

161.088 CORRIDORS OF COMMERCE PROGRAM.

Subdivision 1. **Definitions.** For purposes of this section, the following terms have the meanings given:

(1) "beyond the project limits" means any point that is located:

- (i) outside of the project limits;
- (ii) along the same trunk highway; and
- (iii) within the same region of the state;

(2) "city" means a statutory or home rule charter city;

(3) "program" means the corridors of commerce program established in this section; and

(4) "project limits" means the estimated construction limits of a project for trunk highway construction, reconstruction, or maintenance, that is a candidate for selection under the corridors of commerce program.

Subd. 2. **Program authority; funding.** (a) As provided in this section, the commissioner shall establish a corridors of commerce program for trunk highway construction, reconstruction, and improvement, including maintenance operations, that improves commerce in the state.

(b) The commissioner may expend funds under the program from appropriations to the commissioner that are:

(1) made specifically by law for use under this section;

(2) at the discretion of the commissioner, made for the budget activities in the state roads program of operations and maintenance, program planning and delivery, or state road construction; and

(3) made for the corridor investment management strategy program, unless specified otherwise.

(c) The commissioner shall include in the program the cost participation policy for local units of government.

(d) The commissioner may use up to 17 percent of any appropriation to the program for program delivery.

Subd. 3. **Project classification.** The commissioner shall determine whether each candidate project can be classified into at least one of the following classifications:

(1) capacity development, for a project on a segment of a trunk highway where the segment:

- (i) is not a divided highway, and that highway is an expressway or freeway beyond the project limits;
- (ii) contains a highway terminus that lacks an intersection or interchange with another trunk highway;
- (iii) contains fewer lanes of travel compared to that highway beyond the project limits; or

(iv) contains a location that is proposed as a new interchange or to be reconstructed from an intersection to an interchange; or

(2) freight improvement, for an asset preservation or replacement project that can result in:

- (i) removing or reducing barriers to commerce;
- (ii) easing or preserving freight movement;

(iii) supporting emerging industries; or

(iv) providing connections between the trunk highway system and other transportation modes for the movement of freight.

Subd. 4. Project eligibility. (a) The eligibility requirements for projects that can be funded under the program are:

(1) consistency with the statewide multimodal transportation plan under section 174.03;

(2) location of the project on an interregional corridor, for a project located outside of the Department of Transportation metropolitan district;

(3) placement into at least one project classification under subdivision 3;

(4) project construction work will commence within three years, or a longer length of time as determined by the commissioner; and

(5) for each type of project classification under subdivision 3, a maximum allowable amount for the total project cost estimate, as determined by the commissioner with available data.

(b) A project whose construction is programmed in the state transportation improvement program is not eligible for funding under the program. This paragraph does not apply to a project that is programmed as result of selection under this section.

(c) A project may be, but is not required to be, identified in the 20-year state highway investment plan under section 174.03.

(d) For each project, the commissioner must consider all of the eligibility requirements under paragraph (a). The commissioner is prohibited from considering any eligibility requirement not specified under paragraph (a).

Subd. 5. Project selection process; criteria. (a) The commissioner must establish a process to identify, evaluate, and select projects under the program. The process must be consistent with the requirements of this subdivision and must not include any additional evaluation criteria.

(b) As part of the project selection process, the commissioner must annually accept recommendations on candidate projects from area transportation partnerships and other interested stakeholders in each Department of Transportation district. The commissioner must determine the eligibility for each candidate project identified under this paragraph. For each eligible project, the commissioner must classify and evaluate the project for the program, using all of the criteria established under paragraph (c).

(c) Projects must be evaluated using all of the following criteria:

(1) a return on investment measure that provides for comparison across eligible projects;

(2) measurable impacts on commerce and economic competitiveness;

(3) efficiency in the movement of freight, including but not limited to:

(i) measures of annual average daily traffic and commercial vehicle miles traveled, which may include data near the project location on that trunk highway or on connecting trunk and local highways; and

(ii) measures of congestion or travel time reliability, which may be within or near the project limits, or both;

- (4) improvements to traffic safety;
- (5) connections to regional trade centers, local highway systems, and other transportation modes;
- (6) the extent to which the project addresses multiple transportation system policy objectives and principles;
- (7) support and consensus for the project among members of the surrounding community;
- (8) the time and work needed before construction may begin on the project; and
- (9) regional balance throughout the state.

The commissioner must give the criteria in clauses (1) to (8) equal weight in the selection process.

(d) The list of all projects evaluated must be made public and must include the score of each project.

(e) As part of the project selection process, the commissioner may divide funding to be separately available among projects within each classification under subdivision 3, and may apply separate or modified criteria among those projects falling within each classification.

Subd. 6. Funding allocations; operations and maintenance. In identifying the amount of funding allocated to a project under the program, the commissioner may include allocations of funds for operations and maintenance resulting from that project, that are assigned in future years following completion of the project, subject to available funds for the program in those years from eligible sources.

Subd. 7. Legislative report; evaluation. (a) Annually by November 1, the commissioner must electronically submit a report on the corridors of commerce program to the chairs and ranking minority members of the legislative committees with jurisdiction over transportation policy and finance. At a minimum, the report must include:

- (1) a summary of the program, including a review of:
 - (i) project selection process details that address program design and implementation, decision-making procedures, and eligibility evaluation;
 - (ii) criteria measurement methodologies and criteria weighting used in project selection; and
 - (iii) the policy that provides the weight given each criterion;
- (2) a summary of program finance, including funds expended in the previous selection cycle, any future operating costs assigned under subdivision 6, and total funds expended since program inception;
- (3) a list of projects funded under the program in the previous selection cycle, including:
 - (i) project classification;
 - (ii) a breakdown of project costs and funding sources; and
 - (iii) a brief project description that is comprehensible to a lay audience;
- (4) a comprehensive list of evaluated projects and candidate project recommendations as required under subdivision 5, paragraph (b), that identifies for each project: eligibility, classification, evaluation results for each criterion, score, and disposition in the selection process; and
- (5) any recommendations for changes to statutory requirements of the program.

(b) In every even-numbered year, the commissioner must incorporate into the report the results of an independent evaluation of impacts and effectiveness of the program. The evaluation must be performed by agency staff or a consultant. The individual or individuals performing the evaluation must have experience in program evaluation, but must not be regularly involved in the program's implementation.

(c) Notwithstanding paragraph (a), a report is not required in a year in which:

- (1) no project selection was completed during the preceding 12 months; and
- (2) an evaluation under paragraph (b) is not due.

History: 2013 c 117 art 3 s 1; 1Sp2017 c 3 art 3 s 20-22; 2019 c 2 art 2 s 1; 1Sp2021 c 5 art 4 s 12