

HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. **1416**

03/11/2013 Authored by Erhardt

The bill was read for the first time and referred to the Committee on Transportation Policy

03/18/2013 Adoption of Report: Pass as Amended and re-referred to the Committee on Transportation Finance

04/02/2013 Adoption of Report: Pass as Amended and re-referred to the Committee on Ways and Means

04/17/2013 Adoption of Report: Pass as Amended and Read Second Time

A bill for an act

relating to transportation; amending various provisions related to transportation policy, including logo sign program, trunk highway routes, state-aid systems, motor vehicle registration, license plates, vehicle dealers, pupil transportation, traffic regulations, bicycles, parking, motor vehicle equipment, driver licensing, agency organization, commercial vehicle regulations, railroads, land conveyance, and snow removal; repealing laws; amending Minnesota Statutes 2012, sections 160.21, subdivision 6; 160.80, subdivisions 1, 1a, 2; 161.04, subdivision 5; 161.115, subdivision 229, by adding a subdivision; 161.1231, subdivision 8; 161.14, by adding a subdivision; 162.02, subdivision 3a; 162.09, subdivision 3a; 162.13, subdivision 2; 168.017, subdivisions 2, 3; 168.053, subdivision 1; 168.123, subdivision 2; 168.183, subdivision 1; 168.187, subdivision 17; 168.27, subdivisions 10, 11, by adding a subdivision; 169.011, subdivision 71; 169.04; 169.18, subdivisions 4, 7; 169.19, subdivision 1; 169.222, subdivisions 2, 4, 6; 169.34, subdivision 1; 169.346, subdivision 2, by adding a subdivision; 169.443, subdivision 9; 169.447, subdivision 2; 169.454, subdivision 12; 169.68; 169.824, subdivision 2; 171.01, subdivision 49b; 171.07, subdivisions 3a, 4; 174.02, by adding a subdivision; 174.03, subdivision 1d; 174.24, subdivision 5a; 174.632; 174.636; 219.17; 219.18; 219.20; 221.0314, subdivisions 2, 3a; proposing coding for new law in Minnesota Statutes, chapter 174; repealing Minnesota Statutes 2012, sections 168.094; 174.24, subdivision 5; Minnesota Rules, parts 8820.3300, subpart 2; 8835.0330, subpart 2.

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

Section 1. Minnesota Statutes 2012, section 160.21, subdivision 6, is amended to read:

Subd. 6. **Uncompleted subdivisions.** (a) A road authority, including a statutory or home rule charter city, may remove snow from unopened or private roads in uncompleted subdivisions containing five or more lots, upon adoption of an annual resolution finding that the subdivision developer, due to general insolvency or pending foreclosure, is unable to maintain the roads and that public safety may be jeopardized if the access of school buses, public works vehicles, or authorized emergency vehicles, as defined in section

2.1 169.011, subdivision 3, is obstructed. Snow removal activities are limited to streets
2.2 reasonably necessary for access by these buses or vehicles.

2.3 (b) Snow removal under this subdivision does not constitute:

2.4 (1) acceptance of the road from the developer by the road authority for public use;

2.5 (2) the opening of the road to public use; nor

2.6 (3) a use, repair, or maintenance of the road sufficient for the purposes of dedication
2.7 of roads under section 160.05.

2.8 (c) The road authority may impose a reasonable and proportionate charge on all
2.9 properties within the subdivision for services provided under this subdivision. These
2.10 charges, if unpaid, may constitute a lien upon the properties within the subdivision and
2.11 may be collected as a special assessment as provided by section 429.101 or by charter.

2.12 (d) Where a road has been maintained pursuant to this subdivision, the road authority
2.13 with jurisdiction over the road, and its officers and employees, are exempt from liability
2.14 for any tort claim for injury to person or property arising from plowing, maintaining,
2.15 or otherwise working on the road and from traveling on the road and related to its
2.16 maintenance or condition. This paragraph does not apply to a claim for injury that is
2.17 affirmatively caused by a negligent act of the road authority or its officers and employees.

2.18 (e) This subdivision expires May 2, ~~2013~~ 2014.

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

2.20 Sec. 2. Minnesota Statutes 2012, section 160.80, subdivision 1, is amended to read:

2.21 Subdivision 1. **Commissioner may establish program.** (a) The commissioner of
2.22 transportation may establish a sign franchise program for the purpose of providing on the
2.23 right-of-way of interstate and controlled-access trunk highways specific information on
2.24 gas, food, camping, lodging, attractions, and 24-hour pharmacies for the benefit of the
2.25 motoring public.

2.26 (b) The sign franchise program must include urban interstate highways.

2.27 Sec. 3. Minnesota Statutes 2012, section 160.80, subdivision 1a, is amended to read:

2.28 Subd. 1a. **Eligibility criteria for business panels.** (a) To be eligible for a business
2.29 panel on a logo sign panel, a business establishment must:

2.30 (1) be open for business;

2.31 (2) have a sign on site that both identifies the business and is visible to motorists;

2.32 (3) be open to everyone, regardless of race, religion, color, age, sex, national origin,
2.33 creed, marital status, sexual orientation, or disability; and

(4) ~~not impose a cover charge or otherwise require customers to purchase additional products or services; and~~

~~(5)~~ meet the appropriate criteria in paragraphs (b) to ~~(f)~~ (k).

(b) Gas businesses must provide vehicle services including fuel gas or alternative fuels and oil; restroom facilities and drinking water; continuous, staffed operation at least 12 hours a day, seven days a week; and public access to a telephone.

(c) Food businesses must serve at least two meals a day during normal mealtimes of breakfast, lunch, and dinner; provide a continuous, staffed food service operation at ~~least ten hours a day, seven days a~~ six days per week except holidays as defined in section 645.44, subdivision 5, and except as provided for seasonal food service businesses; provide seating capacity for at least 20 people; provide restroom facilities; provide public access to a telephone; and possess any required state or local licensing or approval.

Seasonal food service businesses must provide a continuous, staffed food service operation ~~at least ten hours a day serving at least two meals per day six days per week, seven days a week;~~ during their months of operation.

(d) Lodging businesses must include sleeping accommodations, provide public access to a telephone, provide restroom facilities, and possess any required state or local licensing or approval.

(e) Camping businesses must include sites for camping, include parking accommodations for each campsite, provide sanitary facilities and drinking water, and possess any required state or local licensing or approval.

(f) 24-hour pharmacy businesses must be continuously operated 24 hours per day, seven days per week, and must have a state-licensed pharmacist present and on duty at all times.

(g) Attractions businesses must have regional significance with the primary purpose of providing amusement, historical, cultural, or leisure activities to the public; provide restroom facilities and drinking water; possess any required state or local licensing approval; and provide adequate bus and vehicle parking accommodations for normal attendance.

~~(g)~~ (h) Seasonal businesses must indicate to motorists when they are open for business by ~~either putting the full months of operation directly on the business panel or by having a "closed" plaque applied to the business panel when the business is closed for the season.~~

~~(h)~~ (i) The maximum distance that an eligible business in ~~Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, or Washington County~~ an urban area can be located from the interchange is: for gas, food, lodging, attraction, and 24-hour pharmacy businesses, ~~one~~

~~mile three miles; for food businesses, two miles; for lodging businesses and 24-hour pharmacies, three miles; and for camping businesses, ten miles.~~

~~(i) (j)~~ The maximum distance that an eligible business in ~~any other county~~ a rural area can be located from the interchange shall not exceed 15 miles in either direction, except the maximum distance that an eligible 24-hour pharmacy business can be located from the interchange shall not exceed three miles in either direction.

~~(j) Logo sign panels must be erected so that motorists approaching an interchange view the panels in the following order: 24-hour pharmacy, camping, lodging, food, gas.~~

~~(k) If there is insufficient space on a logo sign panel to display all eligible businesses for a specific type of service, the businesses closest to the interchange have priority over businesses farther away from the interchange.~~

(k) If there is available space on a logo sign panel and no application has been received by the franchise from a fully eligible business, a substantially eligible business may be allowed the space.

Sec. 4. Minnesota Statutes 2012, section 160.80, subdivision 2, is amended to read:

Subd. 2. **Franchises.** The commissioner may, by public negotiation or bid, grant one or more franchises to qualified persons to erect and maintain, on the right-of-way of interstate and controlled-access trunk highways, signs informing the motoring public of gas, food, lodging, camping facilities, attractions, and 24-hour pharmacies. A franchisee shall furnish, install, maintain, and replace signs for the benefit of advertisers who provide gas, food, lodging, camping facilities, attractions, and 24-hour pharmacies for the general public, and lease advertising space on the signs to operators of these facilities.

Sec. 5. Minnesota Statutes 2012, section 161.04, subdivision 5, is amended to read:

Subd. 5. **Trunk highway emergency relief account.** (a) The trunk highway emergency relief account is created in the trunk highway fund. Money in the account is appropriated to the commissioner to be used to fund relief activities related to an emergency, as defined in section 161.32, subdivision 3, or under section 12A.16, subdivision 1.

(b) Reimbursements by the Federal Highway Administration for emergency relief payments made from the trunk highway emergency relief account must be credited to the account. ~~Interest accrued on the account must be credited to the account.~~ Notwithstanding section 16A.28, money in the account is available until spent. If the balance of the account at the end of a fiscal year is greater than \$10,000,000, the amount above \$10,000,000 must be canceled to the trunk highway fund.

(c) By September 1, 2012, and in every subsequent even-numbered year by September 1, the commissioner shall submit a report to the chairs and ranking minority members of the senate and house of representatives committees having jurisdiction over transportation policy and finance. The report must include the balance, as well as details of payments made from and deposits made to the trunk highway emergency relief account since the last report.

Sec. 6. Minnesota Statutes 2012, section 161.115, subdivision 229, is amended to read:

Subd. 229. **Route No. 298.** Beginning at a point on Route No. 21 in the city of Faribault; thence extending in a southerly and easterly direction ~~through the grounds of the Minnesota State Academy for the Blind, the Faribault Regional Treatment Center, and the Minnesota Correctional Facility - Faribault~~ to a point on Route No. 323.

