

SENATE
STATE OF MINNESOTA
NINETY-SECOND SESSION

S.F. No. 3975

(SENATE AUTHORS: KIFFMEYER, Lang and Newman)

| DATE | D-PG | OFFICIAL STATUS |
|------------|-------|---|
| 03/14/2022 | 5311 | Introduction and first reading Referred to State Government Finance and Policy and Elections |
| 04/05/2022 | 6487a | Comm report: To pass as amended and re-refer to Finance |
| 04/07/2022 | 6664a | Comm report: To pass as amended |
| | 6852 | Second reading |
| 04/19/2022 | 6956 | Author added Lang |
| 04/24/2022 | 7442 | Author added Newman |
| 04/28/2022 | 7708 | Rule 45-amend, subst. General Orders HF4293 |

1.1 A bill for an act

1.2 relating to state government; providing for funding and modifying certain state

1.3 government operations, military and veterans, elections and campaign finance,

1.4 transportation, transit, driver, and vehicle provisions; authorizing the sale and

1.5 issuance of bonds; classifying data; authorizing and precluding various rulemaking;

1.6 establishing task forces; requiring legislative reports; making technical and

1.7 conforming changes; modifying prior appropriations; appropriating money;

1.8 amending Minnesota Statutes 2020, sections 3.303, subdivision 6; 3.8853,

1.9 subdivision 4, by adding a subdivision; 3.9741, subdivision 5; 3.98, subdivision

1.10 1; 10A.01, subdivision 10; 10A.105, subdivision 1; 10A.14, subdivision 1; 10A.20,

1.11 subdivision 6; 10A.25, subdivision 2; 10A.273, subdivision 1; 13.607, by adding

1.12 a subdivision; 13.64, subdivisions 3, 4; 15A.0825, subdivisions 1, 2, 3; 16B.32,

1.13 subdivision 1a; 16B.325, subdivision 1; 16B.98, subdivision 8; 116.07, subdivision

1.14 2, by adding a subdivision; 118A.09, subdivisions 1, 2; 136F.02, subdivision 1;

1.15 155A.20; 155A.23, subdivisions 8, 11, 18, by adding a subdivision; 155A.25,

1.16 subdivision 1a; 155A.27, subdivisions 1, 5a, 6, 7, 10, by adding a subdivision;

1.17 155A.271, subdivision 1; 155A.29, subdivisions 1, 4; 155A.30, subdivisions 2, 3,

1.18 4, 6, 11; 160.08, subdivision 7; 161.088, subdivisions 1, 2, 4, by adding

1.19 subdivisions; 161.115, by adding a subdivision; 161.1419, subdivision 2; 162.07,

1.20 subdivision 2; 162.13, subdivision 2; 162.145, subdivisions 2, 4; 168.002, by

1.21 adding a subdivision; 168.013, subdivision 1m, by adding subdivisions; 168.123,

1.22 subdivision 2; 168.1235, subdivision 1; 168.1253, subdivision 3; 168.27,

1.23 subdivisions 11, 31; 168.327, subdivisions 2, 3, by adding a subdivision; 168.33,

1.24 subdivision 7; 168A.01, subdivision 17b, by adding a subdivision; 168A.04,

1.25 subdivisions 1, 4; 168A.05, subdivision 3; 168A.11, subdivision 3; 168A.151,

1.26 subdivision 1; 168A.152, subdivisions 1, 1a; 168B.045; 168B.07, subdivision 1;

1.27 169.011, by adding subdivisions; 169.09, by adding a subdivision; 169.865,

1.28 subdivision 1a; 171.01, by adding a subdivision; 171.02, subdivision 3; 171.05,

1.29 subdivision 2; 171.06, by adding a subdivision; 171.061, subdivision 4; 171.07,

1.30 subdivisions 4, 15; 171.0705, by adding a subdivision; 171.12, subdivision 1a;

1.31 171.13, subdivision 1a; 174.185, as amended; 174.52, subdivision 3; 201.022, by

1.32 adding a subdivision; 201.091, subdivisions 4, 4a, by adding a subdivision; 201.121,

1.33 subdivision 1; 203B.07, subdivisions 1, 2, 3; 203B.081, subdivision 1; 203B.121,

1.34 subdivision 5, by adding subdivisions; 203B.21, subdivisions 1, 3; 203B.23,

1.35 subdivision 2; 204B.32, by adding a subdivision; 204B.36, subdivision 1; 204C.19,

1.36 subdivision 3; 204D.16; 206.83; 297A.94; 297A.993, by adding a subdivision;

1.37 299A.705, subdivision 1, by adding a subdivision; 299E.04, subdivision 5;

1.38 325F.662, subdivision 3; 325F.6641; 325F.6642; 325F.665, subdivision 14;

2.1 326A.09; 349.151, subdivision 4d; 349.1721, subdivisions 1, 2; 473.375, by adding
 2.2 subdivisions; 473.39, subdivision 7; 473.3993, subdivision 4; 473.3994, subdivision
 2.3 1a; Minnesota Statutes 2021 Supplement, sections 161.088, subdivision 5; 162.145,
 2.4 subdivision 3; 168.327, subdivision 1; 169.09, subdivision 13; 171.071, subdivision
 2.5 4; 171.13, subdivisions 1, 7; 171.27, subdivisions 1, 2; 203B.08, subdivision 1;
 2.6 203B.082; 203B.121, subdivisions 1, 4; 203B.24, subdivision 1; 206.805,
 2.7 subdivision 1; 240.131, subdivision 7; 360.55, subdivision 9; 360.59, subdivision
 2.8 10; Laws 2019, First Special Session chapter 3, article 2, section 34, subdivision
 2.9 8; Laws 2021, First Special Session chapter 5, article 1, sections 2, subdivisions
 2.10 2, 3, 4; 3; 4, subdivisions 3, 4, 5; article 4, sections 131; 143; Laws 2021, First
 2.11 Special Session chapter 12, article 1, section 6; proposing coding for new law in
 2.12 Minnesota Statutes, chapters 1; 8; 14; 15; 16B; 118A; 161; 168; 169; 171; 203B;
 2.13 211B; 473; 645; repealing Minnesota Statutes 2020, sections 13.607, subdivision
 2.14 6; 136F.03; 168.345, subdivision 1; 168A.01, subdivision 17a; 168B.15; 169.829,
 2.15 subdivision 2; 201.091, subdivision 9; 325F.6644; 326A.04, subdivision 11;
 2.16 645.071; Laws 2000, chapter 479, article 2, section 1, as amended; Minnesota
 2.17 Rules, parts 7023.0150; 7023.0200; 7023.0250; 7023.0300; 7410.6180; 7410.6420,
 2.18 subpart 3; 7410.6520, subpart 3; 7411.0535; 8835.0350, subpart 2.

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

2.20 **ARTICLE 1**

2.21 **STATE GOVERNMENT APPROPRIATIONS**

2.22 Section 1. **STATE GOVERNMENT APPROPRIATIONS.**

2.23 The sums shown in the columns marked "Appropriations" are added to or, if shown in
 2.24 parentheses, subtracted from the appropriations in Laws 2021, First Special Session chapter
 2.25 12, article 1, to the agencies and for the purposes specified in this article. The appropriations
 2.26 are from the general fund, or another named fund, and are available for the fiscal years
 2.27 indicated for each purpose. The figures "2022" and "2023" used in this article mean that
 2.28 the appropriations listed under them are available for the fiscal year ending June 30, 2022,
 2.29 or June 30, 2023, respectively. All base adjustments identified within this article are
 2.30 adjustments to the base contained in Laws 2021, First Special Session chapter 12, article
 2.31 1.

2.32 **APPROPRIATIONS**

2.33 **Available for the Year**

2.34 **Ending June 30**

2.35 **2022**

2023

| | | | | |
|---|------------------|-------------------|------------------|-------------------------|
| 2.36 Sec. 2. <u>SECRETARY OF STATE</u> | <u>\$</u> | <u>-0-</u> | <u>\$</u> | <u>6,000,000</u> |
| 2.37 <u>\$6,000,000 in fiscal year 2023 is to make</u> | | | | |
| 2.38 <u>grants to local units of government to (1) hire</u> | | | | |
| 2.39 <u>temporary staff to enter voter registration</u> | | | | |
| 2.40 <u>applications into the statewide voter</u> | | | | |
| 2.41 <u>registration system as required under</u> | | | | |

3.1 Minnesota Statutes, section 201.121,
 3.2 subdivision 1, (2) comply with livestreaming
 3.3 requirements under Minnesota Statutes,
 3.4 sections 203B.082, subdivision 2, and
 3.5 203B.121, subdivision 7, and (3) purchase
 3.6 ballot paper that conforms to the security
 3.7 marking requirements in Minnesota Statutes,
 3.8 section 204B.36, subdivision 1, paragraph (b).
 3.9 Any amounts under this section not
 3.10 encumbered by January 1, 2023, are
 3.11 transferred to the voting equipment grant
 3.12 account under Minnesota Statutes, section
 3.13 206.95, and are available until June 30, 2024.
 3.14 This is a onetime appropriation.

3.15 Sec. 3. **MINNESOTA IT SERVICES** \$ -0- \$ **4,000,000**

3.16 \$4,000,000 in fiscal year 2023 is to livestream
 3.17 and record election-related activity and to
 3.18 retain data as required under Minnesota
 3.19 Statutes, section 203B.155. The base for this
 3.20 appropriation in fiscal year 2024 and each
 3.21 fiscal year thereafter is \$1,000,000.

3.22 Sec. 4. **MILITARY AFFAIRS** \$ -0- \$ **2,000,000**

3.23 \$2,000,000 in fiscal year 2023 is for
 3.24 enlistment incentives. The base for this
 3.25 appropriation is increased by \$1,000,000 in
 3.26 fiscal year 2024 and each fiscal year thereafter.

3.27 Sec. 5. **VETERANS AFFAIRS** \$ -0- \$ **16,554,000**

3.28 For transfer to the commissioner of
 3.29 administration for the design, construction,
 3.30 and equipping of site and building
 3.31 improvements at the Bemidji, Montevideo,
 3.32 and Preston state veterans home building
 3.33 projects. This appropriation may also be
 3.34 utilized for furniture, fixtures, and equipment.

5.1 **ARTICLE 2**
 5.2 **TRANSPORTATION AND PUBLIC SAFETY APPROPRIATIONS**

5.3 Section 1. Laws 2021, First Special Session chapter 5, article 1, section 2, subdivision 2,
 5.4 is amended to read:

5.5 **Subd. 2. Multimodal Systems**

5.6 **(a) Aeronautics**

5.7 **(1) Airport Development and Assistance** 24,198,000 18,598,000

5.8 Appropriations by Fund

| 5.9 | | 2022 | 2023 |
|------|----------|------------|------------|
| 5.10 | General | 5,600,000 | -0- |
| 5.11 | Airports | 18,598,000 | 18,598,000 |

5.12 This appropriation is from the state airports
 5.13 fund and must be spent according to
 5.14 Minnesota Statutes, section 360.305,
 5.15 subdivision 4.

5.16 \$5,600,000 in fiscal year 2022 is from the
 5.17 general fund for a grant to the city of Karlstad
 5.18 for the acquisition of land, predesign, design,
 5.19 engineering, and construction of a primary
 5.20 airport runway.

5.21 Notwithstanding Minnesota Statutes, section
 5.22 16A.28, subdivision 6, this appropriation is
 5.23 available for five years after the year of the
 5.24 appropriation. If the appropriation for either
 5.25 year is insufficient, the appropriation for the
 5.26 other year is available for it.

5.27 If the commissioner of transportation
 5.28 determines that a balance remains in the state
 5.29 airports fund following the appropriations
 5.30 made in this article and that the appropriations
 5.31 made are insufficient for advancing airport
 5.32 development and assistance projects, an
 5.33 amount necessary to advance the projects, not

6.1 to exceed the balance in the state airports fund,
 6.2 is appropriated in each year to the
 6.3 commissioner and must be spent according to
 6.4 Minnesota Statutes, section 360.305,
 6.5 subdivision 4. Within two weeks of a
 6.6 determination under this contingent
 6.7 appropriation, the commissioner of
 6.8 transportation must notify the commissioner
 6.9 of management and budget and the chairs,
 6.10 ranking minority members, and staff of the
 6.11 legislative committees with jurisdiction over
 6.12 transportation finance concerning the funds
 6.13 appropriated. Funds appropriated under this
 6.14 contingent appropriation do not adjust the base
 6.15 for fiscal years 2024 and 2025.

6.16 **(2) Aviation Support Services** 8,332,000 8,340,000

| | | | |
|------|------------------------|-----------|-----------|
| 6.17 | Appropriations by Fund | | |
| 6.18 | | 2022 | 2023 |
| 6.19 | General | 1,650,000 | 1,650,000 |
| 6.20 | Airports | 6,682,000 | 6,690,000 |

6.21 \$28,000 in fiscal year 2022 and \$36,000 in
 6.22 fiscal year 2023 are from the state airports
 6.23 fund for costs related to regulating unmanned
 6.24 aircraft systems.

6.25 **(3) Civil Air Patrol** 80,000 80,000

6.26 This appropriation is from the state airports
 6.27 fund for the Civil Air Patrol.

6.28 **(b) Transit and Active Transportation** 23,501,000 18,201,000

6.29 This appropriation is from the general fund.
 6.30 \$5,000,000 in fiscal year 2022 is for the active
 6.31 transportation program under Minnesota
 6.32 Statutes, section 174.38. This is a onetime
 6.33 appropriation and is available until June 30,
 6.34 2025.

7.1 \$300,000 in fiscal year 2022 is for a grant to
 7.2 the 494 Corridor Commission. The
 7.3 commissioner must not retain any portion of
 7.4 the funds appropriated under this section. The
 7.5 commissioner must make grant payments in
 7.6 full by December 31, 2021. Funds under this
 7.7 grant are for programming and service
 7.8 expansion to assist companies and commuters
 7.9 in telecommuting efforts and promotion of
 7.10 best practices. A grant recipient must provide
 7.11 telework resources, assistance, information,
 7.12 and related activities on a statewide basis. This
 7.13 is a onetime appropriation.

7.14 **(c) Safe Routes to School** 5,500,000 ~~500,000~~ 1,500,000

7.15 This appropriation is from the general fund
 7.16 for the safe routes to school program under
 7.17 Minnesota Statutes, section 174.40.

7.18 If the appropriation for either year is
 7.19 insufficient, the appropriation for the other
 7.20 year is available for it.

7.21 The base is \$3,000,000 in fiscal year 2024 and
 7.22 \$11,000,000 in fiscal year 2025.

7.23 **(d) Passenger Rail** 10,500,000 ~~500,000~~ -0-

7.24 This appropriation is from the general fund
 7.25 for passenger rail activities under Minnesota
 7.26 Statutes, sections 174.632 to 174.636.

7.27 \$10,000,000 in fiscal year 2022 is for final
 7.28 design and construction to provide for a
 7.29 second daily Amtrak train service between
 7.30 Minneapolis and St. Paul and Chicago. The
 7.31 commissioner may expend funds for program
 7.32 delivery and administration from this amount.
 7.33 This is a onetime appropriation and is
 7.34 available until June 30, 2025.

| | | | | |
|------|---|-----------|-------------|-------------|
| 8.1 | (e) Freight | | 8,342,000 | 7,323,000 |
| 8.2 | Appropriations by Fund | | | |
| 8.3 | | 2022 | 2023 | |
| 8.4 | General | 2,464,000 | 1,445,000 | |
| 8.5 | Trunk Highway | 5,878,000 | 5,878,000 | |
| 8.6 | \$1,000,000 in fiscal year 2022 is from the | | | |
| 8.7 | general fund for procurement costs of a | | | |
| 8.8 | statewide freight network optimization tool. | | | |
| 8.9 | This is a onetime appropriation and is | | | |
| 8.10 | available until June 30, 2023. | | | |
| 8.11 | \$350,000 in fiscal year 2022 and \$287,000 in | | | |
| 8.12 | fiscal year 2023 are from the general fund for | | | |
| 8.13 | two additional rail safety inspectors in the state | | | |
| 8.14 | rail safety inspection program under | | | |
| 8.15 | Minnesota Statutes, section 219.015. In each | | | |
| 8.16 | year, the commissioner must not increase the | | | |
| 8.17 | total assessment amount under Minnesota | | | |
| 8.18 | Statutes, section 219.015, subdivision 2, from | | | |
| 8.19 | the most recent assessment amount. | | | |
| 8.20 | Sec. 2. Laws 2021, First Special Session chapter 5, article 1, section 2, subdivision 3, is | | | |
| 8.21 | amended to read: | | | |
| 8.22 | Subd. 3. State Roads | | | |
| 8.23 | (a) Operations and Maintenance | | 370,975,000 | 369,481,000 |
| 8.24 | \$2,130,000 in each year is for liquid deicing | | | |
| 8.25 | chemicals and storage and application | | | |
| 8.26 | equipment to reduce road salt use. This is a | | | |
| 8.27 | onetime appropriation. | | | |
| 8.28 | The base is \$367,351,000 in each of fiscal | | | |
| 8.29 | years 2024 and 2025. | | | |
| 8.30 | (b) Program Planning and Delivery | | | |
| 8.31 | (1) Planning and Research | | 31,690,000 | 31,190,000 |

- 9.1 The commissioner may use any balance
 9.2 remaining in this appropriation for program
 9.3 delivery under clause (2).
- 9.4 Up to \$500,000 in fiscal year 2022 is for safety
 9.5 improvements in Department of
 9.6 Transportation District 1, to perform cost
 9.7 estimating, environmental permitting, and
 9.8 preliminary engineering on trunk highway
 9.9 segments with a continuous freeway or
 9.10 expressway gap.
- 9.11 \$130,000 in each year is available for
 9.12 administrative costs of the targeted group
 9.13 business program.
- 9.14 \$266,000 in each year is available for grants
 9.15 to metropolitan planning organizations outside
 9.16 the seven-county metropolitan area.
- 9.17 \$900,000 in each year is available for grants
 9.18 for transportation studies outside the
 9.19 metropolitan area to identify critical concerns,
 9.20 problems, and issues. These grants are
 9.21 available: (1) to regional development
 9.22 commissions; (2) in regions where no regional
 9.23 development commission is functioning, to
 9.24 joint powers boards established under
 9.25 agreement of two or more political
 9.26 subdivisions in the region to exercise the
 9.27 planning functions of a regional development
 9.28 commission; and (3) in regions where no
 9.29 regional development commission or joint
 9.30 powers board is functioning, to the Department
 9.31 of Transportation district office for that region.
- 9.32 **(2) Program Delivery** 231,028,000 231,028,000

10.1 This appropriation includes use of consultants
 10.2 to support development and management of
 10.3 projects.

10.4 \$1,000,000 in each year is available for
 10.5 management of contaminated and regulated
 10.6 material on property owned by the Department
 10.7 of Transportation, including mitigation of
 10.8 property conveyances, facility acquisition or
 10.9 expansion, chemical release at maintenance
 10.10 facilities, and spills on the trunk highway
 10.11 system where there is no known responsible
 10.12 party. If the appropriation for either year is
 10.13 insufficient, the appropriation for the other
 10.14 year is available for it.

| | | | |
|-------|------------------------------------|---------------|--------------------|
| 10.15 | | | <u>974,282,000</u> |
| 10.16 | (c) State Road Construction | 1,131,925,000 | <u>975,032,000</u> |

10.17 This appropriation is for the actual
 10.18 construction, reconstruction, and improvement
 10.19 of trunk highways, including design-build
 10.20 contracts, internal department costs associated
 10.21 with delivering the construction program,
 10.22 consultant usage to support these activities,
 10.23 and the cost of actual payments to landowners
 10.24 for lands acquired for highway rights-of-way,
 10.25 payment to lessees, interest subsidies, and
 10.26 relocation expenses.

10.27 This appropriation includes federal highway
 10.28 aid. The commissioner of transportation must
 10.29 notify the chairs, ranking minority members,
 10.30 and staff of the legislative committees with
 10.31 jurisdiction over transportation finance of any
 10.32 significant events that cause the estimates of
 10.33 federal aid to change.

10.34 The commissioner may expend up to one-half
 10.35 of one percent of the federal appropriations

11.1 under this paragraph as grants to opportunity
 11.2 industrialization centers and other nonprofit
 11.3 job training centers for job training programs
 11.4 related to highway construction.

11.5 The commissioner may transfer up to
 11.6 \$15,000,000 in each year to the transportation
 11.7 revolving loan fund.

11.8 The commissioner may receive money
 11.9 covering other shares of the cost of partnership
 11.10 projects. These receipts are appropriated to
 11.11 the commissioner for these projects.

| | | | |
|-------|----------------------------------|------------|-------------------|
| 11.12 | | | 25,000,000 |
| 11.13 | (d) Corridors of Commerce | 25,000,000 | <u>27,000,000</u> |

11.14 This appropriation is for the corridors of
 11.15 commerce program under Minnesota Statutes,
 11.16 section 161.088. The commissioner may use
 11.17 up to 17 percent of the amount in each year
 11.18 for program delivery.

| | | | |
|-------|---------------------------------|-------------|-------------|
| 11.19 | (e) Highway Debt Service | 235,849,000 | 281,064,000 |
|-------|---------------------------------|-------------|-------------|

11.20 \$232,849,000 in fiscal year 2022 and
 11.21 \$278,064,000 in fiscal year 2023 are for
 11.22 transfer to the state bond fund. If this
 11.23 appropriation is insufficient to make all
 11.24 transfers required in the year for which it is
 11.25 made, the commissioner of management and
 11.26 budget must transfer the deficiency amount
 11.27 as provided under Minnesota Statutes, section
 11.28 16A.641, and notify the chairs, ranking
 11.29 minority members, and staff of the legislative
 11.30 committees with jurisdiction over
 11.31 transportation finance and the chairs of the
 11.32 senate Finance Committee and the house of
 11.33 representatives Ways and Means Committee
 11.34 of the amount of the deficiency. Any excess

12.1 appropriation cancels to the trunk highway
12.2 fund.

12.3 The base is \$293,444,000 in fiscal year 2024
12.4 and \$323,116,000 in fiscal year 2025.

12.5 **(f) Statewide Radio Communications** 6,239,000 6,239,000

12.6 Appropriations by Fund

12.7 2022 2023

12.8 General 3,000 3,000

12.9 Trunk Highway 6,236,000 6,236,000

12.10 \$3,000 in each year is from the general fund

12.11 to equip and operate the Roosevelt signal

12.12 tower for Lake of the Woods weather

12.13 broadcasting.

12.14 Sec. 3. Laws 2021, First Special Session chapter 5, article 1, section 2, subdivision 4, is
12.15 amended to read:

12.16 **Subd. 4. Local Roads**

12.17 871,591,000
12.18 **(a) County State-Aid Highways** 862,542,000 937,385,000

12.19 Appropriations by Fund

12.20 2022 2023

12.21 General 12,000,000 -0-

12.22 ~~871,591,000~~

12.23 C.S.A.H. 850,542,000 937,385,000

12.24 This appropriation from the county state-aid
12.25 highway fund is under Minnesota Statutes,
12.26 sections 161.081 and 297A.815, subdivision
12.27 3, and chapter 162, and is available until June
12.28 30, 2031.

12.29 \$12,000,000 in fiscal year 2022 is from the
12.30 general fund for town roads, to be distributed
12.31 in the manner provided under Minnesota
12.32 Statutes, section 162.081. This is a onetime

13.1 appropriation and is available until June 30,
13.2 2023.

13.3 If the commissioner of transportation
13.4 determines that a balance remains in the
13.5 county state-aid highway fund following the
13.6 appropriations and transfers made in this
13.7 paragraph and that the appropriations made
13.8 are insufficient for advancing county state-aid
13.9 highway projects, an amount necessary to
13.10 advance the projects, not to exceed the balance
13.11 in the county state-aid highway fund, is
13.12 appropriated in each year to the commissioner.
13.13 Within two weeks of a determination under
13.14 this contingent appropriation, the
13.15 commissioner of transportation must notify
13.16 the commissioner of management and budget
13.17 and the chairs, ranking minority members, and
13.18 staff of the legislative committees with
13.19 jurisdiction over transportation finance
13.20 concerning funds appropriated. The
13.21 commissioner must identify in the next budget
13.22 submission to the legislature under Minnesota
13.23 Statutes, section 16A.11, any amount that is
13.24 appropriated under this paragraph.

13.25
13.26 **(b) Municipal State-Aid Streets** 212,677,000 218,139,000
229,540,000

13.27 This appropriation is from the municipal
13.28 state-aid street fund under Minnesota Statutes,
13.29 chapter 162, and is available until June 30,
13.30 2031.

13.31 If the commissioner of transportation
13.32 determines that a balance remains in the
13.33 municipal state-aid street fund following the
13.34 appropriations and transfers made in this
13.35 paragraph and that the appropriations made

14.1 are insufficient for advancing municipal
 14.2 state-aid street projects, an amount necessary
 14.3 to advance the projects, not to exceed the
 14.4 balance in the municipal state-aid street fund,
 14.5 is appropriated in each year to the
 14.6 commissioner. Within two weeks of a
 14.7 determination under this contingent
 14.8 appropriation, the commissioner of
 14.9 transportation must notify the commissioner
 14.10 of management and budget and the chairs,
 14.11 ranking minority members, and staff of the
 14.12 legislative committees with jurisdiction over
 14.13 transportation finance concerning funds
 14.14 appropriated. The commissioner must identify
 14.15 in the next budget submission to the legislature
 14.16 under Minnesota Statutes, section 16A.11, any
 14.17 amount that is appropriated under this
 14.18 paragraph.

14.19 **(c) Other Local Roads**

14.20 **(1) Local Bridges**

14,000,000

-0-

14.21 This appropriation is from the general fund to
 14.22 replace or rehabilitate local deficient bridges
 14.23 under Minnesota Statutes, section 174.50. This
 14.24 is a onetime appropriation and is available
 14.25 until June 30, 2025.

14.26 **(2) Local Road Improvement**

5,500,000

-0-

14.27 This appropriation is from the general fund
 14.28 for construction and reconstruction of local
 14.29 roads under Minnesota Statutes, section
 14.30 174.52. This is a onetime appropriation and
 14.31 is available until June 30, 2025.

14.32 **(3) Small Cities Assistance**

18,000,000

-0-

14.33 This appropriation is from the general fund
 14.34 for the small cities assistance program under

15.1 Minnesota Statutes, section 162.145. This is
 15.2 a onetime appropriation and is available until
 15.3 June 30, 2023.

15.4 Sec. 4. Laws 2021, First Special Session chapter 5, article 1, section 3, is amended to read:

15.5 **Sec. 3. METROPOLITAN COUNCIL**

| | | | |
|------|---|--------------------------|--------------------------|
| 15.6 | | | <u>88,630,000</u> |
| 15.7 | Subdivision 1. Total Appropriation | \$ 147,070,000 \$ | <u>78,630,000</u> |

15.8 The appropriations in this section are from the
 15.9 general fund to the Metropolitan Council.

15.10 The amounts that may be spent for each
 15.11 purpose are specified in the following
 15.12 subdivisions.

| | | | |
|-------|---|-------------------|--------------------------|
| 15.13 | | | <u>32,654,000</u> |
| 15.14 | Subd. 2. Transit System Operations | 90,654,000 | <u>22,654,000</u> |

15.15 This appropriation is for transit system
 15.16 operations under Minnesota Statutes, sections
 15.17 473.371 to 473.449.

15.18 \$250,000 in fiscal year 2022 is for the
 15.19 zero-emission transit vehicle transition plan
 15.20 under Minnesota Statutes, section 473.3927.

15.21 \$250,000 in fiscal year 2022 is for an analysis
 15.22 of transit service improvements in the marked
 15.23 Trunk Highway 55 corridor from Medina to
 15.24 downtown Minneapolis. At a minimum, the
 15.25 analysis must include options for highway bus
 15.26 rapid transit service. The council must ensure
 15.27 that the analysis is performed in a manner that
 15.28 does not conflict with requirements for federal
 15.29 transit or transitway grants. The council may
 15.30 provide a grant to a local unit of government
 15.31 to perform the analysis. This appropriation is
 15.32 not available until the council determines that

16.1 at least an equal amount is committed from
 16.2 nonstate sources.
 16.3 \$57,500,000 in fiscal year 2022 is for arterial
 16.4 bus rapid transit projects, including but not
 16.5 limited to predesign, design, engineering,
 16.6 environmental analysis and mitigation,
 16.7 right-of-way acquisition, construction, and
 16.8 acquisition of rolling stock. This is a onetime
 16.9 appropriation and is available until June 30,
 16.10 2025.

16.11 **Subd. 3. Metro Mobility** 56,416,000 55,976,000

16.12 This appropriation is for Metro Mobility under
 16.13 Minnesota Statutes, section 473.386.

16.14 Sec. 5. Laws 2021, First Special Session chapter 5, article 1, section 4, subdivision 3, is
 16.15 amended to read:

16.16 **Subd. 3. State Patrol**

16.17 112,170,000
 16.18 **(a) Patrolling Highways** 113,823,000 112,535,000

| 16.19 Appropriations by Fund | | | |
|------------------------------|---------------|-------------|------------------------|
| | 2022 | 2023 | |
| 16.20 | | | |
| 16.21 | General | 37,000 | 37,000 |
| 16.22 | H.U.T.D. | 92,000 | 92,000 |
| 16.23 | | | 112,041,000 |
| 16.24 | Trunk Highway | 113,694,000 | <u>112,406,000</u> |

16.25 \$3,524,000 in fiscal year 2022 and \$2,822,000
 16.26 in fiscal year 2023 are from the trunk highway
 16.27 fund for the purchase, deployment, and
 16.28 management of body-worn cameras.

16.29 \$7,718,000 in fiscal year 2022 and \$6,767,000
 16.30 in fiscal year 2023 are from the trunk highway
 16.31 fund for staff and equipment costs of
 16.32 additional patrol troopers.

| | | | |
|-------|---|------------|------------|
| 17.1 | <u>\$365,000 in fiscal year 2023 is for increased</u> | | |
| 17.2 | <u>maintenance and other costs related to the</u> | | |
| 17.3 | <u>purchase of additional and replacement state</u> | | |
| 17.4 | <u>patrol aircraft.</u> | | |
| 17.5 | (b) Commercial Vehicle Enforcement | 10,180,000 | 10,046,000 |
| 17.6 | \$494,000 in fiscal year 2022 and \$360,000 in | | |
| 17.7 | fiscal year 2023 are for the purchase, | | |
| 17.8 | deployment, and management of body-worn | | |
| 17.9 | cameras. | | |
| 17.10 | (c) Capitol Security | 20,610,000 | 16,667,000 |
| 17.11 | This appropriation is from the general fund. | | |
| 17.12 | \$449,000 in fiscal year 2022 and \$395,000 in | | |
| 17.13 | fiscal year 2023 are for the purchase, | | |
| 17.14 | deployment, and management of body-worn | | |
| 17.15 | cameras. | | |
| 17.16 | \$8,863,000 in fiscal year 2022 and \$4,420,000 | | |
| 17.17 | in fiscal year 2023 are for staff and equipment | | |
| 17.18 | costs of additional troopers and nonsworn | | |
| 17.19 | officers. | | |
| 17.20 | The commissioner must not: | | |
| 17.21 | (1) spend any money from the trunk highway | | |
| 17.22 | fund for capitol security; or | | |
| 17.23 | (2) permanently transfer any state trooper from | | |
| 17.24 | the patrolling highways activity to capitol | | |
| 17.25 | security. | | |
| 17.26 | The commissioner must not transfer any | | |
| 17.27 | money appropriated to the commissioner under | | |
| 17.28 | this section: | | |
| 17.29 | (1) to capitol security; or | | |
| 17.30 | (2) from capitol security. | | |
| 17.31 | (d) Vehicle Crimes Unit | 888,000 | 884,000 |

18.1 This appropriation is from the highway user
 18.2 tax distribution fund to investigate:
 18.3 (1) registration tax and motor vehicle sales tax
 18.4 liabilities from individuals and businesses that
 18.5 currently do not pay all taxes owed; and
 18.6 (2) illegal or improper activity related to the
 18.7 sale, transfer, titling, and registration of motor
 18.8 vehicles.
 18.9 \$22,000 in fiscal year 2022 and \$18,000 in
 18.10 fiscal year 2023 are for the purchase,
 18.11 deployment, and management of body-worn
 18.12 cameras.

18.13 Sec. 6. Laws 2021, First Special Session chapter 5, article 1, section 4, subdivision 4, is
 18.14 amended to read:

18.15 **Subd. 4. Driver and Vehicle Services**

| | | | |
|-------|----------------------------|------------|-------------------|
| 18.16 | | | <u>39,685,000</u> |
| 18.17 | (a) Driver Services | 44,820,000 | <u>42,017,000</u> |

18.18 This appropriation is from the driver services
 18.19 operating account in the special revenue fund
 18.20 under Minnesota Statutes, section 299A.705,
 18.21 subdivision 2.

18.22 \$2,598,000 in each year is for costs to reopen
 18.23 all driver's license examination stations that
 18.24 were closed in 2020 due to the COVID-19
 18.25 pandemic. This amount is not available for the
 18.26 public information center, general
 18.27 administration, or operational support. This is
 18.28 a onetime appropriation.

18.29 \$2,229,000 in fiscal year 2022 and \$155,000
 18.30 in fiscal year 2023 are for costs of a pilot
 18.31 project for same-day issuance of drivers'
 18.32 licenses and state identification cards.

- 19.1 \$500,000 is for the installation and
19.2 maintenance of security cameras at Driver and
19.3 Vehicle Services exam sites. This is a onetime
19.4 appropriation.
- 19.5 \$1,250,000 is for reimbursement to deputy
19.6 registrars and driver's license agents for the
19.7 purchase and installation of security cameras
19.8 at deputy registrar or driver's license agent
19.9 office locations. Deputy registrars and driver's
19.10 license agents may submit applications to the
19.11 commissioner for reimbursement of funds
19.12 spent to purchase and install security cameras.
19.13 When approving applications, the
19.14 commissioner must prioritize offices that do
19.15 not currently have security cameras installed.
19.16 This is a onetime appropriation.
- 19.17 \$45,000 is for costs related to applications for
19.18 veteran designations on drivers' licenses and
19.19 identification cards. This is a onetime
19.20 appropriation.
- 19.21 \$108,000 is for administration and oversight
19.22 costs related to online driver's education under
19.23 Minnesota Statutes, section 171.395. The base
19.24 for this appropriation is \$49,000 in each of
19.25 fiscal years 2024 and 2025.
- 19.26 \$429,000 is for administration and oversight
19.27 costs of the third-party road testing program
19.28 for commercial drivers' licenses under
19.29 Minnesota Statutes, section 171.135. The base
19.30 for this appropriation is \$390,000 in each of
19.31 fiscal years 2024 and 2025.
- 19.32 The base is ~~\$36,398,000~~ \$36,837,000 in each
19.33 of fiscal years 2024 and 2025.

| | | | | |
|------|-----------------------------|--|------------|-------------------|
| 20.1 | | | | <u>35,535,000</u> |
| 20.2 | (b) Vehicle Services | | 37,418,000 | <u>31,334,000</u> |

20.3 Appropriations by Fund

| 20.4 | | 2022 | 2023 | |
|------|-----------------|------------|-------------------|--|
| 20.5 | H.U.T.D. | 686,000 | -0- | |
| 20.6 | | | <u>35,535,000</u> | |
| 20.7 | Special Revenue | 36,732,000 | <u>31,334,000</u> | |

20.8 The special revenue fund appropriation is from
 20.9 the vehicle services operating account under
 20.10 Minnesota Statutes, section 299A.705,
 20.11 subdivision 1.

20.12 \$200,000 in fiscal year 2022 is from the
 20.13 vehicle services operating account for the
 20.14 independent expert review of MnDRIVE under
 20.15 article 4, section 144, for expenses of the chair
 20.16 and the review team related to work completed
 20.17 pursuant to that section, including any
 20.18 contracts entered into. This is a onetime
 20.19 appropriation.

20.20 \$250,000 in fiscal year 2022 is from the
 20.21 vehicle services operating account for
 20.22 programming costs related to the
 20.23 implementation of self-service kiosks for
 20.24 vehicle registration renewal. This is a onetime
 20.25 appropriation and is available in fiscal year
 20.26 2023.

20.27 The base is ~~\$33,788,000~~ \$29,587,000 in each
 20.28 of fiscal years 2024 and 2025.

20.29 Sec. 7. Laws 2021, First Special Session chapter 5, article 1, section 4, subdivision 5, is
 20.30 amended to read:

| | | | | |
|-------|--------------------------------|--|-----------|-------------------|
| 20.31 | | | | <u>8,464,000</u> |
| 20.32 | Subd. 5. Traffic Safety | | 8,477,000 | <u>12,464,000</u> |

20.33 Appropriations by Fund

| 20.34 | | 2022 | 2023 | |
|-------|--|------|------|--|
|-------|--|------|------|--|

| | | | |
|------|---------------|-----------|----------------------|
| 21.1 | | | 7,970,000 |
| 21.2 | General | 7,983,000 | <u>11,970,000</u> |
| 21.3 | Trunk Highway | 494,000 | 494,000 |

21.4 \$7,398,000 in fiscal year 2022 and ~~\$7,398,000~~
 21.5 \$11,398,000 in fiscal year 2023 are from the
 21.6 general fund for grants to school districts,
 21.7 nonpublic schools, charter schools, and
 21.8 companies that provide school bus services,
 21.9 for the purchase and installation of school bus
 21.10 stop-signal arm camera systems. In awarding
 21.11 grants, the commissioner must prioritize:
 21.12 regular route type A, B, C, and D buses; newer
 21.13 buses; and buses that do not already have a
 21.14 stop-signal arm or forward-facing camera.
 21.15 Cameras purchased with grants awarded
 21.16 pursuant to this section must be used within
 21.17 the state. When implementing the grant
 21.18 program, the commissioner must require grant
 21.19 recipients to submit an estimate of the
 21.20 recipient's anticipated ongoing costs associated
 21.21 with the use of the cameras, including but not
 21.22 limited to costs for operating and maintaining
 21.23 the cameras, identifying violations, and
 21.24 methods for compiling video evidence of
 21.25 violations and providing the evidence to law
 21.26 enforcement. If the money in the account is
 21.27 sufficient to fund all requests, the
 21.28 commissioner must not require a local match.
 21.29 The commissioner may seek assistance from
 21.30 the commissioner of education in
 21.31 administering the grants. The base for this
 21.32 appropriation from the general fund is
 21.33 \$8,000,000 in fiscal year 2024 and \$0 in fiscal
 21.34 year 2025. This is a onetime appropriation and
 21.35 is available until June 30, 2025.

22.1 \$110,000 in fiscal year 2022 and \$94,000 in
 22.2 fiscal year 2023 are from the general fund for
 22.3 staff costs to administer grants for school bus
 22.4 stop-signal arm cameras. This is a onetime
 22.5 appropriation and is available until June 30,
 22.6 2025.

22.7 ~~The base for the general fund is \$478,000 in~~
 22.8 ~~each of fiscal years 2024 and 2025.~~

22.9 **Sec. 8. APPROPRIATION; COON RAPIDS; TRUNK HIGHWAY 610.**

22.10 \$3,600,000 in fiscal year 2023 is appropriated from the trunk highway fund to the
 22.11 commissioner of transportation for one or more grants to the city of Coon Rapids or Anoka
 22.12 County for interchange improvements, including right-of-way acquisition and construction,
 22.13 at marked Trunk Highway 610 and County State-Aid Highway 1, East River Road, and the
 22.14 associated frontage roads, backage roads, connecting local streets, and any associated water
 22.15 and sanitary sewer infrastructure improvements if necessary or required for the construction
 22.16 of the interchange improvements. This appropriation is for the portion of the project that is
 22.17 eligible for use of trunk highway funds. This appropriation does not require a nonstate
 22.18 contribution. This is a onetime appropriation and is available until June 30, 2025.

22.19 **Sec. 9. APPROPRIATION; FREIGHT RAIL CAR STORAGE FACILITY.**

22.20 \$750,000 in fiscal year 2023 is appropriated from the rail service improvement account
 22.21 in the special revenue fund under Minnesota Statutes, section 222.49, to the commissioner
 22.22 of transportation for a grant to the city of Lakeville for planning, preliminary engineering,
 22.23 and environmental analysis of a freight rail car storage facility in Lakeville. This is a onetime
 22.24 appropriation.

22.25 **Sec. 10. APPROPRIATION; INTERSTATE 35 AND DAKOTA COUNTY**
 22.26 **STATE-AID HIGHWAY 50 INTERCHANGE.**

22.27 \$42,000,000 in fiscal year 2023 is appropriated from the trunk highway fund to the
 22.28 commissioner of transportation for predesign, design, engineering, and construction of the
 22.29 interchange at marked Interstate 35 and Dakota County State-Aid Highway 50 in Lakeville.
 22.30 This appropriation is for the portion of the project that is eligible for use of trunk highway
 22.31 funds. This appropriation does not require a nonstate contribution. This is a onetime
 22.32 appropriation and is available until June 30, 2025.

23.1 Sec. 11. **APPROPRIATION; INTERSTATE HIGHWAY 35 AND 400TH STREET**
 23.2 **INTERCHANGE, NORTH BRANCH.**

23.3 \$1,500,000 in fiscal year 2023 is appropriated from the trunk highway fund to the
 23.4 commissioner of transportation for a grant to the city of North Branch for predesign, design,
 23.5 and right-of-way acquisition to construct an interchange at Interstate Highway 35 and 400th
 23.6 Street in the city of North Branch. This appropriation is for the portion of the project that
 23.7 is eligible for use of trunk highway funds. This is a onetime appropriation and is available
 23.8 until June 30, 2025.

23.9 Sec. 12. **APPROPRIATION; INTERSTATE 94 EXPANSION.**

23.10 \$33,000,000 in fiscal year 2023 is appropriated from the trunk highway fund to the
 23.11 commissioner of transportation to construct a third travel lane in each direction of marked
 23.12 Interstate Highway 94 from the interchange with County State-Aid Highway 19 in the city
 23.13 of Albertville to the interchange with marked Trunk Highway 25 in the city of Monticello.
 23.14 This is a onetime appropriation and is available until June 30, 2025.

23.15 Sec. 13. **APPROPRIATION; OAKDALE NOISE BARRIER.**

23.16 \$5,500,000 in fiscal year 2023 is appropriated from the general fund to the commissioner
 23.17 of transportation to design and construct a noise barrier on the east side of marked Interstate
 23.18 Highway 694 in Oakdale between the intersection with 15th Street North and the intersection
 23.19 with Stillwater Boulevard North. Where there are existing berms or other noise barriers on
 23.20 this segment of road, no additional noise barrier is required. This is a onetime appropriation.

23.21 Sec. 14. **APPROPRIATION; OFFICE OF TRAFFIC SAFETY.**

23.22 \$19,000 in fiscal year 2023 is appropriated from the driver and vehicle services
 23.23 technology account in the special revenue fund to the commissioner of public safety for the
 23.24 cost of records access enhancements to the MNCrash information technology system. This
 23.25 is a onetime appropriation.

23.26 Sec. 15. **APPROPRIATION; STATE PATROL AIRCRAFT.**

23.27 (a) \$38,000,000 is appropriated in fiscal year 2023 from the general fund to the
 23.28 commissioner of public safety to purchase three twin-engine helicopters for the State Patrol.
 23.29 This is a onetime appropriation and is available until June 30, 2024.

24.1 (b) \$7,100,000 is appropriated in fiscal year 2023 from the general fund to the
24.2 commissioner of public safety to purchase three airplanes for the State Patrol. This is a
24.3 onetime appropriation and is available until June 30, 2024.

24.4 (c) The proceeds from the sale of an aircraft purchased under paragraph (a) or (b) must
24.5 be credited to the general fund.

24.6 **Sec. 16. APPROPRIATION; TRUNK HIGHWAY 23 INTERCHANGE.**

24.7 (a) \$500,000 in fiscal year 2023 is appropriated from the trunk highway fund to the
24.8 commissioner of transportation to study options for the intersection of marked Trunk
24.9 Highway 9 and marked Trunk Highway 23 in the city of New London. The study must
24.10 determine if an underpass, overpass, or tunnel is the best option for improving the safety
24.11 of the intersection. The study must not consider a J-turn as an option. This is a onetime
24.12 appropriation.

24.13 (b) \$29,100,000 in fiscal year 2023 is appropriated from the trunk highway fund to the
24.14 commissioner of transportation to make safety improvements to the intersection of marked
24.15 Trunk Highway 9 and marked Trunk Highway 23, including predesign, design, engineering,
24.16 and construction of an underpass, overpass, or tunnel as determined by the study in paragraph
24.17 (a). This appropriation must not be used for a J-turn at the intersection. This is a onetime
24.18 appropriation and is available until June 30, 2025.

24.19 **Sec. 17. APPROPRIATION; TRUNK HIGHWAY 50 SAFETY IMPROVEMENTS.**

24.20 \$10,000,000 in fiscal year 2023 is appropriated from the trunk highway fund to the
24.21 commissioner of transportation for a grant to Dakota County for predesign, design,
24.22 engineering, and construction of safety improvements on marked Trunk Highway 50 between
24.23 U.S. Highway 52 and U.S. Highway 61. This project includes improvement and restoration
24.24 of pavement structure, drainage improvements, culvert replacement, ensuring a traversable
24.25 safety slope, and reconstructing the intersections with County State-Aid Highway 85 and
24.26 Hogan Avenue for pedestrian safety and compliance with the Americans with Disabilities
24.27 Act. This appropriation is for the portions of the project that are eligible for use of trunk
24.28 highway funds. This appropriation does not require a nonstate contribution. This is a onetime
24.29 appropriation and is available until June 30, 2025.

25.1 Sec. 18. **APPROPRIATION; U.S. HIGHWAY 52 INTERCHANGE AT DAKOTA**
25.2 **COUNTY STATE-AID HIGHWAY 66.**

25.3 \$15,000,000 in fiscal year 2023 is appropriated from the trunk highway fund to the
25.4 commissioner of transportation for predesign, design, engineering, and construction of an
25.5 interchange in the vicinity of County State-Aid Highway 66 and County Road 62 at their
25.6 intersections with U.S. Highway 52 in Vermillion Township. This appropriation is for the
25.7 portion of the project that is eligible for use of trunk highway funds. This appropriation
25.8 does not require a nonstate contribution. This is a onetime appropriation and is available
25.9 until June 30, 2025.

25.10 Sec. 19. **APPROPRIATION; TRUNK HIGHWAY 65 IMPROVEMENTS.**

25.11 \$15,000,000 in fiscal year 2023 is appropriated from the trunk highway fund to the
25.12 commissioner of transportation for one or more grants to the city of Blaine for the predesign,
25.13 right-of-way acquisition, design, engineering, and construction of intersection improvements
25.14 along Trunk Highway 65 at 99th Avenue Northeast and the associated frontage roads and
25.15 backage roads within the trunk highway system. This appropriation is for the portion of the
25.16 project that is eligible for use of trunk highway funds. This appropriation does not require
25.17 a nonstate contribution. This is a onetime appropriation and is available until June 30, 2025.

25.18 Sec. 20. **APPROPRIATION; TRUNK HIGHWAY 73.**

25.19 \$43,000,000 in fiscal year 2023 is appropriated from the trunk highway fund to the
25.20 commissioner of transportation for engineering, right-of-way acquisition, and construction
25.21 to realign portions of marked Trunk Highway 73 south of the city of Cromwell. This is a
25.22 onetime appropriation and is available until June 30, 2025.

25.23 Sec. 21. **APPROPRIATION; TRUNK HIGHWAY 74.**

25.24 \$488,000 in fiscal year 2023 is appropriated from the trunk highway fund to the
25.25 commissioner of transportation to use Otta seal to regrade 3.9 miles of marked Trunk
25.26 Highway 74 north of Elba to Winona County State-Aid Highway 30 in Winona County,
25.27 including design, engineering, construction, and acquisition of right-of-way. This is a onetime
25.28 appropriation and is available until June 30, 2025.

26.1 Sec. 22. **APPROPRIATION; U.S. HIGHWAY 169 AND SCOTT COUNTY**
26.2 **STATE-AID HIGHWAY 9 INTERCHANGE.**

26.3 \$4,200,000 in fiscal year 2023 is appropriated from the trunk highway fund to the
26.4 commissioner of transportation for a grant to Scott County, the city of Jordan, or both to
26.5 design and construct trunk highway improvements associated with an interchange at U.S.
26.6 Highway 169, marked Trunk Highway 282, and Scott County State-Aid Highway 9, including
26.7 bicycle and pedestrian accommodations, bridge construction, and road construction. This
26.8 appropriation is for the portion of the project that is eligible for use of trunk highway funds.
26.9 This is a onetime appropriation and is available until June 30, 2025.

26.10 Sec. 23. **APPROPRIATION; TRUNK HIGHWAY 610 AND INTERSTATE**
26.11 **HIGHWAY 94 INTERCHANGE.**

26.12 \$22,000,000 in fiscal year 2023 is appropriated from the trunk highway fund to the
26.13 commissioner of transportation to acquire right-of-way, design, engineer, and construct
26.14 roadway connections for the interchange at marked Trunk Highway 610 and marked Interstate
26.15 Highway 94 in Maple Grove. This appropriation does not require a nonstate match. This is
26.16 a onetime appropriation and is available until June 30, 2025.

26.17 Sec. 24. **APPROPRIATION; WATER AND LIGHTING INFRASTRUCTURE;**
26.18 **MADISON LAKE.**

26.19 \$510,000 in fiscal year 2023 is appropriated from the trunk highway fund to the
26.20 commissioner of transportation to predesign, design, construct, furnish, and equip water
26.21 infrastructure and lighting along the Trunk Highway 60 corridor in the city of Madison
26.22 Lake. This appropriation does not require a nonstate match.

