18 years of age or older may operate a class 2 all-terrain vehicle while
3.2 carrying ~~a~~ only one passenger, or up to the number of passengers for which the vehicle
3.3 was designed, whichever is greater.

3.4 (c) A person 12 to 17 years of age may operate a class 1 all-terrain vehicle carrying
3.5 only one passenger and the passenger must be the person's parent or legal guardian.

3.6 Sec. 6. Minnesota Statutes 2010, section 84.928, subdivision 1, is amended to read:

3.7 Subdivision 1. **Operation on roads and rights-of-way.** (a) Unless otherwise
3.8 allowed in sections 84.92 to 84.928, a person shall not operate an all-terrain vehicle in
3.9 this state along or on the roadway, shoulder, or inside bank or slope of a public road
3.10 right-of-way of a trunk, county state-aid, or county highway.

3.11 (b) A person may operate a straddled seat class 1 all-terrain vehicle in the ditch or
3.12 the outside bank or slope of a trunk, county state-aid, or county highway unless prohibited
3.13 under paragraph (d) or (f). A person may not operate a side-by-side class 1 all-terrain
3.14 vehicle in the ditch or the outside bank or slope of a trunk, county state-aid, or county
3.15 highway, except on a designated all-terrain vehicle trail.

3.16 (c) A person may operate a side-by-side class 1 or class 2 all-terrain vehicle within
3.17 the public road right-of-way of a county state-aid or county highway on the extreme
3.18 right-hand side of the road and left turns may be made from any part of the road if it is
3.19 safe to do so under the prevailing conditions, unless prohibited under paragraph (d) or (f).
3.20 A person may operate a class 2 all-terrain vehicle on the bank or ditch of a public road
3.21 right-of-way on a designated class 2 all-terrain vehicle trail.

3.22 (d) A road authority as defined under section 160.02, subdivision 25, may after a
3.23 public hearing restrict the use of all-terrain vehicles in the public road right-of-way under
3.24 its jurisdiction.

3.25 (e) The restrictions in paragraphs (a), (d), (h), (i), and (j) do not apply to the
3.26 operation of an all-terrain vehicle on the shoulder, inside bank or slope, ditch, or outside
3.27 bank or slope of a trunk, interstate, county state-aid, or county highway:

3.28 (1) that is part of a funded grant-in-aid trail; or

3.29 (2) when the all-terrain vehicle is owned by or operated under contract with a
3.30 publicly or privately owned utility or pipeline company and used for work on utilities or
3.31 pipelines.

3.32 (f) The commissioner may limit the use of a right-of-way for a period of time if the
3.33 commissioner determines that use of the right-of-way causes:

3.34 (1) degradation of vegetation on adjacent public property;

3.35 (2) siltation of waters of the state;

4.1 (3) impairment or enhancement to the act of taking game; or

4.2 (4) a threat to safety of the right-of-way users or to individuals on adjacent public
4.3 property.

4.4 The commissioner must notify the road authority as soon as it is known that a closure
4.5 will be ordered. The notice must state the reasons and duration of the closure.

4.6 (g) A person may operate an all-terrain vehicle registered for private use and used
4.7 for agricultural purposes on a public road right-of-way of a trunk, county state-aid, or
4.8 county highway in this state if the all-terrain vehicle is operated on the extreme right-hand
4.9 side of the road, and left turns may be made from any part of the road if it is safe to do so
4.10 under the prevailing conditions.

4.11 (h) A person shall not operate an all-terrain vehicle within the public road
4.12 right-of-way of a trunk, county state-aid, or county highway from April 1 to August 1 in
4.13 the agricultural zone unless the vehicle is being used exclusively as transportation to and
4.14 from work on agricultural lands. This paragraph does not apply to an agent or employee
4.15 of a road authority, as defined in section 160.02, subdivision 25, or the Department of
4.16 Natural Resources when performing or exercising official duties or powers.

4.17 (i) A person shall not operate an all-terrain vehicle within the public road
4.18 right-of-way of a trunk, county state-aid, or county highway between the hours of one-half
4.19 hour after sunset to one-half hour before sunrise, except on the right-hand side of the
4.20 right-of-way and in the same direction as the highway traffic on the nearest lane of the
4.21 adjacent roadway.

4.22 (j) A person shall not operate an all-terrain vehicle at any time within the
4.23 right-of-way of an interstate highway or freeway within this state.

4.24 Sec. 7. Minnesota Statutes 2010, section 85.015, is amended by adding a subdivision
4.25 to read:

4.26 Subd. 1d. **Bicycle use of trails.** The commissioner may not prohibit operation of
4.27 an electric-assisted bicycle, as defined in section 169.011, subdivision 27, on any trail
4.28 under this section for which bicycle use is permitted, provided that the commissioner
4.29 determines that operation of the electric-assisted bicycle is consistent with safe use and
4.30 enjoyment of the trail.

4.31 Sec. 8. Minnesota Statutes 2010, section 85.018, subdivision 2, is amended to read:

4.32 Subd. 2. **Authority of local government.** (a) A local government unit that receives
4.33 state grants-in-aid for any trail, with the concurrence of the commissioner, and the
4.34 landowner or land lessee, may:

5.1 (1) designate the trail for use by snowmobiles or for nonmotorized use from
5.2 December 1 to April 1 of any year; and

5.3 (2) issue any permit required under subdivisions 3 to 5.

5.4 (b) A local government unit that receives state grants-in-aid under section 84.794,
5.5 subdivision 2, 84.803, subdivision 2, or 84.927, subdivision 2, for any trail, with the
5.6 concurrence of the commissioner, and landowner or land lessee, may:

5.7 (1) designate the trail specifically for use at various times of the year by all-terrain or
5.8 off-road vehicles or off-highway motorcycles, for nonmotorized use such as ski touring,
5.9 snowshoeing, and hiking, and for multiple use, but not for motorized and nonmotorized
5.10 use at the same time; and

5.11 (2) issue any permit required under subdivisions 3 to 5.

5.12 (c) A local unit of government that receives state grants-in-aid for any trail, with the
5.13 concurrence of the commissioner and landowner or land lessee, may designate certain
5.14 trails for joint use by snowmobiles, off-highway motorcycles, all-terrain vehicles, and
5.15 off-road vehicles.

5.16 (d) A local unit of government may not prohibit operation of an electric-assisted
5.17 bicycle, as defined in section 169.011, subdivision 27, on any trail under this section
5.18 designated for bicycle use or nonmotorized use that includes bicycles, provided that
5.19 the local unit of government determines the operation of the electric-assisted bicycle is
5.20 consistent with safe use and enjoyment of the trail.

5.21 Sec. 9. Minnesota Statutes 2010, section 85.018, subdivision 4, is amended to read:

5.22 Subd. 4. **Nonmotorized use trails.** (a) No motorized vehicle shall be operated on a
5.23 trail designated for nonmotorized use. This subdivision does not apply to (1) motorized
5.24 wheelchairs or other motorized devices operated by an individual who is physically
5.25 disabled and (2) electric-assisted bicycles, as defined in section 169.011, subdivision 27.

5.26 Sec. 10. Minnesota Statutes 2010, section 160.263, subdivision 2, is amended to read:

5.27 Subd. 2. **Powers of political subdivisions.** (a) The governing body of any political
5.28 subdivision may by ordinance or resolution:

5.29 (1) designate any roadway or shoulder or portion thereof under its jurisdiction as
5.30 a bicycle lane or bicycle route;

5.31 (2) designate any sidewalk or portion thereof under its jurisdiction as a bicycle path
5.32 provided that the designation does not destroy a pedestrian way or pedestrian access;

5.33 (3) develop and designate bicycle paths;

5.34 (4) designate as bikeways all bicycle lanes, bicycle routes, and bicycle paths.

6.1 (b) A governing body may not prohibit operation of an electric-assisted bicycle,
6.2 as defined in section 169.011, subdivision 27, on any bikeway, roadway, or shoulder,
6.3 provided that the governing body determines that operation of the electric-assisted bicycle
6.4 is consistent with safe use and enjoyment of the trail.

6.5 Sec. 11. **[160.266] MISSISSIPPI RIVER TRAIL.**

6.6 Subdivision 1. **Definitions.** For the purposes of this section:

6.7 (1) "bicycle path" has the meaning given in section 169.011, subdivision 6; and

6.8 (2) "bikeway" has the meaning given in section 169.011, subdivision 9.

6.9 Subd. 2. **Creation.** The commissioner, in cooperation with road and trail authorities
6.10 including the commissioner of natural resources, shall identify a bikeway that originates at
6.11 Itasca State Park in Clearwater, Beltrami, and Hubbard Counties, then generally parallels
6.12 the Mississippi River through the cities of Bemidji in Beltrami County, Grand Rapids in
6.13 Itasca County, Brainerd in Crow Wing County, Little Falls in Morrison County, Sauk
6.14 Rapids in Benton County, St. Cloud in Stearns County, Minneapolis in Hennepin County,
6.15 St. Paul in Ramsey County, Hastings in Dakota County, Red Wing in Goodhue County,
6.16 Wabasha in Wabasha County, Winona in Winona County, and La Crescent in Houston
6.17 County to Minnesota's boundary with Iowa and there terminates. Where opportunities
6.18 exist, the bikeway may be designated on both sides of the Mississippi River.

6.19 Subd. 3. **Cooperation with other entities.** The commissioner may contract and
6.20 enter into agreements with federal agencies, other state agencies, and local governments to
6.21 establish, develop, maintain, and operate the bikeway and to interpret associated natural
6.22 and cultural resources.

6.23 Subd. 4. **Funding.** Bicycle paths included within the bikeway and not administered
6.24 by the commissioner of natural resources are eligible for funding from the environment
6.25 and natural resources trust fund under chapter 116P, from the parks and trails grant
6.26 program under section 85.535, from the local recreation grants program under section
6.27 85.019, subdivision 4b, and from other sources.

6.28 Sec. 12. Minnesota Statutes 2010, section 160.845, is amended to read:

6.29 **160.845 RESTRICTIONS ON TOLL FACILITY.**

6.30 (a) A road authority, including the governing body of a city, or a private operator
6.31 may not convert, transfer, or utilize any portion of a highway to impose tolls or for use
6.32 as a toll facility. A road authority, including the governing body of a city, or a private
6.33 operator may not limit operation of a commercial motor vehicle, as defined in section

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7.1 169.011, subdivision 16, to a toll facility or otherwise require that a commercial motor
7.2 vehicle use the tolled portion of a highway.

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

7.10 Sec. 13. Minnesota Statutes 2010, section 160.93, subdivision 1, is amended to read:

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

7.21 Sec. 14. Minnesota Statutes 2010, section 160.93, subdivision 2, is amended to read:

7.22 Subd. 2. **Deposit of revenues; appropriation.** (a) ~~Except as provided in subdivision~~
7.23 ~~2a,~~ Money collected from fees authorized under subdivision 1 must be deposited in a
7.24 high-occupancy vehicle lane user fee account in the special revenue fund. ~~A separate~~
7.25 ~~account must be established for each trunk highway corridor.~~ Money in the account is
7.26 appropriated to the commissioner.

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

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

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

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

8.6 Sec. 15. Minnesota Statutes 2010, section 161.14, subdivision 66, is amended to read:

8.7 Subd. 66. **Veterans Memorial Highway.** ~~Legislative Route No. 31, signed as~~
8.8 Trunk Highway marked 200 as of July 1, 2010, from the border with North Dakota to the
8.9 city of Mahnommen, is designated as the "Veterans Memorial Highway." The commissioner
8.10 shall adopt a suitable design to mark this highway and erect appropriate signs, subject
8.11 to section 161.139.

8.12 Sec. 16. Minnesota Statutes 2010, section 161.14, is amended by adding a subdivision
8.13 to read:

8.14 Subd. 70. Deputy John W. Liebenstein Memorial Highway. (a) That segment of
8.15 Route No. 390, signed as Interstate Highway 35 on the effective date of this section and
8.16 located in Rice County, is designated as "Deputy John W. Liebenstein Memorial Highway."
8.17 Subject to section 161.139, the commissioner shall adopt a suitable marking design to
8.18 mark this highway and shall erect the appropriate signs as provided in paragraph (b).

8.19 (b) The commissioner of transportation shall erect suitable signs on signed Interstate
8.20 Highway 35 as close as practicable to the following locations:

8.21 (1) one southbound sign at the Rice County State-Aid Highway 86 overpass;

8.22 (2) one sign on the southbound off-ramp of the interchange with Rice County
8.23 State-Aid Highway 1, at the closest reasonable location to the site at which Deputy John
8.24 W. Liebenstein was killed in the line of duty;

8.25 (3) one sign on the northbound off-ramp of the interchange with Rice County
8.26 State-Aid Highway 1; and

8.27 (4) one northbound sign near the intersection to the east of Rice County State-Aid
8.28 Highways 21 and 45.

8.29 Sec. 17. Minnesota Statutes 2010, section 168.012, subdivision 1, is amended to read:

8.30 Subdivision 1. **Vehicles exempt from tax, fees, or plate display.** (a) The following
8.31 vehicles are exempt from the provisions of this chapter requiring payment of tax and
8.32 registration fees, except as provided in subdivision 1c:

9.1 (1) vehicles owned and used solely in the transaction of official business by the
9.2 federal government, the state, or any political subdivision;

9.3 (2) vehicles owned and used exclusively by educational institutions and used solely
9.4 in the transportation of pupils to and from those institutions;

9.5 (3) vehicles used solely in driver education programs at nonpublic high schools;

9.6 (4) vehicles owned by nonprofit charities and used exclusively to transport disabled
9.7 persons for charitable, religious, or educational purposes;

9.8 (5) vehicles owned by nonprofit charities and used exclusively for disaster response
9.9 and related activities;

9.10 (6) vehicles owned by ambulance services licensed under section 144E.10 that
9.11 are equipped and specifically intended for emergency response or providing ambulance
9.12 services; and

9.13 (7) vehicles owned by a commercial driving school licensed under section 171.34,
9.14 or an employee of a commercial driving school licensed under section 171.34, and the
9.15 vehicle is used exclusively for driver education and training.