Sec. 7. Minnesota Statutes 2012, section 161.115, is amended by adding a subdivision to read:

Subd. 270. **Route No. 339.** Beginning at a point on Route No. 45, thence extending easterly to a point on the boundary line between the states of Minnesota and Wisconsin.

Sec. 8. Minnesota Statutes 2012, section 161.1231, subdivision 8, is amended to read:

Subd. 8. **Special account.** Fees collected by the commissioner under this section must be deposited in the state treasury and credited to a special account. Money in the account is appropriated to the commissioner to construct, operate, repair, and maintain: (1) the parking facilities and the high-occupancy vehicle, (2) managed lanes on I-394, and (3) related multimodal and technology improvements that serve users of the parking facilities.

Sec. 9. Minnesota Statutes 2012, section 161.14, is amended by adding a subdivision to read:

Subd. 73. **Officer Tom Decker Memorial Highway.** That segment of marked Trunk Highway 23 from the east border of the township of Wakefield to the west border of the city of Richmond is designated as "Officer Tom Decker Memorial Highway." Subject to section 161.139, the commissioner shall adopt a suitable design to mark this highway and erect appropriate signs.

Sec. 10. Minnesota Statutes 2012, section 162.02, subdivision 3a, is amended to read:

Subd. 3a. **Variances from rules and engineering standards.** (a) The commissioner may grant variances from the rules and from the engineering standards developed pursuant

to section 162.021 or 162.07, subdivision 2. A political subdivision in which a county state-aid highway is located or is proposed to be located may submit a written request to the commissioner for a variance for that highway. The commissioner shall comply with section 174.75, subdivision 5, in evaluating a variance request related to a complete streets project.

~~(b) The commissioner shall publish notice of the request in the State Register and give notice to all persons known to the commissioner to have an interest in the matter.~~

The commissioner may grant or deny the variance within 30 days of ~~providing notice of receiving the variance request. If a written objection to the request is received within seven days of providing notice, the variance shall be granted or denied only after a contested case hearing has been held on the request. If no timely objection is received and the variance is denied without hearing, the political subdivision may request, within 30 days of receiving notice of denial, and shall be granted a contested case hearing.~~

(c) For purposes of this subdivision, "political subdivision" includes (1) an agency of a political subdivision which has jurisdiction over parks, and (2) a regional park authority.

Sec. 11. Minnesota Statutes 2012, section 162.09, subdivision 3a, is amended to read:

Subd. 3a. **Variances from rules and engineering standards.** (a) The commissioner may grant variances from the rules and from the engineering standards developed pursuant to section 162.13, subdivision 2. A political subdivision in which a municipal state-aid street is located or is proposed to be located may submit a written request to the commissioner for a variance for that street. The commissioner shall comply with section 174.75, subdivision 5, in evaluating a variance request related to a complete streets project.

~~(b) The commissioner shall publish notice of the request in the State Register and give notice to all persons known to the commissioner to have an interest in the matter.~~

The commissioner may grant or deny the variance within 30 days of ~~providing notice of receiving the variance request. If a written objection to the request is received within seven days of providing notice, the variance shall be granted or denied only after a contested case hearing has been held on the request. If no timely objection is received and the variance is denied without hearing, the political subdivision may request, within 30 days of receiving notice of denial, and shall be granted a contested case hearing.~~

(c) For purposes of this subdivision, "political subdivision" includes (1) an agency of a political subdivision which has jurisdiction over parks, and (2) a regional park authority.

Sec. 12. Minnesota Statutes 2012, section 162.13, subdivision 2, is amended to read:

Subd. 2. **Money needs defined.** For the purpose of this section money needs of each city having a population of 5,000 or more are defined as the estimated cost of constructing

and maintaining over a period of 25 years the municipal state-aid street system in such city. Right-of-way costs and drainage shall be included in money needs. Lighting costs and other costs incidental to construction and maintenance, or a specified portion of such costs, as set forth in the commissioner's rules, may be included in determining money needs. ~~When a county locates a county state-aid highway over a portion of a street in any such city and the remaining portion is designated as a municipal state-aid street only the construction and maintenance costs of the portion of the street other than the portions taken over by the county shall be included in the money needs of the city.~~ To avoid variances in costs due to differences in construction and maintenance policy, construction and maintenance costs shall be estimated on the basis of the engineering standards developed cooperatively by the commissioner and the engineers, or a committee thereof, of the cities.

Sec. 13. Minnesota Statutes 2012, section 168.017, subdivision 2, is amended to read:

Subd. 2. **12 uniform registration periods.** There are established 12 registration periods, each to be designated by a calendar month and to start on the first day of such month and end on the last day of the 12th month from the date of commencing. ~~The registrar shall administer the monthly series system of registration to distribute the work of registering vehicles described in subdivision 1 as uniformly as practicable through the calendar year.~~ The registrar shall register all vehicles subject to registration under the monthly series system for a minimum period of 12 consecutive calendar months.

Sec. 14. Minnesota Statutes 2012, section 168.017, subdivision 3, is amended to read:

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

(1) the application is an original ~~rather than renewal application~~ under section 168.127; or

(2) the applicant is a licensed motor vehicle lessor under section 168.27 and the vehicle is leased or rented for periods of time of not more than 28 days, in which case the applicant may apply for initial or renewed registration of a vehicle for a period of four or more months, the month of expiration to be designated by the applicant at the time of registration. To qualify for this exemption, the applicant must present the application to ~~the registrar at St. Paul,~~ or a designated deputy registrar office. Subsequent registration periods when the applicant is not a qualified motor vehicle lessor under this subdivision must be for a period of 12 months commencing from the last month for which registration was issued.

~~(b) In any instance except that of a licensed motor vehicle lessor, the registrar shall not approve registering the vehicle subject to the application for a period of less than three~~

8.1 ~~months, except when the registrar determines that to do otherwise will help to equalize~~
8.2 ~~the registration and renewal work load of the department.~~

8.3 Sec. 15. Minnesota Statutes 2012, section 168.053, subdivision 1, is amended to read:

8.4 Subdivision 1. **Application; fee; penalty.** Any person, firm, or corporation engaged
8.5 in the business of transporting motor vehicles owned by another, by delivering, by
8.6 drive-away or towing methods, either singly or by means of the full mount method, the
8.7 saddle mount method, the tow bar method, or any other combination thereof, and under
8.8 their own power, vehicles over the highways of the state from the manufacturer or any
8.9 other point of origin, to any point of destination, within or without the state, shall make
8.10 application to the registrar for a drive-away in-transit license. This application for annual
8.11 license shall be accompanied by a registration fee of \$250 and contain such information as
8.12 the registrar may require. Upon the filing of the application and the payment of the fee,
8.13 the registrar shall issue to each drive-away operator a drive-away in-transit license plate,
8.14 which must be carried and displayed on the power unit consistent with section 169.79 and
8.15 the plate shall remain on the vehicle while being operated within the state Minnesota.
8.16 The license plate issued under this subdivision is not valid for the purpose of permanent
8.17 vehicle registration and is not valid outside Minnesota. Additional drive-away in-transit
8.18 license plates desired by any drive-away operator may be secured from the registrar of
8.19 motor vehicles upon the payment of a fee of \$5 for each set of additional license plates.
8.20 Any person, firm, or corporation engaging in the business as a drive-away operator, of
8.21 transporting and delivering by means of full mount method, the saddle mount method, the
8.22 tow bar method, or any combination thereof, and under their own power, motor vehicles,
8.23 who fails or refuses to file or cause to be filed an application, as is required by law, and to
8.24 pay the fees therefor as the law requires, shall be found guilty of violating the provisions of
8.25 sections 168.053 to 168.057; and, upon conviction, fined not less than \$50, and not more
8.26 than \$100, and all costs of court. Each day so operating without securing the license and
8.27 plates as required ~~therein~~ shall constitute a separate offense ~~within the meaning thereof~~.

8.28 Sec. 16. Minnesota Statutes 2012, section 168.123, subdivision 2, is amended to read:

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

8.32 (a) For a Vietnam veteran who served after July 1, 1961, and before July 1, 1978,
8.33 in the active military service in a branch of the armed forces of the United States or a
8.34 nation or society allied with the United States the special plates must bear the inscription

9.1 "VIETNAM VET." and the letters "V" and "V" with the first letter directly above the
9.2 second letter and both letters just preceding the first numeral of the special plate number.

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

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

9.10 (1) for a World War I veteran, the characters "W" and "I" with the first character
9.11 directly above the second character and both characters just preceding the first numeral
9.12 of the special plate number; or

9.13 (2) for a World War II veteran, the characters "W" and "H" with the first character
9.14 directly above the second character and both characters just preceding the first numeral of
9.15 the special plate number.

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

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

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

9.30 (f) For a Persian Gulf War veteran, the plates must bear the inscription "GULF
9.31 WAR VET." and the letters "G" and "W" with the first letter directly above the second
9.32 letter and both letters just preceding the first numeral of the special plate number. For
9.33 the purposes of this section, "Persian Gulf War veteran" means a person who served on
9.34 active duty after August 1, 1990, in a branch of the armed forces of the United States or
9.35 a nation or society allied with the United States or the United Nations during Operation
9.36 Desert Shield, Operation Desert Storm, or other military operation in the Persian Gulf

10.1 area combat zone as designated in United States Presidential Executive Order No. 12744,
10.2 dated January 21, 1991.

