

1.1 A bill for an act

1.2 relating to transportation; requiring the commissioner of transportation to
1.3 implement complete streets policy; providing for issuance of limited drivers'
1.4 licenses; providing for certain special license plates; requiring reports;
1.5 appropriating money for trunk highways; authorizing sale of bonds; appropriating
1.6 money and changing appropriations for certain transportation and public safety
1.7 programs and activities; amending Minnesota Statutes 2008, sections 162.02,
1.8 subdivision 3a; 162.09, subdivision 3a; 168.1291, subdivisions 1, 2; 168.1293;
1.9 171.30, subdivision 1, as amended if enacted; Laws 2009, chapter 36, article 1,
1.10 sections 1; 5, subdivisions 1, 3, 4; proposing coding for new law in Minnesota
1.11 Statutes, chapters 168; 174; repealing amendments to Minnesota Statutes 2008,
1.12 section 168.1293, contained in section 23 of S.F. No. 2540, if enacted.

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

1.14 **ARTICLE 1**

1.15 **IMPLEMENTATION**

1.16 Section 1. Minnesota Statutes 2008, section 162.02, subdivision 3a, is amended to read:

1.17 Subd. 3a. **Variances from rules and engineering standards.** (a) Subject to section
1.18 174.75, subdivision 6, the commissioner may grant variances from the rules and from the
1.19 engineering standards developed pursuant to section 162.021 or 162.07, subdivision 2. A
1.20 political subdivision in which a county state-aid highway is located or is proposed to be
1.21 located may submit a written request to the commissioner for a variance for that highway.

1.22 (b) The commissioner shall publish notice of the request in the State Register and
1.23 give notice to all persons known to the commissioner to have an interest in the matter. The
1.24 commissioner may grant or deny the variance within 30 days of providing notice of the
1.25 request. If a written objection to the request is received within seven days of providing
1.26 notice, the variance shall be granted or denied only after a contested case hearing has been
1.27 held on the request. If no timely objection is received and the variance is denied without

2.1 hearing, the political subdivision may request, within 30 days of receiving notice of denial,
2.2 and shall be granted a contested case hearing.

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

2.5 Sec. 2. Minnesota Statutes 2008, section 162.09, subdivision 3a, is amended to read:

2.6 Subd. 3a. **Variations from rules and engineering standards.** (a) Subject to section
2.7 174.75, subdivision 6, the commissioner may grant variations from the rules and from the
2.8 engineering standards developed pursuant to section 162.13, subdivision 2. A political
2.9 subdivision in which a municipal state-aid street is located or is proposed to be located
2.10 may submit a written request to the commissioner for a variance for that street.

2.11 (b) The commissioner shall publish notice of the request in the State Register and
2.12 give notice to all persons known to the commissioner to have an interest in the matter. The
2.13 commissioner may grant or deny the variance within 30 days of providing notice of the
2.14 request. If a written objection to the request is received within seven days of providing
2.15 notice, the variance shall be granted or denied only after a contested case hearing has been
2.16 held on the request. If no timely objection is received and the variance is denied without
2.17 hearing, the political subdivision may request, within 30 days of receiving notice of denial,
2.18 and shall be granted a contested case hearing.

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

2.21 Sec. 3. **[174.75] COMPLETE STREETS.**

2.22 Subdivision 1. **Definition.** "Complete streets" is the planning, scoping, design,
2.23 implementation, operation, and maintenance of roads in order to reasonably address the
2.24 safety and accessibility needs of users of all ages and abilities. Complete streets considers
2.25 the needs of motorists, pedestrians, transit users and vehicles, bicyclists, and commercial
2.26 and emergency vehicles moving along and across roads, intersections, and crossings in a
2.27 manner that is sensitive to the local context and recognizes that the needs vary in urban,
2.28 suburban, and rural settings.

2.29 Subd. 2. **Application.** Complete streets applies to every road construction,
2.30 reconstruction, or rehabilitation project funded partially or completely by the state.