9.16 (b) Provided the general appearance of the vehicle is unmistakable, the following
9.17 vehicles are not required to register or display number plates:

9.18 (1) vehicles owned by the federal government;

9.19 (2) fire apparatuses, including fire-suppression support vehicles, owned or leased by
9.20 the state or a political subdivision;

9.21 (3) police patrols owned or leased by the state or a political subdivision; and

9.22 (4) ambulances owned or leased by the state or a political subdivision.

9.23 (c) Unmarked vehicles used in general police work, liquor investigations, or arson
9.24 investigations, and passenger automobiles, pickup trucks, and buses owned or operated by
9.25 the Department of Corrections or by conservation officers of the Division of Enforcement
9.26 and Field Service of the Department of Natural Resources, must be registered and must
9.27 display appropriate license number plates, furnished by the registrar at cost. Original and
9.28 renewal applications for these license plates authorized for use in general police work and
9.29 for use by the Department of Corrections or by conservation officers must be accompanied
9.30 by a certification signed by the appropriate chief of police if issued to a police vehicle,
9.31 the appropriate sheriff if issued to a sheriff's vehicle, the commissioner of corrections if
9.32 issued to a Department of Corrections vehicle, or the appropriate officer in charge if
9.33 issued to a vehicle of any other law enforcement agency. The certification must be on a
9.34 form prescribed by the commissioner and state that the vehicle will be used exclusively
9.35 for a purpose authorized by this section.

10.1 (d) Unmarked vehicles used by the Departments of Revenue and Labor and Industry,
10.2 fraud unit, in conducting seizures or criminal investigations must be registered and must
10.3 display passenger vehicle classification license number plates, furnished at cost by the
10.4 registrar. Original and renewal applications for these passenger vehicle license plates
10.5 must be accompanied by a certification signed by the commissioner of revenue or the
10.6 commissioner of labor and industry. The certification must be on a form prescribed by
10.7 the commissioner and state that the vehicles will be used exclusively for the purposes
10.8 authorized by this section.

10.9 (e) Unmarked vehicles used by the Division of Disease Prevention and Control of the
10.10 Department of Health must be registered and must display passenger vehicle classification
10.11 license number plates. These plates must be furnished at cost by the registrar. Original
10.12 and renewal applications for these passenger vehicle license plates must be accompanied
10.13 by a certification signed by the commissioner of health. The certification must be on a
10.14 form prescribed by the commissioner and state that the vehicles will be used exclusively
10.15 for the official duties of the Division of Disease Prevention and Control.

10.16 (f) Unmarked vehicles used by staff of the Gambling Control Board in gambling
10.17 investigations and reviews must be registered and must display passenger vehicle
10.18 classification license number plates. These plates must be furnished at cost by the
10.19 registrar. Original and renewal applications for these passenger vehicle license plates must
10.20 be accompanied by a certification signed by the board chair. The certification must be on a
10.21 form prescribed by the commissioner and state that the vehicles will be used exclusively
10.22 for the official duties of the Gambling Control Board.

10.23 (g) Unmarked vehicles used in general investigation, surveillance, supervision,
10.24 and monitoring by the staff of the Department of Human Services Office of Special
10.25 Investigations and the executive director of the Minnesota sex offender program must
10.26 be registered and must display passenger vehicle classification license number plates,
10.27 furnished by the registrar at cost. Original and renewal applications for passenger vehicle
10.28 license plates must be accompanied by a certification signed by the commissioner of
10.29 human services. The certification must be on a form prescribed by the commissioner and
10.30 state that the vehicles must be used exclusively for the official duties of the Office of
10.31 Special Investigations and the executive director of the Minnesota sex offender program.

10.32 (h) Each state hospital and institution for persons who are mentally ill and
10.33 developmentally disabled may have one vehicle without the required identification on
10.34 the sides of the vehicle. The vehicle must be registered and must display passenger
10.35 vehicle classification license number plates. These plates must be furnished at cost by the
10.36 registrar. Original and renewal applications for these passenger vehicle license plates must

11.1 be accompanied by a certification signed by the hospital administrator. The certification
11.2 must be on a form prescribed by the commissioner and state that the vehicles will be used
11.3 exclusively for the official duties of the state hospital or institution.

11.4 (i) Each county social service agency may have vehicles used for child and
11.5 vulnerable adult protective services without the required identification on the sides of the
11.6 vehicle. The vehicles must be registered and must display passenger vehicle classification
11.7 license number plates. These plates must be furnished at cost by the registrar. Original
11.8 and renewal applications for these passenger vehicle license plates must be accompanied
11.9 by a certification signed by the agency administrator. The certification must be on a form
11.10 prescribed by the commissioner and state that the vehicles will be used exclusively for the
11.11 official duties of the social service agency.

11.12 (j) All other motor vehicles must be registered and display tax-exempt number
11.13 plates, furnished by the registrar at cost, except as provided in subdivision 1c. All
11.14 vehicles required to display tax-exempt number plates must have the name of the state
11.15 department or political subdivision, nonpublic high school operating a driver education
11.16 program, licensed commercial driving school, or other qualifying organization or entity,
11.17 plainly displayed on both sides of the vehicle. This identification must be in a color
11.18 giving contrast with that of the part of the vehicle on which it is placed and must endure
11.19 throughout the term of the registration. The identification must not be on a removable
11.20 plate or placard and must be kept clean and visible at all times; except that a removable
11.21 plate or placard may be utilized on vehicles leased or loaned to a political subdivision or
11.22 to a nonpublic high school driver education program.

11.23 Sec. 18. Minnesota Statutes 2010, section 168.013, subdivision 1e, is amended to read:

11.24 Subd. 1e. **Truck; tractor; combination; exceptions.** (a) On trucks and tractors
11.25 except those in this chapter defined as farm trucks, on truck-tractor and semitrailer
11.26 combinations except those defined as farm combinations, and on commercial zone
11.27 vehicles, the tax based on total gross weight shall be graduated according to the Minnesota
11.28 base rate schedule prescribed in this subdivision, but in no event less than \$120.

11.29 Minnesota Base Rate Schedule

11.30 Scheduled taxes include five percent
11.31 surtax provided for in subdivision 14

11.32	TOTAL GROSS WEIGHT IN POUNDS				TAX
11.33	A	0	-	1,500	\$ 15
11.34	B	1,501	-	3,000	20
11.35	C	3,001	-	4,500	25
11.36	D	4,501	-	6,000	35

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12.1	E	6,001	-	10,000	45
12.2	F	10,001	-	12,000	70
12.3	G	12,001	-	15,000	105
12.4	H	15,001	-	18,000	145
12.5	I	18,001	-	21,000	190
12.6	J	21,001	-	26,000	270
12.7	K	26,001	-	33,000	360
12.8	L	33,001	-	39,000	475
12.9	M	39,001	-	45,000	595
12.10	N	45,001	-	51,000	715
12.11	O	51,001	-	57,000	865
12.12	P	57,001	-	63,000	1015
12.13	Q	63,001	-	69,000	1185
12.14	R	69,001	-	73,280	1325
12.15	S	73,281	-	78,000	1595
12.16	T	78,001	-	80,000	1760

12.17 (b) For purposes of the Minnesota base rate schedule, for vehicles with six or more
 12.18 axles in the "S" and "T" categories, the base rates are \$1,520 and \$1,620 respectively.

12.19 (c) For each vehicle with a gross weight in excess of 80,000 pounds an additional
 12.20 tax of \$50 is imposed for each ton or fraction thereof in excess of 80,000 pounds, subject
 12.21 to subdivision 12 or section 169.86, subdivision 5a, as applicable.

12.22 (d) For purposes of registration identification, for vehicles registered in the "O"
 12.23 category, the owner must declare at the time of registration whether the vehicle will carry
 12.24 a weight of 55,000 pounds or more and therefore be subject to the federal heavy vehicle
 12.25 use tax. For those owners who declare a weight less than 55,000 pounds, a distinctive
 12.26 weight sticker must be issued and the owner is restricted to a gross vehicle weight of
 12.27 less than 55,000 pounds.

12.28 (e) Truck-tractors except those herein defined as farm and commercial zone vehicles
 12.29 shall be taxed in accord with the foregoing gross weight tax schedule on the basis of the
 12.30 combined gross weight of the truck-tractor and any semitrailer or semitrailers which the
 12.31 applicant proposes to combine with the truck-tractor.

12.32 (f) Commercial zone trucks include only trucks, truck-tractors, and semitrailer
 12.33 combinations which are operated by an interstate carrier registered under section 221.60,
 12.34 or by a carrier receiving operating authority under chapter 221, and operated solely within
 12.35 a zone exempt from regulation pursuant to United States Code, title 49, section 13506.

12.36 (g) The license plates issued for commercial zone vehicles shall be plainly marked.
 12.37 A person operating a commercial zone vehicle outside the zone or area in which its
 12.38 operation is authorized is guilty of a misdemeanor and, in addition to the misdemeanor

13.1 penalty, the registrar shall revoke the registration of the vehicle as a commercial zone
13.2 vehicle and shall require that the vehicle be registered at 100 percent of the full annual tax
13.3 prescribed in the Minnesota base rate schedule, and no part of this tax may be refunded
13.4 during the balance of the registration year.

13.5 (h) On commercial zone trucks the tax shall be based on the total gross weight of
13.6 the vehicle and during each of the first eight years of vehicle life is 75 percent of the
13.7 Minnesota base rate schedule. During the ninth and succeeding years of vehicle life the
13.8 tax is 50 percent of the Minnesota base rate schedule.

13.9 (i) On trucks, truck-tractors and semitrailer combinations, except those defined
13.10 as farm trucks and farm combinations, and except for those commercial zone vehicles
13.11 specifically provided for in this subdivision, the tax for each of the first eight years of
13.12 vehicle life is 100 percent of the tax imposed in the Minnesota base rate schedule, and
13.13 during the ninth and succeeding years of vehicle life, the tax is 75 percent of the Minnesota
13.14 base rate prescribed by this subdivision.

13.15 (j) For the purpose of registration, trailers coupled with a truck-tractor, semitrailer
13.16 combination are semitrailers.

13.17 **EFFECTIVE DATE.** This section is effective January 1, 2012, and applies to
13.18 all registrations that are effective on and after that date and special permits issued on
13.19 and after that date.

13.20 Sec. 19. Minnesota Statutes 2010, section 168.013, subdivision 3, is amended to read:

13.21 Subd. 3. **Application; cancellation; excessive gross weight forbidden.** (a) The
13.22 applicant for all licenses based on gross weight shall state the unloaded weight of the
13.23 motor vehicle, trailer, or semitrailer and the maximum load the applicant proposes to carry
13.24 on it, the sum of which constitutes the gross weight upon which the license tax must be
13.25 paid. However, the declared gross weight upon which the tax is paid must not be less than
13.26 1-1/4 times the declared unloaded weight of the motor vehicle, trailer, or semitrailer
13.27 to be registered, except recreational vehicles taxed under subdivision 1g, school buses
13.28 taxed under subdivision 18, and tow trucks or towing vehicles defined in section 169.011,
13.29 subdivision 83. The gross weight of a tow truck or towing vehicle is the actual weight
13.30 of the tow truck or towing vehicle fully equipped, but does not include the weight of a
13.31 wrecked or disabled vehicle towed or drawn by the tow truck or towing vehicle.

13.32 (b) Except as provided by special permit issued under section 169.86, the gross
13.33 weight of a motor vehicle, trailer, or semitrailer must not exceed the gross weight upon
13.34 which the license tax has been paid by more than four percent or 1,000 pounds, whichever
13.35 is greater; provided that, a vehicle transporting unfinished forest products on a highway,

14.1 other than a highway that is part of the system of interstate and defense highways, unless a
14.2 federal exemption is granted, in accordance with paragraph (d)(3):

14.3 (1) shall not exceed its gross vehicle weight upon which the license tax has been
14.4 paid, or gross axle weight on any axle, by more than five percent and, notwithstanding
14.5 other law to the contrary, is not subject to any fee, fine, or other assessment or penalty for
14.6 exceeding a gross vehicle or axle weight by up to five percent; and

14.7 (2) between the dates set by the commissioner in accordance with section 169.826,
14.8 subdivision 1, is not subject to any provision of paragraph (d) or chapter 169 limiting
14.9 the gross axle weight of any individual axle unless the entire vehicle also exceeds its
14.10 gross vehicle weight plus its weight allowance allowed in clause (1) and plus any weight
14.11 allowance permitted under section 169.826, in which case the vehicle is subject to all
14.12 applicable penalties for excess weight violations.

14.13 (c) The gross weight of the motor vehicle, trailer, or semitrailer for which the
14.14 license tax is paid must be indicated by a distinctive character on the license plate or
14.15 plates ~~except as provided in subdivision 12~~ and the plate or plates must be kept clean
14.16 and clearly visible at all times.