26.23 Sec. 25. **ESTABLISHMENT OF BASE; STATE AND LOCAL ROADS.**

26.24 (a) The base from the trunk highway fund for state road construction in the Department
26.25 of Transportation is \$1,377,641,000 in fiscal year 2024 and \$1,408,325,000 in fiscal year
26.26 2025.

26.27 (b) The base from the trunk highway fund for corridors of commerce in the Department
26.28 of Transportation is \$87,500,000 in fiscal year 2024 and \$115,000,000 in fiscal year 2025.

26.29 (c) The base from the county state-aid highway fund for county state-aid highways in
26.30 the Department of Transportation is \$1,010,019,000 in fiscal year 2024 and \$1,046,194,000
26.31 in fiscal year 2025.

28.1 The amounts that may be spent for each
 28.2 purpose are specified in the following
 28.3 subdivisions.

28.4 The commissioner must not spend
 28.5 appropriations from the trunk highway fund
 28.6 in this section for the Office of Transit and
 28.7 Active Transportation; Office of Aeronautics;
 28.8 passenger rail; tourist information centers;
 28.9 parades, events, or sponsorship of events; or
 28.10 public electric vehicle infrastructure.

28.11 **Subd. 2. State Roads**

| | | |
|--|------------------|------------------|
| 28.12 <u>(a) Operations and Maintenance</u> | <u>4,000,000</u> | <u>7,475,000</u> |
|--|------------------|------------------|

28.13 The base is \$375,581,000 in fiscal year 2024
 28.14 and \$376,398,000 in fiscal year 2025.

| | | |
|---|--------------------|--------------------|
| 28.15 <u>(b) State Road Construction</u> | <u>193,226,000</u> | <u>232,562,000</u> |
|---|--------------------|--------------------|

28.16 **Subd. 3. Local Roads**

| | | |
|---|-------------------|-------------------|
| 28.17 <u>(a) County State-Aid Highways</u> | <u>24,896,000</u> | <u>42,418,000</u> |
|---|-------------------|-------------------|

| | | |
|---|------------------|-------------------|
| 28.18 <u>(b) Municipal State-Aid Streets</u> | <u>6,540,000</u> | <u>11,142,000</u> |
|---|------------------|-------------------|

28.19 **Subd. 4. Multimodal Match for Formula and**
 28.20 **Discretionary Programs Enacted in Federal IIJA**

28.21 The appropriations in this subdivision are for
 28.22 multimodal match funding and discretionary
 28.23 funding related to the federal Infrastructure
 28.24 Investment and Jobs Act (IIJA).

28.25 From these amounts, the commissioner may
 28.26 make grants to local units of government for
 28.27 the match requirement for IIJA discretionary
 28.28 grant programs.

28.29 Any unspent portion of the appropriations
 28.30 remaining after match requirements are met
 28.31 for grant programs listed in this subdivision
 28.32 must be transferred to the highway user tax
 28.33 distribution fund.

| | | | |
|-------|---|-------------------|-------------------|
| 29.1 | <u>These appropriations are available for three</u> | | |
| 29.2 | <u>years after the year of the appropriation.</u> | | |
| 29.3 | <u>(a) Greater Minnesota Transit</u> | <u>7,000,000</u> | <u>7,000,000</u> |
| 29.4 | <u>This appropriation is from the general fund</u> | | |
| 29.5 | <u>for the match requirement for Federal Transit</u> | | |
| 29.6 | <u>Administration formula and discretionary</u> | | |
| 29.7 | <u>transit grant programs under the IIJA. This</u> | | |
| 29.8 | <u>appropriation must not be used for guideway</u> | | |
| 29.9 | <u>projects, as defined in Minnesota Statutes,</u> | | |
| 29.10 | <u>section 473.4485.</u> | | |
| 29.11 | <u>(b) Metropolitan Area Transit</u> | <u>10,000,000</u> | <u>10,000,000</u> |
| 29.12 | <u>\$10,000,000 in each year is from the general</u> | | |
| 29.13 | <u>fund for transfer to the Metropolitan Council</u> | | |
| 29.14 | <u>for the match requirement for Federal Transit</u> | | |
| 29.15 | <u>Administration formula and discretionary</u> | | |
| 29.16 | <u>transit grant programs under the IIJA. The</u> | | |
| 29.17 | <u>amount transferred to the Metropolitan</u> | | |
| 29.18 | <u>Council must not be used for guideway</u> | | |
| 29.19 | <u>projects, as defined in Minnesota Statutes,</u> | | |
| 29.20 | <u>section 473.4485.</u> | | |
| 29.21 | <u>(c) Aeronautics</u> | <u>6,500,000</u> | <u>6,500,000</u> |
| 29.22 | <u>This appropriation is from the general fund</u> | | |
| 29.23 | <u>for the match requirement for Federal Aviation</u> | | |
| 29.24 | <u>Administration formula and discretionary</u> | | |
| 29.25 | <u>grant programs under the IIJA.</u> | | |
| 29.26 | <u>(d) Other Multimodal Grant Programs</u> | <u>13,100,000</u> | <u>13,100,000</u> |
| 29.27 | <u>This appropriation is from the general fund</u> | | |
| 29.28 | <u>and must not be used as match funding for</u> | | |
| 29.29 | <u>grants under the following discretionary grant</u> | | |
| 29.30 | <u>programs: the Federal-State Partnership for</u> | | |
| 29.31 | <u>Intercity Passenger Rail Grant Program; the</u> | | |
| 29.32 | <u>Restoration and Enhancement Grant Program;</u> | | |
| 29.33 | <u>the Capital Investment Grants Program;</u> | | |
| 29.34 | <u>Research, Development, Demonstration and</u> | | |

30.1 Deployment Projects; the Pilot Program for
 30.2 Transit-Oriented Development Planning; the
 30.3 Electric or Low-Emitting Ferry Pilot Program;
 30.4 the Reconnecting Communities Pilot Program;
 30.5 and the Wildlife Crossings Pilot Program. This
 30.6 appropriation must not be used as match
 30.7 funding for guideway projects as defined in
 30.8 Minnesota Statutes, section 473.4485, or for
 30.9 passenger rail projects. The commissioner of
 30.10 transportation must immediately report to the
 30.11 chairs and ranking minority members of the
 30.12 legislative committees with jurisdiction over
 30.13 transportation finance when an application is
 30.14 submitted to the United States Department of
 30.15 Transportation for IIJA-related discretionary
 30.16 grant funding.

30.17 **Sec. 3. ELECTRIC VEHICLE INFRASTRUCTURE PROGRAM REQUIREMENTS.**

30.18 Subdivision 1. **Match requirements.** The required match funding for electric vehicle
 30.19 infrastructure formula or discretionary grant programs related to the federal Infrastructure
 30.20 Investment and Jobs Act (IIJA) must be committed only from nonstate sources.

30.21 Subd. 2. **Rest areas.** The commissioner of transportation must spend no more than 25
 30.22 percent of federal funds from IIJA-related electric vehicle infrastructure formula or
 30.23 discretionary grant programs on projects located at rest areas.

30.24 Subd. 3. **Regional balance.** Projects funded through IIJA-related electric vehicle
 30.25 infrastructure formula or discretionary grant programs must be regionally balanced throughout
 30.26 the state as much as allowable under federal law.

30.27 Subd. 4. **Alternative fuel corridors.** By November 1, 2023, the commissioner of
 30.28 transportation must request that the United States Federal Highway Administration certify
 30.29 that the designated alternative fuel corridors for electric vehicles in Minnesota are fully
 30.30 built out as of that date.

30.31 **Sec. 4. FEDERAL FUNDS REPORTING.**

30.32 Subdivision 1. **Federal document submission.** Within 30 days of submission to a federal
 30.33 agency of a required report or plan under the federal Infrastructure Investment and Jobs

31.1 Act, the commissioner of transportation or the chair of the Metropolitan Council must submit
 31.2 the report or plan to the chairs and ranking minority members of the legislative committees
 31.3 with jurisdiction over transportation finance and policy.

31.4 Subd. 2. **Report on use of federal funds.** By February 1 and September 1 of each year,
 31.5 the commissioner of transportation and chair of the Metropolitan Council must report all
 31.6 expenditures made related to the Infrastructure Investment and Jobs Act to the chairs and
 31.7 ranking minority members of the legislative committees with jurisdiction over transportation
 31.8 finance and policy. The report must include the total amount of each expenditure, the purpose
 31.9 of each expenditure, and any additional information the commissioner and chair determine
 31.10 is necessary to properly document each expenditure. The report must also include information
 31.11 on expenditures that are planned or anticipated before the submission of the next semiannual
 31.12 report under this subdivision. The report requirement under this subdivision expires June
 31.13 30, 2027.

31.14 Sec. 5. **HIGHWAY USER TAX DISTRIBUTION FUND; TRANSFER.**

31.15 The commissioner of revenue must transfer from the general fund to the highway user
 31.16 tax distribution fund \$6,373,667 monthly in fiscal year 2022 and \$10,859,667 monthly in
 31.17 fiscal year 2023. The commissioner must transfer from the general fund to the highway user
 31.18 tax distribution fund \$11,927,167 monthly in fiscal year 2024 and \$13,083,000 monthly in
 31.19 fiscal year 2025 and each fiscal year thereafter.

31.20 **EFFECTIVE DATE.** This section is effective retroactively from July 1, 2021.

31.21 Sec. 6. **RECONNECT RONDO PROJECT; PROHIBITION.**

31.22 Subdivision 1. **Definition.** For purposes of this section, "ReConnect Rondo project"
 31.23 means the proposed land bridge or freeway cap over Interstate 94 between Chatsworth Street
 31.24 and Grotto Street in the city of Saint Paul.

31.25 Subd. 2. **Commissioner of transportation.** The commissioner of transportation must
 31.26 not expend any money for study, planning, preliminary engineering, final design, or
 31.27 construction for the ReConnect Rondo project. This prohibition includes grants to other
 31.28 entities, the expenditure of federal money, and any previous unexpended appropriations
 31.29 made for this purpose.

31.30 Subd. 3. **Metropolitan Council.** The Metropolitan Council must not expend any money
 31.31 for study, planning, preliminary engineering, final design, or construction for the ReConnect

32.1 Rondo project. This prohibition includes grants to other entities, the expenditure of federal
 32.2 money, and any previous unexpended appropriations made for this purpose.

32.3 **Sec. 7. SOURCE OF FEDERAL MATCH FUNDING; INFRASTRUCTURE**
 32.4 **INVESTMENT AND JOBS ACT.**

32.5 The commissioner of transportation must not expend money for federal match funding
 32.6 related to formula and discretionary grant programs under Public Law 117-58, otherwise
 32.7 known as the federal Infrastructure Investment and Jobs Act, except pursuant to a direct
 32.8 appropriation specifically for this purpose.

32.9 **Sec. 8. SUSPENSION OF STATUTORY APPROPRIATION; INFRASTRUCTURE**
 32.10 **INVESTMENT AND JOBS ACT.**

32.11 Notwithstanding Minnesota Statutes, sections 3.3005 and 4.07, federal funds received
 32.12 by the state of Minnesota from its allocations or grant awards administered by the United
 32.13 States Department of Transportation under Public Law 117-58 must not be spent except
 32.14 pursuant to a direct appropriation by law.

32.15 **Sec. 9. EFFECTIVE DATE.**

32.16 Except where otherwise specified, this article is effective the day following final
 32.17 enactment.

32.18 **ARTICLE 4**

32.19 **BOND APPROPRIATIONS**

32.20 **Section 1. BOND APPROPRIATIONS.**

32.21 The sums shown in the column under "Appropriations" are appropriated from the bond
 32.22 proceeds account in the trunk highway fund to the state agencies or officials indicated to
 32.23 be spent for public purposes. Appropriations of bond proceeds must be spent as authorized
 32.24 by the Minnesota Constitution, articles XI and XIV. Unless otherwise specified, money
 32.25 appropriated in this article for a capital program or project may be used to pay state agency
 32.26 staff costs that are attributed directly to the capital program or project in accordance with
 32.27 accounting policies adopted by the commissioner of management and budget.

32.28 **SUMMARY**

| | | | |
|-------|--|----|---------------------------|
| 32.29 | <u>Department of Transportation</u> | \$ | <u>299,349,000</u> |
| 32.30 | <u>Department of Management and Budget</u> | \$ | <u>300,000</u> |
| 32.31 | <u>TOTAL</u> | \$ | <u>299,649,000</u> |

- 33.1 **APPROPRIATIONS**
- 33.2 **Sec. 2. DEPARTMENT OF**
- 33.3 **TRANSPORTATION**
- 33.4 **Subdivision 1. Total Appropriation** **\$ 299,349,000**
- 33.5 (a) This appropriation is to the commissioner
- 33.6 of transportation for the purposes specified in
- 33.7 this section.
- 33.8 (b) This appropriation is available in the
- 33.9 amounts of:
- 33.10 (1) \$149,349,000 in fiscal year 2024; and
- 33.11 (2) \$150,000,000 in fiscal year 2025.
- 33.12 (c) The commissioner may use up to 17
- 33.13 percent of the amount for program delivery.
- 33.14 (d) The appropriation in this subdivision
- 33.15 cancel as specified under Minnesota Statutes,
- 33.16 section 16A.642, except that the commissioner
- 33.17 of management and budget must count the
- 33.18 start of authorization for issuance of state
- 33.19 bonds as the first day of the fiscal year during
- 33.20 which the bonds are available to be issued as
- 33.21 specified under paragraph (b), and not as the
- 33.22 date of enactment of this section.
- 33.23 **Subd. 2. Oslo Area Flood Mitigation** **\$ 20,000,000**
- 33.24 (a) This appropriation is available in fiscal
- 33.25 year 2024 for phase 1 of the Oslo area flood
- 33.26 mitigation project as follows:
- 33.27 (1) \$17,450,000 for reconstruction or
- 33.28 replacement of the marked Trunk Highway 1
- 33.29 bridge over the Red River at Oslo and the
- 33.30 border with North Dakota, which may include
- 33.31 approach work on marked Trunk Highway 1;
- 33.32 and

34.1 (2) \$2,550,000 for reconstruction or
 34.2 replacement of the marked Trunk Highway
 34.3 317 bridge over the Red River in Marshall
 34.4 County at the border with North Dakota.

34.5 (b) The appropriation under this subdivision
 34.6 is available for predesign, design, preliminary
 34.7 and final engineering, environmental analysis,
 34.8 right-of-way acquisition, and construction,
 34.9 including demolition.

34.10 (c) The appropriation under this subdivision
 34.11 is for the Minnesota share of project costs and
 34.12 must only be used for acquisition, betterment,
 34.13 and improvement within Minnesota.

34.14 **Subd. 3. Olmsted County; U.S. Highway 14 and**
 34.15 **County State-Aid Highway 44**

\$ 17,460,000

34.16 This appropriation is available in fiscal year
 34.17 2024 to acquire property and to conduct
 34.18 environmental analysis, predesign, design,
 34.19 engineer, acquire right-of-way, construct,
 34.20 furnish, and equip an interchange at marked
 34.21 U.S. Highway 14 and County State-Aid
 34.22 Highway 44, including the flyover at 7th Street
 34.23 NW, in Olmsted County and associated
 34.24 infrastructure and road work to accommodate
 34.25 the interchange.

34.26 **Subd. 4. Marked Trunk Highway 95**
 34.27 **Improvements**

\$ 6,200,000

34.28 This appropriation is available in fiscal year
 34.29 2024 for a grant to the city of Cambridge for
 34.30 land acquisition, demolition, predesign,
 34.31 design, engineering, and construction of
 34.32 improvements to marked Trunk Highway 95,
 34.33 including but not limited to expansion to a
 34.34 four-lane at-grade segment from
 34.35 approximately Fillmore Street to Birch Street

35.1 in the city of Cambridge. This appropriation
 35.2 is for the portion of the project that is eligible
 35.3 for use of proceeds of trunk highway bonds.

35.4 **Subd. 5. Becker Interchange Project** \$ 1,869,000

35.5 This appropriation is available in fiscal year
 35.6 2024 to prepare final design, conduct site
 35.7 preparation work, and acquire right-of-way
 35.8 for an interchange to be constructed at marked
 35.9 U.S. Highway 10, marked Trunk Highway 25,
 35.10 Sherburne County State-Aid Highway 8, and
 35.11 Sherburne County Road 52 in the city of
 35.12 Becker and Becker Township. This
 35.13 appropriation is for expenses eligible to be
 35.14 paid from trunk highway bond proceeds.

35.15 **Subd. 6. Trunk Highway 24 Intersection**
 35.16 **Improvements** \$ 2,420,000

35.17 This appropriation is available in fiscal year
 35.18 2024 for intersection improvements at marked
 35.19 Trunk Highway 24 in the city of Annandale
 35.20 and for a grant to the city of Annandale,
 35.21 Corinna Township, or both for road
 35.22 improvements on Hemlock Street from marked
 35.23 Trunk Highway 24 to Wright County
 35.24 State-Aid Highway 6 in the city of Annandale
 35.25 and Corinna Township. This appropriation
 35.26 may be used by the commissioner, city, or
 35.27 township for acquisition of right-of-way,
 35.28 design, engineering, and construction of
 35.29 roadway improvements.

35.30 **Subd. 7. Sherburne County; Zimmerman**
 35.31 **Interchange** \$ 16,400,000

35.32 This appropriation is available in fiscal year
 35.33 2024 for property acquisition, engineering,
 35.34 and construction of the trunk highway portions
 35.35 of an interchange at marked U.S. Highway

36.1 169 and Sherburne County State-Aid Highway
 36.2 4 in the city of Zimmerman.

36.3 **Subd. 8. Trunk Highway 23 Reconstruction** **\$** **85,000,000**

36.4 This appropriation is available in fiscal year
 36.5 2024 for predesign, design, engineering, and
 36.6 reconstruction of marked Trunk Highway 23
 36.7 from U.S. Highway 75 in the city of Pipestone
 36.8 to 1.8 miles north of marked Trunk Highway
 36.9 91 in the city of Russell.

36.10 **Subd. 9. U.S. Highway 169 Safety Improvements** **\$** **150,000,000**

36.11 This appropriation is available in fiscal year
 36.12 2025 for improvement and expansion of
 36.13 marked U.S. Highway 169 between Taconite
 36.14 and Pengilly. This appropriation may be used
 36.15 by the commissioner to conduct environmental
 36.16 analysis, planning, predesign, design,
 36.17 engineering, right-of-way acquisition, and
 36.18 construction of the roadway.

36.19 **Sec. 3. BOND SALE EXPENSES** **\$** **300,000**

36.20 (a) This appropriation is to the commissioner
 36.21 of management and budget for bond sale
 36.22 expenses under Minnesota Statutes, sections
 36.23 16A.641, subdivision 8, and 167.50,
 36.24 subdivision 4.

36.25 (b) This appropriation is available in the
 36.26 amounts of:

36.27 (1) \$150,000 in fiscal year 2024; and

36.28 (2) \$150,000 in fiscal year 2025.

36.29 **Sec. 4. BOND SALE AUTHORIZATION.**

36.30 To provide the money appropriated in this article from the bond proceeds account in the
 36.31 trunk highway fund, the commissioner of management and budget shall sell and issue bonds
 36.32 of the state in an amount up to \$299,649,000 in the manner, upon the terms, and with the

37.1 effect prescribed by Minnesota Statutes, sections 167.50 to 167.52, and by the Minnesota
 37.2 Constitution, article XIV, section 11, at the times and in the amounts requested by the
 37.3 commissioner of transportation. The proceeds of the bonds, except accrued interest and any
 37.4 premium received from the sale of the bonds, must be deposited in the bond proceeds account
 37.5 in the trunk highway fund.

37.6 **ARTICLE 5**

37.7 **STATE GOVERNMENT OPERATIONS**

37.8 Section 1. **[1.1466] STATE FOSSIL.**

37.9 Subdivision 1. **Designation.** *Castoroides ohioensis*, commonly known as the giant
 37.10 beaver, is designated as the official state fossil of the state of Minnesota.

37.11 Subd. 2. **Photograph.** A photograph of the giant beaver, approved by the commissioner
 37.12 of natural resources, shall be preserved and may be displayed in the Office of the Secretary
 37.13 of State.

37.14 Sec. 2. Minnesota Statutes 2020, section 3.303, subdivision 6, is amended to read:

37.15 Subd. 6. **Grants; staff; space; equipment; contracts.** (a) The commission may make
 37.16 grants, employ an executive director and other staff, and obtain office space, equipment,
 37.17 and supplies necessary to perform its duties.

37.18 (b) The executive director may enter into contracts in compliance with section 3.225 to
 37.19 provide necessary services and supplies for the house of representatives and the senate, and
 37.20 for legislative commissions and joint legislative offices. A contract for professional or
 37.21 technical services that is valued at more than \$50,000 may be made only after the executive
 37.22 director has received written approval from the chair and vice-chair of the commission.

37.23 Sec. 3. Minnesota Statutes 2020, section 3.8853, subdivision 4, is amended to read:

37.24 Subd. 4. **Access to data; treatment.** Upon request of the director of the Legislative
 37.25 Budget Office, the head or chief administrative officer of each department or agency of
 37.26 state government, including the supreme court, must promptly supply data ~~that are used to~~
 37.27 used by the agency to prepare or necessary for the Legislative Budget Office to review or
 37.28 prepare a fiscal note, including data that are not public data under section 13.64 or other
 37.29 applicable law, unless there are federal laws or regulations that prohibit the provision of the
 37.30 not public data for this purpose. Not public data supplied under this subdivision may only
 37.31 be used by the Legislative Budget Office to review a department or agency's work in

38.1 preparing a fiscal note and may not be used or disseminated for any other purpose, including
38.2 use by or dissemination to a legislator or to any officer, department, agency, or committee
38.3 within the legislative branch. Violation of this subdivision by the director or other staff of
38.4 the Legislative Budget Office is cause for removal, suspension without pay, or immediate
38.5 dismissal at the direction of the oversight commission.

38.6 Sec. 4. Minnesota Statutes 2020, section 3.8853, is amended by adding a subdivision to
38.7 read:

38.8 Subd. 4a. Access to employees. Upon request of the director of the Legislative Budget
38.9 Office, the head or chief administrative officer of each department or agency of state
38.10 government, including the supreme court, must permit reasonable access to employees with
38.11 subject matter expertise to assist the Legislative Budget Office prepare and review fiscal
38.12 notes or enacted legislation.

38.13 Sec. 5. Minnesota Statutes 2020, section 3.98, subdivision 1, is amended to read:

38.14 Subdivision 1. **Preparation; duties.** (a) The head or chief administrative officer of each
38.15 department or agency of the state government, including the supreme court, shall prepare
38.16 a fiscal note consistent with the standards and procedures adopted under section 3.8853, at
38.17 the request of the chair of the standing committee to which a bill has been referred, or the
38.18 chair of the house of representatives Ways and Means Committee, or the chair of the senate
38.19 Committee on Finance, and as assigned by the director of the Legislative Budget Office.
38.20 The Legislative Budget Office may prepare a fiscal note if an agency does not comply with
38.21 this subdivision.

38.22 (b) For purposes of this subdivision, "supreme court" includes all agencies, committees,
38.23 and commissions supervised or appointed by the state supreme court or the state court
38.24 administrator.

38.25 Sec. 6. **[8.011] PERFORMANCE OF LEGAL SERVICES.**

38.26 (a) Except as otherwise provided by law, all legal services of the Office of the Attorney
38.27 General shall be performed exclusively by:

38.28 (1) an employee of the office;

38.29 (2) an employee of another Minnesota governmental entity as may be provided by law;

38.30 or

39.1 (3) an employee of a federal governmental entity pursuant to an agreement between the
 39.2 attorney general and the federal governmental entity.

39.3 Except as otherwise provided under this section, the sole source of compensation paid to
 39.4 employees of the Office of the Attorney General for performing legal services on behalf of
 39.5 the state shall be from the appropriations provided under this chapter or from an appropriation
 39.6 by law. In a case in which the attorney general is authorized under law to contract with,
 39.7 hire, or engage a person other than a person described in clauses (1), (2), or (3) to perform
 39.8 legal services on behalf of the state, the sole consideration for the legal services shall be a
 39.9 monetary amount bargained for in an arm's length transaction with the person and the
 39.10 attorney general or another Minnesota governmental entity, and must state under what
 39.11 authority the attorney general enters the contract.

39.12 (b) Only persons described in paragraph (a), clause (1), (2), or (3), shall perform legal
 39.13 services on premises leased by the attorney general.

39.14 (c) Nothing in this section prohibits the attorney general from entering into a settlement
 39.15 agreement with a defendant arising from a case litigated or prosecuted by a federal
 39.16 governmental entity, local governmental entity, or an attorney general's office in another
 39.17 state or a United States territory. Nothing in this section prohibits the attorney general from
 39.18 employing and providing office space to an unpaid intern assisting in performing legal
 39.19 services, provided that the intern does not possess a current license to practice law in
 39.20 Minnesota, any other state or commonwealth, or any United States territory.

39.21 Sec. 7. Minnesota Statutes 2020, section 13.64, subdivision 3, is amended to read:

39.22 Subd. 3. **Unofficial fiscal note.** (a) For purposes of this subdivision, "unofficial fiscal
 39.23 note" means a fiscal note requested by or on behalf of a member of the legislature on draft
 39.24 language for a bill that has not been introduced. Unofficial fiscal notes are public data unless
 39.25 a classification under paragraph (b) applies.

39.26 (b) This paragraph applies if a request for an unofficial fiscal note is accompanied by a
 39.27 directive from the requester that the data be classified under this ~~paragraph~~ subdivision.
 39.28 Government data on the request, the bill draft, and the unofficial fiscal note are private data
 39.29 on individuals or nonpublic data, ~~provided~~ except that the data are accessible to, and may
 39.30 be disclosed by, the requester. If the proposed bill draft used to develop the unofficial fiscal
 39.31 ~~note or an updated version~~ is subsequently ~~used for an introduced bill, or any legislation,~~
 39.32 ~~including an amendment or a proposed bill, that any member of the legislature offers for~~
 39.33 ~~consideration by a legislative committee~~ introduced as a bill, included in an introduced bill,
 39.34 offered as an amendment, or otherwise distributed by the requester at a public meeting or

40.1 event, or if an unofficial fiscal note is distributed by the requester at a public meeting or
 40.2 event, the fiscal note becomes public data.

40.3 (c) An agency must not share data that is classified under this subdivision as nonpublic
 40.4 data or private data on individuals with another agency without authorization from the bill
 40.5 author, as obtained from the director of the Legislative Budget Office. This paragraph
 40.6 supersedes any authorization to share data with the commissioner of management and budget
 40.7 under section 15.08 or 16A.06, subdivision 7, or other applicable law.

40.8 Sec. 8. Minnesota Statutes 2020, section 13.64, subdivision 4, is amended to read:

40.9 Subd. 4. **Fiscal note data must be shared with Legislative Budget Office.** A head or
 40.10 chief administrative officer of a department or agency of the state government, including
 40.11 the supreme court, must provide data that are used to prepare a fiscal note or for the
 40.12 Legislative Budget Office to review the accuracy of fiscal notes on enacted legislation,
 40.13 including data that are not public data under this section to the director of the Legislative
 40.14 Budget Office upon the director's request and consistent with section 3.8853, subdivision
 40.15 4, unless there are federal laws or regulations that prohibit the provision of the not public
 40.16 data for this purpose. The data must be supplied according to any standards and procedures
 40.17 adopted under section 3.8853, subdivision 3, including any standards and procedures
 40.18 governing timeliness. Notwithstanding section 13.05, subdivision 9, a responsible authority
 40.19 may not require the Legislative Budget Office to pay a cost for supplying data requested
 40.20 under this subdivision.

40.21 Sec. 9. **[14.1271] LEGISLATIVE APPROVAL OF RULES BY REFERENCE TO**
 40.22 **ANOTHER STATE.**

40.23 A proposed rule that includes or incorporates by reference a statute or rule of another
 40.24 state must be submitted to the standing committee of the house of representatives and
 40.25 standing committee of the senate with jurisdiction over the subject matter of the rule at least
 40.26 90 days prior to the publication of the notice of intent to adopt the rule under section 14.22,
 40.27 subdivision 1a; 14.389, subdivision 2; or 14.3895, subdivision 3; publication of a dual notice
 40.28 under section 14.22, subdivision 2; or publication of a notice of hearing on a proposed rule
 40.29 under section 14.14. The proposed rule may not be adopted until the rule is approved by a
 40.30 law enacted during the legislative session that began after or is meeting when the proposed
 40.31 rule is received.

41.1 Sec. 10. [15.0561] CONSUMER CHOICE OF FUEL; RESTRICTIONS41.2 PROHIBITED.41.3 (a) A state agency may not adopt rules that:41.4 (1) restrict consumer choice in purchasing motorized equipment based on the equipment's
41.5 fuel source; or41.6 (2) mandate retailer inventory of motorized equipment based on the equipment's fuel
41.7 source.41.8 (b) For purposes of this section, "motorized equipment" means:41.9 (1) tools, including but not limited to generators, lawn mowers, pressure washers, chain
41.10 saws, leaf blowers, and weed trimmers;41.11 (2) recreational vehicles, including but not limited to golf carts, motorcycles, off-highway
41.12 vehicles, snowmobiles, and watercraft;41.13 (3) new or used passenger automobiles;41.14 (4) farm equipment, as defined in section 325E.061; and41.15 (5) medium and heavy duty trucks.

41.16 Sec. 11. Minnesota Statutes 2020, section 15A.0825, subdivision 1, is amended to read:

41.17 Subdivision 1. **Membership.** (a) The Legislative Salary Council consists of the following
41.18 members:41.19 (1) one person, who is not a judge, from each congressional district, appointed by the
41.20 chief justice of the supreme court; and

41.21 (2) one person from each congressional district, appointed by the governor.

41.22 (b) If Minnesota has an odd number of congressional districts, the governor and the chief
41.23 justice must each appoint an at-large member, in addition to a member from each
41.24 congressional district.41.25 (c) One-half of the members appointed by the governor and one-half of the members
41.26 appointed by the chief justice must belong to the political party that has the most members
41.27 in the legislature. One-half of the members appointed by the governor and one-half of the
41.28 members appointed by the chief justice must belong to the political party that has the second
41.29 most members in the legislature.

41.30 (d) None of the members of the council may be:

- 42.1 (1) a current or former legislator, or the spouse of a current legislator;
- 42.2 (2) a current or former lobbyist registered under Minnesota law;
- 42.3 (3) a current employee of the legislature;
- 42.4 (4) a current or former judge; ~~or~~
- 42.5 (5) a current or former governor, lieutenant governor, attorney general, secretary of state,
- 42.6 or state auditor; or
- 42.7 (6) a current employee of an entity in the executive or judicial branch.

42.8 Sec. 12. Minnesota Statutes 2020, section 15A.0825, subdivision 2, is amended to read:

42.9 Subd. 2. **Initial appointment; convening authority; first meeting in odd-numbered**

42.10 **year.** Appointing authorities must make their ~~initial~~ appointments ~~by January 2, 2017~~ after

42.11 the first Monday in January and before January 15 in each odd-numbered year. The governor

42.12 shall designate one member to convene and chair the first meeting of the council. The first

42.13 meeting must be before January ~~15, 2017~~ 25 of that year. At its first meeting, the council

42.14 must elect a chair from among its members. ~~Members that reside in an even-numbered~~

42.15 ~~congressional district serve a first term ending January 15, 2019. Members residing in an~~

42.16 ~~odd-numbered congressional district serve a first term ending January 15, 2021.~~

42.17 Sec. 13. Minnesota Statutes 2020, section 15A.0825, subdivision 3, is amended to read:

42.18 Subd. 3. **Terms.** (a) ~~Except for initial terms and~~ for the first term following redistricting,

42.19 a term is four years or until new appointments are made after congressional redistricting as

42.20 provided in subdivision 4. Members may serve no more than two full terms or portions of

42.21 two consecutive terms.

42.22 (b) If a member ceases to reside in the congressional district that the member resided in

42.23 at the time of appointment as a result of moving or redistricting, the appointing authority

42.24 who appointed the member must appoint a replacement who resides in the congressional

42.25 district to serve the unexpired term.

42.26 **EFFECTIVE DATE.** This section is effective January 1, 2023.

42.27 Sec. 14. Minnesota Statutes 2020, section 16B.32, subdivision 1a, is amended to read:

42.28 Subd. 1a. **Onsite energy generation from renewable sources.** A state agency that

42.29 prepares a predesign for a new building must consider meeting at least two percent of the

42.30 energy needs of the building from renewable sources ~~located on the building site.~~ For

43.1 purposes of this subdivision, "renewable sources" are limited to wind and the sun. ~~The~~
 43.2 ~~predesign must include an explicit cost and price analysis of complying with the two-percent~~
 43.3 ~~requirement compared with the present and future costs of energy supplied by a public~~
 43.4 ~~utility from a location away from the building site and the present and future costs of~~
 43.5 ~~controlling carbon emissions. If the analysis concludes that the building should not meet at~~
 43.6 ~~least two percent of its energy needs from renewable sources located on the building site,~~
 43.7 ~~the analysis must provide explicit reasons why not.~~ The building may not receive further
 43.8 state appropriations for design or construction unless at least two percent of its energy needs
 43.9 are designed to be met from renewable sources, unless the commissioner finds that the
 43.10 reasons given by the agency for not meeting the two-percent requirement were supported
 43.11 by evidence in the record.

43.12 **EFFECTIVE DATE.** This section is effective the day following final enactment and
 43.13 applies to any new building project for which the predesign work is completed after the day
 43.14 of enactment.

43.15 Sec. 15. Minnesota Statutes 2020, section 16B.325, subdivision 1, is amended to read:

43.16 Subdivision 1. **Development of sustainable building guidelines.** The Department of
 43.17 Administration and the Department of Commerce, with the assistance of other agencies,
 43.18 shall develop sustainable building design guidelines for all new state buildings by January
 43.19 15, 2003, and for all major renovations of state buildings by February 1, 2009. The primary
 43.20 objectives of these guidelines are to ensure that all new state buildings, and major renovations
 43.21 of state buildings, initially exceed the state energy code, as established in Minnesota Rules,
 43.22 chapter 7676, by at least 30 percent. The guidelines shall not require that renewable energy
 43.23 sources be located on the building site.

43.24 **EFFECTIVE DATE.** This section is effective the day following final enactment and
 43.25 applies to any new building project for which the predesign work is completed after the day
 43.26 of enactment.

43.27 Sec. 16. **[16B.971] GRANTS TO NONPROFIT ORGANIZATIONS.**

43.28 Subdivision 1. **Definitions.** (a) As used in this section, the following terms have the
 43.29 meanings given.

43.30 (b) "Certified financial audit" means a review of an organization's financial statements,
 43.31 fiscal policies, and control procedures by an independent third party to determine if the
 43.32 statements fairly represent the organization's financial position and if organizational
 43.33 procedures are in accordance with generally accepted accounting principles.

44.1 (c) "Fiscal agent" means the commissioner or head of the state agency responsible for
 44.2 administering a grant.

44.3 (d) "Grant" means a grant of state money from any source.

44.4 (e) "Organization" means a nongovernmental organization that is tax exempt under the
 44.5 Internal Revenue Code and is not a hospital licensed under chapter 144.

44.6 Subd. 2. **Requirements for eligibility.** (a) For an organization to be eligible to receive
 44.7 a grant, the organization must meet the following criteria:

44.8 (1) the organization must submit to the fiscal agent the relevant series Internal Revenue
 44.9 Service Form 990 in each of the two years preceding the execution of a grant agreement;
 44.10 and

44.11 (2) the organization must not have on its governing board a voting member who is:

44.12 (i) an employee of a state agency; or

44.13 (ii) an official elected to serve in a state, county, or local government office.

44.14 Subd. 3. **Additional eligibility requirements for certain nonprofit organizations.** For
 44.15 an organization that received more than 50 percent of revenue from state funds in the fiscal
 44.16 year preceding the organization's grant application to be eligible to receive a grant, the
 44.17 organization must meet the following criteria:

44.18 (1) the organization must submit to the fiscal agent certified financial audits of the most
 44.19 recent two fiscal years preceding the grant application; and

44.20 (2) officers and members of the governing board of the organization must not have been
 44.21 convicted of any offense involving theft, fraud, embezzlement, or other misuse or
 44.22 misappropriation of funds or property. The commissioner of administration must conduct
 44.23 background checks on officers and members of the governing body of the organization
 44.24 before an agency may enter into a grant agreement with the organization.

44.25 Subd. 4. **Grant application.** (a) A fiscal agent administering a grant program must
 44.26 require the following information as part of a grant application:

44.27 (1) the purpose of the grant, including goals, priorities, and measurable outcomes;

44.28 (2) eligibility requirements for individuals who will be served by the grant program;

44.29 (3) the proposed geographic service areas for individuals served by the grant;

44.30 (4) the reporting requirements; and

45.1 (5) certification that the applicant is eligible under subdivisions 2 and 3 to receive a
 45.2 grant.

45.3 These requirements are in addition to any requirements under existing laws and policies.

45.4 (b) An organization that is specifically identified in law to receive a grant must provide
 45.5 the information in paragraph (a) to the commissioner of the fiscal agent for the grant before
 45.6 the commissioner may execute the grant agreement.

45.7 Subd. 5. Reporting on use of funds. Organizations must provide the following
 45.8 information to the fiscal agent:

45.9 (1) a detailed accounting of the use of any grant proceeds;

45.10 (2) a description of program outcomes to date, including performance measured against
 45.11 indicators specified in the grant agreement, including but not limited to job creation,
 45.12 employment activity, wage information, business formation or expansion, and academic
 45.13 performance; and

45.14 (3) the portion of the grant, if any, spent on the recipient's operating expenses.

45.15 Grant recipients must report the information required under this paragraph to the fiscal agent
 45.16 within one year after receiving any portion of the grant, and annually thereafter, and within
 45.17 30 days following the use of all funds provided under the grant.

45.18 Subd. 6. Notice to legislature of fraud or abuse claims. If the fiscal agent receives a
 45.19 comment or concern about fraud or waste for a grant made by law to a specified organization,
 45.20 the commissioner must promptly report the comment or concern to the chair of the committee
 45.21 on finance in the senate and the chair of the committee on ways and means in the house of
 45.22 representatives.

45.23 **EFFECTIVE DATE.** This section is effective the day following final enactment and
 45.24 applies to grants appropriated by law after the effective date and to grant agreements executed
 45.25 after the effective date.

45.26 Sec. 17. Minnesota Statutes 2020, section 16B.98, subdivision 8, is amended to read:

45.27 Subd. 8. **Audit.** (a) A grant agreement made by an executive agency must include an
 45.28 audit clause that provides:

45.29 (1) that the books, records, documents, and accounting procedures and practices of the
 45.30 grantee receiving a grant of more than \$500,000 are subject to examination by the granting
 45.31 agency and either the legislative auditor or the state auditor, as appropriate, for a period of

46.1 two years prior to the execution of the grant agreement for a grant and during the term of
 46.2 the grant agreement; and

46.3 (2) that the books, records, documents, and accounting procedures and practices of the
 46.4 grantee or other party that are relevant to the grant or transaction are subject to examination
 46.5 by the granting agency and either the legislative auditor or the state auditor, as appropriate,
 46.6 for a minimum of six years from the grant agreement end date, receipt and approval of all
 46.7 final reports, or the required period of time to satisfy all state and program retention
 46.8 requirements, whichever is later. If a grant agreement does not include an express audit
 46.9 clause, the audit authority under this subdivision is implied.

46.10 (b) If a grant agreement does not include an express audit clause, the audit authority
 46.11 under this subdivision is implied.

46.12 ~~(b)~~ (c) If the granting agency is a local unit of government, and the governing body of
 46.13 the local unit of government requests that the state auditor examine the books, records,
 46.14 documents, and accounting procedures and practices of the grantee or other party according
 46.15 to this subdivision, the granting agency shall be liable for the cost of the examination. If
 46.16 the granting agency is a local unit of government, and the grantee or other party requests
 46.17 that the state auditor examine all books, records, documents, and accounting procedures
 46.18 and practices related to the grant, the grantee or other party that requested the examination
 46.19 shall be liable for the cost of the examination.

46.20 **EFFECTIVE DATE.** This section is effective the day following final enactment and
 46.21 applies to grants appropriated by law after the effective date and to grant agreements executed
 46.22 after the effective date.

46.23 Sec. 18. Minnesota Statutes 2020, section 116.07, subdivision 2, is amended to read:

46.24 Subd. 2. **Adopting standards.** (a) The Pollution Control Agency shall improve air
 46.25 quality by promoting, in the most practicable way possible, the use of energy sources and
 46.26 waste disposal methods which produce or emit the least air contaminants consistent with
 46.27 the agency's overall goal of reducing all forms of pollution. The agency shall also adopt
 46.28 standards of air quality, not including maximum allowable standards of emission of air
 46.29 contaminants from motor vehicles, recognizing that due to variable factors, no single standard
 46.30 of purity of air is applicable to all areas of the state. In adopting standards the Pollution
 46.31 Control Agency shall give due recognition to the fact that the quantity or characteristics of
 46.32 air contaminants or the duration of their presence in the atmosphere, which may cause air
 46.33 pollution in one area of the state, may cause less or not cause any air pollution in another
 46.34 area of the state, and it shall take into consideration in this connection such factors, including

47.1 others which it may deem proper, as existing physical conditions, zoning classifications,
47.2 topography, prevailing wind directions and velocities, and the fact that a standard of air
47.3 quality which may be proper as to an essentially residential area of the state, may not be
47.4 proper as to a highly developed industrial area of the state. Such standards of air quality
47.5 shall be premised upon scientific knowledge of causes as well as effects based on technically
47.6 substantiated criteria and commonly accepted practices. No local government unit shall set
47.7 standards of air quality which are more stringent than those set by the Pollution Control
47.8 Agency.

47.9 (b) The Pollution Control Agency shall promote solid waste disposal control by
47.10 encouraging the updating of collection systems, elimination of open dumps, and
47.11 improvements in incinerator practices. The agency shall also adopt standards for the control
47.12 of the collection, transportation, storage, processing, and disposal of solid waste and sewage
47.13 sludge for the prevention and abatement of water, air, and land pollution, recognizing that
47.14 due to variable factors, no single standard of control is applicable to all areas of the state.
47.15 In adopting standards, the Pollution Control Agency shall give due recognition to the fact
47.16 that elements of control which may be reasonable and proper in densely populated areas of
47.17 the state may be unreasonable and improper in sparsely populated or remote areas of the
47.18 state, and it shall take into consideration in this connection such factors, including others
47.19 which it may deem proper, as existing physical conditions, topography, soils and geology,
47.20 climate, transportation, and land use. Such standards of control shall be premised on technical
47.21 criteria and commonly accepted practices.

47.22 (c) The Pollution Control Agency shall also adopt standards describing the maximum
47.23 levels of noise in terms of sound pressure level which may occur in the outdoor atmosphere,
47.24 recognizing that due to variable factors no single standard of sound pressure is applicable
47.25 to all areas of the state. Such standards shall give due consideration to such factors as the
47.26 intensity of noises, the types of noises, the frequency with which noises recur, the time
47.27 period for which noises continue, the times of day during which noises occur, and such
47.28 other factors as could affect the extent to which noises may be injurious to human health
47.29 or welfare, animal or plant life, or property, or could interfere unreasonably with the
47.30 enjoyment of life or property. In adopting standards, the Pollution Control Agency shall
47.31 give due recognition to the fact that the quantity or characteristics of noise or the duration
47.32 of its presence in the outdoor atmosphere, which may cause noise pollution in one area of
47.33 the state, may cause less or not cause any noise pollution in another area of the state, and
47.34 it shall take into consideration in this connection such factors, including others which it
47.35 may deem proper, as existing physical conditions, zoning classifications, topography,

48.1 meteorological conditions and the fact that a standard which may be proper in an essentially
48.2 residential area of the state, may not be proper as to a highly developed industrial area of
48.3 the state. Such noise standards shall be premised upon scientific knowledge as well as effects
48.4 based on technically substantiated criteria and commonly accepted practices. No local
48.5 governing unit shall set standards describing the maximum levels of sound pressure which
48.6 are more stringent than those set by the Pollution Control Agency.

48.7 (d) The Pollution Control Agency shall adopt standards for the identification of hazardous
48.8 waste and for the management, identification, labeling, classification, storage, collection,
48.9 transportation, processing, and disposal of hazardous waste, recognizing that due to variable
48.10 factors, a single standard of hazardous waste control may not be applicable to all areas of
48.11 the state. In adopting standards, the Pollution Control Agency shall recognize that elements
48.12 of control which may be reasonable and proper in densely populated areas of the state may
48.13 be unreasonable and improper in sparsely populated or remote areas of the state. The agency
48.14 shall consider existing physical conditions, topography, soils, and geology, climate,
48.15 transportation and land use. Standards of hazardous waste control shall be premised on
48.16 technical knowledge, and commonly accepted practices. Hazardous waste generator licenses
48.17 may be issued for a term not to exceed five years. No local government unit shall set
48.18 standards of hazardous waste control which are in conflict or inconsistent with those set by
48.19 the Pollution Control Agency.

48.20 (e) A person who generates less than 100 kilograms of hazardous waste per month is
48.21 exempt from the following agency hazardous waste rules:

48.22 (1) rules relating to transportation, manifesting, storage, and labeling for photographic
48.23 fixer and x-ray negative wastes that are hazardous solely because of silver content; and

48.24 (2) any rule requiring the generator to send to the agency or commissioner a copy of
48.25 each manifest for the transportation of hazardous waste for off-site treatment, storage, or
48.26 disposal, except that counties within the metropolitan area may require generators to provide
48.27 manifests.

48.28 Nothing in this paragraph exempts the generator from the agency's rules relating to on-site
48.29 accumulation or outdoor storage. A political subdivision or other local unit of government
48.30 may not adopt management requirements that are more restrictive than this paragraph.

48.31 (f) In any rulemaking proceeding under chapter 14 to adopt standards for air quality,
48.32 solid waste, or hazardous waste under this chapter, or standards for water quality under
48.33 chapter 115, the statement of need and reasonableness must include:

48.34 (1) an assessment of any differences between the proposed rule and:

49.1 (i) existing federal standards adopted under the Clean Air Act, United States Code, title
 49.2 42, section 7412(b)(2); the Clean Water Act, United States Code, title 33, sections 1312(a)
 49.3 and 1313(c)(4); and the Resource Conservation and Recovery Act, United States Code, title
 49.4 42, section 6921(b)(1);

49.5 (ii) similar standards in states bordering Minnesota; and

49.6 (iii) similar standards in states within the Environmental Protection Agency Region 5;
 49.7 and

49.8 (2) a specific analysis of the need and reasonableness of each difference.

49.9 Sec. 19. Minnesota Statutes 2020, section 116.07, is amended by adding a subdivision to
 49.10 read:

49.11 Subd. 13. **Unadopted rules.** The commissioner of the Pollution Control Agency must
 49.12 not enforce or attempt to enforce an unadopted rule. For purposes of this subdivision,
 49.13 "unadopted rule" means a guideline, bulletin, criterion, manual standard, interpretive
 49.14 statement, policy plan, or similar pronouncement if the guideline, bulletin, criterion, manual
 49.15 standard, interpretive statement, policy plan, or similar pronouncement has not been adopted
 49.16 according to the rulemaking process provided under chapter 14. If an unadopted rule is
 49.17 challenged under section 14.381, the commissioner must cease enforcement of the unadopted
 49.18 rule and overcome a presumption that the unadopted rule must be adopted according to the
 49.19 rulemaking process provided under chapter 14.

49.20 Sec. 20. Minnesota Statutes 2020, section 118A.09, subdivision 1, is amended to read:

49.21 Subdivision 1. **Definition; qualifying government.** "Qualifying government" means:

49.22 (1) a county or statutory or home rule charter city with a population of more than 100,000;

49.23 (2) a county or statutory or home rule charter city ~~which had its most recently issued~~
 49.24 ~~general obligation bonds rated in the highest category by a national bond rating agency~~
 49.25 whose most recent long-term, senior, general obligation rating by one or more national
 49.26 rating organizations in the prior 18-month period is AA or higher; or

49.27 (3) a self-insurance pool listed in section 471.982, subdivision 3.

49.28 A county or statutory or home rule charter city with a population of 100,000 or less that is
 49.29 a qualifying government, but is subsequently ~~rated less than the highest category by a~~
 49.30 ~~national bond rating agency on a general obligation bond issue~~ does not meet the threshold

50.1 under clause (2), may not invest additional funds under this section but may continue to
 50.2 manage funds previously invested under subdivision 2.

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

50.4 Sec. 21. Minnesota Statutes 2020, section 118A.09, subdivision 2, is amended to read:

50.5 Subd. 2. **Additional investment authority.** Qualifying governments may invest the
 50.6 amount described in subdivision 3:

50.7 (1) in index mutual funds based in the United States and indexed to a broad market
 50.8 United States equity index, on the condition that index mutual fund investments must be
 50.9 made directly with the main sales office of the fund; or

50.10 (2) with the Minnesota State Board of Investment subject to such terms and minimum
 50.11 amounts as may be adopted by the board. ~~Index mutual fund investments must be made~~
 50.12 ~~directly with the main sales office of the fund.~~

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

50.14 Sec. 22. **[118A.10] SELF-INSURANCE POOLS; ADDITIONAL INVESTMENT**
 50.15 **AUTHORITY.**

50.16 Subdivision 1. **Definition.** For the purposes of this section, "qualifying government"
 50.17 means a self-insurance pool formed under section 471.982.

50.18 Subd. 2. **Additional investment authority.** A qualifying government may invest in the
 50.19 securities specified in section 11A.24.

50.20 Subd. 3. **Approval.** Before investing pursuant to this section, the governing body of a
 50.21 qualifying government must adopt an investment policy pursuant to a resolution that includes
 50.22 both of the following statements:

50.23 (1) the governing body understands that investments under this section have a risk of
 50.24 loss; and

50.25 (2) the governing body understands the type of funds that are being invested and the
 50.26 specific investment itself.

