

## CHAPTER 174

## DEPARTMENT OF TRANSPORTATION

174.02 Commissioner's powers and duties.  
174.295 Eligibility certification; penalty for fraud.

174.30 Operating standards for special transportation service.  
174.32 Transit assistance program.  
174.35 Light rail transit.

**174.02 COMMISSIONER'S POWERS AND DUTIES.**

*[For text of subds 1 to 5, see M.S.1992]*

Subd. 6. **Agreements, receipts, appropriation.** To facilitate the implementation of intergovernmental efficiencies, effectiveness, and cooperation, and to promote and encourage economic and technological development in transportation matters within and between governmental and nongovernmental entities:

(a) The commissioner may enter into agreements with other governmental or non-governmental entities for research and experimentation; for sharing facilities, equipment, staff, data, or other means of providing transportation-related services; or for other cooperative programs that promote efficiencies in providing governmental services or that further development of innovation in transportation for the benefit of the citizens of Minnesota.

(b) In addition to funds otherwise appropriated by the legislature, the commissioner may accept and spend funds received under any agreement authorized in paragraph (a) for the purposes set forth in that paragraph, subject to a report of receipts to the commissioner of finance at the end of each fiscal year and, if receipts from the agreements exceed \$100,000 in a fiscal year, the commissioner shall also notify the governor and the committee on finance of the senate and the committee on ways and means of the house of representatives.

(c) Funds received under this subdivision must be deposited in the special revenue fund and are appropriated to the commissioner for the purposes set forth in this subdivision.

**History:** 1993 c 266 s 28

**174.295 ELIGIBILITY CERTIFICATION; PENALTY FOR FRAUD.**

Subdivision 1. **Notice.** A provider of special transportation service, as defined in section 174.29, receiving financial assistance under section 174.24, shall include on the application form for special transportation service, and on the eligibility certification form if different from the application form, a notice of the penalty for fraudulent certification under subdivision 4.

Subd. 2. **Certifier statement.** A provider shall include on the application or eligibility certification form a place for the person certifying the applicant as eligible for special transportation service to sign, and the person certifying the applicant shall sign, stating that the certifier understands the penalty for fraudulent certification and that the certifier believes the applicant to be eligible.

Subd. 3. **Applicant statement.** A provider shall include on the application form a place for the applicant to sign, and the applicant shall sign, stating that the applicant understands the penalty for fraudulent certification and that the information on the application is true.

Subd. 4. **Penalty.** A person is guilty of a misdemeanor if:

(1) the person fraudulently certifies to the special transportation service provider that the applicant is eligible for special transportation service; or

(2) the person obtains certification for special transportation service by misrepresentation or fraud.

**History:** 1993 c 326 art 4 s 4

**174.30 OPERATING STANDARDS FOR SPECIAL TRANSPORTATION SERVICE.**

Subdivision 1. **Applicability limitations; by type of provider; by source of funds.** The operating standards for special transportation service adopted under this section do not apply to special transportation provided by:

- (a) A common carrier operating on fixed routes and schedules;
- (b) A volunteer driver using a private automobile;
- (c) A school bus as defined in section 169.01, subdivision 6; or
- (d) An emergency ambulance regulated under chapter 144.

The operating standards adopted under this section only apply to providers of special transportation service who receive grants or other financial assistance from either the state or the federal government, or both, to provide or assist in providing that service; except that the operating standards adopted under this section do not apply to any nursing home licensed under section 144A.02, to any board and care facility licensed under section 144.50, or to any day training and habilitation services, day care, or group home facility licensed under sections 245A.01 to 245A.19 unless the facility or program provides transportation to nonresidents on a regular basis and the facility receives reimbursement, other than per diem payments, for that service under rules promulgated by the commissioner of human services.

*[For text of subds 2 to 7, see M.S.1992]*

**History:** 1993 c 339 s 1

**174.32 TRANSIT ASSISTANCE PROGRAM.**

*[For text of subd 1, see M.S.1992]*

Subd. 2. **Transit assistance fund; distribution.** The transit assistance fund receives money distributed under section 297B.09. Eighty percent of the receipts of the fund must be placed into a metropolitan account for distribution to recipients located in the metropolitan area and 20 percent into a separate account for distribution to recipients located outside of the metropolitan area. Except as otherwise provided in this subdivision, the regional transit board created by section 473.373 is responsible for distributing assistance from the metropolitan account, and the commissioner is responsible for distributing assistance from the other account.

*[For text of subds 3 to 6, see M.S.1992]*

**History:** 1993 c 353 s 1

**174.35 LIGHT RAIL TRANSIT.**

The commissioner of transportation may exercise the powers granted in this chapter and chapter 473, as necessary, to plan, design, acquire, construct, and equip light rail transit facilities in the metropolitan area as defined in section 473.121, subdivision 2.

**History:** 1993 c 353 s 2