14.17 (d) The owner, driver, or user of a motor vehicle, trailer, or semitrailer, upon
14.18 conviction for transporting a gross weight in excess of the gross weight for which it was
14.19 registered or for operating a vehicle with an axle weight exceeding the maximum lawful
14.20 axle load weight, is guilty of a misdemeanor and subject to increased registration or
14.21 reregistration according to the following schedule:

14.22 (1) Upon conviction for transporting a gross weight in excess of the gross weight
14.23 for which a motor vehicle, trailer, or semitrailer is registered by more than the allowance
14.24 set forth in paragraph (b) but less than 25 percent, or for operating or using a motor
14.25 vehicle, trailer, or semitrailer with an axle weight exceeding the maximum lawful axle
14.26 load as provided in sections 169.822 to 169.829 by more than the allowance set forth in
14.27 paragraph (b) but less than 25 percent, the owner, driver, or user of the motor vehicle,
14.28 trailer, or semitrailer used to commit the violation, in addition to any penalty imposed for
14.29 the misdemeanor, shall apply to the registrar to increase the authorized gross weight to
14.30 be carried on the vehicle to a weight equal to or greater than the gross weight the owner,
14.31 driver, or user was convicted of carrying. The increase is computed for the balance of
14.32 the calendar year on the basis of 1/12 of the annual tax for each month remaining in the
14.33 calendar year beginning with the first day of the month in which the violation occurred.
14.34 If the additional registration tax computed upon that weight, plus the tax already paid,
14.35 amounts to more than the regular tax for the maximum gross weight permitted for the
14.36 vehicle under sections 169.822 to 169.829, that additional amount must nevertheless be

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15.1 paid into the highway fund, but the additional tax thus paid does not authorize or permit
15.2 any person to operate the vehicle with a gross weight in excess of the maximum legal
15.3 weight as provided by sections 169.822 to 169.829. Unless the owner within 30 days
15.4 after a conviction applies to increase the authorized weight and pays the additional tax
15.5 as provided in this section, the registrar shall revoke the registration on the vehicle and
15.6 demand the return of the registration card and plates issued on that registration.

15.7 (2) Upon conviction of an owner, driver, or user of a motor vehicle, trailer, or
15.8 semitrailer for transporting a gross weight in excess of the gross weight for which the
15.9 motor vehicle, trailer, or semitrailer was registered by 25 percent or more or for operating
15.10 or using the vehicle or trailer with an axle weight exceeding the maximum lawful axle load
15.11 as provided in sections 169.822 to 169.829 by 25 percent or more, and in addition to any
15.12 penalty imposed for the misdemeanor, the registrar shall either (i) cancel the reciprocity
15.13 privileges on the vehicle involved if the vehicle is being operated under reciprocity
15.14 or (ii) if the vehicle is not being operated under reciprocity, cancel the certificate of
15.15 registration on the vehicle operated and demand the return of the registration certificate
15.16 and registration plates. The registrar may not cancel the registration or reciprocity
15.17 privileges for any vehicle found in violation of seasonal load restrictions imposed under
15.18 section 169.87 unless the axle weight exceeds the year-round weight limit for the highway
15.19 on which the violation occurred. The registrar may investigate any allegation of gross
15.20 weight violations and demand that the operator show cause why all future operating
15.21 privileges in the state should not be revoked unless the additional tax assessed is paid.

15.22 (3) Clause (1) does not apply to the first haul of unprocessed or raw farm products
15.23 or unfinished forest products, when the registered gross weight is not exceeded by more
15.24 than ten percent. For purposes of this clause, "first haul" means (i) the first, continuous
15.25 transportation of unprocessed or raw farm products from the place of production or
15.26 on-farm storage site to any other location within 50 miles of the place of production or
15.27 on-farm storage site, or (ii) the continuous or noncontinuous transportation of unfinished
15.28 forest products from the place of production to the place of final processing or manufacture
15.29 located within 200 miles of the place of production.

15.30 (4) When the registration on a motor vehicle, trailer, or semitrailer is revoked by the
15.31 registrar according to this section, the vehicle must not be operated on the highways of the
15.32 state until it is registered or reregistered, as the case may be, and new plates issued, and
15.33 the registration fee is the annual tax for the total gross weight of the vehicle at the time of
15.34 violation. The reregistration pursuant to this subdivision of any vehicle operating under
15.35 reciprocity agreements pursuant to section 168.181 or 168.187 must be at the full annual
15.36 registration fee without regard to the percentage of vehicle miles traveled in this state.

16.1 EFFECTIVE DATE. This section is effective January 1, 2012, and applies to
16.2 all registrations that are effective on and after that date and special permits issued on
16.3 and after that date.

16.4 Sec. 20. Minnesota Statutes 2010, section 168.013, subdivision 12, is amended to read:

16.5 Subd. 12. **Additional tax for excessive gross weight.** (a) Whenever an owner has
16.6 registered a vehicle and paid the tax as provided in subdivisions 1 to 1g, on the basis of
16.7 a selected gross weight of the vehicle and thereafter such owner desires to operate such
16.8 vehicle with a greater gross weight than that for which the tax has been paid, such owner
16.9 shall be permitted to reregister such vehicle by paying the additional tax due thereon
16.10 for the remainder of the calendar year for which such vehicle has been reregistered, the
16.11 additional tax computed pro rata by the month, 1/12 of the annual tax due for each month
16.12 of the year remaining in the calendar year, beginning with the first day of the month in
16.13 which such owner desires to operate the vehicle with the greater weight. In computing the
16.14 additional tax as aforesaid, the owner shall be given credit for the unused portion of the
16.15 tax previously paid computed pro rata by the month, 1/12 of the annual tax paid for each
16.16 month of the year remaining in the calendar year beginning with the first day of the month
16.17 in which such owner desires to operate the vehicle with the greater weight. An owner will
16.18 be permitted one reduction of gross weight or change of registration per year, which will
16.19 result in a refund. This refund will be prorated monthly beginning with the first day of the
16.20 month after such owner applies to amend the registration. The application for amendment
16.21 shall be accompanied by a fee of \$3, and all fees shall be deposited in the highway user
16.22 tax distribution fund. ~~Provided, however, the owner of a vehicle may reregister the vehicle~~
16.23 ~~for a weight of more than 81,000 pounds for one or more 30-day periods. For each 30-day~~
16.24 ~~period, the additional tax shall be equal to 1/12 of the difference between the annual~~
16.25 ~~tax for the weight at which the vehicle is registered and reregistered.~~ When a vehicle is
16.26 reregistered in accordance with this provision, a distinctive windshield sticker provided by
16.27 the commissioner of public safety shall be permanently displayed.

16.28 (b) This subdivision does not apply to the owner of a vehicle who pays the weight
16.29 increase surcharge under section 169.86, subdivision 5a, when buying a permit to operate
16.30 with the greater gross weight.

16.31 Sec. 21. Minnesota Statutes 2010, section 168.017, subdivision 3, is amended to read:

16.32 Subd. 3. **Exceptions.** (a) The registrar shall register all vehicles subject to
16.33 registration under the monthly series system for a period of 12 consecutive calendar
16.34 months, unless:

17.1 (1) the application is an original rather than renewal application; or
17.2 (2) the applicant is a licensed motor vehicle lessor under section 168.27 and the
17.3 vehicle is leased or rented for periods of time of not more than 28 days, in which case the
17.4 applicant may apply for initial or renewed registration of a vehicle for a period of four
17.5 or more months, the month of expiration to be designated by the applicant at the time of
17.6 registration. ~~However,~~ To qualify for this exemption, the applicant must ~~(1)~~ present the
17.7 application to the registrar at St. Paul, or a designated deputy registrar office, ~~and (2)~~
17.8 ~~stamp in red, on the certificate of title, the phrase "The expiration month of this vehicle~~
17.9 ~~is" with the blank filled in with the month of expiration as if the vehicle is being~~
17.10 ~~registered for a period of 12 calendar months. Subsequent registration periods when the~~
17.11 applicant is not a qualified motor vehicle lessor under this subdivision must be for a period
17.12 of 12 months commencing from the last month for which registration was issued.

17.13 (b) In any instance except that of a licensed motor vehicle lessor, the registrar shall
17.14 not approve registering the vehicle subject to the application for a period of less than three
17.15 months, except when the registrar determines that to do otherwise will help to equalize
17.16 the registration and renewal work load of the department.

17.17 **EFFECTIVE DATE.** This section is effective August 1, 2011, and applies to all
17.18 applications for registration filed on or after that date.

17.19 Sec. 22. Minnesota Statutes 2010, section 168.123, subdivision 2, is amended to read:

17.20 Subd. 2. **Design.** The commissioner of veterans affairs shall design the emblem for
17.21 the veterans' special plates, subject to the approval of the commissioner, that satisfy the
17.22 following requirements:

17.23 (a) For a Vietnam veteran who served after July 1, 1961, and before July 1, 1978,
17.24 in the active military service in a branch of the armed forces of the United States or a
17.25 nation or society allied with the United States the special plates must bear the inscription
17.26 "VIETNAM VET" and the letters "V" and "V" with the first letter directly above the
17.27 second letter and both letters just preceding the first numeral of the special plate number.

17.28 (b) For a veteran stationed on the island of Oahu, Hawaii, or offshore, during the
17.29 attack on Pearl Harbor on December 7, 1941, the special plates must bear the inscription
17.30 "PEARL HARBOR SURVIVOR" and the letters "P" and "H" with the first letter directly
17.31 above the second letter and both letters just preceding the first numeral of the special
17.32 plate number.

17.33 (c) For a veteran who served during ~~World War I or~~ World War II, the plates must
17.34 bear the inscription "WORLD WAR II VET" ~~and.~~

18.1 ~~(1) for a World War I veteran, the characters "W" and "I" with the first character~~
18.2 ~~directly above the second character and both characters just preceding the first numeral~~
18.3 ~~of the special plate number, or~~

18.4 ~~(2) for a World War II veteran, the characters "W" and "II" with the first character~~
18.5 ~~directly above the second character and both characters just preceding the first numeral of~~
18.6 ~~the special plate number.~~

18.7 (d) For a veteran who served during the Korean Conflict, the special plates must
18.8 bear the inscription "KOREAN VET" and the letters "K" and "V" with the first letter
18.9 directly above the second letter and both letters just preceding the first numeral of the
18.10 special plate number.

18.11 (e) For a combat wounded veteran who is a recipient of the Purple Heart medal, the
18.12 plates must bear the inscription "COMBAT WOUNDED VET" and have a facsimile or an
18.13 emblem of the official Purple Heart medal and the letters "C" over "W" with the first letter
18.14 directly over the second letter just preceding the first numeral of the special plate number.

18.15 A member of the United States armed forces who is serving actively in the military and
18.16 who is a recipient of the Purple Heart medal is also eligible for this license plate. The
18.17 commissioner of public safety shall ensure that information regarding the required proof
18.18 of eligibility for any applicant under this paragraph who has not yet been issued military
18.19 discharge papers is distributed to the public officials responsible for administering this
18.20 section.

18.21 (f) For a Persian Gulf War veteran, the plates must bear the inscription "GULF
18.22 WAR VET" and the letters "G" and "W" with the first letter directly above the second
18.23 letter and both letters just preceding the first numeral of the special plate number. For
18.24 the purposes of this section, "Persian Gulf War veteran" means a person who served on
18.25 active duty after August 1, 1990, in a branch of the armed forces of the United States or
18.26 a nation or society allied with the United States or the United Nations during Operation
18.27 Desert Shield, Operation Desert Storm, or other military operation in the Persian Gulf
18.28 area combat zone as designated in United States Presidential Executive Order No. 12744,
18.29 dated January 21, 1991.

18.30 (g) For a veteran who served in the Laos War after July 1, 1961, and before July 1,
18.31 1978, the special plates must bear the inscription "LAOS WAR VET" and the letters "L"
18.32 and "V" with the first letter directly above the second letter and both letters just preceding
18.33 the first numeral of the special plate number.

18.34 (h) For a veteran who is the recipient of:

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19.1 (1) the Iraq Campaign Medal, the special plates must be inscribed with a facsimile of
19.2 that medal and must bear the inscription "IRAQ WAR VET" directly below the special
19.3 plate number;

19.4 (2) the Afghanistan Campaign Medal, the special plates must be inscribed with a
19.5 facsimile of that medal and must bear the inscription "AFGHAN WAR VET" directly
19.6 below the special plate number;

19.7 (3) the Global War on Terrorism Expeditionary Medal, the special plates must
19.8 be inscribed with a facsimile of that medal and must bear the inscription "GWOT
19.9 VETERAN" directly below the special plate number; or

19.10 (4) the Armed Forces Expeditionary Medal, the special plates must bear an
19.11 appropriate inscription that includes a facsimile of that medal.

19.12 (i) For a veteran who is the recipient of the Global War on Terrorism Service Medal,
19.13 the special plates must be inscribed with a facsimile of that medal and must bear the
19.14 inscription "GWOT VETERAN" directly below the special plate number. In addition,
19.15 any member of the National Guard or other military reserves who has been ordered to
19.16 federally funded state active service under United States Code, title 32, as defined in
19.17 section 190.05, subdivision 5b, and who is the recipient of the Global War on Terrorism
19.18 Service Medal, is eligible for the license plate described in this paragraph, irrespective of
19.19 whether that person qualifies as a veteran under section 197.447.

19.20 (j) For a veteran who is the recipient of the Korean Defense Service Medal,
19.21 the special plates must be inscribed with a facsimile of that medal and must bear the
19.22 inscription "KOREAN DEFENSE SERVICE" directly below the special plate number.

19.23 (k) For a veteran who is a recipient of the Bronze Star medal, the plates must bear
19.24 the inscription "BRONZE STAR VET" and have a facsimile or an emblem of the official
19.25 Bronze Star medal.

19.26 (l) For a veteran who is a recipient of the Silver Star medal, the plates must bear
19.27 the inscription "SILVER STAR VET" and have a facsimile or an emblem of the official
19.28 Silver Star medal.

19.29 (m) For a woman veteran, the plates must bear the inscription "WOMAN
19.30 VETERAN." The commissioner of veterans affairs, in consultation with the commissioner
19.31 of public safety, a representative of the Minnesota Women Veterans Initiative Working
19.32 Group, and any interested Minnesota veterans service organization, shall design the
19.33 special plates, subject to the approval of the commissioner of public safety.