2.31 Subd. 3. **Implementation.** The commissioner shall implement a complete streets
2.32 policy after consultation with stakeholders, state and regional agencies, local governments,
2.33 and road authorities. The commissioner, after such consultation, shall address relevant

3.1 protocols, guidance, standards, requirements, training, and shall integrate related
3.2 principles of context-sensitive solutions.

3.3 Subd. 4. **Report.** Beginning in 2011, the commissioner shall report on the
3.4 implementation of the complete streets policy in the agency's biennial budget submission
3.5 under section 174.02.

3.6 Subd. 5. **Local road authorities.** Local road authorities are encouraged, but not
3.7 required, to create and adopt complete streets policies for their roads that reflect local
3.8 context and goals. Nothing in this section may be construed to prohibit a local road
3.9 authority from adopting a complete streets policy that incorporates or exceeds statutory
3.10 complete streets principles.

3.11 Subd. 6. **Variances from engineering standards.** (a) When evaluating a request
3.12 for a variance from the engineering standards for state-aid projects under chapter 162 in
3.13 which the variance request is related to complete streets, the commissioner shall consider
3.14 the latest edition of:

3.15 (1) A Policy on Geometric Design of Highways and Streets, from the American
3.16 Association of State Highway and Transportation Officials; and

3.17 (2) for projects in urban areas, the Context Sensitive Solutions in Designing Major
3.18 Urban Thoroughfares for Walkable Communities, from the Institute of Transportation
3.19 Engineers.

3.20 (b) If the commissioner denies a variance request related to complete streets, the
3.21 commissioner shall provide written reasons for the denial to the political subdivision
3.22 that submitted the request.

3.23 **Sec. 4. EFFECTIVE DATE.**

3.24 This article is effective August 1, 2010.

3.25 **ARTICLE 2**

3.26 **REPORTS**

3.27 **Section 1. COMPLETE STREETS REPORTS.**

3.28 The commissioner of transportation shall submit to the chairs and ranking minority
3.29 members of the house of representatives and senate committees with jurisdiction over
3.30 transportation policy and finance reports that:

3.31 (1) by January 15, 2011, summarize the department's complete streets initiatives,
3.32 summarize steps taken to expedite and improve the transparency of the state-aid variance
3.33 process related to complete streets, outline plans to develop and implement a complete
3.34 streets policy, and identify any statutory barriers to complete streets implementation;

4.1 (2) by January 15, 2012, summarize the results of the collaboration under Minnesota
4.2 Statutes, section 174.75, subdivision 3; identify modifications made to or recommended
4.3 for protocols, guidance, standards, or other requirements to facilitate complete streets
4.4 implementation; report status of development of complete streets performance indicators;
4.5 outline other work planned related to the complete streets policy; and identify statutory
4.6 recommendations to facilitate complete streets policy implementation; and

4.7 (3) by January 15, 2014, overview the department's implementation of complete
4.8 streets policy; note updates to protocols, guidance, standards, or requirements; identify
4.9 any recommendations for supporting local complete streets implementation under the
4.10 state-aid standards variance process; and identify statutory recommendations to facilitate
4.11 complete streets policy implementation.

4.12 The reports in clauses (1), (2), and (3) must be made available electronically and
4.13 made available in print only upon request.

ARTICLE 3

LICENSE PLATES

4.16 Section 1. **[168.121] SPECIAL PLATES REMEMBERING VICTIMS OF**
4.17 **IMPAIRED DRIVERS.**

4.18 Subdivision 1. **Issuance and design.** Notwithstanding section 168.1293, the
4.19 commissioner shall issue special plates remembering victims of impaired drivers to an
4.20 applicant who:

4.21 (1) is a registered owner of a passenger automobile;

4.22 (2) pays a fee of \$10 for each set of license plates applied for; and

4.23 (3) complies with this chapter and rules governing registration of motor vehicles
4.24 and licensing of drivers.

4.25 Subd. 2. **Design.** The commissioner shall design the special plate emblem so that it
4.26 bears an inscription "Remembering Victims of Impaired Drivers" and displays an image
4.27 of a broken heart.