10.3 (g) For a veteran who served in the Laos War after July 1, 1961, and before July 1,
10.4 1978, the special plates must bear the inscription "LAOS WAR VET." ~~and the letters "L"~~
10.5 ~~and "V" with the first letter directly above the second letter and both letters just preceding~~
10.6 ~~the first numeral of the special plate number.~~

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

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

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

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

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

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

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

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

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

11.1 Sec. 17. Minnesota Statutes 2012, section 168.183, subdivision 1, is amended to read:

11.2 Subdivision 1. **Payment of taxes.** All trucks, truck-tractors, ~~trailers and semitrailers,~~
11.3 trucks using combination, and buses which comply with all of the provisions of section
11.4 168.181, subdivision 1, clause (6), but are excluded from the exemptions ~~provided therein~~
11.5 solely because of the intrastate temporary nature of their movement in this state, ~~owned~~
11.6 ~~by nonresidents owning or operating circuses, carnivals or similar amusement attractions~~
11.7 ~~or concessions~~ shall be required to comply with all laws and rules as to the payment of
11.8 taxes applicable to like vehicles owned by Minnesota residents ~~but such,~~ except that
11.9 nonresidents may make application to pay ~~such~~ the tax for each vehicle proportionate
11.10 to the number of months or fraction thereof ~~such~~ the vehicles are in this state. For the
11.11 purposes of this subdivision, buses do not include charter buses that are considered
11.12 proratable vehicles under section 168.187, subdivision 4.

11.13 Sec. 18. Minnesota Statutes 2012, section 168.187, subdivision 17, is amended to read:

11.14 Subd. 17. **Trip permit.** Subject to agreements or arrangements made or entered into
11.15 pursuant to subdivision 7, the commissioner may issue trip permits for use of Minnesota
11.16 highways by individual vehicles, on an occasional basis, for periods not to exceed 120
11.17 hours in compliance with rules promulgated pursuant to subdivision 23 and upon payment
11.18 of a fee of \$15. For the purposes of this subdivision, "on an occasional basis" means
11.19 no more than one permit per vehicle within a 30-day period, which begins the day a
11.20 permit is effective.

11.21 Sec. 19. Minnesota Statutes 2012, section 168.27, is amended by adding a subdivision
11.22 to read:

11.23 Subd. 3d. **Used vehicle parts dealer.** A used vehicle parts dealer licensee may sell,
11.24 solicit, or advertise the sale of used parts and the remaining scrap metals, but is prohibited
11.25 from selling any new or used motor vehicles for use at retail or for resale to a dealer.

11.26 Sec. 20. Minnesota Statutes 2012, section 168.27, subdivision 10, is amended to read:

11.27 Subd. 10. **Place of business.** (a) All licensees under this section shall have an
11.28 established place of business which shall include as a minimum:

11.29 (1) For a new motor vehicle dealer, the following:

11.30 (i) a commercial building owned or under lease by the licensee. The lease must
11.31 be for a minimum term of one year. The building must contain office space where the
11.32 books, records, and files necessary to conduct the business are kept and maintained with

- 12.1 personnel available during normal business hours. Dealership business hours must be
12.2 conspicuously posted on the place of doing business and readily viewable by the public;
- 12.3 (ii) a bona fide contract or franchise (A) in effect with a manufacturer or distributor
12.4 of the new motor vehicles the dealer proposes to sell, broker, wholesale, or auction, or (B)
12.5 in effect with the first-stage manufacturer or distributor of new motor vehicles purchased
12.6 from a van converter or modifier which the dealer proposes to sell, broker, wholesale, or
12.7 auction, or (C) in effect with the final-stage manufacturer of the new type A, B, or C motor
12.8 homes which the dealer proposes to sell, broker, wholesale, or auction;
- 12.9 (iii) a facility for the repair and servicing of motor vehicles and the storage of parts
12.10 and accessories, not to exceed ten miles distance from the principal place of business. The
12.11 service may be provided through contract with bona fide operators actually engaged
12.12 in the services;
- 12.13 (iv) an area either indoors or outdoors to display motor vehicles that is owned or
12.14 under lease by the licensee; and
- 12.15 (v) a sign readily viewable by the public that clearly identifies the dealership by name.
- 12.16 (2) For a used motor vehicle dealer, the following:
- 12.17 (i) a commercial building owned or under lease by the licensee. The lease must
12.18 be for a minimum term of one year. The building must contain office space where the
12.19 books, records, and files necessary to conduct the business are kept and maintained with
12.20 personnel available during normal business hours or automatic telephone answering
12.21 service during normal business hours. Dealership business hours must be conspicuously
12.22 posted on the place of doing business and readily viewable by the public;
- 12.23 (ii) an area either indoors or outdoors to display motor vehicles which is owned or
12.24 under lease by the licensee; and
- 12.25 (iii) a sign readily viewable by the public that clearly identifies the dealership by
12.26 name.
- 12.27 (3) For a motor vehicle lessor, the following: a commercial office space where the
12.28 books, records, and files necessary to conduct the business are kept and maintained with
12.29 personnel available during normal business hours or an automatic telephone answering
12.30 service during normal business hours. Business hours must be conspicuously posted on
12.31 the place of doing business and readily viewable by the public. The office space must be
12.32 owned or under lease for a minimum term of one year by the licensee.
- 12.33 (4) For a motor vehicle wholesaler, the following: a commercial office space where
12.34 the books, records, and files necessary to conduct the business are kept and maintained
12.35 with personnel available during normal business hours or an automatic telephone

13.1 answering service during normal business hours. The office space must be owned or under
13.2 lease for a minimum term of one year by the licensee.

13.3 (5) For a motor vehicle auctioneer, the following: a permanent enclosed commercial
13.4 building, within or without the state, on a permanent foundation, owned or under lease
13.5 by the licensee. The lease must be for a minimum term of one year. The building must
13.6 contain office space where the books, records, and files necessary to conduct the business
13.7 are kept and maintained with personnel available during normal business hours or an
13.8 automatic telephone answering service during normal business hours.

13.9 (6) For a motor vehicle broker, the following: a commercial office space where
13.10 books, records, and files necessary to conduct business are kept and maintained with
13.11 personnel available during normal business hours, or an automatic telephone answering
13.12 service available during normal business hours. A sign, clearly identifying the motor
13.13 vehicle broker by name and listing the broker's business hours, must be posted in a location
13.14 and manner readily viewable by a member of the public visiting the office space. The
13.15 office space must be owned or under lease for a minimum term of one year by the licensee.

13.16 (7) For a limited used vehicle license holder, the following: a commercial office
13.17 space where books, records, and files necessary to conduct nonprofit charitable activities
13.18 are kept and maintained with personnel available during normal business hours, or an
13.19 automatic telephonic answering service available during normal business hours. The
13.20 office space must be owned or under lease for a minimum term of one year by the licensee.

13.21 (b) If a new or used motor vehicle dealer maintains more than one place of doing
13.22 business in a county, the separate places must be listed on the application. If additional
13.23 places of business are maintained outside of one county, separate licenses must be
13.24 obtained for each county.

13.25 (c) If a motor vehicle lessor, wholesaler, auctioneer, or motor vehicle broker
13.26 maintains more than one permanent place of doing business, either in one or more
13.27 counties, the separate places must be listed in the application, but only one license is
13.28 required. If a lessor proposes to sell previously leased or rented vehicles or if a broker
13.29 proposes to establish an office at a location outside the seven-county metropolitan area, as
13.30 defined in section 473.121, subdivision 2, other than cities of the first class, the lessor or
13.31 broker must obtain a license for each nonmetropolitan area county in which the lessor's
13.32 sales are to take place or where the broker proposes to locate an office.

13.33 (d) If a motor vehicle dealer, lessor, wholesaler, or motor vehicle broker does not
13.34 have direct access to a public road or street, any privately owned roadway providing
13.35 access to a public road or street must be clearly identified and adequately maintained.

14.1 (e) A new or used motor vehicle dealer may establish a temporary place of business
14.2 outside the county where it maintains its licensed location to sell horse trailers exclusively
14.3 without obtaining an additional license.

14.4 (f) A new or used motor vehicle dealer may establish a temporary place of business
14.5 outside the county where it maintains its licensed location to sell recreational vehicles
14.6 exclusively without obtaining an additional license if:

14.7 (1) the dealer establishes a temporary place of business for the sale of recreational
14.8 vehicles not more than four times during any calendar year;

14.9 (2) each temporary place of business other than an official county fair or the
14.10 Minnesota State Fair within the seven-county metropolitan area, as defined in section
14.11 473.121, subdivision 2, is established jointly with at least four other recreational vehicle
14.12 dealers;

14.13 (3) each temporary place of business other than an official county fair outside
14.14 the seven-county metropolitan area, as defined in section 473.121, subdivision 2, is
14.15 established jointly with at least one other recreational vehicle dealer;

14.16 (4) each establishment of a temporary place of business for the sale of recreational
14.17 vehicles is for no more than 12 consecutive days; and

14.18 (5) the dealer notifies the registrar of motor vehicles of each temporary place of
14.19 business for the sale of recreational vehicles.

14.20 Sec. 21. Minnesota Statutes 2012, section 168.27, subdivision 11, is amended to read:

14.21 Subd. 11. **Dealers' licenses; location change notice; fee.** (a) Application for
14.22 a dealer's license or notification of a change of location of the place of business on a
14.23 dealer's license must include a street address, not a post office box, and is subject to the
14.24 commissioner's approval.

14.25 (b) Upon the filing of an application for a dealer's license and the proper fee, unless
14.26 the application on its face appears to be invalid, the commissioner shall grant a 90-day
14.27 temporary license. During the 90-day period following issuance of the temporary license,
14.28 the commissioner shall inspect the place of business site and insure compliance with this
14.29 section and rules adopted under this section.

14.30 (c) The commissioner may extend the temporary license 30 days to allow the
14.31 temporarily licensed dealer to come into full compliance with this section and rules
14.32 adopted under this section.

14.33 (d) In no more than 120 days following issuance of the temporary license, the dealer
14.34 license must either be granted or denied.

14.35 (e) A license must be denied under the following conditions:

(1) The license must be denied if within the previous ten years the applicant was enjoined due to a violation of section 325F.69 or convicted of violating section 325E.14, 325E.15, 325E.16, or 325F.69, or convicted under section 609.53 of receiving or selling stolen vehicles, or convicted of violating United States Code, title 15, sections 1981 to 1991 or pleaded guilty, entered a plea of nolo contendere or no contest, or has been found guilty in a court of competent jurisdiction of any charge of failure to pay state or federal income or sales taxes or felony charge of forgery, embezzlement, obtaining money under false pretenses, theft by swindle, extortion, conspiracy to defraud, or bribery.