19.34 **EFFECTIVE DATE.** This section is effective July 1, 2011.

19.35 Sec. 23. Minnesota Statutes 2010, section 168A.11, subdivision 4, is amended to read:

20.1 Subd. 4. **Centralized record keeping.** ~~Three~~ Two or more new motor vehicle
20.2 dealers under common management or control may ~~designate~~ apply to the department in
20.3 writing ~~a single location for maintaining~~ for permission to maintain the records required
20.4 by this section ~~that are more than 12 months old~~ and section 168.27, subdivision 10,
20.5 paragraph (a), clause (1), item (i), at a single location. The department shall consent to
20.6 the application unless it provides a reasonable basis for denial. The records must be open
20.7 to inspection by a representative of the department or a peace officer during reasonable
20.8 business hours. The location must be at the established place of business of one of the
20.9 affiliated dealers or at a location within Minnesota not further than 25 miles from the
20.10 established place of business of one of the affiliated dealers.

20.11 Sec. 24. Minnesota Statutes 2010, section 169.011, subdivision 27, is amended to read:

20.12 Subd. 27. **Electric-assisted bicycle.** "Electric-assisted bicycle" means a ~~motor~~
20.13 ~~vehicle~~ bicycle with two or three wheels that:

20.14 (1) has a saddle and fully operable pedals for human propulsion;

20.15 (2) meets the requirements:

20.16 (i) of federal motor vehicle safety standards in Code of Federal Regulations, title 49,
20.17 sections 571.1 et seq.; or

20.18 (ii) for bicycles under Code of Federal Regulations, title 15, part 1512, and successor
20.19 requirements; and

20.20 (3) has an electric motor that (i) has a power output of not more than 1,000 watts, (ii)
20.21 is incapable of propelling the vehicle at a speed of more than 20 miles per hour, (iii) is
20.22 incapable of further increasing the speed of the device when human power alone is used
20.23 to propel the vehicle at a speed of more than 20 miles per hour, and (iv) disengages or
20.24 ceases to function when the vehicle's brakes are applied.

20.25 Sec. 25. Minnesota Statutes 2010, section 169.035, is amended by adding a subdivision
20.26 to read:

20.27 Subd. 4. **Trains.** (a) For purposes of this subdivision, "railroad operator" means
20.28 a person who is a locomotive engineer, conductor, member of the crew of a railroad
20.29 locomotive or train, or an operator of on-track equipment.

20.30 (b) A peace officer may not issue a citation for violation of this chapter or chapter
20.31 171 to a railroad operator involving the operation of a railroad locomotive or train, or
20.32 on-track equipment while being operated upon rails.

21.1 (c) Notwithstanding section 171.08, a railroad operator is not required to display or
21.2 furnish a driver's license to a peace officer in connection with the operation of a railroad
21.3 locomotive or train, or on-track equipment while being operated upon rails.

21.4 Sec. 26. Minnesota Statutes 2010, section 169.045, subdivision 1, is amended to read:

21.5 Subdivision 1. **Designation of roadway, permit.** The governing body of any
21.6 county, home rule charter or statutory city, or town may by ordinance authorize the
21.7 operation of motorized golf carts, ~~four-wheel~~ all-terrain vehicles, or mini trucks, on
21.8 designated roadways or portions thereof under its jurisdiction. Authorization to operate a
21.9 motorized golf cart, ~~four-wheel~~ all-terrain vehicle, or mini truck is by permit only. For
21.10 purposes of this section, ~~a four-wheel~~ an all-terrain vehicle is a motorized flotation-tired
21.11 ~~vehicle with four low-pressure tires that is limited in engine displacement of less than 800~~
21.12 ~~cubic centimeters and total dry weight less than 600 pounds~~ has the meaning given in
21.13 section 84.92, and a mini truck has the meaning given in section 169.011, subdivision 40a.

21.14 Sec. 27. Minnesota Statutes 2010, section 169.045, subdivision 2, is amended to read:

21.15 Subd. 2. **Ordinance.** The ordinance shall designate the roadways, prescribe the
21.16 form of the application for the permit, require evidence of insurance complying with the
21.17 provisions of section 65B.48, subdivision 5 and may prescribe conditions, not inconsistent
21.18 with the provisions of this section, under which a permit may be granted. Permits may be
21.19 granted for a period ~~of~~ not to exceed ~~one year~~ three years, and may be ~~annually~~ renewed.
21.20 A permit may be revoked at any time if there is evidence that the permittee cannot safely
21.21 operate the motorized golf cart, ~~four-wheel~~ all-terrain vehicle, or mini truck on the
21.22 designated roadways. The ordinance may require, as a condition to obtaining a permit,
21.23 that the applicant submit a certificate signed by a physician that the applicant is able
21.24 to safely operate a motorized golf cart, ~~four-wheel~~ all-terrain vehicle, or mini truck on
21.25 the roadways designated.

21.26 Sec. 28. Minnesota Statutes 2010, section 169.045, subdivision 3, is amended to read:

21.27 Subd. 3. **Times of operation.** Motorized golf carts and ~~four-wheel~~ all-terrain
21.28 vehicles may only be operated on designated roadways from sunrise to sunset, unless
21.29 equipped with original equipment headlights, taillights, and rear-facing brake lights.
21.30 They shall not be operated in inclement weather, except during emergency conditions as
21.31 provided in the ordinance, or when visibility is impaired by weather, smoke, fog or other
21.32 conditions, or at any time when there is insufficient ~~light~~ visibility to clearly see persons
21.33 and vehicles on the roadway at a distance of 500 feet.

22.1 Sec. 29. Minnesota Statutes 2010, section 169.045, subdivision 5, is amended to read:

22.2 Subd. 5. **Crossing intersecting highways.** The operator, under permit, of a
22.3 motorized golf cart, ~~four-wheel~~ all-terrain vehicle, or mini truck may cross any street or
22.4 highway intersecting a designated roadway.

22.5 Sec. 30. Minnesota Statutes 2010, section 169.045, subdivision 6, is amended to read:

22.6 Subd. 6. **Application of traffic laws.** Every person operating a motorized golf cart,
22.7 ~~four-wheel~~ all-terrain vehicle, or mini truck under permit on designated roadways has all
22.8 the rights and duties applicable to the driver of any other vehicle under the provisions of
22.9 this chapter, except when those provisions cannot reasonably be applied to motorized golf
22.10 carts, ~~four-wheel~~ all-terrain vehicles, or mini trucks and except as otherwise specifically
22.11 provided in subdivision 7.

22.12 Sec. 31. Minnesota Statutes 2010, section 169.045, subdivision 7, is amended to read:

22.13 Subd. 7. **Nonapplication of certain laws.** The provisions of chapter 171 are
22.14 applicable to persons operating mini trucks, but are not applicable to persons operating
22.15 motorized golf carts or ~~four-wheel~~ all-terrain vehicles under permit on designated
22.16 roadways pursuant to this section. Except for the requirements of section 169.70, the
22.17 provisions of this chapter relating to equipment on vehicles are not applicable to motorized
22.18 golf carts or four-wheel all-terrain vehicles operating, under permit, on designated
22.19 roadways.

22.20 Sec. 32. Minnesota Statutes 2010, section 169.045, subdivision 8, is amended to read:

22.21 Subd. 8. **Insurance.** In the event persons operating a motorized golf cart, ~~four-wheel~~
22.22 all-terrain vehicle, or mini truck under this section cannot obtain liability insurance in
22.23 the private market, that person may purchase automobile insurance, including no-fault
22.24 coverage, from the Minnesota Automobile Insurance Plan under sections 65B.01 to
22.25 65B.12, at a rate to be determined by the commissioner of commerce.

22.26 Sec. 33. Minnesota Statutes 2010, section 169.06, subdivision 5, is amended to read:

22.27 Subd. 5. **Traffic-control signal.** (a) Whenever traffic is controlled by traffic-control
22.28 signals exhibiting different colored lights, or colored lighted arrows, successively one at a
22.29 time or in combination, only the colors Green, Red, and Yellow shall be used, except for
22.30 special pedestrian signals carrying a word or legend. The traffic-control signal lights or
22.31 colored lighted arrows indicate and apply to drivers of vehicles and pedestrians as follows:

22.32 (1) Green indication:

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23.1 (i) Vehicular traffic facing a circular green signal may proceed straight through or
23.2 turn right or left unless a sign ~~at such place~~ prohibits either turn. But vehicular traffic,
23.3 including vehicles turning right or left, shall yield the right-of-way to other vehicles and to
23.4 pedestrians lawfully within the intersection or adjacent crosswalk at the time this signal
23.5 is exhibited. Vehicular traffic turning left or making a U-turn to the left shall yield the
23.6 right-of-way to other vehicles approaching from the opposite direction so closely as to
23.7 constitute an immediate hazard.

23.8 (ii) Vehicular traffic facing a green arrow signal, shown alone or in combination with
23.9 another indication, may cautiously enter the intersection only to make the movement
23.10 indicated by the arrow, or other movement as permitted by other indications shown at the
23.11 same time. ~~Such~~ Vehicular traffic shall yield the right-of-way to pedestrians lawfully
23.12 within an adjacent crosswalk and to other traffic lawfully using the intersection.

23.13 (iii) Unless otherwise directed by a pedestrian-control signal as provided in
23.14 subdivision 6, pedestrians facing any green signal, except when the sole green signal is a
23.15 turn arrow, may proceed across the roadway within any marked or unmarked crosswalk.
23.16 Every driver of a vehicle shall yield the right-of-way to such pedestrian, except that the
23.17 pedestrian shall yield the right-of-way to vehicles lawfully within the intersection at the
23.18 time that the green signal indication is first shown.

23.19 (2) Steady yellow indication:

23.20 (i) Vehicular traffic facing a steady circular yellow or yellow arrow signal is thereby
23.21 warned that the related green movement is being terminated or that a red indication will be
23.22 exhibited immediately thereafter when vehicular traffic must not enter the intersection,
23.23 except for the continued movement allowed by any green arrow indication simultaneously
23.24 exhibited.

23.25 (ii) Pedestrians facing a circular yellow signal, unless otherwise directed by a
23.26 pedestrian-control signal as provided in subdivision 6, are thereby advised that there is
23.27 insufficient time to cross the roadway before a red indication is shown and no pedestrian
23.28 shall then start to cross the roadway.

23.29 (3) Steady red indication:

23.30 (i) Vehicular traffic facing a circular red signal alone must stop at a clearly marked
23.31 stop line but, if none, before entering the crosswalk on the near side of the intersection
23.32 or, if none, then before entering the intersection and shall remain standing until a green
23.33 indication is shown, except as follows: (A) the driver of a vehicle stopped as close
23.34 as practicable at the entrance to the crosswalk on the near side of the intersection or,
23.35 if none, then at the entrance to the intersection in obedience to a red or stop signal,
23.36 and with the intention of making a right turn may make the right turn, after stopping,

24.1 unless an official sign has been erected prohibiting such movement, but shall yield the
24.2 right-of-way to pedestrians and other traffic lawfully proceeding as directed by the signal
24.3 at that intersection; or (B) the driver of a vehicle on a one-way street intersecting another
24.4 one-way street on which traffic moves to the left shall stop in obedience to a red or stop
24.5 signal and may then make a left turn into the one-way street, unless an official sign has
24.6 been erected prohibiting the movement, but shall yield the right-of-way to pedestrians and
24.7 other traffic lawfully proceeding as directed by the signal at that intersection.

24.8 (ii) Unless otherwise directed by a pedestrian-control signal as provided in
24.9 subdivision 6, pedestrians facing a steady red signal alone shall not enter the roadway.

24.10 (iii) Vehicular traffic facing a steady red arrow signal, with the intention of making a
24.11 movement indicated by the arrow, must stop at a clearly marked stop line but, if none,
24.12 before entering the crosswalk on the near side of the intersection or, if none, then before
24.13 entering the intersection and must remain standing until a permissive signal indication
24.14 permitting the movement indicated by the red arrow is displayed, except as follows: when
24.15 an official sign has been erected permitting a turn on a red arrow signal, the vehicular
24.16 traffic facing a red arrow signal indication is permitted to enter the intersection to turn
24.17 right, or to turn left from a one-way street into a one-way street on which traffic moves
24.18 to the left, after stopping, but must yield the right-of-way to pedestrians and other traffic
24.19 lawfully proceeding as directed by the signal at that intersection.

24.20 (b) In the event an official traffic-control signal is erected and maintained at a place
24.21 other than an intersection, the provisions of this section are applicable except those which
24.22 can have no application. Any stop required must be made at a sign or marking on the
24.23 pavement indicating where the stop must be made, but in the absence of any such sign or
24.24 marking the stop must be made at the signal.

24.25 (c) When a traffic-control signal indication or indications placed to control a certain
24.26 movement or lane are so identified by placing a sign near the indication or indications,
24.27 no other traffic-control signal indication or indications within the intersection controls
24.28 vehicular traffic for that movement or lane.

24.29 Sec. 34. Minnesota Statutes 2010, section 169.06, subdivision 7, is amended to read:

24.30 Subd. 7. **Flashing signal.** When flashing red or yellow signals are used they shall
24.31 require obedience by vehicular traffic as follows:

24.32 (a) When a circular red lens is illuminated with rapid intermittent flashes, drivers of
24.33 vehicles shall stop at a clearly marked stop line, but if none, before entering the crosswalk
24.34 on the near side of the intersection, or if none, then at the point nearest the intersecting
24.35 roadway where the driver has a view of approaching traffic on the intersecting roadway

25.1 before entering the intersection, and the right to proceed shall be subject to the rules
25.2 applicable after making a stop at a stop sign.