4.28 Subd. 3. **Plates transfer.** On payment of a transfer fee of \$5, plates issued under this
4.29 section may be transferred to another passenger automobile registered to the individual
4.30 to whom the special plates were issued.

4.31 Subd. 4. **Record.** The commissioner shall maintain a record of the number of
4.32 special plates issued under this section.

4.33 Subd. 5. **Fees credited.** Fees collected under this section must be credited to the
4.34 vehicle services operating account in the special revenue fund.

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

5.2 Sec. 2. Minnesota Statutes 2008, section 168.1291, subdivision 1, is amended to read:

5.3 Subdivision 1. **Definition.** For purposes of this section "special plates" means plates
5.4 issued under sections 168.12, subdivisions 2b and 2e; 168.121; 168.1235; and 168.129.

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

5.6 Sec. 3. Minnesota Statutes 2008, section 168.1291, subdivision 2, is amended to read:

5.7 Subd. 2. **Uniform design of special plates.** (a) The commissioner shall design a
5.8 single special plate that will contain a unique number and a space for a unique emblem
5.9 for plates issued under sections 168.12, subdivisions 2b and 2e; 168.121; 168.1235; and
5.10 168.129. The commissioner shall design a unique emblem related to the purpose of each
5.11 special plate.

5.12 (b) Any provision of sections 168.12, subdivisions 2b to 2e; 168.121; 168.123;
5.13 and 168.129, that requires the placement of a specified letter or letters on a special plate
5.14 applies to those plates only to the extent that the commissioner includes the letter or
5.15 letters in the design.

5.16 (c) If a law authorizing a special plate contains a specific requirement for graphic
5.17 design of that plate, that requirement applies to the appropriate unique emblem.

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

5.19 Sec. 4. Minnesota Statutes 2008, section 168.1293, is amended to read:

5.20 **168.1293 CERTAIN SPECIAL PLATES; AUTHORIZATION,**
5.21 **DISCONTINUANCE.**

5.22 Subdivision 1. **Definition.** For purposes of this section ~~and section 168.1297,~~ the
5.23 following terms have the meanings given them:

5.24 (1) "new special plate" or "proposed special plate" means a special plate authorized
5.25 by sections 168.12, subdivisions 2b and 2e; 168.1235; and 168.129, to have wording and
5.26 graphics that differ from a Minnesota passenger vehicle plate; that is not authorized under
5.27 this chapter and for which legislation authorizing the plate, including but not limited to a
5.28 bill or amendment, is introduced or presented to the legislature; and

5.29 (2) "proximate special plate" means a special plate (i) authorized under section
5.30 168.12, subdivisions 2b and 2e; or 168.129; or (ii) authorized in law on or after August
5.31 1, 2010.

6.1 Subd. 1a. **Establishment of plate.** The commissioner may only establish a special
6.2 plate as authorized under this chapter. This requirement does not apply to alternative
6.3 or additional designs for a special plate.

6.4 **Subd. 2. Submissions to commissioner.** (a) A person, legal entity, or other
6.5 requester, however organized, that plans to seek legislation establishing a new special
6.6 plate, or is a proponent of a new special plate, shall submit the following information and
6.7 fee to the commissioner:

6.8 (1) The requester shall submit a request for the special plate being sought, describing
6.9 the ~~proposed~~ special plate in general terms, the purpose of the plate, and the proposed fee
6.10 or minimum contribution required for the plate.

6.11 (2) The requester shall submit the results of a scientific sample survey of Minnesota
6.12 motor vehicle owners that indicates that at least 10,000 motor vehicle owners intend
6.13 to purchase the proposed plate with the proposed fee or minimum contribution. The
6.14 requester's plan to undertake the survey must be reported to the commissioner before the
6.15 survey is undertaken. The survey must be performed independently of the requester by
6.16 another person or legal entity, however organized, that conducts similar sample surveys
6.17 in the normal course of business.