~~(2) The license must also be denied if within the previous year the applicant has been denied a dealer license.~~

~~(3)~~ (2) A license must also be denied if the applicant has had a dealer license revoked within the previous ten years.

(f) If the application is approved, the commissioner shall license the applicant as a dealer for one year from the date the temporary license is granted and issue a certificate of license that must include a distinguishing number of identification of the dealer. The license must be displayed in a prominent place in the dealer's licensed place of business.

(g) Each initial application for a license must be accompanied by a fee of \$100 in addition to the annual fee. The annual fee is \$150. The initial fees and annual fees must be paid into the state treasury and credited to the general fund except that \$50 of each initial and annual fee must be paid into the vehicle services operating account in the special revenue fund under section 299A.705.

Sec. 22. Minnesota Statutes 2012, section 169.011, subdivision 71, is amended to read:

Subd. 71. **School bus.** (a) "School bus" means a motor vehicle used to transport pupils to or from a school defined in section 120A.22, or to or from school-related activities, by the school or a school district, or by someone under an agreement with the school or a school district. A school bus does not include a motor vehicle transporting children to or from school for which parents or guardians receive direct compensation from a school district, a motor coach operating under charter carrier authority, a transit bus providing services as defined in section 174.22, subdivision 7, or a vehicle otherwise qualifying as a type III vehicle under paragraph (h), when the vehicle is properly registered and insured and being driven by an employee or agent of a school district for nonscheduled or nonregular transportation.

(b) A school bus may be type A, type B, type C, or type D, multifunction school activity bus, or type III as provided in paragraphs (c) to (h).

(c) A "type A school bus" is a van conversion or bus constructed utilizing a cutaway front section vehicle with a left-side driver's door. This definition includes two classifications: type A-I, with a gross vehicle weight rating (GVWR) less than or equal to 14,500 pounds; and type A-II, with a GVWR greater than 14,500 pounds and less than or equal to 21,500 pounds.

(d) A "type B school bus" is constructed utilizing a stripped chassis. The entrance door is behind the front wheels. This definition includes two classifications: type B-I, with a GVWR less than or equal to 10,000 pounds; and type B-II, with a GVWR greater than 10,000 pounds.

(e) A "type C school bus" is constructed utilizing a chassis with a hood and front fender assembly. The entrance door is behind the front wheels. A "type C school bus" also includes a cutaway truck chassis or truck chassis with cab, with or without a left side door, and with a GVWR greater than 21,500 pounds.

(f) A "type D school bus" is constructed utilizing a stripped chassis. The entrance door is ahead of the front wheels.

(g) A "multifunction school activity bus" is a school bus that meets the definition of a multifunction school activity bus in Code of Federal Regulations, title 49, section 571.3. A vehicle that meets the definition of a type III vehicle is not a multifunction school activity bus.

(h) A "type III vehicle" is restricted to ~~passenger cars, station wagons, vans, vehicles~~ and buses having a maximum manufacturer's rated seating capacity of ten or fewer people, including the driver, and a gross vehicle weight rating of 10,000 pounds or less. A "type III vehicle" must not be outwardly equipped and identified as a type A, B, C, or D school bus or type A, B, C, or D Head Start bus. A van or bus converted to a seating capacity of ten or fewer and placed in service on or after August 1, 1999, must have been originally manufactured to comply with the passenger safety standards.

(i) In this subdivision, "gross vehicle weight rating" means the value specified by the manufacturer as the loaded weight of a single vehicle.

Sec. 23. Minnesota Statutes 2012, section 169.04, is amended to read:

169.04 LOCAL AUTHORITY.

(a) The provisions of this chapter shall not be deemed to prevent local authorities, with respect to streets and highways under their jurisdiction, and with the consent of the commissioner, with respect to state trunk highways, within the corporate limits of a municipality, or within the limits of a town in a county in this state now having or which

17.1 may hereafter have, a population of 500,000 or more, and a land area of not more than 600
17.2 square miles, and within the reasonable exercise of the police power from:

17.3 (1) regulating the standing or parking of vehicles;
17.4 (2) regulating traffic by means of police officers or traffic-control signals;
17.5 (3) regulating or prohibiting processions or assemblages on the highways;
17.6 (4) designating particular highways as one-way roadways and requiring that all
17.7 vehicles, except emergency vehicles, when on an emergency run, thereon be moved in one
17.8 specific direction;

17.9 (5) designating any highway as a through highway and requiring that all vehicles stop
17.10 before entering or crossing the same, or designating any intersection as a stop intersection,
17.11 and requiring all vehicles to stop at one or more entrances to such intersections;

17.12 (6) restricting the use of highways as authorized in sections 169.80 to 169.88.

17.13 (b) No ordinance or regulation enacted under paragraph (a), clause (4), (5), or (6),
17.14 shall be effective until signs giving notice of such local traffic regulations are posted
17.15 upon and kept posted upon or at the entrance to the highway or part thereof affected as
17.16 may be most appropriate.

17.17 ~~(c) No ordinance or regulation enacted under paragraph (a), clause (3), or any other~~
17.18 ~~provision of law shall prohibit:~~

17.19 ~~(1) the use of motorcycles or vehicles utilizing flashing red lights for the purpose of~~
17.20 ~~escorting funeral processions, oversize buildings, heavy equipment, parades or similar~~
17.21 ~~processions or assemblages on the highways; or~~

17.22 ~~(2) the use of motorcycles or vehicles that are owned by the funeral home and that~~
17.23 ~~utilize flashing red lights for the purpose of escorting funeral processions.~~

17.24 Sec. 24. Minnesota Statutes 2012, section 169.18, subdivision 4, is amended to read:

17.25 Subd. 4. **Passing on the right.** The driver of a vehicle may overtake and pass upon
17.26 the right of another vehicle only upon the following conditions:

17.27 (1) when the vehicle overtaken is making or about to make a left turn;

17.28 (2) upon a street or highway with unobstructed pavement not occupied by parked
17.29 vehicles of sufficient width for two or more lines of moving vehicles in each direction;

17.30 (3) upon a one-way street, or upon any roadway on which traffic is restricted to one
17.31 direction of movement, where the roadway is free from obstructions and of sufficient
17.32 width for two or more lines of moving vehicles;

17.33 (4) when the driver of a vehicle may overtake and pass another vehicle upon the
17.34 right only under conditions permitting such movement in safety. In no event shall such

18.1 movement be made by driving in a bicycle lane or onto the shoulder, whether paved or
18.2 unpaved, or off the pavement or main-traveled portion of the roadway.

18.3 Sec. 25. Minnesota Statutes 2012, section 169.18, subdivision 7, is amended to read:

18.4 Subd. 7. **Laned highway.** When any roadway has been divided into two or more
18.5 clearly marked lanes for traffic, the following rules, in addition to all others consistent
18.6 herewith, shall apply:

18.7 (a) A vehicle shall be driven as nearly as practicable entirely within a single lane
18.8 and shall not be moved from such lane until the driver has first ascertained that such
18.9 movement can be made with safety.

18.10 (b) Upon a roadway which is not a one-way roadway and which is divided into three
18.11 lanes, a vehicle shall not be driven in the center lane except when overtaking and passing
18.12 another vehicle where the roadway is clearly visible and such center lane is clear of traffic
18.13 within a safe distance, or in preparation for a left turn or where such center lane is at the
18.14 time allocated exclusively to traffic moving in the direction the vehicle is proceeding, and
18.15 is signposted to give notice of such allocation. The left lane of a three-lane roadway which
18.16 is not a one-way roadway shall not be used for overtaking and passing another vehicle.

18.17 (c) Official signs may be erected directing slow-moving traffic to use a designated
18.18 lane or allocating specified lanes to traffic moving in the same direction, and drivers of
18.19 vehicles shall obey the directions of every such sign.

18.20 (d) Whenever a bicycle lane has been established on a roadway, any person
18.21 operating a motor vehicle on such roadway shall not drive in the bicycle lane except to
18.22 perform parking maneuvers in order to park where parking is permitted, to enter or leave
18.23 the highway, or to prepare for a turn as provided in section 169.19, subdivision 1.

18.24 Sec. 26. Minnesota Statutes 2012, section 169.19, subdivision 1, is amended to read:

18.25 Subdivision 1. **Turning at intersection.** The driver of a vehicle intending to turn
18.26 at an intersection shall do so as follows:

18.27 (a) Both the approach for a right turn and a right turn shall be made as close as
18.28 practicable to the right-hand curb or edge of the roadway.

18.29 (b) Approach for a left turn on other than one-way roadways shall be made in that
18.30 portion of the right half of the roadway nearest the centerline thereof, and after entering
18.31 the intersection the left turn shall be made so as to leave the intersection to the right of the
18.32 centerline of the roadway being entered. Whenever practicable the left turn shall be made
18.33 in that portion of the intersection to the left of the center of the intersection.

(c) Approach for a left turn from a two-way roadway into a one-way roadway shall be made in that portion of the right half of the roadway nearest the centerline thereof and by passing to the right of such centerline where it enters the intersection.

(d) A left turn from a one-way roadway into a two-way roadway shall be made from the left-hand lane and by passing to the right of the centerline of the roadway being entered upon leaving the intersection.

(e) Where both streets or roadways are one way, both the approach for a left turn and a left turn shall be made as close as practicable to the left-hand curb or edge of the roadway.

(f) Local authorities in their respective jurisdictions may cause markers, buttons, or signs to be placed within or adjacent to intersections and thereby require and direct that a different course from that specified in this section be traveled by vehicles turning at an intersection, and when markers, buttons, or signs are so placed no driver of a vehicle shall turn a vehicle at an intersection other than as directed and required by such markers, buttons, or signs.

(g) Whenever it is necessary for the driver of a motor vehicle to cross a bicycle lane adjacent to the driver's lane of travel to make a turn, the driver shall ~~drive the motor vehicle into the bicycle lane prior to making the turn, and shall make the turn, yielding the right-of-way to any vehicles approaching so close thereto as to constitute an immediate hazard.~~ first signal the movement and then yield the right-of-way to any approaching bicycles before crossing the bicycle lane. The driver shall cross the bicycle lane in the manner indicated by any associated pavement markings and signs.