25.3 (b) When a red arrow lens is illuminated with rapid intermittent flashes drivers of
25.4 vehicles with the intention of making a movement indicated by the arrow shall stop at a
25.5 clearly marked stop line, but if none, before entering the crosswalk on the near side of
25.6 the intersection, or if none, then at the point nearest the intersecting roadway where the
25.7 driver has a view of approaching traffic on the intersecting roadway before entering the
25.8 intersection, and the right to proceed shall be subject to the rules applicable after making a
25.9 stop at a stop sign.

25.10 (c) When a circular yellow lens is illuminated with rapid intermittent flashes, drivers
25.11 of vehicles may proceed through the intersection or past the signals only with caution. But
25.12 vehicular traffic, including vehicles turning right or left, shall yield the right-of-way to
25.13 other vehicles and to pedestrians lawfully within the intersection or adjacent crosswalk at
25.14 the time this signal is exhibited. Vehicular traffic turning left or making a U-turn to the left
25.15 shall yield the right-of-way to other vehicles approaching from the opposite direction so
25.16 closely as to constitute an immediate hazard.

25.17 (d) When a yellow arrow indication is illuminated with rapid intermittent flashes,
25.18 drivers of vehicles with the intention of making a movement indicated by the arrow may
25.19 proceed through the intersection or past the signals only with caution; but shall yield
25.20 the right-of-way to other vehicles and to pedestrians lawfully within the intersection or
25.21 adjacent crosswalk at the time this signal is exhibited. Vehicular traffic turning left or
25.22 making a U-turn to the left shall yield the right-of-way to other vehicles approaching from
25.23 the opposite direction so closely as to constitute an immediate hazard.

25.24 Sec. 35. Minnesota Statutes 2010, section 169.223, subdivision 5, is amended to read:

25.25 Subd. 5. **Other operation requirements and prohibitions.** (a) A person operating
25.26 a motorized bicycle on a roadway shall ride as close as practicable to the right-hand curb
25.27 or edge of the roadway except in one of the following situations:

25.28 (1) when overtaking and passing another vehicle proceeding in the same direction;

25.29 (2) when preparing for a left turn at an intersection or into a private road or
25.30 driveway; or

25.31 (3) when reasonably necessary to avoid conditions, including fixed or moving
25.32 objects, vehicles, pedestrians, animals, surface hazards, or narrow width lanes, that make
25.33 it unsafe to continue along the right-hand curb or edge.

26.1 (b) Persons operating motorized bicycles on a roadway may not ride more than two
26.2 abreast and may not impede the normal and reasonable movement of traffic. On a laned
26.3 roadway, a person operating a motorized bicycle shall ride within a single lane.

26.4 (c) This section does not permit the operation of a motorized bicycle on a bicycle
26.5 path or bicycle lane that is reserved for the exclusive use of nonmotorized traffic, except
26.6 that an electric-assisted bicycle may be operated on the path or lane if authorized
26.7 under section 85.015, subdivision 1d; 85.018, subdivision 2, paragraph (d); or 160.263,
26.8 subdivision 2, paragraph (b), as applicable.

26.9 ~~(d) Subject to the provisions of section 160.263, subdivision 3,~~ A person may
26.10 operate an electric-assisted bicycle on a bikeway or bicycle lane trail. A person may
26.11 operate an electric-assisted bicycle on the shoulder of a roadway if the electric-assisted
26.12 bicycle is traveling in the same direction as the adjacent vehicular traffic.

26.13 Sec. 36. Minnesota Statutes 2010, section 169.306, is amended to read:

26.14 **169.306 USE OF SHOULDERS BY BUSES.**

26.15 (a) ~~The commissioner of transportation~~ A road authority, as defined in section
26.16 160.02, subdivision 25, is authorized to permit ~~the use by~~ transit buses and Metro Mobility
26.17 buses the use of a shoulder, as designated by the commissioner road authority, of a
26.18 freeway or expressway, as defined in section 160.02, in Minnesota.

26.19 (b) ~~If the commissioner~~ a road authority permits the use of a freeway or expressway
26.20 shoulder by transit buses, the ~~commissioner~~ road authority shall permit the use on that
26.21 shoulder of a bus (1) with a seating capacity of 40 passengers or more operated by a motor
26.22 carrier of passengers, as defined in section 221.012, subdivision 26, while operating in
26.23 intrastate commerce or (2) providing regular route transit service, as defined in section
26.24 174.22, subdivision 8, or Metro Mobility services, and operated by or under contract
26.25 with the Metropolitan Council, a local transit authority, or a transit authority created by
26.26 the legislature. Drivers of these buses must have adequate training in the requirements of
26.27 paragraph (c), as determined by the commissioner.

26.28 (c) Buses authorized to use the shoulder under this section may be operated on
26.29 the shoulder only when main-line traffic speeds are less than 35 miles per hour, except
26.30 as provided for in paragraph (f). Drivers of buses being operated on the shoulder may
26.31 not exceed the speed of main-line traffic by more than 15 miles per hour and may never
26.32 exceed 35 miles per hour, except as provided for in paragraph (f). Drivers of buses being
26.33 operated on the shoulder must yield to merging, entering, and exiting traffic and must yield
26.34 to other vehicles on the shoulder. Buses operated on the shoulder must be registered with
26.35 the Department of Transportation.

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27.1 (d) For the purposes of this section, the term "Metro Mobility bus" means a motor
27.2 vehicle of not less than 20 feet in length engaged in providing special transportation
27.3 services under section 473.386 that is:

27.4 (1) operated by or under contract with a public or private entity receiving financial
27.5 assistance to provide transit services from the Metropolitan Council or the commissioner
27.6 of transportation; and

27.7 (2) authorized by ~~the commissioner~~ a road authority to use freeway or expressway
27.8 shoulders.

27.9 (e) This section does not apply to the operation of buses on dynamic shoulder lanes.

27.10 (f) The commissioner may authorize different operating conditions and maximum
27.11 speeds, not to exceed the posted speed limit, based upon an engineering study and
27.12 recommendation by the road authority. The engineering study must be conducted by the
27.13 road authority and must conform with the manual and specifications adopted under section
27.14 169.06, subdivision 1, and applicable state and federal standards. The road authority shall
27.15 consult the public transit operator before recommending operating conditions different
27.16 from those authorized by law.

27.17 Sec. 37. Minnesota Statutes 2010, section 169.4503, is amended by adding a
27.18 subdivision to read:

27.19 Subd. 28. **Crossing control arm.** All buses manufactured for use in Minnesota after
27.20 January 1, 2012, shall be equipped with a crossing control arm mounted at the right front
27.21 corner of the front bumper. The crossing control arm shall be automatically activated
27.22 whenever the bus is stopped with the flashing red signals in use.

27.23 Sec. 38. Minnesota Statutes 2010, section 169.64, subdivision 2, is amended to read:

27.24 Subd. 2. **Colored light.** (a) Unless otherwise authorized by the commissioner of
27.25 public safety, no vehicle shall be equipped, nor shall any person drive or move any vehicle
27.26 or equipment upon any highway with any lamp or device displaying a red light or any
27.27 colored light other than those required or permitted in this chapter.

27.28 (b) A vehicle manufactured for use as an emergency vehicle may display and use
27.29 colored lights that are not otherwise required or permitted in this chapter, provided that
27.30 the vehicle is owned and operated according to section 168.10, is owned and operated
27.31 solely as a collector's item and not for general transportation purposes, and is registered
27.32 under section 168.10, subdivision 1a, 1b, 1c, 1d, 1g, or 1h. A person may not activate the
27.33 colored lights authorized under this paragraph on streets or highways except as part of
27.34 a parade or other special event.

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

28.2 Sec. 39. Minnesota Statutes 2010, section 169.685, subdivision 6, is amended to read:

28.3 Subd. 6. **Exceptions.** (a) This section does not apply to:

28.4 (1) a person transporting a child in an emergency medical vehicle while in the
28.5 performance of official duties and when the physical or medical needs of the child make
28.6 the use of a child passenger restraint system unreasonable or when a child passenger
28.7 restraint system is not available;

28.8 (2) a peace officer transporting a child while in the performance of official duties
28.9 and when a child passenger restraint system is not available, provided that a seat belt
28.10 must be substituted;

28.11 (3) a person while operating a motor vehicle for hire, including a taxi, airport
28.12 limousine, and bus, but excluding a rented, leased, or borrowed motor vehicle; and

28.13 (4) a person while operating a school bus; ~~and~~ that has a gross vehicle weight rating
28.14 of greater than 10,000 pounds.

28.15 ~~(5) a person while operating a type III vehicle described in section 169.011,~~
28.16 ~~subdivision 71, paragraph (h), if the vehicle meets the seating and crash protection~~
28.17 ~~requirements of Federal Motor Vehicle Safety Standard 222, Code of Federal Regulations,~~
28.18 ~~title 49, part 571.~~

28.19 (b) A child passenger restraint system is not required for a child who cannot, in the
28.20 judgment of a licensed physician, be safely transported in a child passenger restraint
28.21 system because of a medical condition, body size, or physical disability. A motor vehicle
28.22 operator claiming exemption for a child under this paragraph must possess a typewritten
28.23 statement from the physician stating that the child cannot be safely transported in a child
28.24 passenger restraint system. The statement must give the name and birth date of the child,
28.25 be dated within the previous six months, and be made on the physician's letterhead or
28.26 contain the physician's name, address, and telephone number. A person charged with
28.27 violating subdivision 5 may not be convicted if the person produces the physician's
28.28 statement in court or in the office of the arresting officer.

28.29 (c) A person offering a motor vehicle for rent or lease shall provide a child passenger
28.30 restraint device to a customer renting or leasing the motor vehicle who requests the device.
28.31 A reasonable rent or fee may be charged for use of the child passenger restraint device.

28.32 Sec. 40. Minnesota Statutes 2010, section 169.685, subdivision 7, is amended to read:

28.33 Subd. 7. **Appropriation; special account; legislative report.** The Minnesota child
28.34 passenger restraint and education account is created in the state treasury, consisting of

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29.1 fines collected under subdivision 5 and other money appropriated or donated. The money
29.2 in the account is annually appropriated to the commissioner of public safety, to be used to
29.3 provide child passenger restraint systems to families in financial need ~~and~~, school districts
29.4 and child care providers that provide for the transportation of pupils to and from school
29.5 using type III vehicles or school buses with a gross vehicle weight rating of 10,000 pounds
29.6 or less, and to provide an educational program on the need for and proper use of child
29.7 passenger restraint systems. The commissioner shall report to the legislature by February
29.8 1 of each odd-numbered year on the commissioner's activities and expenditure of funds
29.9 under this section.

29.10 Sec. 41. Minnesota Statutes 2010, section 169.826, subdivision 1a, is amended to read:

29.11 Subd. 1a. **Harvest season increase amount; permit.** The limitations provided in
29.12 sections 169.823 to 169.829 are increased by ten percent from the beginning of harvest to
29.13 November 30 each year for the movement of sugar beets, carrots, sweet corn, and potatoes
29.14 from the field of harvest to the point of the first unloading. Transfer of the product
29.15 from a farm vehicle or small farm trailer, within the meaning of chapter 168, to another
29.16 vehicle is not considered to be the first unloading. A permit issued under section 169.86,
29.17 subdivision 1, paragraph (a), is required. The commissioner shall not issue permits under
29.18 this subdivision if to do so will result in a loss of federal highway funding to the state.

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

29.20 Sec. 42. Minnesota Statutes 2010, section 169.85, subdivision 2, is amended to read:

29.21 Subd. 2. **Unloading.** (a) Upon weighing a vehicle and load, as provided in this
29.22 section, an officer may require the driver to stop the vehicle in a suitable place and remain
29.23 standing until a portion of the load is removed that is sufficient to reduce the gross weight
29.24 of the vehicle to the limit permitted under either section 168.013, subdivision 3, paragraph
29.25 (b), or sections 169.823 to 169.829, whichever is the lesser violation, if any. A suitable
29.26 place is a location where loading or tampering with the load is not prohibited by federal,
29.27 state, or local law, rule, or ordinance.

29.28 (b) Except as provided in paragraph (c), a driver may be required to unload a
29.29 vehicle only if the weighing officer determines that (1) on routes subject to the provisions
29.30 of sections 169.823 to 169.829, the weight on an axle exceeds the lawful gross weight
29.31 prescribed by sections 169.823 to 169.829, by 2,000 pounds or more, or the weight on a
29.32 group of two or more consecutive axles in cases where the distance between the centers
29.33 of the first and last axles of the group under consideration is ten feet or less exceeds the
29.34 lawful gross weight prescribed by sections 169.823 to 169.829, by 4,000 pounds or more;

30.1 or (2) the weight is unlawful on an axle or group of consecutive axles on a road restricted
30.2 in accordance with section 169.87. Material unloaded must be cared for by the owner or
30.3 driver of the vehicle at the risk of the owner or driver.

30.4 (c) ~~¶~~ The driver is not required to unload under paragraph (b) when the gross weight
30.5 of the vehicle does not exceed:

30.6 (1) the sum of the vehicle's registered gross weight plus, the weight allowance set
30.7 forth in section 168.013, subdivision 3, paragraph (b), and plus, if applicable, the weight
30.8 allowance permitted under section 169.826, then the driver is not required to unload
30.9 under paragraph (b); or

30.10 (2) the weight allowed by special permit issued under section 169.86 for a vehicle
30.11 that is operated in conformity with the limitations and conditions of the permit.

30.12 **EFFECTIVE DATE.** This section is effective January 1, 2012, and applies to
30.13 all registrations that are effective on and after that date and special permits issued on
30.14 and after that date.