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

50.28 Sec. 23. Minnesota Statutes 2020, section 136F.02, subdivision 1, is amended to read:

50.29 Subdivision 1. **Membership.** The board consists of 15 members appointed by the
 50.30 governor, including three members who are students who have attended an institution for

51.1 at least one year and are enrolled at the time of appointment at least half time in a degree,
 51.2 diploma, or certificate program in an institution governed by the board. The student members
 51.3 shall include one member from a community college, one member from a state university,
 51.4 and one member from a technical college. One member representing labor must be appointed
 51.5 after considering the recommendations made under section 136F.045. The governor is not
 51.6 bound by the recommendations. Appointments to the board are with the advice and consent
 51.7 of the senate. At least one member of the board must be a resident of each congressional
 51.8 district. All other members must be appointed to represent the state at large. In selecting
 51.9 appointees, the governor must consider the needs of the board and the balance of the board
 51.10 membership with respect to labor and business representation ~~and~~; racial, gender, geographic,
 51.11 and ethnic composition; and occupation and experience. In selecting appointees, the governor
 51.12 must consider the needs of the board for skills relevant to the governance of the Minnesota
 51.13 State Colleges and Universities and the candidate's ability to discharge the responsibilities
 51.14 of the board.

51.15 A commissioner of a state agency may not serve as a member of the board.

51.16 Sec. 24. Minnesota Statutes 2020, section 155A.20, is amended to read:

51.17 **155A.20 BOARD OF COSMETOLOGIST EXAMINERS CREATED; TERMS.**

51.18 (a) A Board of Cosmetologist Examiners is established to consist of ~~seven~~ 11 members,
 51.19 appointed by the governor as follows:

51.20 (1) two cosmetologists, one of whom is recommended by a professional association of
 51.21 cosmetologists, nail technicians, and estheticians;

51.22 (2) two school instructors, one of whom is teaching at a public cosmetology school in
 51.23 the state and one of whom is teaching at a private cosmetology school in the state;

51.24 (3) one esthetician;

51.25 (4) one advanced practice esthetician;

51.26 ~~(4)~~ (5) one nail technician; and

51.27 (6) one hair technician; and

51.28 ~~(5) one~~ (7) three public member members, as defined in section 214.02.

51.29 (b) All cosmetologist, esthetician, advanced practice esthetician, hair technician, and
 51.30 nail technician members must be currently licensed in the field of cosmetology, advanced
 51.31 practice esthiology, hair technology, nail technology, or esthetology, esthiology in Minnesota,
 51.32 have practiced in the licensed occupation for at least five years immediately prior to their

52.1 appointment, ~~be graduates from grade 12 of high school or have equivalent education~~, and
 52.2 have knowledge of sections 155A.21 to 155A.36 and Minnesota Rules, chapters 2105 and
 52.3 2110.

52.4 (c) Membership terms, compensation of members, removal of members, the filling of
 52.5 membership vacancies, and fiscal year and reporting requirements shall be as provided in
 52.6 sections 214.07 to 214.09. The provision of staff, administrative services, and office space;
 52.7 the review and processing of complaints; the setting of board fees; and other provisions
 52.8 relating to board operations shall be as provided in chapter 214.

52.9 (d) Members appointed to fill vacancies caused by death, resignation, or removal shall
 52.10 serve during the unexpired term of their predecessors.

52.11 **EFFECTIVE DATE.** This section is effective January 1, 2023.

52.12 Sec. 25. Minnesota Statutes 2020, section 155A.23, subdivision 8, is amended to read:

52.13 Subd. 8. **Manager.** A "manager" is any person who is a cosmetologist, esthetician,
 52.14 advanced practice esthetician, hair technician, nail technician ~~practitioner~~, or eyelash
 52.15 technician ~~practitioner~~, and who has a manager license and provides any services under that
 52.16 license, as defined in subdivision 3.

52.17 **EFFECTIVE DATE.** This section is effective January 1, 2024.

52.18 Sec. 26. Minnesota Statutes 2020, section 155A.23, subdivision 11, is amended to read:

52.19 Subd. 11. **Instructor.** An "instructor" is any person employed by a school to prepare
 52.20 and present the theoretical and practical education of cosmetology to persons who seek to
 52.21 practice cosmetology. ~~An instructor must maintain an active operator or manager's license~~
 52.22 ~~in the area in which the instructor holds an instructor's license.~~ While an instructor holds an
 52.23 active instructor license, the instructor's license as an operator or a salon manager in the
 52.24 same field is automatically renewed without fees with a term ending when the instructor
 52.25 license expires.

52.26 **EFFECTIVE DATE.** This section is effective January 1, 2024.

52.27 Sec. 27. Minnesota Statutes 2020, section 155A.23, subdivision 18, is amended to read:

52.28 Subd. 18. **Practitioner.** A "practitioner" is any person licensed as an operator or manager
 52.29 in the practice of cosmetology, esthiology, advanced practice esthiology, hair technology
 52.30 services, nail technology services, or eyelash technology services.

52.31 **EFFECTIVE DATE.** This section is effective January 1, 2024.

53.1 Sec. 28. Minnesota Statutes 2020, section 155A.23, is amended by adding a subdivision
53.2 to read:

53.3 Subd. 21. **Hair technician.** A "hair technician" is any person who, for compensation,
53.4 performs personal services for the cosmetic care of hair on the scalp. Hair technician services
53.5 include cutting hair and the application of dyes, bleach, reactive chemicals, keratin, or other
53.6 preparations to color or alter the structure of hair. A person who only performs hairstyling
53.7 as defined by subdivision 19 is not a hair technician.

53.8 **EFFECTIVE DATE.** This section is effective January 1, 2024.

53.9 Sec. 29. Minnesota Statutes 2020, section 155A.25, subdivision 1a, is amended to read:

53.10 Subd. 1a. **Schedule.** (a) The schedule for fees and penalties is as provided in this
53.11 subdivision.

53.12 (b) ~~Three-year~~ Four-year license fees are as follows:

53.13 (1) \$195 initial practitioner, manager, or instructor license, divided as follows:

53.14 (i) \$155 for each initial license; and

53.15 (ii) \$40 for each initial license application fee;

53.16 (2) \$115 renewal of practitioner license, divided as follows:

53.17 (i) \$100 for each renewal license; and

53.18 (ii) \$15 for each renewal application fee;

53.19 (3) \$145 renewal of manager or instructor license, divided as follows:

53.20 (i) \$130 for each renewal license; and

53.21 (ii) \$15 for each renewal application fee;

53.22 (4) \$350 initial salon license, divided as follows:

53.23 (i) \$250 for each initial license; and

53.24 (ii) \$100 for each initial license application fee;

53.25 (5) \$225 renewal of salon license, divided as follows:

53.26 (i) \$175 for each renewal; and

53.27 (ii) \$50 for each renewal application fee;

53.28 (6) \$4,000 initial school license, divided as follows:

- 54.1 (i) \$3,000 for each initial license; and
- 54.2 (ii) \$1,000 for each initial license application fee; and
- 54.3 (7) \$2,500 renewal of school license, divided as follows:
- 54.4 (i) \$2,000 for each renewal; and
- 54.5 (ii) \$500 for each renewal application fee.
- 54.6 (c) Penalties may be assessed in amounts up to the following:
- 54.7 (1) reinspection fee, \$150;
- 54.8 (2) manager and owner with expired practitioner found on inspection, \$150 each;
- 54.9 (3) expired practitioner or instructor found on inspection, \$200;
- 54.10 (4) expired salon found on inspection, \$500;
- 54.11 (5) expired school found on inspection, \$1,000;
- 54.12 (6) failure to display current license, \$100;
- 54.13 (7) failure to dispose of single-use equipment, implements, or materials as provided
- 54.14 under section 155A.355, subdivision 1, \$500;
- 54.15 (8) use of prohibited razor-type callus shavers, rasps, or graters under section 155A.355,
- 54.16 subdivision 2, \$500;
- 54.17 (9) performing nail or cosmetology services in esthetician salon, or performing esthetician
- 54.18 or cosmetology services in a nail salon, \$500;
- 54.19 (10) owner and manager allowing an operator to work as an independent contractor,
- 54.20 \$200;
- 54.21 (11) operator working as an independent contractor, \$100;
- 54.22 (12) refusal or failure to cooperate with an inspection, \$500;
- 54.23 (13) practitioner late renewal fee, \$45; and
- 54.24 (14) salon or school late renewal fee, \$50.
- 54.25 (d) Administrative fees are as follows:
- 54.26 (1) homebound service permit, \$50 ~~three-year~~ four-year fee;
- 54.27 (2) name change, \$20;
- 54.28 (3) certification of licensure, \$30 each;

55.1 (4) duplicate license, \$20;

55.2 (5) special event permit, \$75 per year;

55.3 ~~(6) \$100 for each temporary military license for a cosmetologist, nail technician,~~
 55.4 ~~esthetician, or advanced practice esthetician one-year fee;~~

55.5 ~~(7)~~ (6) expedited initial individual license, \$150;

55.6 ~~(8)~~ (7) expedited initial salon license, \$300;

55.7 ~~(9)~~ (8) instructor continuing education provider approval, \$150 each year; and

55.8 ~~(10)~~ (9) practitioner continuing education provider approval, \$150 each year.

55.9 **EFFECTIVE DATE.** This section is effective January 1, 2024, and applies to licenses
 55.10 issued or renewed on or after that date.

55.11 Sec. 30. Minnesota Statutes 2020, section 155A.27, subdivision 1, is amended to read:

55.12 Subdivision 1. **Licensing.** A person must hold an individual license to practice in the
 55.13 state as a cosmetologist, esthetician, hair technician, nail technician, eyelash technician,
 55.14 advanced practice esthetician, manager, or instructor.

55.15 **EFFECTIVE DATE.** This section is effective January 1, 2024.

55.16 Sec. 31. Minnesota Statutes 2020, section 155A.27, subdivision 5a, is amended to read:

55.17 Subd. 5a. **Temporary military license.** The board shall establish temporary licenses
 55.18 for a cosmetologist, hair technician, nail technician, and esthetician in accordance with
 55.19 section 197.4552. A temporary license is valid for a four-year license cycle. The board may
 55.20 only issue one temporary license to an applicant.

55.21 **EFFECTIVE DATE.** This section is effective January 1, 2024, and applies to licenses
 55.22 issued or renewed on or after that date.

55.23 Sec. 32. Minnesota Statutes 2020, section 155A.27, subdivision 6, is amended to read:

55.24 Subd. 6. **Duration of license.** Licensing in each classification shall be for a period of
 55.25 ~~three~~ four years. The board may extend a licensee's operator or salon manager license when
 55.26 issuing a new instructor license to the licensee so that the operator or salon manager license
 55.27 expires on the same date as the instructor license.

55.28 **EFFECTIVE DATE.** This section is effective January 1, 2024, and applies to licenses
 55.29 issued or renewed on or after that date.

56.1 Sec. 33. Minnesota Statutes 2020, section 155A.27, subdivision 7, is amended to read:

56.2 Subd. 7. **Renewals.** Renewal of license shall be for a period of ~~three~~ four years under
56.3 the conditions and process established by rule and subject to continuing education
56.4 requirements of section 155A.271.

56.5 **EFFECTIVE DATE.** This section is effective January 1, 2024, and applies to licenses
56.6 issued or renewed on or after that date.

56.7 Sec. 34. Minnesota Statutes 2020, section 155A.27, subdivision 10, is amended to read:

56.8 Subd. 10. **Nonresident licenses.** (a) A nonresident cosmetologist, hair technician, nail
56.9 technician, ~~or~~ esthetician, or eyelash technician may be licensed in Minnesota if the individual
56.10 has completed cosmetology school in a state or country with the same or greater school
56.11 hour requirements, has an active license in that state or country, and has passed a
56.12 board-approved theory and practice-based examination, the Minnesota-specific written
56.13 operator examination for cosmetologist, hair technician, nail technician, ~~or~~ esthetician, or
56.14 eyelash technician. If a test is used to verify the qualifications of trained cosmetologists,
56.15 the test should be translated into the nonresident's native language within the limits of
56.16 available resources. Licenses shall not be issued under this subdivision for managers or
56.17 instructors.

56.18 (b) If an individual has less than the required number of school hours, the individual
56.19 must have had a current active license in another state or country for at least ~~three~~ four years
56.20 and have passed a board-approved theory and practice-based examination, and the
56.21 Minnesota-specific written operator examination for cosmetologist, hair technician, nail
56.22 technician, ~~or~~ esthetician, or eyelash technician. If a test is used to verify the qualifications
56.23 of trained cosmetologists, the test should be translated into the nonresident's native language
56.24 within the limits of available resources. Licenses must not be issued under this subdivision
56.25 for managers or instructors.

56.26 (c) Applicants claiming training and experience in a foreign country shall supply official
56.27 English-language translations of all required documents from a board-approved source.

56.28 **EFFECTIVE DATE.** This section is effective January 1, 2024, and applies to licenses
56.29 issued or renewed on or after that date.

57.1 Sec. 35. Minnesota Statutes 2020, section 155A.27, is amended by adding a subdivision
57.2 to read:

57.3 Subd. 11. **Reciprocity for barbers.** A barber who has a currently active registration
57.4 under Minnesota Statutes, chapter 154, may be granted credit, as determined by rule, toward
57.5 the required hours of study required for licensure in cosmetology or hair technology.

57.6 **EFFECTIVE DATE.** This section is effective January 1, 2024.

57.7 Sec. 36. Minnesota Statutes 2020, section 155A.271, subdivision 1, is amended to read:

57.8 Subdivision 1. **Continuing education requirements.** (a) To qualify for license renewal
57.9 under this chapter as an individual cosmetologist, hair technician, nail technician, esthetician,
57.10 advanced practice esthetician, eyelash technician, or salon manager, the applicant must
57.11 complete four hours of continuing education credits from a board-approved continuing
57.12 education provider during the ~~three~~ four years prior to the applicant's renewal date. One
57.13 credit hour of the requirement must include instruction pertaining to state laws and rules
57.14 governing the practice of cosmetology. Three credit hours must include instruction pertaining
57.15 to health, safety, and infection control matters consistent with the United States Department
57.16 of Labor's Occupational Safety and Health Administration standards applicable to the
57.17 practice of cosmetology, or other applicable federal health, infection control, and safety
57.18 standards, and must be regularly updated so as to incorporate newly developed standards
57.19 and accepted professional best practices. Credit hours earned are valid for ~~three~~ four years
57.20 and may be applied simultaneously to all individual licenses held by a licensee under this
57.21 chapter.

57.22 (b) ~~Effective August 1, 2017,~~ In addition to the hours of continuing education credits
57.23 required under paragraph (a), to qualify for license renewal under this chapter as an individual
57.24 cosmetologist, hair technician, nail technician, esthetician, advanced practice esthetician,
57.25 or salon manager, the applicant must also complete a four credit hour continuing education
57.26 course from a board-approved continuing education provider based on any of the following
57.27 within the licensee's scope of practice:

57.28 (1) product chemistry and chemical interaction;

57.29 (2) proper use and maintenance of machines and instruments;

57.30 (3) business management, professional ethics, and human relations; or

57.31 (4) techniques relevant to the type of license held.

58.1 Credits are valid for ~~three~~ four years and must be completed with a board-approved provider
58.2 of continuing education during the ~~three~~ four years prior to the applicant's renewal date and
58.3 may be applied simultaneously to other individual licenses held as applicable, except that
58.4 credits completed under this paragraph must not duplicate credits completed under paragraph
58.5 (a).

58.6 (c) Paragraphs (a) and (b) do not apply to an instructor license, a school manager license,
58.7 or an inactive license.

58.8 **EFFECTIVE DATE.** This section is effective January 1, 2024, and applies to licenses
58.9 issued or renewed on or after that date.

58.10 Sec. 37. Minnesota Statutes 2020, section 155A.29, subdivision 1, is amended to read:

58.11 Subdivision 1. **Licensing.** A person must not offer cosmetology services for compensation
58.12 unless the services are provided by a licensee in a licensed salon or as otherwise provided
58.13 in this section. ~~Each salon must be licensed as a cosmetology salon, a nail salon, esthetician~~
58.14 ~~salon, advanced practice esthetician salon, or eyelash extension salon. A salon may hold~~
58.15 ~~more than one type of salon license.~~

58.16 **EFFECTIVE DATE.** This section is effective July 1, 2024.

58.17 Sec. 38. Minnesota Statutes 2020, section 155A.29, subdivision 4, is amended to read:

58.18 Subd. 4. **Renewal.** Licenses shall be renewed every ~~three~~ four years by a process
58.19 established by rule.

58.20 **EFFECTIVE DATE.** This section is effective January 1, 2024, and applies to licenses
58.21 issued or renewed on or after that date.

58.22 Sec. 39. Minnesota Statutes 2020, section 155A.30, subdivision 2, is amended to read:

58.23 Subd. 2. **Standards.** The board shall by rule establish minimum standards of course
58.24 content and length specific to the educational preparation prerequisite to testing and licensing
58.25 as cosmetologist, hair technician, esthetician, ~~and advanced practice esthetician~~, nail
58.26 technician, and eyelash technician.

58.27 **EFFECTIVE DATE.** This section is effective January 1, 2024.

58.28 Sec. 40. Minnesota Statutes 2020, section 155A.30, subdivision 3, is amended to read:

58.29 Subd. 3. **Applications.** Application for a license shall be prepared on forms furnished
58.30 by the board and shall contain the following and such other information as may be required:

59.1 (1) the name of the school, together with ownership and controlling officers, members,
59.2 and managing employees;

59.3 (2) the specific fields of instruction which will be offered and reconciliation of the course
59.4 content and length to meet the minimum standards, as prescribed in subdivision 2;

59.5 (3) the place or places where instruction will be given;

59.6 (4) a listing of the equipment available for instruction in each course offered;

59.7 (5) the maximum enrollment to be accommodated;

59.8 (6) a listing of instructors, all of whom shall be licensed as provided in section 155A.27,
59.9 subdivision 2, except that any school may use occasional instructors or lecturers who would
59.10 add to the general or specialized knowledge of the students but who need not be licensed;

59.11 (7) a current balance sheet, income statement or documentation to show sufficient
59.12 financial worth and responsibility to properly conduct a school and to assure financial
59.13 resources ample to meet the school's financial obligations;

59.14 (8) other financial guarantees which would assure protection of the public as determined
59.15 by rule; and

59.16 (9) a copy of ~~all written material which the school uses to solicit prospective students,~~
59.17 ~~including but not limited to a tuition and fee schedule, and all catalogues, brochures and~~
59.18 ~~other recruitment advertisements. Each school shall annually, on a date determined by the~~
59.19 ~~board, file with the board any new or amended materials which it has distributed during the~~
59.20 ~~past year.~~ written materials that the school will use for prospective student enrollment,
59.21 including the enrollment contract, student handbook, and tuition and fee information.

59.22 **EFFECTIVE DATE.** This section is effective January 1, 2024.

59.23 Sec. 41. Minnesota Statutes 2020, section 155A.30, subdivision 4, is amended to read:

59.24 Subd. 4. **Verification of application.** Each application shall be signed and certified to
59.25 under oath by ~~the proprietor if the applicant is a proprietorship, by the managing partner if~~
59.26 ~~the applicant is a partnership, or by the authorized officers of the applicant if the applicant~~
59.27 ~~is a corporation, association, company, firm, society or trust.~~ the school administrator. For
59.28 purposes of this section, "school administrator" means the proprietor, if the applicant is a
59.29 proprietorship; the managing partner, if the applicant is a partnership; the authorized officers,
59.30 if the applicant is a corporation, association, company, firm, society, or trust; or, the dean,
59.31 principal, or other authorized signatory, if the applicant is a school in the Minnesota State
59.32 Colleges and Universities system or a secondary school.

60.1 **EFFECTIVE DATE.** This section is effective January 1, 2024.

60.2 Sec. 42. Minnesota Statutes 2020, section 155A.30, subdivision 6, is amended to read:

60.3 Subd. 6. **Fees; renewals.** (a) Applications for initial license under sections 155A.21 to
60.4 155A.36 shall be accompanied by a nonrefundable application fee set forth in section
60.5 155A.25.

60.6 (b) License duration shall be ~~three~~ four years. Each renewal application shall be
60.7 accompanied by a nonrefundable renewal fee set forth in section 155A.25.

60.8 (c) Application for renewal of license shall be made as provided in rules adopted by the
60.9 board and on forms supplied by the board.

60.10 **EFFECTIVE DATE.** This section is effective January 1, 2024, and applies to licenses
60.11 issued or renewed on or after that date.

60.12 Sec. 43. Minnesota Statutes 2020, section 155A.30, subdivision 11, is amended to read:

60.13 Subd. 11. **Instruction requirements.** (a) Instruction may be offered for no more than
60.14 ten hours per day per student.

60.15 (b) Instruction must be given within a licensed school building except as provided for
60.16 in paragraph (c). ~~Online instruction is permitted for board-approved theory-based classes.~~
60.17 Instruction may be given online for theory-based portions of a board-approved curriculum.
60.18 Practice-based ~~classes~~ portions of a board-approved curriculum must not be given online.

60.19 (c) Schools may offer field trips outside of a licensed school building if the field trips
60.20 are related to the course curriculum for industry educational purposes.

60.21 **EFFECTIVE DATE.** This section is effective July 1, 2024.

60.22 Sec. 44. Minnesota Statutes 2020, section 161.1419, subdivision 2, is amended to read:

60.23 Subd. 2. **Members.** (a) The commission shall be composed of 15 members of whom:

60.24 (1) one shall be appointed by the commissioner of transportation;

60.25 (2) one shall be appointed by the commissioner of natural resources;

60.26 (3) one shall be appointed by the director of Explore Minnesota Tourism;

60.27 (4) one shall be appointed by the commissioner of agriculture;

60.28 (5) one shall be appointed by the director of the Minnesota ~~Historical Society~~ State
60.29 Historic Preservation Office;

61.1 (6) two shall be members of the senate to be appointed by the Committee on Committees;

61.2 (7) two shall be members of the house of representatives to be appointed by the speaker;

61.3 (8) one shall be the secretary appointed pursuant to subdivision 3; and

61.4 (9) five shall be citizen members appointed to staggered four-year terms by the members

61.5 appointed under clauses (1) to (8) after receiving recommendations from five citizen

61.6 committees established by the members appointed under clauses (1) to (8), with each citizen

61.7 committee established within and representing each of the following geographic segments

61.8 along the Mississippi River:

61.9 (i) Lake Itasca to but not including the city of Grand Rapids;

61.10 (ii) Grand Rapids to but not including the city of Brainerd;

61.11 (iii) Brainerd to but not including the city of Elk River;

61.12 (iv) Elk River to but not including the city of Hastings; and

61.13 (v) Hastings to the Iowa border.

61.14 Each citizen ~~committee~~ member shall be a resident of the geographic segment that the

61.15 ~~committee and~~ member represents.

61.16 (b) The members of the commission appointed in paragraph (a), clauses (1) to (8), shall

61.17 serve for a term expiring at the close of each regular session of the legislature and until their

61.18 successors are appointed.

61.19 (c) Successor members shall be appointed by the same appointing authorities. Members

61.20 may be reappointed. Any vacancy shall be filled by the appointing authority. The

61.21 commissioner of transportation, the commissioner of natural resources, and the director of

61.22 the Minnesota Historical Society shall be ex officio members, and shall be in addition to

61.23 the 15 members heretofore provided for. Immediately upon making the appointments to the

61.24 commission the appointing authorities shall so notify the Mississippi River Parkway

61.25 Commission, hereinafter called the National Commission, giving the names and addresses

61.26 of the members so appointed.

61.27 Sec. 45. Minnesota Statutes 2021 Supplement, section 240.131, subdivision 7, is amended

61.28 to read:

61.29 Subd. 7. **Payments to state.** (a) A regulatory fee is imposed at the rate of one percent

61.30 of all amounts wagered by Minnesota residents with an authorized advance deposit wagering

61.31 provider. The fee shall be declared on a form prescribed by the commission. The ADW

62.1 provider must pay the fee to the commission no more than 15 days after the end of the month
 62.2 in which the wager was made. Fees collected under this paragraph must be deposited in the
 62.3 state treasury and credited to a racing and card-playing regulation account in the special
 62.4 revenue fund and are appropriated to the commission to offset the costs incurred by the
 62.5 commission as described in section 240.30, subdivision 9, or the costs associated with
 62.6 regulating horse racing and pari-mutuel wagering in Minnesota.

62.7 (b) A breeders fund fee is imposed in the amount of one-quarter of one percent of all
 62.8 amounts wagered by Minnesota residents with an authorized advance deposit wagering
 62.9 provider. The fee shall be declared on a form prescribed by the commission. The ADW
 62.10 provider must pay the fee to the commission no more than 15 days after the end of the month
 62.11 in which the wager was made. Fees collected under this paragraph must be deposited in the
 62.12 state treasury and credited to a racing and card-playing regulation account in the special
 62.13 revenue fund and are appropriated to the commission to offset the cost of administering the
 62.14 breeders fund, to support racehorse adoption, retirement, and repurposing, and promote
 62.15 horse breeding in Minnesota.

62.16 **EFFECTIVE DATE.** This section is effective July 1, 2022.

62.17 Sec. 46. Minnesota Statutes 2020, section 299E.04, subdivision 5, is amended to read:

62.18 Subd. 5. **Expiration.** The advisory committee on Capitol Area Security expires June
 62.19 30, ~~2022~~ 2036.

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

62.21 Sec. 47. Minnesota Statutes 2020, section 326A.09, is amended to read:

62.22 **326A.09 REINSTATEMENT.**

62.23 The board may reinstate a suspended, revoked, expired, or surrendered certificate,
 62.24 registration, or permit or suspended, revoked, expired, or surrendered practice privileges
 62.25 upon petition of the person or firm holding or formerly holding the registration, permit, or
 62.26 certificate, or practice privileges. The board may, in its sole discretion, require that the
 62.27 person or firm submit to the board evidence of having obtained up to 120 hours of continuing
 62.28 professional education credits that would have been required had the person or firm held a
 62.29 registration, certificate, permit, or practice privileges continuously. The board may, in its
 62.30 sole discretion, place any other conditions upon reinstatement of a suspended, revoked,
 62.31 expired, or surrendered certificate, permit, registration, or of practice privileges that it finds
 62.32 appropriate and necessary to ensure that the purposes of this chapter are met. No suspended

63.1 certificate, registration, permit, or practice privileges may be reinstated until the former
 63.2 holder, or person with practice privileges has completed one-half of the suspension.

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

63.4 Sec. 48. Minnesota Statutes 2020, section 349.151, subdivision 4d, is amended to read:

63.5 Subd. 4d. **Electronic pull-tab devices and electronic pull-tab game system.** (a) The
 63.6 board may adopt rules it deems necessary to ensure the integrity of electronic pull-tab
 63.7 devices, the electronic pull-tab games played on the devices, and the electronic pull-tab
 63.8 game system necessary to operate them.

63.9 (b) The board may not require an organization to use electronic pull-tab devices.

63.10 (c) Before authorizing the lease or sale of electronic pull-tab devices and the electronic
 63.11 pull-tab game system, the board shall examine electronic pull-tab devices allowed under
 63.12 section 349.12, subdivision 12b. The board may contract for the examination of the game
 63.13 system and electronic pull-tab devices and may require a working model to be transported
 63.14 to locations the board designates for testing, examination, and analysis. The manufacturer
 63.15 must pay all costs of any testing, examination, analysis, and transportation of the model.
 63.16 The system must be approved by the board before its use in the state and must have the
 63.17 capability to permit the board to electronically monitor its operation and internal accounting
 63.18 systems.

63.19 (d) The board may require a manufacturer to submit a certificate from an independent
 63.20 testing laboratory approved by the board to perform testing services, stating that the
 63.21 equipment has been tested, analyzed, and meets the standards required in this chapter and
 63.22 any applicable board rules.

63.23 (e) The board, or the director if authorized by the board, may require the deactivation
 63.24 of an electronic pull-tab device for violation of a law or rule and to implement any other
 63.25 controls deemed necessary to ensure and maintain the integrity of electronic pull-tab devices
 63.26 and the electronic pull-tab games played on the devices.

63.27 (f) The board may not deactivate or prohibit the use, lease, or sale of an authorized or
 63.28 approved electronic pull-tab device, electronic pull-tab game, or electronic pull-tab game
 63.29 system provided the electronic pull-tab device, electronic pull-tab game, or electronic pull-tab
 63.30 game system continues to meet the standards required in this chapter and any applicable
 63.31 board rules that were in effect at the time of approval or authorization unless a later enacted
 63.32 law, passed by the legislature and signed by the governor, requires that an electronic pull-tab

64.1 device, electronic pull-tab game, or electronic pull-tab game system comply with rules
 64.2 adopted after the date of approval or authorization.

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

64.4 Sec. 49. Minnesota Statutes 2020, section 349.1721, subdivision 1, is amended to read:

64.5 Subdivision 1. **Cumulative or carryover games.** The board shall by rule permit pull-tab
 64.6 games with multiple seals. The board shall also adopt rules for pull-tab games with
 64.7 cumulative or carryover prizes. The rules shall also apply to electronic pull-tab games.
 64.8 Electronic pull-tab games are subject to the rules in effect at the time the electronic pull-tab
 64.9 game was approved or authorized unless a later enacted law, passed by the legislature and
 64.10 signed by the governor, requires that an electronic pull-tab game comply with rules adopted
 64.11 after the date of approval or authorization.

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

64.13 Sec. 50. Minnesota Statutes 2020, section 349.1721, subdivision 2, is amended to read:

64.14 Subd. 2. **Event games.** The board shall by rule permit pull-tab games in which certain
 64.15 winners are determined by the random selection of one or more bingo numbers or by another
 64.16 method approved by the board. The rules shall also apply to electronic pull-tab games.
 64.17 Electronic pull-tab games are subject to the rules in effect at the time the electronic pull-tab
 64.18 game was approved or authorized unless a later enacted law, passed by the legislature and
 64.19 signed by the governor, requires that an electronic pull-tab game comply with rules adopted
 64.20 after the date of approval or authorization.

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

64.22 Sec. 51. **[645.0711] STANDARD OF TIME.**

64.23 Every mention of, or reference to, any hour or time in any law, during any period of the
 64.24 year, is to be construed with reference to and in accordance with the standard time provided
 64.25 by federal law. No department of the state government and no county, city, or town shall
 64.26 employ, during any period of the year, any other time, or adopt any ordinance or order
 64.27 providing for the use, during any period of the year, of any other time than the federal
 64.28 standard time.

64.29 **EFFECTIVE DATE.** This section is effective January 2, 2030, if an amendment to
 64.30 United States Code, title 15, section 260a, or other applicable law that authorizes states to
 64.31 observe advance standard time year-round is not enacted before that date.

65.1 Sec. 52. **BOARD OF COSMETOLOGIST EXAMINERS LICENSING WORKING**
65.2 **GROUP.**

65.3 Subdivision 1. **Membership.** The board of cosmetologist examiners licensing working
65.4 group consists of the following eleven members:

65.5 (1) the executive director of the Minnesota Board of Barber Examiners;

65.6 (2) one licensed salon owner, appointed by the executive director of the board of
65.7 cosmetologist examiners;

65.8 (3) one representative of a cosmetology school, appointed by the executive director of
65.9 the board of cosmetologist examiners;

65.10 (4) a representative of a trade association in the cosmetology industry that operates in
65.11 the state, appointed by the executive director of the board of cosmetologist examiners;

65.12 (5) one state employee from another state agency that works with health and safety
65.13 issues, appointed by the governor;

65.14 (6) two members of the public who use cosmetology services, appointed by the governor;

65.15 (7) two senators, one appointed by the majority leader and one appointed by the minority
65.16 leader; and

65.17 (8) two members of the house of representatives, one appointed by the speaker of the
65.18 house and one appointed by the minority leader.

65.19 (b) The executive director or a designee shall serve as an ex officio.

65.20 Subd. 2. **Duties; report.** (a) The working group must submit a report to the chairs and
65.21 ranking minority members of the legislative committees with jurisdiction over state
65.22 government finance and policy by February 15, 2023. The report must:

65.23 (1) evaluate the recommendations in the 2021 Office of the Legislative Auditor program
65.24 evaluation titled Board of Cosmetology Licensing and recommend whether and how to
65.25 adopt the recommendations;

65.26 (2) evaluate the salon manager license and school manager license;

65.27 (3) evaluate the scope and requirements for special event services and homebound
65.28 services permits and considering merging both permits; and

65.29 (4) evaluate an endorsement-based licensing structure.

65.30 (b) The report must include draft legislation to implement the recommendations of the
65.31 working group.

66.1 Subd. 3. **Meetings; chair.** (a) The executive director of the board of cosmetologist
 66.2 examiners must convene the first meeting of the working group by September 15, 2022. At
 66.3 the first meeting, the members must elect a chair. Subsequent meetings of the working group
 66.4 must be convened by the chair or the chair's designee.

66.5 (b) The working group may conduct meetings remotely.

66.6 (c) The chair shall be responsible for document management of materials for the working
 66.7 group.

66.8 Subd. 4. **Compensation; reimbursement.** Members appointed under subdivision 1,
 66.9 clauses (2) through (6) may be compensated and reimbursed for expenses as provided in
 66.10 Minnesota Statutes, section 15.0575, subdivision 3.

66.11 Subd. 5. **Administrative support.** The Board of Cosmetologist Examiners must provide
 66.12 administrative support and meeting space to the working group.

66.13 Subd. 6. **Expiration.** The working group expires February 16, 2023, or the day after
 66.14 submitting the report required in subdivision 2, whichever occurs earlier.

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

66.16 Sec. 53. **MISSISSIPPI RIVER PARKWAY COMMISSION; CITIZEN MEMBERS.**

66.17 Citizens currently appointed to the Mississippi River Parkway Commission under
 66.18 Minnesota Statutes, section 161.1419, subdivision 2, serve terms as follows:

66.19 (1) Lake Itasca, to but not including the city of Grand Rapids, for a term ending December
 66.20 31, 2026;

66.21 (2) Grand Rapids, to but not including the city of Brainerd, for a term ending December
 66.22 31, 2026; and

66.23 (3) Brainerd, to but not including the city of Elk River, for a term ending December 31,
 66.24 2026.

66.25 Sec. 54. **UNITED STATES AMATEUR SPORTS AND TRAINING CENTER IN**
 66.26 **DAKOTA COUNTY; REPORT.**

66.27 Subdivision 1. **Study required.** (a) The Minnesota Amateur Sports Commission must
 66.28 partner with the city of Eagan and the city of Inver Grove Heights to study the development
 66.29 of the United States Amateur Sports and Training Center in Dakota County.

66.30 (b) The study must:

67.1 (1) identify potential users of the training facility including youth and adult sport activities
 67.2 from diverse populations to be served by the training center;

67.3 (2) address possible sites of the training center and the proximity to other existing training
 67.4 facilities;

67.5 (3) address costs of construction for the training center based on needs identified in the
 67.6 study;

67.7 (4) address ongoing operational costs of the training center once completed;

67.8 (5) determine if the estimated training facility rental rates and user fees, and sponsorship
 67.9 fees are adequate to support the training center's ongoing operations; and

67.10 (6) evaluate the potential for local, nonstate resources to support the training facility
 67.11 operations to maintain the training facility, if necessary without regard to any debt service
 67.12 for capital improvements.

67.13 Subd. 2. Study requirements. (a) The commission's market analysis of user rental rates
 67.14 and user fees to determine potential revenues for the facility must consider the impacts on
 67.15 or duplication of existing private or government-sponsored facilities.

67.16 (b) The commission must analyze the state and local economic impacts of the proposed
 67.17 facility once fully operational including sales tax revenue increases and local venue and
 67.18 revenue impacts from sports tourism.

67.19 (c) The study must address the training center's ability to provide opportunities to
 67.20 underserved populations including culturally and economically diverse users and possible
 67.21 training center needs and uses for specific age and gender participants.

67.22 Subd. 3. Legislative report. The commission must submit a report describing its work
 67.23 and findings to the chairs and ranking minority members of the legislative committees
 67.24 responsible for capital investment and state government finance no later than January 15,
 67.25 2023.

67.26 Sec. 55. DEPARTMENT OF IRON RANGE RESOURCES AND
 67.27 REHABILITATION; SEPARATION AND RETENTION INCENTIVE PROGRAM
 67.28 AUTHORIZATION.

67.29 The commissioner of Iron Range resources and rehabilitation may provide separation
 67.30 and retention incentive programs for employees of the department that are consistent with
 67.31 the provisions of Laws 2009, chapter 78, article 7, section 2, as amended by Laws 2010,
 67.32 chapter 215, article 9, section 2, and Laws 2010, chapter 216, section 53. The cost of such

68.1 incentives are payable solely by funds made available to the commissioner under Minnesota
68.2 Statutes, chapter 298. Employees are not required to participate in the programs.

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

68.4 Sec. 56. **PUBLIC LAND SURVEY MONUMENT RESTORATION.**

68.5 The chief geospatial information officer must submit a report by January 1, 2023, to the
68.6 chairs and ranking minority members of the committees in the house of representatives and
68.7 the senate with jurisdiction over local government detailing the status of the monuments
68.8 that mark public land survey corners, the work needed by each county to restore missing
68.9 or mislocated monuments so that all public land survey corners are documented and marked
68.10 with monuments, and the estimated costs for each county to complete the work. The report
68.11 must describe the state's interest in the restoration of missing or mislocated monuments;
68.12 propose a schedule for state funding, if warranted, for grants to counties to complete the
68.13 work; whether the county has used or plans to use taxing authority in Minnesota Statutes,
68.14 section 381.12, subdivision 2, to defray the expenses for the work; identify federal money
68.15 that may be available for this work; or propose another manner of funding the work.

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

68.17 Sec. 57. **CONSUMER CHOICE OF FUEL ACT.**

68.18 Sections 9, 10, 18, and 57 are known as the Consumer Choice of Fuel Act.

68.19 Sec. 58. **VETERANS HOMES; REPORT.**

68.20 By February 15, 2023, the commissioner of administration must report to the legislative
68.21 committees with jurisdiction over veterans affairs on the use of the money appropriated
68.22 under article 1, section 5, including information on the status of the Bemidji, Montevideo,
68.23 and Preston state veterans homes building projects. By February 15, 2024, the commissioner
68.24 of administration must submit a final report to the legislative committees with jurisdiction
68.25 over veterans affairs on how the total appropriations were spent.

68.26 Sec. 59. **REVISOR INSTRUCTION.**

68.27 (a) The revisor of statutes must change "Board of Cosmetologist Examiners" to "Board
68.28 of Cosmetology" wherever it appears in Minnesota Statutes.

68.29 (b) The revisor is directed to change all cross-references to Minnesota Statutes, section
68.30 645.071, to cross-references to Minnesota Statutes, section 645.0711, throughout the statutes.

69.1 **EFFECTIVE DATE.** Paragraph (b) is effective January 2, 2030, if an amendment to
 69.2 United States Code, title 15, section 260a, or other applicable law that authorizes states to
 69.3 observe advance standard time year-round is not enacted before that date.

69.4 Sec. 60. **REPEALER.**

69.5 (a) Minnesota Statutes 2020, sections 136F.03; and 326A.04, subdivision 11, are repealed.

69.6 (b) Minnesota Rules, parts 7023.0150; 7023.0200; 7023.0250; and 7023.0300, are
 69.7 repealed.

69.8 (c) Minnesota Statutes 2020, section 645.071, is repealed.

69.9 **EFFECTIVE DATE.** Paragraph (c) is effective January 1, 2030, if an amendment to
 69.10 United States Code, title 15, section 260a, or other applicable law that authorizes states to
 69.11 observe advance standard time year-round is not enacted before that date. This section
 69.12 expires the day after an amendment to the United States Code, title 15, section 260a, or
 69.13 other applicable law is enacted that authorizes states to observe advance standard time
 69.14 year-round.

69.15 **ARTICLE 6**

69.16 **ELECTIONS & CAMPAIGN FINANCE**

69.17 Section 1. Minnesota Statutes 2020, section 10A.01, subdivision 10, is amended to read:

69.18 Subd. 10. **Candidate.** "Candidate" means an individual who seeks nomination or election
 69.19 as a state constitutional officer, legislator, or judge. An individual is deemed to seek
 69.20 nomination or election if the individual has taken the action necessary under the law of this
 69.21 state to qualify for nomination or election, has received contributions or made expenditures
 69.22 in excess of ~~\$750~~ \$200, or has given implicit or explicit consent for any other person to
 69.23 receive contributions or make expenditures in excess of ~~\$750~~ \$200, for the purpose of
 69.24 bringing about the individual's nomination or election. A candidate remains a candidate
 69.25 until the candidate's principal campaign committee is dissolved as provided in section
 69.26 10A.243.

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

69.28 Sec. 2. Minnesota Statutes 2020, section 10A.105, subdivision 1, is amended to read:

69.29 Subdivision 1. **Single committee.** A candidate must not accept contributions from a
 69.30 source, other than self, in aggregate in excess of ~~\$750~~ \$200 or accept a public subsidy unless
 69.31 the candidate designates and causes to be formed a single principal campaign committee

70.1 for each office sought. A candidate may not authorize, designate, or cause to be formed any
 70.2 other political committee bearing the candidate's name or title or otherwise operating under
 70.3 the direct or indirect control of the candidate. However, a candidate may be involved in the
 70.4 direct or indirect control of a party unit.

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

70.6 Sec. 3. Minnesota Statutes 2020, section 10A.14, subdivision 1, is amended to read:

70.7 Subdivision 1. **First registration.** (a) The treasurer of a political committee, political
 70.8 fund, principal campaign committee, or party unit must register with the board by filing a
 70.9 registration statement. The registration statement must be filed by the earliest of the following
 70.10 dates:

70.11 (1) no later than 14 days after the committee, fund, or party unit has made a contribution,
 70.12 received contributions, or made expenditures in excess of ~~\$750~~ \$200;

70.13 (2) no later than the next report of receipts and expenditures filing date applicable to the
 70.14 committee, fund, or party unit if the committee, fund, or party unit reached the threshold in
 70.15 clause (1) before the end of the reporting period covered by that report; or

70.16 (3) by the end of the next business day after it has received a loan or contribution that
 70.17 must be reported under section 10A.20, subdivision 5.

70.18 (b) This subdivision does not apply to ballot question or independent expenditure political
 70.19 committees or funds, which are subject to subdivision 1a.

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

70.21 Sec. 4. Minnesota Statutes 2020, section 10A.20, subdivision 6, is amended to read:

70.22 Subd. 6. **Report when no committee.** (a) A candidate who does not designate and cause
 70.23 to be formed a principal campaign committee and who makes campaign expenditures in
 70.24 aggregate in excess of ~~\$750~~ \$200 in a year must file with the board a report containing the
 70.25 information required by subdivision 3. Reports required by this subdivision must be filed
 70.26 by the dates on which reports by principal campaign committees must be filed.

70.27 (b) An individual who makes independent expenditures that aggregate more than \$1,500
 70.28 in a calendar year or expenditures to promote or defeat a ballot question that aggregate more
 70.29 than \$5,000 in a calendar year must file with the board a report containing the information
 70.30 required by subdivision 3. A report required by this subdivision must be filed by the date
 70.31 on which the next report by political committees and political funds must be filed.

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

71.2 Sec. 5. Minnesota Statutes 2020, section 10A.25, subdivision 2, is amended to read:

71.3 Subd. 2. **Amounts.** (a) In a segment of an election cycle, the principal campaign
71.4 committee of the candidate must not make campaign expenditures nor permit approved
71.5 expenditures to be made on behalf of the candidate that result in aggregate expenditures in
71.6 excess of the following:

71.7 (1) for governor and lieutenant governor, running together, \$3,817,700 in the election
71.8 segment and \$1,697,400 in the nonelection segment;

71.9 (2) for attorney general, \$654,600 in the election segment and \$226,400 in the nonelection
71.10 segment;

71.11 (3) for secretary of state and state auditor, separately, \$436,400 in the election segment
71.12 and \$113,300 in the nonelection segment;

71.13 (4) for state senator, \$102,800 in the election segment and \$32,800 in a nonelection
71.14 segment;

71.15 (5) for state representative, \$68,500 in the election segment.

71.16 (b) In addition to the amount in paragraph (a), clause (1), a candidate for endorsement
71.17 for the office of lieutenant governor at the convention of a political party may make campaign
71.18 expenditures and approved expenditures of five percent of that amount to seek endorsement.

71.19 (c) If a special election cycle occurs during a general election cycle, expenditures by or
71.20 on behalf of a candidate in the special election do not count as expenditures by or on behalf
71.21 of the candidate in the general election.

71.22 (d) The expenditure limits in this subdivision for an office are increased by ten percent
71.23 for a candidate who has not previously held the same office, whose name has not previously
71.24 been on the primary or general election ballot for that office, and who has not in the past
71.25 ten years raised or spent more than ~~\$750~~ \$200 in a run for any other office whose territory
71.26 now includes a population that is more than one-third of the population in the territory of
71.27 the new office. Candidates who qualify for first-time candidate status receive a ten percent
71.28 increase in the campaign expenditure limit in all segments of the applicable election cycle.
71.29 In the case of a legislative candidate, the office is that of a member of the house of
71.30 representatives or senate without regard to any specific district.

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

72.1 Sec. 6. Minnesota Statutes 2020, section 10A.273, subdivision 1, is amended to read:

72.2 Subdivision 1. **Contributions during legislative session.** (a) A candidate for the
72.3 legislature or for constitutional office, the candidate's principal campaign committee, or a
72.4 political committee or party unit established by all or a part of the party organization within
72.5 a house of the legislature, must not solicit or accept a contribution from a registered lobbyist,
72.6 political committee, political fund, or an association not registered with the board during a
72.7 regular session of the legislature.

72.8 (b) A registered lobbyist, political committee, political fund, or an association not
72.9 registered with the board must not make a contribution to a candidate for the legislature or
72.10 for constitutional office, the candidate's principal campaign committee, or a political
72.11 committee or party unit established by all or a part of the party organization within a house
72.12 of the legislature during a regular session of the legislature.

72.13 (c) A lobbyist, political committee, or political fund must not make a contribution at
72.14 any time for membership in, or access to, a facility during a regular legislative session if
72.15 the facility is operated by the principal campaign committee of a candidate for the legislature
72.16 or constitutional office, or by a political party organization within a house of the legislature.

72.17 Sec. 7. Minnesota Statutes 2020, section 13.607, is amended by adding a subdivision to
72.18 read:

72.19 Subd. 6a. **Registered voter lists.** Data on registered voters is governed by section
72.20 201.022, subdivision 4.

72.21 **EFFECTIVE DATE.** This section is effective the day following final enactment and
72.22 applies to requests for data made on or after that date.

72.23 Sec. 8. Minnesota Statutes 2020, section 201.022, is amended by adding a subdivision to
72.24 read:

72.25 Subd. 4. **Data.** (a) Except as provided in this subdivision, all data in the statewide voter
72.26 registration system is public data on individuals, as defined in section 13.02, subdivision
72.27 15.

72.28 (b) The following data is private data on individuals, as defined in section 13.02,
72.29 subdivision 12: any identifying information related to a minor, a voter's date of birth, driver's
72.30 license number, identification card number, military identification card number, passport
72.31 number, or any part of a voter's Social Security number.

73.1 (c) Information maintained on the presidential primary political party list required by
 73.2 section 201.091, subdivision 4a, is private data on individuals as defined under section
 73.3 13.02, subdivision 12, except that the secretary of state must provide the list to the chair of
 73.4 each major political party.

73.5 (d) Upon receipt of a statement signed by the voter that withholding the voter's name
 73.6 from the public is required for the safety of the voter or the voter's family, the secretary of
 73.7 state and county auditor must withhold from the public the name of the registered voter.
 73.8 Data withheld pursuant to this paragraph is private data on individuals, as defined in section
 73.9 13.02, subdivision 12.

73.10 (e) Any person requesting public data must state in writing that any information obtained
 73.11 from the statewide voter registration system will not be used for purposes unrelated to
 73.12 elections, political activities, or law enforcement.

73.13 **EFFECTIVE DATE.** This section is effective the day following final enactment and
 73.14 applies to requests for data made on or after that date.

73.15 Sec. 9. Minnesota Statutes 2020, section 201.091, subdivision 4, is amended to read:

73.16 Subd. 4. **Public information lists.** The county auditor shall make available for inspection
 73.17 a public information list which must contain the name, address, year of birth, and voting
 73.18 history of each registered voter in the county. The list must not include ~~the party choice of~~
 73.19 ~~any voter who voted in a presidential nomination primary.~~ data classified as private data on
 73.20 individuals pursuant to section 201.022, subdivision 4. The telephone number must be
 73.21 included on the list if provided by the voter. The public information list may also include
 73.22 information on voting districts. The county auditor may adopt reasonable rules governing
 73.23 access to the list. No individual inspecting the public information list shall tamper with or
 73.24 alter it in any manner. No individual who inspects the public information list or who acquires
 73.25 a list of registered voters prepared from the public information list may use any information
 73.26 contained in the list for purposes unrelated to elections, political activities, or law
 73.27 enforcement. The secretary of state may provide copies of the public information lists ~~and~~
 73.28 ~~other information from the statewide registration system~~ for uses related to elections, political
 73.29 activities, or in response to a law enforcement inquiry from a public official concerning a
 73.30 failure to comply with any criminal statute or any state or local tax statute.

73.31 Before inspecting the public information list or obtaining a list of voters or other
 73.32 information from the list, the individual shall provide identification to the public official
 73.33 having custody of the public information list and shall state in writing that any information
 73.34 obtained from the list will not be used for purposes unrelated to elections, political activities,

74.1 or law enforcement. Requests to examine or obtain information from the public information
 74.2 lists or the statewide registration system must be made and processed in the manner provided
 74.3 in the rules of the secretary of state.