6.18 (3) The requester shall submit an application fee of \$20,000, to cover the cost of
6.19 reviewing the application for a new plate and developing the new special plate if authorized
6.20 by law. State funds may not be used to pay the application fee. This requirement does not
6.21 apply if legislation or a bill introduced to the legislature proposing the new special plate
6.22 contains a mechanism by which all costs incurred by the commissioner for development
6.23 and implementation of the plate are covered, provided that the application fee subsequently
6.24 does apply if such a mechanism is not enacted in the law authorizing the new special plate.

6.25 (4) The requester shall submit a marketing strategy that contains (i) short-term and
6.26 long-term marketing plans for the requested plate, and (ii) a financial analysis showing
6.27 the anticipated revenues and the planned expenditures of any fee or contribution derived
6.28 from the requested plate.

6.29 (b) The requester shall submit the information required under paragraph (a) to the
6.30 commissioner at least 120 days before the convening of the next regular legislative session
6.31 at which the requester will submit the proposal.

6.32 **Subd. 2a. Information for legislature.** (a) Within 15 days of the introduction of a
6.33 bill proposing a new special plate, the commissioner shall submit a briefing to the chairs
6.34 and ranking minority members of the house of representatives and senate committees to
6.35 which the bill was referred. At a minimum, the briefing must:

6.36 (1) summarize the requirements for a special plate under this section; and

7.1 (2) identify which of the requirements have been met for the proposed special plate.

7.2 (b) If a proposed special plate is a topic of discussion at a legislative committee
7.3 hearing, the commissioner shall make every reasonable effort to provide testimony. The
7.4 testimony must include the information required in the briefing under paragraph (a).

7.5 (c) Notwithstanding section 3.195, the commissioner may submit the briefing under
7.6 paragraph (a) by submitting an electronic version rather than a printed version.

7.7 Subd. 3. **Design; redesign.** (a) If the proposed ~~new~~ special plate sought by the
7.8 requester is approved by law, the requester shall submit the proposed design for the plate
7.9 to the commissioner as soon as practicable, but not later than 120 days after the effective
7.10 date of the law authorizing issuance of the plate. The commissioner is responsible for
7.11 selecting the final design for the special plate.

7.12 (b) The requester that originally requested a new special plate subsequently approved
7.13 by law may not submit a new design for the plate within the five years following the date
7.14 of first issuance of the plate unless the inventory of those plates has been exhausted.
7.15 The requester may deplete the remaining inventory of the plates by reimbursing the
7.16 commissioner for the cost of the plates.

7.17 Subd. 4. **Refund of fee.** If the special plate requested is not authorized in the
7.18 legislative session at which authorization was sought, the commissioner shall, if
7.19 applicable, refund \$17,500 of the application fee to the requester.

7.20 Subd. 5. **Discontinuance of plate.** (a) The commissioner shall discontinue the
7.21 issuance or renewal of any proximate special plate ~~authorized by sections 168.12,~~
7.22 ~~subdivisions 2b and 2c; 168.1235; and 168.129,~~ if (1) fewer than 1,000 sets of those
7.23 plates are currently registered at the end of the first six years during which the plates are
7.24 available, or (2) fewer than 1,000 sets of those plates are currently registered at the end of
7.25 any subsequent two-year period following the first six years of availability.

7.26 (b) The commissioner shall discontinue the issuance or renewal of any proximate
7.27 special plate ~~authorized by sections 168.12, subdivisions 2b and 2c; 168.1235;~~
7.28 ~~and 168.129,~~ and distribution of any contributions resulting from that plate, if the
7.29 commissioner determines that (1) the fund or requester receiving the contributions no
7.30 longer exists, (2) the requester has stopped providing services that are authorized to be
7.31 funded from the contribution proceeds, (3) the requester has requested discontinuance, or
7.32 (4) contributions have been used in violation of subdivision 6.

7.33 (c) Nothing in this subdivision applies to plates issued under section 168.123,
7.34 168.1235, 168.124, 168.125, 168.1251, or 168.1255.