30.15 Sec. 43. Minnesota Statutes 2010, section 169.86, subdivision 1, is amended to read:

30.16 Subdivision 1. **Permit authorities; restrictions.** (a) The commissioner, with respect
30.17 to highways under the commissioner's jurisdiction, and local authorities, with respect to
30.18 highways under their jurisdiction, may, in their discretion, upon application in writing
30.19 and good cause being shown therefor, issue a special permit, in writing, authorizing the
30.20 applicant to move a vehicle or combination of vehicles of a size or weight of vehicle or
30.21 load exceeding the maximum specified in this chapter, exceeding the gross weight for
30.22 which the vehicle is registered under chapter 168, or otherwise not in conformity with the
30.23 provisions of this chapter, upon any highway under the jurisdiction of the party granting
30.24 such permit and for the maintenance of which such party is responsible.

30.25 (b) Permits relating to over-width, over-length manufactured homes shall not be
30.26 issued to persons other than manufactured home dealers or manufacturers for movement
30.27 of new units owned by the manufactured home dealer or manufacturer, until the person
30.28 has presented a statement from the county auditor and treasurer where the unit is presently
30.29 located, stating that all personal and real property taxes have been paid. Upon payment of
30.30 the most recent single year delinquent personal property or current year taxes only, the
30.31 county auditor or treasurer must issue a taxes paid statement to a manufactured home
30.32 dealer or a financial institution desiring to relocate a manufactured home that has been
30.33 repossessed. This statement must be dated within 30 days of the contemplated move. The
30.34 statement from the county auditor and treasurer where the unit is presently located, stating
30.35 that all personal and real property taxes have been paid, may be made by telephone. If

31.1 the statement is obtained by telephone, the permit shall contain the date and time of the
31.2 telephone call and the names of the persons in the auditor's office and treasurer's office
31.3 who verified that all personal and real property taxes had been paid.

31.4 (c) The commissioner may not grant a permit authorizing the movement, in a
31.5 three-vehicle combination, of a semitrailer or trailer that exceeds 28-1/2 feet, except that
31.6 the commissioner (1) may renew a permit that was granted before April 16, 1984, for the
31.7 movement of a semitrailer or trailer that exceeds the length limitation in section 169.81,
31.8 subdivision 2, or (2) may grant a permit authorizing the transportation of empty trailers
31.9 that exceed 28-1/2 feet when using a B-train hitching mechanism as defined in Code of
31.10 Federal Regulations, title 23, section 658.5, paragraph (o), from a point of manufacture in
31.11 the state to the state border.

31.12 (d) The state as to state trunk highways, a statutory or home rule charter city as
31.13 to streets in the city, or a town as to roads in the town, may issue permits authorizing
31.14 the transportation of combinations of vehicles exceeding the limitations in section
31.15 169.81, subdivisions 2a and 3, over highways, streets, or roads within its boundaries.
31.16 Combinations of vehicles authorized by this paragraph may be restricted as to the use of
31.17 state trunk highways by the commissioner, to the use of streets by the city road authority,
31.18 and to the use of roads by the town road authority. Nothing in this paragraph or section
31.19 169.81, subdivisions 2a and 3, alters or changes the authority vested in local authorities
31.20 under section 169.04.

31.21 **EFFECTIVE DATE.** This section is effective January 1, 2012, and applies to
31.22 all registrations that are effective on and after that date and special permits issued on
31.23 and after that date.

31.24 Sec. 44. Minnesota Statutes 2010, section 169.86, subdivision 4, is amended to read:

31.25 Subd. 4. **Display and inspection of permit.** ~~Every such~~ A permit shall ~~must~~ be
31.26 carried in the vehicle or combination of vehicles to which it refers and shall ~~must~~ be open
31.27 to inspection by any police peace officer or authorized agent of any authority granting
31.28 ~~such the permit, and.~~ A permit may be carried in electronic format if it is easily read. No
31.29 person shall violate any of the terms or conditions of ~~such~~ a special permit.

31.30 Sec. 45. Minnesota Statutes 2010, section 169.86, subdivision 5, is amended to read:

31.31 Subd. 5. **Fees; proceeds deposited; appropriation.** The commissioner, with
31.32 respect to highways under the commissioner's jurisdiction, may charge a fee for each
31.33 permit issued. All ~~such~~ fees for permits issued by the commissioner of transportation ~~shall~~
31.34 must be deposited in the state treasury and credited to the trunk highway fund. Except

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32.1 for those annual permits for which the permit fees are specified elsewhere in this chapter,
32.2 the fees ~~shall be~~ are:

32.3 (a) \$15 for each single trip permit.

32.4 (b) \$36 for each job permit. A job permit may be issued for like loads carried on
32.5 a specific route for a period not to exceed two months. "Like loads" means loads of the
32.6 same product, weight, and dimension.

32.7 (c) \$60 for an annual permit to be issued for a period not to exceed 12 consecutive
32.8 months. Annual permits may be issued for:

32.9 (1) motor vehicles used to alleviate a temporary crisis adversely affecting the safety
32.10 or well-being of the public;

32.11 (2) motor vehicles ~~which~~ that travel on interstate highways and carry loads
32.12 authorized under subdivision 1a;

32.13 (3) motor vehicles operating with gross weights authorized under section 169.826,
32.14 subdivision 1a;

32.15 (4) special pulpwood vehicles described in section 169.863;

32.16 (5) motor vehicles bearing snowplow blades not exceeding ten feet in width;

32.17 (6) noncommercial transportation of a boat by the owner or user of the boat;

32.18 (7) motor vehicles carrying bales of agricultural products authorized under section
32.19 169.862; and

32.20 (8) special milk-hauling vehicles authorized under section 169.867.

32.21 (d) \$120 for an oversize annual permit to be issued for a period not to exceed 12
32.22 consecutive months. Annual permits may be issued for:

32.23 (1) mobile cranes;

32.24 (2) construction equipment, machinery, and supplies;

32.25 (3) manufactured homes and manufactured storage buildings;

32.26 (4) implements of husbandry;

32.27 (5) double-deck buses;

32.28 (6) commercial boat hauling;

32.29 (7) three-vehicle combinations consisting of two empty, newly manufactured trailers
32.30 for cargo, horses, or livestock, not to exceed 28-1/2 feet per trailer; provided, however,
32.31 the permit allows the vehicles to be moved from a trailer manufacturer to a trailer dealer
32.32 only while operating on twin-trailer routes designated under section 169.81, subdivision 3,
32.33 paragraph (c); and

32.34 (8) vehicles operating on that portion of marked Trunk Highway 36 described in
32.35 section 169.81, subdivision 3, paragraph (e).

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33.1 (e) For vehicles ~~which~~ that have axle weights exceeding the weight limitations of
 33.2 sections 169.823 to 169.829, an additional cost added to the fees listed above. However,
 33.3 this paragraph applies to any vehicle described in section 168.013, subdivision 3,
 33.4 paragraph (b), but only when the vehicle exceeds its gross weight allowance set forth in
 33.5 that paragraph, and then the additional cost is for all weight, including the allowance
 33.6 weight, in excess of the permitted maximum axle weight. The additional cost is equal
 33.7 to the product of the distance traveled times the sum of the overweight axle group cost
 33.8 factors shown in the following chart:

33.9 Overweight Axle Group Cost Factors

33.10 Weight (pounds)	33.10 Cost Per Mile For Each Group Of:		
33.11 exceeding weight	33.11 Two	33.11 Three	
33.12 limitations on axles	33.12 consecutive	33.12 consecutive	
	33.13 axles spaced	33.13 axles spaced	33.13 Four consecutive
	33.14 within 8 feet	33.14 within 9 feet	33.14 axles spaced within
	33.15 or less	33.15 or less	33.15 14 feet or less
33.16 0-2,000	.12	.05	.04
33.17 2,001-4,000	.14	.06	.05
33.18 4,001-6,000	.18	.07	.06
33.19 6,001-8,000	.21	.09	.07
33.20 8,001-10,000	.26	.10	.08
33.21 10,001-12,000	.30	.12	.09
33.22 12,001-14,000	Not	.14	.11
33.23	permitted		
33.24 14,001-16,000	Not	.17	.12
33.25	permitted		
33.26 16,001-18,000	Not	.19	.15
33.27	permitted		
33.28 18,001-20,000	Not	Not	.16
33.29	permitted	permitted	
33.30 20,001-22,000	Not	Not	.20
33.31	permitted	permitted	

33.32 The amounts added are rounded to the nearest cent for each axle or axle group. The
 33.33 additional cost does not apply to paragraph (c), clauses (1) and (3).

33.34 For a vehicle found to exceed the appropriate maximum permitted weight, a cost-per-mile
 33.35 fee of 22 cents per ton, or fraction of a ton, over the permitted maximum weight is imposed
 33.36 in addition to the normal permit fee. Miles must be calculated based on the distance
 33.37 already traveled in the state plus the distance from the point of detection to a transportation
 33.38 loading site or unloading site within the state or to the point of exit from the state.

33.39 (f) As an alternative to paragraph (e), an annual permit may be issued for overweight,
 33.40 or oversize and overweight, mobile cranes; construction equipment, machinery, and

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34.1 supplies; implements of husbandry; and commercial boat hauling. The fees for the permit
34.2 are as follows:

34.3	Gross Weight (pounds) of Vehicle	Annual Permit Fee
34.4	90,000 or less	\$200
34.5	90,001 - 100,000	\$300
34.6	100,001 - 110,000	\$400
34.7	110,001 - 120,000	\$500
34.8	120,001 - 130,000	\$600
34.9	130,001 - 140,000	\$700
34.10	140,001 - 145,000	\$800
34.11	<u>145,001 - 155,000</u>	<u>\$900</u>

34.12 If the gross weight of the vehicle is more than ~~145,000~~ 155,000 pounds the permit fee is
34.13 determined under paragraph (e).

34.14 (g) For vehicles which exceed the width limitations set forth in section 169.80 by
34.15 more than 72 inches, an additional cost equal to \$120 added to the amount in paragraph (a)
34.16 when the permit is issued while seasonal load restrictions pursuant to section 169.87 are
34.17 in effect.

34.18 (h) \$85 for an annual permit to be issued for a period not to exceed 12 months, for
34.19 refuse-compactor vehicles that carry a gross weight of not more than: 22,000 pounds on
34.20 a single rear axle; 38,000 pounds on a tandem rear axle; or, subject to section 169.828,
34.21 subdivision 2, 46,000 pounds on a tridem rear axle. A permit issued for up to 46,000
34.22 pounds on a tridem rear axle must limit the gross vehicle weight to not more than 62,000
34.23 pounds.

34.24 (i) \$300 for a motor vehicle described in section 169.8261. The fee under this
34.25 paragraph must be deposited ~~as follows:~~

34.26 ~~(1) in fiscal years 2005 through 2010:~~

34.27 ~~(i) the first \$50,000 in each fiscal year must be deposited in the trunk highway fund~~
34.28 ~~for costs related to administering the permit program and inspecting and posting bridges;~~

34.29 ~~(ii) all remaining money in each fiscal year must be deposited in a bridge inspection~~
34.30 ~~and signing account in the special revenue fund. Money in the account is appropriated~~
34.31 ~~to the commissioner for:~~

34.32 ~~(A) inspection of local bridges and identification of local bridges to be posted,~~
34.33 ~~including contracting with a consultant for some or all of these functions; and~~

34.34 ~~(B) erection of weight-posting signs on local bridges; and~~

34.35 ~~(2) in fiscal year 2011 and subsequent years must be deposited in the trunk highway~~
34.36 ~~fund.~~

35.1 (j) Beginning August 1, 2006, \$200 for an annual permit for a vehicle operating
35.2 under authority of section 169.824, subdivision 2, paragraph (a), clause (2).

35.3 Sec. 46. Minnesota Statutes 2010, section 169.86, is amended by adding a subdivision
35.4 to read:

35.5 Subd. 5a. **Weight increase surcharge.** The commissioner shall impose a weight
35.6 increase surcharge on the fee charged for a special permit issued under this chapter when
35.7 the gross weight allowed under the permit is greater than the gross weight for which the
35.8 vehicle is registered under section 168.013. The surcharge shall be calculated as the
35.9 difference between the registration tax paid under section 168.013, and the additional tax
35.10 that would be due under section 168.013, subdivision 1e, at the gross weight allowed
35.11 under the permit, prorated by the number of days for which the permit is effective.
35.12 Proceeds of the surcharge must be deposited in the state treasury and credited to the
35.13 trunk highway fund.

35.14 **EFFECTIVE DATE.** This section is effective January 1, 2012, and applies to
35.15 all registrations that are effective on and after that date and special permits issued on
35.16 and after that date.

35.17 Sec. 47. Minnesota Statutes 2010, section 171.03, is amended to read:

35.18 **171.03 PERSONS EXEMPT.**

35.19 The following persons are exempt from license hereunder:

35.20 (a) A person in the employ or service of the United States federal government is
35.21 exempt while driving or operating a motor vehicle owned by or leased to the United
35.22 States federal government.

35.23 (b) A person in the employ or service of the United States federal government is
35.24 exempt from the requirement to possess a valid class A, class B, or class C commercial
35.25 driver's license while driving or operating for military purposes a commercial motor
35.26 vehicle for the United States federal government if the person is:

35.27 (1) on active duty in the U. S. Coast Guard;

35.28 (2) on active duty in a branch of the U. S. armed forces, which includes the Army,
35.29 Air Force, Navy, and Marine Corps;

35.30 (3) a member of a reserve component of the U. S. armed forces; or

35.31 (4) on active duty in the Army National Guard or Air National Guard, which
35.32 includes (i) a member on full-time National Guard duty, (ii) a member undergoing

36.1 part-time National Guard training, and (iii) a National Guard military technician, who is a
36.2 civilian required to wear a military uniform.

