

A bill for an act

relating to transportation; modifying or adding provisions relating to agency duties and activities, eminent domain, highways and roads, commercial vehicles, signs, highway construction contracting, transportation research, bridge inspection, special mobile equipment, motor vehicles, vehicle registration and title, traffic regulations, towing, commercial motor vehicles, recreational vehicle combinations, parking violations, vehicle length and weight, vehicle permits, statewide transportation goals and plan, drivers' licenses and identification cards, pavement analysis, special transportation services, motor carriers, commercial vehicles and drivers, light rail transit and other transit services and facilities, and transit police; creating position of state rail inspector; requiring studies and reports; providing penalties; appropriating money; amending Minnesota Statutes 2006, sections 117.041, by adding a subdivision; 117.51; 117.52, subdivision 1a; 160.02, subdivision 19, by adding a subdivision; 160.80; 161.14, subdivision 18, by adding subdivisions; 161.32, subdivisions 1, 1b, 4; 161.53; 164.06, subdivision 2; 165.01; 165.03; 168.011, subdivision 22; 168.013, subdivision 1e; 168.10, subdivisions 1a, 1b, 1c, 1d, 1g, 1h, 1i; 168.12, subdivisions 1, 2, 2a, 2b, 2c, 2d, 2e; 168.1255, by adding a subdivision; 168A.01, by adding a subdivision; 168A.05, subdivisions 3, 5; 168A.10, subdivision 1; 168A.101; 168A.151, subdivision 1; 168A.153; 168B.04, subdivision 2; 169.01, subdivisions 4c, 19, 20, 78, by adding subdivisions; 169.041, subdivisions 1, 2; 169.06, subdivision 5; 169.14, subdivision 2; 169.34; 169.471; 169.781; 169.782, subdivision 1; 169.783, subdivision 1; 169.81, subdivisions 2, 3c; 169.823, subdivision 1; 169.824, subdivision 2; 169.8261; 169.829, subdivision 2; 169.86, subdivision 5, by adding a subdivision; 169.862; 169.864, subdivisions 1, 2; 171.01, by adding a subdivision; 171.02, subdivision 1; 171.06, subdivision 3; 171.07, subdivisions 1, 3; 171.14; 174.01, subdivision 2; 174.02, subdivision 1a; 174.03, subdivision 1, by adding subdivisions; 174.30, subdivisions 4, 9; 218.041, subdivision 6; 221.031, subdivision 6; 221.0314, subdivision 9, by adding a subdivision; 221.033, subdivision 2d; 221.037, subdivision 1; 221.091, subdivision 2; 221.141, subdivision 1; 221.231; 221.60, subdivision 1, by adding a subdivision; 222.50, subdivision 7; 222.63, subdivision 4, by adding a subdivision; 299F.60, subdivision 1; 299J.16, subdivision 1; 325F.665, by adding a subdivision; 473.1466; 473.166; 473.386, subdivisions 1, 2, 2a, 3; 473.399; 473.3993, subdivisions 1, 3, by adding a subdivision; 473.3994; 473.3997; 473.4051; 473.407, subdivision 1; 473.408, by adding subdivisions; 609.531, subdivision 1; Minnesota Statutes 2007 Supplement, section 168.12, subdivision 5; Laws 2005, First Special Session chapter 1, article 4, section 39; Laws 2008, chapter 152, article 6, section 7; proposing coding for new law in Minnesota

2.1 Statutes, chapters 160; 161; 169; 174; 219; 473; repealing Minnesota Statutes
2.2 2006, sections 168A.05, subdivision 5a; 221.60, subdivisions 2, 3, 3a, 4, 5, 6;
2.3 221.601; 221.602; 325E.0951, subdivision 3a; 473.1465; 473.3994, subdivision
2.4 13; Laws 1999, chapter 230, section 44.

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

2.6 **ARTICLE 1**

2.7 **TRANSPORTATION POLICY**

2.8 Section 1. Minnesota Statutes 2006, section 117.041, is amended by adding a
2.9 subdivision to read:

2.10 Subd. 3. **Geotechnical investigation before eminent domain proceedings.** (a) A
2.11 state agency by order of the commissioner or a political subdivision by resolution may
2.12 enter property for purposes of investigation, monitoring, testing, surveying, boring, or
2.13 other similar activities necessary or appropriate to perform geotechnical investigations.

2.14 (b) At least ten days before entering the property, the state agency or political
2.15 subdivision must serve notice on the property owner requesting permission to enter the
2.16 property, stating the approximate time and purpose of the entry, and giving the owner the
2.17 option of refusing entry. If the property owner refuses to consent to the entry, the state
2.18 agency or political subdivision must apply for a court order authorizing the entry and the
2.19 removal of any sample or portion from the property, giving notice of the court order to the
2.20 property owner. The court shall issue an order if the state agency or political subdivision
2.21 meets the standards in paragraph (a). Notices under this paragraph must be served in the
2.22 same manner as a summons in a civil action.

2.23 (c) The state agency or political subdivision must not cause any unnecessary damage
2.24 to the property and must compensate the property owner for any damages actually incurred
2.25 as a result of the geotechnical investigations.

2.26 Sec. 2. Minnesota Statutes 2006, section 117.51, is amended to read:

2.27 **117.51 COOPERATION WITH FEDERAL AUTHORITIES;**
2.28 **REESTABLISHMENT COSTS LIMIT.**

2.29 Subdivision 1. **Cooperation with federal authorities.** In all acquisitions
2.30 undertaken by any acquiring authority and in all voluntary rehabilitation carried out by a
2.31 person pursuant to acquisition or as a consequence thereof, the acquiring authority shall
2.32 cooperate to the fullest extent with federal departments and agencies, and it shall take all
2.33 necessary action in order to insure, to the maximum extent possible, federal financial
2.34 participation in any and all phases of acquisition, including the provision of relocation
2.35 assistance, services, payments and benefits to displaced persons.

Subd. 2. **Reestablishment costs limit.** For purposes of relocation benefits paid by the acquiring authority in accordance with this section, the provisions of Code of Federal Regulations, title 49, part 24, with respect to reimbursement of reestablishment expenses for nonresidential moves are applicable, except that the acquiring authority shall reimburse the displaced business for eligible expenses up to a maximum of \$50,000.

EFFECTIVE DATE. This section is effective retroactively from January 16, 2007.

Sec. 3. Minnesota Statutes 2006, section 117.52, subdivision 1a, is amended to read:

Subd. 1a. **Reestablishment costs limit.** For purposes of relocation benefits paid by the acquiring authority in accordance with this section, the provisions of Code of Federal Regulations, title 49, ~~section 24.304~~ part 24, with respect to reimbursement of reestablishment expenses for nonresidential moves are applicable, except that the acquiring authority shall reimburse the displaced business for eligible expenses ~~actually incurred~~ up to a maximum of \$50,000.

EFFECTIVE DATE. This section is effective retroactively from January 16, 2007.

Sec. 4. Minnesota Statutes 2006, section 160.02, is amended by adding a subdivision to read:

Subd. 18a. **Expressway.** "Expressway" means a divided highway with partial control of access.

Sec. 5. Minnesota Statutes 2006, section 160.02, subdivision 19, is amended to read:

Subd. 19. **Freeway or expressway.** "Freeway" or "expressway" means a divided, controlled-access highway with four or more lanes full control of access.

Sec. 6. **[160.2721] COMMERCIAL VEHICLE DRIVERS AT REST AREAS.**

(a) The commissioner shall allow a commercial motor vehicle operator who is subject to hours of service regulations under Code of Federal Regulations, title 49, part 395, to stop and park continuously, for a period of up to ten hours as necessary to comply with the hours of service regulations, at any Department of Transportation safety rest area or travel information center that has parking stalls designed to accommodate a commercial motor vehicle, as defined in section 169.01, subdivision 75.

(b) Any clause or provision in a lease or other agreement for the operation of a Department of Transportation safety rest area or travel information center that purports to limit the requirements under paragraph (a) is void and without effect.

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

4.2 Sec. 7. Minnesota Statutes 2006, section 160.80, is amended to read:

4.3 **160.80 SIGN FRANCHISE PROGRAM.**

4.4 Subdivision 1. **Commissioner may establish program.** (a) The commissioner of
4.5 transportation may establish a sign franchise program for the purpose of providing on the
4.6 right-of-way of interstate and controlled-access trunk highways specific information on
4.7 gas, food, camping, ~~and~~ lodging, and 24-hour pharmacies for the benefit of the motoring
4.8 public.

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

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

4.12 (1) be open for business;

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

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

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

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

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

4.22 (c) Food businesses must serve at least two meals a day during normal mealtimes
4.23 of breakfast, lunch, and dinner; provide a continuous, staffed food service operation at
4.24 least ten hours a day, seven days a week except holidays as defined in section 645.44,
4.25 subdivision 5, and except as provided for seasonal food service businesses; provide
4.26 seating capacity for at least 20 people; and possess any required state or local licensing or
4.27 approval. Seasonal food service businesses must provide a continuous, staffed food service
4.28 operation at least ten hours a day, seven days a week, during their months of operation.

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

4.31 (e) Camping businesses must include sites for camping, include parking
4.32 accommodations for each campsite, provide sanitary facilities and drinking water, and
4.33 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) Businesses that do not meet the appropriate criteria in paragraphs (b) to (e) but that have a signed lease as of January 1, 1998, may retain the business panel until December 31, 2005, or until they withdraw from the program, whichever occurs first, provided they continue to meet the criteria in effect in the department's contract with the logo sign vendor on August 1, 1995. After December 31, 2005, or after withdrawing from the program, a business must meet the appropriate criteria in paragraphs (a) to (e) to qualify for a business panel.

~~(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 can be located from the interchange is: for gas businesses, one mile; 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 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)~~ (k) 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)~~ (l) 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.

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, ~~and~~ camping facilities, and 24-hour pharmacies. A franchisee shall furnish, install, maintain, and replace signs for the benefit of advertisers who provide gas, food, lodging, ~~and~~ camping facilities, and 24-hour pharmacies for the general public, and lease advertising space on the signs to operators of these facilities.

Subd. 3. **Costs.** All costs incurred under the program established by this section must be paid under agreements negotiated between a franchisee and an advertiser or

advertisers, unless otherwise provided in the contract between the commissioner and the franchisee.

Subd. 4. **Contract requirements.** (a) All contracts made by the commissioner with a franchisee must provide for:

(1) a requirement that the franchisee obtain liability insurance in an amount the commissioner determines, jointly insuring the state and the franchisee against all liability for claims for damages occurring wholly or in part because of the franchise; and

(2) reasonable standards for the size, design, erection, and maintenance of service information signs and the advertising logos thereon.

(b) The commissioner may require additional terms and conditions, including but not limited to provisions on the renewal and termination of the agreement, and in the event of termination the rights of the state and franchisee relative to the franchisee's advertising contracts.

Subd. 5. **Restrictions.** The commissioner shall take no action under this section which will result in the loss to the state of any federal highway construction funds.

Sec. 8. Minnesota Statutes 2006, section 161.14, subdivision 18, is amended to read:

Subd. 18. **Voyageur Highway.** The following route is named and designated the "Voyageur Highway":

(a) Beginning at a point on Trunk Highway No. 26 on the boundary line between the states of Minnesota and Iowa; thence northerly along Trunk Highway No. 26 to its junction with Trunk Highway No. 61; thence northwesterly along Trunk Highway No. 61 to its junction with Trunk Highway No. 10 in the city of St. Paul; thence extending in a general northwesterly direction along Trunk Highway No. 10 to its junction with Trunk Highway No. 371 at Little Falls; thence extending in a general northerly direction along Trunk Highway No. 371 to its junction with Trunk Highway No. 210 at Brainerd; thence northeasterly along Trunk Highway No. 210 to its junction with Trunk Highway No. 169 at Aitkin; thence in a general northerly direction along Trunk Highway No. 169 to its junction with Trunk Highway No. 2 at Grand Rapids, except that portion that is designated as the Jim Oberstar Causeway; thence northwesterly along Trunk Highway No. 2 to its junction with Trunk Highway No. 71 at Bemidji; thence northeasterly along Trunk Highway No. 71 to its junction with Trunk Highway No. 11 at Pelland; thence northeasterly along Trunk Highway No. 11 to its junction with Trunk Highway No. 53 at International Falls; thence southeasterly along Trunk Highway No. 53 to its junction with ~~Trunk Highway No. 61~~ Central Entrance at Duluth; Beginning at a point on Trunk Highway No. 61 at its junction with Interstate Highway 35 and thence northeasterly

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along Trunk Highway No. 61 to the boundary line between the state of Minnesota and the province of Ontario, Canada.

(b) The route of the Voyageur Highway designated and described in clause (a) is supplemented by legs or alternative routes described as follows:

Beginning at a point on Trunk Highway No. 1 at its junction with Trunk Highway No. 61 northerly of Silver Bay; thence northwesterly along Trunk Highway No. 1 to Ely; thence southwesterly along Trunk Highway No. 1 to its junction with Trunk Highway No. 169; thence southerly and westerly along Trunk Highway No. 169 to its junction with Trunk Highway No. 53, and there terminating.

Beginning at a point on Trunk Highway No. 11 at its junction with Trunk Highway No. 53 at International Falls; thence easterly along Trunk Highway No. 11 to its easterly terminus near Island View.

Beginning at a point on Trunk Highway No. 33 at its junction with Interstate Highway marked I-35 southerly of Cloquet, thence northerly along Trunk Highway No. 33 to its junction with Trunk Highway No. 53.

(c) The commissioner of transportation shall:

(1) adopt a suitable marking design of signs or informational plaques;

(2) effect the installation of such signs or plaques in public waysides or other public areas as approved and designated by the commissioner.

Sec. 9. Minnesota Statutes 2006, section 161.14, is amended by adding a subdivision to read:

Subd. 57. **Purple Heart Trail.** Statutory Route No. 392, described in section 161.12 and marked on the effective date of this section as Interstate Highway 94, is designated in its entirety within Minnesota as the Purple Heart Trail. Subject to section 161.139, the commissioner shall adopt a suitable marking design to mark this highway and erect appropriate signs at each safety rest area located on the highway.

Sec. 10. Minnesota Statutes 2006, section 161.14, is amended by adding a subdivision to read:

Subd. 58. **Dallas Sams Memorial Highway.** That portion of Legislative Route No. 2, signed as Trunk Highway 210 on the date of final enactment of this section, from the city of Motley to the city of Staples, is designated as the "Dallas Sams Memorial Highway." The commissioner of transportation shall adopt a suitable design to mark this highway and erect appropriate signs, subject to section 161.139.

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Sec. 11. Minnesota Statutes 2006, section 161.14, is amended by adding a subdivision to read:

Subd. 59. **Walter F. Mondale Drive.** Trunk Highway marked 53 from its intersection with Superior Street to its intersection with Central Entrance in the city of Duluth, as signed on the effective date of this section, is designated "Walter F. Mondale Drive." Subject to section 161.139, the commissioner of transportation shall adopt a suitable marking design to mark this highway and erect appropriate signs.

Sec. 12. Minnesota Statutes 2006, section 161.14, is amended by adding a subdivision to read:

Subd. 60. **Jim Oberstar Causeway.** The causeway over Pokegama Lake on Trunk Highway 169 is designated the "Jim Oberstar Causeway." The commissioner of transportation shall adopt a suitable design to mark this highway and erect appropriate signs, subject to section 161.139.

Sec. 13. Minnesota Statutes 2006, section 161.32, subdivision 1, is amended to read:

Subdivision 1. **Advertisement for bids.** The commissioner may conduct the work or any part of the work incidental to the construction and maintenance of the trunk highways by labor employed to do the work or by contract. In cases of construction work, the commissioner shall first advertise for bids for contracts, and if no satisfactory bids are received, may either reject all bids and readvertise, or do the work by labor employed to do the work. Except as provided in subdivision 3 or 4, when work is to be done under contract, the commissioner shall advertise for bids once each week for three successive weeks prior to the date the bids are to be received. The advertisement for bids must be published ~~in a newspaper or other periodical of general circulation in the state and may be placed~~ on the Internet. The plans and specifications for the proposed work must be on file in the commissioner's office prior to the first call for bids.