74.4 ~~Upon receipt of a statement signed by the voter that withholding the voter's name from~~
 74.5 ~~the public information list is required for the safety of the voter or the voter's family, the~~
 74.6 ~~secretary of state and county auditor must withhold from the public information list the~~
 74.7 ~~name of a registered voter.~~

74.8 **EFFECTIVE DATE.** This section is effective the day following final enactment and
 74.9 applies to requests for data made on or after that date.

74.10 Sec. 10. Minnesota Statutes 2020, section 201.091, subdivision 4a, is amended to read:

74.11 Subd. 4a. **Presidential nomination primary political party list.** The secretary of state
 74.12 must maintain a list of the voters who voted in a presidential nomination primary and the
 74.13 political party each voter selected. ~~Information maintained on the list is private data on~~
 74.14 ~~individuals as defined under section 13.02, subdivision 12, except that the secretary of state~~
 74.15 ~~must provide the list to the chair of each major political party.~~

74.16 **EFFECTIVE DATE.** This section is effective the day following final enactment and
 74.17 applies to requests for data made on or after that date.

74.18 Sec. 11. Minnesota Statutes 2020, section 201.091, is amended by adding a subdivision
 74.19 to read:

74.20 Subd. 10. **Requests for data.** Nothing in this section prevents a person from requesting
 74.21 public data as described in section 201.022, subdivision 4.

74.22 **EFFECTIVE DATE.** This section is effective the day following final enactment and
 74.23 applies to requests for data made on or after that date.

74.24 Sec. 12. Minnesota Statutes 2020, section 201.121, subdivision 1, is amended to read:

74.25 Subdivision 1. **Entry of registration information.** (a) At the time a voter registration
 74.26 application is properly completed, submitted, and received in accordance with sections
 74.27 201.061 and 201.071, the county auditor shall enter the information contained on it into the
 74.28 statewide voter registration system. Voter registration applications completed before election
 74.29 day must be entered into the statewide voter registration system within ten days after they
 74.30 have been submitted to the county auditor. Voter registration applications completed on
 74.31 election day must be entered into the statewide voter registration system ~~within 42 days~~

75.1 ~~after the election, unless the county auditor notifies the secretary of state before the deadline~~
75.2 ~~has expired that the deadline will not be met. Upon receipt of a notification under this~~
75.3 ~~paragraph, the secretary of state must extend the deadline for that county auditor by an~~
75.4 ~~additional 28 days. The secretary of state may waive a county's obligations under this~~
75.5 ~~paragraph if, on good cause shown, the county demonstrates its permanent inability to~~
75.6 ~~comply before the canvass of that election is started.~~

75.7 The secretary of state must post data on each county's compliance with this paragraph on
75.8 the secretary of state's website including, as applicable, the date each county fully complied
75.9 ~~or the deadline by which a county's compliance must be complete.~~

75.10 (b) Upon receiving a completed voter registration application, the secretary of state ~~may~~
75.11 must electronically transmit the information on the application to the appropriate county
75.12 auditor as soon as possible for review by the county auditor before final entry into the
75.13 statewide voter registration system. ~~The secretary of state may mail the voter registration~~
75.14 ~~application to the county auditor.~~

75.15 (c) Within ten days after the county auditor has entered information from a voter
75.16 registration application into the statewide voter registration system, the secretary of state
75.17 shall compare the voter's name, date of birth, and driver's license number, state identification
75.18 number, or the last four digits of the Social Security number with the same information
75.19 contained in the Department of Public Safety database.

75.20 (d) The secretary of state shall provide a report to the county auditor on a weekly basis
75.21 that includes a list of voters whose name, date of birth, or identification number have been
75.22 compared with the same information in the Department of Public Safety database and cannot
75.23 be verified as provided in this subdivision. The report must list separately those voters who
75.24 have submitted a voter registration application by mail and have not voted in a federal
75.25 election in this state.

75.26 (e) The county auditor shall compile a list of voters for whom the county auditor and
75.27 the secretary of state are unable to conclude that information on the voter registration
75.28 application and the corresponding information in the Department of Public Safety database
75.29 relate to the same person.

75.30 (f) The county auditor shall send a notice of incomplete registration to any voter whose
75.31 name appears on the list and change the voter's status to "incomplete." A voter who receives
75.32 a notice of incomplete registration from the county auditor may either provide the information
75.33 required to complete the registration at least 21 days before the next election or at the polling
75.34 place on election day.

76.1 **EFFECTIVE DATE.** This section is effective September 1, 2022, and applies to
 76.2 elections on or after that date.

76.3 Sec. 13. Minnesota Statutes 2020, section 203B.07, subdivision 1, is amended to read:

76.4 Subdivision 1. **Delivery of envelopes, directions.** The county auditor or the municipal
 76.5 clerk shall prepare, print, and transmit a return envelope, a signature envelope, a ~~ballot~~
 76.6 secrecy envelope, and a copy of the directions for casting an absentee ballot to each applicant
 76.7 whose application for absentee ballots is accepted pursuant to section 203B.04. The county
 76.8 auditor or municipal clerk shall provide first class postage for the return envelope. The
 76.9 directions for casting an absentee ballot shall be printed in at least 14-point bold type with
 76.10 heavy leading and may be printed on the ~~ballot~~ secrecy envelope. When a person requests
 76.11 the directions in Braille or on audio file, the county auditor or municipal clerk shall provide
 76.12 them in the form requested. The secretary of state shall prepare Braille and audio file copies
 76.13 and make them available.

76.14 When a voter registration application is sent to the applicant as provided in section
 76.15 203B.06, subdivision 4, the directions on registration application shall include instructions
 76.16 for registering to vote.

76.17 Sec. 14. Minnesota Statutes 2020, section 203B.07, subdivision 2, is amended to read:

76.18 Subd. 2. **Design of envelopes.** (a) The return signature envelope shall be of sufficient
 76.19 size to conveniently enclose and contain the ~~ballot~~ secrecy envelope and a folded voter
 76.20 registration application. The return signature envelope shall be designed to open on the
 76.21 left-hand end.

76.22 (b) The return envelope must be designed in one of the following ways:

76.23 (1) it must be of sufficient size to contain ~~an additional~~ a signature envelope ~~that when~~
 76.24 and when the return envelope is sealed, it conceals the signature, identification, and other
 76.25 information; or

76.26 (2) it must be the signature envelope and provide an additional flap that when sealed,
 76.27 conceals the signature, identification, and other information.

76.28 (c) Election officials may open the flap or the ~~additional~~ return envelope at any time
 76.29 after receiving the returned ballot to inspect the returned certificate for completeness or to
 76.30 ascertain other information.

77.1 Sec. 15. Minnesota Statutes 2020, section 203B.07, subdivision 3, is amended to read:

77.2 Subd. 3. **Eligibility certificate.** A certificate of eligibility to vote by absentee ballot
77.3 shall be printed on the back of the ~~return~~ signature envelope. The certificate shall contain
77.4 space for the voter's Minnesota driver's license number, state identification number, or the
77.5 last four digits of the voter's Social Security number, or to indicate that the voter does not
77.6 have one of these numbers. The space must be designed to ensure that the voter provides
77.7 the same type of identification as provided on the voter's absentee ballot application for
77.8 purposes of comparison. The certificate must also contain a statement to be signed and
77.9 sworn by the voter indicating that the voter meets all of the requirements established by law
77.10 for voting by absentee ballot and space for a statement signed by a person who is registered
77.11 to vote in Minnesota or by a notary public or other individual authorized to administer oaths
77.12 stating that:

77.13 (1) the ballots were displayed to that individual unmarked;

77.14 (2) the voter marked the ballots in that individual's presence without showing how they
77.15 were marked, or, if the voter was physically unable to mark them, that the voter directed
77.16 another individual to mark them; and

77.17 (3) if the voter was not previously registered, the voter has provided proof of residence
77.18 as required by section 201.061, subdivision 3.

77.19 Sec. 16. Minnesota Statutes 2021 Supplement, section 203B.08, subdivision 1, is amended
77.20 to read:

77.21 Subdivision 1. **Marking and return by voter.** (a) An eligible voter who receives absentee
77.22 ballots as provided in this chapter shall mark them in the manner specified in the directions
77.23 for casting the absentee ballots. The return envelope containing marked ballots may be
77.24 mailed as provided in the directions for casting the absentee ballots, may be ~~left with~~
77.25 personally delivered to the office of the county auditor or municipal clerk who transmitted
77.26 the absentee ballots to the voter, or may be left in a drop box as provided in section 203B.082.
77.27 If delivered in person, the return envelope must be submitted to the county auditor or
77.28 municipal clerk by 3:00 p.m. on election day.

77.29 (b) The voter may designate an agent to deliver in person the sealed absentee ballot
77.30 return envelope to the county auditor or municipal clerk or to deposit the return envelope
77.31 in the mail. An agent may deliver or mail the return envelopes of not more than three voters
77.32 in any election. An agent must not deposit the absentee ballot return envelope of another
77.33 person in a drop box. Any person designated as an agent who tampers with either the return

78.1 envelope or the voted ballots or does not immediately mail or deliver the return envelope
78.2 to the county auditor or municipal clerk is guilty of a misdemeanor.

78.3 **EFFECTIVE DATE.** This section is effective the day following final enactment and
78.4 applies to elections conducted on or after that date.

78.5 Sec. 17. Minnesota Statutes 2020, section 203B.081, subdivision 1, is amended to read:

78.6 Subdivision 1. **Location; timing.** An eligible voter may vote by absentee ballot in the
78.7 office of the county auditor and at any ~~other~~ additional polling place designated by the
78.8 county auditor during the 46 days before the election, except as provided in this section.
78.9 An additional polling place designated by the county auditor pursuant to this section must
78.10 be at a precinct polling place designated pursuant to section 204B.16. Where the county
78.11 auditor administers absentee voting, each additional polling place must be open for in-person
78.12 absentee voting for the entire absentee voting period during the same days and hours as the
78.13 office of the county auditor is open for in-person absentee voting. Where a municipal clerk
78.14 has been designated to administer absentee voting pursuant to section 203B.05, each
78.15 additional polling place designated within the municipality must be open for in-person
78.16 absentee voting for the entire absentee voting period during the regular business hours for
78.17 the municipal clerk's office.

78.18 Sec. 18. Minnesota Statutes 2021 Supplement, section 203B.082, is amended to read:

78.19 **203B.082 ABSENTEE BALLOT DROP BOXES; SECURITY AND INTEGRITY.**

78.20 Subdivision 1. **Definition.** As used in this section, "drop box" means a secure receptacle
78.21 or container established to receive completed absentee ballots 24 hours per day. Drop box
78.22 does not include a receptacle or container maintained by the United States Postal Service,
78.23 or a location at which a voter or an agent may return a completed absentee ballot by providing
78.24 it directly to an employee of the county auditor or municipal clerk.

78.25 Subd. 2. **Minimum security and integrity standards.** The county auditor or municipal
78.26 clerk may provide locations at which a voter may deposit a completed absentee ballot
78.27 enclosed in the completed signature envelope in a secure drop box, consistent with the
78.28 following security and integrity standards:

78.29 (1) each drop box must be continually ~~recorded~~ livestreamed during the absentee voting
78.30 period as provided in section 203B.155 and on election day;

78.31 (2) each drop box must be located within 100 feet of a door of the building where the
78.32 county auditor or municipal clerk's office is located;

79.1 (3) each drop box must be available for use during the entire absentee voting period;

79.2 (4) each drop box must be assigned an identification number that is unique to that drop
 79.3 box;

79.4 ~~(2)~~ (5) each drop box must be designed to prevent an unauthorized person from moving,
 79.5 removing, or tampering with the drop box;

79.6 ~~(3)~~ (6) each drop box placed in an outdoor location must be fastened to a building, bolted
 79.7 to a concrete pad, or otherwise attached to a similarly secure structure;

79.8 ~~(4)~~ (7) ballots deposited in a drop box must be secured against access by any unauthorized
 79.9 person, and in the case of a drop box located in an outdoor location, the drop box must be
 79.10 secured against damage due to weather or other natural conditions;

79.11 ~~(5)~~ (8) each drop box must contain signage or markings that:

79.12 (i) clearly identifies the drop box as an official absentee ballot return location; ~~and~~

79.13 (ii) include the location and hours where an agent may return an absentee ballot;

79.14 (iii) include the statement: "STOP! You can only return your own ballot in this drop
 79.15 box."; and

79.16 (iv) the identification number assigned to the drop box;

79.17 ~~(6)~~ (9) deposited ballots must be collected at least once per business day during the
 79.18 absentee voting period by the county auditor, municipal clerk, or an elections official trained
 79.19 by the county auditor or municipal clerk in the proper maintenance and handling of absentee
 79.20 ballots and absentee ballot drop boxes, and in the security measures used to protect absentee
 79.21 ballots; and

79.22 ~~(7)~~ (10) ballots collected from each drop box must be properly date-stamped and stored
 79.23 in a locked ballot container or other secured and locked space consistent with any applicable
 79.24 laws governing the collection and storage of absentee ballots.

79.25 **Subd. 3. Publication of locations required.** (a) The county auditor or municipal clerk
 79.26 must provide a list of designated absentee ballot drop box locations to the secretary of state
 79.27 no later than 40 days prior to the start of the absentee voting period at every regularly
 79.28 scheduled primary or general election. The list must be published on the website of the
 79.29 county or municipality and on the website of the secretary of state at least 35 days prior to
 79.30 the start of the absentee voting period.

79.31 (b) The county auditor or municipal clerk must provide an updated list of designated
 79.32 absentee ballot drop box locations to the secretary of state no later than 20 days prior to the

80.1 start of the absentee voting period at every regularly scheduled primary or general election,
 80.2 if any locations have changed or been added since submission of the list under paragraph
 80.3 (a). The list must be published on the website of the county or municipality and on the
 80.4 website of the secretary of state at least 15 days prior to the start of the absentee voting
 80.5 period.

80.6 **Subd. 4. Electioneering prohibited.** Section 211B.11 applies to conduct within 100
 80.7 feet of an absentee ballot drop box established under this section.

80.8 **Subd. 5. Ballot collection log and report.** (a) The county auditor or municipal clerk
 80.9 must maintain a log for each drop box. The log must include the unique identification number
 80.10 assigned to the drop box. The log must include the following information for each day
 80.11 during the absentee voting period:

80.12 (1) the date and time of each ballot collection;

80.13 (2) the person who collected the ballots; and

80.14 (3) the number of ballots collected.

80.15 (b) Before the meeting of the local canvassing board, each county auditor and municipal
 80.16 clerk must total the number of ballots collected from each drop box for each day during the
 80.17 absentee voting period and submit the totals to the local ballot board and the secretary of
 80.18 state. Before the meeting of the state canvassing board for an election, the secretary of state
 80.19 must compile the totals, broken down by county. Prior to the state canvassing board beginning
 80.20 the state canvass, the secretary of state must submit the totals to the state canvassing board
 80.21 and the chairs and ranking minority members of the legislative committees having jurisdiction
 80.22 over election policy.

80.23 **Subd. 6. Rulemaking prohibited.** The secretary of state is not authorized to adopt rules
 80.24 to implement or supplement the provisions of this section.

80.25 **EFFECTIVE DATE.** This section is effective September 1, 2022, and applies to
 80.26 elections conducted on or after that date, except that subdivision 6 is effective the day
 80.27 following final enactment.

80.28 Sec. 19. Minnesota Statutes 2021 Supplement, section 203B.121, subdivision 1, is amended
 80.29 to read:

80.30 Subdivision 1. **Establishment; applicable laws.** (a) The governing body of each county,
 80.31 municipality, and school district with responsibility to accept and reject absentee ballots
 80.32 must, by ordinance or resolution, establish a ballot board. The board must consist of a

81.1 sufficient number of election judges appointed as provided in sections 204B.19 to 204B.22.
 81.2 The board ~~may~~ must not include deputy county auditors or deputy city clerks ~~who have~~
 81.3 ~~received training in the processing and counting of absentee ballots, unless the deputy county~~
 81.4 ~~auditor or deputy city clerk has been appointed an election judge as provided in sections~~
 81.5 204B.19 to 204B.22. Each member of the ballot board must be provided adequate training
 81.6 on the processing and counting of absentee ballots, including but not limited to instruction
 81.7 on accepting and rejecting absentee ballots, storage of absentee ballots, timelines and
 81.8 deadlines, the role of the ballot board, procedures for opening absentee ballot envelopes,
 81.9 procedures for counting absentee ballots, and procedures for reporting absentee ballot totals.

81.10 (b) Each jurisdiction must pay a reasonable compensation to each member of that
 81.11 jurisdiction's ballot board for services rendered during an election.

81.12 (c) Except as otherwise provided by this section, all provisions of the Minnesota Election
 81.13 Law apply to a ballot board.

81.14 **EFFECTIVE DATE.** This section is effective the day following final enactment and
 81.15 applies to elections on or after that date.

81.16 Sec. 20. Minnesota Statutes 2021 Supplement, section 203B.121, subdivision 4, is amended
 81.17 to read:

81.18 Subd. 4. **Opening of envelopes.** After the close of business on the seventh day before
 81.19 the election, the ballots from secrecy envelopes within the signature envelopes marked
 81.20 "Accepted" may be opened, duplicated as needed in the manner provided in section 206.86,
 81.21 subdivision 5, initialed by the members of the ballot board, and deposited in the appropriate
 81.22 ballot box. Prior to depositing a ballot into the appropriate ballot box, the members of the
 81.23 ballot board must verify that the ballot contains the security marking required by section
 81.24 204B.36, subdivision 1. If more than one voted ballot is enclosed in the ballot secrecy
 81.25 envelope, or if a ballot does not contain the required security marking, the ballots must be
 81.26 returned in the manner provided by section 204C.25 for return of spoiled ballots, and may
 81.27 not be counted.

81.28 **EFFECTIVE DATE.** This section is effective September 1, 2022, and applies to
 81.29 elections conducted on or after that date.

81.30 Sec. 21. Minnesota Statutes 2020, section 203B.121, subdivision 5, is amended to read:

81.31 Subd. 5. **Storage and counting of absentee ballots.** (a) On a day on which absentee
 81.32 ballots are inserted into a ballot box, two members of the ballot board must:

82.1 (1) remove the ballots from the ballot box at the end of the day;

82.2 (2) without inspecting the ballots, ensure that the number of ballots removed from the
82.3 ballot box is equal to the number of voters whose absentee ballots were accepted that day;
82.4 and

82.5 (3) seal and secure all voted and unvoted ballots present in that location at the end of
82.6 the day.

82.7 (b) After the polls have closed on election day, two members of the ballot board must
82.8 count the ballots, tabulating the vote in a manner that indicates each vote of the voter and
82.9 the total votes cast for each candidate or question. In state primary and state general elections,
82.10 the results must indicate the total votes cast for each candidate or question in each precinct
82.11 and report the vote totals tabulated for each precinct. The count must be recorded on a
82.12 summary statement in substantially the same format as provided in section 204C.26. The
82.13 ballot board shall submit at least one completed summary statement to the county auditor
82.14 or municipal clerk. The county auditor or municipal clerk may require the ballot board to
82.15 submit a sufficient number of completed summary statements to comply with the provisions
82.16 of section 204C.27, or the county auditor or municipal clerk may certify reports containing
82.17 the details of the ballot board summary statement to the recipients of the summary statements
82.18 designated in section 204C.27.

82.19 In state primary and state general elections, these vote totals shall be added to the vote
82.20 totals on the summary statements of the returns for the appropriate precinct. In other elections,
82.21 these vote totals may be added to the vote totals on the summary statement of returns for
82.22 the appropriate precinct or may be reported as a separate total.

82.23 ~~The count shall~~ counting of ballots must be public. No vote totals from ballots may be
82.24 ~~made public before the close of voting on election day.~~ Vote totals must only be disclosed
82.25 in accordance with section 204C.19.

82.26 (c) In addition to the requirements of paragraphs (a) and (b), if the task has not been
82.27 completed previously, the members of the ballot board must verify as soon as possible, but
82.28 no later than 24 hours after the end of the hours for voting, that voters whose absentee ballots
82.29 arrived after the rosters were marked or supplemental reports were generated and whose
82.30 ballots were accepted did not vote in person on election day. An absentee ballot submitted
82.31 by a voter who has voted in person on election day must be rejected. All other accepted
82.32 absentee ballots must be opened, duplicated if necessary, and counted by members of the
82.33 ballot board. The vote totals from these ballots must be incorporated into the totals with the
82.34 other absentee ballots and handled according to paragraph (b).

83.1 **EFFECTIVE DATE.** This section is effective the day following final enactment and
 83.2 applies to elections on or after that date.

83.3 Sec. 22. Minnesota Statutes 2020, section 203B.121, is amended by adding a subdivision
 83.4 to read:

83.5 Subd. 6. **Ballot board observers.** (a) For an election where a partisan office appears on
 83.6 the ballot, a major or minor political party may appoint a person to serve as an absentee
 83.7 ballot board observer. For an election where only nonpartisan offices are on the ballot, a
 83.8 candidate appearing on the ballot may appoint a person to serve as an absentee ballot board
 83.9 observer. All appointments must be made at least 30 days prior to the start of the absentee
 83.10 voting period, except that if an observer is unable to perform the required duties the observer
 83.11 may be replaced by the appointing political party or candidate. The political party or
 83.12 candidate must notify the county auditor, city clerk, or school district clerk if a ballot board
 83.13 observer is appointed and provide the observer's name, address, phone number, and e-mail
 83.14 address. A ballot board observer must complete election judge training as described in
 83.15 section 204B.25, including training on the processing and handling of absentee ballots. The
 83.16 following individuals are not eligible to serve as absentee ballot board observers: members
 83.17 of the ballot board, candidates on the ballot, and immediate family members of candidates
 83.18 on the ballot.

83.19 (b) A ballot board observer must be allowed to observe the following activities of the
 83.20 ballot board that take place during the absentee voting period, on election day, or after
 83.21 election day:

83.22 (1) examining envelopes and accepting or rejecting envelopes as required by subdivision
 83.23 2;

83.24 (2) opening envelopes and duplicating ballots, if necessary, as required by subdivision
 83.25 4;

83.26 (3) depositing absentee ballots into a ballot box as required by subdivision 5, paragraph
 83.27 (a); and

83.28 (4) counting and tabulating the ballots as required by subdivision 5, paragraph (b).

83.29 (c) A ballot board observer must be allowed to be within four feet of the ballots or
 83.30 envelopes being handled. A ballot board observer must not handle any absentee ballots,
 83.31 envelopes, or other election documents. A ballot board observer must not prepare in any
 83.32 manner any lists of individuals who have or have not voted. A ballot board observer must

84.1 not interfere with the conduct of the ballot board. The ballot board may have a ballot board
 84.2 observer removed if the observer is disrupting the activities of the ballot board.

84.3 (d) The county auditor, municipal clerk, or school district clerk must notify each ballot
 84.4 board observer of the date, time, and location any time the activities in paragraph (b) will
 84.5 take place. The notice must be in writing and mailed to the ballot board observer at least
 84.6 seven days before the activity is to take place.

84.7 **EFFECTIVE DATE.** This section is effective May 15, 2022, and applies to absentee
 84.8 voting periods beginning on or after June 24, 2022.

84.9 Sec. 23. Minnesota Statutes 2020, section 203B.121, is amended by adding a subdivision
 84.10 to read:

84.11 Subd. 7. **Livestreaming.** (a) The county auditor, municipal clerk, or school district clerk
 84.12 must ensure that all ballot board activity is livestreamed as provided by this subdivision
 84.13 and section 203B.155. This requirement applies during the absentee voting period, on
 84.14 election day, and on the day following the election day if absentee ballots are being processed.
 84.15 At a minimum, the following activities must be recorded:

84.16 (1) examining envelopes and accepting or rejecting envelopes as required by subdivision
 84.17 2;

84.18 (2) opening envelopes and duplicating ballots, if necessary, as required by subdivision
 84.19 4;

84.20 (3) depositing absentee ballots into a ballot box as required by subdivision 5, paragraph
 84.21 (a); and

84.22 (4) counting and tabulating the ballots as required by subdivision 5, paragraph (b).

84.23 (b) The county auditor, municipal clerk, or school district clerk must position one or
 84.24 more cameras so as to record the following:

84.25 (1) the ballot board members performing the activities described in paragraph (a);

84.26 (2) all ballots in the room where the activities in paragraph (a) are taking place; and

84.27 (3) all doors in the room where the activities in paragraph (a) are taking place.

84.28 To the extent possible while complying with clauses 1 to 3, the cameras must be positioned
 84.29 so as to avoid recording private data included on absentee ballot envelopes or other
 84.30 documents.

85.1 **EFFECTIVE DATE.** This section is effective September 1, 2022, and applies to
 85.2 elections conducted on or after that date.

85.3 Sec. 24. **[203B.155] LIVESTREAMING REQUIREMENTS.**

85.4 Subdivision 1. **Definitions.** (a) The following terms have the meanings given for purposes
 85.5 of this section.

85.6 (b) "Commissioner" means the commissioner of information technology services.

85.7 (c) "Department" means the Department of Information Technology Services.

85.8 Subd. 2. **Livestreaming.** (a) Where livestreaming is required by sections 203B.082,
 85.9 subdivision 2, clause (1), and 203B.121, the commissioner must ensure the livestream is
 85.10 available on the department's website in a manner that allows members of the public to
 85.11 easily access and view the livestream. The commissioner must record all livestreamed video
 85.12 and retain the recording for at least 22 months after the date of the recording. Notwithstanding
 85.13 chapter 13 or any other law to the contrary, the county auditor, city clerk, or school board
 85.14 clerk is not required to maintain any livestreamed or recorded data or provide access to the
 85.15 data. The commissioner must not charge any fee to the public or to the county, municipality,
 85.16 or school district for providing this service.

85.17 (b) The secretary of state must include information on the office's website on how to
 85.18 find and access videos on the department's website. Each county auditor, municipal clerk,
 85.19 and school district clerk must post the same information on their respective local
 85.20 government's website, if there is one.

85.21 Subd. 3. **Data.** The commissioner must retain video recordings of livestreamed activities
 85.22 required by sections 203B.082, subdivision 2, clause (1), and 203B.121, as provided by this
 85.23 section. The recordings are public data, except that the commissioner may obscure private
 85.24 data on individuals that is visible on a recording.

85.25 Subd. 4. **Livestream disruptions.** If a livestream is disrupted or disabled, the
 85.26 commissioner, county auditor, municipal clerk, or school district clerk is not liable if the
 85.27 disruption is due to a cause outside of the control of the commissioner, county auditor,
 85.28 municipal clerk, or school district clerk. If there is a disruption, the commissioner must
 85.29 work with the county auditor, municipal clerk, or school district clerk to reinstate video
 85.30 coverage as soon as possible. If appointed ballot board observers are present and there is a
 85.31 disruption in livestreaming, the activities of the ballot board may continue. If appointed
 85.32 ballot board observers are not present and there is a disruption in livestreaming, the ballot
 85.33 board must stop all activities until one of the following occurs:

- 86.1 (1) the livestream is reinstated;
 86.2 (2) ballot board observers are present; or
 86.3 (3) the county auditor, municipal clerk, or school district clerk arranges the activities to
 86.4 be recorded in a manner that substantially complies with the requirements of this section
 86.5 and section 203B.121, subdivision 7.

86.6 Within 24 hours of the livestream being reinstated, the county auditor, municipal clerk, or
 86.7 school district clerk must transmit any recordings made pursuant to clause (3) to the
 86.8 commissioner to be posted on the department's website.

86.9 **EFFECTIVE DATE.** This section is effective September 1, 2022, and applies to
 86.10 elections conducted on or after that date.

86.11 Sec. 25. Minnesota Statutes 2020, section 203B.21, subdivision 1, is amended to read:

86.12 Subdivision 1. **Form.** Absentee ballots under sections 203B.16 to 203B.27 shall conform
 86.13 to the requirements of the Minnesota Election Law, except that modifications in the size or
 86.14 form of ballots or envelopes may be made if necessary to satisfy the requirements of the
 86.15 United States postal service. The return envelope must be designed in one of the following
 86.16 ways:

86.17 (1) it must be of sufficient size to contain ~~an additional~~ a signature envelope ~~that when~~
 86.18 and when the return envelope is sealed, it conceals the signature, identification, and other
 86.19 information; or

86.20 (2) it must be the signature envelope and provide an additional flap that when sealed,
 86.21 conceals the signature, identification, and other information.

86.22 The flap or the ~~additional~~ return envelope must be perforated to permit election officials to
 86.23 inspect the returned certificate for completeness or to ascertain other information at any
 86.24 time after receiving the returned ballot without opening the ~~return~~ signature envelope.

86.25 Sec. 26. Minnesota Statutes 2020, section 203B.21, subdivision 3, is amended to read:

86.26 Subd. 3. **Back of ~~return~~ signature envelope.** On the back of the ~~return~~ signature envelope
 86.27 a certificate shall appear with space for:

86.28 (1) the voter's address of present or former residence in Minnesota;

86.29 (2) the voter's current e-mail address, if the voter has one;

87.1 (3) a statement indicating the category described in section 203B.16 to which the voter
87.2 belongs;

87.3 (4) a statement that the voter has not cast and will not cast another absentee ballot in the
87.4 same election or elections;

87.5 (5) a statement that the voter personally marked the ballots without showing them to
87.6 anyone, or if physically unable to mark them, that the voter directed another individual to
87.7 mark them; and

87.8 (6) the same voter's passport number, Minnesota driver's license or state identification
87.9 card number, or the last four digits of the voter's Social Security number as provided on the
87.10 absentee ballot application; if the voter does not have access to any of these documents, the
87.11 voter may attest to the truthfulness of the contents of the certificate under penalty of perjury.

87.12 The certificate shall also contain a signed oath in the form required by section 705 of
87.13 the Help America Vote Act, Public Law 107-252, which must read:

87.14 "I swear or affirm, under penalty of perjury, that:

87.15 I am a member of the uniformed services or merchant marine on active duty or an eligible
87.16 spouse or dependent of such a member; a United States citizen temporarily residing outside
87.17 the United States; or other United States citizen residing outside the United States; and I
87.18 am a United States citizen, at least 18 years of age (or will be by the date of the election),
87.19 and I am eligible to vote in the requested jurisdiction; I have not been convicted of a felony,
87.20 or other disqualifying offense, or been adjudicated mentally incompetent, or, if so, my voting
87.21 rights have been reinstated; and I am not registering, requesting a ballot, or voting in any
87.22 other jurisdiction in the United States except the jurisdiction cited in this voting form. In
87.23 voting, I have marked and sealed my ballot in private and have not allowed any person to
87.24 observe the marking of the ballot, except for those authorized to assist voters under state or
87.25 federal law. I have not been influenced.

87.26 The information on this form is true, accurate, and complete to the best of my knowledge.
87.27 I understand that a material misstatement of fact in completion of this document may
87.28 constitute grounds for a conviction for perjury."

87.29 Sec. 27. Minnesota Statutes 2020, section 203B.23, subdivision 2, is amended to read:

87.30 Subd. 2. **Duties.** (a) The absentee ballot board must examine all returned absentee ballot
87.31 envelopes for ballots issued under sections 203B.16 to 203B.27 and accept or reject the
87.32 absentee ballots in the manner provided in section 203B.24. If the certificate of voter

88.1 eligibility is not printed on the ~~return or administrative~~ signature envelope, the certificate
 88.2 must be attached to the ~~ballot~~ secrecy envelope.

88.3 (b) The absentee ballot board must immediately examine the ~~return~~ signature envelopes
 88.4 or certificates of voter eligibility that are attached to the secrecy envelopes and mark them
 88.5 "accepted" or "rejected" during the 45 days before the election. If an envelope has been
 88.6 rejected at least five days before the election, the ballots in the envelope must be considered
 88.7 spoiled ballots and the official in charge of the absentee ballot board must provide the voter
 88.8 with a replacement absentee ballot and ~~return envelope~~ envelopes in place of the spoiled
 88.9 ballot.

88.10 (c) If a county has delegated the responsibility for administering absentee balloting to
 88.11 a municipality under section 203B.05, accepted absentee ballots must be delivered to the
 88.12 appropriate municipality's absentee ballot board. The absentee ballot board with the authority
 88.13 to open and count the ballots must do so in accordance with section 203B.121, subdivisions
 88.14 4 and 5.

88.15 Sec. 28. Minnesota Statutes 2021 Supplement, section 203B.24, subdivision 1, is amended
 88.16 to read:

88.17 Subdivision 1. **Check of voter eligibility; proper execution of certificate.** Upon receipt
 88.18 of an absentee ballot returned as provided in sections 203B.16 to 203B.27, the election
 88.19 judges shall compare the voter's name with the names recorded under section 203B.19 in
 88.20 the statewide registration system to insure that the ballot is from a voter eligible to cast an
 88.21 absentee ballot under sections 203B.16 to 203B.27. The election judges shall mark the
 88.22 signature envelope "Accepted" and initial or sign the signature envelope below the word
 88.23 "Accepted" if the election judges are satisfied that:

88.24 (1) the voter's name and address on the signature envelope appears in substantially the
 88.25 same form as on the application records provided to the election judges by the county auditor;

88.26 (2) the voter has signed the federal oath prescribed pursuant to section 705(b)(2) of the
 88.27 Help America Vote Act, Public Law 107-252;

88.28 (3) the voter has set forth the same voter's passport number, or Minnesota driver's license
 88.29 or state identification card number, or the last four digits of the voter's Social Security
 88.30 number as submitted on the application, if the voter has one of these documents;

88.31 (4) the voter is not known to have died; and

88.32 (5) the voter has not already voted at that election, either in person or by absentee ballot.

89.1 If the identification number described in clause (3) does not match the number as
 89.2 submitted on the application, the election judges must make a reasonable effort to satisfy
 89.3 themselves through other information provided by the applicant, or by an individual
 89.4 authorized to apply on behalf of the voter, that the ballots were returned by the same person
 89.5 to whom the ballots were transmitted.

89.6 An absentee ballot cast pursuant to sections 203B.16 to 203B.27 may only be rejected
 89.7 for the lack of one of clauses (1) to (5). In particular, failure to place the ballot within the
 89.8 secrecy envelope before placing it in the ~~outer white~~ signature envelope is not a reason to
 89.9 reject an absentee ballot.

89.10 Election judges must note the reason for rejection on the back of the envelope in the
 89.11 space provided for that purpose.

89.12 Failure to return unused ballots shall not invalidate a marked ballot, but a ballot shall
 89.13 not be counted if the certificate on the ~~return~~ signature envelope is not properly executed.
 89.14 In all other respects the provisions of the Minnesota Election Law governing deposit and
 89.15 counting of ballots shall apply. Notwithstanding other provisions of this section, the counting
 89.16 of the absentee ballot of a deceased voter does not invalidate the election.

89.17 Sec. 29. Minnesota Statutes 2020, section 204B.32, is amended by adding a subdivision
 89.18 to read:

89.19 Subd. 3. **Contributions for election expenses prohibited.** Notwithstanding any home
 89.20 rule charter or local ordinance to the contrary, a county, municipality, or school district may
 89.21 not accept a contribution, in any form, from a for-profit business or a nonprofit organization
 89.22 made for the purpose of paying expenses associated with conducting a federal, state, or
 89.23 local election.

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

89.25 Sec. 30. Minnesota Statutes 2020, section 204B.36, subdivision 1, is amended to read:

89.26 Subdivision 1. **Type.** (a) All ballots shall be printed with black ink on paper of sufficient
 89.27 thickness to prevent the printing from being discernible from the back. All ballots shall be
 89.28 printed in easily readable type with suitable lines dividing candidates, offices, instructions
 89.29 and other matter printed on ballots. The same type shall be used for the names of all
 89.30 candidates on the same ballot.

89.31 (b) Except for ballots prepared and distributed under sections 203B.16 to 203B.27, all
 89.32 ballots must be printed on paper that contains a security marking designed to allow

90.1 verification of the ballot's authenticity. The security marking must be designed so that it
 90.2 does not interfere with a tabulator's ability to accurately read the ballot. At a federal or state
 90.3 election, the form of the security marking must be prescribed by the secretary of state. At
 90.4 a local election, the form of the security marking must be prescribed by the county auditor
 90.5 or municipal clerk. For purposes of this paragraph, a security marking is a watermark,
 90.6 ultraviolet light marking, or other substantially equivalent marking.

90.7 **EFFECTIVE DATE.** This section is effective September 1, 2022, and applies to
 90.8 elections conducted on or after that date.

90.9 Sec. 31. Minnesota Statutes 2020, section 204C.19, subdivision 3, is amended to read:

90.10 Subd. 3. **Premature disclosure of count results.** ~~No~~ The county auditor, municipal
 90.11 clerk, school district clerk, election judge, or any other person must not disclose count results
 90.12 from any precinct ~~shall be disclosed by any election judge or other individual~~ until all count
 90.13 results from that precinct ~~are available, nor shall~~ have been counted and totaled, including
 90.14 absentee votes received and processed by 8 p.m. on election day. Absentee ballots may
 90.15 continue to be processed and counted after 8 p.m. on election day as provided in section
 90.16 203B.121, subdivision 5, paragraph (c). The public media must not disclose any count
 90.17 results from any precinct before the time when voting is scheduled to end in the state.

90.18 **EFFECTIVE DATE.** This section is effective the day following final enactment and
 90.19 applies to elections on or after that date.

90.20 Sec. 32. Minnesota Statutes 2020, section 204D.16, is amended to read:

90.21 **204D.16 SAMPLE GENERAL ELECTION BALLOTS; POSTING;**
 90.22 **PUBLICATION.**

90.23 (a) At least 46 days before the state general election, the county auditor ~~shall~~ must post
 90.24 sample ballots for each precinct in the auditor's office for public inspection and transmit an
 90.25 electronic copy of these sample ballots to the secretary of state.

90.26 (b) No earlier than 15 days and no later than two days before the state general election
 90.27 the county auditor ~~shall~~ must cause a ~~sample~~ generic state general election ballot to be
 90.28 published in at least one newspaper of general circulation in the county. The generic ballot
 90.29 must include only the races and candidates that will appear on the ballot for every precinct
 90.30 in the county. The secretary of state, in collaboration with local government election officials
 90.31 and the Minnesota Newspaper Association, must design the generic ballot to be used by
 90.32 local election officials. When printed in the newspaper, the generic ballot must be sized so

91.1 that it comprises a minimum of 75 percent of one page. The generic ballot must include the
 91.2 following statement:

91.3 "This ballot only includes the races and candidates that will appear on the ballot for
 91.4 every precinct in the county. Your ballot will have the names of all candidates for whom
 91.5 you can vote in your precinct. To view a sample ballot reflecting your specific address,
 91.6 please enter your address information on this website: [link to appropriate page on the
 91.7 secretary of state's website]. You may also view a list of sample ballots for each county
 91.8 precinct on [link to appropriate page on the county's website]. If you would like a copy of
 91.9 a sample ballot specific to your address sent to you, please contact [insert the name of the
 91.10 appropriate election official, phone number, and e-mail address] and the county will mail
 91.11 you a sample at no charge."

91.12 Sec. 33. Minnesota Statutes 2021 Supplement, section 206.805, subdivision 1, is amended
 91.13 to read:

91.14 Subdivision 1. **Contracts required.** (a) The secretary of state, with the assistance of the
 91.15 commissioner of administration, must establish one or more state voting systems contracts.
 91.16 The contracts should, if practical, include provisions for maintenance of the equipment
 91.17 purchased. The voting systems contracts must address precinct-based optical scan voting
 91.18 equipment, assistive voting technology, automatic tabulating equipment, and electronic
 91.19 roster equipment. The contracts must give the state a perpetual license to use and modify
 91.20 the software. The contracts must include provisions to escrow the software source code.
 91.21 Bids for voting systems and related election services must be solicited from each vendor
 91.22 selling or leasing voting systems that have been certified for use by the secretary of state.
 91.23 Bids for electronic roster equipment, software, and related services must be solicited from
 91.24 each vendor selling or leasing electronic roster equipment that meets the requirements of
 91.25 section 201.225, subdivision 2. The contracts must be renewed from time to time.

91.26 (b) The secretary of state, with the assistance of the commissioner of administration,
 91.27 must establish one or more contracts for ballot paper bearing a security marking as described
 91.28 in section 204B.36, subdivision 1. The contracts must be renewed from time to time.

91.29 (c) Counties and municipalities may purchase or lease voting systems and obtain related
 91.30 election services from the state contracts. All counties and municipalities are members of
 91.31 the cooperative purchasing venture of the Department of Administration for the purpose of
 91.32 this section. For the purpose of township elections, counties must aggregate orders under
 91.33 contracts negotiated under this section for products and services and may apportion the
 91.34 costs of those products and services proportionally among the townships receiving the

92.1 products and services. The county is not liable for the timely or accurate delivery of those
 92.2 products or services.

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

92.4 Sec. 34. Minnesota Statutes 2020, section 206.83, is amended to read:

92.5 **206.83 TESTING OF VOTING SYSTEMS.**

92.6 (a) Within 14 days before election day, the official in charge of elections shall have the
 92.7 voting system tested to ascertain that the system will correctly mark ballots using all methods
 92.8 supported by the system, including through assistive technology, and count the votes cast
 92.9 for all candidates and on all questions. ~~Public notice of the time and place of the test must~~
 92.10 ~~be given at least two days in advance by publication once in official newspapers.~~ The test
 92.11 must be observed by at least two election judges, who are not of the same major political
 92.12 party, and must be open to representatives of the political parties, candidates, the press, and
 92.13 the public. The test must be conducted by (1) processing a preaudited group of ballots
 92.14 punched or marked to record a predetermined number of valid votes for each candidate and
 92.15 on each question, and must include for each office one or more ballot cards which have
 92.16 votes in excess of the number allowed by law in order to test the ability of the voting system
 92.17 tabulator and electronic ballot marker to reject those votes; and (2) processing an additional
 92.18 test deck of ballots marked using the electronic ballot marker for the precinct, including
 92.19 ballots marked using the electronic ballot display, audio ballot reader, and any assistive
 92.20 voting technology used with the electronic ballot marker. If any error is detected, the cause
 92.21 must be ascertained and corrected and an errorless count must be made before the voting
 92.22 system may be used in the election. After the completion of the test, the programs used and
 92.23 ballot cards must be sealed, retained, and disposed of as provided for paper ballots.

92.24 (b) At least 14 days before conducting the testing required by paragraph (a), the official
 92.25 in charge of elections must give notice of the date, time, and location of the testing in the
 92.26 following manner:

92.27 (1) by publishing the notice once in the official newspaper;

92.28 (2) by prominently posting the notice on the applicable county, municipal, or school
 92.29 district website, if there is one; and

92.30 (3) by sending the notice to the secretary of state. The secretary of state must prominently
 92.31 publish the notices on the secretary's website. The secretary of state must notify the chairs
 92.32 of each major and minor political party when notices are posted and where to find them.

93.1 **EFFECTIVE DATE.** This section is effective the day following final enactment and
 93.2 applies to elections on or after that date.

93.3 Sec. 35. **[211B.075] DISTRIBUTION OF ABSENTEE BALLOT APPLICATIONS**
 93.4 **AND SAMPLE BALLOTS.**

93.5 Subdivision 1. **Definitions.** (a) The following terms have the meanings given for the
 93.6 purpose of this section.

93.7 (b) "Person or entity" means any individual, committee, or association as defined by
 93.8 section 10A.01, subdivision 6.

93.9 (c) "Sample ballot" means a document that is formatted and printed in a manner that so
 93.10 closely resembles an official ballot that it could lead a reasonable person to believe the
 93.11 document is an official ballot. A document that contains the names of particular candidates
 93.12 or ballot questions alongside illustrations of a generic ballot or common ballot markings is
 93.13 not a sample ballot as long as the document does not closely resemble an official ballot and
 93.14 would not lead a reasonable person to believe the document is an official ballot.

93.15 Subd. 2. **Requirements.** (a) A person or entity that mails an absentee ballot application
 93.16 or sample ballot to anyone in the state must comply with this section.

93.17 (b) In addition to the absentee ballot application or sample ballot, the person or entity
 93.18 must include a statement that says:

93.19 (1) the mailing is not an official election communication from a unit of government;

93.20 (2) the application or ballot has not been included at the request of a government official;
 93.21 and

93.22 (3) if a sample ballot is enclosed, that the sample ballot is not an official ballot and the
 93.23 voter must not cast the ballot.

93.24 (c) The statement required by paragraph (b) must be printed in a typeface and format
 93.25 designed to be clearly visible at the time the mailing is opened. The mailing envelope must
 93.26 include markings to clearly distinguish it from official election mail sent by a unit of
 93.27 government.

93.28 (d) If an absentee ballot application is included, the application must be blank and must
 93.29 not include the voter's name, address, or any other required information.

93.30 (e) This section does not apply to a unit of government or employee of that unit of
 93.31 government when discharging official election duties.

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

94.2 Sec. 36. **SECRETARY OF STATE; REPORTS.**

94.3 (a) No later than January 15, 2024, the secretary of state must submit a report to the
 94.4 chairs and ranking minority members of the legislative committees having jurisdiction over
 94.5 elections on grants awarded under Laws 2021, First Special Session chapter 12, article 1,
 94.6 section 6, for ballot dropbox security and integrity. The report must detail each grant awarded
 94.7 including the jurisdiction, the amount of the grant, and what the grant money is intended to
 94.8 purchase.

94.9 (b) No later than January 15, 2024, the secretary of state must submit a report to the
 94.10 chairs and ranking minority members of the legislative committees having jurisdiction over
 94.11 elections on grants awarded under article 1, section 2 for temporary staffing, livestreaming
 94.12 of election-related activity, and purchasing ballot paper with security markings. The report
 94.13 must detail each grant awarded including the jurisdiction, the amount of the grant, and what
 94.14 the grant money is intended to purchase.

94.15 Sec. 37. **REPEALER.**

94.16 Minnesota Statutes 2020, sections 13.607, subdivision 6; and 201.091, subdivision 9,
 94.17 are repealed.

94.18 **EFFECTIVE DATE.** This section is effective the day following final enactment and
 94.19 applies to requests for data made on or after that date.

94.20 Sec. 38. **EFFECTIVE DATE.**

94.21 Except as otherwise provided, this article is effective July 1, 2022, and applies to elections
 94.22 conducted on or after that date.

94.23 **ARTICLE 7**

94.24 **DEPARTMENT OF PUBLIC SAFETY**

94.25 Section 1. Minnesota Statutes 2020, section 3.9741, subdivision 5, is amended to read:

94.26 Subd. 5. **State Data security; account; appropriation.** ~~(a)~~ The data security account
 94.27 is created in the special revenue fund. Receipts credited to the account are appropriated to
 94.28 the legislative auditor for the purpose of oversight relating to security of data stored and
 94.29 transmitted by state systems.

95.1 ~~(b) Subject to available funds appropriated under paragraph (a), the legislative auditor~~
 95.2 ~~shall:~~

95.3 ~~(1) review and audit the audit reports of subscribers and requesters submitted under~~
 95.4 ~~section 168.327, subdivision 6, including producing findings and opinions;~~

95.5 ~~(2) in collaboration with the commissioner and affected subscribers and requesters,~~
 95.6 ~~recommend corrective action plans to remediate any deficiencies identified under clause~~
 95.7 ~~(1); and~~

95.8 ~~(3) review and audit driver records subscription services and bulk data practices of the~~
 95.9 ~~Department of Public Safety, including identifying any deficiencies and making~~
 95.10 ~~recommendations to the commissioner.~~

95.11 ~~(c) The legislative auditor shall submit any reports, findings, and recommendations~~
 95.12 ~~under this subdivision to the legislative commission on data practices.~~

95.13 Sec. 2. Minnesota Statutes 2020, section 168.013, subdivision 1m, is amended to read:

95.14 Subd. 1m. ~~Electric~~ All-electric vehicle. (a) In addition to the tax under subdivision 1a,
 95.15 a surcharge of ~~\$75~~ \$229 is imposed for an all-electric vehicle, as defined in section 169.011,
 95.16 subdivision 1a. Notwithstanding subdivision 8, revenue from the fee imposed under this
 95.17 subdivision must be deposited in the highway user tax distribution fund.

95.18 (b) If the gasoline excise tax imposed by section 296A.07, subdivision 3, clause (3), is
 95.19 increased or decreased, the surcharge under paragraph (a) must be increased or decreased,
 95.20 respectively, by a corresponding percentage. The commissioner must collect the adjusted
 95.21 surcharge amount under this paragraph on vehicle registrations occurring on or after the
 95.22 effective date of the gasoline excise tax adjustment.

95.23 Sec. 3. Minnesota Statutes 2020, section 168.013, is amended by adding a subdivision to
 95.24 read:

95.25 Subd. 1n. Plug-in hybrid electric vehicle. (a) In addition to the tax under subdivision
 95.26 1a, a surcharge of \$114.50 is imposed for a plug-in hybrid electric vehicle as defined in
 95.27 section 169.011, subdivision 54a. Notwithstanding subdivision 8, revenue from the fee
 95.28 imposed under this subdivision must be deposited in the highway user tax distribution fund.

95.29 (b) If the gasoline excise tax imposed by section 296A.07, subdivision 3, clause (3), is
 95.30 increased or decreased, the surcharge under paragraph (a) must be increased or decreased,
 95.31 respectively, by a corresponding percentage. The commissioner must collect the adjusted

96.1 surcharge amount under this paragraph on vehicle registrations occurring on or after the
 96.2 effective date of the gasoline excise tax adjustment.

96.3 Sec. 4. Minnesota Statutes 2020, section 168.013, is amended by adding a subdivision to
 96.4 read:

96.5 Subd. 1o. **All-electric motorcycle.** (a) In addition to the tax under subdivision 1b, a
 96.6 surcharge of \$46 is imposed for an all-electric motorcycle as defined in section 169.011,
 96.7 subdivision 1b. Notwithstanding subdivision 8, revenue from the fee imposed under this
 96.8 subdivision must be deposited in the highway user tax distribution fund.