36.3 The exemption provided under this paragraph does not apply to a U. S. armed forces
36.4 reserve technician.

36.5 (c) Any person while driving or operating any farm tractor or implement of
36.6 husbandry temporarily on a highway is exempt. For purposes of this section, an all-terrain
36.7 vehicle, as defined in section 84.92, subdivision 8, an off-highway motorcycle, as defined
36.8 in section 84.787, subdivision 7, and an off-road vehicle, as defined in section 84.797,
36.9 subdivision 7, are not implements of husbandry.

36.10 (d) A nonresident who is at least 15 years of age and who has in immediate
36.11 possession a valid driver's license issued to the nonresident in the home state or country
36.12 may operate a motor vehicle in this state only as a driver.

36.13 (e) A nonresident who has in immediate possession a valid commercial driver's
36.14 license issued by a state or jurisdiction in accordance with the standards of Code of
36.15 Federal Regulations, title 49, part 383, and who is operating in Minnesota the class of
36.16 commercial motor vehicle authorized by the issuing state or jurisdiction is exempt.

36.17 (f) Any nonresident who is at least 18 years of age, whose home state or country does
36.18 not require the licensing of drivers may operate a motor vehicle as a driver, but only for a
36.19 period of not more than 90 days in any calendar year, if the motor vehicle so operated is
36.20 duly registered for the current calendar year in the home state or country of the nonresident.

36.21 (g) Any person who becomes a resident of the state of Minnesota and who has in
36.22 possession a valid driver's license issued to the person under and pursuant to the laws of
36.23 some other state or jurisdiction or by military authorities of the United States may operate
36.24 a motor vehicle as a driver, but only for a period of not more than 60 days after becoming
36.25 a resident of this state, without being required to have a Minnesota driver's license as
36.26 provided in this chapter.

36.27 (h) Any person who becomes a resident of the state of Minnesota and who has in
36.28 possession a valid commercial driver's license issued by another state or jurisdiction in
36.29 accordance with the standards of Code of Federal Regulations, title 49, part 383, is exempt
36.30 for not more than 30 days after becoming a resident of this state.

36.31 (i) Any person operating a snowmobile, as defined in section 84.81, is exempt.

36.32 (j) A railroad operator, as defined in section 169.035, subdivision 4, paragraph (a),
36.33 is exempt while operating a railroad locomotive or train, or on-track equipment while
36.34 being operated upon rails. This exemption includes operation while crossing a street or
36.35 highway, whether public or private.

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37.1 Sec. 48. Minnesota Statutes 2010, section 171.05, subdivision 2, is amended to read:

37.2 Subd. 2. **Person less than 18 years of age.** (a) Notwithstanding any provision
37.3 in subdivision 1 to the contrary, the department may issue an instruction permit to an
37.4 applicant who is 15, 16, or 17 years of age and who:

37.5 (1) has completed a course of driver education in another state, has a previously
37.6 issued valid license from another state, or ~~is enrolled in either:~~

37.7 (i) the applicant is enrolled in behind-the-wheel training in a public, private, or
37.8 commercial driver education program that is approved by the commissioner of public
37.9 safety; and

37.10 (ii) the applicant:

37.11 (A) has completed the classroom phase of instruction in a public, private, or
37.12 commercial driver education program that is approved by the commissioner of public
37.13 safety and that includes classroom and behind-the-wheel training; or;

37.14 ~~(ii) an approved behind-the-wheel driver education program~~ (B) has completed home
37.15 school driver training, when the student is receiving full-time instruction in a home school
37.16 within the meaning of sections 120A.22 and 120A.24, the student is working toward a
37.17 ~~homeschool~~ home-school diploma, the student's status as a ~~homeschool~~ home-school
37.18 student has been certified by the superintendent of the school district in which the student
37.19 resides, and the ~~student is taking home-classroom driver training with~~ classroom materials
37.20 are approved by the commissioner of public safety; or

37.21 (C) has completed an Internet-based theory driver education program that is
37.22 approved by the commissioner of public safety; and

37.23 ~~(2) has completed the classroom phase of instruction in the driver education program;~~

37.24 ~~(3)~~ (2) has passed a test of the applicant's eyesight;

37.25 ~~(4)~~ (3) has passed a department-administered test of the applicant's knowledge
37.26 of traffic laws;

37.27 ~~(5)~~ (4) has completed the required application, which must be approved by (i) either
37.28 parent when both reside in the same household as the minor applicant or, if otherwise,
37.29 then (ii) the parent or spouse of the parent having custody or, in the event there is no
37.30 court order for custody, then (iii) the parent or spouse of the parent with whom the minor
37.31 is living or, if items (i) to (iii) do not apply, then (iv) the guardian having custody of the
37.32 minor, (v) the foster parent or the director of the transitional living program in which the
37.33 child resides or, in the event a person under the age of 18 has no living father, mother,
37.34 or guardian, or is married or otherwise legally emancipated, then (vi) the applicant's
37.35 adult spouse, adult close family member, or adult employer; provided, that the approval

38.1 required by this clause contains a verification of the age of the applicant and the identity of
38.2 the parent, guardian, adult spouse, adult close family member, or adult employer; and
38.3 ~~(6)~~ (5) has paid the fee required in section 171.06, subdivision 2.

38.4 (b) The instruction permit is valid for two years from the date of application and
38.5 may be renewed upon payment of a fee equal to the fee for issuance of an instruction
38.6 permit under section 171.06, subdivision 2.

38.7 (c) A provider of an Internet-based theory driver education program approved by
38.8 the commissioner shall issue a certificate of completion to each person who successfully
38.9 completes the program. The commissioner shall furnish numbered certificate forms to
38.10 approved providers who shall pay the commissioner a fee of \$2 for each certificate.
38.11 The commissioner shall deposit proceeds of the fee in the driver services operating
38.12 account in the special revenue fund. Proceeds from the fee under this paragraph are
38.13 annually appropriated to the commissioner from the driver services operating account for
38.14 administrative costs to implement Internet driver education. The commissioner shall
38.15 terminate the fee when the department has fully recovered its costs to implement Internet
38.16 driver education under this section.

38.17 Sec. 49. Minnesota Statutes 2010, section 171.0701, is amended to read:

38.18 **171.0701 DRIVER EDUCATION CONTENT.**

38.19 Subdivision 1. Driver education requirements. (a) The commissioner shall adopt
38.20 rules requiring a minimum of 30 minutes of instruction, beginning January 1, 2007,
38.21 relating to organ and tissue donations and the provisions of section 171.07, subdivision
38.22 5, for persons enrolled in driver education programs offered at public schools, private
38.23 schools, and commercial driver training schools.

38.24 (b) The commissioner shall adopt rules for persons enrolled in driver education
38.25 programs offered at public schools, private schools, and commercial driver training
38.26 schools, requiring inclusion in the course of instruction, by January 1, 2009, a section on
38.27 awareness and safe interaction with commercial motor vehicle traffic. The rules must
38.28 require classroom instruction and behind-the-wheel training that includes, but is not
38.29 limited to, truck stopping distances, proper distances for following trucks, identification of
38.30 truck blind spots, and avoidance of driving in truck blind spots.

38.31 (c) By January 1, 2012, the commissioner shall adopt rules for persons enrolled in
38.32 driver education programs offered at public schools, private schools, and commercial
38.33 driver training schools, requiring inclusion in the course of instruction of a section on
38.34 carbon monoxide poisoning. The instruction must include but is not limited to (1)
38.35 a description of the characteristics of carbon monoxide, (2) a review of the risks and

39.1 potential speed of death from carbon monoxide poisoning, and (3) specific suggestions
39.2 regarding vehicle idling practices.

39.3 Subd. 2. **Rulemaking.** The rules adopted by the commissioner under ~~paragraph~~
39.4 ~~(b) this section~~ are exempt from the rulemaking provisions of chapter 14. The rules are
39.5 subject to section 14.386, except that notwithstanding paragraph (b) of section 14.386, the
39.6 rules continue in effect until repealed or superseded by other law or rule.

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

39.8 Sec. 50. **[171.0705] INTERNET-BASED DRIVER EDUCATION.**

39.9 The commissioner shall include in administrative rules on Internet-based theory
39.10 driver education programs, a requirement that a program may offer no more than three
39.11 hours of instruction per day to a student.

39.12 Sec. 51. Minnesota Statutes 2010, section 171.13, subdivision 1, is amended to read:

39.13 Subdivision 1. **Examination subjects and locations; provisions for color**
39.14 **blindness, disabled veterans.** (a) Except as otherwise provided in this section, the
39.15 commissioner shall examine each applicant for a driver's license by such agency as the
39.16 commissioner directs. This examination must include:

39.17 (1) a test of the applicant's eyesight;

39.18 (2) a test of the applicant's ability to read and understand highway signs regulating,
39.19 warning, and directing traffic;

39.20 (3) a test of the applicant's knowledge of (i) traffic laws; ~~knowledge of (ii)~~ the effects
39.21 of alcohol and drugs on a driver's ability to operate a motor vehicle safely and legally,
39.22 and of the legal penalties and financial consequences resulting from violations of laws
39.23 prohibiting the operation of a motor vehicle while under the influence of alcohol or
39.24 drugs; ~~knowledge of (iii)~~ railroad grade crossing safety; ~~knowledge of (iv)~~ slow-moving
39.25 vehicle safety; ~~knowledge of (v)~~ laws relating to pupil transportation safety, including the
39.26 significance of school bus lights, signals, stop arm, and passing a school bus; ~~knowledge~~
39.27 ~~of (vi)~~ traffic laws related to bicycles; and (vii) the circumstances and dangers of carbon
39.28 monoxide poisoning;

39.29 (4) an actual demonstration of ability to exercise ordinary and reasonable control
39.30 in the operation of a motor vehicle; and

39.31 (5) other physical and mental examinations as the commissioner finds necessary to
39.32 determine the applicant's fitness to operate a motor vehicle safely upon the highways;
39.33 ~~provided, further however,~~

40.1 (b) Notwithstanding paragraph (a), no driver's license shall may be denied an
40.2 applicant on the exclusive grounds that the applicant's eyesight is deficient in color
40.3 perception. ~~Provided, however, that~~ War veterans operating motor vehicles especially
40.4 equipped for disabled persons, ~~shall~~, if otherwise entitled to a license, must be granted
40.5 such license.

40.6 (c) The commissioner shall make provision for giving these the examinations under
40.7 this subdivision either in the county where the applicant resides or at a place adjacent
40.8 thereto reasonably convenient to the applicant.

40.9 **EFFECTIVE DATE.** This section is effective January 1, 2012.

40.10 Sec. 52. Minnesota Statutes 2010, section 171.13, is amended by adding a subdivision
40.11 to read:

40.12 Subd. 11. **Driver's manual; carbon monoxide.** The commissioner shall include in
40.13 each edition of the driver's manual published by the department after August 1, 2011, a
40.14 section that includes up-to-date lifesaving information on carbon monoxide poisoning.

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

40.16 Sec. 53. Minnesota Statutes 2010, section 171.27, is amended to read:

40.17 **171.27 EXPIRATION OF LICENSE; MILITARY EXCEPTION.**

40.18 (a) The expiration date for each driver's license, other than under-21 licenses, is the
40.19 birthday of the driver in the fourth year following the date of issuance of the license. The
40.20 birthday of the driver shall be as indicated on the application for a driver's license. A
40.21 license may be renewed on or before expiration or within one year after expiration upon
40.22 application, payment of the required fee, and passing the examination required of all
40.23 drivers for renewal. Driving privileges shall be extended or renewed on or preceding the
40.24 expiration date of an existing driver's license unless the commissioner believes that the
40.25 licensee is no longer qualified as a driver.

40.26 (b) The expiration date for each under-21 license shall be the 21st birthday of the
40.27 licensee. Upon the licensee attaining the age of 21 and upon the application, payment
40.28 of the required fee, and passing the examination required of all drivers for renewal, a
40.29 driver's license shall be issued unless the commissioner determines that the licensee is
40.30 no longer qualified as a driver.

40.31 (c) The expiration date for each provisional license is two years after the date of
40.32 application for the provisional license.

41.1 (d) Any valid Minnesota driver's license issued to a person then or subsequently ~~on~~
41.2 ~~active duty with~~ serving outside Minnesota in active military service, as defined in section
41.3 190.05, subdivision 5, in any branch or unit of the armed forces of the United States, or
41.4 the person's spouse, shall continue in full force and effect without requirement for renewal
41.5 until 90 days after the date of the person's discharge from such service, provided that a
41.6 spouse's license must be renewed if the spouse is residing within the state at the time
41.7 the license expires or within 90 days after the spouse returns to Minnesota and resides
41.8 within the state the date one year following the service member's separation or discharge
41.9 from active military service, and until the license holder's birthday in the fourth full year
41.10 following the person's most recent license renewal or if the case of a provisional license,
41.11 until the person's birthday in the third full year following such renewal.

41.12 **EFFECTIVE DATE.** This section is effective July 1, 2011, and applies to
41.13 Minnesota driver's licenses that are valid on or after that date.

41.14 Sec. 54. Minnesota Statutes 2010, section 174.56, is amended to read:

41.15 **174.56 REPORT ON MAJOR HIGHWAY PROJECTS AND TRUNK**
41.16 **HIGHWAY FUND EXPENDITURES.**

41.17 Subdivision 1. **Report required.** (a) The commissioner of transportation shall
41.18 submit a report ~~on January 15, 2009, and on January~~ by December 15 of each year
41.19 ~~thereafter~~, on (1) the status of major highway projects completed during the previous two
41.20 years or under construction or planned during the year of the report and for the ensuing 15
41.21 years; and (2) trunk highway fund expenditures.

41.22 (b) For purposes of this section, a "major highway project" is a highway project that
41.23 has a total cost for all segments that the commissioner estimates at the time of the report to
41.24 be at least (1) ~~\$25,000,000~~ \$15,000,000 in the metropolitan highway construction district,
41.25 or (2) ~~\$10,000,000~~ \$5,000,000 in any nonmetropolitan highway construction district.