Sec. 14. Minnesota Statutes 2006, section 161.32, subdivision 1b, is amended to read:

Subd. 1b. **Lowest responsible bidder; electronic bids.** Bidders may submit bids electronically in a form and manner required by the commissioner; however, the commissioner may require that all bids ~~of \$5,000,000 and over~~ for trunk highway contracts must be submitted electronically. Notwithstanding section 13.591, subdivision 3, or any other law or rule to the contrary, bids are not required to be opened and read in public if the commissioner publishes the public data specified by section 13.591, subdivision 3, on a state Web site immediately after the deadline for receipt of bids has passed. Bids

for federal-aid highway projects must be conducted in accordance with Code of Federal Regulations, title 23, section 635. Trunk highway construction contracts, including design-build contracts, must be awarded to the lowest responsible bidder, taking into consideration conformity with the specifications, the purpose for which the contract or purchase is intended, the status and capability of the vendor, and other considerations imposed in the call for bids. The commissioner may decide which is the lowest responsible bidder for all contracts and may use the principles of life-cycle costing, when appropriate, in determining the lowest overall bid. Any or all bids may be rejected. When competitive bids are required and all bids are rejected, new bids, if solicited, must be called for as in the first instance, unless otherwise provided by law.

Sec. 15. Minnesota Statutes 2006, section 161.32, subdivision 4, is amended to read:

Subd. 4. **Trunk highways damaged by spring breakup.** Contracts may be let for the repair and restoration of trunk highways damaged by spring breakup upon advertisement for bids ~~and publication thereof in a newspaper or periodical of general circulation~~ for a period of one week prior to the date such bids are to be received, and upon the mailing of such advertisements to all contractors who have filed a written request therefor.

Sec. 16. **[161.3203] CONTRACTS FOR WORK FOR TRUNK HIGHWAY.**

Subdivision 1. Privatization transportation contracts. For purposes of this section, "privatization transportation contract" means an enforceable agreement, or combination or series of agreements, by which a private contractor agrees with the commissioner of transportation to provide work (1) that is incidental to the construction or improvement of trunk highways, or (2) for maintenance of trunk highways. A privatization transportation contract does not include a design-build contract as defined in section 161.3410, subdivision 3, contracts awarded pursuant to section 161.32, work related to utility relocation, utility relocation agreements, state aid agreements, municipal agreements, interagency agreements, joint powers agreements, partnership agreements, and grant agreements. Privatization transportation contracts also do not include contracts related to aerial photos, asbestos investigation or abatement, communications, computer and information technology, construction contract administration, cultural resource investigations, electronic communications, environmental investigations, expert witnesses, contaminated soil investigations and remediation, geographic information systems, hydraulic and geotechnical studies, intelligent transportation systems, management support, mapping and photogrammetrics, market research, medical analysis, planning,

10.1 public relations, right-of-way appraisals or acquisitions and field title investigations,
10.2 research, relocation services, special studies, traffic studies and modeling, and employee
10.3 training, and does not include services by persons licensed under sections 326.02 to 326.15.

10.4 Subd. 2. **Applicability.** This section applies to privatization transportation contracts
10.5 in a total amount greater than \$100,000. The requirements imposed by this section are in
10.6 addition to, and do not supersede, the requirements of any other applicable section of law.

10.7 Subd. 3. **Review of contract costs.** (a) Before entering into a privatization
10.8 transportation contract, the commissioner of transportation shall prepare a comprehensive
10.9 written estimate of the cost of having the same work provided in the most cost-effective
10.10 manner by agency employees. The cost estimate must include all costs of having agency
10.11 employees provide the work, including the cost of pension, insurance, and other employee
10.12 benefits. The cost estimate is nonpublic data, as defined in section 13.02, subdivision
10.13 9, until the day after the deadline for receipt of responses under paragraph (b), when
10.14 it becomes public data.

10.15 (b) After soliciting and receiving responses, the commissioner shall publicly
10.16 designate the responder to which it proposes to award the privatization contract. The
10.17 commissioner shall prepare a comprehensive written estimate of the cost of the proposal
10.18 based on the designated responder's bid, including the cost of a transition from public
10.19 to private provision of the work, any additional unemployment and retirement benefits
10.20 resulting from the transfer, and costs associated with monitoring the proposed contract. If
10.21 the designated responder proposes to perform any or all of the desired services outside the
10.22 state, the commissioner of transportation shall include in the cost estimate, as nearly as
10.23 possible, any loss of sales and income tax revenue to the state. The cost estimate must
10.24 not include trade secret data which is classified as nonpublic data under section 13.37,
10.25 subdivision 2.

10.26 (c) Before entering into a privatization transportation contract for \$250,000 or more,
10.27 the commissioner shall determine that:

10.28 (1) the cost estimated under paragraph (b) will be lower than the cost estimated
10.29 under paragraph (a);

10.30 (2) the quality of the work to be provided by the designated responder is likely
10.31 to equal or exceed the quality of services that could be provided by Department of
10.32 Transportation employees;

10.33 (3) the contract, together with other privatization transportation contracts to which
10.34 the department is or has been party, will not reduce full-time equivalent positions within
10.35 the department or result in layoffs; and

10.36 (4) the proposed privatization contract is in the public interest.

11.1 Subd. 4. **Reports.** Beginning in 2009, the commissioner shall provide, no later than
11.2 September 1, an annual written report to the legislature, in compliance with sections
11.3 3.195 and 3.197, and shall submit the report to the chairs of the senate and house of
11.4 representatives committees having jurisdiction over transportation. The report must list
11.5 all privatization transportation contracts within the meaning of this section that were
11.6 executed or performed, whether wholly or in part, in the previous fiscal year. The report
11.7 must identify, with respect to each contract: the contractor; contract amount; duration;
11.8 work, provided or to be provided; the comprehensive estimate derived under subdivision
11.9 3, paragraph (a); the comprehensive estimate derived under subdivision 3, paragraph
11.10 (b); the actual cost to the agency of the contractor's performance of the contract; and for
11.11 contracts of at least \$250,000, a statement containing the commissioner's determinations
11.12 under subdivision 3, paragraph (c).

11.13 Subd. 5. **Short title.** This section may be cited as the "Taxpayers' Transportation
11.14 Accountability Act."

11.15 Sec. 17. Minnesota Statutes 2006, section 161.53, is amended to read:

11.16 **161.53 RESEARCH ACTIVITIES.**

11.17 The commissioner may set aside in each fiscal year up to two percent of the
11.18 total amount of all funds appropriated to the commissioner other than county state-aid
11.19 and municipal state-aid highway funds for transportation research including public and
11.20 private research partnerships. The commissioner shall spend this money for (1) research
11.21 to improve the design, construction, maintenance, management, and environmental
11.22 compatibility of transportation systems; (2) research on transportation policies that
11.23 enhance energy efficiency and economic development; (3) programs for implementing
11.24 and monitoring research results; and (4) development of transportation education and
11.25 outreach activities. Of all funds appropriated to the commissioner other than state-aid
11.26 funds, the commissioner shall spend at least 0.1 percent, but not exceeding ~~\$800,000~~
11.27 \$1,200,000 in any fiscal year, for research and related activities performed by the Center
11.28 for Transportation Studies of the University of Minnesota. The center shall establish a
11.29 technology transfer and training center for Minnesota transportation professionals.

11.30 Sec. 18. Minnesota Statutes 2006, section 164.06, subdivision 2, is amended to read:

11.31 Subd. 2. **Extinguishing interest in abandoned road.** (a) After providing notice
11.32 ~~under section 366.01, subdivision 8 as required in paragraph (c),~~ the town board may by
11.33 resolution disclaim and extinguish a town interest in a town road without action under
11.34 subdivision 1 if:

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- 12.1 (1) the extinguishment is found by the town board to be in the public interest;
- 12.2 (2) the interest is not a fee interest;
- 12.3 (3) the interest was established more than 25 years earlier;
- 12.4 (4) the interest is not recorded or filed with the county recorder;
- 12.5 (5) no road improvement has been constructed on a right-of-way affected by the
- 12.6 interest within the last 25 years; and
- 12.7 (6) no road maintenance on a right-of-way affected by the interest has occurred
- 12.8 within the last 25 years.

12.9 (b) The resolution shall be filed with the county auditor and recorded with the

12.10 county recorder.

12.11 (c) Not less than 30 days before the first meeting at which a resolution to disclaim

12.12 and extinguish a town interest in a town road under this subdivision is discussed, the

12.13 town board shall provide notice of the meeting by certified mail to each property owner

12.14 abutting the road to be extinguished. A notice must also be posted as provided under

12.15 section 366.01, subdivision 8.

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

12.17 Sec. 19. Minnesota Statutes 2006, section 165.01, is amended to read:

12.18 **165.01 DEFINITIONS.**

12.19 Subdivision 1. **Scope.** For the purposes of this chapter, the terms defined in this

12.20 section and section 160.02 shall have the same meanings given them.

12.21 Subd. 2. **AASHTO manual.** "AASHTO manual" means the Manual for Condition

12.22 Evaluation of Bridges, published by the American Association of State Highway and

12.23 Transportation Officials.

12.24 Sec. 20. Minnesota Statutes 2006, section 165.03, is amended to read:

12.25 **165.03 STRENGTH OF BRIDGE; INSPECTION.**

12.26 Subdivision 1. **Standards generally.** Each bridge, including a privately owned

12.27 bridge, must conform to the strength, width, clearance, and safety standards imposed

12.28 by the commissioner for the connecting highway or street. This subdivision applies to

12.29 a bridge that is constructed after August 1, 1989, on any public highway or street. The

12.30 bridge must have sufficient strength to support with safety the maximum vehicle weights

12.31 allowed under sections 169.822 to 169.829 and must have the minimum width specified

12.32 in section 165.04, subdivision 3.

Subd. 1a. **Inspection.** (a) Each bridge must be inspected annually, unless a longer interval not to exceed two years for bridges or four years for bridges classified as culverts is authorized by the commissioner. The commissioner's authorization must be based on factors including, but not limited to, the age and condition of the bridge, the rate of deterioration of the bridge, the type of structure, the susceptibility of the bridge to failure, and the characteristics of traffic on the bridge. The commissioner may require interim inspections at intervals of less than one year on bridges that are posted, bridges subjected to extreme scour conditions, bridges subject to significant substructure movement or settlement, and for other reasons as specified or inferred in the AASHTO manual.

(b) The thoroughness of each inspection depends on such factors as age, traffic characteristics, state of maintenance, and known deficiencies. The evaluation of these factors is the responsibility of the engineer assigned the responsibility for inspection as defined by rule adopted by the commissioner of transportation.

Subd. 2. **Inspection and inventory responsibilities; rules; forms.** (a) The commissioner of transportation shall adopt official inventory and bridge inspection report forms for use in making bridge inspections by the owners or highway authorities specified by this subdivision. ~~Bridge Inspections shall~~ must be made at regular intervals, not to exceed two years for bridges and not to exceed four years for culverts, by the following owner or official:

(1) the commissioner of transportation for all bridges located wholly or partially within or over the right-of-way of a state trunk highway;

(2) the county highway engineer for all bridges located wholly or partially within or over the right-of-way of any county or ~~township~~ town road, or any street within a municipality ~~which~~ that does not have a city engineer regularly employed;

(3) the city engineer for all bridges located wholly or partially within or over the right-of-way of any street located within or along municipal limits;

(4) the commissioner of transportation in case of a toll bridge that is used by the general public and that is not inspected and certified under subdivision 6; provided, that the commissioner of transportation may assess the owner for the costs of ~~such~~ the inspection;

(5) the owner of a bridge over a public highway or street or that carries a roadway designated for public use by a public authority, if not required to be inventoried and inspected under clause (1), (2), (3), or (4).

(b) The commissioner of transportation shall prescribe the standards for bridge inspection and inventory by rules. The owner or highway authority shall inspect and inventory in accordance with these standards and furnish the commissioner with such data as may be necessary to maintain a central inventory.

14.1 Subd. 3. **County inventory and inspection records and reports.** The county
14.2 engineer shall maintain a complete inventory record of all bridges as set forth in
14.3 subdivision 2, paragraph (a), clause (2), with the inspection reports thereof, and shall
14.4 certify annually to the commissioner, as prescribed by the commissioner, that inspections
14.5 have been made at regular intervals, not to exceed two years for bridges and not to
14.6 exceed four years for culverts. A report of the inspections ~~shall~~ must be filed annually,
14.7 on or before February 15 of each year, with the county auditor or town clerk, or the
14.8 governing body of the municipality. The report ~~shall~~ must contain recommendations for
14.9 the correction of; or legal posting of load limits on any bridge or structure that is found to
14.10 be understrength or unsafe.

14.11 Subd. 4. **Municipal inventory and inspection records and reports.** The
14.12 city engineer shall maintain a complete inventory record of all bridges as set forth in
14.13 subdivision 2, paragraph (a), clause (3), with the inspection reports thereof, and shall
14.14 certify annually to the commissioner, as prescribed by the commissioner, that inspections
14.15 have been made at regular intervals, not to exceed two years for bridges and not to exceed
14.16 four years for culverts. A report of the inspections ~~shall~~ must be filed annually, on or
14.17 before February 15 of each year, with the governing body of the municipality. The report
14.18 ~~shall~~ must contain recommendations for the correction of; or legal posting of load limits
14.19 on any bridge or structure that is found to be understrength or unsafe.

14.20 Subd. 5. **Agreement.** Agreements may be made among the various units of
14.21 governments, or between governmental units and qualified engineering personnel to
14.22 carry out the responsibilities for the bridge inspections and reports, as established by
14.23 subdivision 2.

14.24 Subd. 6. **Other bridges.** The owner of a toll bridge and the owner of a bridge
14.25 described in subdivision 2, paragraph (a), clause (5), shall certify to the commissioner, as
14.26 prescribed by the commissioner, that inspections of the bridge have been made at regular
14.27 intervals, not to exceed two years for bridges and not to exceed four years for culverts.
14.28 The certification ~~shall~~ must be accompanied by a report of the inspection. The report ~~shall~~
14.29 must contain recommendations for the correction of or legal posting of load limitations if
14.30 the bridge is found to be understrength or unsafe.

14.31 Subd. 7. **Department of Natural Resources bridge.** (a) Notwithstanding
14.32 subdivision 2, the commissioners of transportation and natural resources shall negotiate a
14.33 memorandum of understanding that governs the inspection of bridges owned, operated,
14.34 or maintained by the commissioner of natural resources.

14.35 (b) The memorandum of understanding must provide for:

14.36 (1) the inspection and inventory of bridges subject to federal law or regulations;

- (2) the frequency of inspection of bridges described in paragraph (a); and
- (3) who may perform inspections required under the memorandum of understanding.

Sec. 21. Minnesota Statutes 2006, section 168.011, subdivision 22, is amended to read:

Subd. 22. **Special mobile equipment.** "Special mobile equipment" means every vehicle not designed or used primarily for the transportation of persons or property and only incidentally operated or moved over a highway, including but not limited to: ditch-digging apparatuses, moving dollies, pump hoists and other water well-drilling equipment registered under chapter 103I, vehicle-mounted concrete pumps with or without placement booms, street-sweeping vehicles, and other machinery such as asphalt spreaders, bituminous mixers, bucket loaders, tractors other than truck-tractors, ditchers, leveling graders, finishing machines, motor graders, road rollers, scarifiers, truck-mounted log loaders, earth-moving carryalls, scrapers, power shovels, draglines, self-propelled cranes, and earth-moving equipment. The term does not include travel trailers, dump trucks, truck-mounted transit mixers, truck-mounted feed grinders, or other motor vehicles designed for the transportation of persons or property to which machinery has been attached.

EFFECTIVE DATE. This section is effective August 1, 2008, and expires December 31, 2010.

Sec. 22. Minnesota Statutes 2006, section 168.013, subdivision 1e, is amended to read:

Subd. 1e. **Truck; tractor; combination; exceptions.** (a) On trucks and tractors except those in this chapter defined as farm trucks, on truck-tractor and semitrailer combinations except those defined as farm combinations, and on commercial zone vehicles, the tax based on total gross weight shall be graduated according to the Minnesota base rate schedule prescribed in this subdivision, but in no event less than \$120.

Minnesota Base Rate Schedule

Scheduled taxes include five percent
surtax provided for in subdivision 14

TOTAL GROSS WEIGHT

	IN POUNDS			TAX
A	0	-	1,500	\$ 15
B	1,501	-	3,000	20
C	3,001	-	4,500	25
D	4,501	-	6,000	35
E	6,001	-	9,000 <u>10,000</u>	45
F	9,001 <u>10,001</u>	-	12,000	70

16.1	G	12,001	-	15,000	105
16.2	H	15,001	-	18,000	145
16.3	I	18,001	-	21,000	190
16.4	J	21,001	-	26,000	270
16.5	K	26,001	-	33,000	360
16.6	L	33,001	-	39,000	475
16.7	M	39,001	-	45,000	595
16.8	N	45,001	-	51,000	715
16.9	O	51,001	-	57,000	865
16.10	P	57,001	-	63,000	1015
16.11	Q	63,001	-	69,000	1185
16.12	R	69,001	-	73,280	1325
16.13	S	73,281	-	78,000	1595
16.14	T	78,001	-	81,000 <u>80,000</u>	1760

16.15 (b) For purposes of the Minnesota base rate schedule, for vehicles with six or more
16.16 axles in the "S" and "T" categories, the base rates are \$1,520 and \$1,620 respectively.