96.9 (b) If the gasoline excise tax imposed by section 296A.07, subdivision 3, clause (3), is
 96.10 increased or decreased, the surcharge under paragraph (a) must be increased or decreased,
 96.11 respectively, by a corresponding percentage. The commissioner must collect the adjusted
 96.12 surcharge amount under this paragraph on motorcycle registrations occurring on or after
 96.13 the effective date of the gasoline excise tax adjustment.

96.14 Sec. 5. Minnesota Statutes 2020, section 168.013, is amended by adding a subdivision to
 96.15 read:

96.16 Subd. 1p. **Plug-in hybrid electric motorcycle.** (a) In addition to the tax under subdivision
 96.17 1b, a surcharge of \$23 is imposed for a plug-in hybrid electric motorcycle as defined in
 96.18 section 169.011, subdivision 54c. Notwithstanding subdivision 8, revenue from the fee
 96.19 imposed under this subdivision must be deposited in the highway user tax distribution fund.

96.20 (b) If the gasoline excise tax imposed by section 296A.07, subdivision 3, clause (3), is
 96.21 increased or decreased, the surcharge under paragraph (a) must be increased or decreased,
 96.22 respectively, by a corresponding percentage. The commissioner must collect the adjusted
 96.23 surcharge amount under this paragraph on motorcycle registrations occurring on or after
 96.24 the effective date of the gasoline excise tax adjustment.

96.25 Sec. 6. Minnesota Statutes 2020, section 168.123, subdivision 2, is amended to read:

96.26 Subd. 2. **Design.** The commissioner of veterans affairs ~~shall~~ must design the emblem
 96.27 for the veterans' special plates, subject to the approval of the commissioner, that satisfy the
 96.28 following requirements:

96.29 (a) For a Vietnam veteran who served after July 1, 1961, and before July 1, 1978, in the
 96.30 active military service in a branch of the armed forces of the United States or a nation or
 96.31 society allied with the United States the special plates must bear the inscription "VIETNAM
 96.32 VET."

97.1 (b) For a veteran stationed on the island of Oahu, Hawaii, or offshore, during the attack
97.2 on Pearl Harbor on December 7, 1941, the special plates must bear the inscription "PEARL
97.3 HARBOR SURVIVOR."

97.4 (c) For a veteran who served during World War II, the plates must bear the inscription
97.5 "WORLD WAR VET."

97.6 (d) For a veteran who served during the Korean Conflict, the special plates must bear
97.7 the inscription "KOREAN VET."

97.8 (e) For a combat wounded veteran who is a recipient of the Purple Heart medal, the
97.9 plates must bear the inscription "COMBAT WOUNDED VET" and have a facsimile or an
97.10 emblem of the official Purple Heart medal.

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

97.17 (f) For a Persian Gulf War veteran, the plates must bear the inscription "GULF WAR
97.18 VET." For the purposes of this section, "Persian Gulf War veteran" means a person who
97.19 served on active duty after August 1, 1990, in a branch of the armed forces of the United
97.20 States or a nation or society allied with the United States or the United Nations during
97.21 Operation Desert Shield, Operation Desert Storm, or other military operation in the Persian
97.22 Gulf area combat zone as designated in United States Presidential Executive Order No.
97.23 12744, dated January 21, 1991.

97.24 (g) For a veteran who served in the Laos War after July 1, 1961, and before July 1, 1978,
97.25 the special plates must bear the inscription "LAOS WAR VET."

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

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

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

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

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

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

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

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

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

98.23 (m) For a veteran who is the recipient of the Air Medal, the special plates must be
98.24 inscribed with a facsimile of that medal and must bear the inscription "AIR MEDAL
98.25 VETERAN" directly below the special plate number.

98.26 ~~(m)~~ (n) For a woman veteran, the plates must bear the inscription "WOMAN VETERAN"
98.27 and have a facsimile or an emblem as designated by the commissioners of veterans affairs
98.28 and public safety.

98.29 **EFFECTIVE DATE.** This section is effective January 1, 2023, and applies to Air Medal
98.30 veteran special license plates issued on or after that date.

99.1 Sec. 7. Minnesota Statutes 2020, section 168.1235, subdivision 1, is amended to read:

99.2 Subdivision 1. **General requirements; fees.** (a) The commissioner ~~shall~~ must issue a
99.3 special plate emblem for each plate to an applicant who:

99.4 (1) is a member of a congressionally chartered veterans service organization and is a
99.5 registered owner of a passenger automobile, pickup truck, van, or self-propelled recreational
99.6 vehicle;

99.7 (2) pays the registration tax required by law;

99.8 (3) pays a fee in the amount specified for special plates under section 168.12, subdivision
99.9 5, for each set of two plates, and any other fees required by this chapter; and

99.10 (4) complies with this chapter and rules governing the registration of motor vehicles and
99.11 licensing of drivers.

99.12 (b) The additional fee is payable at the time of initial application for the special plate
99.13 emblem and when the plates must be replaced or renewed. An applicant must not be issued
99.14 more than two sets of special plate emblems for motor vehicles listed in paragraph (a) and
99.15 registered to the applicant.

99.16 (c) The applicant must present a valid card indicating membership in the American
99.17 Legion ~~or~~, Veterans of Foreign Wars, or Disabled American Veterans.

99.18 Sec. 8. Minnesota Statutes 2020, section 168.1253, subdivision 3, is amended to read:

99.19 Subd. 3. **No fee.** The commissioner ~~shall~~ must issue a set of Gold Star plates, or a single
99.20 plate for a motorcycle, to an eligible person free of charge, and ~~shall~~ must replace the plate
99.21 or plates without charge if they become damaged. If the eligible person requests personalized
99.22 Gold Star plates, the commissioner must not charge the fees listed in section 168.12,
99.23 subdivision 2a.

99.24 Sec. 9. [168.1258] MINNESOTA VIKINGS FOUNDATION SPECIAL PLATES.

99.25 Subdivision 1. Issuance of plates. The commissioner must issue Minnesota Vikings
99.26 Foundation special plates or a single motorcycle plate to an applicant who:

99.27 (1) is a registered owner of a passenger automobile, noncommercial one-ton pickup
99.28 truck, motorcycle, or recreational vehicle;

99.29 (2) pays an additional fee in the amount specified for special plates under section 168.12,
99.30 subdivision 5;

100.1 (3) pays the registration tax as required under section 168.013;

100.2 (4) pays the fees required under this chapter;

100.3 (5) contributes a minimum of \$30 annually to the Minnesota Vikings Foundation account;

100.4 and

100.5 (6) complies with this chapter and rules governing registration of motor vehicles and

100.6 licensing of drivers.

100.7 Subd. 2. **Design.** In consultation with the Minnesota Vikings Foundation, the

100.8 commissioner must adopt a suitable plate design that includes the Minnesota Vikings

100.9 Foundation's marks and colors.

100.10 Subd. 3. **Plates transfer.** On application to the commissioner and payment of a transfer

100.11 fee of \$5, special plates issued under this section may be transferred to another motor vehicle

100.12 if the subsequent vehicle is:

100.13 (1) qualified under subdivision 1, clause (1), to bear the special plates; and

100.14 (2) registered to the same individual to whom the special plates were originally issued.

100.15 Subd. 4. **Contributions; account; appropriation.** Contributions collected under

100.16 subdivision 1, clause (5), must be deposited in the Minnesota Vikings Foundation account,

100.17 which is established in the special revenue fund. Money in the account is appropriated to

100.18 the commissioner of public safety. This appropriation is first for the annual cost of

100.19 administering the account funds, and the remaining funds are for distribution to the Minnesota

100.20 Vikings Foundation to advance the well-being of youth through engaging health and

100.21 education initiatives.

100.22 **EFFECTIVE DATE.** This section is effective January 1, 2023, for Minnesota Vikings

100.23 Foundation special plates issued on or after that date.

100.24 Sec. 10. **[168.1259] MINNESOTA PROFESSIONAL SPORTS TEAM FOUNDATION**

100.25 **PLATES.**

100.26 Subdivision 1. **Definition.** For purposes of this section, "Minnesota professional sports

100.27 team" means one of the following teams while its home stadium is located in Minnesota:

100.28 Minnesota Vikings, Minnesota Timberwolves, Minnesota Lynx, Minnesota Wild, Minnesota

100.29 Twins, or Minnesota United.

100.30 Subd. 2. **General requirements and procedures.** (a) The commissioner must issue

100.31 Minnesota professional sports team foundation plates to an applicant who:

101.1 (1) is a registered owner of a passenger automobile, noncommercial one-ton pickup
 101.2 truck, motorcycle, or recreational vehicle;

101.3 (2) pays an additional fee in the amount specified for special plates under section 168.12,
 101.4 subdivision 5;

101.5 (3) pays the registration tax required under section 168.013;

101.6 (4) pays the fees required under this chapter;

101.7 (5) contributes a minimum of \$30 annually to the professional sports team foundations
 101.8 account; and

101.9 (6) complies with this chapter and rules governing registration of motor vehicles and
 101.10 licensing of drivers.

101.11 (b) Minnesota professional sports team foundation plates may be personalized according
 101.12 to section 168.12, subdivision 2a.

101.13 Subd. 3. **Design.** At the request of a Minnesota professional sports team's foundation,
 101.14 the commissioner must, in consultation with the foundation, adopt a suitable plate design
 101.15 incorporating the foundation's marks and colors. The commissioner may design a single
 101.16 plate that incorporates the marks and colors of all foundations that have requested a plate.

101.17 Subd. 4. **Plate transfers.** On application to the commissioner and payment of a transfer
 101.18 fee of \$5, special plates issued under this section may be transferred to another motor vehicle
 101.19 if the subsequent vehicle is:

101.20 (1) qualified under subdivision 2, clause (1), to bear the special plates; and

101.21 (2) registered to the same individual to whom the special plates were originally issued.

101.22 Subd. 5. **Contribution and fees credited.** Contributions collected under subdivision 2,
 101.23 clause (5), must be deposited in the Minnesota professional sports team foundations account,
 101.24 which is established in the special revenue fund. Money in the account is appropriated to
 101.25 the commissioner of public safety. This appropriation is first for the annual cost of
 101.26 administering the account funds, and the remaining funds are for distribution to the
 101.27 foundations in proportion to the total number of Minnesota professional sports team
 101.28 foundation plates issued for that year. Proceeds from a plate that includes the marks and
 101.29 colors of all foundations must be divided evenly between all foundations. The foundations
 101.30 must only use the proceeds for philanthropic or charitable purposes.

101.31 **EFFECTIVE DATE.** This section is effective January 1, 2023, for Minnesota
 101.32 professional sports team foundation special plates issued on or after that date.

102.1 Sec. 11. [168.1287] MINNESOTA MISSING AND MURDERED INDIGENOUS
102.2 RELATIVES SPECIAL LICENSE PLATES.

102.3 Subdivision 1. **Issuance of plates.** The commissioner must issue Minnesota missing
102.4 and murdered Indigenous relatives special license plates or a single motorcycle plate to an
102.5 applicant who:

102.6 (1) is a registered owner of a passenger automobile, noncommercial one-ton pickup
102.7 truck, motorcycle, or recreational vehicle;

102.8 (2) pays an additional fee in the amount specified for special plates under section 168.12,
102.9 subdivision 5;

102.10 (3) pays the registration tax as required under section 168.013;

102.11 (4) pays the fees required under this chapter;

102.12 (5) contributes a minimum of \$20 annually to the Minnesota missing and murdered
102.13 Indigenous relatives account; and

102.14 (6) complies with this chapter and rules governing registration of motor vehicles and
102.15 licensing of drivers.

102.16 Subd. 2. **Design.** In consultation with the Office of Missing and Murdered Indigenous
102.17 Relatives, the commissioner must adopt a suitable plate design that includes a red handprint
102.18 to one side, a partial ribbon skirt toward the bottom corner, and reads "Missing and Murdered
102.19 Indigenous Relatives" or "MMIR."

102.20 Subd. 3. **Plates transfer.** On application to the commissioner and payment of a transfer
102.21 fee of \$5, special plates issued under this section may be transferred to another motor vehicle
102.22 if the subsequent vehicle is:

102.23 (1) qualified under subdivision 1, clause (1), to bear the special plates; and

102.24 (2) registered to the same individual to whom the special plates were originally issued.

102.25 Subd. 4. **Exemption.** Special plates issued under this section are not subject to section
102.26 168.1293, subdivision 2.

102.27 Subd. 5. **Contributions; account; appropriation.** Contributions collected under
102.28 subdivision 1, clause (5), must be deposited in the Minnesota missing and murdered
102.29 Indigenous relatives account, which is established in the special revenue fund. Money in
102.30 the account is appropriated to the commissioner of public safety. This appropriation is first
102.31 for the annual cost of administering the account funds, and the remaining funds are for
102.32 distribution to the Office of Missing and Murdered Indigenous Relatives for investigation

103.1 of unsolved cases and to establish a reward fund for information relating to missing and
 103.2 murdered Indigenous relatives.

103.3 **EFFECTIVE DATE.** This section is effective January 1, 2023, for Minnesota missing
 103.4 and murdered Indigenous relatives special plates issued on or after that date.

103.5 Sec. 12. Minnesota Statutes 2020, section 168.27, subdivision 11, is amended to read:

103.6 **Subd. 11. Dealers' licenses; location change notice; fee.** (a) Application for a dealer's
 103.7 license or notification of a change of location of the place of business on a dealer's license
 103.8 must include a street address, not a post office box, and is subject to the commissioner's
 103.9 approval.

103.10 (b) Upon the filing of an application for a dealer's license and the proper fee, unless the
 103.11 application on its face appears to be invalid, the commissioner ~~shall~~ must grant a 90-day
 103.12 temporary license. During the 90-day period following issuance of the temporary license,
 103.13 the commissioner ~~shall~~ must inspect the place of business site and insure compliance with
 103.14 this section and rules adopted under this section.

103.15 (c) The commissioner may extend the temporary license 30 days to allow the temporarily
 103.16 licensed dealer to come into full compliance with this section and rules adopted under this
 103.17 section.

103.18 (d) In no more than 120 days following issuance of the temporary license, the dealer
 103.19 license must either be granted or denied.

103.20 (e) A license must be denied under the following conditions:

103.21 (1) ~~The license must be denied~~ if within the previous ten years the applicant was enjoined
 103.22 due to a violation of section 325F.69 or convicted of violating section 325E.14, 325E.15,
 103.23 325E.16, or 325F.69, or convicted under section 609.53 of receiving or selling stolen
 103.24 vehicles, or convicted of violating United States Code, title 15, ~~sections 1981 to 1991~~ 49,
 103.25 sections 32701 to 32711, or pleaded guilty, entered a plea of nolo contendere or no contest,
 103.26 or has been found guilty in a court of competent jurisdiction of any charge of failure to pay
 103.27 state or federal income or sales taxes or felony charge of forgery, embezzlement, obtaining
 103.28 money under false pretenses, theft by swindle, extortion, conspiracy to defraud, or bribery; ;

103.29 (2) ~~A license must be denied~~ if the applicant has had a dealer license revoked within the
 103.30 previous ten years; or

104.1 (3) if, at the time of inspection, the applicant is not in compliance with location
104.2 requirements or has intentionally misrepresented any information on the application that
104.3 would be grounds for suspension or revocation under subdivision 12.

104.4 (f) If the application is approved, the commissioner ~~shall~~ must license the applicant as
104.5 a dealer for one year from the date the temporary license is granted and issue a certificate
104.6 of license that must include a distinguishing number of identification of the dealer. The
104.7 license must be displayed in a prominent place in the dealer's licensed place of business.

104.8 (g) Each initial application for a license must be accompanied by a fee of \$100 in addition
104.9 to the annual fee. The annual fee is \$150. The initial fees and annual fees must be paid into
104.10 the state treasury and credited to the general fund except that \$50 of each initial and annual
104.11 fee must be paid into the vehicle services operating account in the special revenue fund
104.12 under section 299A.705.

104.13 Sec. 13. Minnesota Statutes 2020, section 168.27, subdivision 31, is amended to read:

104.14 Subd. 31. **Documentary fee.** (a) A motor vehicle dealer may not charge a documentary
104.15 fee or document administration fee in excess of the amounts provided under paragraph (b)
104.16 for services actually rendered to, for, or on behalf of the retail buyer or lessee to prepare,
104.17 handle, and process documents for the closing of a motor vehicle retail sale or lease of a
104.18 vehicle being registered in the state of Minnesota. The fee must be separately stated on the
104.19 sales agreement maintained under Minnesota Rules, part 7400.5200, and may be excluded
104.20 from the dealer's advertised price.

104.21 (b) For motor vehicle sales or leases made on or after July 1, ~~2017~~ 2022, through June
104.22 ~~30, 2020~~ 2023, the maximum fee is ~~\$100~~ the lesser of \$200 or an amount equal to ten percent
104.23 of the value of the sale or lease. For motor vehicle sales or leases made on or after July 1,
104.24 ~~2020, 2023~~, through June 30, 2024, the maximum fee is ~~\$125~~ the lesser of \$275 or an amount
104.25 equal to ten percent of the value of the sale or lease. For motor vehicle sales or leases made
104.26 on or after July 1, 2024, the maximum fee is the lesser of \$350 or an amount equal to ten
104.27 percent of the value of the sale or lease.

104.28 (c) "Documentary fee" and "document administration fee" do not include an optional
104.29 electronic transfer fee as defined under section 53C.01, subdivision 14.

104.30 **EFFECTIVE DATE.** This section is effective for motor vehicle sales and leases made
104.31 on or after July 1, 2022.

105.1 Sec. 14. Minnesota Statutes 2020, section 168A.11, subdivision 3, is amended to read:

105.2 Subd. 3. **Records.** Every dealer ~~shall~~ must maintain for three years at an established
 105.3 place of business a record in the form the department prescribes of every vehicle bought,
 105.4 sold, or exchanged, or received for sale or exchange, which ~~shall~~ must be open to inspection
 105.5 by a representative of the department or peace officer during ~~reasonable business hours~~
 105.6 inspection hours as listed on the initial dealer license application or as noted on the dealer
 105.7 record. With respect to motor vehicles subject to the provisions of section 325E.15, the
 105.8 record ~~shall~~ must include either the true mileage as stated by the previous owner or the fact
 105.9 that the previous owner stated the actual cumulative mileage was unknown; the record also
 105.10 ~~shall~~ must include either the true mileage the dealer stated upon transferring the vehicle or
 105.11 the fact the dealer stated the mileage was unknown.

105.12 Sec. 15. Minnesota Statutes 2020, section 168B.045, is amended to read:

105.13 **168B.045 TOWED MOTOR VEHICLES.**

105.14 A person who tows and stores a motor vehicle at the request of a law enforcement officer
 105.15 ~~shall~~ must have a lien on the motor vehicle for the value of the ~~storage and towing and~~
 105.16 recovery of the vehicle and cargo, storage of the vehicle and cargo, and accident site cleanup
 105.17 and must have the right to retain possession of the motor vehicle and cargo, subject to the
 105.18 right to retrieve contents under section 168B.07, subdivision 3, until the lien is lawfully
 105.19 discharged. This section does not apply to tows of vehicles parked in violation of snow
 105.20 emergency regulations.

105.21 Sec. 16. Minnesota Statutes 2020, section 168B.07, subdivision 1, is amended to read:

105.22 Subdivision 1. **Payment of charges.** The owner or any lienholder of an impounded
 105.23 vehicle ~~shall~~ must have a right to reclaim such vehicle from the unit of government or
 105.24 impound lot operator taking it into custody upon payment of all charges for towing and
 105.25 ~~storage charges~~ recovery of the vehicle and cargo, storage of the vehicle and cargo, and
 105.26 accident site cleanup resulting from taking the vehicle and cargo into custody within 15 or
 105.27 45 days, as applicable under section 168B.051, subdivision 1, 1a, or 2, after the date of the
 105.28 notice required by section 168B.06.

106.1 Sec. 17. Minnesota Statutes 2020, section 169.011, is amended by adding a subdivision
106.2 to read:

106.3 Subd. 1b. All-electric motorcycle. (a) "All-electric motorcycle" means an electric
106.4 motorcycle that is solely able to be powered by an electric motor drawing current from
106.5 rechargeable storage batteries, fuel cells, or other portable sources of electrical current.

106.6 (b) All-electric motorcycle excludes a plug-in hybrid electric motorcycle.

106.7 Sec. 18. Minnesota Statutes 2020, section 169.011, is amended by adding a subdivision
106.8 to read:

106.9 Subd. 54c. Plug-in hybrid electric motorcycle. "Plug-in hybrid electric motorcycle"
106.10 means an electric motorcycle that:

106.11 (1) contains an internal combustion engine and also allows power to be delivered to the
106.12 drive wheels by a battery-powered electric motor;

106.13 (2) when connected to the electrical grid via an electrical outlet, is able to recharge its
106.14 battery; and

106.15 (3) has the ability to travel at least 20 miles powered substantially by electricity.

106.16 Sec. 19. Minnesota Statutes 2020, section 171.05, subdivision 2, is amended to read:

106.17 Subd. 2. **Person less than 18 years of age.** (a) The department may issue an instruction
106.18 permit to an applicant who is 15, 16, or 17 years of age and who:

106.19 (1) has completed a course of driver education in another state, has a previously issued
106.20 valid license from another state, or:

106.21 (i) is enrolled in either: behind-the-wheel training in a driver education program; and

106.22 (ii) has completed:

106.23 ~~(i) a public, private, or commercial~~ (A) the classroom phase of instruction in a driver
106.24 education program that is approved by the commissioner of public safety and that includes
106.25 classroom and behind-the-wheel training; or

106.26 (B) 15 hours of classroom instruction in a driver education program that presents
106.27 classroom and behind-the-wheel instruction concurrently;

106.28 ~~(ii) an approved behind-the-wheel driver education program~~ (C) home-classroom driver
106.29 training, when the student is receiving full-time instruction in a home school within the
106.30 meaning of sections 120A.22 and 120A.24, the student is working toward a homeschool

107.1 ~~home school~~ diploma, the ~~student is taking~~ home-classroom driver training ~~with classroom~~
 107.2 ~~materials~~ are approved by the commissioner of public safety, and the student's parent has
 107.3 certified the student's ~~homeschool~~ home school and home-classroom driver training status
 107.4 on the form approved by the commissioner; or

107.5 (D) an online driver education program authorized by section 171.395;

107.6 ~~(2) has completed the classroom phase of instruction in the driver education program~~
 107.7 ~~or has completed 15 hours of classroom instruction in a program that presents classroom~~
 107.8 ~~and behind-the-wheel instruction concurrently;~~

107.9 ~~(3)~~ (2) has passed a test of the applicant's eyesight;

107.10 ~~(4)~~ (3) has passed a department-administered test of the applicant's knowledge of traffic
 107.11 laws;

107.12 ~~(5)~~ (4) has completed the required application, which must be approved by (i) either
 107.13 parent when both reside in the same household as the minor applicant or, if otherwise, then
 107.14 (ii) the parent or spouse of the parent having custody or, in the event there is no court order
 107.15 for custody, then (iii) the parent or spouse of the parent with whom the minor is living or,
 107.16 if items (i) to (iii) do not apply, then (iv) the guardian having custody of the minor, (v) the
 107.17 foster parent or the director of the transitional living program in which the child resides or,
 107.18 in the event a person under the age of 18 has no living father, mother, or guardian, or is
 107.19 married or otherwise legally emancipated, then (vi) the applicant's adult spouse, adult close
 107.20 family member, or adult employer; provided, that the approval required by this clause
 107.21 contains a verification of the age of the applicant and the identity of the parent, guardian,
 107.22 adult spouse, adult close family member, or adult employer; and

107.23 ~~(6)~~ (5) has paid all fees required in section 171.06, subdivision 2.

107.24 (b) In addition, the applicant may submit a certification stating that a primary driving
 107.25 supervisor has completed the supplemental parental curriculum under section 171.0701,
 107.26 subdivision 1a, for the purposes of provisional license requirements under section 171.055,
 107.27 subdivision 1, paragraph (a), clause (6). The certification must be completed by a driver
 107.28 education instructor, as defined under section 171.0701, subdivision 1a.

107.29 (c) For the purposes of determining compliance with the certification of paragraph (a),
 107.30 clause (1), item (ii), subitem (C), the commissioner may request verification of a student's
 107.31 ~~homeschool~~ home school status from the superintendent of the school district in which the
 107.32 student resides and the superintendent ~~shall~~ must provide that verification.

108.1 (d) A driver education program under this subdivision includes a public, private, or
 108.2 commercial program, and must be approved by the commissioner.

108.3 ~~(d)~~ (e) The instruction permit is valid for two years from the date of application and may
 108.4 be renewed upon payment of a fee equal to the fee for issuance of an instruction permit
 108.5 under section 171.06, subdivision 2.

108.6 Sec. 20. Minnesota Statutes 2020, section 171.07, subdivision 15, is amended to read:

108.7 Subd. 15. **Veteran designation.** (a) At the request of an eligible applicant and on payment
 108.8 of the required fee, the department ~~shall~~ must issue, renew, or reissue to the applicant a
 108.9 driver's license or Minnesota identification card bearing a graphic or written designation
 108.10 of:

108.11 (1) Veteran; or

108.12 (2) Veteran 100% T&P.

108.13 (b) At the time of the initial application for the designation provided under this
 108.14 subdivision, the applicant must:

108.15 (1) be one of the following:

108.16 (i) a veteran, as defined in section 197.447; or

108.17 (ii) a retired member of the National Guard or a reserve component of the United States
 108.18 armed forces;

108.19 (2) ~~have provide~~ provide a certified copy of the ~~veteran's~~ applicant's discharge papers that confirms
 108.20 an honorable or general discharge under honorable conditions status or a military retiree
 108.21 identification card, Veteran Identification Card, or Veteran Health Identification Card; and

108.22 (3) if the applicant is seeking the disability designation under paragraph (a), clause (2),
 108.23 provide satisfactory evidence of a 100 percent total and permanent service-connected
 108.24 disability as determined by the United States Department of Veterans Affairs.

108.25 ~~(e) The commissioner of public safety is required to issue drivers' licenses and Minnesota~~
 108.26 ~~identification cards with the veteran designation only after entering a new contract or in~~
 108.27 ~~coordination with producing a new card design with modifications made as required by~~
 108.28 ~~law.~~

108.29 **EFFECTIVE DATE; APPLICATION.** This section is effective August 1, 2022, and
 108.30 applies to applications submitted on or after that date.

109.1 Sec. 21. Minnesota Statutes 2021 Supplement, section 171.13, subdivision 1, is amended
109.2 to read:

109.3 Subdivision 1. **Examination subjects and locations; provisions for color blindness,**
109.4 **disabled veterans.** (a) An applicant for a driver's license must pass the examination required
109.5 by this section before being issued a driver's license. Except as otherwise provided in ~~this~~
109.6 section 171.135, the commissioner ~~shall examine each applicant for a driver's license by~~
109.7 ~~such agency as the commissioner directs~~ must conduct the examination. This examination
109.8 must include:

109.9 (1) a test of the applicant's eyesight, provided that this requirement is met by submission
109.10 of a vision examination certificate under section 171.06, subdivision 7;

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

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

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

109.23 (5) other physical and mental examinations as the commissioner finds necessary to
109.24 determine the applicant's fitness to operate a motor vehicle safely upon the highways.

109.25 (b) Notwithstanding paragraph (a), the commissioner must not deny an application for
109.26 a driver's license based on the exclusive grounds that the applicant's eyesight is deficient in
109.27 color perception or that the applicant has been diagnosed with diabetes mellitus. War veterans
109.28 operating motor vehicles especially equipped for disabled persons, if otherwise entitled to
109.29 a license, must be granted such license.

109.30 (c) The commissioner ~~shall~~ must make provision for giving the examinations under this
109.31 subdivision either in the county where the applicant resides or at a place adjacent thereto
109.32 reasonably convenient to the applicant.

110.1 (d) The commissioner ~~shall~~ must ensure that an applicant is able to obtain an appointment
110.2 for an examination to demonstrate ability under paragraph (a), clause (4), within 14 days
110.3 of the applicant's request if, under the applicable statutes and rules of the commissioner,
110.4 the applicant is eligible to take the examination.

110.5 Sec. 22. [171.135] THIRD-PARTY COMMERCIAL DRIVER'S LICENSE ROAD
110.6 TESTS.

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

110.9 (b) "Applicant" means the individual or entity applying to be a third-party tester program
110.10 or a third-party tester.

110.11 (c) "Road test" means the physical demonstration of ability to exercise ordinary and
110.12 reasonable control in the operation of a motor vehicle as required in section 171.13,
110.13 subdivision 1, paragraph (a), clause (4).

110.14 (d) "Third-party tester" or "tester" means an employee of a third-party testing program
110.15 who is authorized by the commissioner to conduct the road test for a commercial driver's
110.16 license.

110.17 (e) "Third-party testing program" or "program" means a program approved by the
110.18 commissioner to administer the road test conducted by a third-party tester.

110.19 Subd. 2. Third-party testing program; application. (a) An applicant must apply in
110.20 the manner specified by the commissioner for approval to administer the road test. A
110.21 third-party testing program may administer the road test under this section if the program
110.22 is approved by the commissioner.

110.23 (b) A program application to the commissioner must include:

110.24 (1) the business or entity name;

110.25 (2) a business registration number or a business or tax identification number if a nonprofit
110.26 entity;

110.27 (3) mailing address, telephone number, and e-mail address of the administrative office;

110.28 (4) the name of an authorized official responsible for the program and application and
110.29 the official's title and telephone number;

110.30 (5) a map, drawing, or written description of each test route to be used for road tests;

111.1 (6) the name, birth date, home address, and driver's license number of all individuals
111.2 the applicant wants to employ as a certified third-party tester;

111.3 (7) the amount for fees, if any, that will be charged; and

111.4 (8) a surety bond, in the amount prescribed by the commissioner.

111.5 **Subd. 3. Third-party testing program; office location.** To qualify as a third-party
111.6 testing program, the applicant must be located in Minnesota and must maintain an
111.7 administrative office in at least one permanent, regularly occupied building with a permanent
111.8 address.

111.9 **Subd. 4. Third-party testing program; evaluation and approval.** (a) The commissioner
111.10 must evaluate each application submitted by a third-party testing program applicant. If the
111.11 application is satisfactory, the commissioner must approve the application.

111.12 (b) Upon approval of a third-party testing program application, the commissioner must
111.13 issue a letter of approval designating the third-party testing program. The letter of approval
111.14 constitutes an agreement between the state and the third-party testing program that authorizes
111.15 the program to administer the road test for a commercial driver's license.

111.16 (c) A letter of approval to operate a third-party testing program is not transferable.

111.17 **Subd. 5. Third-party tester; authority.** (a) An individual may conduct the road test
111.18 for a commercial driver's license under this section if the person:

111.19 (1) possesses a valid third-party tester certificate, as provided in subdivision 6; and

111.20 (2) meets the requirements under Minnesota Rules, chapter 7410, and Code of Federal
111.21 Regulations, title 49, part 380, section 605, and part 383.

111.22 (b) A third-party tester is subject to the same requirements as examiners employed by
111.23 the state, including but not limited to background checks. The third-party tester must pay
111.24 the cost for a required background check.

111.25 **Subd. 6. Third-party tester; certificates.** (a) The commissioner must issue a third-party
111.26 tester certificate to an individual who satisfactorily completes the required training and is
111.27 authorized as a third-party tester.

111.28 (b) A third-party tester certificate is effective on the date of issuance and expires four
111.29 years after issuance. A third-party tester must submit an application for renewal of the
111.30 certificate to the commissioner no less than 30 days before the date the previously issued
111.31 certificate expires.

112.1 (c) The third-party testing program must keep a copy of the certificate of each third-party
112.2 tester employed by the program on file in the administrative office of the program.

112.3 (d) A third-party tester certificate is not transferable.

112.4 **Subd. 7. Training and information.** (a) The commissioner must provide a training
112.5 process that allows an individual to become authorized as a third-party tester.

112.6 (b) The commissioner must provide to each third-party tester all relevant information
112.7 on how to conduct the road test. At a minimum, the commissioner must provide:

112.8 (1) the criteria on which applicants for a commercial driver's license must be tested
112.9 during the road test;

112.10 (2) the method of scoring and evaluating the applicant for a commercial driver's license;

112.11 (3) the method and criteria for determining test routes; and

112.12 (4) the necessary documentation to conduct the road test.

112.13 **Subd. 8. Road tests.** (a) A third-party tester must conduct the commercial driver's license
112.14 road test in the manner and subject to the requirements of this section; section 171.131;
112.15 Minnesota Rules, chapter 7410; and Code of Federal Regulations, title 49, part 383.

112.16 (b) If the third-party tester also provides behind-the-wheel instruction for student drivers
112.17 or employees, the third-party tester must not use the same routes for training and conducting
112.18 the road test.

112.19 (c) Upon passage of the road test, the third-party tester must provide the person with
112.20 certification of passage of the road test. The certification must be in a form prescribed by
112.21 the commissioner.

112.22 **Subd. 9. Prohibited road tests.** (a) A third-party tester must not conduct a road test for
112.23 a person who is required to be examined by the commissioner under section 171.13,
112.24 subdivision 3, and Minnesota Rules, part 7410.2400.

112.25 (b) A third-party tester must not conduct a fourth or subsequent road test for a person.

112.26 **Subd. 10. Immunity.** The department must be held harmless for any claims, losses,
112.27 damages, costs, and other proceedings made, sustained, brought, or prosecuted in any manner
112.28 based on or occasioned by or attributive to any injury, infringement, or damage rising from
112.29 any act or omission of the third-party tester or the third-party testing program in the
112.30 performance of testing duties.

113.1 Subd. 11. **Application.** This section does not apply to employees of the state that conduct
113.2 the road test.

113.3 Subd. 12. **Oversight; investigations.** (a) The commissioner must monitor and audit the
113.4 road tests conducted by third-party testers. The commissioner reserves the right to cancel
113.5 the delegation of third-party testing in its entirety or an individual program if a federal audit
113.6 indicates that continuation of the general delegation or individual program will jeopardize
113.7 the receipt of federal funds or the state's ability to issue commercial drivers' licenses.

113.8 (b) The commissioner must establish a process to investigate alleged violations of the
113.9 law and complaints made against third-party testers or programs. The third-party tester or
113.10 program must be given notice of an investigation and be allowed to participate in the
113.11 investigation. The commissioner must provide the results of an audit or investigation to the
113.12 third-party program and any third-party testers.

113.13 Subd. 13. **Denial; cancellation; suspension.** (a) The commissioner may deny an
113.14 application for a third-party testing program or third-party tester if the applicant does not
113.15 qualify for approval or certification under this section or Minnesota Rules, parts 7410.6000
113.16 to 7410.6540. In addition, a misstatement or misrepresentation is grounds for denying a
113.17 letter of approval for a third-party program or a third-party tester certificate.

113.18 (b) The commissioner may cancel the approval of a third-party testing program or
113.19 third-party tester or may suspend a program or tester for:

113.20 (1) failure to comply with or satisfy any provision of this section or Minnesota Rules,
113.21 parts 7410.6000 to 7410.6540;

113.22 (2) falsification of any records or information relating to the third-party testing program;

113.23 (3) performance in a manner that compromises the integrity of the third-party testing
113.24 program. The commissioner must use the same standards of integrity for state-employed
113.25 testers and third-party testers; or

113.26 (4) the withdrawal of a third-party tester's driving privileges.

113.27 Subd. 14. **Commissioner's discretion.** (a) The existence of grounds for cancellation or
113.28 suspension under subdivision 13 is determined at the sole discretion of the commissioner.
113.29 If the commissioner determines that grounds for cancellation or suspension exist for failure
113.30 to comply with or satisfy any requirement in this section or Minnesota Rules, parts 7410.6000
113.31 to 7410.6540, the commissioner may immediately cancel or suspend the third-party testing
113.32 program or third-party tester from administering any further tests.

114.1 (b) When an application to be a third-party testing program or third-party tester
114.2 application is denied, or when individual program approval or a tester's certificate is canceled,
114.3 a notice must be mailed to the subject indicating the reasons for the denial or cancellation
114.4 and that the third-party testing program or third-party tester may appeal the decision as
114.5 provided in subdivision 16.

114.6 Subd. 15. **Correction order.** If an audit by the commissioner identifies a situation that
114.7 needs correction but does not merit suspension or cancellation, the commissioner may issue
114.8 a correction order to a third-party tester or program for 30 days to correct a deficiency before
114.9 the program or tester becomes subject to suspension or cancellation. The notice must include
114.10 the basis for requiring the correction. The notice must notify the individual of the ability to
114.11 appeal the correction order as provided in subdivision 16. The third-party testing program
114.12 or third-party tester is permitted 30 days to correct the deficiency without having to reapply.

114.13 Subd. 16. **Notice of denial or cancellation; request for reconsideration and**
114.14 **hearing.** (a) Within 20 calendar days of the mailing date of a notice of cancellation or denial
114.15 issued pursuant to subdivision 14 or correction order issued pursuant to subdivision 15, the
114.16 third-party testing program or third-party tester may submit a request for reconsideration
114.17 in writing to the commissioner. The commissioner must review the request for reconsideration
114.18 and issue a decision within 30 days of the mailing date of the request. The third-party testing
114.19 program or third-party tester may request a contested case hearing under chapter 14 within
114.20 20 days of receipt of the commissioner's decision.

114.21 (b) As an alternative to the process in paragraph (a), the third-party testing program or
114.22 third-party tester may initiate a contested case proceeding within 20 calendar days of the
114.23 mailing date of a notice of cancellation or denial issued pursuant to subdivision 14 or a
114.24 correction order issued pursuant to subdivision 15.

114.25 (c) If a correction order issued pursuant to subdivision 15 is appealed under paragraph
114.26 (a) or (b), the commissioner must not enforce the correction order until the appeal is complete.

114.27 Subd. 17. **Rulemaking.** (a) Except where otherwise provided by this section, the
114.28 commissioner must apply applicable provisions from Minnesota Rules, parts 7410.6000 to
114.29 7410.6540, to third-party testing of commercial drivers' licenses. The provisions in Minnesota
114.30 Rules, parts 7410.6160, 7410.6180, 7410.6280, 7410.6290, 7410.6520, subpart 2, and
114.31 7410.6540, do not apply to third-party testing for commercial drivers' licenses.

114.32 (b) To the extent that Minnesota Rules, parts 7410.6000 to 7410.6540, or other laws do
114.33 not prescribe requirements on the following topics, the commissioner may adopt rules on
114.34 these topics as they pertain to third-party testing programs and testers:

- 115.1 (1) criteria for approval of an application of a third-party testing program or tester;
115.2 (2) requirements for training to become a third-party testing program or tester;
115.3 (3) the method of scoring and evaluating an applicant for a commercial driver's license;
115.4 (4) the method and criteria for determining test routes;
115.5 (5) documentation necessary to conduct a road test;
115.6 (6) the manner of conducting a road test for a commercial driver's license; and
115.7 (7) a process to investigate alleged violations of law and complaints made against
115.8 third-party testing programs and testers.
- 115.9 (c) The commissioner must not adopt rules that create standards for third-party testing
115.10 programs and third-party testers to provide road tests for a commercial driver's license that
115.11 are higher than standards required for the state or state employees who perform road tests
115.12 for commercial drivers' licenses.
- 115.13 (d) If the commissioner does not adopt rules by June 1, 2024, rulemaking authority under
115.14 this section is repealed. Rulemaking authority under this section is not continuing authority
115.15 to amend or repeal rules. Notwithstanding section 14.125, any additional action on rules
115.16 after adoption must be under specific statutory authority to take the additional action.
- 115.17 **Sec. 23. [171.395] ONLINE DRIVER EDUCATION PROGRAM.**
- 115.18 (a) A licensed driver education program may provide online driver education as provided
115.19 in this section. The online driver education program must satisfy the requirements for
115.20 classroom driver education as provided in section 171.0701, subdivision 1, and Minnesota
115.21 Rules, chapter 7411. In addition, an online driver education program must:
- 115.22 (1) include a means for the student to measure performance outcomes;
115.23 (2) use a pool of rotating quiz questions;
115.24 (3) incorporate accountability features to ensure the identity of the student while engaged
115.25 in the course of online study;
115.26 (4) measure the amount of time that the student spends in the course;
115.27 (5) provide technical support to customers that is available 24 hours per day, seven days
115.28 per week;

116.1 (6) require a licensed Minnesota driver education instructor to monitor each student's
 116.2 progress and be available to answer questions in a timely manner, provided that the instructor
 116.3 is not required to monitor progress or answer questions in real time;

116.4 (7) store course content and student data on a secure server that is protected against data
 116.5 breaches and is regularly backed up;

116.6 (8) incorporate preventive measures in place to protect against the access of private
 116.7 information;

116.8 (9) include the ability to update course content uniformly throughout the state; and

116.9 (10) provide online interactive supplemental parental curriculum consistent with section
 116.10 171.0701, subdivision 1a.

116.11 (b) Except as required by this section, the commissioner is prohibited from imposing
 116.12 requirements on online driver education programs that are not equally applicable to classroom
 116.13 driver education programs.

116.14 Sec. 24. Laws 2019, First Special Session chapter 3, article 2, section 34, subdivision 8,
 116.15 is amended to read:

116.16 Subd. 8. **Expiration.** The Oversight Committee expires six months after full
 116.17 implementation of VTRS. ~~After full implementation but prior to the expiration of the~~
 116.18 ~~Oversight Committee, the Oversight Committee must complete a report that, at a minimum,~~
 116.19 ~~summarizes the activities of the Oversight Committee and makes recommendations to the~~
 116.20 ~~legislature on proposed changes to state driver and vehicle laws. The Oversight Committee~~
 116.21 ~~must submit the report to the legislative auditor.~~ For purposes of this subdivision, "full
 116.22 implementation" means all packaged software solution components are implemented and
 116.23 functioning and all MNLARS and legacy components are decommissioned.

116.24 Sec. 25. Laws 2021, First Special Session chapter 5, article 4, section 131, is amended to
 116.25 read:

116.26 Sec. 131. **SCHOOL BUS AGE EXEMPTION.**

116.27 Notwithstanding Minnesota Statutes, section 169.454, subdivision 2, type III vehicles
 116.28 that are 12 years or older may remain in service until August 31, ~~2022~~ 2023, if the following
 116.29 conditions are met:

116.30 (1) the vehicle would otherwise be required to leave service between March 1, 2021,
 116.31 and June 30, ~~2022~~ 2023, because of the vehicle's age; and

117.1 (2) the vehicle passes all required state inspections.

117.2 Sec. 26. Laws 2021, First Special Session chapter 5, article 4, section 131, the effective
117.3 date, is amended to read:

117.4 **EFFECTIVE DATE.** This section is effective the day following final enactment and
117.5 expires on August 31, ~~2022~~ 2023.

117.6 Sec. 27. **REQUIRED RULEMAKING.**

117.7 (a) The commissioner of public safety must amend Minnesota Rules as follows:

117.8 (1) part 7410.6100, subpart 2, by striking item D;

117.9 (2) part 7410.6160, by striking "50" and inserting "30";

117.10 (3) part 7410.6420, subpart 6, item A, by striking "12" and inserting "10"; and

117.11 (4) part 7411.0630, subpart 6, by striking subitem (7) and renumbering the remaining
117.12 subitems.

117.13 (b) The commissioner may use the good-cause exemption under Minnesota Statutes,
117.14 section 14.388, subdivision 1, clause (3), to adopt rules under this section, and Minnesota
117.15 Statutes, section 14.386, does not apply except as provided under Minnesota Statutes, section
117.16 14.388.

117.17 Sec. 28. **RULES.**

117.18 If the commissioner of public safety determines that any additional rules, beyond those
117.19 authorized to be adopted under Minnesota Statutes, section 171.135, are required to
117.20 implement this article, the commissioner must report to the chairs and ranking minority
117.21 members of the committees in the senate and house of representatives with jurisdiction over
117.22 transportation by January 15, 2023, describing topics on which additional rulemaking is
117.23 required. The report must include draft legislation to authorize the necessary rulemaking.

117.24 Sec. 29. **REVISOR INSTRUCTION.**

117.25 The revisor of statutes must renumber the subdivisions in Minnesota Statutes, section
117.26 169.011. The revisor must make necessary cross-reference changes in Minnesota Statutes
117.27 consistent with the renumbering.

118.1 Sec. 30. **REPEALER.**

118.2 Minnesota Rules, parts 7410.6180; 7410.6420, subpart 3; 7410.6520, subpart 3; and
118.3 7411.0535, are repealed.

118.4 **ARTICLE 8**

118.5 **INDEPENDENT EXPERT REVIEW PROVISIONS**

118.6 Section 1. Minnesota Statutes 2020, section 168.002, is amended by adding a subdivision
118.7 to read:

118.8 Subd. 12a. **Full-service provider.** "Full-service provider" means a person who is
118.9 appointed by the commissioner as both a deputy registrar under this chapter and a driver's
118.10 license agent under chapter 171 who provides all driver services, excluding International
118.11 Registration Plan and International Fuel Tax Agreement transactions. The commissioner is
118.12 not a full-service provider.

118.13 Sec. 2. Minnesota Statutes 2021 Supplement, section 168.327, subdivision 1, is amended
118.14 to read:

118.15 Subdivision 1. **Records and fees.** (a) Upon request by any person authorized in this
118.16 section, the commissioner ~~shall~~ or full-service provider must furnish a certified copy of any
118.17 driver's license record, instruction permit record, Minnesota identification card record,
118.18 vehicle registration record, vehicle title record, or accident record.

118.19 (b) Except as provided in subdivisions 4, 5a, and 5b, and other than accident records
118.20 governed under section 169.09, subdivision 13, the requester ~~shall~~ must pay a fee of \$10
118.21 for each certified record specified in paragraph (a) or a fee of \$9 for each record that is not
118.22 certified.

118.23 (c) Except as provided in subdivisions 4, 5a, and 5b, in addition to the record fee in
118.24 paragraph (b), the fee for a copy of the history of any vehicle title not in electronic format
118.25 is \$1 for each page of the historical record.

118.26 (d) Fees collected by the commissioner under paragraph (b) for driver's license, instruction
118.27 permit, and Minnesota identification card records must be paid into the state treasury with
118.28 50 cents of each fee credited to the general fund. The remainder of the fees collected by the
118.29 commissioner must be credited to the driver services operating account in the special revenue
118.30 fund under section 299A.705. Of the fees collected by a full-service provider under paragraph
118.31 (b) for driver's license, instruction permit, and Minnesota identification card records, the

119.1 provider must transmit 50 cents to the commissioner to be deposited into the general fund,
119.2 and the provider must retain the remainder.

119.3 (e) Fees collected by the commissioner under paragraphs (b) and (c) for vehicle
119.4 registration or title records must be paid into the state treasury with 50 cents of each fee
119.5 credited to the general fund. The remainder of the fees collected by the commissioner must
119.6 be credited to the vehicle services operating account in the special revenue fund specified
119.7 in section 299A.705. Of the fees collected by a full-service provider under paragraphs (b)
119.8 and (c) for vehicle registration or title records, the provider must transmit 50 cents of each
119.9 fee to the commissioner to be deposited into the general fund, and the provider must retain
119.10 the remainder.

119.11 (f) Except as provided in subdivisions 4, 5a, and 5b, the commissioner ~~shall~~ must permit
119.12 a person to inquire into a record by the person's own electronic means for a fee of \$4.50 for
119.13 each inquiry, except that no fee may be charged when the requester is the subject of the
119.14 data. Of the fee collected by the commissioner:

119.15 (1) \$2.70 must be deposited in the general fund;

119.16 (2) for driver's license, instruction permit, or Minnesota identification card records, the
119.17 remainder must be deposited in the driver services operating account in the special revenue
119.18 fund under section 299A.705; and

119.19 (3) for vehicle title or registration records, the remainder must be deposited in the vehicle
119.20 services operating account in the special revenue fund under section 299A.705.

119.21 (g) Fees and the deposit of the fees for accident records and reports are governed by
119.22 section 169.09, subdivision 13.

119.23 **EFFECTIVE DATE.** This section is effective January 1, 2023, and applies to requests
119.24 for records made on or after that date.

119.25 Sec. 3. Minnesota Statutes 2020, section 168.327, subdivision 2, is amended to read:

119.26 Subd. 2. **Requests for information; surcharge on fee.** (a) Except as otherwise provided
119.27 in subdivision 3, the commissioner ~~shall~~ or full-service provider must impose a surcharge
119.28 of 50 cents on each fee charged by the commissioner or full-service provider under section
119.29 13.03, subdivision 3, for copies or electronic transmittals of public information about the
119.30 registration of a vehicle or an applicant, or holder of a driver's license, instruction permit,
119.31 or Minnesota identification card.

120.1 (b) The surcharge only applies to a fee imposed in response to a request made in person,
 120.2 ~~or by mail, or to a request for transmittal through a computer modem~~ online. The surcharge
 120.3 does not apply to the request of an individual for information about that individual's driver's
 120.4 license, instruction permit, or Minnesota identification card or about vehicles registered or
 120.5 titled in the individual's name.

120.6 (c) The surcharges collected by the commissioner under this subdivision must be credited
 120.7 to the general fund. The surcharges collected by a full-service provider must be transmitted
 120.8 to the commissioner to be deposited into the general fund.

120.9 **EFFECTIVE DATE.** This section is effective January 1, 2023, and applies to requests
 120.10 for records made on or after that date.

120.11 Sec. 4. Minnesota Statutes 2020, section 168.327, subdivision 3, is amended to read:

120.12 Subd. 3. **Exception to fee and surcharge.** (a) Notwithstanding subdivision 2 or section
 120.13 13.03, a fee or surcharge may not be imposed in response to a request for public information
 120.14 about the registration of a vehicle if the commissioner or full-service provider is satisfied
 120.15 that:

120.16 (1) the requester seeks the information on behalf of a community-based, nonprofit
 120.17 organization designated by a local law enforcement agency to be a requester; and

120.18 (2) the information is needed to identify suspected prostitution law violators, controlled
 120.19 substance law violators, or health code violators.

