160.84 DEFINITIONS.

Subdivision 1. **Scope.** The terms used in sections 160.84 to 160.98 have the meanings given them in this section and section 160.02.

Subd. 2. **BOT facility.** "BOT facility" means a build-operate-transfer toll facility developed, financed, designed, constructed, improved, rehabilitated, and operated by a private operator who holds title to the facility subject to a development agreement providing that title will be transferred to the road authority on expiration of an agreed term.

Subd. 3. **BTO facility.** "BTO facility" means a build-transfer-operate toll facility developed, financed, designed, constructed, improved, or rehabilitated by a private operator who: (1) transfers any interest it may have in the toll facility to the road authority before operation begins; and (2) operates the toll facility for an agreed term under a lease, management, or toll concession agreement.

Subd. 4. **Commissioner.** "Commissioner" means the commissioner of the Minnesota Department of Transportation.

Subd. 5. **Development agreement.** "Development agreement" means a written agreement between a road authority and a private operator that provides for the development, financing, design, construction, improvement, rehabilitation, ownership, and operation of a toll facility.

Subd. 6. **Metropolitan area.** "Metropolitan area" has the meaning given it in section 473.121, subdivision 2.

Subd. 7. **Private operator.** "Private operator" means an individual, corporation, partnership, cooperative or unincorporated association, joint venture, or consortium that develops, finances, designs, constructs, improves, rehabilitates, owns, or operates a toll facility subject to sections 160.84 to 160.92.

Subd. 8. **Road authority.** "Road authority" has the meaning given it in section 160.02, subdivision 25, and also refers to a joint powers authority formed under section 160.91.

Subd. 9. **Toll facility.** "Toll facility" means a bridge, causeway, or tunnel, and its approaches; a road, street, or highway; an appurtenant building, structure, or other improvement; land lying within applicable rights-of-way; and other appurtenant rights or hereditaments that together comprise a project for which a road authority or private operator is authorized to develop, finance, design, operate, and impose tolls under sections 160.84 to 160.92.

History: *1993 c 211 s 1; 2008 c 152 art 6 s 1*