16.17 (c) For each vehicle with a gross weight in excess of ~~81,000~~ 80,000 pounds an
16.18 additional tax of \$50 is imposed for each ton or fraction thereof in excess of ~~81,000~~
16.19 80,000 pounds, subject to subdivision 12.

16.20 (d) For purposes of registration identification, for vehicles registered in the "O"
16.21 category, the owner must declare at the time of registration whether the vehicle will carry
16.22 a weight of 55,000 pounds or more and therefore be subject to the federal heavy vehicle
16.23 use tax. For those owners who declare a weight less than 55,000 pounds, a distinctive
16.24 weight sticker must be issued and the owner is restricted to a gross vehicle weight of
16.25 less than 55,000 pounds.

16.26 (e) Truck-tractors except those herein defined as farm and commercial zone vehicles
16.27 shall be taxed in accord with the foregoing gross weight tax schedule on the basis of the
16.28 combined gross weight of the truck-tractor and any semitrailer or semitrailers which the
16.29 applicant proposes to combine with the truck-tractor.

16.30 ~~(e)~~ (f) Commercial zone trucks include only trucks, truck-tractors, and semitrailer
16.31 combinations which are:

16.32 ~~(1) used by an authorized local cartage carrier operating under a permit issued~~
16.33 ~~under section 221.296 and whose gross transportation revenue consists of at least 60~~
16.34 ~~percent obtained solely from local cartage carriage, and are operated solely within an area~~
16.35 ~~composed of two contiguous cities of the first class and municipalities contiguous thereto~~
16.36 ~~as defined by section 221.011, subdivision 17; or~~

16.37 ~~(2)~~ operated by an interstate carrier registered under section 221.60, or by an
16.38 authorized ~~local cartage carrier or other~~ carrier receiving operating authority under chapter

17.1 221, and operated solely within a zone exempt from regulation pursuant to United States
17.2 Code, title 49, section 13506.

17.3 ~~(f)~~ (g) The license plates issued for commercial zone vehicles shall be plainly
17.4 marked. A person operating a commercial zone vehicle outside the zone or area in which
17.5 its operation is authorized is guilty of a misdemeanor and, in addition to the misdemeanor
17.6 penalty therefor, the registrar shall have revoke the registration of the vehicle as a
17.7 commercial zone vehicle ~~revoked by the registrar and shall be required to reregister~~
17.8 require that the vehicle be registered at 100 percent of the full annual tax prescribed in the
17.9 Minnesota base rate schedule, and no part of this tax ~~shall~~ may be refunded during the
17.10 balance of the registration year.

17.11 ~~(g)~~ (h) On commercial zone trucks the tax shall be based on the total gross weight of
17.12 the vehicle and during each of the first eight years of vehicle life ~~shall be~~ is 75 percent of
17.13 the Minnesota base rate schedule. During the ninth and succeeding years of vehicle life
17.14 the tax ~~shall be~~ is 50 percent of the Minnesota base rate schedule.

17.15 ~~(h)~~ (i) On trucks, truck-tractors and semitrailer combinations, except those defined
17.16 as farm trucks and farm combinations, and except for those commercial zone vehicles
17.17 specifically provided for in this subdivision, the tax for each of the first eight years of
17.18 vehicle life ~~shall be~~ is 100 percent of the tax imposed in the Minnesota base rate schedule,
17.19 and during the ninth and succeeding years of vehicle life, the tax ~~shall be~~ is 75 percent
17.20 of the Minnesota base rate prescribed by this subdivision.

17.21 ~~(i)~~ (j) For the purpose of registration, trailers coupled with a truck-tractor, semitrailer
17.22 combination are semitrailers.

17.23 Sec. 23. Minnesota Statutes 2007 Supplement, section 168.12, subdivision 5, is
17.24 amended to read:

17.25 Subd. 5. **Additional fee.** (a) In addition to any fee otherwise authorized or any tax
17.26 otherwise imposed upon any vehicle, the payment of which is required as a condition to
17.27 the issuance of any plate or plates, the commissioner shall impose the fee specified in
17.28 paragraph (b) that is calculated to cover the cost of manufacturing and issuing the plate
17.29 or plates, except for plates issued to disabled veterans as defined in section 168.031 and
17.30 plates issued pursuant to section 168.124, 168.125, or 168.27, subdivisions 16 and 17,
17.31 for passenger automobiles. The commissioner shall issue graphic design plates only
17.32 for vehicles registered pursuant to section 168.017 and recreational vehicles registered
17.33 pursuant to section 168.013, subdivision 1g.

18.1 (b) Unless otherwise specified or exempted by statute, the following plate and
 18.2 validation sticker fees apply for the original, duplicate, or replacement issuance of a
 18.3 plate in a plate year:

18.4	License Plate		Single		Double
18.5	Regular and Disability	\$	4.50	\$	6.00
18.6	Special	\$	8.50	\$	10.00
18.7	Personalized (Replacement)	\$	10.00	\$	14.00
18.8	Collector Category	\$	13.50	\$	15.00
18.9	Emergency Vehicle Display	\$	3.00	\$	6.00
18.10	Utility Trailer Self-Adhesive	\$	2.50		
18.11	Stickers				
18.12	Duplicate year	\$	1.00	\$	1.00
18.13	International Fuel Tax				
18.14	Agreement	\$	2.50	\$	<u>2.50</u>

18.15 (c) For vehicles that require two of the categories above, the registrar shall only
 18.16 charge the higher of the two fees and not a combined total.

18.17 Sec. 24. Minnesota Statutes 2006, section 168.1255, is amended by adding a
 18.18 subdivision to read:

18.19 Subd. 6. **World War II memorial donation matching account.** Money remaining
 18.20 in the World War II memorial donation matching account after the state share of the
 18.21 construction costs of the World War II memorial has been paid in full is appropriated to the
 18.22 commissioner of veterans affairs for services and programs for veterans and their families.

18.23 Sec. 25. Minnesota Statutes 2006, section 168A.01, is amended by adding a
 18.24 subdivision to read:

18.25 Subd. 1a. **Commissioner.** "Commissioner" means the commissioner of public
 18.26 safety.

18.27 Sec. 26. Minnesota Statutes 2006, section 168A.05, subdivision 3, is amended to read:

18.28 Subd. 3. **Content of certificate.** Each certificate of title issued by the department
 18.29 shall contain:

18.30 (1) the date issued;

18.31 (2) the first, middle, and last names, and the dates of birth, ~~and addresses~~ of all
 18.32 owners who are natural persons, and the full names ~~and addresses~~ of all other owners;

18.33 (3) the residence address of the owner listed first if that owner is a natural person or
 18.34 the address if that owner is not a natural person;

(4) the names ~~and addresses~~ of any secured parties, and the address of the first secured party, listed in the order of priority (i) as shown on the application, or (ii) if the application is based on a certificate of title, as shown on the certificate, or (iii) as otherwise determined by the department;

~~(4)~~ (5) any liens filed pursuant to a court order or by a public agency responsible for child support enforcement against the owner;

~~(5)~~ (6) the title number assigned to the vehicle;

~~(6)~~ (7) a description of the vehicle including, so far as the following data exists, its make, model, year, identifying number, type of body, whether new or used, and if a new vehicle, the date of the first sale of the vehicle for use;

~~(7)~~ (8) with respect to ~~a motor vehicles~~ vehicle subject to ~~the provisions of section 325E.15,~~ (i) the true cumulative mileage registered on the odometer or (ii) that the actual mileage is unknown if the odometer reading is known by the owner to be different from the true mileage;

~~(8)~~ (9) with respect to ~~vehicles~~ a vehicle subject to sections 325F.6641 and 325F.6642, the appropriate term "flood damaged," "rebuilt," "prior salvage," or "reconstructed";

~~(9)~~ (10) with respect to a vehicle contaminated by methamphetamine production, if the registrar has received the certificate of title and notice described in section 152.0275, subdivision 2, paragraph (g), the term "hazardous waste contaminated vehicle"; ~~and~~

~~(10)~~ (11) with respect to a vehicle subject to section 325F.665, the term "lemon law vehicle"; and

(12) any other data the department prescribes.

Sec. 27. Minnesota Statutes 2006, section 168A.05, subdivision 5, is amended to read:

Subd. 5. **Forms.** (a) The certificate of title shall contain forms:

(1) for assignment and warranty of title by the owner;

(2) for assignment and warranty of title by a dealer;

(3) to apply for a certificate of title by a transferee;

(4) to name a secured party; and

(5) to make the disclosure required by section 325F.6641.

(b) The certificate of title must also include a separate detachable ~~postcard~~ form entitled "Notice of Sale" that contains, but is not limited to, the vehicle's title number and vehicle identification number. The ~~postcard~~ form must include sufficient space for the owner to record the purchaser's name, address, and driver's license number, if any, and the date of sale. The notice of sale must include clear instructions regarding the owner's

responsibility to complete and return the form, or to transmit the required information electronically in a form acceptable to the commissioner, pursuant to section 168A.10, subdivision 1.

Sec. 28. Minnesota Statutes 2006, section 168A.10, subdivision 1, is amended to read:

Subdivision 1. **Assignment and warranty of title; mileage; notice of sale.** If an owner transfers interest in a vehicle other than by the creation of a security interest, the owner shall at the time of the delivery of the vehicle execute an assignment and warranty of title to the transferee and shall state the actual selling price in the space provided on the certificate. Within ten days of the date of sale, other than a sale by or to a licensed motor vehicle dealer, the owner shall: (1) complete, detach, and return to the department the ~~postcard form~~ on the certificate entitled "Notice of Sale," if one is provided, including the transferee's name, address, and driver's license number, if any, and the date of sale; or (2) transmit this information electronically in a form acceptable to the commissioner. With respect to motor vehicles subject to the provisions of section 325E.15, the transferor shall also, in the space provided therefor on the certificate, state the true cumulative mileage registered on the odometer or that the actual mileage is unknown if the odometer reading is known by the transferor to be different from the true mileage. The transferor shall cause the certificate and assignment to be delivered to the transferee immediately.

Sec. 29. Minnesota Statutes 2006, section 168A.101, is amended to read:

168A.101 CANCELLATION OF MOTOR VEHICLE SALE.

Subdivision 1. **Required documentation.** If the parties cancel a purchase of a motor vehicle after the transfer of interest, they must submit within 90 days of the original purchase date the following items:

(1) ~~the outstanding certificate of title with proper assignment, and a written claim for refund;~~

(2) an affidavit correcting ownership signed by the parties; and

(3) the outstanding certificate of title, if available, with proper assignment.

Subd. 2. **Refunds.** A party may be eligible for a refund of taxes ~~and fees paid pursuant to chapter 297B~~ only if the items indicated in subdivision 1 are submitted within the 90-day time frame unless otherwise provided by law. No other taxes or fees paid may be refunded due to the cancellation of a motor vehicle sale.

Sec. 30. Minnesota Statutes 2006, section 168A.151, subdivision 1, is amended to read:

Subdivision 1. **Salvage titles.** (a) When an insurer, licensed to conduct business in Minnesota, acquires ownership of a late-model or high-value vehicle through payment of damages, the insurer shall immediately apply for a salvage certificate of title or shall stamp the existing certificate of title with the legend "SALVAGE CERTIFICATE OF TITLE" in a manner prescribed by the department. Within 48 hours of taking possession of a vehicle through payment of damages, an insurer must notify the department in a manner prescribed by the department.

~~(b) Any person who acquires a damaged motor vehicle with an out-of-state title and the cost of repairs exceeds the value of the damaged vehicle or a motor vehicle with an out-of-state salvage title or certificate, as proof of ownership, shall immediately apply for a salvage certificate of title.~~ A person shall immediately apply for a salvage certificate of title if the person acquires a damaged late-model or high-value motor vehicle with an out-of-state title and the vehicle:

(1) is a vehicle that was acquired by an insurer through payment of damages;

(2) is a vehicle for which the cost of repairs exceeds the value of the damaged vehicle; or

(3) has an out-of-state salvage certificate of title as proof of ownership.

(c) A self-insured owner of a late-model or high-value vehicle who sustains damage by collision or other occurrence which exceeds 70 percent of its actual cash value shall immediately apply for a salvage certificate of title. Damage, for the purpose of this calculation, does not include the actual cost incurred to repair, replace, or reinstall inflatable safety restraints and other vehicle components that must be replaced due to the deployment of the inflatable safety restraints.

Sec. 31. Minnesota Statutes 2006, section 168A.153, is amended to read:

**168A.153 REPORT OF VEHICLE RECEIPT;~~SURRENDER OF~~
~~CERTIFICATE.~~**

Subdivision 1. **Older model vehicle.** A dealer who buys an older model vehicle to be dismantled or destroyed shall report to the department within 30 days including the vehicle's license plate number and identification number, and the seller's name and driver's license number.

Subd. 2. **Late-model or high-value vehicle.** A dealer who buys a late-model or high-value vehicle to be dismantled or destroyed shall notify the secured party, if any, and ~~then surrender the certificate of title and a properly completed application for a salvage certificate of title to the department within ten days~~ the commissioner in the manner prescribed in subdivision 3. The dealer must then properly destroy the certificate of title.

Subd. 3. **Notification on vehicle to be dismantled or destroyed; service fee.**

Within the time frames prescribed in subdivisions 1 and 2 of acquiring a vehicle titled and registered in Minnesota, a dealer shall notify the registrar that the dealership purchased the vehicle to be dismantled or destroyed. The notification must be made electronically as prescribed by the registrar. The dealer may contract this service to a deputy registrar and the registrar may charge a fee not to exceed \$7 per transaction to provide this service.

Sec. 32. Minnesota Statutes 2006, section 168B.04, subdivision 2, is amended to read:

Subd. 2. **Unauthorized vehicles.** (a) Units of government and peace officers may take into custody and impound any unauthorized vehicle under section 169.041.

(b) A vehicle may also be impounded after it has been left unattended in one of the following public or private locations for the indicated period of time:

(1) in a public location not governed by section 169.041:

(i) on a highway and properly tagged by a peace officer, four hours;

(ii) located so as to constitute an accident or traffic hazard to the traveling public, as determined by a peace officer, immediately; ~~or~~

(iii) located so as to constitute an accident or traffic hazard to the traveling public within the Department of Transportation's eight-county metropolitan district, as determined by an authorized employee of the department's freeway service patrol, immediately; or

(iv) that is a parking facility or other public property owned or controlled by a unit of government, properly posted, four hours; or

(2) on private property:

(i) that is single-family or duplex residential property, immediately;

(ii) that is private, nonresidential property, properly posted, immediately;

(iii) that is private, nonresidential property, not posted, 24 hours;

(iv) that is private, nonresidential property of an operator of an establishment for the servicing, repair, or maintenance of motor vehicles, five business days after notifying the vehicle owner by certified mail, return receipt requested, of the property owner's intention to have the vehicle removed from the property; or

(v) that is any residential property, properly posted, immediately.

Sec. 33. Minnesota Statutes 2006, section 169.01, subdivision 4c, is amended to read:

Subd. 4c. **Motorized foot scooter.** "Motorized foot scooter" means a device with handlebars designed to be stood or sat upon by the operator, and powered by an internal combustion engine or electric motor that is capable of propelling the device with or without human propulsion, and that has ~~either (1) no more than two ten-inch~~ 12-inch or smaller

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23.1 diameter wheels ~~or (2)~~ and has an engine or motor that is capable of a maximum speed of
23.2 15 miles per hour on a flat surface with not more than one percent grade in any direction
23.3 when the motor is engaged. An electric personal assistive mobility device, a motorized
23.4 bicycle, an electric-assisted bicycle, or a motorcycle is not a motorized foot scooter.

23.5 Sec. 34. Minnesota Statutes 2006, section 169.01, subdivision 19, is amended to read:

23.6 Subd. 19. **Explosives.** "Explosives" ~~means any chemical compound or mechanical~~
23.7 ~~mixture that is commonly used or intended for the purpose of producing an explosion~~
23.8 ~~and which contains any oxidizing and combustive units or other ingredients in such~~
23.9 ~~proportions, quantities, or packing that an ignition by fire, by friction, by concussion, by~~
23.10 ~~percussion, or by detonator of any part of the compound or mixture may cause such a~~
23.11 ~~sudden generation of highly heated gases that the resultant gaseous pressures are capable~~
23.12 ~~of producing destructible effects on contiguous objects or of destroying life or limb~~ has
23.13 the meaning given in Code of Federal Regulations, title 49, section 173.50.