7.35 (d) Upon commencing discontinuance of a proximate special plate under this
7.36 subdivision, the commissioner (1) shall not issue the plate, including as a duplicate; and

8.1 (2) shall allow retention of any existing plate for the regular period. For purposes of this
8.2 paragraph, "regular period" may be, as appropriate, the period specified under section
8.3 168.12, subdivision 1; the time until issuance of a duplicate plate for that vehicle; or as
8.4 otherwise provided by law.

8.5 Subd. 6. **Use of contributions.** Contributions made as a condition of obtaining a
8.6 proximate special plate authorized by sections 168.12, subdivisions 2b and 2c; 168.1235;
8.7 and 168.129, and interest earned on the contributions, may not be spent for commercial or
8.8 for-profit purposes.

8.9 Subd. 7. **Deposit of fee; appropriation.** The commissioner shall deposit the
8.10 application fee under subdivision 2, paragraph (a), clause (3), in the vehicle services
8.11 operating account of the special revenue fund under section 299A.705. An amount
8.12 sufficient to pay the department's cost in implementing and administering this section,
8.13 including payment of refunds under subdivision 4, is appropriated to the commissioner.

8.14 **EFFECTIVE DATE.** This section is effective August 1, 2010.

8.15 Sec. 5. **REPEALER.**

8.16 The amendments to Minnesota Statutes 2008, section 168.1293, contained in section
8.17 23 of 2010 S.F. No. 2540, if enacted, are repealed and the provisions it amended are
8.18 revived, effective the day following final enactment.

8.19 **ARTICLE 4**

8.20 **ROAD CONSTRUCTION**

8.21 Section 1. **STATE ROAD CONSTRUCTION APPROPRIATION.**

8.22 \$30,000,000 is appropriated from the bond proceeds account in the trunk highway
8.23 fund in fiscal year 2011 to the commissioner of transportation for the actual construction,
8.24 reconstruction, and improvement of trunk highways, including design-build contracts and
8.25 consultant usage to support these activities. This includes the cost of actual payments to
8.26 landowners for lands acquired for highway rights-of-way, payments to lessees, interest
8.27 subsidies, and relocation expenses. The commissioner may use up to \$5,100,000 of this
8.28 amount for program delivery.

8.29 Sec. 2. **INTERCHANGE ACCOUNT APPROPRIATION.**

8.30 \$70,000,000 is appropriated from the bond proceeds account in the trunk highway
8.31 fund in fiscal year 2011 to the commissioner of transportation for construction of
8.32 interchanges involving a trunk highway, where the interchange will promote economic

9.1 development, increase employment, relieve growing traffic congestion, and promote traffic
9.2 safety. The amount under this paragraph must be allocated 50 percent to the department's
9.3 metropolitan district, and 50 percent to districts in greater Minnesota.

9.4 Sec. 3. **BOND SALE EXPENSES.**

9.5 \$100,000 is appropriated from the bond proceeds account in the trunk highway fund
9.6 to the commissioner of finance for bond sale expenses under Minnesota Statutes, sections
9.7 16A.641, subdivision 8, and 167.50, subdivision 4.

9.8 Sec. 4. **TRUNK HIGHWAY BONDS AUTHORIZATION.**

9.9 To provide the money appropriated in sections 1, 2, and 3 from the bond proceeds
9.10 account in the trunk highway fund, the commissioner of management and budget shall
9.11 sell and issue bonds of the state in an amount up to \$100,100,000 in the manner, upon the
9.12 terms, and with the effect prescribed by Minnesota Statutes, sections 167.50 to 167.52,
9.13 and by the Minnesota Constitution, article XIV, section 11, at the times and in the amounts
9.14 requested by the commissioner of transportation. The proceeds of the bonds, except
9.15 accrued interest and any premium received from the sale of the bonds, must be deposited
9.16 in the bond proceeds account in the trunk highway fund.