Sec. 27. Minnesota Statutes 2012, section 169.222, subdivision 2, is amended to read:

Subd. 2. **Manner and number riding.** No bicycle, including a tandem bicycle, cargo or utility bicycle, or trailer, shall be used to carry more persons at one time than the number for which it is designed and equipped, except ~~(1) on a baby seat attached to the bicycle, provided that the baby seat is equipped with a harness to hold the child securely in the seat and that protection is provided against the child's feet hitting the spokes of the wheel or (2) in a seat attached to the bicycle operator~~ an adult rider may carry a child in a seat designed for carrying children that is securely attached to the bicycle.

Sec. 28. Minnesota Statutes 2012, section 169.222, subdivision 4, is amended to read:

Subd. 4. **Riding rules.** (a) Every person operating a bicycle upon a roadway shall ride as close as practicable to the right-hand curb or edge of the roadway except under any of the following situations:

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

(2) when preparing for a left turn at an intersection or into a private road or driveway;
(3) when reasonably necessary to avoid conditions, including fixed or moving objects, vehicles, pedestrians, animals, surface hazards, or narrow width lanes, that make it unsafe to continue along the right-hand curb or edge; or

(4) when operating on the shoulder of a roadway or in a bicycle lane.

(b) If a bicycle is traveling on a shoulder of a roadway, the bicycle shall travel in the same direction as adjacent vehicular traffic.

(c) Persons riding bicycles upon a roadway or shoulder shall not ride more than two abreast and shall not impede the normal and reasonable movement of traffic and, on a laned roadway, shall ride within a single lane.

(d) A person operating a bicycle upon a sidewalk, or across a roadway or shoulder on a crosswalk, shall yield the right-of-way to any pedestrian and shall give an audible signal when necessary before overtaking and passing any pedestrian. No person shall ride a bicycle upon a sidewalk within a business district unless permitted by local authorities. Local authorities may prohibit the operation of bicycles on any sidewalk or crosswalk under their jurisdiction.

(e) An individual operating a bicycle or other vehicle on a bikeway shall leave a safe distance when overtaking a bicycle or individual proceeding in the same direction on the bikeway, and shall maintain clearance until safely past the overtaken bicycle or individual.

(f) A person lawfully operating a bicycle on a sidewalk, or across a roadway or shoulder on a crosswalk, shall have all the rights and duties applicable to a pedestrian under the same circumstances.

(g) A person may operate an electric-assisted bicycle on the shoulder of a roadway, on a bikeway, or on a bicycle trail if not otherwise prohibited under section 85.015, subdivision 1d; 85.018, subdivision 2, paragraph (d); or 160.263, subdivision 2, paragraph (b), as applicable.

Sec. 29. Minnesota Statutes 2012, section 169.222, subdivision 6, is amended to read:

Subd. 6. **Bicycle equipment.** (a) No person shall operate a bicycle at nighttime unless the bicycle or its operator is equipped with (1) a lamp which emits a white light visible from a distance of at least 500 feet to the front; and (2) a red reflector of a type approved by the Department of Public Safety which is visible from all distances from 100 feet to 600 feet to the rear when directly in front of lawful lower beams of headlamps on a motor vehicle. A bicycle equipped with lamps that are visible from a distance of at least 500 feet from both the front and the rear is deemed to fully comply with this paragraph.

21.1 (b) No person may operate a bicycle at any time when there is not sufficient light to
21.2 render persons and vehicles on the highway clearly discernible at a distance of 500 feet
21.3 ahead unless the bicycle or its operator is equipped with reflective surfaces that shall be
21.4 visible during the hours of darkness from 600 feet when viewed in front of lawful lower
21.5 beams of headlamps on a motor vehicle. The reflective surfaces shall include reflective
21.6 materials on each side of each pedal to indicate their presence from the front or the rear and
21.7 with a minimum of 20 square inches of reflective material on each side of the bicycle or its
21.8 operator. Any bicycle equipped with side reflectors as required by regulations for new
21.9 bicycles prescribed by the United States Consumer Product Safety Commission shall be
21.10 considered to meet the requirements for side reflectorization contained in this subdivision.

21.11 (c) A bicycle may be equipped with a front lamp that emits a white flashing signal,
21.12 or a rear lamp that emits a red flashing signal, or both.

21.13 (d) A bicycle may be equipped with tires having studs, spikes, or other protuberances
21.14 designed to increase traction.

21.15 (e) No person shall operate a bicycle unless it is equipped with a rear brake or
21.16 front and rear brakes which will enable the operator to make the a braked wheels wheel
21.17 skid on dry, level, clean pavement. A bicycle equipped with a direct or fixed gear that
21.18 can make the rear wheel skid on dry, level, clean pavement shall be deemed to fully
21.19 comply with this paragraph.

21.20 (f) A bicycle may be equipped with a horn or bell designed to alert motor vehicles,
21.21 other bicycles, and pedestrians of the bicycle's presence.

21.22 ~~(f)~~ (g) No person shall operate upon a highway any two-wheeled bicycle equipped
21.23 with handlebars so raised that the operator must elevate the hands above the level of the
21.24 shoulders in order to grasp the normal steering grip area.

21.25 ~~(g)~~ (h) No person shall operate upon a highway any bicycle which is of such a size
21.26 as to prevent the operator from stopping the bicycle, supporting it with at least one foot
21.27 on the highway surface and restarting in a safe manner.

21.28 Sec. 30. Minnesota Statutes 2012, section 169.34, subdivision 1, is amended to read:

21.29 Subdivision 1. **Prohibitions.** (a) No person shall stop, stand, or park a vehicle,
21.30 except when necessary to avoid conflict with other traffic or in compliance with the
21.31 directions of a police officer or traffic-control device, in any of the following places:

- 21.32 (1) on a sidewalk;
- 21.33 (2) in front of a public or private driveway;
- 21.34 (3) within an intersection;
- 21.35 (4) within ten feet of a fire hydrant;

- 22.1 (5) on a crosswalk;
- 22.2 (6) within 20 feet of a crosswalk at an intersection;
- 22.3 (7) within 30 feet upon the approach to any flashing beacon, stop sign, or
- 22.4 traffic-control signal located at the side of a roadway;
- 22.5 (8) between a safety zone and the adjacent curb or within 30 feet of points on the
- 22.6 curb immediately opposite the ends of a safety zone, unless a different length is indicated
- 22.7 by signs or markings;
- 22.8 (9) within 50 feet of the nearest rail of a railroad crossing;
- 22.9 (10) within 20 feet of the driveway entrance to any fire station and on the side of
- 22.10 a street opposite the entrance to any fire station within 75 feet of said entrance when
- 22.11 properly signposted;
- 22.12 (11) alongside or opposite any street excavation or obstruction when such stopping,
- 22.13 standing, or parking would obstruct traffic;
- 22.14 (12) on the roadway side of any vehicle stopped or parked at the edge or curb of a
- 22.15 street;
- 22.16 (13) upon any bridge or other elevated structure upon a highway or within a highway
- 22.17 tunnel, except as otherwise provided by ordinance;
- 22.18 (14) within a bicycle lane, except when posted signs permit parking; or
- 22.19 ~~(14)~~ (15) at any place where official signs prohibit stopping.
- 22.20 (b) No person shall move a vehicle not owned by such person into any prohibited
- 22.21 area or away from a curb such distance as is unlawful.
- 22.22 (c) No person shall, for camping purposes, leave or park a travel trailer on or within
- 22.23 the limits of any highway or on any highway right-of-way, except where signs are erected
- 22.24 designating the place as a campsite.
- 22.25 (d) No person shall stop or park a vehicle on a street or highway when directed or
- 22.26 ordered to proceed by any peace officer invested by law with authority to direct, control,
- 22.27 or regulate traffic.

22.28 Sec. 31. Minnesota Statutes 2012, section 169.346, is amended by adding a subdivision

22.29 to read:

22.30 **Subd. 1a. Disability parking when designated spaces occupied or unavailable.**

22.31 In the event the designated disability parking spaces are either occupied or unavailable,

22.32 a vehicle bearing a valid disability parking certificate issued under section 169.345 or

22.33 license plates for physically disabled persons under section 168.021 may park at an angle

22.34 and occupy two standard parking spaces.

23.1 Sec. 32. Minnesota Statutes 2012, section 169.346, subdivision 2, is amended to read:

23.2 Subd. 2. **Disability parking space signs.** (a) Parking spaces reserved for physically
23.3 disabled persons must be designated and identified by the posting of signs incorporating
23.4 the international symbol of access in white on blue and indicating that violators are subject
23.5 to a fine of up to \$200. These parking spaces are reserved for disabled persons with motor
23.6 vehicles displaying the required certificate, plates, permit valid for 30 days, or insignia.

23.7 (b) For purposes of this subdivision, a parking space that is clearly identified as
23.8 reserved for physically disabled persons by a permanently posted sign that does not
23.9 meet all design standards, is considered designated and reserved for physically disabled
23.10 persons. A sign posted for the purpose of this section must be visible from inside a motor
23.11 vehicle parked in the space, be kept clear of snow or other obstructions which block its
23.12 visibility, and be nonmovable ~~or only movable by authorized persons.~~

23.13 Sec. 33. Minnesota Statutes 2012, section 169.443, subdivision 9, is amended to read:

23.14 Subd. 9. **Personal cellular phone call prohibition.** (a) As used in this subdivision,
23.15 "school bus" has the meaning given in section 169.011, subdivision 71. In addition, the
23.16 term includes type III vehicles as defined in section 169.011, subdivision 71, when driven
23.17 by employees or agents of school districts.

23.18 (b) A school bus driver may not operate a school bus while communicating over, or
23.19 otherwise operating, a cellular phone for personal reasons, whether handheld or hands
23.20 free, when the vehicle is in motion or a part of traffic.