23.14 Sec. 35. Minnesota Statutes 2006, section 169.01, subdivision 20, is amended to read:

23.15 Subd. 20. **Flammable liquid.** "Flammable liquid" ~~means any liquid which has a~~
23.16 ~~flash point of 70 degrees Fahrenheit, or less, as determined by a tagliabue or equivalent~~
23.17 ~~closed cup test device~~ has the meaning given in Code of Federal Regulations, title 49,
23.18 section 173.120.

23.19 Sec. 36. Minnesota Statutes 2006, section 169.01, subdivision 78, is amended to read:

23.20 Subd. 78. **Recreational vehicle combination.** (a) "Recreational vehicle
23.21 combination" means a combination of vehicles consisting of a full-size pickup truck
23.22 ~~as defined in section 168.011, subdivision 29, or a recreational truck-tractor attached~~
23.23 ~~by means of a kingpin and fifth-wheel coupling to a camper-semitrailer middle vehicle~~
23.24 ~~which has hitched to it a trailer carrying a watercraft as defined in section 86B.005,~~
23.25 ~~subdivision 18; off-highway motorcycle as defined in section 84.787, subdivision 7;~~
23.26 ~~motorcycle; motorized bicycle; snowmobile as defined in section 84.81, subdivision~~
23.27 ~~3; all-terrain vehicle as defined in section 84.92, subdivision 8; motorized golf cart; or~~
23.28 ~~equestrian equipment or supplies.~~

23.29 (b) For purposes of this subdivision,

23.30 ~~(1)~~ a "kingpin and fifth-wheel coupling" is a coupling between a ~~camper-semitrailer~~
23.31 middle vehicle and a towing full-size pickup truck or a recreational truck-tractor in which
23.32 a portion of the weight of the ~~camper-semitrailer~~ towed middle vehicle is carried over or
23.33 forward of the rear axle of the towing pickup.

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24.1 ~~(2) A "camper-semitrailer" is a trailer, other than a manufactured home as defined in~~
24.2 ~~section 327B.01, subdivision 13, designed for human habitation and used for vacation or~~
24.3 ~~recreational purposes for limited periods.~~

24.4 Sec. 37. Minnesota Statutes 2006, section 169.01, is amended by adding a subdivision
24.5 to read:

24.6 Subd. 93. **Full-size pickup truck.** "Full-size pickup truck" means any truck with a
24.7 manufacturer's nominal rated carrying capacity of one ton or less and commonly known
24.8 as or resembling a pickup truck.

24.9 Sec. 38. Minnesota Statutes 2006, section 169.01, is amended by adding a subdivision
24.10 to read:

24.11 Subd. 94. **Recreational truck-tractor.** "Recreational truck-tractor" means a
24.12 truck-tractor with a gross vehicle weight rating of not more than 24,000 pounds, that is
24.13 designed exclusively or adapted specifically to tow a semitrailer coupled by means of
24.14 a fifth-wheel plate and kingpin assembly.

24.15 Sec. 39. Minnesota Statutes 2006, section 169.01, is amended by adding a subdivision
24.16 to read:

24.17 Subd. 95. **Valid license; valid driver's license.** "Valid license," "valid driver's
24.18 license," "valid Minnesota driver's license," "valid standard driver's license," or other
24.19 similar term, has the meaning given in section 171.01, subdivision 49a.

24.20 Sec. 40. Minnesota Statutes 2006, section 169.041, subdivision 1, is amended to read:

24.21 Subdivision 1. **Towing authority.** For purposes of this section, "towing authority"
24.22 means:

24.23 (1) any local authority authorized by section 169.04 to enforce the traffic laws, and
24.24 ~~also includes a private towing company authorized by a local authority to tow vehicles on~~
24.25 ~~behalf of that local authority; or~~

24.26 (2) an authorized employee of the Department of Transportation's freeway service
24.27 patrol within the department's eight-county metropolitan district.

24.28 Sec. 41. Minnesota Statutes 2006, section 169.041, subdivision 2, is amended to read:

24.29 Subd. 2. **Towing order required.** A towing authority may not tow a motor
24.30 vehicle from public property unless a peace officer or parking enforcement officer has
24.31 prepared, in addition to the parking citation, a written towing report describing the motor

vehicle and the reasons for towing. The report must be signed by the officer and the tow driver. Within the Department of Transportation's eight-county metropolitan district, an authorized employee of the department's freeway service patrol may order a tow from a trunk highway after preparing a written towing report provided by the Minnesota State Patrol. A citation need not be issued before the employee orders a tow.

Except in cases where an accident or traffic hazard to the traveling public exists, the department employee shall ensure that if the tower requested to remove the vehicle by the owner arrives before the tower requested by the department, the tower requested by the owner is given the opportunity to actually conduct and complete all towing operations requested.

Sec. 42. Minnesota Statutes 2006, section 169.06, subdivision 5, is amended to read:

Subd. 5. Traffic-control signal. (a) Whenever traffic is controlled by traffic-control signals exhibiting different colored lights, or colored lighted arrows, successively one at a time or in combination, only the colors Green, Red, and Yellow shall be used, except for special pedestrian signals carrying a word or legend. The traffic-control signal lights or colored lighted arrows indicate and apply to drivers of vehicles and pedestrians as follows:

(1) Green indication:

(i) Vehicular traffic facing a circular green signal may proceed straight through or turn right or left unless a sign at such place prohibits either turn. But vehicular traffic, including vehicles turning right or left, shall yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection or adjacent crosswalk at the time this signal is exhibited.

(ii) Vehicular traffic facing a green arrow signal, shown alone or in combination with another indication, may cautiously enter the intersection only to make the movement indicated by the arrow, or other movement as permitted by other indications shown at the same time. Such vehicular traffic shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection.

(iii) Unless otherwise directed by a pedestrian-control signal as provided in subdivision 6, pedestrians facing any green signal, except when the sole green signal is a turn arrow, may proceed across the roadway within any marked or unmarked crosswalk. Every driver of a vehicle shall yield the right-of-way to such pedestrian, except that the pedestrian shall yield the right-of-way to vehicles lawfully within the intersection at the time that the green signal indication is first shown.

(2) Steady yellow indication:

26.1 (i) Vehicular traffic facing a steady circular yellow or yellow arrow signal is thereby
26.2 warned that the related green movement is being terminated or that a red indication will be
26.3 exhibited immediately thereafter when vehicular traffic must not enter the intersection,
26.4 except for the continued movement allowed by any green arrow indication simultaneously
26.5 exhibited.

26.6 (ii) Pedestrians facing a circular yellow signal, unless otherwise directed by a
26.7 pedestrian-control signal as provided in subdivision 6, are thereby advised that there is
26.8 insufficient time to cross the roadway before a red indication is shown and no pedestrian
26.9 shall then start to cross the roadway.

26.10 ~~(iii) Vehicular traffic facing a steady yellow arrow signal is thereby warned that~~
26.11 ~~the protected vehicular movement permitted by the corresponding prior green arrow~~
26.12 ~~indication is being terminated.~~

26.13 (3) Steady red indication:

26.14 (i) Vehicular traffic facing a circular red signal alone must stop at a clearly marked
26.15 stop line but, if none, before entering the crosswalk on the near side of the intersection
26.16 or, if none, then before entering the intersection and shall remain standing until a green
26.17 indication is shown, except as follows: (A) the driver of a vehicle stopped as close
26.18 as practicable at the entrance to the crosswalk on the near side of the intersection or,
26.19 if none, then at the entrance to the intersection in obedience to a red or stop signal,
26.20 and with the intention of making a right turn may make the right turn, after stopping,
26.21 unless an official sign has been erected prohibiting such movement, but shall yield the
26.22 right-of-way to pedestrians and other traffic lawfully proceeding as directed by the signal
26.23 at that intersection; or (B) the driver of a vehicle on a one-way street intersecting another
26.24 one-way street on which traffic moves to the left shall stop in obedience to a red or stop
26.25 signal and may then make a left turn into the one-way street, unless an official sign has
26.26 been erected prohibiting the movement, but shall yield the right-of-way to pedestrians and
26.27 other traffic lawfully proceeding as directed by the signal at that intersection.

26.28 (ii) Unless otherwise directed by a pedestrian-control signal as provided in
26.29 subdivision 6, pedestrians facing a steady red signal alone shall not enter the roadway.

26.30 (iii) Vehicular traffic facing a steady red arrow signal, with the intention of making a
26.31 movement indicated by the arrow, must stop at a clearly marked stop line but, if none,
26.32 before entering the crosswalk on the near side of the intersection or, if none, then before
26.33 entering the intersection and must remain standing until a permissive signal indication
26.34 permitting the movement indicated by the red arrow is displayed, except as follows: when
26.35 an official sign has been erected permitting a turn on a red arrow signal, the vehicular
26.36 traffic facing a red arrow signal indication is permitted to enter the intersection to turn

right, or to turn left from a one-way street into a one-way street on which traffic moves to the left, after stopping, but must yield the right-of-way to pedestrians and other traffic lawfully proceeding as directed by the signal at that intersection.

(b) In the event an official traffic-control signal is erected and maintained at a place other than an intersection, the provisions of this section are applicable except those which can have no application. Any stop required must be made at a sign or marking on the pavement indicating where the stop must be made, but in the absence of any such sign or marking the stop must be made at the signal.

(c) When a traffic-control signal indication or indications placed to control a certain movement or lane are so identified by placing a sign near the indication or indications, no other traffic-control signal indication or indications within the intersection controls vehicular traffic for that movement or lane.

Sec. 43. Minnesota Statutes 2006, section 169.14, subdivision 2, is amended to read:

Subd. 2. **Speed limits.** (a) Where no special hazard exists the following speeds shall be lawful, but any speeds in excess of such limits shall be prima facie evidence that the speed is not reasonable or prudent and that it is unlawful; except that the speed limit within any municipality shall be a maximum limit and any speed in excess thereof shall be unlawful:

(1) 30 miles per hour in an urban district or on a town road in a rural residential district;

(2) 65 miles per hour on noninterstate expressways, as defined in section 160.02, subdivision 18a, and noninterstate freeways and expressways, as defined in section 160.02, subdivision 19;

(3) 55 miles per hour in locations other than those specified in this section;

(4) 70 miles per hour on interstate highways outside the limits of any urbanized area with a population of greater than 50,000 as defined by order of the commissioner of transportation;

(5) 65 miles per hour on interstate highways inside the limits of any urbanized area with a population of greater than 50,000 as defined by order of the commissioner of transportation;

(6) ten miles per hour in alleys; and

(7) 25 miles per hour in residential roadways if adopted by the road authority having jurisdiction over the residential roadway.

(b) A speed limit adopted under paragraph (a), clause (7), is not effective unless the road authority has erected signs designating the speed limit and indicating the beginning and end of the residential roadway on which the speed limit applies.

(c) For purposes of this subdivision, "rural residential district" means the territory contiguous to and including any town road within a subdivision or plat of land that is built up with dwelling houses at intervals of less than 300 feet for a distance of one-quarter mile or more.

(d) Notwithstanding section 609.0331 or 609.101 or other law to the contrary, a person who violates a speed limit established in this subdivision, or a speed limit designated on an appropriate sign under subdivision 4, 5, 5b, 5c, or 5e, by driving 20 miles per hour or more in excess of the applicable speed limit, is assessed an additional surcharge equal to the amount of the fine imposed for the speed violation, but not less than \$25.

Sec. 44. Minnesota Statutes 2006, section 169.34, is amended to read:

169.34 PROHIBITIONS; STOPPING, PARKING.

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

- (1) on a sidewalk;
- (2) in front of a public or private driveway;
- (3) within an intersection;
- (4) within ten feet of a fire hydrant;
- (5) on a crosswalk;
- (6) within 20 feet of a crosswalk at an intersection;
- (7) within 30 feet upon the approach to any flashing beacon, stop sign, or traffic-control signal located at the side of a roadway;
- (8) between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless a different length is indicated by signs or markings;
- (9) within 50 feet of the nearest rail of a railroad crossing;
- (10) within 20 feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within 75 feet of said entrance when properly signposted;
- (11) alongside or opposite any street excavation or obstruction when such stopping, standing, or parking would obstruct traffic;

29.1 (12) on the roadway side of any vehicle stopped or parked at the edge or curb of a
29.2 street;

29.3 (13) upon any bridge or other elevated structure upon a highway or within a highway
29.4 tunnel, except as otherwise provided by ordinance;

29.5 (14) at any place where official signs prohibit stopping.

29.6 (b) No person shall move a vehicle not owned by such person into any prohibited
29.7 area or away from a curb such distance as is unlawful.

29.8 (c) No person shall, for camping purposes, leave or park a travel trailer on or within
29.9 the limits of any highway or on any highway right-of-way, except where signs are erected
29.10 designating the place as a campsite.

29.11 (d) No person shall stop or park a vehicle on a street or highway when directed or
29.12 ordered to proceed by any peace officer invested by law with authority to direct, control,
29.13 or regulate traffic.

29.14 Subd. 2. Violation; penalty for owner or lessee. (a) If a motor vehicle is stopped,
29.15 standing, or parked in violation of subdivision 1, the owner of the vehicle, or for a leased
29.16 motor vehicle the lessee of the vehicle, is guilty of a petty misdemeanor.

29.17 (b) The owner or lessee may not be fined under paragraph (a) if (1) another person
29.18 is convicted for, or pleads guilty to, that violation, or (2) the motor vehicle was stolen at
29.19 the time of the violation.

29.20 (c) Paragraph (a) does not apply to a lessor of a motor vehicle if the lessor keeps a
29.21 record of the name and address of the lessee.

29.22 (d) Paragraph (a) does not prohibit or limit the prosecution of a motor vehicle
29.23 operator for violating subdivision 1.

29.24 (e) A violation under paragraph (a) does not constitute grounds for revocation or
29.25 suspension of the owner's or lessee's driver's license.

29.26 Sec. 45. Minnesota Statutes 2006, section 169.471, is amended to read:

29.27 **169.471 TELEVISION; HEADPHONES.**

29.28 Subdivision 1. **Television screen in vehicle.** No television screen shall be installed
29.29 or used in any motor vehicle where ~~it is~~ images from the screen are visible to the driver
29.30 while operating the motor vehicle except:

29.31 (1) video screens installed in law enforcement vehicles;

29.32 (2) closed-circuit video systems used exclusively to aid the driver's visibility to
29.33 the front, rear, or sides of the vehicle; and

29.34 (3) video screens installed as part of a vehicle control system or used in intelligent
29.35 vehicle highway applications.

Subd. 2. **Use of headphones in vehicle.** (a) No person, while operating a motor vehicle, shall wear headphones or earphones that are used in both ears simultaneously for purposes of receiving or listening to broadcasts or reproductions from radios, tape decks, or other sound-producing or transmitting devices.

(b) Paragraph (a) does not prohibit:

(1) the use of a hearing aid device by a person who needs the device; ~~or~~

(2) the use of a communication headset by a firefighter while operating a fire department emergency vehicle in response to an emergency; or

(3) the use of a communication headset by an emergency medical services person while operating an ambulance subject to section 144E.101.

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

Sec. 46. Minnesota Statutes 2006, section 169.781, is amended to read:

169.781 ANNUAL COMMERCIAL VEHICLE INSPECTION; INSPECTORS, FEE, PENALTY.

Subdivision 1. **Definitions.** For purposes of sections 169.781 to 169.783:

(a) "Commercial motor vehicle":

(1) means a motor vehicle or combination of motor vehicles used to transport passengers or property if the motor vehicle:

~~(1) a commercial motor vehicle as defined in section 169.01, subdivision 75, paragraph (a); and (i) has a gross vehicle weight of more than 26,000 pounds;~~

~~(2) each (ii) is a vehicle in a combination of more than 26,000 pounds;~~

(iii) is a bus; or

(iv) is of any size and is used in the transportation of hazardous materials that are required to be placarded under Code of Federal Regulations, title 49, parts 100-185; and

~~"Commercial motor vehicle"~~

(2) does not include (1) (i) a school bus or Head Start bus displaying a certificate under section 169.451, (2) or (ii) a bus operated by the Metropolitan Council or by a local transit commission created in chapter 458A, or (3) a motor vehicle that is required to be placarded under Code of Federal Regulations, title 49, parts 100-185.

(b) "Commissioner" means the commissioner of public safety.

(c) "Owner" means a person who owns, or has control, under a lease of more than 30 days' duration, of one or more commercial motor vehicles.

~~(d) "Storage semitrailer" means a semitrailer that (1) is used exclusively to store property at a location not on a street or highway, (2) does not contain any load when~~

31.1 ~~moved on a street or highway, (3) is operated only during daylight hours, and (4) is marked~~
31.2 ~~on each side of the semitrailer "storage only" in letters at least six inches high.~~

31.3 ~~(c) "Building mover vehicle" means a vehicle owned or leased by a building mover~~
31.4 ~~as defined in section 221.81, subdivision 1, paragraph (a), and used exclusively for~~
31.5 ~~moving buildings.~~

31.6 Subd. 2. **Inspection required.** (a) It is unlawful for a person to operate or permit
31.7 the operation of:

31.8 (1) a commercial motor vehicle registered in Minnesota; or

31.9 (2) special mobile equipment as defined in section 168.011, subdivision 22, and
31.10 which is self-propelled, if it is mounted on a commercial motor vehicle chassis,

31.11 ~~unless the~~ in violation of the requirements of paragraph (b).