9.17 Sec. 5. **EFFECTIVE DATE.**

9.18 This article is effective the day following final enactment.

9.19 **ARTICLE 5**

9.20 **TRANSPORTATION TAX COMPLIANCE**

9.21 Section 1. Laws 2009, chapter 36, article 1, section 1, is amended to read:

9.22 Section 1. **SUMMARY OF APPROPRIATIONS.**

9.23 The amounts shown in this section summarize direct appropriations, by fund, made
9.24 in this article.

	2010	2011	Total
		95,885,000	194,270,000
9.27 General	\$ 98,385,000	<u>95,897,000</u>	<u>194,282,000</u>
9.28 Airports	21,909,000	19,659,000	41,568,000
9.29 C.S.A.H.	496,786,000	524,478,000	1,021,264,000
9.30 M.S.A.S.	134,003,000	141,400,000	275,403,000
9.31		49,038,000	98,076,000
9.32 Special Revenue	49,038,000	<u>49,088,000</u>	<u>98,126,000</u>

H.F. No. 2801, 1st Unofficial Engrossment - 86th Legislative Session (2009-2010)
[UEH2801-1]

10.1			9,838,000	19,376,000
10.2	H.U.T.D.	9,538,000	<u>10,017,000</u>	<u>19,555,000</u>
10.3			1,372,687,000	2,637,608,000
10.4	Trunk Highway	1,264,921,000	<u>1,372,496,000</u>	<u>2,637,417,000</u>
10.5			2,212,985,000	4,287,565,000
10.6	Total	\$ 2,074,580,000	<u>2,213,035,000</u>	<u>4,287,615,000</u>

10.7 **EFFECTIVE DATE.** This section is effective July 1, 2010.

10.8 Sec. 2. Laws 2009, chapter 36, article 1, section 5, subdivision 1, is amended to read:

10.9				152,578,000
10.10	Subdivision 1. Total Appropriation		\$ 152,478,000	<u>152,628,000</u>

10.11	Appropriations by Fund			
10.12		2010	2011	
10.13			7,959,000	
10.14	General	7,959,000	<u>7,971,000</u>	
10.15			49,038,000	
10.16	Special Revenue	49,038,000	<u>49,088,000</u>	
10.17			9,713,000	
10.18	H.U.T.D.	9,413,000	<u>9,892,000</u>	
10.19			85,868,000	
10.20	Trunk Highway	86,068,000	<u>85,677,000</u>	

10.21 The amounts that may be spent for each
 10.22 purpose are specified in the following
 10.23 subdivisions.

10.24 **EFFECTIVE DATE.** This section is effective July 1, 2010.

10.25 Sec. 3. Laws 2009, chapter 36, article 1, section 5, subdivision 3, is amended to read:

10.26 Subd. 3. **State Patrol**

10.27				71,522,000
10.28	(a) Patrolling Highways		71,522,000	<u>71,331,000</u>

10.29	Appropriations by Fund			
10.30	General	37,000	37,000	
10.31	H.U.T.D.	92,000	92,000	
10.32			71,393,000	
10.33	Trunk Highway	71,393,000	<u>71,202,000</u>	

10.34 The base appropriation from the trunk
 10.35 highway fund in fiscal years 2012 and 2013
 10.36 is \$71,393,000 for each fiscal year.

11.1	(b) Commercial Vehicle Enforcement	7,996,000	7,796,000
11.2	This appropriation is from the trunk highway		
11.3	fund.		
11.4	\$800,000 the first year and \$600,000 the		
11.5	second year are for the Office of Pupil		
11.6	Transportation Safety.		
11.7	(c) Capitol Security	3,113,000	3,113,000
11.8	This appropriation is from the general fund.		
11.9	The commissioner may not: (1) spend		
11.10	any money from the trunk highway fund		
11.11	for capitol security; or (2) permanently		
11.12	transfer any state trooper from the patrolling		
11.13	highways activity to capitol security.		
11.14	The commissioner may not transfer any		
11.15	money: (1) appropriated for Department of		
11.16	Public Safety administration, the patrolling of		
11.17	highways, commercial vehicle enforcement,		
11.18	or driver and vehicle services to capitol		
11.19	security; or (2) from capitol security.		
11.20	<u>(d) Vehicle Crimes Unit</u>	<u>-0-</u>	<u>191,000</u>
11.21	<u>Appropriations by Fund</u>		
11.22	<u>General</u>	<u>-0-</u>	<u>12,000</u>
11.23	<u>H.U.T.D.</u>	<u>-0-</u>	<u>179,000</u>
11.24	<u>This appropriation is to investigate: (1)</u>		
11.25	<u>registration tax and motor vehicle sales tax</u>		
11.26	<u>liabilities from individuals and businesses</u>		
11.27	<u>that currently do not pay all taxes owed;</u>		
11.28	<u>and (2) illegal or improper activity related</u>		
11.29	<u>to sale, transfer, titling, and registration of</u>		
11.30	<u>motor vehicles.</u>		
11.31	<u>This initiative is expected to result in new</u>		
11.32	<u>revenues for the biennium as follows:</u>		