120.20 (b) The commissioner ~~shall~~ or full-service provider must not require a requester under
 120.21 paragraph (a) to make a minimum number of data requests or limit the requester to a
 120.22 maximum number of data requests.

120.23 **EFFECTIVE DATE.** This section is effective January 1, 2023, and applies to requests
 120.24 for records made on or after that date.

120.25 Sec. 5. Minnesota Statutes 2020, section 168.327, is amended by adding a subdivision to
 120.26 read:

120.27 **Subd. 7. Monitoring and auditing.** The commissioner must monitor and audit the
 120.28 furnishing of records by full-service providers under this section to ensure full-service
 120.29 providers are complying with this section, chapter 13, and United States Code, title 18,
 120.30 section 2721, et seq.

120.31 **EFFECTIVE DATE.** This section is effective January 1, 2023.

121.1 Sec. 6. Minnesota Statutes 2020, section 168.33, subdivision 7, is amended to read:

121.2 Subd. 7. **Filing fees; allocations.** (a) In addition to all other statutory fees and taxes, a
121.3 filing fee of:

121.4 (1) \$7 is imposed on every vehicle registration renewal, excluding pro rate transactions;
121.5 and

121.6 (2) \$11 is imposed on every other type of vehicle transaction, including motor carrier
121.7 fuel licenses under sections 168D.05 and 168D.06, and pro rate transactions.

121.8 (b) Notwithstanding paragraph (a):

121.9 (1) a filing fee may not be charged for a document returned for a refund or for a correction
121.10 of an error made by the Department of Public Safety, a dealer, or a deputy registrar; and

121.11 (2) no filing fee or other fee may be charged for the permanent surrender of a title for a
121.12 vehicle.

121.13 (c) The filing fee must be shown as a separate item on all registration renewal notices
121.14 sent out by the commissioner.

121.15 (d) The statutory fees and taxes, and the filing fees imposed under paragraph (a) may
121.16 be paid by credit card or debit card. The deputy registrar may collect a surcharge on the
121.17 statutory fees, taxes, and filing fee not greater than the cost of processing a credit card or
121.18 debit card transaction, in accordance with emergency rules established by the commissioner
121.19 of public safety. The surcharge must be used to pay the cost of processing credit and debit
121.20 card transactions.

121.21 (e) The fees collected under this subdivision by the department for in-person transactions
121.22 must be allocated as follows:

121.23 (1) of the fees collected under paragraph (a), clause (1):

121.24 (i) \$5.50 must be deposited in the vehicle services operating account; and

121.25 (ii) \$1.50 must be deposited in the driver and vehicle services technology account; and

121.26 (2) of the fees collected under paragraph (a), clause (2):

121.27 (i) \$3.50 must be deposited in the general fund;

121.28 (ii) \$6.00 must be deposited in the vehicle services operating account; and

121.29 (iii) \$1.50 must be deposited in the driver and vehicle services technology account.

- 122.1 (f) The fees collected under this subdivision by the department for mail or online
122.2 transactions must be allocated as follows:
- 122.3 (1) of the fees collected under paragraph (a), clause (1):
- 122.4 (i) \$2.75 must be deposited in the vehicle services operating account;
122.5 (ii) \$0.75 must be deposited in the driver and vehicle services technology account; and
122.6 (iii) \$3.50 must be deposited in the full-service provider account; and
- 122.7 (2) of the fees collected under paragraph (a), clause (2):
- 122.8 (i) \$3.50 must be deposited in the general fund;
122.9 (ii) \$3.00 must be deposited in the vehicle services operating account;
122.10 (iii) \$0.75 must be deposited in the driver and vehicle services technology account; and
122.11 (iv) \$3.75 must be deposited in the full-service provider account.
- 122.12 (g) In addition to all other statutory fees and taxes, a \$5.00 surcharge is imposed on
122.13 every vehicle registration renewal, excluding pro rate transactions, that is submitted by mail.
122.14 Of the \$5.00 surcharge, \$2.50 must be deposited in the vehicle services operating account
122.15 and \$2.50 must be deposited in the full-service provider account.
- 122.16 **EFFECTIVE DATE.** This section is effective October 1, 2022.

122.17 Sec. 7. Minnesota Statutes 2021 Supplement, section 169.09, subdivision 13, is amended
122.18 to read:

122.19 Subd. 13. **Reports confidential; evidence, fee, penalty, appropriation.** (a) All reports
122.20 and supplemental information required under this section must be for the use of the
122.21 commissioner of public safety and other appropriate state, federal, county, and municipal
122.22 governmental agencies for accident analysis purposes, except:

122.23 (1) upon written request, the commissioner of public safety, a full-service provider as
122.24 defined in section 171.01, subdivision 33a, or any law enforcement agency ~~shall~~ must
122.25 disclose the report required under subdivision 8 to:

122.26 (i) any individual involved in the accident, the representative of the individual's estate,
122.27 or the surviving spouse, or one or more surviving next of kin, or a trustee appointed under
122.28 section 573.02;

122.29 (ii) any other person injured in person, property, or means of support, or who incurs
122.30 other pecuniary loss by virtue of the accident;

- 123.1 (iii) legal counsel of a person described in item (i) or (ii);
- 123.2 (iv) a representative of the insurer of any person described in item (i) or (ii); or
- 123.3 (v) a city or county attorney or an attorney representing the state in an implied consent
123.4 action who is charged with the prosecution of a traffic or criminal offense that is the result
123.5 of a traffic crash investigation conducted by law enforcement;
- 123.6 ~~(2) the commissioner of public safety shall, upon written request, provide the driver~~
123.7 ~~filing a report under subdivision 7 with a copy of the report filed by the driver;~~
- 123.8 ~~(3)~~ (2) the commissioner of public safety may verify with insurance companies vehicle
123.9 insurance information to enforce sections 65B.48, 169.792, 169.793, 169.796, and 169.797;
- 123.10 ~~(4)~~ (3) the commissioner of public safety ~~shall~~ must provide the commissioner of
123.11 transportation the information obtained for each traffic accident involving a commercial
123.12 motor vehicle, for purposes of administering commercial vehicle safety regulations;
- 123.13 ~~(5)~~ (4) upon specific request, the commissioner of public safety ~~shall~~ must provide the
123.14 commissioner of transportation the information obtained regarding each traffic accident
123.15 involving damage to identified state-owned infrastructure, for purposes of debt collection
123.16 under section 161.20, subdivision 4; and
- 123.17 ~~(6)~~ (5) the commissioner of public safety may give to the United States Department of
123.18 Transportation commercial vehicle accident information in connection with federal grant
123.19 programs relating to safety.
- 123.20 (b) Accident reports and data contained in the reports are not discoverable under any
123.21 provision of law or rule of court. ~~No report shall~~ A report must not be used as evidence in
123.22 any trial, civil or criminal, or any action for damages or criminal proceedings arising out
123.23 of an accident. However, the commissioner of public safety ~~shall~~ must furnish, upon the
123.24 demand of any person who has or claims to have made a report or upon demand of any
123.25 court, a certificate showing that a specified accident report has or has not been made to the
123.26 commissioner solely to prove compliance or failure to comply with the requirements that
123.27 the report be made to the commissioner.
- 123.28 (c) Nothing in this subdivision prevents any individual who has made a report under
123.29 this section from providing information to any individuals involved in an accident or their
123.30 representatives or from testifying in any trial, civil or criminal, arising out of an accident,
123.31 as to facts within the individual's knowledge. It is intended by this subdivision to render
123.32 privileged the reports required, but it is not intended to prohibit proof of the facts to which
123.33 the reports relate.

124.1 (d) Disclosing any information contained in any accident report, except as provided in
124.2 this subdivision, section 13.82, subdivision 3 or 6, or other statutes, is a misdemeanor.

124.3 (e) The commissioner of public safety ~~shall~~ or full-service provider as defined in section
124.4 171.01, subdivision 33a, must charge authorized persons as described in paragraph (a) a \$5
124.5 fee for a copy of an accident report. Ninety percent of the \$5 fee collected by the
124.6 commissioner under this paragraph must be deposited in the special revenue fund and
124.7 credited to the driver services operating account established in section 299A.705 and ten
124.8 percent must be deposited in the general fund. Of the \$5 fee collected by a full-service
124.9 provider, the provider must transmit 50 cents to the commissioner to be deposited into the
124.10 general fund, and the provider must retain the remainder. The commissioner may also furnish
124.11 an electronic copy of the database of accident records, which must not contain personal or
124.12 private data on an individual, to private agencies as provided in paragraph (g), for not less
124.13 than the cost of preparing the copies on a bulk basis as provided in section 13.03, subdivision
124.14 3.

124.15 (f) The fees specified in paragraph (e) notwithstanding, the commissioner and law
124.16 enforcement agencies ~~shall~~ must charge commercial users who request access to response
124.17 or incident data relating to accidents a fee not to exceed 50 cents per record. "Commercial
124.18 user" is a user who in one location requests access to data in more than five accident reports
124.19 per month, unless the user establishes that access is not for a commercial purpose. Of the
124.20 money collected by the commissioner under this paragraph, 90 percent must be deposited
124.21 in the special revenue fund and credited to the driver services operating account established
124.22 in section 299A.705 and ten percent must be deposited in the general fund.

124.23 (g) The fees in paragraphs (e) and (f) notwithstanding, the commissioner ~~shall~~ must
124.24 provide an electronic copy of the accident records database to the public on a case-by-case
124.25 basis using the cost-recovery charges provided for under section 13.03, subdivision 3. The
124.26 database provided must not contain personal or private data on an individual. However,
124.27 unless the accident records database includes the vehicle identification number, the
124.28 commissioner ~~shall~~ must include the vehicle registration plate number if a private agency
124.29 certifies and agrees that the agency:

124.30 (1) is in the business of collecting accident and damage information on vehicles;

124.31 (2) will use the vehicle registration plate number only for identifying vehicles that have
124.32 been involved in accidents or damaged, to provide this information to persons seeking access
124.33 to a vehicle's history and not for identifying individuals or for any other purpose; and

124.34 (3) will be subject to the penalties and remedies under sections 13.08 and 13.09.

125.1 **EFFECTIVE DATE.** This section is effective January 1, 2023, and applies to requests
125.2 for records made on or after that date.

125.3 Sec. 8. Minnesota Statutes 2020, section 169.09, is amended by adding a subdivision to
125.4 read:

125.5 Subd. 20. **Monitoring and auditing.** The commissioner must monitor and audit the
125.6 furnishing of records by full-service providers under this section to ensure full-service
125.7 providers are complying with this section, chapter 13, and United States Code, title 18,
125.8 section 2721, et seq.

125.9 **EFFECTIVE DATE.** This section is effective January 1, 2023.

125.10 Sec. 9. Minnesota Statutes 2020, section 171.01, is amended by adding a subdivision to
125.11 read:

125.12 Subd. 33a. **Full-service provider.** "Full-service provider" has the meaning given in
125.13 section 168.002, subdivision 12a.

125.14 Sec. 10. Minnesota Statutes 2020, section 171.02, subdivision 3, is amended to read:

125.15 Subd. 3. **Motorized bicycle.** (a) A motorized bicycle may not be operated on any public
125.16 roadway by any person who does not possess a valid driver's license, unless the person has
125.17 obtained a motorized bicycle operator's permit or motorized bicycle instruction permit from
125.18 the commissioner of public safety. The operator's permit may be issued to any person who
125.19 has attained the age of 15 years and who has passed the examination prescribed by the
125.20 commissioner. The instruction permit may be issued to any person who has attained the age
125.21 of 15 years and who has successfully completed an approved safety course and passed the
125.22 written portion of the examination prescribed by the commissioner.

125.23 (b) This course must consist of, but is not limited to, a basic understanding of:

125.24 (1) motorized bicycles and their limitations;

125.25 (2) motorized bicycle laws and rules;

125.26 (3) safe operating practices and basic operating techniques;

125.27 (4) helmets and protective clothing;

125.28 (5) motorized bicycle traffic strategies; and

125.29 (6) effects of alcohol and drugs on motorized bicycle operators.

126.1 (c) The commissioner may adopt rules prescribing the content of the safety course,
 126.2 examination, and the information to be contained on the permits. A person operating a
 126.3 motorized bicycle under a motorized bicycle permit is subject to the restrictions imposed
 126.4 by section 169.974, subdivision 2, on operation of a motorcycle under a two-wheel instruction
 126.5 permit.

126.6 (d) The fees for motorized bicycle operator's permits are as follows:

| | | | |
|--------|---|----|------------------|
| 126.7 | (1) Motorized bicycle operator's permit before age 21 and valid until | \$ | 9.75 |
| 126.8 | age 21 | | |
| 126.9 | (2) Renewal permit age 21 or older and valid for four <u>eight</u> years | \$ | 15.75 |
| 126.10 | | | <u>23.75</u> |
| 126.11 | (3) Duplicate of any renewal permit | \$ | 5.25 |
| 126.12 | (4) Written examination and instruction permit, valid for 30 days | \$ | 6.75 |

126.13 **EFFECTIVE DATE.** This section is effective October 1, 2022, and applies to new or
 126.14 renewal applications for drivers' licenses or identification cards submitted on or after that
 126.15 date.

126.16 Sec. 11. Minnesota Statutes 2020, section 171.06, is amended by adding a subdivision to
 126.17 read:

126.18 **Subd. 8. Preapplication.** The commissioner must establish a process for an applicant
 126.19 to complete an online preapplication for a driver's license or identification card. The
 126.20 preapplication must require the applicant to enter information required for an application
 126.21 for the desired type of driver's license or identification card. The preapplication process
 126.22 must generate a list of documents the applicant is required to submit in person at the time
 126.23 of the application. An applicant who submitted a preapplication is required to appear in
 126.24 person before the commissioner, a full-service provider, or a driver's license agent to submit
 126.25 a completed application for the driver's license or identification card. At the time an individual
 126.26 schedules an appointment to apply for a driver's license or identification card, the
 126.27 commissioner, full-service provider, or driver's license agent who is scheduling the
 126.28 appointment must provide to the applicant a link to the preapplication website.

126.29 Sec. 12. Minnesota Statutes 2020, section 171.061, subdivision 4, is amended to read:

126.30 **Subd. 4. Fee; equipment.** (a) The agent may charge and retain a filing fee of ~~\$8~~
 126.31 application- as follows:

127.1 (1) New application for a noncompliant, REAL ID-compliant, or \$ 24.00
 127.2 enhanced driver's license or identification card

127.3 (2) Renewal application for a noncompliant, REAL ID-compliant, or \$ 16.50
 127.4 enhanced driver's license or identification card

127.5 Except as provided in paragraph (c), the fee ~~shall~~ must cover all expenses involved in
 127.6 receiving, accepting, or forwarding to the department the applications and fees required
 127.7 under sections 171.02, subdivision 3; 171.06, subdivisions 2 and 2a; and 171.07, subdivisions
 127.8 3 and 3a.

127.9 (b) The statutory fees and the filing fees imposed under paragraph (a) may be paid by
 127.10 credit card or debit card. The driver's license agent may collect a convenience fee on the
 127.11 statutory fees and filing fees not greater than the cost of processing a credit card or debit
 127.12 card transaction. The convenience fee must be used to pay the cost of processing credit card
 127.13 and debit card transactions. The commissioner ~~shall~~ must adopt rules to administer this
 127.14 paragraph using the exempt procedures of section 14.386, except that section 14.386,
 127.15 paragraph (b), does not apply.

127.16 (c) The department ~~shall~~ must maintain the photo identification and vision examination
 127.17 equipment for all agents ~~appointed as of January 1, 2000. Upon the retirement, resignation,~~
 127.18 ~~death, or discontinuance of an existing agent, and if a new agent is appointed in an existing~~
 127.19 ~~office pursuant to Minnesota Rules, chapter 7404, and notwithstanding the above or~~
 127.20 ~~Minnesota Rules, part 7404.0400, the department shall provide and maintain photo~~
 127.21 ~~identification equipment without additional cost to a newly appointed agent in that office~~
 127.22 ~~if the office was provided the equipment by the department before January 1, 2000. All~~
 127.23 photo identification and vision examination equipment must be compatible with standards
 127.24 established by the department.

127.25 (d) A filing fee retained by the agent employed by a county board must be paid into the
 127.26 county treasury and credited to the general revenue fund of the county. An agent who is not
 127.27 an employee of the county ~~shall~~ must retain the filing fee in lieu of county employment or
 127.28 salary and is considered an independent contractor for pension purposes, coverage under
 127.29 the Minnesota State Retirement System, or membership in the Public Employees Retirement
 127.30 Association.

127.31 (e) Before the end of the first working day following the final day of the reporting period
 127.32 established by the department, the agent must forward to the department all applications
 127.33 and fees collected during the reporting period except as provided in paragraph (d).

127.34 **EFFECTIVE DATE.** This section is effective October 1, 2022, and applies to
 127.35 applications made on or after that date.

128.1 Sec. 13. Minnesota Statutes 2020, section 171.07, subdivision 4, is amended to read:

128.2 Subd. 4. **Identification card expiration.** (a) Except as otherwise provided in this
 128.3 subdivision, the expiration date of a Minnesota identification card is the birthday of the
 128.4 applicant in the ~~fourth~~ eighth year following the date of issuance of the card.

128.5 ~~(b)~~ For an applicant age 65 or older:

128.6 ~~(1) the expiration date of a Minnesota identification card is the birthday of the applicant~~
 128.7 ~~in the eighth year following the date of issuance of the card; or~~

128.8 ~~(2)~~ a noncompliant identification card is valid for the lifetime of the applicant.

128.9 ~~(c) For the purposes of paragraph (b), "Minnesota identification card" does not include~~
 128.10 ~~an enhanced identification card issued to an applicant age 65 or older.~~

128.11 ~~(d)~~ (b) The expiration date for an Under-21 identification card is the cardholder's 21st
 128.12 birthday. The commissioner ~~shall~~ must issue an identification card to a holder of an Under-21
 128.13 identification card who applies for the card, pays the required fee, and presents proof of
 128.14 identity and age, unless the commissioner determines that the applicant is not qualified for
 128.15 the identification card.

128.16 ~~(e)~~ (c) Notwithstanding paragraphs (a) ~~to (d)~~ and (b), the expiration date for an
 128.17 identification card issued to a person with temporary lawful status is the last day of the
 128.18 person's legal stay in the United States, or one year after issuance if the last day of the
 128.19 person's legal stay is not identified.

128.20 **EFFECTIVE DATE.** This section is effective October 1, 2022, and applies to new or
 128.21 renewal applications for drivers' licenses or identification cards submitted on or after that
 128.22 date.

128.23 Sec. 14. Minnesota Statutes 2020, section 171.0705, is amended by adding a subdivision
 128.24 to read:

128.25 Subd. 11. **Manual and study material availability.** The commissioner must publish
 128.26 the driver's manual and study support materials for the written exam and skills exam. The
 128.27 study support materials must focus on the subjects and skills that are most commonly failed
 128.28 by exam takers. The commissioner must ensure that the driver's manual and study support
 128.29 materials are easily located and are available for no cost.

129.1 Sec. 15. Minnesota Statutes 2021 Supplement, section 171.071, subdivision 4, is amended
129.2 to read:

129.3 Subd. 4. **Variance for homebound individuals.** (a) Notwithstanding section 171.07 or
129.4 Minnesota Rules, part 7410.1810, the commissioner may grant a variance from the
129.5 photograph requirements for a noncompliant identification card if: (1) the individual is
129.6 homebound as defined in paragraph (b); (2) the individual has submitted proof of homebound
129.7 status; and (3) the department has a photograph of the applicant on file that was taken within
129.8 the last ~~four~~ eight years or during the most recent renewal cycle or the applicant has submitted
129.9 a photograph to the department that meets the requirements of section 171.07, Minnesota
129.10 Rules, part 7410.1810, subpart 1, and other technical requirements established by the
129.11 commissioner, such as background color and electronic file size, to ensure the image can
129.12 be used on a credential and conforms with images taken by the department. Applicants
129.13 granted a photograph variance under this subdivision are not required to appear in person
129.14 to have a new photograph taken.

129.15 (b) For purposes of this subdivision, "homebound" means the individual is unable to
129.16 leave the individual's residence due to a medical, physical, or mental health condition or
129.17 infirmity as documented in writing by a physician, case worker, or social worker.

129.18 **EFFECTIVE DATE.** This section is effective October 1, 2022, and applies to new or
129.19 renewal applications for drivers' licenses or identification cards submitted on or after that
129.20 date.

129.21 Sec. 16. Minnesota Statutes 2020, section 171.12, subdivision 1a, is amended to read:

129.22 Subd. 1a. **Driver and vehicle services information system; security and auditing.** (a)
129.23 The commissioner must establish written procedures to ensure that only individuals
129.24 authorized by law may enter, update, or access not public data collected, created, or
129.25 maintained by the driver and vehicle services information system. An authorized individual's
129.26 ability to enter, update, or access data in the system must correspond to the official duties
129.27 or training level of the individual and to the statutory authorization granting access for that
129.28 purpose. All queries and responses, and all actions in which data are entered, updated,
129.29 accessed, shared, or disseminated, must be recorded in a data audit trail. If an authorized
129.30 individual accesses data to resolve an issue and the access does not result in a completed
129.31 transaction, the individual must include a notation on the record for the transaction explaining
129.32 the business need for accessing the data. Data contained in the audit trail are public to the
129.33 extent the data are not otherwise classified by law.

130.1 (b) ~~If the commissioner must immediately and permanently revoke the authorization of~~
 130.2 ~~any~~ determines that an individual who willfully entered, updated, accessed, shared, or
 130.3 disseminated data in violation of state or federal law, the commissioner must impose
 130.4 disciplinary action. If an individual willfully gained access to data without authorization by
 130.5 law, the commissioner must forward the matter to the appropriate prosecuting authority for
 130.6 prosecution. The commissioner must not impose disciplinary action against an individual
 130.7 who properly accessed data to complete an authorized transaction or to resolve an issue that
 130.8 did not result in a completed authorized transaction.

130.9 (c) If the commissioner imposes disciplinary action, the commissioner must notify the
 130.10 individual in writing, of the action explain the reason for the action, and explain how to
 130.11 appeal the action. The commissioner must transmit the notification within five calendar
 130.12 days of the action.

130.13 (d) The commissioner must arrange for an independent biennial audit of the driver and
 130.14 vehicle services information system to determine whether data currently in the system are
 130.15 classified correctly, how the data are used, and to verify compliance with this subdivision.
 130.16 The results of the audit are public. No later than 30 days following completion of the audit,
 130.17 the commissioner must provide a report summarizing the audit results to the commissioner
 130.18 of administration; the chairs and ranking minority members of the committees of the house
 130.19 of representatives and the senate with jurisdiction over transportation policy and finance,
 130.20 public safety, and data practices; and the Legislative Commission on Data Practices and
 130.21 Personal Data Privacy. The report must be submitted as required under section 3.195, except
 130.22 that printed copies are not required.

130.23 (e) For purposes of this subdivision, "disciplinary action" means a formal or informal
 130.24 disciplinary measure, including but not limited to requiring corrective action or suspending
 130.25 or revoking the individual's access to the driver and vehicle information system.

130.26 **EFFECTIVE DATE.** This section is effective October 1, 2022. Paragraphs (b),(c), and
 130.27 (e) apply to audits of data use that are open on or after October 1, 2022.

130.28 Sec. 17. Minnesota Statutes 2021 Supplement, section 171.13, subdivision 1, is amended
 130.29 to read:

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

131.1 (1) a test of the applicant's eyesight, provided that this requirement is met by submission
131.2 of a vision examination certificate under section 171.06, subdivision 7;

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

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

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

131.15 (5) other physical and mental examinations as the commissioner finds necessary to
131.16 determine the applicant's fitness to operate a motor vehicle safely upon the highways.

131.17 (b) Notwithstanding paragraph (a), the commissioner must not deny an application for
131.18 a driver's license based on the exclusive grounds that the applicant's eyesight is deficient in
131.19 color perception or that the applicant has been diagnosed with diabetes mellitus. War veterans
131.20 operating motor vehicles especially equipped for disabled persons, if otherwise entitled to
131.21 a license, must be granted such license.

131.22 ~~(e) The commissioner shall make provision for giving the examinations under this~~
131.23 ~~subdivision either in the county where the applicant resides or at a place adjacent thereto~~
131.24 ~~reasonably convenient to the applicant.~~

131.25 ~~(d) The commissioner shall ensure that an applicant is able to obtain an appointment for~~
131.26 ~~an examination to demonstrate ability under paragraph (a), clause (4), within 14 days of the~~
131.27 ~~applicant's request if, under the applicable statutes and rules of the commissioner, the~~
131.28 ~~applicant is eligible to take the examination.~~

131.29 (c) The commissioner must ensure there are 40 or more exam stations located so that
131.30 an applicant may take an exam either in the county where the applicant resides or in an
131.31 adjacent county at a reasonably convenient location. One or more exam stations must be
131.32 located in each county with a population of 130,000 or more, as determined by the 2020
131.33 decennial census, that is located outside of the metropolitan area as defined in section

132.1 473.121, subdivision 2. Each exam station must be open a minimum of one day per week.

132.2 The schedule for each exam station must be posted on the department's website.

132.3 (d) The commissioner must provide real-time information on the department's website
132.4 about the availability and location of exam appointments, including the next available exam
132.5 dates and times for each exam station. The website must also provide an option for a person
132.6 to enter an address to review the date and time of the next available exam at each exam
132.7 station sorted by distance from the address provided. The information must be easily
132.8 accessible and must not require a person to sign in or provide any information, except an
132.9 address, in order to see available exam dates.

132.10 **EFFECTIVE DATE.** This section is effective July 1, 2023, except that paragraph (d)
132.11 is effective January 1, 2023.

132.12 Sec. 18. Minnesota Statutes 2020, section 171.13, subdivision 1a, is amended to read:

132.13 Subd. 1a. **Waiver when license issued by another jurisdiction.** (a) If the commissioner
132.14 determines that an applicant 21 years of age or older possesses a valid driver's license issued
132.15 by another state or jurisdiction that requires a comparable examination for obtaining a
132.16 driver's license, the commissioner ~~may~~ must waive the ~~requirement~~ requirements that the
132.17 applicant pass a written knowledge examination and demonstrate ability to exercise ordinary
132.18 and reasonable control in the operation of a motor vehicle ~~on determining that the applicant~~
132.19 ~~possesses a valid driver's license issued by a jurisdiction that requires a comparable~~
132.20 ~~demonstration for license issuance.~~

132.21 (b) If the commissioner determines that an applicant 21 years of age or older possesses
132.22 a valid driver's license with a two-wheeled vehicle endorsement issued by another state or
132.23 jurisdiction that requires a comparable examination for obtaining the endorsement, the
132.24 commissioner must waive the requirements that the applicant for a two-wheeled vehicle
132.25 endorsement pass a written knowledge examination and demonstrate the ability to exercise
132.26 ordinary and reasonable control in the operation of a motor vehicle.

132.27 (c) For purposes of this subdivision, "jurisdiction" includes, but is not limited to, both
132.28 the active and reserve components of any branch or unit of the United States armed forces,
132.29 and "valid driver's license" includes any driver's license that is recognized by that branch
132.30 or unit as currently being valid, or as having been valid at the time of the applicant's
132.31 separation or discharge from the military within a period of time deemed reasonable and
132.32 fair by the commissioner, up to and including one year past the date of the applicant's
132.33 separation or discharge.

133.1 **EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to applications
133.2 made on or after that date.

133.3 Sec. 19. Minnesota Statutes 2021 Supplement, section 171.13, subdivision 7, is amended
133.4 to read:

133.5 Subd. 7. **Examination fees.** (a) A fee of ~~\$10~~ \$20 must be paid by an individual to take
133.6 a third and any subsequent knowledge test administered by the department if the individual
133.7 has failed two previous consecutive knowledge tests on the subject.

133.8 (b) A fee of ~~\$20~~ \$30 must be paid by an individual to take a third and any subsequent
133.9 skills or road test administered by the department if the individual has previously failed two
133.10 consecutive skill or road tests in a specified class of motor vehicle.

133.11 (c) A fee of \$20 must be paid by an individual who fails to appear for a scheduled skills
133.12 or road test or who cancels a skills or road test within 24 hours of the appointment time.

133.13 (d) All fees received under this subdivision must be paid into the state treasury and
133.14 credited to the driver services operating account in the special revenue fund specified under
133.15 section 299A.705.

133.16 Sec. 20. Minnesota Statutes 2021 Supplement, section 171.27, subdivision 1, is amended
133.17 to read:

133.18 Subdivision 1. **Expiration.** (a) Except as otherwise provided in this section, the expiration
133.19 date for each driver's license is the birthday of the driver in the ~~fourth~~ eighth year following
133.20 the date of issuance of the license. The birthday of the driver ~~shall~~ must be as indicated on
133.21 the application for a driver's license. A license may be renewed on or before expiration or
133.22 within one year after expiration upon application, payment of the required fee, and passing
133.23 the examination required of all drivers for renewal. Driving privileges ~~shall~~ must be extended
133.24 or renewed on or preceding the expiration date of an existing driver's license unless the
133.25 commissioner believes that the licensee is no longer qualified as a driver.

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

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

134.1 (d) Notwithstanding paragraphs (a) to (c), the expiration date for a license issued to a
134.2 person with temporary lawful status is the last day of the person's legal stay in the United
134.3 States, or one year after issuance if the last day of the person's legal stay is not identified.

134.4 **EFFECTIVE DATE.** This section is effective October 1, 2022, and applies to new or
134.5 renewal applications for drivers' licenses or identification cards submitted on or after that
134.6 date.

134.7 Sec. 21. Minnesota Statutes 2021 Supplement, section 171.27, subdivision 2, is amended
134.8 to read:

134.9 Subd. 2. **Extension of expiration.** (a) For purposes of this subdivision, "eligible
134.10 individual" means:

134.11 (1) a person then or subsequently serving outside Minnesota in active military service,
134.12 as defined in section 190.05, subdivision 5, in any branch or unit of the armed forces of the
134.13 United States;

134.14 (2) a person then or subsequently serving outside Minnesota as a volunteer in the Peace
134.15 Corps;

134.16 (3) a person who is an employee of a federal department or agency and is assigned to
134.17 foreign service outside of the United States; or

134.18 (4) a person residing outside of Minnesota because the person is a spouse, domestic
134.19 partner, or dependent under age 26 of a person in clause (1), (2), or (3).

134.20 (b) A valid Minnesota driver's license issued to an eligible individual continues in full
134.21 force and effect without requirement for renewal until the date one year following the
134.22 person's separation or discharge from active military or volunteer service, or following the
134.23 conclusion of assignment to foreign service outside the United States, and until the license
134.24 holder's birthday in the ~~fourth~~ eighth full year following the person's most recent license
134.25 renewal or, in the case of a provisional license, until the person's birthday in the third full
134.26 year following the renewal.

134.27 **EFFECTIVE DATE.** This section is effective October 1, 2022, and applies to new or
134.28 renewal applications for drivers' licenses or identification cards submitted on or after that
134.29 date.

135.1 Sec. 22. [171.375] STUDENT PASS RATE.

135.2 (a) For each driver training school, the commissioner must determine the percentage of
135.3 students from that school who pass the written exam or road test on the student's first attempt,
135.4 second attempt, or third or subsequent attempt. The commissioner must publicly post the
135.5 information collected under this section on the department's website. At a minimum, the
135.6 commissioner must update this information on the department's website at least every six
135.7 months. The information must be searchable by the name of a school or a location.

135.8 (b) By January 1 and July 1 of each year, each driver training school must provide to
135.9 the commissioner a list of all students who completed coursework at the school during the
135.10 previous six months.

135.11 Sec. 23. Minnesota Statutes 2020, section 299A.705, subdivision 1, is amended to read:

135.12 Subdivision 1. **Vehicle services operating account.** (a) The vehicle services operating
135.13 account is created in the special revenue fund, consisting of all money from the vehicle
135.14 services fees specified in chapters 168, 168A, and 168D, and any other money donated,
135.15 allotted, transferred, or otherwise provided to the account.

135.16 (b) Funds appropriated from the account must be used by the commissioner of public
135.17 safety to administer the vehicle services specified in chapters 168, 168A, and 168D, and
135.18 section 169.345, including:

135.19 (1) designing, producing, issuing, and mailing vehicle registrations, plates, emblems,
135.20 and titles;

135.21 (2) collecting title and registration taxes and fees;

135.22 (3) transferring vehicle registration plates and titles;

135.23 (4) maintaining vehicle records;

135.24 (5) issuing disability certificates and plates;

135.25 (6) licensing vehicle dealers;

135.26 (7) appointing, monitoring, and auditing deputy registrars; and

135.27 (8) inspecting vehicles when required by law.

135.28 (c) The following amounts are appropriated monthly from the account to the
135.29 commissioner for the expense of fulfilling the renewal submissions from the previous
135.30 calendar month:

136.1 (1)\$1.43 per motor vehicle registration renewal submitted by mail where license plates
136.2 are not issued;

136.3 (2) \$11.84 per motor vehicle registration renewal submitted by mail where license plates
136.4 are issued;

136.5 (3)\$1.16 per motor vehicle registration renewal submitted online where license plates
136.6 are not issued; and

136.7 (4) \$11.28 per motor vehicle registration renewal submitted online where license plates
136.8 are issued.

136.9 **EFFECTIVE DATE.** This section is effective July 1, 2022, and the first quarterly
136.10 distribution shall be made on or before October 15, 2022.

136.11 Sec. 24. Minnesota Statutes 2020, section 299A.705, is amended by adding a subdivision
136.12 to read:

136.13 Subd. 3a. **Full-service provider account.** (a) The full-service provider account is created
136.14 in the special revenue fund, consisting of fees described in sections 168.33, subdivision 7,
136.15 and 171.06, subdivision 2, and any other money donated, allotted, transferred, or otherwise
136.16 provided to the account.

136.17 (b) Money in the account is annually appropriated to the commissioner of public safety
136.18 to distribute to full-service providers, as defined in section 168.002, subdivision 12a. At
136.19 least quarterly, the commissioner must distribute the money in the account to each full-service
136.20 provider that was in operation during that quarter based proportionally on the total number
136.21 of transactions completed by each full-service provider.

136.22 **EFFECTIVE DATE.** This section is effective October 1, 2022, and the first quarterly
136.23 distribution shall be made on or before January 15, 2023.

136.24 Sec. 25. **REPORT; IMPLEMENTATION OF DRIVER AND VEHICLE SERVICES**
136.25 **RECOMMENDATIONS.**

136.26 (a) The legislature encourages the commissioner of public safety, in conjunction with
136.27 appropriate stakeholders, to implement the following recommendations included in
136.28 independent expert review of driver and vehicle services issued January 12, 2022:

136.29 (1) revise the deputy registrar and driver's license agent contracts to encourage all deputy
136.30 registrars and driver's license agents to become or remain full-service providers as defined
136.31 in Minnesota Statutes, section 168.002, subdivision 12a;

- 137.1 (2) determine how best to utilize certified and impartial third parties for administration
137.2 of knowledge and road tests;
- 137.3 (3) implement data and reporting practices to assist the commissioner in making decisions
137.4 focused on the residents of the state;
- 137.5 (4) conduct a staffing review that balances staff quantity and quality, leverages technology
137.6 automations and configurations, and establishes performance standards and targets that
137.7 meet the needs of the state;
- 137.8 (5) identify performance and service standards and create a deputy registrar performance
137.9 scorecard and a driver's license agent performance scorecard that monitors user performance
137.10 to ensure a consistently positive experience for Minnesotans;
- 137.11 (6) provide a rapid response communication method for situations where deputy registrars
137.12 or driver's license agents need immediate support;
- 137.13 (7) explore ways to speed up background checks of new employees at the division of
137.14 driver and vehicle services offices and deputy registrar offices, including using a police
137.15 department or county sheriff;
- 137.16 (8) promote the preapplication process and expand the use of preapplications to all
137.17 possible, relevant areas;
- 137.18 (9) evaluate and make recommendations to the legislature on areas where it is appropriate
137.19 to make preapplications mandatory;
- 137.20 (10) adjust policies and practices to automate as many approval transactions as possible;
- 137.21 (11) determine the proper user level field needed by transaction type and explore
137.22 additional differentiated user levels in MnDRIVE;
- 137.23 (12) allow deputy registrars to have increased visibility to and influence on the MnDRIVE
137.24 enhancement process;
- 137.25 (13) engage a learning consultant and create a content strategy and communications
137.26 campaign to meet the needs of Minnesota residents, including a feedback loop for continuous
137.27 improvement and evolution;
- 137.28 (14) provide additional training and clear guidance regarding permissible use of records
137.29 and enable in-application notation of usage other than for paid transactions;
- 137.30 (15) consider what security measures are appropriate at each deputy registrar or driver's
137.31 license agent location, including the possible need for a security officer or for cameras with
137.32 recording capabilities;

138.1 (16) offer training in deescalation and negotiation techniques to all public-facing staff;
138.2 and

138.3 (17) examine the potential of allowing online applications for replacement class D drivers'
138.4 licenses.

138.5 (b) By December 15, 2022, the commissioner must report to the chairs and ranking
138.6 minority members of the legislative committees with jurisdiction over transportation finance
138.7 and policy on whether the recommendations in paragraph (a) and the recommendations
138.8 included in the March 2021 legislative auditor's report on driver examination stations have
138.9 been implemented, are in the process of being implemented, or will not be implemented.

138.10 (1) For each recommendation that has been implemented, the commissioner must:

138.11 (i) describe when and how the recommendation was implemented;

138.12 (ii) describe the outcome of implementing the recommendation; and

138.13 (iii) provide an estimated cost of implementing the recommendation.

138.14 (2) For each recommendation that is in the process of being implemented, the
138.15 commissioner must:

138.16 (i) describe how the recommendation is being implemented;

138.17 (ii) provide the anticipated timeline for implementation; and

138.18 (iii) provide an estimated cost of implementing the recommendation.

138.19 (3) For each recommendation that will not be implemented, the commissioner must:

138.20 (i) provide a detailed explanation of why the recommendation will not be implemented;

138.21 (ii) provide an estimated cost to implement the recommendation;

138.22 (iii) provide an estimated timeline to implement the recommendation; and

138.23 (iv) describe any unmet needs that, if met, would allow the commissioner to implement
138.24 the recommendation.

138.25 In addition, the commissioner must include recommendations on any further changes to
138.26 statutes necessary or beneficial for implementing the recommendations.

138.27 (c) The report required by paragraph (b) must also include:

138.28 (1) the commissioner's plan for exam station locations, including how many exam stations
138.29 will remain open and the locations of the exam stations; and

139.1 (2) whether any limited driver's license agents are unable to become full-service providers
139.2 because of the restrictions in Minnesota Statutes, section 171.061, and Minnesota Rules,
139.3 chapter 7404, and, if so, whether the commissioner would recommend any exceptions to
139.4 allow the limited driver's license agent to participate in the fee-sharing provisions of this
139.5 article.

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

139.7 Sec. 26. **REPEALER.**

139.8 Minnesota Statutes 2020, section 168.345, subdivision 1, is repealed.

139.9 Sec. 27. **EFFECTIVE DATE.**

139.10 Except where otherwise specified, this article is effective August 1, 2022.

139.11 **ARTICLE 9**

139.12 **SALVAGE AND PRIOR SALVAGE TITLE BRANDS**

139.13 Section 1. Minnesota Statutes 2020, section 168A.01, is amended by adding a subdivision
139.14 to read:

139.15 **Subd. 16b. Recovered intact vehicle.** "Recovered intact vehicle" means a vehicle that
139.16 was:

139.17 (1) verified by the vehicle insurer to be stolen and declared a total loss; and

139.18 (2) subsequently recovered with damage that is not in excess of 80 percent of its value
139.19 immediately before it was stolen.

139.20 Sec. 2. Minnesota Statutes 2020, section 168A.01, subdivision 17b, is amended to read:

139.21 Subd. 17b. **Salvage vehicle.** (a) "Salvage vehicle" means a vehicle ~~that has a salvage~~
139.22 ~~certificate of title~~ (1) for which an insurance company has declared a total loss or paid a
139.23 total loss claim, or (2) that has been involved in a collision or other event in which the cost
139.24 of repairs exceeds 80 percent of the value of the vehicle immediately before the damage
139.25 occurred.

139.26 (b) Salvage vehicle does not include a recovered intact vehicle.

140.1 Sec. 3. Minnesota Statutes 2020, section 168A.04, subdivision 1, is amended to read:

140.2 Subdivision 1. **Contents.** The application for the first certificate of title of a vehicle or
140.3 manufactured home in this state, or for reissuance of a certificate of title for a manufactured
140.4 home under section 168A.142, ~~shall~~ must be made by the owner to the department on the
140.5 form prescribed by the department and ~~shall~~ must contain:

140.6 (1) the first, middle, and last names, the dates of birth, and addresses of all owners who
140.7 are natural persons, the full names and addresses of all other owners;

140.8 (2) a description of the vehicle or manufactured home including, so far as the following
140.9 data exists, its make, model, year, identifying number in the case of a vehicle or serial
140.10 number in the case of a manufactured home, type of body, and whether new or used;

140.11 (3) the date of purchase by applicant, the name and address of the person from whom
140.12 the vehicle or manufactured home was acquired, the names and addresses of any secured
140.13 parties in the order of their priority, and the dates of their respective security agreements;

140.14 (4) with respect to motor vehicles subject to the provisions of section 325E.15, the true
140.15 cumulative mileage registered on the odometer or that the actual mileage is unknown if the
140.16 odometer reading is known by the owner to be different from the true mileage;

140.17 (5) ~~with respect to vehicles subject to section 325F.6641,~~ whether the vehicle sustained
140.18 damage by collision or other occurrence ~~which exceeded 70 percent of the actual cash value~~
140.19 that meets the disclosure requirements under section 325F.6641, subdivision 1; and

140.20 (6) any further information the department reasonably requires to identify the vehicle
140.21 or manufactured home and to enable it to determine whether the owner is entitled to a
140.22 certificate of title, and the existence or nonexistence and priority of any security interest in
140.23 the vehicle or manufactured home.

140.24 Sec. 4. Minnesota Statutes 2020, section 168A.04, subdivision 4, is amended to read:

140.25 Subd. 4. **Vehicle last registered out of state.** If the application refers to a vehicle last
140.26 previously registered in another state or country, the application ~~shall~~ must contain or be
140.27 accompanied by:

140.28 (1) any certificate of title issued by the other state or country;

140.29 (2) any other information and documents the department reasonably requires to establish
140.30 the ownership of the vehicle and the existence or nonexistence and priority of any security
140.31 interest in it;

141.1 (3) the certificate of a person authorized by the department that the identifying number
 141.2 of the vehicle has been inspected and found to conform to the description given in the
 141.3 application, or any other proof of the identity of the vehicle the department reasonably
 141.4 requires; and

141.5 (4) ~~with respect to vehicles subject to section 325F.6641,~~ whether the vehicle sustained
 141.6 damage by collision or other occurrence ~~which exceeded 70 percent of actual cash value~~
 141.7 that meets the disclosure requirements under section 325F.6641, subdivision 1. Damage,
 141.8 for the purpose of ~~this~~ the calculation under this clause, does not include the actual cost
 141.9 incurred to repair, replace, or reinstall inflatable safety restraints and other vehicle
 141.10 components that must be replaced due to the deployment of the inflatable safety restraints.

141.11 Sec. 5. Minnesota Statutes 2020, section 168A.05, subdivision 3, is amended to read:

141.12 Subd. 3. **Content of certificate.** (a) Each certificate of title issued by the department
 141.13 ~~shall~~ must contain:

141.14 (1) the date issued;

141.15 (2) the first, middle, and last names and the dates of birth of all owners who are natural
 141.16 persons, and the full names of all other owners;

141.17 (3) the residence address of the owner listed first if that owner is a natural person or the
 141.18 address if that owner is not a natural person;

141.19 (4) the names of any secured parties, and the address of the first secured party, listed in
 141.20 the order of priority (i) as shown on the application, or (ii) if the application is based on a
 141.21 certificate of title, as shown on the certificate, or (iii) as otherwise determined by the
 141.22 department;

141.23 (5) any liens filed pursuant to a court order or by a public agency responsible for child
 141.24 support enforcement against the owner;

141.25 (6) the title number assigned to the vehicle;

141.26 (7) a description of the vehicle including, so far as the following data exists, its make,
 141.27 model, year, identifying number, type of body, whether new or used, and if a new vehicle,
 141.28 the date of the first sale of the vehicle for use;

141.29 (8) with respect to a motor vehicle subject to section 325E.15, (i) the true cumulative
 141.30 mileage registered on the odometer or (ii) that the actual mileage is unknown if the odometer
 141.31 reading is known by the owner to be different from the true mileage;

141.32 (9) if applicable, one or more of the following:

142.1 (i) with respect to a vehicle subject to sections ~~325F.6641~~ 168A.151 and 325F.6642, the
 142.2 appropriate ~~term~~ brand "flood damaged," "~~rebuilt~~," "salvage," "prior salvage," or
 142.3 "reconstructed";

142.4 ~~(10)~~ (ii) with respect to a vehicle contaminated by methamphetamine production, if the
 142.5 registrar has received the certificate of title and notice described in section 152.0275,
 142.6 subdivision 2, paragraph (g), the ~~term~~ brand "hazardous waste contaminated vehicle"; and

142.7 ~~(11)~~ (iii) with respect to a vehicle subject to section 325F.665, the ~~term~~ brand "lemon
 142.8 law vehicle"; and

142.9 ~~(12)~~ (10) any other data the department prescribes.

142.10 (b) For a certificate of title on a vehicle that is a restored pioneer vehicle:

142.11 (1) the identifying number must be the valid identifying number as provided under
 142.12 section 168A.04, subdivision 5;

142.13 (2) the year of the vehicle must be the year of original vehicle manufacture and not the
 142.14 year of restoration; and

142.15 (3) the title must not bear a "reconstructed vehicle" brand.

142.16 Sec. 6. Minnesota Statutes 2020, section 168A.151, subdivision 1, is amended to read:

142.17 Subdivision 1. **Salvage titles and prior salvage brands.** (a) When an insurer, licensed
 142.18 to conduct business in Minnesota, acquires ownership of a ~~late-model or high-value~~ vehicle,
 142.19 excluding a recovered intact vehicle, through payment of damages, the insurer ~~shall~~ must:

142.20 (1) for a late-model or high-value vehicle, immediately apply for a salvage certificate
 142.21 of title that bears a "salvage" brand or ~~shall~~ stamp the existing certificate of title with ~~the~~
 142.22 ~~legend~~ "SALVAGE salvage CERTIFICATE OF TITLE" in a manner prescribed by the
 142.23 department; or

142.24 (2) for a vehicle that is not subject to clause (1), immediately apply for a certificate of
 142.25 title that bears a "prior salvage" brand or stamp the existing certificate of title with "prior
 142.26 salvage" in a manner prescribed by the department.

142.27 (b) Within ten days of obtaining the title of a vehicle through payment of damages, an
 142.28 insurer must notify the department in a manner prescribed by the department.

142.29 ~~(b)~~ (c) Except as provided in section 168A.11, subdivision 1, a person ~~shall~~ must
 142.30 immediately apply for a salvage certificate of title that bears a "salvage" brand if the person

143.1 acquires a damaged late-model or high-value vehicle ~~with an out-of-state title and the vehicle~~
 143.2 that:

143.3 (1) ~~is a vehicle that~~ was acquired by an insurer through payment of damages;

143.4 (2) ~~is a vehicle for which the~~ will incur a cost of repairs that exceeds the value of the
 143.5 damaged vehicle; or

143.6 (3) has an out-of-state salvage certificate of title as proof of ownership; or

143.7 (4) bears the brand "damaged," "repairable," "salvage," or any similar term on the
 143.8 certificate of title.

143.9 (d) Except as provided in section 168A.11, subdivision 1, a person must immediately
 143.10 apply for a certificate of title that bears a "prior salvage" brand if the person acquires a
 143.11 damaged vehicle and:

143.12 (1) a "salvage" brand is not required under paragraph (c); and

143.13 (2) the vehicle:

143.14 (i) bears the brand "damaged," "repairable," "salvage," "rebuilt," "reconditioned," or
 143.15 any similar term on the certificate of title; or

143.16 (ii) had a salvage certificate of title or brand issued at any time in the vehicle's history
 143.17 by any other jurisdiction.

143.18 ~~(e)~~ (e) A self-insured owner of a ~~late-model or high-value~~ vehicle that sustains damage
 143.19 by collision or other occurrence which exceeds 80 percent of its actual cash value ~~shall~~
 143.20 must:

143.21 (1) for a late-model or high-value vehicle, immediately apply for a salvage certificate
 143.22 of title- that bears a "salvage" brand; or

143.23 (2) for a vehicle that is not subject to clause (1), immediately apply for a certificate of
 143.24 title that bears a "prior salvage" brand.

143.25 Sec. 7. Minnesota Statutes 2020, section 168A.152, subdivision 1, is amended to read:

143.26 Subdivision 1. **Certificate of inspection.** (a) A salvage certificate of title that bears a
 143.27 "salvage" brand or stamp authorizes the holder to possess, transport, and transfer ownership
 143.28 in a vehicle. A salvage certificate of title that bears a "salvage" brand or stamp does not
 143.29 authorize the holder to register a vehicle. ~~A certificate of title must not be issued for a vehicle~~
 143.30 for which a salvage certificate of title has been issued unless

144.1 (b) For a late-model or high-value vehicle with a certificate of title that bears a "salvage"
144.2 brand or stamp, the commissioner must not issue a certificate of title that bears a "prior
144.3 salvage" brand or stamp unless the application for title is accompanied by a certification of
144.4 inspection in the form and content specified by the department ~~accompanies the application~~
144.5 ~~for a certificate of title.~~

144.6 Sec. 8. Minnesota Statutes 2020, section 168A.152, subdivision 1a, is amended to read:

144.7 Subd. 1a. **Duties of salvage vehicle purchaser.** No salvage vehicle purchaser shall
144.8 possess or retain a salvage vehicle which does not have a ~~salvage~~ certificate of title that
144.9 bears a "salvage" or "prior salvage" brand or stamp. The salvage vehicle purchaser ~~shall~~
144.10 must display the salvage certificate of title upon the request of any appropriate public
144.11 authority.