31.12 (b) A vehicle displays described in paragraph (a):

31.13 (1) must display a valid safety inspection decal issued by an inspector certified by
31.14 the commissioner, ~~or the vehicle carries (1); or~~

31.15 (2) must carry (i) proof that the vehicle complies with federal motor vehicle
31.16 inspection requirements for vehicles in interstate commerce, and ~~(2)~~ (ii) a certificate of
31.17 compliance with federal requirements issued by the commissioner under subdivision 9.

31.18 Subd. 3. **Inspector certification; suspension and revocation; hearing.** (a) An
31.19 inspection required by this section may be performed only by:

31.20 (1) an employee of the Department of Public Safety or Transportation who has
31.21 been certified by the commissioner after having received training provided by the State
31.22 Patrol; or

31.23 (2) another person who has been certified by the commissioner after having received
31.24 training provided by the State Patrol or other training approved by the commissioner.

31.25 (b) A person who is not an employee of the Department of Public Safety or
31.26 Transportation may be certified by the commissioner if the person is:

31.27 (1) an owner, or employee of the owner, of one or more commercial motor vehicles
31.28 that are power units;

31.29 (2) a dealer licensed under section 168.27 and engaged in the business of buying and
31.30 selling commercial motor vehicles, or an employee of the dealer; ~~or~~

31.31 (3) engaged in the business of repairing and servicing commercial motor vehicles; or

31.32 (4) employed by a governmental agency that owns commercial vehicles.

31.33 (c) Certification of persons described in paragraph (b), clauses (1) to ~~(3)~~ (4), is
31.34 effective for two years from the date of certification. The commissioner may require
31.35 biennial retraining of persons holding a certificate under paragraph (b) as a condition of
31.36 renewal of the certificate. The commissioner may charge a fee of not more than \$10

for each certificate issued and renewed. A certified person described in paragraph (b), clauses (1) to ~~(3)~~ (4), may charge a reasonable fee for each inspection of a vehicle not owned by the person or the person's employer.

(d) Except as otherwise provided in subdivision 5, the standards adopted by the commissioner for commercial motor vehicle inspections under sections 169.781 to 169.783 ~~shall~~ must be the standards prescribed in Code of Federal Regulations, title 49, section 396.17, and in chapter III, subchapter B, appendix G.

(e) The commissioner may classify types of vehicles for inspection purposes and may issue separate classes of inspector certificates for each class. ~~The commissioner shall issue separate categories of inspector certificates based on the following classifications:~~

~~(1) a class of certificate that authorizes the certificate holder to inspect commercial motor vehicles without regard to ownership or lease; and~~

~~(2) a class of certificate that authorizes the certificate holder to inspect only commercial motor vehicles the certificate holder owns or leases.~~

~~The commissioner shall issue a certificate described in clause (1) only to a person described in paragraph (b), clause (2) or (3).~~

(f) The commissioner, after notice and an opportunity for a hearing, may suspend a certificate issued under paragraph (b) for failure to meet annual certification requirements prescribed by the commissioner or failure to inspect commercial motor vehicles in accordance with inspection procedures established by the State Patrol. The commissioner shall revoke a certificate issued under paragraph (b) if the commissioner determines after notice and an opportunity for a hearing that the certified person issued an inspection decal for a commercial motor vehicle when the person knew or reasonably should have known that the vehicle was in such a state of repair that it would have been declared out of service if inspected by an employee of the State Patrol. Suspension and revocation of certificates under this subdivision are not subject to sections 14.57 to 14.69.

Subd. 4. **Inspection report.** (a) A person performing an inspection under this section shall issue an inspection report to the owner of the commercial motor vehicle inspected. The report must include:

(1) the full name of the person performing the inspection, and the person's inspector certification number;

(2) the name of the owner of the vehicle and, if applicable, the United States Department of Transportation carrier number issued to the owner of the vehicle, or to the operator of the vehicle if other than the owner;

(3) the vehicle identification number and, if applicable, the license plate number of the vehicle;

33.1 (4) the date and location of the inspection;

33.2 (5) the vehicle components inspected and a description of the findings of the
33.3 inspection, including identification of the components not in compliance with federal
33.4 motor carrier safety regulations; and

33.5 (6) the inspector's certification that the inspection was complete, accurate, and in
33.6 compliance with the requirements of this section.

33.7 (b) The owner must retain a copy of the inspection report for at least 14 months at a
33.8 location in the state where the vehicle is domiciled or maintained. The inspector must
33.9 maintain a copy of the inspection report for a period of 14 months following the inspection
33.10 in a location in the state where the inspector conducts business. During this period the
33.11 report must be available for inspection by an authorized federal, state, or local official.

33.12 (c) The commissioner shall prescribe the form of the inspection report and revise it
33.13 as necessary to comply with state and federal law and regulations. The adoption of the
33.14 report form is not subject to the Administrative Procedure Act.

33.15 Subd. 5. **Inspection decal.** ~~(a)~~ A person inspecting a commercial motor vehicle
33.16 shall issue an inspection decal for the vehicle if each inspected component of the vehicle
33.17 complies with federal motor carrier safety regulations. The decal must state that in the
33.18 month specified on the decal the vehicle was inspected and each inspected component
33.19 complied with federal motor carrier safety regulations. The decal is valid for 12
33.20 months after the month specified on the decal. The commissioners of public safety and
33.21 transportation shall make decals available, at a fee of not more than \$2 for each decal,
33.22 to persons certified to perform inspections under subdivision 3, paragraph (b). Decals
33.23 are issued to inspectors by serial number and are not transferable unless approved by
33.24 the commissioner.

33.25 ~~(b) Minnesota inspection decals may be affixed only to:~~

33.26 ~~(1) commercial motor vehicles bearing Minnesota-based license plates; or~~

33.27 ~~(2) special mobile equipment, within the meaning of subdivision 2, clause (2).~~

33.28 ~~(c) Notwithstanding paragraph (a), a person inspecting (1) a vehicle of less~~
33.29 ~~than 57,000 pounds gross vehicle weight and registered as a farm truck, (2) a storage~~
33.30 ~~semitrailer, or (3) a building mover vehicle must issue an inspection decal to the vehicle~~
33.31 ~~unless the vehicle has one or more defects that would result in the vehicle being declared~~
33.32 ~~out of service under the North American Uniform Driver, Vehicle, and Hazardous~~
33.33 ~~Materials Out-of-Service Criteria issued by the Federal Highway Administration and the~~
33.34 ~~Commercial Vehicle Safety Alliance. A decal issued to a vehicle described in clause (1),~~
33.35 ~~(2), or (3) is valid for two years from the date of issuance. A decal issued to such a vehicle~~
33.36 ~~must clearly indicate that it is valid for two years from the date of issuance.~~

~~(d) Notwithstanding paragraph (a), a commercial motor vehicle that (1) is registered as a farm truck, (2) is not operated more than 75 miles from the owner's home post office, and (3) was manufactured before 1979 that has a dual transmission system, is not required to comply with a requirement in an inspection standard that requires that the service brake system and parking brake system be separate systems in the motor vehicle.~~

Subd. 6. **Record review; random inspection; audit.** Employees of the State Patrol and motor transportation representatives of the Department of Transportation may review records required to be kept under subdivision 4, paragraph (b), and conduct random vehicle inspections and audits at the facility of an owner of a commercial motor vehicle.

Subd. 7. **Disposition of revenues.** The commissioner shall pay all revenues received under this section to the commissioner of finance for deposit in the trunk highway fund.

Subd. 8. **Violation; misdemeanor.** A violation of this section is a misdemeanor.

Subd. 9. **Proof of federal inspection.** An owner of a commercial motor vehicle that is subject to and in compliance with federal motor vehicle inspection requirements for vehicles in interstate commerce may apply to the commissioner for a certificate of compliance with federal requirements. On payment of a fee equal to the fee for an inspection decal under subdivision 5, ~~paragraph (a)~~, the commissioner shall issue the certificate to the applicant. This subdivision only applies to Minnesota-licensed vehicles that are not housed or maintained in Minnesota.

Subd. 10. **Exemption.** This section does not apply to a vehicle operated by a motor carrier of passengers, as defined in section 221.011, subdivision 48, if the vehicle has been inspected under section 221.0252, subdivision 3, paragraph (a), clause (2), within the previous 12 months.

Sec. 47. Minnesota Statutes 2006, section 169.782, subdivision 1, is amended to read:

Subdivision 1. **Driver; daily inspection report.** (a) The driver of a commercial motor vehicle shall report in writing at the completion of each day's work on each commercial motor vehicle the driver has operated. A person who owns one or more commercial motor vehicles and who employs drivers for those commercial motor vehicles must require each driver to submit a written report as required ~~in~~ by this section. The report must cover the following parts and accessories: service brakes, including trailer and semitrailer brake connections; parking (hand) brake; steering mechanism; lighting devices and reflectors; tires; horn; windshield wiper or wipers; rear vision mirror or mirrors; coupling devices; wheels and rims; and emergency equipment.

(b) The report must identify the vehicle and list any defect or deficiency discovered by or reported to the driver that would affect the safe operation of the vehicle or result in

its mechanical breakdown. If no defect or deficiency is discovered by or reported to the driver, the report must so indicate. The driver must sign the report after completing it. In the case of a commercial motor vehicle operated by two drivers, the signature of one of the drivers satisfies the requirements of this subdivision if both drivers agree concerning the defects or deficiencies. If a driver operates more than one commercial motor vehicle during a day's work, a report must be prepared for each vehicle operated.

(c) Before operating or allowing the operation of a commercial motor vehicle on which a report has been prepared under this subdivision, the owner of the vehicle or the owner's agent must repair defects or deficiencies listed on the report that would be sufficient under inspection procedures established by the State Patrol to require the vehicle to be declared out of service likely affect the safe operation of the vehicle. Before allowing the commercial motor vehicle to be operated again, the owner or the owner's agent must certify, on the report listing the defect or deficiency, that the defect or deficiency has been corrected or that correction is unnecessary. A motor carrier must keep the original vehicle inspection report for at least three months after the date of inspection. The report must be available for inspection by an authorized federal, state, or local official at any time during this period.

(d) A copy of the vehicle inspection report, including a certification of corrections resulting from the report, must be carried in the commercial motor vehicle, or in the power unit of a commercial motor vehicle combination, at all times when the vehicle or power unit is operated until the next inspection report is completed under this subdivision. The copy must be made available on demand to: (1) a peace officer₂; (2) a person authorized under section 221.221₂ and (3) a person described in section 299D.06.

Sec. 48. Minnesota Statutes 2006, section 169.783, subdivision 1, is amended to read:

Subdivision 1. **Postcrash inspection.** (a) A peace officer responding to an accident involving a commercial motor vehicle must immediately notify the State Patrol if the accident results in death, personal injury, or property damage to an apparent extent of more than \$4,400.;

(1) a fatality;
(2) bodily injury to a person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or
(3) one or more motor vehicles incurring disabling damage as a result of the accident, requiring the motor vehicles to be transported away from the scene by tow truck or other motor vehicle.

(b) It is a misdemeanor for a person to drive or cause to be driven a commercial motor vehicle after such an accident unless the vehicle:

(1) has been inspected by a state trooper or other person authorized to conduct inspections under section 169.781, subdivision 3, paragraph (a), who is an employee of the Department of Public Safety or Transportation, and the person inspecting the vehicle has determined that the vehicle may safely be operated; or

(2) a waiver has been granted under subdivision 2.

Sec. 49. Minnesota Statutes 2006, section 169.81, subdivision 2, is amended to read:

Subd. 2. **Length of single vehicle; exceptions.** (a) Statewide, no single vehicle may exceed ~~40~~ 45 feet in overall length, including load and front and rear bumpers, except:

~~(1) mobile cranes, which may not exceed 48 feet in overall length;~~

~~(2) buses, which may not exceed 45 feet in overall length; and~~

~~(3) type A, B, or C motor homes as defined in section 168.011, subdivision 25, paragraph (c), which may not exceed 45 feet in overall length.~~

(b) Statewide, no semitrailer may exceed 48 feet in overall length, including bumper and load, but excluding non-cargo-carrying equipment, such as refrigeration units or air compressors, necessary for safe and efficient operation and located on the end of the semitrailer adjacent to the truck-tractor. However, statewide, a single semitrailer may exceed 48 feet, but not 53 feet, if the distance from the kingpin to the centerline of the rear axle group of the semitrailer does not exceed 43 feet.

(c) Statewide, no single trailer may have an overall length exceeding 45 feet, including the tow bar assembly but exclusive of rear bumpers that do not increase the overall length by more than six inches.

(d) For determining compliance with this subdivision, the length of the semitrailer or trailer must be determined separately from the overall length of the combination of vehicles.

(e) No semitrailer or trailer used in a three-vehicle combination may have an overall length in excess of 28-1/2 feet, exclusive of:

(1) non-cargo-carrying accessory equipment, including refrigeration units or air compressors and upper coupler plates, necessary for safe and efficient operation, located on the end of the semitrailer or trailer adjacent to the truck or truck-tractor;

(2) the tow bar assembly; and

(3) lower coupler equipment that is a fixed part of the rear end of the first semitrailer or trailer.

Sec. 50. Minnesota Statutes 2006, section 169.81, subdivision 3c, is amended to read:

Subd. 3c. **Recreational vehicle combination.** Notwithstanding subdivision 3, a recreational vehicle combination may be operated without a permit if:

(1) the combination does not consist of more than three vehicles, and the towing rating of the full-size pickup truck or recreational truck-tractor is equal to or greater than the total weight of all vehicles being towed;

(2) the combination does not exceed 70 feet in length;

~~(3) the middle vehicle in the combination does not exceed 28 feet in length;~~

~~(4)~~ the operator of the combination is at least 18 years of age;

~~(5) (4) the trailer is only carrying a watercraft, motorcycle, motorized bicycle, off-highway motorcycle, snowmobile, all-terrain vehicle, motorized golf cart, watercraft, motorcycles, motorized bicycles, off-highway motorcycles, snowmobiles, all-terrain vehicles, motorized golf carts, or equestrian equipment or supplies, and meets all requirements of law;~~

~~(6) (5) the trailers vehicles~~ in the combination are connected to the full-size pickup truck or recreational truck-tractor and each other in conformity with section 169.82; and

~~(7) (6)~~ the combination is not operated within the seven-county metropolitan area, as defined in section 473.121, subdivision 2, during the hours of 6:00 a.m. to 9:00 a.m. and 4:00 p.m. to 7:00 p.m. on Mondays through Fridays.

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

Sec. 51. Minnesota Statutes 2006, section 169.823, subdivision 1, is amended to read:

Subdivision 1. **Pneumatic-tired vehicle.** No vehicle or combination of vehicles equipped with pneumatic tires shall be operated upon the highways of this state:

(1) where the gross weight on any wheel exceeds 9,000 pounds, except that on paved county state-aid highways, paved county roads, designated local routes, and state trunk highways the gross weight on any single wheel shall not exceed 10,000 pounds unless posted to a lesser weight under section 169.87, subdivision 1;

(2) where the gross weight on any single axle exceeds 18,000 pounds, except that on paved county state-aid highways, paved county roads, designated local routes, and state trunk highways the gross weight on any single axle shall not exceed 20,000 pounds unless posted to a lesser weight under section 169.87, subdivision 1;

(3) where the maximum wheel load:

(i) on the foremost and rearmost steering axles, exceeds 600 pounds per inch of tire width or the manufacturer's recommended load, whichever is less; or

(ii) on other axles, exceeds 500 pounds per inch of tire width or the manufacturer's recommended load, whichever is less. ~~This item applies to new vehicles manufactured after August 1, 1991. For vehicles manufactured before August 2, 1991, the maximum weight per inch of tire width is 600 pounds per inch or the manufacturer's recommended load, whichever is less, until August 1, 1996. After July 31, 1996, this item applies to all vehicles regardless of date of manufacture;~~

(4) where the gross weight on any axle of a tridem exceeds 15,000 pounds, except that for vehicles to which an additional axle has been added prior to June 1, 1981, the maximum gross weight on any axle of a tridem may be up to 16,000 pounds provided the gross weight of the tridem combination does not exceed 39,900 pounds where the first and third axles of the tridem are spaced nine feet apart;

(5) where the gross weight on any group of axles exceeds the weights permitted under sections 169.822 to 169.829 with any or all of the interior axles disregarded, and with an exterior axle disregarded if the exterior axle is a variable load axle that is not carrying its intended weight, and their gross weights subtracted from the gross weight of all axles of the group under consideration.