23.21 Sec. 34. Minnesota Statutes 2012, section 169.447, subdivision 2, is amended to read:

23.22 Subd. 2. **Driver seat belt.** School buses and Head Start buses must be equipped
23.23 with driver seat belts and seat belt assemblies of the type described in section 169.685,
23.24 subdivision 3. ~~School bus drivers and Head Start bus drivers must use these seat belts. A~~
23.25 properly adjusted and fastened seat belt, including both the shoulder and lap belt when the
23.26 vehicle is so equipped, shall be worn by the driver.

23.27 Sec. 35. Minnesota Statutes 2012, section 169.454, subdivision 12, is amended to read:

23.28 Subd. 12. **Option.** ~~Passenger cars and station wagons~~ Type III vehicles may carry
23.29 fire extinguisher, first aid kit, and warning triangles in the trunk or trunk area of the vehicle,
23.30 if a label in the driver and front passenger area clearly indicates the location of these items.

23.31 Sec. 36. Minnesota Statutes 2012, section 169.68, is amended to read:

23.32 **169.68 HORN, SIREN.**

24.1 (a) Every motor vehicle when operated upon a highway must be equipped with
24.2 a horn in good working order and capable of emitting sound audible under normal
24.3 conditions from a distance of not less than 200 feet. However, the horn or other warning
24.4 device must not emit an unreasonably loud or harsh sound or a whistle. The driver of a
24.5 motor vehicle shall, when reasonably necessary to insure safe operation, give audible
24.6 warning with the horn, but shall not otherwise use the horn when upon a highway.

24.7 (b) A vehicle must not be equipped with, and a person shall not use upon a vehicle,
24.8 any siren, whistle, or bell, except as otherwise permitted in this section.

24.9 (c) It is permissible, but not required, for any commercial vehicle to be equipped
24.10 with a theft alarm signal device, so arranged that it cannot be used by the driver as an
24.11 ordinary warning signal.

24.12 (d) All authorized emergency vehicles must be equipped with a siren capable of
24.13 emitting sound audible under normal conditions from a distance of not less than 500 feet
24.14 and of a type conforming to the federal certification standards for sirens, as determined by
24.15 the General Services Administration. However, the siren must not be used except when the
24.16 vehicle is operated in response to an emergency call or in the immediate pursuit of an actual
24.17 or suspected violator of the law, in which latter events the driver of the vehicle shall sound
24.18 the siren when necessary to warn pedestrians and other drivers of the vehicle's approach.

24.19 (e) It is permissible, but not required, for a bicycle to be equipped with a horn or bell
24.20 designed to alert motor vehicles, other bicycles, and pedestrians of the bicycle's presence.

24.21 Sec. 37. Minnesota Statutes 2012, section 169.824, subdivision 2, is amended to read:

24.22 Subd. 2. **Gross vehicle weight of all axles; credit for idle reduction technology.**

24.23 (a) The gross vehicle weight of all axles of a vehicle or combination of vehicles must
24.24 not exceed:

24.25 (1) 80,000 pounds for any vehicle or combination of vehicles on all streets and
24.26 highways, unless posted at a lower axle weight under section 169.87, subdivision 1; and

24.27 (2) 88,000 pounds for any vehicle or combination of vehicles with six or more
24.28 axles while exclusively engaged in hauling livestock on all state trunk highways other
24.29 than interstate highways, if the vehicle has a permit under section 169.86, subdivision 5,
24.30 paragraph (j).

24.31 (b) Notwithstanding the maximum weight provisions of this section, and in order to
24.32 promote the reduction of fuel use and emissions, the maximum gross vehicle weight limits
24.33 and the axle weight limits for any motor vehicle subject to sections 169.80 to 169.88 and
24.34 equipped with idle reduction technology or emissions-reduction technology must be
24.35 increased by the amount of weight necessary to compensate for the weight of the idle

25.1 reduction technology or emissions-reduction technology, not to exceed ~~400~~ 550 pounds.
25.2 At the request of an authorized representative of the Department of Transportation or the
25.3 Department of Public Safety, the vehicle operator shall provide proof that the vehicle is
25.4 equipped with this technology through documentation or demonstration.

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

25.6 Sec. 38. Minnesota Statutes 2012, section 171.01, subdivision 49b, is amended to read:

25.7 Subd. 49b. **Valid medical examiner's certificate.** (a) "Valid medical examiner's
25.8 certificate" means a record, on a form prescribed by the department:

25.9 (1) of a medical examiner's examination of a person who holds or is applying for a
25.10 class A, class B, or class C commercial driver's license;

25.11 (2) upon which the medical examiner attests that the applicant or license holder is
25.12 physically qualified to drive a commercial motor vehicle; and

25.13 (3) that is not expired.

25.14 (b) A valid medical examiner's certificate must be issued by a medical examiner
25.15 who is certified by the Federal Motor Carrier Administration and listed on the National
25.16 Registry of Certified Medical Examiners.

25.17 **EFFECTIVE DATE.** The section is effective May 1, 2014.

25.18 Sec. 39. Minnesota Statutes 2012, section 171.07, subdivision 3a, is amended to read:

25.19 Subd. 3a. **Identification cards for seniors.** A Minnesota identification card issued
25.20 to an applicant 65 years of age or over shall be of a distinguishing color and plainly
25.21 marked "senior." The fee for the card issued to an applicant 65 years of age or over shall
25.22 be one-half the required fee for a class D driver's license rounded down to the nearest
25.23 quarter dollar. A Minnesota identification card or a Minnesota driver's license issued to a
25.24 person 65 years of age or over shall be valid identification for the purpose of qualifying
25.25 for reduced rates, free licenses or services provided by any board, commission, agency or
25.26 institution that is wholly or partially funded by state appropriations. This subdivision does
25.27 not apply to an enhanced identification card issued to an applicant age 65 or older.

25.28 Sec. 40. Minnesota Statutes 2012, section 171.07, subdivision 4, is amended to read:

25.29 Subd. 4. **Expiration.** (a) Except as otherwise provided in this subdivision, the
25.30 expiration date of Minnesota identification cards of applicants under the age of 65 shall be
25.31 the birthday of the applicant in the fourth year following the date of issuance of the card.

(b) A Minnesota identification eards card issued to applicants an applicant age 65 or over older shall be valid for the lifetime of the applicant, except that for the purposes of this paragraph, "Minnesota identification card" does not include an enhanced identification card issued to an applicant age 65 or older.

(c) The expiration date for an Under-21 identification card is the cardholder's 21st birthday. The commissioner shall issue an identification card to a holder of an Under-21 identification card who applies for the card, pays the required fee, and presents proof of identity and age, unless the commissioner determines that the applicant is not qualified for the identification card.

Sec. 41. Minnesota Statutes 2012, section 174.02, is amended by adding a subdivision to read:

Subd. 2a. **Transportation ombudsperson.** (a) The commissioner shall appoint a person to the position of transportation ombudsperson. The transportation ombudsperson reports directly to the commissioner. The ombudsperson must be selected without regard to political affiliation and must be qualified to perform the duties specified in this subdivision.

(b) Powers and duties of the transportation ombudsperson include, but are not limited to:

(1) providing a neutral, independent resource for dispute and issue resolution between the department and the general public where another mechanism or forum is not available;

(2) gathering information about decisions, acts, and other matters of the department;

(3) providing information to the general public;

(4) facilitating discussions or arranging mediation when appropriate; and

(5) maintaining and monitoring performance measures for the ombudsperson program.

(c) The transportation ombudsperson may not hold another formal position within the department. The transportation ombudsperson may not impose a complaint fee.

Sec. 42. Minnesota Statutes 2012, section 174.03, subdivision 1d, is amended to read:

Subd. 1d. Freight rail economic development study. (a) The commissioner of transportation, in cooperation with the commissioner of the Department of Employment and Economic Development, shall conduct a freight rail economic development study. The study will assess the economic impact of freight railroads in the state and identify opportunities to expand business development and enhance economic competitiveness through improved utilization of freight rail options. Findings from the study shall be incorporated as an amendment to the statewide freight and passenger rail plan.

(b) The commissioner of transportation shall provide an interim progress report on the study by January 15, 2013, and a final report on ~~September 1~~ November 15, 2013, to the chairs and ranking minority members of the legislative committees with jurisdiction over transportation policy and finance and over employment and economic development. The reports shall include any recommended legislative initiatives.

(c) The commissioner of transportation may expend up to \$216,000 in fiscal year 2013 under section 222.50, subdivision 7, to pay the costs of this study and report.

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

Sec. 43. **[174.187] MADE IN MINNESOTA SOLAR INSTALLATIONS.**

Subdivision 1. Definition. (a) For the purposes of this section, the following terms have the meanings given.

(b) "Made in Minnesota" means the manufacture in this state of solar photovoltaic modules:

(1) at a manufacturing facility located in Minnesota that is registered and authorized to manufacture and apply the UL 1703 certification mark to solar photovoltaic modules by Underwriters Laboratory (UL), CSA International, Intertek, or an equivalent UL-approved independent certification agency;

(2) that bear UL 1703 certification marks from UL, CSA International, Intertek, or an equivalent UL-approved independent certification agency, which must be physically applied to the modules at a manufacturing facility described in clause (1); and

(3) that are manufactured in Minnesota:

(i) via manufacturing processes that must include tabbing, stringing, and lamination;
or

(ii) by interconnecting low-voltage direct current photovoltaic elements that produce the final useful photovoltaic output of the modules.

(c) "Solar photovoltaic module" has the meaning given in section 116C.7791, subdivision 1, paragraph (e).

Subd. 2. Made in Minnesota solar energy system requirement. Notwithstanding any other law to the contrary, if the commissioner engages in any project for the construction, improvement, maintenance, or repair of any building, highway, road, bridge, or land owned or controlled by the department and the construction, improvement, maintenance, or repair involves installation of one or more solar photovoltaic modules, the commissioner must ensure that the solar photovoltaic modules purchased and installed are made in Minnesota as defined in subdivision 1, paragraph (b).

Subd. 3. **Application.** Subdivision 2 does not apply if, as a condition of the receipt of federal financial assistance for a specific project, the commissioner is required to use a procurement method that might result in the award of a contract to a manufacturer that does not meet the "Made in Minnesota" criteria established in subdivision 1, paragraph (b).