12.1 (1) \$114,000 for the highway user tax
12.2 distribution fund;
12.3 (2) \$75,000 for the transit assistance fund;
12.4 and
12.5 (3) \$13,000 for the general fund.
12.6 The general fund appropriation for fiscal year
12.7 2011 is a onetime appropriation.
12.8 The base appropriation from the highway
12.9 user tax distribution fund in fiscal years 2012
12.10 and 2013 is \$693,000 for each fiscal year.
12.11 By February 1, 2015, the commissioner shall
12.12 submit a report to the house of representatives
12.13 and senate committees having jurisdiction
12.14 over transportation finance on the revenues
12.15 generated by the Vehicle Crimes Unit. This
12.16 report must be made available electronically
12.17 and made available in print only upon
12.18 request.

12.19 **EFFECTIVE DATE.** This section is effective July 1, 2010.

12.20 Sec. 4. Laws 2009, chapter 36, article 1, section 5, subdivision 4, is amended to read:

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

12.22			<u>27,209,000</u>
12.23	(a) Vehicle Services	26,909,000	<u>27,259,000</u>

12.24 Appropriations by Fund

12.25			18,973,000
12.26	Special Revenue	18,973,000	<u>19,023,000</u>
12.27	H.U.T.D.	7,936,000	8,236,000

12.28 The special revenue fund appropriation is
12.29 from the vehicle services operating account.

12.30 Of the appropriation for fiscal year 2011
12.31 from the special revenue fund, \$50,000 is
12.32 for assistance to the Vehicle Crimes Unit in

13.1	<u>investigations as provided under subdivision</u>		
13.2	<u>3, paragraph (d).</u>		
13.3	(b) Driver Services	28,712,000	28,712,000
13.4	Appropriations by Fund		
13.5	Special Revenue	28,711,000	28,711,000
13.6	Trunk Highway	1,000	1,000
13.7	The special revenue fund appropriation is		
13.8	from the driver services operating account.		

13.9 **EFFECTIVE DATE.** This section is effective July 1, 2010.

13.10 **ARTICLE 6**

13.11 **LIMITED LICENSE**

13.12 Section 1. Minnesota Statutes 2008, section 171.30, subdivision 1, as amended by 2010
13.13 H.F. No. 3106, section 11, if enacted, is amended to read:

13.14 Subdivision 1. **Conditions of issuance.** (a) The commissioner may issue a limited
13.15 license to the driver under the conditions in paragraph (b) in any case where a person's
13.16 license has been:

13.17 (1) suspended under section 171.18, 171.173, or 171.186;

13.18 (2) revoked, canceled, or denied under section:

13.19 (i) 169.792;

13.20 (ii) 169.797;

13.21 (iii) 169A.52;

13.22 (A) subdivision 3, paragraph (a), clause (1); or (2);

13.23 (B) subdivision 3, paragraph (a), clause (4), (5), or (6), or if in compliance with
13.24 section 171.306;

13.25 (C) subdivision 4, paragraph (a), clause (1) or (2), if the test results indicate an
13.26 alcohol concentration of less than twice the legal limit; ~~(2) if the test results indicate an~~
13.27 ~~alcohol concentration of less than twice the legal limit;~~ or

13.28 (D) subdivision 4, paragraph (a), clause (4), (5), or (6), if in compliance with section
13.29 171.306;