Sec. 52. Minnesota Statutes 2006, section 169.824, subdivision 2, is amended to read:

Subd. 2. **Gross vehicle weight of all axles.** (a) Notwithstanding the provisions of section 169.85, the gross vehicle weight of all axles of a vehicle or combination of vehicles ~~shall~~ must not exceed:

(1) 80,000 pounds for any vehicle or combination of vehicles on all ~~state~~ (i) trunk highways as defined in section 160.02, subdivision 29, and for all (ii) routes designated under section 169.832, subdivision 11, and (iii) paved nine-ton routes;

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

(3) 73,280 pounds for any vehicle or combination of vehicles with five axles or less on all routes, other than ~~state trunk highways and routes that are designated under section 169.832, subdivision 11, except that a vehicle needing reasonable access to a terminal or facilities for food, fuel, repairs, and rest, located within three miles of a ten-ton route, may not exceed 80,000 pounds. "Terminal" means any location where freight either originates, terminates, or is handled in the transportation process, or where commercial motor carriers maintain operating facilities, and routes identified in clause (1).~~

~~(4) 80,000 pounds for any vehicle or combination of vehicles with six or more axes on all routes, other than state trunk highways and routes that are designated under section 169.832, subdivision 11.~~

~~(b) The maximum weights specified in this section for five consecutive axes shall not apply to a four-axle ready-mix concrete truck which was equipped with a fifth axle prior to June 1, 1981. The maximum gross weight on four or fewer consecutive axes of vehicles excepted by this clause shall not exceed any maximum weight specified for four or fewer consecutive axes in this section.~~ Notwithstanding the maximum weight provisions of this section and section 169.85, and in order to promote the reduction of fuel use and emissions because of engine idling, the maximum gross vehicle weight limits and the axle weight limits for any motor vehicle subject to sections 169.80 to 169.88 and equipped with idle reduction technology must be increased by the amount of weight necessary to compensate for the weight of the idle reduction technology, not to exceed 400 pounds. At the request of an authorized representative of the Department of Transportation or the Department of Public Safety, the vehicle operator shall provide proof that the vehicle is equipped with this technology through documentation or demonstration.

Sec. 53. Minnesota Statutes 2006, section 169.8261, is amended to read:

169.8261 GROSS WEIGHT LIMITATIONS; FOREST PRODUCTS.

(a) A vehicle or combination of vehicles hauling raw or unfinished forest products, including wood chips, paper, pulp, oriented strand board, laminated strand lumber, hardboard, treated lumber, untreated lumber, or barrel staves, by the most direct route to the nearest highway that has been designated under section 169.832, subdivision 11, may be operated on any highway with gross weights permitted under sections 169.822 to 169.829 without regard to load restrictions imposed on that highway, except that the vehicles must:

(1) comply with seasonal load restrictions in effect between the dates set by the commissioner under section 169.87, subdivision 2;

(2) comply with bridge load limits posted under section 169.84;

(3) be equipped and operated with six axles and brakes on all wheels;

(4) not exceed 90,000 pounds gross weight, or ~~98,000~~ 99,000 pounds gross weight during the time when seasonal increases are authorized under section 169.826;

(5) not be operated on interstate and defense highways;

(6) obtain an annual permit from the commissioner of transportation;

(7) obey all road postings; and

(8) not exceed 20,000 pounds gross weight on any single axle.

40.1 (b) A vehicle operated under this section may exceed the legal axle weight limits
40.2 listed in section 169.824 by not more than 12.5 percent; except that, the weight limits may
40.3 be exceeded by not more than 22.5 percent during the time when seasonal increases are
40.4 authorized under section 169.826, subdivision 1.

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

40.6 Sec. 54. Minnesota Statutes 2006, section 169.829, subdivision 2, is amended to read:

40.7 Subd. 2. **Tow truck.** Sections 169.822 to 169.828 do not apply to a tow truck or
40.8 towing vehicle when towing a disabled or damaged vehicle ~~damaged in such manner that~~
40.9 ~~the towed vehicle cannot be towed from the rear and,~~ when the movement is temporary
40.10 urgent, and when the movement is for the purpose of taking removing the disabled vehicle
40.11 from the roadway to a place of safekeeping or to a place of repair.

40.12 Sec. 55. Minnesota Statutes 2006, section 169.86, subdivision 5, is amended to read:

40.13 Subd. 5. **Fee; proceeds deposited; appropriation.** The commissioner, with respect
40.14 to highways under the commissioner's jurisdiction, may charge a fee for each permit
40.15 issued. All such fees for permits issued by the commissioner of transportation shall be
40.16 deposited in the state treasury and credited to the trunk highway fund. Except for those
40.17 annual permits for which the permit fees are specified elsewhere in this chapter, the fees
40.18 shall be:

40.19 (a) \$15 for each single trip permit.

40.20 (b) \$36 for each job permit. A job permit may be issued for like loads carried on
40.21 a specific route for a period not to exceed two months. "Like loads" means loads of the
40.22 same product, weight, and dimension.

40.23 (c) \$60 for an annual permit to be issued for a period not to exceed 12 consecutive
40.24 months. Annual permits may be issued for:

40.25 (1) motor vehicles used to alleviate a temporary crisis adversely affecting the safety
40.26 or well-being of the public;

40.27 (2) motor vehicles which travel on interstate highways and carry loads authorized
40.28 under subdivision 1a;

40.29 (3) motor vehicles operating with gross weights authorized under section 169.826,
40.30 subdivision 1a;

40.31 (4) special pulpwood vehicles described in section 169.863;

40.32 (5) motor vehicles bearing snowplow blades not exceeding ten feet in width; ~~and~~

40.33 (6) noncommercial transportation of a boat by the owner or user of the boat; and

41.1 (7) motor vehicles carrying bales of agricultural products authorized under section
41.2 169.862.

41.3 (d) \$120 for an oversize annual permit to be issued for a period not to exceed 12
41.4 consecutive months. Annual permits may be issued for:

- 41.5 (1) mobile cranes;
41.6 (2) construction equipment, machinery, and supplies;
41.7 (3) manufactured homes and manufactured storage buildings;
41.8 (4) implements of husbandry when the movement is not made according to the
41.9 provisions of paragraph (i);
41.10 (5) double-deck buses;
41.11 (6) commercial boat hauling; and
41.12 (7) three-vehicle combinations consisting of two empty, newly manufactured trailers
41.13 for cargo, horses, or livestock, not to exceed 28-1/2 feet per trailer; provided, however,
41.14 the permit allows the vehicles to be moved from a trailer manufacturer to a trailer dealer
41.15 only while operating on twin-trailer routes designated under section 169.81, subdivision 3,
41.16 paragraph (c).

41.17 (e) For vehicles which have axle weights exceeding the weight limitations of
41.18 sections 169.822 to 169.829, an additional cost added to the fees listed above. However,
41.19 this paragraph applies to any vehicle described in section 168.013, subdivision 3,
41.20 paragraph (b), but only when the vehicle exceeds its gross weight allowance set forth in
41.21 that paragraph, and then the additional cost is for all weight, including the allowance
41.22 weight, in excess of the permitted maximum axle weight. The additional cost is equal
41.23 to the product of the distance traveled times the sum of the overweight axle group cost
41.24 factors shown in the following chart:

41.25	Overweight Axle Group Cost Factors			
41.26	Weight	Cost Per Mile For Each Group Of:		
41.27	(pounds)			
41.28	exceeding	Two	Three	
41.29	weight	consecutive	consecutive	
41.30	limitations on	axles	axles	Four
41.31	axles	spaced	spaced	consecutive
41.32		within 8	within 9	axles spaced
41.33		feet or	feet or	within 14
41.34		less	less	feet or less
41.35	0-2,000	.12	.05	.04
41.36	2,001-4,000	.14	.06	.05
41.37	4,001-6,000	.18	.07	.06
41.38	6,001-8,000	.21	.09	.07
41.39	8,001-10,000	.26	.10	.08
41.40	10,001-12,000	.30	.12	.09

42.1		Not		
42.2	12,001-14,000	permitted	.14	.11
42.3		Not		
42.4	14,001-16,000	permitted	.17	.12
42.5		Not		
42.6	16,001-18,000	permitted	.19	.15
42.7		Not	Not	
42.8	18,001-20,000	permitted	permitted	.16
42.9		Not	Not	
42.10	20,001-22,000	permitted	permitted	.20

42.11 The amounts added are rounded to the nearest cent for each axle or axle group. The
42.12 additional cost does not apply to paragraph (c), clauses (1) and (3).

42.13 For a vehicle found to exceed the appropriate maximum permitted weight, a cost-per-mile
42.14 fee of 22 cents per ton, or fraction of a ton, over the permitted maximum weight is imposed
42.15 in addition to the normal permit fee. Miles must be calculated based on the distance
42.16 already traveled in the state plus the distance from the point of detection to a transportation
42.17 loading site or unloading site within the state or to the point of exit from the state.

42.18 (f) As an alternative to paragraph (e), an annual permit may be issued for overweight,
42.19 or oversize and overweight, construction equipment, machinery, and supplies. The fees
42.20 for the permit are as follows:

42.21	Gross Weight (pounds) of Vehicle	Annual Permit Fee
42.22	90,000 or less	\$200
42.23	90,001 - 100,000	\$300
42.24	100,001 - 110,000	\$400
42.25	110,001 - 120,000	\$500
42.26	120,001 - 130,000	\$600
42.27	130,001 - 140,000	\$700
42.28	140,001 - 145,000	\$800

42.29 If the gross weight of the vehicle is more than 145,000 pounds the permit fee is determined
42.30 under paragraph (e).

42.31 (g) For vehicles which exceed the width limitations set forth in section 169.80 by
42.32 more than 72 inches, an additional cost equal to \$120 added to the amount in paragraph (a)
42.33 when the permit is issued while seasonal load restrictions pursuant to section 169.87 are
42.34 in effect.

42.35 (h) \$85 for an annual permit to be issued for a period not to exceed 12 months, for
42.36 refuse-compactor vehicles that carry a gross weight of not more than: 22,000 pounds on
42.37 a single rear axle; 38,000 pounds on a tandem rear axle; or, subject to section 169.828,
42.38 subdivision 2, 46,000 pounds on a tridem rear axle. A permit issued for up to 46,000

43.1 pounds on a tridem rear axle must limit the gross vehicle weight to not more than 62,000
43.2 pounds.

43.3 (i) For vehicles exclusively transporting implements of husbandry, an annual permit
43.4 fee of \$24. A vehicle operated under a permit authorized by this paragraph may be moved
43.5 at the discretion of the permit holder without prior route approval by the commissioner if:

43.6 (1) the total width of the transporting vehicle, including load, does not exceed 14 feet;

43.7 (2) the vehicle is operated only between sunrise and 30 minutes after sunset, and is
43.8 not operated at any time after 12:00 noon on Sundays or holidays;

43.9 (3) the vehicle is not operated when visibility is impaired by weather, fog, or other
43.10 conditions that render persons and other vehicles not clearly visible at 500 feet;

43.11 (4) the vehicle displays at the front and rear of the load or vehicle a pair of flashing
43.12 amber lights, as provided in section 169.59, subdivision 4, whenever the overall width of
43.13 the vehicle exceeds 126 inches; and

43.14 (5) the vehicle is not operated on a trunk highway with a surfaced roadway width of
43.15 less than 24 feet unless such operation is authorized by the permit.

43.16 A permit under this paragraph authorizes movements of the permitted vehicle on an
43.17 interstate highway, and movements of 75 miles or more on other highways.

43.18 (j) \$300 for a motor vehicle described in section 169.8261. The fee under this
43.19 paragraph must be deposited as follows:

43.20 (1) in fiscal years 2005 through 2010:

43.21 (i) the first \$50,000 in each fiscal year must be deposited in the trunk highway fund
43.22 for costs related to administering the permit program and inspecting and posting bridges;

43.23 (ii) all remaining money in each fiscal year must be deposited in a bridge inspection
43.24 and signing account in the special revenue fund. Money in the account is appropriated
43.25 to the commissioner for:

43.26 (A) inspection of local bridges and identification of local bridges to be posted,
43.27 including contracting with a consultant for some or all of these functions; and

43.28 (B) erection of weight-posting signs on local bridges; and

43.29 (2) in fiscal year 2011 and subsequent years must be deposited in the trunk highway
43.30 fund.

43.31 (k) Beginning August 1, 2006, \$200 for an annual permit for a vehicle operating
43.32 under authority of section 169.824, subdivision 2, paragraph (a), clause (2).

43.33 Sec. 56. Minnesota Statutes 2006, section 169.86, is amended by adding a subdivision
43.34 to read:

Subd. 8. **Tow truck.** A tow truck or towing vehicle, when towing a disabled or damaged vehicle to a place of repair or to a place of safekeeping, may exceed the length and weight limitations of this chapter, subject to a \$300 annual permit fee and other conditions the commissioner may prescribe.

Sec. 57. Minnesota Statutes 2006, section 169.862, is amended to read:

169.862 PERMIT FOR WIDE LOAD OF BALED AGRICULTURAL PRODUCT.

Subdivision 1. **Annual permit authority; restrictions.** (a) The commissioner of transportation with respect to highways under the commissioner's jurisdiction, and local authorities with respect to highways under their jurisdiction, may issue an annual permit to enable a vehicle carrying ~~round~~ bales of hay, straw, or cornstalks, with a total outside width of the vehicle or the load not exceeding ~~11-1/2~~ 12 feet, and a total height of the loaded vehicle not exceeding 14-1/2 feet, to be operated on public streets and highways.

~~(b) The commissioner of transportation and local authorities may issue an annual permit to enable a vehicle, having a maximum width of 102 inches, carrying a first haul of square bales of straw, each bale having a minimum size of four feet by four feet by eight feet, with a total outside width of the load not exceeding 12 feet, to be operated on public streets and highways between August 1 and March 1 within 35 miles of the border between this state and the state of North Dakota.~~

~~(c) The commissioner of transportation and local authorities may issue an annual permit to enable a vehicle carrying square bales of hay, each with an outside dimension of not less than three feet by four feet by seven feet, with a total height of the loaded vehicle not exceeding 15 feet, to be operated on those public streets and highways designated in the permit.~~

Subd. 2. **Additional restrictions.** Permits issued under this section are governed by the applicable provisions of section 169.86 except as otherwise provided herein and, in addition, carry the following restrictions:

(a) The vehicles may not be operated between sunset and sunrise, when visibility is impaired by weather, fog, or other conditions rendering persons and vehicles not clearly visible at a distance of 500 feet, or on Sunday from noon until sunset, or on the days the following holidays are observed: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day.

(b) The vehicles may not be operated on interstate highways.

(c) The vehicles may not be operated on a trunk highway with a pavement less than 24 feet wide.

(d) A vehicle operated under the permit must be equipped with a retractable or removable mirror on the left side so located that it will reflect to the driver a clear view of the highway for a distance of at least 200 feet to the rear of the vehicle.

(e) A vehicle operated under the permit must display red, orange, or yellow flags, 18 inches square, as markers at the front and rear and on both sides of the load. The load must be securely bound to the transporting vehicle.

(f) Farm vehicles not for hire carrying round baled hay less than 20 miles are exempt from the requirement to obtain a permit. All other requirements of this section apply to vehicles transporting round baled hay.

~~The fee for the permit is \$24.~~

Sec. 58. Minnesota Statutes 2006, section 169.864, subdivision 1, is amended to read:

Subdivision 1. **Special three-unit vehicle permit.** The commissioner may issue a permit for a vehicle that meets the following requirements:

(1) is a combination of vehicles, including a truck-tractor and a semitrailer drawing one additional semitrailer, which may be equipped with an auxiliary dolly, and no semitrailer used in the three-vehicle combination has an overall length in excess of 28-1/2 feet;

(2) has a maximum gross vehicle weight of 108,000 pounds;

(3) complies with the axle weight limits in section 169.824 or with the federal bridge formula for axle groups not described in that section;

(4) complies with the tire weight limits in section 169.823 or the tire manufacturers' recommended load, whichever is less;

(5) is operated only in this state on Trunk Highway marked 2 between Grand Rapids and the port of Duluth; on Trunk Highway marked 169 between Grand Rapids and its junction with Trunk Highway marked 53; on Trunk Highway marked 194 between Trunk Highway marked 2 and Trunk Highway marked 53; and on Trunk Highway marked 53 between Virginia and the port of Duluth; and

(6) the seasonal weight increases authorized under section 169.826, subdivision 1, do not apply.