Sec. 44. Minnesota Statutes 2012, section 174.24, subdivision 5a, is amended to read:

Subd. 5a. **Method of payment, ~~nonoperating~~ assistance.** (a) Payments for planning and engineering design, eligible capital assistance, ~~operating~~ assistance, and other eligible assistance for public transit services furthering the purposes of section 174.21, ~~excluding operating assistance~~, shall be made as provided in paragraph (b) and in an appropriate manner as determined by the commissioner.

(b) The commissioner shall make payments for operating assistance quarterly. The first quarterly payment for operating assistance must be made no later than the last business day of the first month of the contract.

Sec. 45. **[174.45] PUBLIC-PRIVATE PARTNERSHIPS; JOINT PROGRAM OFFICE.**

The commissioner may establish a joint program office to oversee and coordinate activities to develop, evaluate, and implement public-private partnerships involving public infrastructure investments. At the request of the commissioner of transportation, the commissioner of Minnesota Management and Budget, the commissioner of employment and economic development, the executive director of the Public Facilities Authority, and other state agencies shall cooperate with and provide assistance to the commissioner of transportation for activities related to public-private partnerships involving public infrastructure investments.

Sec. 46. Minnesota Statutes 2012, section 174.632, is amended to read:

174.632 PASSENGER RAIL; COMMISSIONER'S DUTIES.

Subdivision 1. **Definition.** "Passenger rail" means intercity rail passenger transportation as defined in United States Code, title 49, section 24102 (4).

Subd. 2. **Responsibilities.** (a) The planning, design, development, construction, operation, and maintenance of passenger rail track, facilities, and services are governmental functions, serve a public purpose, and are a matter of public necessity.

(b) The commissioner is responsible for all aspects of planning, designing, developing, constructing, equipping, operating, and maintaining passenger rail, including system planning, alternatives analysis, environmental studies, preliminary engineering,

29.1 final design, construction, negotiating with railroads, and developing financial and
29.2 operating plans.

29.3 (c) The commissioner may enter into a memorandum of understanding or agreement
29.4 with a public or private entity, including Amtrak, a regional railroad authority, a joint
29.5 powers board, and a railroad, to carry out these activities.

29.6 Sec. 47. Minnesota Statutes 2012, section 174.636, is amended to read:

29.7 **174.636 PASSENGER RAIL; EXERCISE OF POWER.**

29.8 Subdivision 1. Powers. (a) The commissioner has all powers necessary to carry out
29.9 the duties specified in section 174.632. In the exercise of those powers, the commissioner
29.10 may:

29.11 (1) acquire by purchase, gift, or by eminent domain proceedings as provided by law,
29.12 all land and property necessary to preserve future passenger rail corridors or to construct,
29.13 maintain, and improve passenger rail corridors;

29.14 (2) let all necessary contracts as provided by law; and

29.15 (3) make agreements with and cooperate with any governmental authority public or
29.16 private entity, including Amtrak, to carry out statutory duties related to passenger rail.

29.17 Subd. 2. Consultation. ~~(b)~~ The commissioner shall consult with metropolitan
29.18 planning organizations and regional rail authorities in areas where passenger rail corridors
29.19 are under consideration to ensure that passenger rail services are integrated with existing
29.20 rail and transit services and other transportation facilities to provide as nearly as possible
29.21 connected, efficient, and integrated services.

29.22 Subd. 3. Authority to contract; liability. (a) The commissioner, or a public entity
29.23 contracting with the commissioner, may contract with a railroad as defined in Code of
29.24 Federal Regulations, title 49, section 200.3(i), for the joint or shared use of the railroad's
29.25 right-of-way or the construction, operation, or maintenance of rail track, facilities, or
29.26 services for passenger rail purposes. Notwithstanding section 3.732, subdivision 1, clause
29.27 (2), or 466.01, subdivision 6, sections 466.04 and 466.06 govern the liability of a Class I
29.28 railroad and its employees arising from the joint or shared use of the railroad right-of-way
29.29 or the provision of passenger rail construction, operation, or maintenance services
29.30 pursuant to the contract. Notwithstanding any law to the contrary, a contract with a Class I
29.31 railroad for any passenger rail service, or joint or shared use of the railroad's right-of-way,
29.32 may also provide for the allocation of financial responsibility, indemnification, and the
29.33 procurement of insurance for the parties for all types of claims or damages.

29.34 (b) State passenger rail operations or a contract entered into under this section shall
29.35 be subject to the Federal Employers Liability Act, United States Code, title 45, section

30.1 51 et seq.; federal railroad safety laws under United States Code, title 49, section 20101
30.2 et seq.; the Railway Labor Act, United States Code, title 45, section 151 et seq.; and the
30.3 Railroad Retirement Act, United States Code, title 45, section 231 et seq.

30.4 Subd. 4. **Public hearings.** The commissioner shall hold public hearings as required
30.5 by federal requirements.

30.6 Sec. 48. Minnesota Statutes 2012, section 219.17, is amended to read:

30.7 **219.17 UNIFORM WARNING SIGNS.**

30.8 The commissioner by rule shall require that uniform warning signs be placed at
30.9 grade crossings. There ~~must be at least three~~ are four distinct types of uniform warning
30.10 signs: a ~~home crossing~~ crossbuck sign, for use in the immediate vicinity of the crossing;
30.11 an ~~approach crossing~~ advance warning sign, to indicate the approach to a grade crossing; a
30.12 yield sign with the word "yield" plainly appearing on it; and, when deemed necessary and
30.13 instead of a yield sign, a stop sign with the word "stop" plainly appearing on it, to indicate
30.14 that persons on the highway approaching the crossing, whether in vehicles or otherwise,
30.15 must come to a stop before proceeding over the grade crossing.

30.16 Sec. 49. Minnesota Statutes 2012, section 219.18, is amended to read:

30.17 **219.18 RAILROAD TO ERECT SIGN.**

30.18 At each grade crossing established after April 23, 1925 and where and when crossing
30.19 signs existing as of April 24, 1925 are replaced, the railway company operating the railroad
30.20 at that crossing shall erect and maintain one or more uniform ~~home crossing~~ crossbuck
30.21 signs. The signs must be on each side of the railroad tracks and within ~~75~~ 50 feet from the
30.22 nearest rail, or at a distance greater than 50 feet as determined by the commissioner.

30.23 Sec. 50. Minnesota Statutes 2012, section 219.20, is amended to read:

30.24 **219.20 STOP SIGN; YIELD SIGN.**

30.25 Subdivision 1. **When installation required; procedure.** At each grade crossing not
30.26 equipped with flashing lights or flashing lights and gates where, because of the dangers
30.27 attendant upon its use, the reasonable protection of life and property makes it necessary
30.28 for persons approaching the crossing to stop or yield before crossing the railroad tracks,
30.29 stop signs or yield signs must be installed. When the government entity responsible for a
30.30 road that crosses a railroad track deems it necessary to install stop signs or yield signs
30.31 at that crossing, it shall petition the commissioner to order the installation of the stop
30.32 signs or yield signs. The commissioner shall respond to the petition by investigating

the conditions at the crossing to determine whether stop signs or yield signs should be installed at the crossing. On determining, after an investigation following a petition from a governmental agency or subdivision or on the commissioner's own motion, that stop signs or yield signs should be installed at a crossing, the commissioner shall designate the crossing as a stop crossing or yield crossing and shall notify the railway company operating the railroad at the crossing of this designation. Within 30 days after notification, the railway company shall erect the uniform stop crossing signs or yield crossing signs in accordance with the commissioner's order.

Subd. 2. **Stopping distances.** When a stop sign or a yield sign has been erected at a railroad crossing, the driver of a vehicle approaching a railroad crossing shall stop or yield within 50 feet, but not less than ten feet, from the nearest track of the crossing and shall proceed only upon exercising due care.

Sec. 51. Minnesota Statutes 2012, section 221.0314, subdivision 2, is amended to read:

Subd. 2. **Qualification of driver.** Code of Federal Regulations, title 49, part 391 and appendixes D and E, are incorporated by reference except for sections 391.2; 391.11, paragraph (b)(1); 391.47; 391.49; 391.62; 391.64; 391.67; 391.68; and 391.69. In addition, cross-references to sections or paragraphs not incorporated in this subdivision are not incorporated by reference. For medical examinations conducted on and after May 21, 2014, the term "medical examiner" as used in this section and in the rules adopted under this section means an individual certified by the Federal Motor Carrier Safety Administration and listed on the National Registry of Certified Medical Examiners.

Sec. 52. Minnesota Statutes 2012, section 221.0314, subdivision 3a, is amended to read:

Subd. 3a. **Waiver for other medical condition.** (a) The commissioner may grant a waiver to a person who is not physically qualified to drive under Code of Federal Regulations, title 49, section 391.41, ~~paragraph (b)(3) to (b)(13)~~ paragraph (b)(3), (b)(10), or (b)(11). A waiver granted under this subdivision applies to intrastate transportation only.

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

- (1) the applicant's name, address, and telephone number;
- (2) the name, address, and telephone number of an employer coapplicant, if any;
- (3) a description of the applicant's experience in driving the type of vehicle to be operated under the waiver;
- (4) a description of the type of driving to be done under the waiver;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Sec. 53. **CONVEYANCE OF STATE LAND; KOOCHICHING COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 16B.281 to 16B.287, 92.45, 161.43, 161.44 and 222.63, or any other law to the contrary, the commissioner of transportation may convey and quitclaim to a private party all right, title, and interest of the state of Minnesota, in the land described in paragraph (d).

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make changes to the land description to correct errors and ensure accuracy. The conveyance may take place only upon conditions as determined by the commissioner of transportation.

(c) No direct access shall be permitted between marked Trunk Highway 71 and the lands to be conveyed.