41.26 Subd. 2. **Report contents; major highway projects.** For each major highway
41.27 project the report must include:

41.28 (1) a description of the project sufficient to specify its scope and location;

41.29 (2) a history of the project, including, but not limited to, previous official actions
41.30 by the department or the appropriate area transportation partnership, or both, the date on
41.31 which the project was first included in the state transportation improvement plan, the cost
41.32 of the project at that time, the planning estimate for the project, the engineer's estimate, the
41.33 award price and the final cost as of six months after substantial completion, including any
41.34 supplemental agreements and cost overruns or cost savings, the dates of environmental

42.1 approval, the dates of municipal approval, the date of final geometric layout, and the date
42.2 of establishment of any construction limits;

42.3 (3) the project's priority listing or rank within its construction district, if any, as
42.4 well as the reasons for that listing or rank, the criteria used in prioritization or rank, any
42.5 changes in that prioritization or rank since the project was first included in a department
42.6 work plan, and the reasons for those changes; ~~and~~

42.7 (4) past and potential future reasons for delay in letting or completing the project,
42.8 details of all project cost changes that exceed \$500,000, and specific modifications to the
42.9 overall program that are made as a result of delays and project cost changes;

42.10 (5) two representative trunk highway construction projects, one each from the
42.11 department's metropolitan district and from greater Minnesota, and for each project report
42.12 the cost of environmental mitigation and compliance; and

42.13 (6) the annual budget for products and services for each Department of
42.14 Transportation district and office with comparison to actual spending and including
42.15 measures of productivity for the previous fiscal year.

42.16 Subd. 2a. Report contents; trunk highway fund expenditures. The commissioner
42.17 shall include in the report information on the total expenditures from the trunk highway
42.18 fund during the previous fiscal year, for each Department of Transportation district, in
42.19 the following categories: road construction; planning; design and engineering; labor;
42.20 compliance with environmental regulations; administration; acquisition of right-of-way,
42.21 including costs for attorney fees and other compensation for property owners; litigation
42.22 costs, including payment of claims, settlements, and judgments; maintenance; and road
42.23 operations.

42.24 Subd. 3. **Department resources.** The commissioner shall prepare and submit the
42.25 report with existing department staff and resources.

42.26 Sec. 55. Minnesota Statutes 2010, section 221.0314, subdivision 3a, is amended to
42.27 read:

42.28 Subd. 3a. **Waiver for other medical condition.** (a) The commissioner may grant
42.29 a waiver to a person who is not physically qualified to drive under Code of Federal
42.30 Regulations, title 49, section 391.41, paragraph (b)(3) to (b)(13). A waiver granted under
42.31 this subdivision applies to intrastate transportation only.

42.32 (b) A person who wishes to obtain a waiver under this subdivision must give the
42.33 commissioner the following information:

42.34 (1) the applicant's name, address, and telephone number;

42.35 (2) the name, address, and telephone number of an employer coapplicant, if any;

43.1 (3) a description of the applicant's experience in driving the type of vehicle to be
43.2 operated under the waiver;

43.3 (4) a description of the type of driving to be done under the waiver;

43.4 (5) a description of any modifications to the vehicle the applicant intends to drive
43.5 under the waiver that are designed to accommodate the applicant's medical condition or
43.6 disability;

43.7 (6) whether the applicant has been granted another waiver under this subdivision;

43.8 (7) a copy of the applicant's current driver's license;

43.9 (8) a copy of a medical examiner's certificate showing that the applicant is medically
43.10 unqualified to drive unless a waiver is granted;

43.11 (9) a statement from the applicant's treating physician that includes:

43.12 (i) the extent to which the physician is familiar with the applicant's medical history;

43.13 (ii) a description of the applicant's medical condition for which a waiver is necessary;

43.14 (iii) assurance that the applicant has the ability and willingness to follow any course
43.15 of treatment prescribed by the physician, including the ability to self-monitor or manage
43.16 the medical condition; and

43.17 (iv) the physician's professional opinion that the applicant's condition will not
43.18 adversely affect the applicant's ability to operate a motor vehicle safely; and

43.19 (10) any other information considered necessary by the commissioner including
43.20 requiring a physical examination or medical report from a physician who specializes
43.21 in a particular field of medical practice.

43.22 (c) In granting a waiver under this subdivision, the commissioner may impose
43.23 conditions the commissioner considers necessary to ensure that an applicant is able to
43.24 operate a motor vehicle safely and that the safety of the general public is protected.

43.25 (d) A person who is granted a waiver under this subdivision must:

43.26 (1) at intervals specified in the waiver, give the commissioner periodic reports from
43.27 the person's treating physician, or a medical specialist if the commissioner so requires in
43.28 the waiver, that contain the information described in paragraph (b), clause (9), together
43.29 with a description of any episode that involved the person's loss of consciousness or loss
43.30 of ability to operate a motor vehicle safely; and

43.31 (2) immediately report the person's involvement in an accident for which a report is
43.32 required under section 169.09, subdivision 7.

43.33 (e) The commissioner shall deny an application if, during the three years preceding
43.34 the application:

44.1 (1) the applicant's driver's license has been suspended under section 171.18,
44.2 paragraph (a), clauses (1) to (9), (11), and (12), canceled under section 171.14, or revoked
44.3 under section 171.17, 171.172, or 171.174; ~~or~~

44.4 (2) the applicant has been convicted of a violation under section 171.24; or

44.5 ~~(2)~~ (3) the applicant has been convicted of a disqualifying offense, as defined in
44.6 Code of Federal Regulations, title 49, section 383.51, paragraph (b), which is incorporated
44.7 by reference.

44.8 (f) The commissioner may deny an application or may immediately revoke a
44.9 waiver granted under this subdivision. Notice of the commissioner's reasons for denying
44.10 an application or for revoking a waiver must be in writing and must be mailed to
44.11 the applicant's or waiver holder's last known address by certified mail, return receipt
44.12 requested. A person whose application is denied or whose waiver is revoked is entitled to
44.13 a hearing under chapter 14.

44.14 (g) A waiver granted under this subdivision expires on the date of expiration shown
44.15 on the medical examiner's certificate described in paragraph (b), clause (8).

44.16 Sec. 56. Minnesota Statutes 2010, section 222.50, subdivision 4, is amended to read:

44.17 Subd. 4. **Contract.** The commissioner may negotiate and enter into contracts for the
44.18 purpose of rail service improvement and may incorporate funds available from the federal
44.19 ~~rail service continuation program~~ government. The participants in these contracts shall be
44.20 railroads, rail users, and the department, and may be political subdivisions of the state and
44.21 the federal government. In such contracts, participation by all parties shall be voluntary.
44.22 The commissioner may provide a portion of the money required to carry out the terms of
44.23 any such contract by expenditure from the rail service improvement account.

44.24 Sec. 57. Minnesota Statutes 2010, section 222.51, is amended to read:

44.25 **222.51 PARTICIPATION BY POLITICAL SUBDIVISION.**

44.26 The governing body of any political subdivision of the state may with the approval
44.27 of the commissioner appropriate money for rail service improvement and may participate
44.28 in the state rail service improvement program and ~~the federal rail service continuation~~
44.29 ~~program~~ programs.

44.30 Sec. 58. Minnesota Statutes 2010, section 222.53, is amended to read:

44.31 **222.53 ACCEPTANCE OF FEDERAL MONEY.**

S.F. No. 920, 2nd Engrossment - 87th Legislative Session (2011-2012) [S0920-2]

45.1 The commissioner may exercise those powers necessary for the state to qualify
45.2 for, accept, and disburse any federal money ~~that may be made available pursuant to the~~
45.3 ~~provisions of the federal rail service continuation program~~, including the power to:

45.4 (1) establish an adequate plan for rail service in the state as part of an overall
45.5 planning process for all transportation services in the state, including a suitable process for
45.6 updating, revising, and amending the plan;

45.7 (2) administer and coordinate the plan with other state agencies, and provide for the
45.8 equitable distribution of resources;

45.9 (3) develop, promote, and support safe, adequate, and efficient rail transportation
45.10 services; employ qualified personnel; maintain adequate programs of investigation,
45.11 research, promotion, and development, with provisions for public participation; and take
45.12 all practical steps to improve transportation safety and reduce transportation-related
45.13 energy utilization and pollution;

45.14 (4) adopt and maintain adequate procedures for financial control, accounting, and
45.15 performance evaluation in order to assure proper use of state and federal money;

45.16 (5) do all things otherwise necessary to maximize federal assistance to the state
45.17 ~~under the federal rail service continuation program.~~

45.18 Sec. 59. Minnesota Statutes 2010, section 239.791, is amended by adding a subdivision
45.19 to read:

45.20 Subd. 16. **Exemption for recreational vehicle manufacturer.** A person
45.21 responsible for the product may offer for sale, sell, or dispense gasoline that is not
45.22 oxygenated according to subdivision 1 if the gasoline is intended to be used exclusively
45.23 for research and development by a manufacturer of snowmobiles, all-terrain vehicles,
45.24 motorcycles, or recreational vehicles.

45.25 Sec. 60. **PAYNESVILLE AIRPORT.**

45.26 (a) Notwithstanding any law, rule, or agreement to the contrary, the commissioner of
45.27 transportation may enter into an agreement with the city of Paynesville to allow funds
45.28 granted by the state to the city for land acquisition purposes for the marked Trunk
45.29 Highway 23 bypass project to instead be used by June 30, 2015, as the state's share of
45.30 funds for airport improvements and other aeronautical purposes at the city's airport.

45.31 (b) Funds not spent pursuant to paragraph (a) by June 30, 2015, must be paid to the
45.32 commissioner of transportation and deposited in the state airports fund.

46.1 Sec. 61. **2012 AND 2013 REPORTS ON MAJOR HIGHWAY PROJECTS AND**
46.2 **TRUNK HIGHWAY FUND EXPENDITURES.**

46.3 For 2012 and 2013 reports required under Minnesota Statutes, section 174.56, the
46.4 commissioner shall include the results of evaluations of management systems currently
46.5 used by the Department of Transportation. The evaluations must specify the extent to
46.6 which the management of data in these systems is consistent with existing policies and
46.7 the need for statewide, reliable, and verifiable information. The evaluations must be
46.8 performed either by the department's office of internal audit or by an independent external
46.9 auditor. The 2012 report must include the evaluation of construction management systems
46.10 and the program and project management system. The 2013 report must include the
46.11 evaluation of pavement management systems and bridge management systems.

46.12 Sec. 62. **REVISOR'S INSTRUCTION.**

46.13 The revisor of statutes shall recodify Minnesota Statutes, section 171.13,
46.14 subdivisions 1b, 1c, 1d, 1e, 1f, 1g, 1h, 1i, 1j, 1k, and 1l, as Minnesota Statutes, section
46.15 171.0705. The revisor shall correct any cross-references made necessary by this
46.16 recodification.

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

46.18 Sec. 63. **REPEALER.**

46.19 Minnesota Statutes 2010, sections 160.93, subdivision 2a; 161.08, subdivision 2;
46.20 168.012, subdivision 1b; and 222.48, subdivision 3a, are repealed.

160.93 USER FEES; HIGH-OCCUPANCY VEHICLE AND DYNAMIC SHOULDER LANES.

Subd. 2a. **I-35W high-occupancy vehicle and dynamic shoulder lane account.** (a) An I-35W high-occupancy vehicle and dynamic shoulder lane account is established in the special revenue fund. Money collected from fees authorized under subdivision 1 for the marked Interstate Highway 35W (I-35W) corridor must be deposited in the account and used as described in this subdivision. Money in the account is appropriated to the commissioner.

(b) During the first year of revenue operations, the commissioner shall use the money received in that year to pay the costs of operating and administering the fee collection system within the corridor, up to \$1,000,000. Any remaining money must be transferred to the Metropolitan Council for improvement of bus transit services within the I-35W corridor including transit capital expenses.

(c) During the second and subsequent years of revenue operations, the commissioner shall use money in the account as follows:

(1) each year, allocate the lesser amount of \$1,000,000 or 75 percent of the revenues for operating and administering the fee collection system within the corridor;

(2) transfer the remaining amount up to the amount allocated under clause (1) to the Metropolitan Council for improvement of bus transit within the corridor including capital expenses; and

(3) allocate any remaining amount as follows: (i) 25 percent to the commissioner for operating and administering the fee collection system within the corridor and for transportation capital improvements that are consistent with the goals of the urban partnership agreement and that are located within the corridor and (ii) 75 percent to the Metropolitan Council for improvement of bus transit services within the corridor including transit capital expenses.

161.08 RECORDS AND REPORTS.

Subd. 2. **Biennial report on expenditures.** No later than October 15 of each odd-numbered year, the commissioner shall report to the legislature the total expenditures from the trunk highway fund during the previous biennium in each of the following categories: road construction; planning; professional and technical contracts; design and engineering; labor; compliance with environmental requirements; acquisition of right-of-way; litigation costs, including payment of claims, settlements, and judgments; maintenance; and road operations. As part of each report the commissioner shall select two representative trunk highway construction projects, one each from the department's metropolitan district and from greater Minnesota, and for each project report the cost of environmental mitigation and compliance.

168.012 VEHICLES EXEMPT FROM TAX OR LICENSE FEES.

Subd. 1b. **Markings required for conservation officer vehicle.** Motor vehicles of the conservation officer service shall have printed thereon the markings required by this section, for tax-exempt vehicles.

222.48 DEFINITIONS.

Subd. 3a. **Federal rail service continuation program.** "Federal rail service continuation program" means any federal program created under the Railroad Revitalization and Regulatory Reform Act of 1976, Public Law 94-210, as amended.