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

Sec. 59. Minnesota Statutes 2006, section 169.864, subdivision 2, is amended to read:

Subd. 2. **Special two-unit vehicle permit.** The commissioner may issue a permit for a vehicle that meets the following requirements:

(1) is a combination of vehicles consisting of a truck-tractor and a single semitrailer that may exceed 48 feet, but not 53 feet, if the distance from the kingpin to the centerline of the rear axle group of the semitrailer does not exceed 43 feet;

(2) has a maximum gross vehicle weight of 90,000 pounds or 97,000 pounds if the truck has seven axles;

(3) has a maximum gross vehicle weight of 98,000 pounds during the time when seasonal weight increases authorized under section 169.826, subdivision 1, are in effect;

(4) complies with the axle weight limits in section 169.824 or with the federal bridge formula for axle groups not described in that section;

(5) complies with the tire weight limits in section 169.823 or the tire manufacturers' recommended load, whichever is less; and

(6) is operated only on the highways specified in subdivision 1, clause (5).

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

Sec. 60. **[169.865] SPECIAL AGRICULTURAL PRODUCTS PERMITS.**

Subdivision 1. Six-axle vehicles. (a) A road authority may issue an annual permit authorizing a vehicle or combination of vehicles with a total of six axles to haul raw or unprocessed agricultural products and be operated with a gross vehicle weight of up to:

(1) 90,000 pounds; and

(2) 99,000 pounds during the period set by the commissioner under section 169.826, subdivision 1.

(b) Notwithstanding subdivision 4, paragraph (a), clause (4), a vehicle or combination of vehicles operated under this subdivision and transporting only sealed intermodal containers may be operated on an interstate highway if allowed by the United States Department of Transportation.

(c) The fee for a permit issued under this subdivision is \$300.

Subd. 2. Seven-axle vehicles. (a) A road authority may issue an annual permit authorizing a vehicle or combination of vehicles with a total of seven axles to haul raw or unprocessed agricultural products and be operated with a gross vehicle weight of up to:

(1) 97,000 pounds; and

(2) 99,000 pounds during the period set by the commissioner under section 169.826, subdivision 1.

(b) Drivers of vehicles operating under this subdivision must comply with driver qualification requirements adopted under section 221.0314, subdivisions 2 to 5, and Code of Federal Regulations, title 49, parts 40 and 382.

(c) The fee for a permit issued under this subdivision is \$500.

Subd. 3. **Requirements; restrictions.** (a) A vehicle or combination of vehicles operating under this section:

(1) is subject to axle weight limitations under section 169.824, subdivision 1;

(2) is subject to seasonal load restrictions under section 169.87;

(3) is subject to bridge load limits posted under section 169.84;

(4) may only be operated on trunk highways other than interstate highways, and on local roads designated under section 169.832, subdivision 11;

(5) may not be operated with loads that exceed the manufacturer's gross vehicle weight rating as affixed to the vehicle, or other certification of gross vehicle weight rating complying with Code of Federal Regulations, title 49, parts 567.4 to 567.7;

(6) must be issued a permit from each road authority having jurisdiction over a road on which the vehicle is operated, if required;

(7) must comply with the requirements of section 169.851, subdivision 4; and

(8) must have brakes on all wheels.

(b) The percentage allowances for exceeding gross weights if transporting unfinished forest products under section 168.013, subdivision 3, paragraph (b), or for the first haul of unprocessed or raw farm products or unfinished forest products under section 168.013, subdivision 3, paragraph (d), clause (3), do not apply to a vehicle or combination of vehicles operated under this section.

Subd. 4. **Deposit of revenues; appropriation.** (a) Revenue from the permits issued under this section must be deposited:

(1) in fiscal years 2008 through 2011, in the bridge inspection and signing account in the special revenue fund; and

(2) in fiscal year 2012 and subsequent years, in the trunk highway fund.

(b) The revenue in the bridge inspection and signing account under this section is annually appropriated to the commissioner for:

(1) inspection of local bridges and identification of local bridges to be posted, including contracting with a consultant for some or all of these functions; and

(2) erection of weight posting signs on local bridges.

Sec. 61. Minnesota Statutes 2006, section 171.01, is amended by adding a subdivision to read:

Subd. 49a. **Valid license; valid driver's license.** "Valid license," "valid driver's license," "valid Minnesota driver's license," "valid standard driver's license," or other similar term, means any operator's license, provisional license, temporary license, limited

license, permit, or other license to operate a motor vehicle issued or issuable under the laws of this state by the commissioner, or by another state or jurisdiction if specified, that is:

(1) not expired, suspended, revoked, or canceled; and

(2) not disqualified for the class of vehicle being operated.

Sec. 62. Minnesota Statutes 2006, section 171.02, subdivision 1, is amended to read:

Subdivision 1. **License required; duplicate identification restricted.** (a) Except when expressly exempted, a person shall not drive a motor vehicle upon a street or highway in this state unless the person has a ~~license~~ valid license under this chapter for the type or class of vehicle being driven.

(b) The department shall not issue a driver's license to a person unless and until the person's license from any jurisdiction has been invalidated. The department shall provide to the issuing department of any jurisdiction, information that the licensee is now licensed in Minnesota. A person is not permitted to have more than one valid driver's license at any time. The department shall not issue to a person to whom a current Minnesota identification card has been issued a driver's license, other than a limited license, unless the person's Minnesota identification card has been invalidated. This subdivision does not require invalidation of a tribal identification card as a condition of receiving a driver's license.

Sec. 63. Minnesota Statutes 2006, section 171.06, subdivision 3, is amended to read:

Subd. 3. **Contents of application; other information.** (a) An application must:

(1) state the full name, date of birth, sex, and either (i) the residence address of the applicant, or (ii) the designated address under section 5B.05;

(2) as may be required by the commissioner, contain a description of the applicant and any other facts pertaining to the applicant, the applicant's driving privileges, and the applicant's ability to operate a motor vehicle with safety;

(3) state:

(i) the applicant's Social Security number; or

(ii) if the applicant does not have a social security number and is applying for a Minnesota identification card, instruction permit, or class D provisional or driver's license, that the applicant certifies that the applicant does not have a Social Security number;

(4) contain a space where the applicant may indicate a desire to make an anatomical gift according to paragraph (b); and

(5) contain a notification to the applicant of the availability of a living will/health care directive designation on the license under section 171.07, subdivision 7.

(b) If the applicant does not indicate a desire to make an anatomical gift when the application is made, the applicant must be offered a donor document in accordance with section 171.07, subdivision 5. The application must contain statements sufficient to comply with the requirements of the Uniform Anatomical Gift Act (1987), sections 525.921 to 525.9224, so that execution of the application or donor document will make the anatomical gift as provided in section 171.07, subdivision 5, for those indicating a desire to make an anatomical gift. The application must be accompanied by information describing Minnesota laws regarding anatomical gifts and the need for and benefits of anatomical gifts, and the legal implications of making an anatomical gift, including the law governing revocation of anatomical gifts. The commissioner shall distribute a notice that must accompany all applications for and renewals of a driver's license or Minnesota identification card. The notice must be prepared in conjunction with a Minnesota organ procurement organization that is certified by the federal Department of Health and Human Services and must include:

(1) a statement that provides a fair and reasonable description of the organ donation process, the care of the donor body after death, and the importance of informing family members of the donation decision; and

(2) a telephone number in a certified Minnesota organ procurement organization that may be called with respect to questions regarding anatomical gifts.

(c) The application must be accompanied also by information containing relevant facts relating to:

(1) the effect of alcohol on driving ability;

(2) the effect of mixing alcohol with drugs;

(3) the laws of Minnesota relating to operation of a motor vehicle while under the influence of alcohol or a controlled substance; and

(4) the levels of alcohol-related fatalities and accidents in Minnesota and of arrests for alcohol-related violations.

Sec. 64. Minnesota Statutes 2006, section 171.07, subdivision 1, is amended to read:

Subdivision 1. **License; contents.** (a) Upon the payment of the required fee, the department shall issue to every qualifying applicant a license designating the type or class of vehicles the applicant is authorized to drive as applied for. This license must bear a distinguishing number assigned to the licensee; the licensee's full name, and date of birth; ~~and~~; either (1) the licensee's residence address, or (2) the designated address under section 5B.05; the license class, endorsements, and restrictions imposed, if any; a description of the licensee in a manner as the commissioner deems necessary; and the usual signature of

50.1 the licensee. No license is valid unless it bears the usual signature of the licensee. Every
50.2 license must bear a colored photograph or an electronically produced image of the licensee.

50.3 (b) If the United States Postal Service will not deliver mail to the applicant's
50.4 residence address as listed on the license, then the applicant shall provide verification from
50.5 the United States Postal Service that mail will not be delivered to the applicant's residence
50.6 address and that mail will be delivered to a specified alternate mailing address. When an
50.7 applicant provides an alternate mailing address under this subdivision, the commissioner
50.8 shall use the alternate mailing address in lieu of the applicant's residence address for
50.9 all notices and mailings to the applicant.

50.10 (c) Every license issued to an applicant under the age of 21 must be of a
50.11 distinguishing color and plainly marked "Under-21."

50.12 (d) The department shall use processes in issuing a license that prohibit, as nearly as
50.13 possible, the ability to alter or reproduce a license, or prohibit the ability to superimpose a
50.14 photograph or electronically produced image on a license, without ready detection.

50.15 (e) A license issued to an applicant age 65 or over must be plainly marked "senior" if
50.16 requested by the applicant.

50.17 Sec. 65. Minnesota Statutes 2006, section 171.07, subdivision 3, is amended to read:

50.18 Subd. 3. **Identification card; fee.** (a) Upon payment of the required fee, the
50.19 department shall issue to every qualifying applicant a Minnesota identification card. The
50.20 department may not issue a Minnesota identification card to an individual who has a
50.21 driver's license, other than a limited license. The card must bear a distinguishing number
50.22 assigned to the applicant; a colored photograph or an electronically produced image of
50.23 the applicant; the applicant's full name, and date of birth, and; either (1) the licensee's
50.24 residence address, or (2) the designated address under section 5B.05; a description of the
50.25 applicant in the manner as the commissioner deems necessary; and the usual signature of
50.26 the applicant.

50.27 (b) If the United States Postal Service will not deliver mail to the applicant's
50.28 residence address as listed on the Minnesota identification card, then the applicant shall
50.29 provide verification from the United States Postal Service that mail will not be delivered
50.30 to the applicant's residence address and that mail will be delivered to a specified alternate
50.31 mailing address. When an applicant provides an alternate mailing address under this
50.32 subdivision, the commissioner shall use the alternate mailing address in lieu of the
50.33 applicant's residence address for all notices and mailings to the applicant.

50.34 (c) Each identification card issued to an applicant under the age of 21 must be of a
50.35 distinguishing color and plainly marked "Under-21."

51.1 (d) Each Minnesota identification card must be plainly marked "Minnesota
51.2 identification card - not a driver's license."

51.3 (e) The fee for a Minnesota identification card is 50 cents when issued to a person
51.4 who is developmentally disabled, as defined in section 252A.02, subdivision 2; a
51.5 physically disabled person, as defined in section 169.345, subdivision 2; or, a person with
51.6 mental illness, as described in section 245.462, subdivision 20, paragraph (c).

51.7 Sec. 66. Minnesota Statutes 2006, section 171.14, is amended to read:

51.8 **171.14 CANCELLATION.**

51.9 (a) The commissioner shall have authority to may cancel any driver's license upon
51.10 determination that (1) the licensee was not entitled to the issuance thereof hereunder, or
51.11 that of the license, (2) the licensee failed to give the required or correct information in
51.12 the application, or (3) the licensee committed any fraud or deceit in making such the
51.13 application. The commissioner may also cancel the driver's license of any, or (4) the
51.14 person who, at the time of the cancellation, would not have been entitled to receive a
51.15 license under the provisions of section 171.04.

51.16 (b) The commissioner shall cancel the driver's license of a person described in
51.17 paragraph (a), clause (3), for 60 days or until the required or correct information has
51.18 been provided, whichever is longer.

51.19 Sec. 67. Minnesota Statutes 2006, section 174.01, subdivision 2, is amended to read:

51.20 Subd. 2. **Transportation goals.** The goals of the state transportation system are
51.21 as follows:

51.22 (1) to provide safe transportation for users throughout the state;

51.23 (2) to provide multimodal and intermodal transportation that enhances mobility and
51.24 economic development and provides access to all persons and businesses in Minnesota
51.25 while ensuring that there is no undue burden placed on any community;

51.26 (3) to provide a reasonable travel time for commuters;

51.27 (4) to provide for the economical, efficient, and safe movement of goods to and from
51.28 markets by rail, highway, and waterway;

51.29 (5) to encourage tourism by providing appropriate transportation to Minnesota
51.30 facilities designed to attract tourists;

51.31 (6) to provide transit services throughout the state to meet the needs of transit users;

51.32 (7) to promote productivity through system management and the utilization of
51.33 technological advancements;

52.1 (8) to maximize the long-term benefits received for each state transportation
52.2 investment;

52.3 (9) to provide funding for transportation that, at a minimum, preserves the
52.4 transportation infrastructure;

52.5 (10) to ensure that the planning and implementation of all modes of transportation
52.6 are consistent with the environmental and energy goals of the state;

52.7 (11) to promote and increase the use of high-occupancy ~~vehicle use~~ vehicles and
52.8 low-emission vehicles;

52.9 (12) to provide an air transportation system sufficient to encourage economic growth
52.10 and allow all regions of the state the ability to participate in the global economy;

52.11 (13) to increase transit use ~~in the urban areas~~ statewide by giving highest priority to
52.12 the transportation modes with the greatest people-moving capacity and lowest long-term
52.13 economic and environmental cost; ~~and~~

52.14 (14) to promote and increase bicycling as an energy-efficient, nonpolluting, and
52.15 healthful form of transportation ~~alternative~~;

52.16 (15) to reduce greenhouse gas emissions from the state's transportation sector; and

52.17 (16) accomplish these goals with minimal impact on the environment.

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

52.19 Sec. 68. Minnesota Statutes 2006, section 174.02, subdivision 1a, is amended to read:

52.20 Subd. 1a. **Mission; efficiency; legislative report, recommendations.** It is part
52.21 of the department's mission that within the department's resources the commissioner
52.22 shall endeavor to:

52.23 (1) prevent the waste or unnecessary spending of public money;

52.24 (2) use innovative fiscal and human resource practices to manage the state's
52.25 resources and operate the department as efficiently as possible;

52.26 (3) minimize the degradation of air and water quality;

52.27 (4) coordinate the department's activities wherever appropriate with the activities
52.28 of other governmental agencies;

52.29 ~~(4)~~ (5) use technology where appropriate to increase agency productivity, improve
52.30 customer service, increase public access to information about government, and increase
52.31 public participation in the business of government;

52.32 ~~(5)~~ (6) utilize constructive and cooperative labor-management practices to the extent
52.33 otherwise required by chapters 43A and 179A;

53.1 ~~(6)~~ (7) report to the legislature on the performance of agency operations and the
53.2 accomplishment of agency goals in the agency's biennial budget according to section
53.3 16A.10, subdivision 1; and

53.4 ~~(7)~~ (8) recommend to the legislature appropriate changes in law necessary to carry
53.5 out the mission and improve the performance of the department.

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

53.7 Sec. 69. Minnesota Statutes 2006, section 174.03, subdivision 1, is amended to read:

53.8 Subdivision 1. **Statewide transportation plan; priorities; schedule of**
53.9 **expenditures.** In order to best meet the present and future transportation needs of the
53.10 public, to insure a strong state economy, to make most efficient use of public and private
53.11 funds, to lessen adverse environmental impacts of the transportation sector, and to
53.12 promote the more efficient use of energy and other resources for transportation purposes,
53.13 the commissioner shall:

53.14 (1) three months after notification that the department is ready to commence
53.15 operations and prior to the drafting of the statewide transportation plan, hold public
53.16 hearings as may be appropriate solely for the purpose of receiving suggestions for future
53.17 transportation alternatives and priorities for the state. The Metropolitan Council, regional
53.18 development commissions, and port authorities shall appear at the hearings and submit
53.19 information concerning transportation-related planning undertaken and accomplished by
53.20 these agencies. Other political subdivisions may appear and submit such information at
53.21 the hearings. These hearings shall be completed no later than six months from the date of
53.22 the commissioner's notification;

53.23 (2) develop, adopt, revise, and monitor a statewide transportation plan, taking
53.24 into account the suggestions and information submitted at the public hearings held
53.25 pursuant to clause (1). The plan shall incorporate all modes of transportation including
53.26 bicycle commutation and recreation and provide for the interconnection and coordination
53.27 of different modes of transportation. The commissioner shall evaluate ~~alternative~~ all
53.28 transportation programs and facilities proposed for inclusion in the plan in terms of
53.29 economic costs and benefits, safety aspects, impact on present and planned land uses,
53.30 environmental effects, energy efficiency, national transportation policies and priorities,
53.31 and availability of federal and other financial assistance;

53.32 (3) based upon the statewide transportation plan, develop statewide transportation
53.33 priorities and schedule authorized public capital improvements and other authorized
53.34 public transportation expenditures pursuant to the priorities;

54.1 (4) complete the plan and priorities required by this subdivision no later than July
54.2 1, 1978. Upon completion of the plan and priorities, the commissioner shall prepare
54.3 and periodically revise, as necessary, the schedule of authorized public transportation
54.4 expenditures. The plan, priorities, and schedule are exempt from the provisions of the
54.5 Administrative Procedure Act.