13.30 (iv) 171.17; or

13.31 (v) 171.172; or

13.32 (3) revoked, canceled, or denied under section 169A.54;

13.33 (i) subdivision 1, clause (1), if the test results indicate an alcohol concentration
13.34 of less than twice the legal limit;

- 14.1 (ii) subdivision 1, clause (2);
- 14.2 (iii) subdivision 1, clause (4), (5), or (6), if in compliance with section 171.306; or
- 14.3 (iv) subdivision 2, if the person does not have a qualified prior impaired driving
- 14.4 incident as defined in section 169A.03, subdivision 22, on the person's record, ~~the~~
- 14.5 ~~commissioner may issue a limited license to the driver including under the following~~
- 14.6 ~~conditions:~~ and the test results indicate an alcohol concentration of less than twice the
- 14.7 legal limit.
- 14.8 (b) The following conditions for a limited license under paragraph (a) include:
- 14.9 (1) if the driver's livelihood or attendance at a chemical dependency treatment or
- 14.10 counseling program depends upon the use of the driver's license;
- 14.11 (2) if the use of a driver's license by a homemaker is necessary to prevent the
- 14.12 substantial disruption of the education, medical, or nutritional needs of the family of
- 14.13 the homemaker; or
- 14.14 (3) if attendance at a postsecondary institution of education by an enrolled student of
- 14.15 that institution depends upon the use of the driver's license.
- 14.16 ~~(b)~~ (c) The commissioner in issuing a limited license may impose such conditions and
- 14.17 limitations as in the commissioner's judgment are necessary to the interests of the public
- 14.18 safety and welfare including reexamination as to the driver's qualifications. The license
- 14.19 may be limited to the operation of particular vehicles, to particular classes and times of
- 14.20 operation, and to particular conditions of traffic. The commissioner may require that an
- 14.21 applicant for a limited license affirmatively demonstrate that use of public transportation
- 14.22 or carpooling as an alternative to a limited license would be a significant hardship.
- 14.23 ~~(c)~~ (d) For purposes of this subdivision: (1) "homemaker" refers to the person
- 14.24 primarily performing the domestic tasks in a household of residents consisting of at least
- 14.25 the person and the person's dependent child or other dependents; and (2) "twice the legal
- 14.26 limit" means an alcohol concentration of two times the limit specified in section 169A.20,
- 14.27 subdivision 1, clause (5).
- 14.28 ~~(d)~~ (e) The limited license issued by the commissioner shall clearly indicate the
- 14.29 limitations imposed and the driver operating under the limited license shall have the
- 14.30 license in possession at all times when operating as a driver.
- 14.31 ~~(e)~~ (f) In determining whether to issue a limited license, the commissioner shall
- 14.32 consider the number and the seriousness of prior convictions and the entire driving record
- 14.33 of the driver and shall consider the number of miles driven by the driver annually.
- 14.34 ~~(f)~~ (g) If the person's driver's license or permit to drive has been revoked under
- 14.35 section 169.792 or 169.797, the commissioner may only issue a limited license to the
- 14.36 person after the person has presented an insurance identification card, policy, or written

15.1 statement indicating that the driver or owner has insurance coverage satisfactory to
15.2 the commissioner of public safety. The commissioner of public safety may require
15.3 the insurance identification card provided to satisfy this subdivision be certified by the
15.4 insurance company to be noncancelable for a period not to exceed 12 months.

15.5 ~~(g)~~ (h) The limited license issued by the commissioner to a person under section
15.6 171.186, subdivision 4, must expire 90 days after the date it is issued. The commissioner
15.7 must not issue a limited license to a person who previously has been issued a limited
15.8 license under section 171.186, subdivision 4.

15.9 ~~(h)~~ (i) The commissioner shall not issue a limited driver's license to any person
15.10 described in section 171.04, subdivision 1, clause (6), (7), (8), (11), or (14).

15.11 ~~(i)~~ (j) The commissioner shall not issue a class A, class B, or class C limited license.