144.12 Sec. 9. Minnesota Statutes 2020, section 325F.662, subdivision 3, is amended to read:

144.13 Subd. 3. **Exclusions.** Notwithstanding the provisions of subdivision 2, a dealer is not
144.14 required to provide an express warranty for a used motor vehicle:

144.15 (1) sold for a total cash sale price of less than \$3,000, including the trade-in value of
144.16 any vehicle traded in by the consumer, but excluding tax, license fees, registration fees, and
144.17 finance charges;

144.18 (2) with an engine designed to use diesel fuel;

144.19 (3) with a gross weight, as defined in section 168.002, subdivision 13, in excess of 9,000
144.20 pounds;

144.21 (4) that has been custom-built or modified for show or for racing;

144.22 (5) that is eight years of age or older, as calculated from the first day in January of the
144.23 designated model year of the vehicle;

144.24 (6) that has been produced by a manufacturer which has never manufactured more than
144.25 10,000 motor vehicles in any one year;

144.26 (7) that has 75,000 miles or more at time of sale;

144.27 (8) that has not been manufactured in compliance with applicable federal emission
144.28 standards in force at the time of manufacture as provided by the Clean Air Act, United
144.29 States Code, title 42, sections 7401 through 7642, and regulations adopted pursuant thereto,
144.30 and safety standards as provided by the National Traffic and Motor Safety Act, United

145.1 States Code, title 15, sections 1381 through 1431, and regulations adopted pursuant thereto;
145.2 or

145.3 (9) that has been issued a ~~salvage~~ certificate of title that bears a "salvage" brand or stamp
145.4 under section 168A.151.

145.5 Sec. 10. Minnesota Statutes 2020, section 325F.6641, is amended to read:

145.6 **325F.6641 DISCLOSURE OF VEHICLE DAMAGE.**

145.7 Subdivision 1. **Prior damage disclosure.** (a) If a ~~late-model~~ vehicle, ~~as defined in section~~
145.8 ~~168A.01, subdivision 8a,~~ has sustained damage by collision or other occurrence which
145.9 exceeds 80 percent of its actual cash value immediately prior to sustaining damage, the
145.10 seller must disclose that fact to the buyer, if the seller has actual knowledge of the damage.
145.11 The amount of damage is determined by the retail cost of repairing the vehicle based on a
145.12 complete written retail repair estimate or invoice.

145.13 (b) The disclosure required under this subdivision must be made in writing on the
145.14 application for title and registration or other transfer document, in a manner prescribed by
145.15 the registrar of motor vehicles. The registrar ~~shall revise~~ must design the certificate of title
145.16 form, including the assignment by seller (transferor) and reassignment by licensed dealer
145.17 sections of the form, the separate application for title forms, and other transfer documents
145.18 to accommodate this disclosure. ~~If the seller is a motor vehicle dealer licensed pursuant to~~
145.19 ~~section 168.27, the disclosure required by this section must be made orally by the dealer to~~
145.20 ~~the prospective buyer in the course of the sales presentation.~~

145.21 ~~(c) Upon transfer and application for title to a vehicle covered by this subdivision, the~~
145.22 ~~registrar shall record the term "rebuilt" on the first Minnesota certificate of title and all~~
145.23 ~~subsequent Minnesota certificates of title used for that vehicle.~~

145.24 Subd. 2. **Form of Disclosure requirements.** (a) If a motor vehicle dealer licensed under
145.25 section 168.27 offers a vehicle for sale in the course of a sales presentation to any prospective
145.26 buyer, the dealer must provide a written disclosure and, except for sales performed online,
145.27 an oral disclosure of:

145.28 (1) prior vehicle damage as required under subdivision 1;

145.29 (2) the existence or requirement of any title brand under sections 168A.05, subdivision
145.30 3, 168A.151, 325F.6642, or 325F.665, subdivision 14, if the dealer has actual knowledge
145.31 of the brand; and

146.1 (3) if a motor vehicle, which is part of a licensed motor vehicle dealer's inventory, has
 146.2 been submerged or flooded above the bottom dashboard while parked on the dealer's lot.

146.3 (b) If a person receives a flood disclosure as described in paragraph (a), clause (3),
 146.4 whether from a motor vehicle dealer or another seller, and subsequently offers that vehicle
 146.5 for sale, the person must provide the same disclosure to any prospective subsequent buyer.

146.6 (c) Written disclosure under this subdivision must be signed by the buyer and maintained
 146.7 in the motor vehicle dealer's sales file in the manner prescribed by the registrar of motor
 146.8 vehicles.

146.9 (d) The disclosure required in ~~this section~~ subdivision 1 must be made in substantially
 146.10 the following form: "To the best of my knowledge, this vehicle has has not sustained
 146.11 damage in excess of 80 percent actual cash value."

146.12 Sec. 11. Minnesota Statutes 2020, section 325F.6642, is amended to read:

146.13 **325F.6642 TITLE BRANDING.**

146.14 Subdivision 1. **Flood damage.** If the application for title and registration indicates that
 146.15 the vehicle has been classified as a total loss vehicle because of water or flood damage, or
 146.16 that the vehicle bears a "flood damaged" or similar brand, the registrar of motor vehicles
 146.17 shall ~~must~~ record the ~~term~~ brand "flood damaged" on the certificate of title and all subsequent
 146.18 certificates of title issued for that vehicle.

146.19 Subd. 2. **Total Loss Salvage vehicles.** (a) Upon transfer and application for title to all
 146.20 total loss vehicles for which the "salvage" brand is required under section 168A.151,
 146.21 subdivision 1, the registrar of motor vehicles shall ~~must~~ (1) record the ~~term~~ brand "prior
 146.22 salvage" on the first Minnesota certificate of title, and (2) subject to section 168A.152,
 146.23 record the brand "prior salvage" on all subsequent Minnesota certificates of title ~~used~~ issued
 146.24 for that vehicle.

146.25 (b) Notwithstanding paragraph (a), a "prior salvage" brand is not required for a recovered
 146.26 intact vehicle, as defined in section 168A.01, subdivision 16b.

146.27 Subd. 2a. **Prior salvage.** Upon application for title to all vehicles for which the "prior
 146.28 salvage" brand is required under section 168A.151, subdivision 1, the registrar of motor
 146.29 vehicles must record the brand "prior salvage" on the certificate of title and all subsequent
 146.30 certificates of title issued for that vehicle.

146.31 Subd. 2b. **Certain damaged vehicles.** Upon transfer and application for title to a vehicle
 146.32 that is subject to section 325F.6641, subdivision 1, the registrar of motor vehicles must (1)

147.1 record the brand "salvage" on the first certificate of title, and (2) subject to section 168A.152,
147.2 record the brand "prior salvage" on all subsequent certificates of title issued for that vehicle.

147.3 ~~Subd. 3. **Out-of-state vehicles.** (a) Upon transfer and application for title of all repaired~~
147.4 ~~vehicles with out-of-state titles that bear the term "damaged," "salvage," "rebuilt,"~~
147.5 ~~"reconditioned," or any similar term, the registrar of motor vehicles shall record the term~~
147.6 ~~"prior salvage" on the first Minnesota certificate of title and all subsequent Minnesota~~
147.7 ~~certificates of title used for that vehicle.~~

147.8 ~~(b) The registrar shall mark "prior salvage" on the first Minnesota certificate of title and~~
147.9 ~~all subsequent certificates of title issued for any vehicle which came into the state unrepaired~~
147.10 ~~and for which a salvage certificate of title was issued.~~

147.11 ~~(c) For vehicles with out-of-state titles which bear the term "flood damaged," the registrar~~
147.12 ~~of motor vehicles shall record the term "flood damaged" on the first Minnesota certificate~~
147.13 ~~of title and all subsequent Minnesota certificates of title issued for that vehicle.~~

147.14 ~~(d) the registrar shall mark "prior salvage" on the first Minnesota certificate of title and~~
147.15 ~~all subsequent certificates of title issued for any vehicle that had a salvage certificate of title~~
147.16 ~~issued at any time in the vehicle's history by any other jurisdiction.~~

147.17 Subd. 4. **Reconstructed vehicles.** For vehicles that are reconstructed within the meaning
147.18 of section 168A.15, the registrar ~~shall~~ must record the ~~term~~ brand "reconstructed" on the
147.19 certificate of title and all subsequent certificates of title.

147.20 Subd. 5. **Manner of branding.** ~~The~~ Each brand designation of "flood damaged," "rebuilt,"
147.21 "prior salvage," or "reconstructed" under this section or section 168A.05, subdivision 3,
147.22 168A.151, or 325F.665, subdivision 14, required on a certificate of title ~~shall~~ must be made
147.23 by the registrar of motor vehicles in a clear and conspicuous manner, in a ~~color~~ format
147.24 different from all other writing on the certificate of title.

147.25 Subd. 6. **Total loss vehicle; definition.** For the purposes of this section, "total loss
147.26 vehicle" means a vehicle damaged by collision or other occurrence, for which a salvage
147.27 certificate of title has been issued. ~~Total loss vehicle does not include a stolen and recovered~~
147.28 ~~vehicle verified by the insurer who declared the vehicle to be a total loss vehicle unless~~
147.29 ~~there is more than minimal damage to the vehicle as determined by the registrar.~~

147.30 Subd. 7. **Dealer disclosure.** ~~If a licensed motor vehicle dealer offers for sale a vehicle~~
147.31 ~~with a branded title, the dealer shall orally disclose the existence of the brand in the course~~
147.32 ~~of the sales presentation.~~

148.1 ~~Subd. 8. **Flood damage; dealer lots.** If a motor vehicle, which is part of a licensed motor~~
148.2 ~~vehicle dealer's inventory, has been submerged or flooded above the bottom of the dashboard~~
148.3 ~~while parked on the dealer's lot, the dealer must disclose that fact in writing to any buyer~~
148.4 ~~and must orally disclose that fact in the course of a sales presentation to any prospective~~
148.5 ~~buyer. The buyer must also disclose the existence of the flood damage in writing to any~~
148.6 ~~subsequent buyer.~~

148.7 Sec. 12. Minnesota Statutes 2020, section 325F.665, subdivision 14, is amended to read:

148.8 Subd. 14. **Title branding.** (a) Upon transfer and application for title of all vehicles
148.9 subject to this section, the registrar of motor vehicles shall record the term "lemon law
148.10 vehicle" on the certificate of title and all subsequent certificates of title for that vehicle.

148.11 (b) For vehicles with out-of-state titles that bear the term "lemon law vehicle," or any
148.12 similar term, the registrar of motor vehicles shall record the term "lemon law vehicle" on
148.13 the first Minnesota certificate of title and all subsequent Minnesota certificates of title issued
148.14 for that vehicle.

148.15 ~~(c) The designation of "lemon law vehicle" on a certificate of title must be made by the~~
148.16 ~~registrar of motor vehicles in a clear and conspicuous manner, in a color different from all~~
148.17 ~~other writing on the certificate of title.~~

148.18 Sec. 13. **REPEALER.**

148.19 Minnesota Statutes 2020, sections 168A.01, subdivision 17a; and 325F.6644, are repealed.

148.20 Sec. 14. **EFFECTIVE DATE.**

148.21 This article is effective January 1, 2023.

148.22 **ARTICLE 10**

148.23 **DEPARTMENT OF TRANSPORTATION**

148.24 Section 1. Minnesota Statutes 2020, section 160.08, subdivision 7, is amended to read:

148.25 Subd. 7. **No commercial establishment within right-of-way; exceptions.** No
148.26 commercial establishment, including but not limited to automotive service stations, for
148.27 serving motor vehicle users shall be constructed or located within the right-of-way of, or
148.28 on publicly owned or publicly leased land acquired or used for or in connection with, a
148.29 controlled-access highway; except that:

148.30 (1) structures may be built within safety rest and travel information center areas;

149.1 (2) space within state-owned buildings in those areas may be leased for the purpose of
 149.2 providing information to travelers through advertising as provided in section 160.276;

149.3 (3) advertising signs may be erected within the right-of-way of interstate or
 149.4 controlled-access trunk highways by franchise agreements under section 160.80;

149.5 (4) vending machines may be placed in rest areas, travel information centers, or weigh
 149.6 stations constructed or located within trunk highway rights-of-way; ~~and~~

149.7 (5) acknowledgment signs may be erected under sections 160.272 and 160.2735; and

149.8 (6) electric vehicle charging stations may be installed, operated, and maintained in safety
 149.9 rest areas, except where prohibited by federal law.

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

149.11 Sec. 2. Minnesota Statutes 2020, section 161.088, subdivision 1, is amended to read:

149.12 Subdivision 1. **Definitions.** For purposes of this section, the following terms have the
 149.13 meanings given:

149.14 (1) "beyond the project limits" means any point that is located:

149.15 (i) outside of the project limits;

149.16 (ii) along the same trunk highway; and

149.17 (iii) within the same region of the state;

149.18 (2) "city" means a statutory or home rule charter city;

149.19 (3) "greater Minnesota area" means the counties that are not metropolitan counties;

149.20 (4) "metropolitan area" means Anoka, Carver, Chisago, Dakota, Hennepin, Ramsey,
 149.21 Scott, and Washington Counties;

149.22 ~~(3)~~ (5) "program" means the corridors of commerce program established in this section;
 149.23 and

149.24 ~~(4)~~ (6) "project limits" means the estimated construction limits of a project for trunk
 149.25 highway construction, reconstruction, or maintenance, that is a candidate for selection under
 149.26 the corridors of commerce program.

149.27 Sec. 3. Minnesota Statutes 2020, section 161.088, subdivision 2, is amended to read:

149.28 Subd. 2. **Program authority; funding.** (a) As provided in this section, the commissioner
 149.29 shall establish a corridors of commerce program for trunk highway construction,

150.1 reconstruction, and improvement, including maintenance operations, that improves commerce
150.2 in the state.

150.3 (b) The commissioner may expend funds under the program from appropriations to the
150.4 commissioner that are:

150.5 (1) made specifically by law for use under this section;

150.6 (2) at the discretion of the commissioner, made for the budget activities in the state roads
150.7 program of operations and maintenance, program planning and delivery, or state road
150.8 construction; and

150.9 (3) made for the corridor investment management strategy program, unless specified
150.10 otherwise.

150.11 (c) The commissioner ~~shall~~ must include in the program the cost participation policy
150.12 for local units of government.

150.13 (d) The commissioner may use up to 17 percent of any appropriation ~~to the program~~
150.14 under this section for program delivery and for project scoring, ranking, and selection under
150.15 subdivision 5.

150.16 Sec. 4. Minnesota Statutes 2020, section 161.088, subdivision 4, is amended to read:

150.17 Subd. 4. **Project eligibility.** (a) The eligibility requirements for projects that can be
150.18 funded under the program are:

150.19 (1) consistency with the statewide multimodal transportation plan under section 174.03;

150.20 (2) location of the project on an interregional corridor, for a project located outside of
150.21 the Department of Transportation metropolitan district;

150.22 (3) placement into at least one project classification under subdivision 3;

150.23 (4) project construction work will commence within ~~three~~ four years, or a longer length
150.24 of time as determined by the commissioner; and

150.25 (5) for each type of project classification under subdivision 3, a maximum allowable
150.26 amount for the total project cost estimate, as determined by the commissioner with available
150.27 data.

150.28 (b) A project whose construction is programmed in the state transportation improvement
150.29 program is not eligible for funding under the program. This paragraph does not apply to a
150.30 project that is programmed as result of selection under this section.

151.1 (c) A project may be, but is not required to be, identified in the 20-year state highway
151.2 investment plan under section 174.03.

151.3 (d) For each project, the commissioner must consider all of the eligibility requirements
151.4 under paragraph (a). The commissioner is prohibited from considering any eligibility
151.5 requirement not specified under paragraph (a).

151.6 (e) A project in the greater Minnesota area with a total project cost of more than
151.7 \$10,000,000 is classified as a greater Minnesota large project. A project in the greater
151.8 Minnesota area with a total project cost of \$10,000,000 or less is classified as a greater
151.9 Minnesota small project. All projects in the metropolitan area are classified as metropolitan
151.10 projects, regardless of the total project cost.

151.11 Sec. 5. Minnesota Statutes 2021 Supplement, section 161.088, subdivision 5, is amended
151.12 to read:

151.13 **Subd. 5. Project selection process; criteria.** (a) The commissioner must establish a
151.14 process to identify, evaluate, and select projects under the program. The process must be
151.15 consistent with the requirements of this subdivision and must not include any additional
151.16 evaluation criteria.

151.17 (b) As part of the project selection process, the commissioner must annually accept
151.18 recommendations on candidate projects from area transportation partnerships and ~~other~~
151.19 ~~interested stakeholders in each Department of Transportation district~~ counties in the
151.20 metropolitan area as provided by this section. The commissioner must determine the
151.21 eligibility for each candidate project ~~identified under this paragraph~~ that is submitted as
151.22 provided in this section. For each eligible project, the commissioner must classify and
151.23 evaluate the project for the program, using all of the criteria established under paragraph
151.24 ~~(e)~~ (d).

151.25 (c) Before proceeding to the evaluation required under paragraph (d), all project
151.26 recommendations submitted for consideration must be screened as follows:

151.27 (1) for projects in the greater Minnesota area:

151.28 (i) the area transportation partnership for the area must review all project
151.29 recommendations from its area;

151.30 (ii) each area transportation partnership must select up to three large projects and three
151.31 small projects as defined in subdivision 4 to recommend for advancement to the evaluation
151.32 process under paragraph (d). Each area transportation partnership may develop its own

152.1 process to determine which projects to recommend. An area transportation partnership must
152.2 not include the same segment of road in more than one project; and

152.3 (iii) only the projects recommended for evaluation may be developed by the department
152.4 and scored for selection under paragraph (d). All projects not recommended for evaluation
152.5 are disqualified from further consideration and must not be evaluated under paragraph (d);

152.6 (2) for projects located in the metropolitan area:

152.7 (i) projects located within a county in the metropolitan area must be reviewed by the
152.8 county board;

152.9 (ii) each county board must select up to two projects to recommend for advancement to
152.10 the evaluation process under paragraph (d). A board must not include the same segment of
152.11 road in more than one project. Each board may develop its own process to determine which
152.12 project to recommend; and

152.13 (iii) only the projects submitted by the county boards as provided in this paragraph may
152.14 be developed by the department and scored for selection under paragraph (d). All projects
152.15 not recommended for evaluation are disqualified from further consideration and must not
152.16 be evaluated under paragraph (d).

152.17 ~~(e)~~ (d) Projects must be evaluated using all of the following criteria:

152.18 (1) a return on investment measure that provides for comparison across eligible projects;

152.19 (2) measurable impacts on commerce and economic competitiveness;

152.20 (3) efficiency in the movement of freight, including but not limited to:

152.21 (i) measures of annual average daily traffic and commercial vehicle miles traveled, which
152.22 may include data near the project location on that trunk highway or on connecting trunk
152.23 and local highways; and

152.24 (ii) measures of congestion or travel time reliability, which may be within or near the
152.25 project limits, or both;

152.26 (4) improvements to traffic safety;

152.27 (5) connections to regional trade centers, local highway systems, and other transportation
152.28 modes;

152.29 (6) the extent to which the project addresses multiple transportation system policy
152.30 objectives and principles;

152.31 (7) support and consensus for the project among members of the surrounding community;

153.1 (8) the time and work needed before construction may begin on the project; ~~and~~

153.2 (9) regional balance throughout the state; and

153.3 (10) written recommendations submitted as provided by subdivision 5a.

153.4 The commissioner must give the criteria in clauses (1) to (8) equal weight in the selection
153.5 process.

153.6 (e) The commissioner must select projects so that approximately 50 percent of the
153.7 available funding must be used for projects in the metro area and the other 50 percent must
153.8 be used for projects in the greater Minnesota area. Of funding for projects in the metropolitan
153.9 area, at least 55 percent must be spent for projects in Anoka, Carver, Chisago, Dakota, Scott,
153.10 and Washington Counties. Of the funding for projects in the greater Minnesota area,
153.11 approximately 25 percent must be used for projects classified as greater Minnesota small
153.12 projects as defined in subdivision 4. When selecting projects in the greater Minnesota area,
153.13 the commissioner must select projects so that no district has more than one project more
153.14 than any other district.

153.15 ~~(d)~~ (f) The list of all projects evaluated must be made public and must include the score
153.16 of each project.

153.17 ~~(e)~~ (g) As part of the project selection process, the commissioner may divide funding to
153.18 be separately available among projects within each classification under subdivision 3, and
153.19 may apply separate or modified criteria among those projects falling within each
153.20 classification.

153.21 Sec. 6. Minnesota Statutes 2020, section 161.088, is amended by adding a subdivision to
153.22 read:

153.23 Subd. 5a. **Recommendations.** After receiving all projects submitted pursuant to
153.24 subdivision 5 but before making final selections, the commissioner must compile a list of
153.25 all projects that were submitted and transmit the list to each legislator and to the governor.
153.26 The list must include the location of each project and a brief description of the work to be
153.27 done. Within 30 days of the date the project list is transmitted, each legislator and the
153.28 governor may submit to the commissioner a written recommendation for one project on the
153.29 list. The commissioner must award one additional point to a project for each written
153.30 recommendation received for that project.

154.1 Sec. 7. Minnesota Statutes 2020, section 161.088, is amended by adding a subdivision to
154.2 read:

154.3 Subd. 5b. **Project selection period.** Between October 1, 2022, and November 1, 2022,
154.4 and every four years thereafter, area transportation partnerships and the metropolitan counties
154.5 must submit projects to the commissioner of transportation as provided in subdivision 5.
154.6 The commissioner must evaluate the projects and select projects by March 1 of the following
154.7 year. To the greatest extent possible, the commissioner must select a sufficient number of
154.8 projects to ensure that all funds allocated for the four-year period are encumbered or spent
154.9 by the end of the period. If all selected projects are funded in the four-year time period and
154.10 there were projects that were identified and not selected, the commissioner must select
154.11 additional projects from the original project submissions. If all the projects that were
154.12 submitted are funded, the commissioner may authorize an additional project selection period
154.13 to select projects for the remainder of the period. Except as authorized by this subdivision,
154.14 the project submission and selection process must only occur every four years.

154.15 Sec. 8. [161.0895] **HIGHWAY PURPOSE; REPORT.**

154.16 (a) To ensure compliance with the Minnesota Constitution, article XIV, sections 2, 5,
154.17 and 6, commissioners of state agencies must not include in a biennial budget any expenditures
154.18 from the trunk highway fund or the highway user tax distribution fund for a nonhighway
154.19 purpose or for any purpose prohibited by section 161.20.

154.20 (b) No later than 45 days following the submission of the governor's biennial budget to
154.21 the legislature under section 16A.11, the commissioner of management and budget and the
154.22 attorney general must jointly submit a report to the chairs and ranking minority members
154.23 of the legislative committees with jurisdiction over transportation policy and finance. The
154.24 report must examine proposed appropriations from the trunk highway fund and the highway
154.25 user tax distribution fund, explain the highway purpose of the proposed appropriations,
154.26 determine if any proposed appropriation is for a nonhighway purpose, and, for nonhighway
154.27 purposes, recommend the fund to be used.

154.28 (c) For the purposes of this section, an appropriation for a nonhighway purpose is any
154.29 appropriation not for construction, improvement, or maintenance of highways or for any
154.30 purpose prohibited by section 161.20.

155.1 Sec. 9. Minnesota Statutes 2020, section 161.115, is amended by adding a subdivision to
155.2 read:

155.3 Subd. 271. **Route No. 340.** Beginning at a point in or adjacent to Upper Sioux Agency
155.4 State Park; thence extending in a general northwesterly direction to a point on Route No.
155.5 67 at or near Granite Falls.

155.6 Sec. 10. Minnesota Statutes 2020, section 162.07, subdivision 2, is amended to read:

155.7 Subd. 2. **Money needs defined.** For the purpose of this section, money needs of each
155.8 county are defined as the estimated total annual costs of constructing, over a period of 25
155.9 years, the county state-aid highway system ~~in~~ located and established by that county. Costs
155.10 incidental to construction, or a specified portion thereof as set forth in the commissioner's
155.11 rules may be included in determining money needs. To avoid variances in costs due to
155.12 differences in construction policy, construction costs shall be estimated on the basis of the
155.13 engineering standards developed cooperatively by the commissioner and the county engineers
155.14 of the several counties.

155.15 Sec. 11. Minnesota Statutes 2020, section 162.13, subdivision 2, is amended to read:

155.16 Subd. 2. **Money needs defined.** For the purpose of this section money needs of each
155.17 city having a population of 5,000 or more are defined as the estimated cost of constructing
155.18 and maintaining over a period of 25 years the municipal state-aid street system ~~in~~ located
155.19 and established by such city. Right-of-way costs and drainage shall be included in money
155.20 needs. Lighting costs and other costs incidental to construction and maintenance, or a
155.21 specified portion of such costs, as set forth in the commissioner's rules, may be included in
155.22 determining money needs. To avoid variances in costs due to differences in construction
155.23 and maintenance policy, construction and maintenance costs shall be estimated on the basis
155.24 of the engineering standards developed cooperatively by the commissioner and the engineers,
155.25 or a committee thereof, of the cities.

155.26 Sec. 12. Minnesota Statutes 2020, section 162.145, subdivision 2, is amended to read:

155.27 Subd. 2. **Small cities assistance account.** A small cities assistance account is created
155.28 in the special revenue fund. The account consists of funds as provided by law, and any other
155.29 money donated, allotted, transferred, or otherwise provided to the account. Money in the
155.30 account is annually appropriated to the commissioner of transportation and may only be
155.31 expended as provided under this section.

156.1 Sec. 13. Minnesota Statutes 2021 Supplement, section 162.145, subdivision 3, is amended
156.2 to read:

156.3 Subd. 3. **Administration.** (a) ~~Subject to funds made available by law,~~ The commissioner
156.4 must allocate all funds as provided in subdivision 4 and must, by June 1, certify to the
156.5 commissioner of revenue the amounts to be paid.

156.6 (b) Following certification from the commissioner, the commissioner of revenue must
156.7 distribute the specified funds to cities in the same manner as local government aid under
156.8 chapter 477A. An appropriation to the commissioner under this section is available to the
156.9 commissioner of revenue for the purposes specified in this paragraph.

156.10 (c) Notwithstanding other law to the contrary, in order to receive distributions under
156.11 this section, a city must conform to the standards in section 477A.017, subdivision 2. A city
156.12 that receives funds under this section must make and preserve records necessary to show
156.13 that the funds are spent in compliance with subdivision 5.

156.14 Sec. 14. Minnesota Statutes 2020, section 162.145, subdivision 4, is amended to read:

156.15 Subd. 4. **Distribution formula.** (a) In each fiscal year ~~in which funds are available under~~
156.16 ~~this section,~~ the commissioner shall allocate funds to eligible cities.

156.17 (b) The preliminary aid to each city is calculated as follows:

156.18 (1) five percent of funds allocated equally among all eligible cities;

156.19 (2) 35 percent of funds allocated proportionally based on each city's share of lane miles
156.20 of municipal streets compared to total lane miles of municipal streets of all eligible cities;

156.21 (3) 35 percent of funds allocated proportionally based on each city's share of population
156.22 compared to total population of all eligible cities; and

156.23 (4) 25 percent of funds allocated proportionally based on each city's share of state-aid
156.24 adjustment factor compared to the sum of state-aid adjustment factors of all eligible cities.

156.25 (c) The final aid to each city is calculated as the lesser of:

156.26 (1) the preliminary aid to the city multiplied by an aid factor; or

156.27 (2) the maximum aid.

156.28 (d) The commissioner shall set the aid factor under paragraph (c), which must be the
156.29 same for all eligible cities, so that the total funds allocated under this subdivision equals
156.30 the total amount available for the fiscal year.

157.1 Sec. 15. **[169.8296] WEIGHT LIMITS; TOWING AND RECOVERY VEHICLE.**

157.2 Subdivision 1. **Annual permit.** The commissioner may issue permits to an applicant
157.3 who pays a single \$300 annual fee to cover all tow trucks and towing vehicles owned by
157.4 the applicant and meets any other conditions prescribed by the commissioner. The permit
157.5 authorizes the tow truck or towing vehicle, when towing a disabled or damaged vehicle to
157.6 a place of repair or to a place of safekeeping, to exceed the length and weight limitations
157.7 of this chapter.

157.8 Subd. 2. **Certain weight limits not applicable when movement is urgent.** Sections
157.9 169.823 to 169.828 do not apply to a tow truck or towing vehicle when towing a disabled
157.10 or damaged vehicle, when the movement is urgent, and when the movement is for the
157.11 purpose of removing the disabled vehicle from the roadway to a place of safekeeping or to
157.12 a place of repair. A permit is not required for a vehicle operating under this subdivision.

157.13 Subd. 3. **Seasonal load restrictions; exemption.** (a) The seasonal load restrictions under
157.14 section 169.87, subdivisions 1 and 2, do not apply to a towing or recovery vehicle that does
157.15 not exceed a weight of 20,000 pounds per single axle and is being operated for the purpose
157.16 of towing or recovering another vehicle that:

157.17 (1) is involved in a vehicle crash or is inoperable and is located within a public road
157.18 right-of-way; or

157.19 (2) has entered a public body of water adjacent to the roadway.

157.20 (b) The exemption under this subdivision only applies when a request has been made
157.21 by a federal, state, or local law enforcement agency for a tow truck or recovery vehicle to
157.22 move a vehicle specified in paragraph (a).

157.23 (c) As used in this section, "recovery vehicle" means a vehicle equipped with a boom
157.24 that is used to move or recover an inoperable vehicle. A recovery vehicle also includes a
157.25 tow truck as defined in section 168B.011, subdivision 12a.

157.26 Sec. 16. Minnesota Statutes 2020, section 169.865, subdivision 1a, is amended to read:

157.27 Subd. 1a. **Definition.** For purposes of this section, "qualifying agricultural products"
157.28 means:

157.29 (1) agricultural crops, including but not limited to corn, soybeans, oats, grain, and
157.30 by-products of agricultural crops;

157.31 (2) livestock, including but not limited to cattle, hogs, and poultry;

157.32 (3) food crops, including but not limited to sugar beets, potatoes, carrots, and onions;

158.1 (4) fluid milk;

158.2 (5) seed and material used for or in livestock and poultry feed; ~~and~~

158.3 (6) livestock manure; and

158.4 (7) raw or processed grass seed.

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

158.6 Sec. 17. Minnesota Statutes 2020, section 174.185, as amended by Laws 2021, First Special
158.7 Session chapter 5, article 4, section 90, is amended to read:

158.8 **174.185 PAVEMENT LIFE-CYCLE COST ANALYSIS.**

158.9 Subdivision 1. **Definitions.** For the purposes of this section, the following definitions
158.10 apply.

158.11 ~~(a) "Life-cycle cost" is the sum of the cost of the initial pavement project and all~~
158.12 ~~anticipated costs for maintenance, repair, and resurfacing over the life of the pavement.~~

158.13 ~~Anticipated costs must be based on Minnesota's actual or reasonably projected maintenance,~~
158.14 ~~repair, and resurfacing schedules, and costs determined by the Department of Transportation~~
158.15 ~~district personnel based upon recently awarded local projects and experience with local~~
158.16 ~~material costs.~~

158.17 ~~(b) (a) "Life-cycle cost analysis" or "analysis" is a comparison of life-cycle costs among~~
158.18 ~~competing paving materials using equal design lives and equal comparison periods. process~~
158.19 ~~for evaluating the total economic worth of a usable project segment by analyzing initial~~
158.20 ~~costs and discounted future costs, such as maintenance, user costs, reconstruction,~~
158.21 ~~rehabilitation, restoring, and resurfacing costs, over the life of the project segment.~~

158.22 ~~(b) "Minimum requirements" is a combination of pavement, base, and subbase materials~~
158.23 ~~that minimizes the total system cost to achieve the specified design performance~~
158.24 ~~requirements. Design performance requirements are based on design traffic volumes,~~
158.25 ~~reliability, standard deviation, pavement structural characteristics, and various material~~
158.26 ~~properties for structural design.~~

158.27 ~~(c) "Pavement" is any material used for paved traffic lanes, typically asphalt or concrete,~~
158.28 ~~including the underlying materials inherent to each pavement alternative considered.~~

158.29 ~~(d) "Rounded value" means a measurement that is rounded to the nearest half-inch~~
158.30 ~~increment.~~

159.1 (e) "Shoulder" is the portion of the roadway contiguous with the traveled way, outside
159.2 of the edge of the pavement for accommodation of stopped vehicles, emergency use, and
159.3 lateral support of base and surface courses.

159.4 (f) "Substantial plan development" is the point in time during the plan development
159.5 process after which any further activities would preclude any of the feasible alternatives
159.6 from being selected or constructed.

159.7 (g) "Superfluous materials" are materials that are in excess of rounded values and that
159.8 are not necessary to meet the minimum requirements for a feasible alternative.

159.9 Subd. 2. **Required analysis.** (a) For each project in the reconditioning, resurfacing, and
159.10 road repair funding categories any project with 15,000 or more square yards of paving, the
159.11 commissioner shall must perform a life-cycle cost analysis and shall document the lowest
159.12 life-cycle costs and all alternatives considered. The commissioner shall document the chosen
159.13 pavement strategy and, if the lowest life cycle is not selected, document the justification
159.14 for the chosen strategy. A life-cycle cost analysis is required for projects to be constructed
159.15 after July 1, 2011. For projects to be constructed prior to July 1, 2011, when feasible, the
159.16 department will use its best efforts to perform life-cycle cost analyses, and document the
159.17 chosen pavement strategy as provided by this section. The commissioner must perform the
159.18 life-cycle cost analysis prior to substantial plan development.

159.19 (b) When conducting a life-cycle cost analysis, the commissioner must:

159.20 (1) derive initial and future costs from Minnesota-based historical data of roadways with
159.21 similar characteristics, including but not limited to similar geographical location, rural or
159.22 urban classification, traffic volumes, construction practices, staging, and vehicle classification
159.23 percentages;

159.24 (2) determine the analysis period based on the longest design life of all feasible
159.25 alternatives or 60 years, whichever is longer;

159.26 (3) compensate for any life added or lost due to rounding if pavement thickness is rounded
159.27 up or down;

159.28 (4) ensure that each feasible alternative being considered in the analysis meets the
159.29 minimum requirements for that alternative and must consider only the pavement, base, and
159.30 subbase materials that are required to meet the minimum criteria for that alternative;

159.31 (5) identify all feasible alternatives, including a full range of rehabilitation strategies for
159.32 both rigid and flexible pavements, which must, at a minimum, include thin asphalt overlay

160.1 of less than four inches, thin concrete overlay of four inches to six inches, thick asphalt of
160.2 greater than or equal to four inches, and thick concrete options greater than six inches;

160.3 (6) include agency costs, including but not limited to initial pavement, future rehabilitation
160.4 and maintenance projects, overhead, design, contract administration, and routine maintenance;

160.5 (7) mobilization costs related to construction, maintenance, or rehabilitation;

160.6 (8) costs for traffic control to protect workers and the public during each construction,
160.7 maintenance, or rehabilitation activity in the analysis;

160.8 (9) add the annual excess fuel consumption costs, as calculated in subdivision 2a, as an
160.9 annual pavement cost;

160.10 (10) identify and use realistic timing of future maintenance and construction practices
160.11 using similar characteristics, including but not limited to similar geographical location, rural
160.12 or urban classification, traffic volumes, construction practices, staging, and vehicle
160.13 classification percentages;

160.14 (11) for each feasible alternative with residual service life at the end of the analysis
160.15 period, calculate the value of any residual service life and include it as a credit in the final
160.16 year of the analysis period;

160.17 (12) include an explanation of the methodology used to produce the cost estimate and
160.18 why that method was selected; and

160.19 (13) include an explanation of the timing selected of rehabilitation and maintenance and
160.20 why that timing was selected.

160.21 (c) The commissioner must not include the following in a life-cycle cost analysis:

160.22 (1) elements that are the same for all alternatives;

160.23 (2) life-cycle calculations for shoulder pavement, shoulder base, or shoulder subbase;
160.24 and

160.25 (3) any superfluous material that is included as part of the feasible alternative but is not
160.26 required to meet the minimum requirements of the feasible alternative, including any material
160.27 that may be included due to the designer's preference or recommendation in the department's
160.28 Pavement Design Manual. This clause does not preclude the commissioner from selecting
160.29 a pavement strategy that uses superfluous materials, but the superfluous materials must not
160.30 be a factor in making the selection.

160.31 Subd. 2a. **Excess fuel consumption calculation.** (a) For purposes of this subdivision,
160.32 the following terms have the meanings given:

161.1 (1) "diesel fuel price" means the Midwest nonhighway diesel fuel price effective for the
161.2 date the calculation is performed as provided by the United States Energy Information
161.3 Administration;

161.4 (2) "gasoline fuel price" means the Midwest regular gasoline price effective for the date
161.5 that calculation is performed as provided by the United States Energy Information
161.6 Administration;

161.7 (3) "heavy commercial annual average daily traffic (HCAADT)" means the heavy
161.8 commercial annual average daily traffic provided by the department's data and based on the
161.9 traffic forecasting and analysis system;

161.10 (4) "heavy-duty MPG" means the latest fleet average miles per gallon of heavy-duty,
161.11 short-wheelbase vehicles as provided by the United States Energy Information
161.12 Administration;

161.13 (5) "heavy-duty fuel savings factor" means the percentage of rigid pavement savings
161.14 anticipated for heavy commercial vehicles as provided by department research, state or
161.15 federal agencies, or relevant academic research projects;

161.16 (6) "light-duty fuel savings factor" is the percentage of rigid pavement savings anticipated
161.17 for passenger vehicles as provided by department research, state or federal agencies, or
161.18 relevant academic research projects;

161.19 (7) "light-duty MPG" means the latest fleet average for miles per gallon of light-duty,
161.20 short-wheelbase vehicles as provided by the United States Energy Information
161.21 Administration;

161.22 (8) "passenger annual average daily traffic (PAADT)" means the passenger annual
161.23 average daily traffic provided by the department's data and based on the traffic forecasting
161.24 and analysis system; and

161.25 (9) "project length" means the centerline miles for the project.

161.26 (b) The commissioner must determine the annual excess fuel consumption cost as
161.27 provided in this subdivision. The commissioner must use the same HCAADT or PAADT
161.28 for the duration of each analysis period.

161.29 (c) The passenger excess cost is equal to the product of PAADT, gasoline fuel price,
161.30 light-duty fuel savings factor, project length, and 365 divided by light-duty MPG.

161.31 (d) The heavy commercial excess cost is equal to the product of PAADT, gasoline fuel
161.32 price, heavy-duty fuel savings factor, project length, and 365 divided by heavy-duty MPG.

162.1 (e) The annual excess fuel consumption cost is the sum of passenger excess cost and
162.2 heavy commercial excess cost.

162.3 Subd. 2b. **Review and collaboration.** (a) Before finalizing a pavement selection, the
162.4 commissioner must post a draft of the life-cycle cost analysis and the draft pavement selection
162.5 on the department's Office of Materials and Road Research website for 21 days. During
162.6 this period, the commissioner must allow industry association representatives to submit
162.7 questions and comments. The commissioner must collaborate with the person who submitted
162.8 the question or comment, where necessary, to ensure the commissioner fully understands
162.9 the question or comment. The commissioner must respond to each comment or question in
162.10 writing, which must include a description of any associated changes that will be made to
162.11 the life-cycle cost analysis.

162.12 (b) After the review period closes, the commissioner must make revisions to the life-cycle
162.13 cost analysis in response to questions or comments received. If the commissioner revises
162.14 the type of pavement from concrete to asphalt or from asphalt to concrete, the commissioner
162.15 must post the revised life-cycle cost analysis for review in accordance with paragraph (a).

162.16 Subd. 2c. **Selection.** (a) After the review period required in subdivision 2b and any
162.17 subsequent changes to the analysis, the commissioner must select the pavement strategy
162.18 and prepare a document of justification. At a minimum, the document of justification must:

162.19 (1) include all comments and questions received during the review and the commissioner's
162.20 responses to each;

162.21 (2) explain why the pavement strategy was selected;

162.22 (3) if the lowest life-cycle cost is not selected, justify why a strategy with a higher
162.23 life-cycle cost was selected; and

162.24 (4) identify any superfluous materials, quantify the superfluous materials' associated
162.25 costs, and provide the rationale for the superfluous materials' inclusion.

162.26 (b) The commissioner must submit the analysis and document of justification to a licensed
162.27 professional engineer for review. A life-cycle cost analysis is not considered final until it
162.28 is certified and signed by a licensed professional engineer as provided by Minnesota Rules,
162.29 part 1800.4200.

162.30 (c) For all projects that began construction on or after January 1, 2022, the commissioner
162.31 must store all life-cycle cost analyses and documents of justification on the department's
162.32 website in a manner that allows the public to easily access the documents.

163.1 (d) After completing the certification and signature requirements of paragraph (b) and
 163.2 the posting requirements of paragraph (c), the commissioner may advance the project to
 163.3 substantial plan development.

163.4 Subd. 3. **Report.** The commissioner ~~shall~~ must report annually to the chairs and ranking
 163.5 minority members of the senate and house of representatives committees with jurisdiction
 163.6 over transportation finance on the results of the analyses required in subdivision 2, the public
 163.7 review required by subdivision 2b, and the final selection and document of justification
 163.8 required by subdivision 2c.

163.9 **EFFECTIVE DATE.** This section is effective July 1, 2022, and applies to life-cycle
 163.10 cost analyses that are started on or after that date, except that subdivision 2b and any
 163.11 references to subdivision 2b are not effective until July 1, 2023.

163.12 Sec. 18. Minnesota Statutes 2020, section 174.52, subdivision 3, is amended to read:

163.13 Subd. 3. **Advisory committee.** (a) The commissioner ~~shall~~ must establish a local road
 163.14 improvement program advisory committee consisting of ~~five~~ the following members;
 163.15 ~~including:~~

163.16 (1) one county commissioner;

163.17 (2) one county engineer;

163.18 (3) one city engineer;

163.19 (4) one city council member or city administrator representing a city with a population
 163.20 over 5,000; ~~and~~

163.21 (5) one city council member or city administrator representing a city with a population
 163.22 under 5,000; and

163.23 (6) one town board member appointed by the Minnesota Association of Townships.

163.24 (b) The advisory committee ~~shall~~ must provide recommendations to the commissioner
 163.25 regarding expenditures from the accounts established in this section.

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

164.1 Sec. 19. Minnesota Statutes 2020, section 297A.94, is amended to read:

164.2 **297A.94 DEPOSIT OF REVENUES.**

164.3 (a) Except as provided in this section, the commissioner shall deposit the revenues,
164.4 including interest and penalties, derived from the taxes imposed by this chapter in the state
164.5 treasury and credit them to the general fund.

164.6 (b) The commissioner shall deposit taxes in the Minnesota agricultural and economic
164.7 account in the special revenue fund if:

164.8 (1) the taxes are derived from sales and use of property and services purchased for the
164.9 construction and operation of an agricultural resource project; and

164.10 (2) the purchase was made on or after the date on which a conditional commitment was
164.11 made for a loan guaranty for the project under section 41A.04, subdivision 3.

164.12 The commissioner of management and budget shall certify to the commissioner the date on
164.13 which the project received the conditional commitment. The amount deposited in the loan
164.14 guaranty account must be reduced by any refunds and by the costs incurred by the Department
164.15 of Revenue to administer and enforce the assessment and collection of the taxes.

164.16 (c) The commissioner shall deposit the revenues, including interest and penalties, derived
164.17 from the taxes imposed on sales and purchases included in section 297A.61, subdivision 3,
164.18 paragraph (g), clauses (1) and (4), in the state treasury, and credit them as follows:

164.19 (1) first to the general obligation special tax bond debt service account in each fiscal
164.20 year the amount required by section 16A.661, subdivision 3, paragraph (b); and

164.21 (2) after the requirements of clause (1) have been met, the balance to the general fund.

164.22 (d) Beginning with sales taxes remitted after July 1, 2017, the commissioner shall deposit
164.23 in the state treasury the revenues collected under section 297A.64, subdivision 1, including
164.24 interest and penalties and minus refunds, and credit them to the highway user tax distribution
164.25 fund.

164.26 (e) The commissioner shall deposit the revenues, including interest and penalties,
164.27 collected under section 297A.64, subdivision 5, in the state treasury and credit them to the
164.28 general fund. By July 15 of each year the commissioner shall transfer to the highway user
164.29 tax distribution fund an amount equal to the excess fees collected under section 297A.64,
164.30 subdivision 5, for the previous calendar year.

164.31 (f) Beginning with sales taxes remitted after July 1, 2017, in conjunction with the deposit
164.32 of revenues under paragraph (d), the commissioner shall deposit into the state treasury and

165.1 credit to the highway user tax distribution fund an amount equal to the estimated revenues
165.2 derived from the tax rate imposed under section 297A.62, subdivision 1, on the lease or
165.3 rental for not more than 28 days of rental motor vehicles subject to section 297A.64. The
165.4 commissioner shall estimate the amount of sales tax revenue deposited under this paragraph
165.5 based on the amount of revenue deposited under paragraph (d).

165.6 ~~(g) Starting after July 1, 2017, the commissioner shall deposit an amount of the~~
165.7 ~~remittances monthly into the state treasury and credit them to the highway user tax~~
165.8 ~~distribution fund as a portion of the estimated amount of taxes collected from the sale and~~
165.9 ~~purchase of motor vehicle repair parts in that month. For the remittances between July 1,~~
165.10 ~~2017, and June 30, 2019, the monthly deposit amount is \$2,628,000. For remittances in~~
165.11 ~~each subsequent fiscal year, the monthly deposit amount is \$12,137,000. The commissioner~~
165.12 must deposit on a monthly basis the revenue derived from the tax rate imposed under section
165.13 297A.62, subdivision 1, on the sale and purchase of motor vehicle repair and replacement
165.14 parts into the state treasury and credit:

165.15 (1) 86 percent to the highway user tax distribution fund;

165.16 (2) seven percent to the small cities assistance account in the special revenue fund
165.17 established under section 162.145; and

165.18 (3) seven percent to the town road account in the county state-aid highway fund
165.19 established under section 162.081.

165.20 Between July 1, 2022, and June 30, 2023, the monthly deposit amount is \$26,655,000. In
165.21 each subsequent fiscal year, the commissioner must adjust the monthly deposit amount by
165.22 the percentage change in the total amount of sales tax revenue collected for all sales and
165.23 purchases between the two preceding fiscal years. The amount as adjusted must be rounded
165.24 to the nearest \$1,000 amount. For purposes of this paragraph, "motor vehicle" has the
165.25 meaning given in section 297B.01, subdivision 11, and "motor vehicle repair and replacement
165.26 parts" includes (i) all parts, tires, accessories, and equipment incorporated into or affixed
165.27 to the motor vehicle as part of the motor vehicle maintenance and repair, and (ii) paint, oil,
165.28 and other fluids that remain on or in the motor vehicle as part of the motor vehicle
165.29 maintenance or repair. For purposes of this paragraph, "tire" means any tire of the type used
165.30 on highway vehicles, if wholly or partially made of rubber and if marked according to
165.31 federal regulations for highway use.

165.32 (h) 72.43 percent of the revenues, including interest and penalties, transmitted to the
165.33 commissioner under section 297A.65, must be deposited by the commissioner in the state
165.34 treasury as follows:

166.1 (1) 50 percent of the receipts must be deposited in the heritage enhancement account in
166.2 the game and fish fund, and may be spent only on activities that improve, enhance, or protect
166.3 fish and wildlife resources, including conservation, restoration, and enhancement of land,
166.4 water, and other natural resources of the state;

166.5 (2) 22.5 percent of the receipts must be deposited in the natural resources fund, and may
166.6 be spent only for state parks and trails;

166.7 (3) 22.5 percent of the receipts must be deposited in the natural resources fund, and may
166.8 be spent only on metropolitan park and trail grants;

166.9 (4) three percent of the receipts must be deposited in the natural resources fund, and
166.10 may be spent only on local trail grants; and

166.11 (5) two percent of the receipts must be deposited in the natural resources fund, and may
166.12 be spent only for the Minnesota Zoological Garden, the Como Park Zoo and Conservatory,
166.13 and the Duluth Zoo.

166.14 (i) The revenue dedicated under paragraph (h) may not be used as a substitute for
166.15 traditional sources of funding for the purposes specified, but the dedicated revenue shall
166.16 supplement traditional sources of funding for those purposes. Land acquired with money
166.17 deposited in the game and fish fund under paragraph (h) must be open to public hunting
166.18 and fishing during the open season, except that in aquatic management areas or on lands
166.19 where angling easements have been acquired, fishing may be prohibited during certain times
166.20 of the year and hunting may be prohibited. At least 87 percent of the money deposited in
166.21 the game and fish fund for improvement, enhancement, or protection of fish and wildlife
166.22 resources under paragraph (h) must be allocated for field operations.

166.23 (j) The commissioner must deposit the revenues, including interest and penalties minus
166.24 any refunds, derived from the sale of items regulated under section 624.20, subdivision 1,
166.25 that may be sold to persons 18 years old or older and that are not prohibited from use by
166.26 the general public under section 624.21, in the state treasury and credit:

166.27 (1) 25 percent to the volunteer fire assistance grant account established under section
166.28 88.068;

166.29 (2) 25 percent to the fire safety account established under section 297I.06, subdivision
166.30 3; and

166.31 (3) the remainder to the general fund.