(d) The land to be conveyed is located in Koochiching County and is described as follows:

That part of Tract A described below:

Tract A. All that portion of the Burlington Northern Railroad Company's (formerly Northern Pacific Railway Company) former 400.0 foot wide Station Ground Property at Grand Falls, Minnesota, lying within a distance of 300.0 feet northwesterly of said Railroad Company's former main track centerline upon, over, and across the Northwest Quarter of the Southwest Quarter, the Northwest Quarter of the Northeast Quarter of the Southwest Quarter, the Southeast Quarter of the Southwest Quarter of the Northwest Quarter, and the Southeast Quarter of the Northwest Quarter of Section 36, Township 155 North, Range 25 West, Koochiching County, Minnesota;

which lies southerly of Line 1 described below:

34.1 Line 1. Commencing at a point on the north line of the Northeast Quarter of
34.2 said Section 36, distant 466.0 feet easterly of the northwest corner thereof; thence
34.3 southwesterly at an angle of 56 degrees 41 minutes from said north line (measured from
34.4 west to south) for 458.6 feet; thence deflect to the right on a 01 degree 00 minute curve,
34.5 delta angle 13 degrees 08 minutes, for 1313.3 feet; thence on tangent to said curve for
34.6 1500.0 feet; thence deflect to the left at an angle of 90 degrees 00 minutes for 200 feet to
34.7 the point of beginning of Line 1 to be described; thence deflect to the left at an angle of 90
34.8 degrees 00 minutes for 1500.0 feet; thence deflect to the right at an angle of 90 degrees 00
34.9 minutes for 200 feet and there terminating;

34.10 containing 16.45 acres, more or less, of which 0.55 acres is contained within a
34.11 public road (Koochiching County State-Aid Highway 31).

34.12 (e) The conveyance in this section is subject to the following restrictions:

34.13 (1) the right of way of the public road (Koochiching County State-Aid Highway
34.14 31 as now located and established) running along the east and west quarter line of said
34.15 Section 36; and

34.16 (2) no access shall be permitted to marked Trunk Highway 71 or to remaining rail
34.17 bank lands in said Section 36 from the lands conveyed in this section; except that access
34.18 shall be permitted by way of said Koochiching County State-Aid Highway 31.

34.19 **Sec. 54. CONVEYANCE OF STATE LAND; LE SUEUR COUNTY.**

34.20 (a) Notwithstanding Minnesota Statutes, sections 16B.281 to 16B.287, 92.45,
34.21 161.43, and 161.44, or any other law to the contrary, the commissioner of transportation
34.22 may convey and quitclaim to a private party all right, title, and interest of the state of
34.23 Minnesota, in the land described in paragraph (e). The consideration for a conveyance
34.24 shall be the cost of planning, designing, acquiring, constructing, and equipping a
34.25 comparable rest area facility.

34.26 (b) Proceeds from the sale of real estate or buildings under this section shall be
34.27 deposited in the safety rest area account established in Minnesota Statutes, section
34.28 160.2745.

34.29 (c) The conveyance must be in a form approved by the attorney general. The
34.30 attorney general may make changes to the land description to correct errors and ensure
34.31 accuracy. The conveyance may take place only upon conditions determined by the
34.32 commissioner of transportation.

34.33 (d) No direct access shall be permitted between marked Trunk Highway 169 and the
34.34 land conveyed under this section.

(e) The land to be conveyed is located in Le Sueur County and is described as tracts A, B, and C:

Tract A consists of that part of the West Half of the Southeast Quarter of Section 19, Township 112 North, Range 25 West, Le Sueur County, Minnesota, lying southeasterly of the southeasterly right-of-way line of marked Trunk Highway 169 as the same was located prior to January 1, 1990, and northerly of the northerly right-of-way line of old marked Trunk Highway 169 (now known as County State-Aid Highway 28); excepting therefrom that part thereof lying southwesterly of the following described line: From a point on the east line of said Section 19, distant 1273 feet north of the east quarter corner thereof, run southwesterly at an angle of 37 degrees 47 minutes 00 seconds from said east section line (measured from south to west) for 3332.5 feet; thence deflect to the right on a 01 degree 00 minute 00 second curve (delta angle 40 degrees 11 minutes 00 seconds) having a length of 4018.3 feet for 133.6 feet to the point of beginning of the line to be described; thence deflect to the left at an angle of 90 degrees 00 minutes 00 seconds to the tangent of said curve at said point for 1000 feet and there terminating.

Tract B consists of that part of the East Half of the Southeast Quarter of Section 19, Township 112 North, Range 25 West, Le Sueur County, Minnesota, lying southerly of the southeasterly right-of-way line of marked Trunk Highway 169 as located prior to January 1, 1990, northerly of the northerly right-of-way line of old marked Trunk Highway 169 (now known as County State-Aid Highway 28) and westerly of the following described line: From a point on the east line of said Section 19, distant 1273 feet north of the East Quarter corner thereof, run southwesterly at an angle of 37 degrees 47 minutes 00 seconds from said east section line (measured from south to west) for 2318 feet to the point of beginning of the line to be described; thence deflect to the left at an angle of 90 degrees 00 minutes 00 seconds for 400 feet; thence deflect to the right at an angle of 43 degrees 00 minutes 00 seconds for 1100 feet and there terminating.

Tract C consists of that part of the Southwest Quarter of the Southeast Quarter of Section 19, Township 112 North, Range 25 West, Le Sueur County, Minnesota, lying southeasterly of marked Trunk Highway 169 as located prior to January 1, 1971, and northwesterly of old marked Trunk Highway 169 (now known as County State-Aid Highway 28) and southwesterly of the following described line: From a point on the east line of said Section 19, distant 1273 feet north of the East Quarter corner thereof, run southwesterly at an angle of 37 degrees 47 minutes 00 seconds with said east section line for 3332.5 feet; thence deflect to the right on a 01 degree 00 minute 00 second curve (delta angle 40 degrees 11 minutes 00 seconds) having a length of 4018.3 feet for 133.6 feet to the point of beginning of the line to be described; thence deflect to the left at an

36.1 angle of 90 degrees 00 minutes 00 seconds with the tangent of said curve at said point for
36.2 1000 feet and there terminating.

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

36.4 Sec. 55. **LEGISLATIVE ROUTE NO. 235 REMOVED.**

36.5 (a) Minnesota Statutes, section 161.115, subdivision 166, is repealed effective the
36.6 day after the commissioner of transportation receives a copy of the agreement between
36.7 the commissioner and the governing body of Otter Tail County to transfer jurisdiction of
36.8 Legislative Route No. 235 and notifies the revisor of statutes under paragraph (b).

36.9 (b) The revisor of statutes shall delete the route identified in paragraph (a) from
36.10 Minnesota Statutes when the commissioner of transportation sends notice to the revisor
36.11 electronically or in writing that the conditions required to transfer the route have been
36.12 satisfied.

36.13 Sec. 56. **LEGISLATIVE ROUTE NO. 256 REMOVED.**

36.14 (a) Minnesota Statutes, section 161.115, subdivision 187, is repealed effective the
36.15 day after the commissioner of transportation receives a copy of the agreement between the
36.16 commissioner and the governing body of Blue Earth County to transfer jurisdiction of
36.17 Legislative Route No. 256 and notifies the revisor of statutes under paragraph (b).

36.18 (b) The revisor of statutes shall delete the route identified in paragraph (a) from
36.19 Minnesota Statutes when the commissioner of transportation sends notice to the revisor
36.20 electronically or in writing that the conditions required to transfer the route have been
36.21 satisfied.

36.22 Sec. 57. **REPEALER.**

36.23 (a) Minnesota Statutes 2012, section 168.094, is repealed.

36.24 (b) Minnesota Statutes 2012, section 174.24, subdivision 5, is repealed.

36.25 (c) Minnesota Rules, part 8820.3300, subpart 2, is repealed.

36.26 (d) Minnesota Rules, part 8835.0330, subpart 2, is repealed.

36.27 Sec. 58. **EFFECTIVE DATE.**

36.28 Except as provided otherwise, this act is effective August 1, 2013.

168.094 ONE-WAY TRIP PERMIT.

Subdivision 1. **Application, fee, requirements.** Whenever a person seeks to operate a motor vehicle or tow a manufactured home owned by a nonresident upon the highways of this state solely for the purpose of transporting it from a point outside the state to another point outside the state, and such vehicle is not otherwise exempt from registration and taxation as provided by law, such owner shall not be required to register the vehicle and pay the tax but in lieu thereof shall apply to the registrar for a one-way trip permit and pay a fee of \$10. Unless such act of transportation also requires approval by the commissioner of transportation as provided in section 169.86, such person may be permitted to proceed with such vehicle into the state, not to exceed 35 miles, to the nearest city wherein a deputy registrar is located before securing such permit. The application for permit shall be in such form and contain such information as the registrar may determine. Any motor vehicle operated under such permit shall carry no load. As used in this section, "person" includes a natural person, firm, copartnership, association, or corporation.

Subd. 2. **Proceeds to highway user fund.** Fees collected pursuant to subdivision 1 shall be paid into the state treasury and credited to the highway user tax distribution fund.

174.24 PUBLIC TRANSIT PARTICIPATION PROGRAM.

Subd. 5. **Method of payment, operating assistance.** Payments for operating assistance under this section from state sources of funds must be made in the following manner:

- (a) For payments made from the general fund:
 - (1) 50 percent of the total contract amount in or before the first month of operation;
 - (2) 40 percent of the total contract amount in or before the seventh month of operation;
 - (3) 9 percent of the total contract amount in or before the 12th month of operation; and
 - (4) 1 percent of the total contract amount after the final audit.
- (b) For payments made from the greater Minnesota transit account:
 - (1) 50 percent of the total contract amount in or before the seventh month of operation; and
 - (2) 50 percent of the total contract amount in or before the 11th month of operation.

APPENDIX
Repealed Minnesota Rule: H1416-3

8820.3300 VARIANCE.

Subp. 2. **Notice of request.** The commissioner shall publish notice of variance request in the State Register and shall request comments from interested parties be directed to the commissioner within seven calendar days from date of publication.

8835.0330 CONTRACT FOR FINANCIAL ASSISTANCE.

Subp. 2. **Disbursement schedule.** The department shall make payments to recipients under contract in accordance with Minnesota Statutes, section 174.24, subdivision 5.