166.32 For purposes of this paragraph, the percentage of total sales and use tax revenue derived
166.33 from the sale of items regulated under section 624.20, subdivision 1, that are allowed to be

167.1 sold to persons 18 years old or older and are not prohibited from use by the general public
167.2 under section 624.21, is a set percentage of the total sales and use tax revenues collected in
167.3 the state, with the percentage determined under Laws 2017, First Special Session chapter
167.4 1, article 3, section 39.

167.5 (k) The revenues deposited under paragraphs (a) to (j) do not include the revenues,
167.6 including interest and penalties, generated by the sales tax imposed under section 297A.62,
167.7 subdivision 1a, which must be deposited as provided under the Minnesota Constitution,
167.8 article XI, section 15.

167.9 **EFFECTIVE DATE.** This section is effective July 1, 2022.

167.10 Sec. 20. Minnesota Statutes 2021 Supplement, section 360.55, subdivision 9, is amended
167.11 to read:

167.12 Subd. 9. **Small unmanned aircraft systems.** (a) Any small unmanned aircraft system
167.13 ~~in which the unmanned aircraft weighs less than 55 pounds at takeoff, including payload~~
167.14 ~~and anything affixed to the aircraft, either,~~ as defined in section 360.013, subdivision 57b:

167.15 (1) must be registered in the state for an annual fee of \$25; or

167.16 (2) is not subject to registration or an annual fee if the unmanned aircraft system is owned
167.17 and operated solely for recreational purposes.

167.18 (b) An unmanned aircraft system that meets the requirements under paragraph (a) is
167.19 exempt from aircraft registration tax under sections 360.511 to 360.67.

167.20 (c) Owners must, at the time of registration, provide proof of insurability in a form
167.21 acceptable to the commissioner. Additionally, owners must maintain records and proof that
167.22 each flight was covered by an insurance policy with limits of not less than \$300,000 per
167.23 occurrence for bodily injury or death to nonpassengers in any one accident. The insurance
167.24 must comply with section 60A.081, unless that section is inapplicable under section 60A.081,
167.25 subdivision 3.

167.26 Sec. 21. Minnesota Statutes 2021 Supplement, section 360.59, subdivision 10, is amended
167.27 to read:

167.28 Subd. 10. **Certificate of insurance.** (a) Every owner of aircraft in this state when applying
167.29 for registration, reregistration, or transfer of ownership shall supply any information the
167.30 commissioner reasonably requires to determine that the aircraft during the period of its
167.31 contemplated operation is covered by an insurance policy with limits of not less than
167.32 \$100,000 per passenger seat liability both for passenger bodily injury or death and for

168.1 property damage; not less than \$100,000 for bodily injury or death to each nonpassenger
168.2 in any one accident; and not less than \$300,000 per occurrence for bodily injury or death
168.3 to nonpassengers in any one accident. The insurance must comply with section 60A.081,
168.4 unless that section is inapplicable under section 60A.081, subdivision 3.

168.5 The information supplied to the commissioner must include but is not limited to the
168.6 name and address of the owner, the period of contemplated use or operation, if any, and, if
168.7 insurance coverage is then presently required, the name of the insurer, the insurance policy
168.8 number, the term of the coverage, policy limits, and any other data the commissioner requires.
168.9 No certificate of registration shall be issued pursuant to subdivision 3 in the absence of the
168.10 information required by this subdivision.

168.11 (b) In the event of cancellation of aircraft insurance by the insurer, the insurer shall
168.12 notify the Department of Transportation at least ten days prior to the date on which the
168.13 insurance coverage is to be terminated. Unless proof of a new policy of insurance is filed
168.14 with the department meeting the requirements of this subdivision during the period of the
168.15 aircraft's contemplated use or operation, the registration certificate for the aircraft shall be
168.16 revoked forthwith.

168.17 (c) Nothing in this subdivision shall be construed to require an owner of aircraft to
168.18 maintain passenger seat liability coverage on aircraft for which an experimental certificate
168.19 has been issued by the administrator of the Federal Aviation Administration pursuant to
168.20 Code of Federal Regulations, title 14, sections 21.191 to 21.195 and 91.319, whereunder
168.21 persons operating the aircraft are prohibited from carrying passengers in the aircraft or for
168.22 an unmanned aircraft. Whenever the aircraft becomes certificated to carry passengers,
168.23 passenger seat liability coverage shall be required as provided in this subdivision.

168.24 (d) The requirements of this subdivision shall not apply to any aircraft built by the
168.25 original manufacturer prior to December 31, 1939, and owned and operated solely as a
168.26 collector's item, if the owner files an affidavit with the commissioner. The affidavit shall
168.27 state the owner's name and address, the name and address of the person from whom the
168.28 aircraft was purchased, the make, year, and model number of the aircraft, the federal aircraft
168.29 registration number, the manufacturer's identification number, and that the aircraft is owned
168.30 and operated solely as a collector's item and not for general transportation purposes.

168.31 ~~(e) A small unmanned aircraft system that meets the requirements of section 360.55,~~
168.32 ~~subdivision 9, is not subject to the requirements under paragraphs (a) and (b). Owners of~~
168.33 ~~small unmanned aircraft systems that meet the requirements of section 360.55, subdivision~~
168.34 ~~9, must, at the time of registration, provide proof of insurability in a form acceptable to the~~

169.1 ~~commissioner. Additionally, such operators must maintain records and proof that each flight~~
 169.2 ~~was insured for the limits established in paragraph (a).~~

169.3 Sec. 22. LEGISLATIVE ROUTE NO. 274 REMOVED.

169.4 (a) Minnesota Statutes, section 161.115, subdivision 205, is repealed effective the day
 169.5 after the commissioner of transportation receives a copy of the agreement between the
 169.6 commissioner and the governing body of Yellow Medicine County to transfer jurisdiction
 169.7 of Legislative Route No. 274 and notifies the revisor of statutes under paragraph (b).

169.8 (b) The revisor of statutes shall delete the route identified in paragraph (a) from Minnesota
 169.9 Statutes when the commissioner of transportation sends notice to the revisor electronically
 169.10 or in writing that the conditions required to transfer the route have been satisfied.

169.11 Sec. 23. LEGISLATIVE ROUTE NO. 301 REMOVED.

169.12 (a) Minnesota Statutes, section 161.115, subdivision 232, is repealed effective the day
 169.13 after the commissioner of transportation receives a copy of the agreement between the
 169.14 commissioner and the governing body of the city of St. Cloud to transfer jurisdiction of
 169.15 Legislative Route No. 301 and notifies the revisor of statutes under paragraph (b).

169.16 (b) The revisor of statutes shall delete the route identified in paragraph (a) from Minnesota
 169.17 Statutes when the commissioner of transportation sends notice to the revisor electronically
 169.18 or in writing that the conditions required to transfer the route have been satisfied.

169.19 Sec. 24. REPEALER.

169.20 (a) Minnesota Statutes 2020, sections 168B.15; and 169.829, subdivision 2, are repealed.

169.21 (b) Minnesota Rules, part 8835.0350, subpart 2, is repealed.

169.22 (c) Laws 2000, chapter 479, article 2, section 1, as amended by Laws 2000, chapter 499,
 169.23 section 41, and by Laws 2001, First Special Session chapter 5, article 20, section 20, is
 169.24 repealed.

169.25

ARTICLE 11

169.26

METROPOLITAN COUNCIL

169.27 Section 1. Minnesota Statutes 2020, section 297A.993, is amended by adding a subdivision
 169.28 to read:

169.29 Subd. 2a. **Guideway uses, reporting.** By August 15 of each even-numbered year, a
 169.30 metropolitan area county that uses, or proposes to use, the proceeds of the transportation

170.1 sales taxes to fund the planning, construction, operation, or maintenance of guideways as
170.2 defined in section 473.4485, subdivision 1, must submit a report to the legislative committees
170.3 with jurisdiction over transportation policy and finance. At a minimum, the report must
170.4 include:

170.5 (1) actual transportation sales tax collections by the county over the previous five calendar
170.6 years;

170.7 (2) an estimation of the total sales tax revenues that will be collected by the county in
170.8 the current year and estimated collections for the next ten calendar years;

170.9 (3) for each of the previous five calendar years, the current calendar year, and for the
170.10 next ten calendar years:

170.11 (i) the amount of sales tax revenues expended or proposed to be expended for guideway
170.12 planning, construction, operation, or maintenance;

170.13 (ii) the total expenditures or proposed expenditures of sales tax revenues for nonguideway
170.14 uses; and

170.15 (iii) an estimated balance of unspent or undesignated county sales tax revenues.

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

170.17 Sec. 2. Minnesota Statutes 2020, section 473.375, is amended by adding a subdivision to
170.18 read:

170.19 **Subd. 9b. Safe accessibility training.** (a) The council must ensure that vehicle operators
170.20 who provide bus service receive training on assisting persons with disabilities and mobility
170.21 limitations to enter and leave the vehicle. The training must cover assistance in circumstances
170.22 where regular access to or from the vehicle is unsafe due to snow, ice, or other obstructions.
170.23 This subdivision applies to vehicle operators employed by the Metropolitan Council or by
170.24 a replacement service provider.

170.25 (b) The council must consult with the Transportation Accessibility Advisory Committee
170.26 on the training.

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

171.1 Sec. 3. Minnesota Statutes 2020, section 473.375, is amended by adding a subdivision to
171.2 read:

171.3 Subd. 19. **Statistics; reports.** (a) The Metropolitan Council must post on the council's
171.4 website a monthly report including ridership statistics for each guideway and busway in
171.5 revenue operation. In each report, the council must also include the ridership projections
171.6 made at the time of the full funding grant agreement for each guideway and busway. Within
171.7 60 days after the end of a month, the council must post the report for that month. The council
171.8 must ensure that a report is available on the council's website for a minimum of five years
171.9 after the report is posted.

171.10 (b) The council must post on the council's website a quarterly report including crime
171.11 statistics for crimes occurring on a light rail transit vehicle, bus, commuter rail car, or at
171.12 any transit platform, stop, or facility. The report must break down the data by type of crime.
171.13 The council must ensure that a report is available on the council's website for a minimum
171.14 of five years after the report is posted.

171.15 **EFFECTIVE DATE; APPLICATION.** This section is effective July 1, 2022, and
171.16 applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

171.17 Sec. 4. Minnesota Statutes 2020, section 473.39, subdivision 7, is amended to read:

171.18 **Subd. 7. Limitation on certain debt obligations.** The council is prohibited from issuing
171.19 certificates of participation for ~~light rail transit~~ guideways secured in whole or in part by
171.20 (1) a pledge of motor vehicle sales tax revenue received under sections 16A.88 and 297B.09,
171.21 or (2) a pledge of any earnings from the council's investment of motor vehicle sales tax
171.22 revenues.

171.23 **EFFECTIVE DATE; APPLICATION.** This section is effective July 1, 2022, and
171.24 applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

171.25 Sec. 5. Minnesota Statutes 2020, section 473.3993, subdivision 4, is amended to read:

171.26 **Subd. 4. Responsible authority.** "Responsible authority" means ~~either~~ the Metropolitan
171.27 Council ~~or~~, the state of Minnesota acting through the commissioner of transportation, or a
171.28 county board of a metropolitan county as designated by the governor under section 473.3994,
171.29 subdivision 1a, for a particular light rail transit facility.

171.30 **EFFECTIVE DATE.** This section is effective the day following final enactment and
171.31 applies to projects that enter into full funding grant agreements on or after that date.

172.1 Sec. 6. Minnesota Statutes 2020, section 473.3994, subdivision 1a, is amended to read:

172.2 Subd. 1a. **Designation of responsible authority.** For each proposed light rail transit
 172.3 facility in the metropolitan area, the governor must designate ~~either~~ the Metropolitan Council
 172.4 ~~or~~ the state of Minnesota acting through the commissioner of transportation, or a county
 172.5 board of a metropolitan county as the entity responsible for planning, designing, acquiring,
 172.6 constructing, and equipping the facility. If a proposed light rail transit facility will be entirely
 172.7 located within a single metropolitan area county, the governor must designate the county
 172.8 board of that county as the entity responsible for planning, designing, acquiring, constructing,
 172.9 and equipping the facility. Notwithstanding such designation, the commissioner ~~and~~ the
 172.10 council, and the county board may enter into one or more cooperative agreements with
 172.11 respect to the planning, designing, acquiring, constructing, or equipping of a particular light
 172.12 rail transit facility that provide for the parties to exercise their respective authorities in
 172.13 support of the project in a manner that best serves the project and the public.

172.14 **EFFECTIVE DATE.** This section is effective the day following final enactment and
 172.15 applies to projects that enter into full funding grant agreements on or after that date.

172.16 Sec. 7. **[473.4486] MUNICIPAL APPROVAL OF GUIDEWAY PLANS.**

172.17 Subdivision 1. **Application.** "Guideway" has the meaning given in section 473.4485,
 172.18 subdivision 1, paragraph (d), except that this section does not apply to light rail transit.

172.19 Subd. 2. **Preliminary design plans; public hearing.** Before final design plans are
 172.20 prepared for a guideway in the metropolitan area, the council must hold a public hearing
 172.21 on the physical design component of the preliminary design plans. The council must provide
 172.22 appropriate public notice of the hearing and publicity to ensure that affected parties have
 172.23 an opportunity to present their views at the hearing. The council must summarize the
 172.24 proceedings and testimony and maintain the record of a hearing held under this section,
 172.25 including any written statements submitted.

172.26 Subd. 3. **Preliminary design plans; local approval.** At least 30 days before the hearing
 172.27 under subdivision 2, the council must submit the physical design component of the
 172.28 preliminary design plans to the governing body of each statutory and home rule charter city,
 172.29 county, and town in which the route is proposed to be located. The city, county, or town
 172.30 must hold a public hearing. Within 45 days after the hearing under subdivision 2, the city,
 172.31 county, or town must review and approve or disapprove the plans for the route to be located
 172.32 in the city, county, or town. A local unit of government that disapproves the plans must
 172.33 describe specific amendments to the plans that, if adopted, would cause the local unit to
 172.34 withdraw its disapproval. Failure to approve or disapprove the plans in writing within 45

173.1 days after the hearing is deemed to be an approval unless an extension of time is agreed to
173.2 by the city, county, or town and the council.

173.3 Subd. 4. **Preliminary design plans; council hearing.** If the governing body of one or
173.4 more cities, counties, or towns disapproves the preliminary design plans within the period
173.5 allowed under subdivision 3, the council must hold a hearing on the plans, giving any
173.6 disapproving local governmental units and other persons an opportunity to present their
173.7 views on the plans. The council may conduct an independent study as it deems desirable
173.8 and may mediate and attempt to resolve disagreements about the plans. Within 60 days after
173.9 the hearing, the council must review the plans and must decide what amendments to the
173.10 plans, if any, must be made to accommodate the objections presented by the disapproving
173.11 local governmental units. Amendments to the plans as decided by the council must be made
173.12 before continuing the planning and designing process.

173.13 Subd. 5. **Final design plans.** (a) If the final design plans incorporate a substantial change
173.14 from the preliminary design plans with respect to location, length, or termini of routes;
173.15 general dimension, elevation, or alignment of routes and crossings; or shelters or stops,
173.16 before beginning construction, the council must submit the changed component of the final
173.17 design plans to the governing body of each statutory and home rule charter city, county,
173.18 and town in which the changed component is proposed to be located. Within 60 days after
173.19 the submission of the plans, the city, county, or town must review and approve or disapprove
173.20 the changed component located in the city, county, or town. A local unit of government that
173.21 disapproves the change must describe specific amendments to the plans that, if adopted,
173.22 would cause the local unit to withdraw its disapproval. Failure to approve or disapprove the
173.23 changed plans in writing within the time period is deemed to be an approval, unless an
173.24 extension is agreed to by the city, county, or town.

173.25 (b) If the governing body of one or more cities, counties, or towns disapproves the
173.26 changed plans within the period allowed under paragraph (a), the council must review the
173.27 final design plans under the same procedure and with the same effect as provided in
173.28 subdivision 4 for preliminary design plans.

173.29 Subd. 6. **Revocation.** A city, county, or town that has approved the plan as provided by
173.30 this section may revoke its approval of the plan at any point prior to the council securing
173.31 federal funding for the project. The city, county, or town must notify the council of the
173.32 revocation. Upon receipt of the notification, the council must review the final design plans
173.33 under the same procedure and with the same effect as provided in subdivision 4 for
173.34 preliminary design plans.

174.1 Subd. 7. **Prohibition.** The council must not apply for or request any federal funds for a
174.2 guideway project until each city, county, or town in which the route is proposed to be located
174.3 has approved of the plan as provided by this section.

174.4 **EFFECTIVE DATE.** This section is effective the day following final enactment and
174.5 applies to all current and future guideways excluding the Gold Line bus rapid transit project.

174.6 Sec. 8. **[473.4487] GUIDEWAY COST-BENEFIT ANALYSIS.**

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

174.9 (b) "Commissioner" means the commissioner of transportation.

174.10 (c) "Project options" means the proposed guideway and each alternative identified
174.11 pursuant to subdivision 2, paragraph (b).

174.12 (d) "Responsible governmental unit" means the unit of government responsible for the
174.13 environmental analysis of the project.

174.14 Subd. 2. **Analysis required.** (a) Prior to the selection of a locally preferred alternative,
174.15 the responsible governmental unit must perform a cost-benefit analysis as described by this
174.16 section. The responsible governmental unit must submit the analysis to the commissioner
174.17 and the Metropolitan Council within 30 days of completing the analysis. The commissioner
174.18 must post the final analysis on the Department of Transportation website. The chair of the
174.19 Metropolitan Council must post the final analysis on the council's website. The commissioner
174.20 and the chair must jointly submit a copy of the final report to the legislative auditor and to
174.21 the chairs and ranking minority members of the legislative committees with jurisdiction
174.22 over transportation finance and policy.

174.23 (b) The responsible governmental unit must determine alternatives that would serve
174.24 substantially the same area as the proposed guideway but would provide service in a different
174.25 manner. At a minimum, the alternatives must include an arterial bus rapid transit line, a
174.26 regular route bus service line, and a nontransit option that expands capacity of the road.

174.27 (c) At a minimum, the analysis must include the following information:

174.28 (1) for guideway and busway project options, the estimated ridership numbers;

174.29 (2) for the capacity expansion option, the number of additional vehicles accommodated
174.30 by the expansion;

174.31 (3) for each project option, an estimate of the increase or decrease of the number of
174.32 vehicles on the road;

175.1 (4) the amount of revenue derived from or attributable to each project option, including
175.2 but not limited to fares, tax on gasoline, and motor vehicle sales tax;

175.3 (5) for each project option, the estimated ongoing maintenance costs, which entity will
175.4 pay for the costs, and the percentage of the costs to be paid by each entity;

175.5 (6) for each project option, the estimated future capital costs, which entity will pay for
175.6 the costs, and the percentage of the costs to be paid by each entity;

175.7 (7) the estimated economic benefit attributable to each project option, including but not
175.8 limited to new or expanded housing units or businesses, increased freight movement, and
175.9 reduction of supply chain issues;

175.10 (8) for each project option, the estimated timeline for construction, road closures, and
175.11 detours and an estimate on how that timeline affects the surrounding areas;

175.12 (9) for each project option, an estimate of whether vehicle collisions will increase or
175.13 decrease due to a change in the projected number of vehicles on the road;

175.14 (10) for each project option, an analysis of whether each project option could be altered
175.15 or stopped once construction is started and the estimated costs related to alteration or
175.16 stopping;

175.17 (11) for each project option, travel time along the route from end to end and for various
175.18 points of interest in between, including time spent waiting for transit, changing modes of
175.19 transportation, and other time spent directly related to travel but not inside of a vehicle;

175.20 (12) for busway and guideway project options, how travel time for vehicles would be
175.21 affected by any estimated reduction in vehicle traffic; and

175.22 (13) for each project option, the estimated increase or decrease in carbon emissions or
175.23 other environmental pollutants.

175.24 (d) The analysis must also determine how many miles of arterial bus rapid transit, regular
175.25 route bus service, or congestion mitigation construction could be funded for the amount
175.26 proposed to be spent on the guideway.

175.27 (e) A responsible governmental unit may request assistance from the commissioner or
175.28 Metropolitan Council. The commissioner or Metropolitan Council must provide the requested
175.29 assistance and may bill the responsible governmental unit for reasonable expenses incurred
175.30 in providing the assistance.

175.31 **EFFECTIVE DATE.** This section is effective the day following final enactment and
175.32 applies to all guideways seeking state or federal funding on or after that date, except this

176.1 section does not apply to the Gold Line bus rapid transit project. This section applies in the
176.2 counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

176.3 **Sec. 9. [473.4488] COUNTY RESPONSIBILITY FOR GUIDEWAY FUNDING.**

176.4 **Subdivision 1. Definitions.** (a) The following terms have the meanings given for purposes
176.5 of this section.

176.6 (b) "Guideway" has the meaning given in section 473.4485, subdivision 1, paragraph
176.7 (d).

176.8 (c) "Host county" means the county where the guideway is located.

176.9 **Subd. 2. Host county responsibility.** A host county is responsible for funding all aspects
176.10 of guideways using nonstate sources. This includes but is not limited to costs for:

176.11 (1) planning, design, engineering, construction, prerevenue operations, and other costs
176.12 associated with guideway development that exceed federal, state, local government, or other
176.13 funds dedicated to the guideway. This requirement pertains to all costs associated with
176.14 guideway development, including associated costs not eligible for federal funding;

176.15 (2) operating costs of guideway services determined by the service operator to be
176.16 necessary to meet reasonable standards for access, safety, and reliability and that exceed
176.17 fare revenues and federal, state, local government, or other funds dedicated to the guideway;
176.18 and

176.19 (3) capital maintenance, replacement, and modernization costs determined by the operator
176.20 of guideway services to be necessary to meet reasonable standards for access, safety,
176.21 reliability, and upkeep of the guideway and that exceed federal, state, local government, or
176.22 other funds dedicated to the guideway.

176.23 **Subd. 3. Prohibition.** (a) The state must not provide any funding for guideways or
176.24 contribute in any manner to any costs related to guideways.

176.25 (b) The council must not impose any tax or fee to pay for any costs related to guideways,
176.26 including any costs for which a host county is responsible pursuant to subdivision 2.

176.27 **EFFECTIVE DATE; APPLICATION.** This section is effective July 1, 2022, and
176.28 applies to existing and future guideways in the counties of Anoka, Carver, Dakota, Hennepin,
176.29 Ramsey, Scott, and Washington, except this section does not apply to the Gold Line bus
176.30 rapid transit project.

177.1 Sec. 10. Laws 2021, First Special Session chapter 5, article 4, section 143, is amended to
177.2 read:

177.3 Sec. 143. **STUDY ON POST-COVID PANDEMIC PUBLIC TRANSPORTATION.**

177.4 (a) ~~From funds specified under Minnesota Statutes, section 161.53, paragraph (b), the~~
177.5 ~~commissioner of transportation~~ Using existing resources, the Metropolitan Council must
177.6 arrange and pay for a study by the Center for Transportation Studies at the University of
177.7 Minnesota that examines public transportation after the COVID-19 pandemic is substantially
177.8 curtailed in the United States. At a minimum, the study must:

177.9 (1) focus primarily on transit service for commuters in the metropolitan area, as defined
177.10 in Minnesota Statutes, section 473.121, subdivision 2;

177.11 (2) specifically review Northstar Commuter Rail and commuter-oriented transit service
177.12 by the Metropolitan Council and by the suburban transit providers; and

177.13 (3) provide analysis and projections on anticipated changes in:

177.14 (i) ridership;

177.15 (ii) demand for different modes and forms of active and public transportation;

177.16 (iii) transit service levels and features;

177.17 (iv) revenue and expenditures; and

177.18 (v) long-term impacts.

177.19 (b) By ~~February~~ October 1, 2023, the ~~commissioner~~ chair of the Metropolitan Council
177.20 must provide a copy of the study to the members of the legislative committees with
177.21 jurisdiction over transportation policy and finance.

177.22 **EFFECTIVE DATE.** This section is effective the day following final enactment. This
177.23 section applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and
177.24 Washington.

177.25 Sec. 11. **GUIDEWAY COST-BENEFIT ANALYSIS; TRANSITION.**

177.26 (a) This section applies to a guideway for which a locally preferred alternative has been
177.27 selected prior to the effective date of this section but is not in revenue operation on the
177.28 effective date of this section, except this section does not apply to the Gold Line bus rapid
177.29 transit project.

178.1 (b) For each guideway subject to this section, the commissioner of transportation and
 178.2 the Metropolitan Council must perform a cost-benefit analysis as required by Minnesota
 178.3 Statutes, section 473.4487, subdivision 2, paragraphs (b), (c), and (d). Within 30 days of
 178.4 completing a cost-benefit analysis required by this section, the commissioner must post the
 178.5 final analysis on the Department of Transportation's website and the Metropolitan Council
 178.6 must post the final analysis on the council's website. The commissioner and the council
 178.7 must jointly submit a copy of the final report to the legislative auditor and to the chairs and
 178.8 ranking minority members of legislative committees with jurisdiction over transportation
 178.9 finance and policy.

178.10 **EFFECTIVE DATE.** This section is effective the day following final enactment and
 178.11 applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

178.12 **Sec. 12. REQUEST TO TERMINATE NORTHSTAR COMMUTER RAIL**
 178.13 **OPERATIONS.**

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

178.16 (b) "Commissioner" means the commissioner of transportation.

178.17 (c) "Council" means the Metropolitan Council.

178.18 (d) "FTA" means the Federal Transit Administration.

178.19 (e) "Northstar" means the Northstar Commuter Rail line that provides rail passenger
 178.20 service between downtown Minneapolis and Big Lake, including stops in Fridley, Coon
 178.21 Rapids, Anoka, Ramsey, and Elk River.

178.22 Subd. 2. **Federal approval.** Within 30 days of the enactment of this section, the council
 178.23 and the commissioner must request approval from the FTA to discontinue Northstar
 178.24 operations. As part of the request, the council and commissioner must specify that the state
 178.25 will not reimburse the FTA or any other federal agency for federal funds spent on Northstar.
 178.26 Within seven days of receiving a response to the request, the council and commissioner
 178.27 must report to the chairs and ranking minority members of the legislative committees with
 178.28 jurisdiction over transportation policy and finance on the outcome of the request. The report
 178.29 must include a copy of the request submitted to the FTA and a copy of the FTA's response.
 178.30 If the FTA grants the request, the commissioner and council must submit to the chairs and
 178.31 ranking minority members of the legislative committees with jurisdiction over transportation
 178.32 policy and finance a proposed plan to terminate Northstar operations. The plan must be
 178.33 submitted within 90 days after the FTA grants the request.

179.1 **EFFECTIVE DATE.** This section is effective the day following final enactment. This
179.2 section applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and
179.3 Washington.

179.4 Sec. 13. **SUSPENSION OF GUIDEWAY ACTIVITIES.**

179.5 The Metropolitan Council must not take any action or spend any money for study,
179.6 planning, preliminary engineering, final design, or construction for any proposed guideway.
179.7 This does not apply to the Gold Line bus rapid transit project or the Green Line Extension
179.8 light rail transit line, also known as the Southwest Light Rail project. This section expires
179.9 when the Green Line Extension light rail transit line begins revenue operations.

179.10 **EFFECTIVE DATE.** This section is effective the day following final enactment. This
179.11 section applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and
179.12 Washington.

**13.607 CAMPAIGN FINANCE, PUBLIC DISCLOSURE, AND ELECTION DATA
CODED ELSEWHERE.**

Subd. 6. **Registered voter lists.** Access to registered voter lists is governed by section 201.091.

136F.03 CANDIDATE ADVISORY COUNCIL.

Subdivision 1. **Purpose.** A Candidate Advisory Council for the board shall assist the governor in determining criteria for, and identifying and recruiting qualified candidates for, nonstudent membership on the board.

Subd. 2. **Membership.** The advisory council consists of 24 members. Twelve members are appointed by the Subcommittee on Committees of the Committee on Rules and Administration of the senate. Twelve members are appointed by the speaker of the house. No more than one-third of the members appointed by each appointing authority may be current or former legislators. No more than two-thirds of the members appointed by each appointing authority may belong to the same political party; however, political activity or affiliation is not required for the appointment of a member. Geographical representation must be taken into consideration when making appointments. Section 15.0575 governs the advisory council, except that the members must be appointed to six-year terms.

Subd. 3. **Duties.** (a) The advisory council shall:

(1) develop a statement of the selection criteria to be applied and a description of the responsibilities and duties of a member of the board and shall distribute this to potential candidates; and

(2) for each position on the board, identify and recruit qualified candidates for the board, based on the background and experience of the candidates, and their potential for discharging the responsibilities of a member of the board.

(b) Selection criteria developed under this section must include the requirement that trustees represent diversity in geography, gender, race, occupation, and experience.

(c) Selection criteria developed under this section must also include the identification of the membership needs of the board for individual skills relevant to the governance of the Minnesota State Colleges and Universities and the needs for certain individual characteristics that include geographic location, gender, race, occupation, and experience.

Subd. 4. **Recommendations.** Except for seats filled under sections 136F.04 and 136F.045, the advisory council shall recommend at least two and not more than four candidates for each seat. By April 15 of each even-numbered year in which the governor makes appointments to the board, the advisory council shall submit its recommendations to the governor and to the chairs and ranking minority members of the legislative committees with primary jurisdiction over higher education policy and finance. The governor is not bound by these recommendations.

Subd. 5. **Support services.** The Legislative Coordinating Commission shall provide administrative and support services for the advisory council.

168.345 USE OF VEHICLE REGISTRATION INFORMATION.

Subdivision 1. **Information by telephone.** Information about vehicle registrations shall not be furnished on the telephone to any person except the personnel of law enforcement agencies and the personnel of governmental motor vehicle and registration offices.

168A.01 DEFINITIONS.

Subd. 17a. **Salvage title.** "Salvage title" means a certificate of title that is issued to a vehicle declared a repairable total loss vehicle under section 168A.151 and includes an existing certificate of title that has been stamped with the legend "salvage certificate of title" in accordance with section 168A.151.

168B.15 TOW TRUCK PERMIT.

The commissioner of transportation may issue permits to an applicant who pays a single \$300 annual fee to cover all tow trucks and towing vehicles owned by the applicant and meets any other conditions prescribed by the commissioner. The permit authorizes the tow truck or towing vehicle, when towing a disabled or damaged vehicle to a place of repair or to a place of safekeeping, to exceed the length and weight limitations of chapter 169.

169.829 WEIGHT LIMITS NOT APPLICABLE TO CERTAIN VEHICLES.

Subd. 2. **Tow truck.** Sections 169.823 to 169.828 do not apply to a tow truck or towing vehicle when towing a disabled or damaged vehicle, when the movement is urgent, and when the movement is for the purpose of removing the disabled vehicle from the roadway to a place of safekeeping or to a place of repair.

201.091 REGISTERED VOTER LISTS; REPORTS; REGISTRATION PLACES.

Subd. 9. **Restricted data.** A list provided for public inspection or purchase, or in response to a law enforcement inquiry, must not include a voter's date of birth or any part of a voter's Social Security number, driver's license number, identification card number, military identification card number, or passport number.

325F.6644 APPLICATION.

Subdivision 1. **Damage disclosure.** Section 325F.6641 does not apply to commercial motor vehicles with a gross vehicle weight rating of 16,000 pounds or more or to motorcycles.

Subd. 2. **Title branding.** Section 325F.6642 does not apply to (1) commercial motor vehicles with a gross vehicle weight rating of 16,000 pounds or more or to motorcycles, other than reconstructed vehicles, as defined in section 168A.01, subdivision 16; and (2) restored pioneer vehicles, as defined in section 168A.01, subdivision 16a.

326A.04 CERTIFICATE ISSUANCE AND RENEWAL; COMPETENCY STANDARD.

Subd. 11. **Automatic revocation.** The certificate of a person who fails to renew a certificate for more than two years after expiration or the certificate of a person who had not reported required experience to the board by January 1, 2003, and who fails to report the required experience under Minnesota Rules shall be automatically revoked by order of the board. The orders may be issued by the board without following the procedures of chapter 14, provided the board notifies each affected person by mail at the person's last known address on file with the board at least three days prior to the issuance of any order. No notice is required if the last communication sent by the board to a licensee was returned to the board by the United States Postal Service as undeliverable and with no forwarding address. Certificates revoked by the board may be reinstated, if at all, under section 326A.09. This subdivision does not apply to certified public accountants who have notified the board, according to requirements prescribed by board rule, that they will not use the CPA designation in any manner and will not provide professional services.

645.071 STANDARD OF TIME.

Every mention of, or reference to, any hour or time in any law is to be construed with reference to and in accordance with the standard time or advanced standard time provided by federal law. No department of the state government and no county, city or town shall employ any other time or adopt any ordinance or order providing for the use of any other time than the federal standard time or advanced standard time.

APPENDIX
Repealed Minnesota Session Laws: S3975-2

Laws 2000, chapter 479, article 2, section 1, as amended by Laws 2000, chapter 499, section 41; as amended by Laws 2001, First Special Session chapter 5, article 20, section 20

Sec. 41. [CORRECTION 27A.] Laws 2000, chapter 479, article 2, section 1, is amended to read:

Section 1. PROHIBITION AGAINST APPROPRIATIONS FROM TRUNK HIGHWAY FUND.

To ensure compliance with the Minnesota Constitution, article XIV, sections 2, 5, and 6, the commissioner of finance, agency directors, and legislative commission personnel may not include in the biennial budget for fiscal years 2002 and 2003, or in any budget thereafter, expenditures from the trunk highway fund for a nonhighway purpose as jointly determined by the commissioner of finance and the attorney general. For purposes of this section, an expenditure for a nonhighway purpose is any expenditure not for construction, improvement, or maintenance of highways. At the time of submission of the biennial budget proposal to the legislature, the commissioner of finance and the attorney general shall report to the senate and house of representatives transportation committees concerning any expenditure that is proposed to be appropriated from the trunk highway fund, if that expenditure is similar to those reduced or eliminated in sections 5 to 20. The report must explain the highway purpose of, and recommend a fund to be charged for, the proposed expenditure.

7023.0150 SCOPE AND INCORPORATION BY REFERENCE.

Subpart 1. **Scope.** To reduce air pollution from vehicles in the state, parts 7023.0150 to 7023.0300 establish standards for low-emission vehicles and zero-emission vehicles.

Subp. 2. **Incorporation by reference.** California Code of Regulations, title 13, sections 1900, 1956.8(h) (medium-duty vehicle greenhouse gas emission standards only), 1961.2, 1961.3, 1962.2, 1962.3, 1965, 1968.2, 1976, 1978, 2035, 2037 to 2041, 2046, 2062, 2109, 2111 to 2121, 2122 to 2135, 2139, and 2141 to 2149, as amended, are incorporated by reference. The regulations are not subject to frequent change and are available online at <https://oal.ca.gov/publications/ccr/>.

Subp. 3. **Term substitutions.** In applying the incorporated sections of the California Code of Regulations, unless the context requires otherwise:

- A. "California" means "Minnesota";
- B. "CARB," "ARB," or "Air Resources Board" means the agency; and
- C. "Executive Officer" means the commissioner.

Subp. 4. **Effective date.** Parts 7023.0150 to 7023.0300, except part 7023.0300, subpart 4, are effective on the date given in a commissioner's notice published in the State Register after the standards incorporated by reference in subpart 2 are granted a waiver by the U.S. Environmental Protection Agency under United States Code, title 42, section 7543. The commissioner's notice must also designate the first effective model year in accordance with United States Code, title 42, section 7507.

7023.0200 DEFINITIONS.

Subpart 1. **Applicability.** For parts 7023.0150 to 7023.0300, the terms in this part have the meanings given. The definitions in parts 7000.0100 and 7005.0100 and California Code of Regulations, title 13, section 1900, apply to parts 7023.0150 to 7023.0300 unless the terms are otherwise defined in this part.

Subp. 2. **Authorized emergency vehicle.** "Authorized emergency vehicle" has the meaning given in Minnesota Statutes, section 169.011.

Subp. 3. **CARB.** "CARB" means the California State Air Resources Board as defined in California Health and Safety Code, division 26, part 1, chapter 1, section 39003.

Subp. 4. **First effective model year.** "First effective model year" means the first model year for which the standards adopted in parts 7023.0150 to 7023.0300 are effective according to the commissioner's notice under part 7023.0150, subpart 4.

Subp. 5. **Light-duty truck.** "Light-duty truck" has the meaning given under California Code of Regulations, title 13, section 1900(b)(11).

Subp. 6. **Medium-duty passenger vehicle.** "Medium-duty passenger vehicle" has the meaning given under California Code of Regulations, title 13, section 1900(b)(12).

Subp. 7. **Medium-duty vehicle.** "Medium-duty vehicle" has the meaning given under California Code of Regulations, title 13, section 1900(b)(13).

Subp. 8. **Military tactical vehicle.** "Military tactical vehicle" means a land combat or transportation vehicle, excluding a rail-based vehicle, that is designed for and used by a branch of the United States armed forces or used as an authorized emergency vehicle by or for a governmental agency.

Subp. 9. **Model year.** "Model year" means the manufacturer's annual production period that includes January 1 of a calendar year or, if the manufacturer has no annual production period, the calendar year. The model year for a motor vehicle manufactured in two or more stages is the model year in which the chassis is completed.

Subp. 10. **Motor vehicle manufacturer.** "Motor vehicle manufacturer" means a small, independent low, intermediate, or large volume manufacturer as defined under California Code of Regulations, title 13, section 1900(b)(8), (9), (10), and (22).

Subp. 11. **New motor vehicle.** "New motor vehicle" means a first effective model year or later model year motor vehicle with less than 7,500 miles of use accumulated as of the date of sale or lease.

Subp. 12. **Passenger car.** "Passenger car" has the meaning given under California Code of Regulations, title 13, section 1900(b)(17).

Subp. 13. **Transitional zero-emission vehicle or TZEV.** "Transitional zero-emission vehicle" or "TZEV" has the meaning given under California Code of Regulations, title 13, section 1962.2(c).

Subp. 14. **Used motor vehicle.** "Used motor vehicle" means a first effective model year or later model year motor vehicle with 7,500 miles or more of use accumulated as of the date of sale or lease.

Subp. 15. **Zero-emission vehicle or ZEV.** "Zero-emission vehicle" or "ZEV" has the meaning given under California Code of Regulations, title 13, section 1962.2(a).

7023.0250 LOW-EMISSION VEHICLE STANDARDS.

Subpart 1. **Requirement.** Beginning with the first effective model year, all of the following that are produced by a motor vehicle manufacturer and delivered for sale or lease in the state must be certified to the standards incorporated by reference under part 7023.0150, subpart 2, except as provided under subpart 2:

- A. new motor vehicles that are passenger cars, light-duty trucks, medium-duty passenger vehicles, and medium-duty vehicles;
- B. new light- or medium-duty motor vehicle engines; and
- C. motor vehicles with a new motor vehicle engine.

Subp. 2. **Exceptions.** This part does not apply to:

- A. a used motor vehicle;
- B. a new motor vehicle sold to another dealer;
- C. a new motor vehicle sold to be wrecked or dismantled;
- D. a new motor vehicle sold exclusively for off-highway use;
- E. a new motor vehicle sold for registration out-of-state;
- F. a new motor vehicle that has been certified to standards adopted under authority granted in United States Code, title 42, section 7521, and that is in the possession of a rental agency in the state and that is next rented with a final destination outside of the state;
- G. an authorized emergency vehicle;
- H. a military tactical vehicle;
- I. a new motor vehicle transferred by inheritance;
- J. a new motor vehicle transferred by court decree;
- K. a new motor vehicle acquired by a state resident to replace a motor vehicle that was registered to the resident and that, while out of state, was damaged, became inoperative beyond reasonable repair, or was stolen if the replacement motor vehicle is acquired out of state at the time the previously owned vehicle was damaged, became inoperative, or was stolen; or

L. a new motor vehicle purchased and registered in another state by a person who is a resident of that state and who subsequently establishes residency in Minnesota. Upon registering the new motor vehicle in Minnesota, the person must provide evidence to the commissioner of the previous residence and registration.

Subp. 3. Fleet average emissions.

A. For first effective model year motor vehicles and all subsequent model year motor vehicles to which this part applies, a motor vehicle manufacturer must not exceed the fleet average nonmethane organic gas plus oxides of nitrogen emission values under California Code of Regulations, title 13, section 1961.2. Credits and debits may be accrued and used based on a manufacturer's sales in the state of motor vehicles subject to this part according to California Code of Regulations, title 13, section 1961.2(c).

B. For first effective model year motor vehicles and all subsequent model year motor vehicles to which this part applies, a motor vehicle manufacturer must not exceed the fleet average greenhouse gas exhaust emission values under California Code of Regulations, title 13, section 1961.3. For first effective model year motor vehicles and all subsequent model year motor vehicles, manufacturers of medium-duty vehicles produced by a motor vehicle manufacturer and delivered for sale or lease in the state must not exceed the greenhouse gas emission standards under California Code of Regulations, title 13, section 1956.8(h)(6). Credits and debits may be accrued and used based on a manufacturer's sales in the state of motor vehicles subject to this part according to California Code of Regulations, title 13, section 1961.3.

Subp. 4. Environmental performance labels. Beginning with the first effective model year and all subsequent model years, all new motor vehicles subject to this part produced by a motor vehicle manufacturer and delivered for sale or lease in the state must be affixed with emission control labels and environmental performance labels according to California Code of Regulations, title 13, section 1965.

Subp. 5. Warranty requirements. For all motor vehicles subject to this part, the motor vehicle manufacturer must provide defect warranty coverage that complies with California Code of Regulations, title 13, sections 2035, 2037 to 2041, and 2046.

Subp. 6. Recall requirements. For all motor vehicles subject to this part and subject to recall in California, the motor vehicle manufacturer must undertake a recall campaign in this state according to California Code of Regulations, title 13, sections 2111 to 2121 and 2122 to 2135, unless the manufacturer demonstrates to the commissioner that the recall is not applicable to motor vehicles registered in Minnesota.

Subp. 7. Reporting requirements.

A. By May 1 of the calendar year after the end of the model year, a motor vehicle manufacturer must annually submit to the commissioner a report demonstrating that the motor vehicle manufacturer has met the requirements of subpart 3, item A, for its fleet delivered for sale in the state.

B. By May 1 of the calendar year after the end of the model year, a motor vehicle manufacturer must annually submit to the commissioner a report demonstrating that the motor vehicle manufacturer has met the requirements of subpart 3, item B, for its fleet delivered for sale in the state.

C. If requested by the commissioner, a motor vehicle manufacturer must provide reports in the same format as provided to CARB on all assembly-line emission testing and functional test results collected as a result of compliance with this part, warranty claim reports, recall reports, and any other reports required by CARB under the regulations incorporated by reference under part 7023.0150. The reports must be supplemented with data on motor vehicles delivered for sale or registered in Minnesota.

D. If the commissioner deems it necessary to administer and enforce this part, the commissioner must require a motor vehicle manufacturer subject to this part to submit additional documentation, including all certification materials submitted to CARB.

Subp. 8. Record availability and retention; reporting noncompliance.

A. Upon oral or written request of the commissioner, a person subject to this part must furnish to the commissioner or allow the commissioner to access and copy all records that relate to the motor vehicles that are subject to this part and that are relevant for determining compliance with this part. Unless otherwise specified, a person subject to this part must retain all relevant records for at least five years after creating the records.

B. If a report issued by a motor vehicle manufacturer under subpart 7 demonstrates noncompliance with the fleet average under subpart 3 for a model year, the manufacturer must, within 60 days, file a report with the commissioner to document the noncompliance. The report must identify all motor vehicle models delivered for sale or lease in the state, the models' corresponding certification standards, and the percentage of each model delivered for sale in this state and California in relation to total fleet sales in the respective state.

7023.0300 ZERO-EMISSION VEHICLE STANDARDS.

Subpart 1. **Requirement.** Beginning with the first effective model year, a motor vehicle manufacturer's sales fleet of passenger cars and light-duty trucks produced by motor vehicle manufacturers and delivered for sale or lease in the state must contain at least the same applicable percentage of ZEVs required under California Code of Regulations, title 13, section 1962.2.

Subp. 2. Credit bank; reporting requirements; record availability and retention.

A. Beginning in the first effective model year, a motor vehicle manufacturer subject to this part must open an account in the California ZEV credit system for banking credits earned in Minnesota. The account must be opened no later than March 1 of the calendar year after the end of the first effective model year. A motor vehicle manufacturer must notify the commissioner within 30 days of opening an account in the California ZEV credit system for the manufacturer's Minnesota ZEV credits.

B. At least annually by May 1 of the calendar year after the close of a model year, a motor vehicle manufacturer must submit a report to the commissioner that identifies the necessary delivery and placement data of all motor vehicles generating ZEV credits and all transfers and acquisitions of ZEV credits, according to California Code of Regulations, title 13, section 1962.2. The report may be amended based on late sales.

C. Upon oral or written request of the commissioner, a person subject to this part must furnish to the commissioner or allow the commissioner to access and copy all records that relate to the motor vehicles that are subject to this part and that are relevant for determining compliance with this part. Unless otherwise specified, a person subject to this part must retain all relevant records for at least five years after creating the records.

Subp. 3. **Requirement to make up ZEV deficit.** A motor vehicle manufacturer that delivers for sale in the state fewer ZEVs or TZEVs than required to meet its ZEV credit obligation in a given model year must make up the deficit by submitting a commensurate amount of ZEV credits to the commissioner according to California Code of Regulations, title 13, section 1962.2(g)(7). The number of motor vehicles not meeting the ZEV credit obligation must be equal to the manufacturer's credit deficit, rounded to the nearest 1/100th and calculated according to the equation in California Code of Regulations, title 13, section 1962.2(g)(8).

Subp. 4. Early-action credits.

A. Beginning with model year 2022 and ending at the beginning of the first effective model year, a motor vehicle manufacturer may earn early-action ZEV credits for delivering ZEVs for sale in the state. A motor vehicle manufacturer choosing to earn

early-action ZEV credits under this subpart must notify the commissioner to open an account to track early-action ZEV credits in Minnesota no later than March 1 of the calendar year after the close of the first model year for which the manufacturer intends to accrue early-action credits.

B. New motor vehicles delivered for sale in the state under this subpart earn early-action ZEV credits with the same values established in California Code of Regulations, title 13, section 1962.2.

C. A motor vehicle manufacturer that notifies the commissioner under item A must submit a report to the commissioner at least annually by May 1 of the calendar year after the close of the model year that identifies the necessary delivery and placement data of all motor vehicles generating early-action ZEV credits under this subpart, according to California Code of Regulations, title 13, section 1962.2. The report may be amended based on late sales.

D. After the reporting deadline under item C during the first effective model year and after receiving notice from a motor vehicle manufacturer under subpart 2, item A, the commissioner must load the ZEV credits earned by the motor vehicle manufacturer under this subpart into the manufacturer's California ZEV credit system account.

E. This subpart is effective beginning with a motor vehicle manufacturer's model year 2022.

Subp. 5. Onetime credit allotment.

A. For the first effective model year, the commissioner must deposit into each motor vehicle manufacturer's account a credit allotment equivalent to the first effective model year's ZEV credit requirement for that motor vehicle manufacturer.

B. The credit amount under item A must be calculated for the first effective model year according to California Code of Regulations, title 13, section 1962.2(b)(1)(A) and (B).

C. The commissioner must deposit the onetime credit allotment at the same time that the commissioner loads the ZEV credits earned by the motor vehicle manufacturer under subpart 4, item D, into the manufacturer's California ZEV credit system account.

7410.6180 COMMERCIAL MOTOR VEHICLE TESTING PROGRAM.

A public, postsecondary educational institution or school as described in part 7410.6100 applying to be a third-party testing program for commercial motor vehicles shall offer a training course for commercial motor vehicle operation that consists of at least 180 hours of training.

7410.6420 THIRD-PARTY TESTER QUALIFICATIONS.

Subp. 3. **Driver education instructor.** Except for an instructor in a licensed or approved motorcycle driver education program, a third-party tester may not simultaneously be an instructor in a licensed or approved driver education program.

7410.6520 DENIAL, CANCELLATION, OR SUSPENSION OF PROGRAM OR TESTER CERTIFICATE.

Subp. 3. **Commissioner's discretion.** The existence of grounds for cancellation or suspension under subpart 2 is determined at the sole discretion of the commissioner. If the commissioner determines that grounds for cancellation or suspension exist for failure to comply with or satisfy any requirement in parts 7410.6000 to 7410.6520, the commissioner may immediately cancel or suspend the third-party testing program or third-party tester from administering any further tests.

7411.0535 ONLINE CLASSROOM INSTRUCTION; ADULT ONLY.

Classroom instruction via the Internet may be provided by a program to any student who is at least 18 years old.

- A. The course of study must provide a means for the student to measure performance outcomes.
- B. There must be a pool of rotating quiz questions.
- C. The course must have accountability features to ensure the age and identity of the student taking the course.
- D. Technical designs must have features that measure the amount of time a student spends on each section of the course.
- E. Customer support access must be made available through a toll-free telephone number.
- F. The course must have a secure server and be backed up by a second unit.
- G. The program must have preventives in place to protect against the access of private information.
- H. The course must have the ability to update course content uniformly throughout the state.
- I. The course must have a location in Minnesota where program and student records are accessible.

8835.0350 FINANCIAL RECORDS.

Subp. 2. **Reports.** At the end of each month of operation, a recipient shall provide the department with a report summarizing cost allocations and operating statistics for the period. Reports must be completed on forms provided or approved by the department and must be submitted no later than the last day of the month following the reporting period. The recipient shall submit to the department the final report for the contract period no later than 90 days after the contract period ends.