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

54.7 Sec. 70. Minnesota Statutes 2006, section 174.03, is amended by adding a subdivision
54.8 to read:

54.9 **Subd. 10. Highway construction training.** (a) The commissioner of transportation
54.10 shall utilize the maximum feasible amount of all federal funds available to this state
54.11 under United States Code, title 23, section 140, paragraph (b), to develop, conduct, and
54.12 administer highway construction training, including skill improvement programs.

54.13 (b) The commissioner of transportation must report by February 1 of each
54.14 odd-numbered year to the house of representatives and senate committees having
54.15 jurisdiction over transportation policy and finance concerning the commissioner's
54.16 compliance with paragraph (a). The report must, with respect to each of the two previous
54.17 calendar years:

54.18 (1) describe the highway construction training and skill improvement programs the
54.19 commissioner has conducted and administered;

54.20 (2) analyze the results of the commissioner's training programs;

54.21 (3) state the amount of federal funds available to this state under United States Code,
54.22 title 23, section 140, paragraph (b); and

54.23 (4) identify the amount spent by the commissioner in conducting and administering
54.24 the programs.

54.25 Sec. 71. Minnesota Statutes 2006, section 174.03, is amended by adding a subdivision
54.26 to read:

54.27 **Subd. 11. Disadvantaged business enterprise program.** (a) The commissioner
54.28 shall include in each contract that is funded at least in part by federal funds, a sanction
54.29 for each contractor who does not meet the established project disadvantaged business
54.30 enterprise goal or demonstrate good faith effort to meet the goal.

54.31 (b) The commissioner of transportation shall report by February 1 of each
54.32 odd-numbered year to the house of representatives and senate committees having
54.33 jurisdiction over transportation policy and finance concerning the commissioner's

disadvantaged business enterprise program. The report must, with respect to each of the two previous calendar years:

- (1) state the department's annual overall goal, compared with the percentage attained;
- (2) explain the methodology, applicable facts, and public participation used to establish the overall goal;
- (3) describe good faith efforts to meet the goal, if the goal was not attained;
- (4) describe actions to address overconcentration of disadvantaged business enterprises in certain types of work;
- (5) state the number of contracts that included disadvantaged business enterprise goals, the number of contractors that met established disadvantaged business enterprise goals, and sanctions imposed for lack of good faith effort; and
- (6) describe contracts with no disadvantaged business enterprise goals, and, of those, state number of contracts and amount of each contract with targeted groups under section 16C.16.

Sec. 72. **[174.185] PAVEMENT LIFE-CYCLE COST ANALYSIS.**

Subdivision 1. **Definitions.** For the purposes of this section, the following definitions apply.

(a) "Life-cycle cost" is the sum of the cost of the initial pavement project and all anticipated costs for maintenance, repair, and resurfacing over the life of the pavement. Anticipated costs must be based on Minnesota's actual or reasonably projected maintenance, repair, and resurfacing schedules, and costs determined by the Department of Transportation district personnel based upon recently awarded local projects and experience with local material costs.

(b) "Life-cycle cost analysis" is a comparison of life-cycle costs among competing paving materials using equal design lives and equal comparison periods.

Subd. 2. **Required analysis.** For each project in the reconditioning, resurfacing, and road repair funding categories, the commissioner shall perform a life-cycle cost analysis and shall document the lowest life-cycle costs and all alternatives considered. The commissioner shall document the chosen pavement strategy and, if the lowest life cycle is not selected, document the justification for the chosen strategy. A life-cycle cost analysis is required for projects to be constructed after July 1, 2011. For projects to be constructed prior to July 1, 2011, when feasible, the department will use its best efforts to perform life-cycle cost analyses.

Subd. 3. **Report.** The commissioner shall report annually to the chairs and ranking minority members of the senate and house of representatives committees with jurisdiction

56.1 over transportation finance beginning on January 1, 2012, the results of the analyses
56.2 required in subdivision 2.

56.3 Sec. 73. Minnesota Statutes 2006, section 174.30, subdivision 4, is amended to read:

56.4 Subd. 4. **Vehicle and equipment inspection, rules; decal; complaint contact**
56.5 **information.** (a) The commissioner shall inspect or provide for the inspection of
56.6 vehicles at least annually. In addition to scheduled annual inspections and reinspections
56.7 scheduled for the purpose of verifying that deficiencies have been corrected, unannounced
56.8 inspections of any vehicle may be conducted.

56.9 (b) On determining that a vehicle or vehicle equipment is in a condition that is likely
56.10 to cause an accident or breakdown, the commissioner shall require the vehicle to be taken
56.11 out of service immediately. The commissioner shall require that vehicles and equipment
56.12 not meeting standards be repaired and brought into conformance with the standards
56.13 and shall require written evidence of compliance from the operator before allowing the
56.14 operator to return the vehicle to service.

56.15 (c) The commissioner shall provide in the rules procedures for inspecting vehicles,
56.16 removing unsafe vehicles from service, determining and requiring compliance, and
56.17 reviewing driver qualifications.

56.18 (d) The commissioner shall design a distinctive decal to be issued to special
56.19 transportation service providers with a current certificate of compliance under this section.
56.20 A decal is valid for one year from the last day of the month in which it is issued. A person
56.21 who is subject to the operating standards adopted under this section may not provide
56.22 special transportation service in a vehicle that does not conspicuously display a decal
56.23 issued by the commissioner.

56.24 (e) Special transportation service providers shall prominently display in each vehicle
56.25 all contact information for the submission of complaints regarding the transportation
56.26 services provided to that individual. All vehicles providing service under section
56.27 473.386 shall display contact information for the Metropolitan Council. All other special
56.28 transportation service vehicles shall display contact information for the commissioner of
56.29 transportation.

56.30 **EFFECTIVE DATE.** This section is effective July 1, 2008.

56.31 Sec. 74. Minnesota Statutes 2006, section 174.30, subdivision 9, is amended to read:

56.32 Subd. 9. ~~Complaint data;~~ **Complaints; report; data classification.** (a) The
56.33 commissioner shall investigate all complaints over which the commissioner has
56.34 jurisdiction regarding special transportation service providers regulated under this section.

(b) By January 15, 2009, and in every subsequent odd-numbered year by January 15, the commissioner shall submit a report to the chairs and ranking minority members of the house of representatives and senate committees having jurisdiction over transportation policy and finance. The report must identify each complaint investigated by the commissioner under paragraph (a), including, but not limited to, any findings and steps taken for resolution of the complaint.

(c) When information is furnished to the Department of Transportation that alleges a violation of this section, an operating standard adopted under this section, or section 174.315, the following data are classified as confidential data or protected nonpublic data:

- (1) names of complainants;
- (2) complaint letters; and
- (3) other unsolicited data when furnished by a person who is not the subject of the data and who is not a department employee.

EFFECTIVE DATE. This section is effective July 1, 2008.

Sec. 75. [174.56] REPORT ON MAJOR HIGHWAY PROJECTS.

Subdivision 1. Report required. The commissioner of transportation shall submit a report on January 15, 2009, and on January 15 of each year thereafter, on the status of major highway projects under construction or planned during the year of the report and for the ensuing 15 years. For purposes of this section, a "major highway project" is a highway project that has a total cost for all segments that the commissioner estimates at the time of the report to be at least (1) \$25,000,000 in the metropolitan highway construction district, or (2) \$10,000,000 in any nonmetropolitan highway construction district.

Subd. 2. Report contents. For each major highway project the report must include:

- (1) a description of the project sufficient to specify its scope and location;
- (2) a history of the project, including, but not limited to, previous official actions by the department or the appropriate area transportation partnership, or both, the date on which the project was first included in the state transportation improvement plan, the cost of the project at that time, the dates of environmental approval, the dates of municipal approval, the date of final geometric layout, and the date of establishment of any construction limits;

- (3) the project's priority listing or rank within its construction district, if any, as well as the reasons for that listing or rank, the criteria used in prioritization or rank, any changes in that prioritization or rank since the project was first included in a department work plan, and the reasons for those changes; and

- (4) past and potential future reasons for delay in letting or completing the project.

Subd. 3. **Department resources.** The commissioner shall prepare and submit the report with existing department staff and resources.

Sec. 76. Minnesota Statutes 2006, section 218.041, subdivision 6, is amended to read:

Subd. 6. **Investigative powers.** In the exercise of powers granted in this chapter, the commissioner may:

(1) subpoena books, papers, or accounts kept by any regulated business within or without the state, or compel production of verified copies;

(2) prepare all forms or blanks for obtaining information that the commissioner may deem necessary or useful for the proper exercise of the authority and duties of the commissioner in connection with regulated businesses, and prescribe the time and manner within which the blanks and forms must be completed and filed;

(3) inspect, at all reasonable times, and copy the books, records, memoranda, correspondence, or other documents and records of any business under the commissioner's jurisdiction; ~~and~~

(4) examine, under oath, any officer, agent, or employee of a business under the commissioner's jurisdiction concerning any matter within the commissioner's jurisdiction; and

(5) assess common carriers, administer the state rail safety inspection account, and perform other duties on behalf of the state rail safety inspector under section 219.015.

Sec. 77. **[219.015] STATE RAIL SAFETY INSPECTOR.**

(a) The commissioner of transportation shall establish a position of state rail safety inspector in the Office of Freight and Commercial Vehicle Operations of the Minnesota Department of Transportation. The commissioner shall apply to the Federal Railroad Administration (FRA) of the United States Department of Transportation to participate in the Federal State Rail Safety Partnership Program for training and certification of an inspector under authority of United States Code, title 49, sections 20103, 20105, 20106, and 20113, and Code of Federal Regulations, title 49, part 212. The state rail safety inspector shall inspect mainline track, secondary track, and yard and industry track; inspect railroad right-of-way, including adjacent or intersecting drainage, culverts, bridges, overhead structures, and traffic and other public crossings; inspect yards and physical plants; review and enforce safety requirements; review maintenance and repair records; and review railroad security measures. To the extent delegated by the commissioner, the inspector may issue citations for violations of this chapter, or to ensure railroad employee and public safety and welfare.

(b) The commissioner shall annually assess railroad companies that are (1) defined as common carriers under section 218.011, (2) classified by federal law or regulation as Class I Railroads or Class I Rail Carriers, and (3) operating in this state, by a division of equal proportion between carriers, assessed in equal amounts for 365 days of the calendar year. The commissioner shall assess all start-up or re-establishment costs, and all related costs of initiating the state rail safety inspector program beginning July 1, 2008. The state rail inspector duties must begin and be assessed on January 1, 2009. The assessments must be deposited in a special account in the special revenue fund, to be known as the state rail safety inspection account. Money in the account is appropriated to the commissioner and may be expended to cover the costs incurred for the establishment and ongoing responsibilities of the state rail safety inspector.

(c) The commissioner may exempt a common carrier not federally classified as Class I from violations for a period of up to two years if the common carrier applies for participation in a work site safety coaching program, such as the "MNSharp" program administered by the Minnesota Department of Labor and Industry, and the commissioner determines such participation to be preferred enforcement for safety or security violations.

(d) Any person aggrieved by an assessment levied under this section may appeal within 90 days any assessment, violation, or administrative penalty to the Office of Administrative Hearings, with further appeal and review by the district court.

Sec. 78. Minnesota Statutes 2006, section 221.031, subdivision 6, is amended to read:

Subd. 6. **Vehicle identification rule.** (a) The following carriers shall display the carrier's name ~~and address~~ on the power unit of each vehicle:

(1) motor carriers, regardless of the weight of the vehicle, except that this requirement does not apply to a limousine as defined in section 168.011, subdivision 35, that is equipped with "LM" license plates;

(2) interstate and intrastate private carriers operating vehicles with a gross vehicle weight of more than 10,000 pounds; and

(3) vehicles providing transportation described in section 221.025 with a gross vehicle weight of more than 10,000 pounds except those providing transportation described in section 221.025, clauses (1), (3), and (4).

Vehicles described in clauses (2) and (3) that are operated by farmers or farm employees and have four or fewer axles are not required to comply with the vehicle identification rule of the commissioner.

(b) Vehicles subject to this subdivision must show the name or "doing business as" name of the carrier operating the vehicle ~~and the community and abbreviation of the state~~

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60.1 ~~in which the carrier maintains its principal office or in which the vehicle is customarily~~
60.2 ~~based.~~ If the carrier operates a leased vehicle, it may show its name and the name of the
60.3 lessor on the vehicle, if the lease relationship is clearly shown. If the name of a person
60.4 other than the operating carrier appears on the vehicle, the words "operated by" must
60.5 immediately precede the name of the carrier.

60.6 (c) The name ~~and address~~ must be in letters that contrast sharply in color with the
60.7 background, be readily legible during daylight hours from a distance of 50 feet while
60.8 the vehicle is stationary, and be maintained in a manner that retains the legibility of the
60.9 markings. The name ~~and address~~ may be shown by use of a removable device if that
60.10 device meets the identification and legibility requirements of this subdivision.

60.11 Sec. 79. Minnesota Statutes 2006, section 221.0314, subdivision 9, is amended to read:

60.12 Subd. 9. **Hours of service of driver.** Code of Federal Regulations, title 49, part
60.13 395, is incorporated by reference, except that paragraphs (a), (c), (d), (f), (h), (i), (k), ~~(t)~~,
60.14 (m), and (n) of section 395.1 and section 395.13 of that part are not incorporated. In
60.15 addition, cross-references to sections or paragraphs not incorporated in this subdivision
60.16 are not incorporated by reference. The requirements of Code of Federal Regulations, title
60.17 49, part 395, do not apply to drivers of lightweight vehicles.

60.18 Sec. 80. Minnesota Statutes 2006, section 221.0314, is amended by adding a
60.19 subdivision to read:

60.20 Subd. 12. **Hazardous materials safety permits.** A person who transports the
60.21 hazardous materials designated in Code of Federal Regulations, title 49, section 385.403,
60.22 shall comply with this section and with the provisions of Code of Federal Regulations,
60.23 title 49, part 385, subpart E, which is incorporated by reference.

60.24 Sec. 81. Minnesota Statutes 2006, section 221.033, subdivision 2d, is amended to read:

60.25 Subd. 2d. **Age of driver under federal materials-of-trade regulation.** A driver
60.26 of a self-propelled or towed motor vehicle transporting no hazardous material other than
60.27 materials of trade, as defined in Code of Federal Regulations, title 49, section 171.8, when
60.28 engaged in intrastate transportation, must be at least 18 years of age. This subdivision
60.29 does not apply unless the transportation conforms to the requirements of Code of Federal
60.30 Regulations, title 49, section 173.6.

60.31 Sec. 82. Minnesota Statutes 2006, section 221.037, subdivision 1, is amended to read:

61.1 Subdivision 1. **Required to provide information.** A person who generates, stores,
61.2 treats, transports, disposes of, or otherwise handles or has handled hazardous materials,
61.3 hazardous substances, or hazardous waste shall (1) give to transportation representatives
61.4 and hazardous material specialists of the department information relating to the materials,
61.5 substances, or waste, or (2) permit them access to and copying of records and safety
61.6 permits relating to any or all of the materials, substances, or waste,~~or both.~~

61.7 Sec. 83. Minnesota Statutes 2006, section 221.091, subdivision 2, is amended to read:

61.8 Subd. 2. **Local licensing of small vehicle passenger service.** A city that licenses
61.9 and regulates small vehicle passenger service must do so by ordinance. The ordinance
61.10 must, at a minimum, provide for driver qualifications, insurance, vehicle safety, and
61.11 periodic vehicle inspections. A city that has adopted an ordinance complying with this
61.12 subdivision may enforce the registration requirement in section 221.021. A person who
61.13 provides small vehicle passenger service to an individual for the purpose of obtaining
61.14 nonemergency medical care and who receives reimbursement under section 256B.0625,
61.15 subdivision 17, for providing the service, must comply with the rules of the commissioner
61.16 adopted under section 174.30.

61.17 **EFFECTIVE DATE.** This section is effective July 1, 2008.

61.18 Sec. 84. Minnesota Statutes 2006, section 221.141, subdivision 1, is amended to read:

61.19 Subdivision 1. **Financial responsibility of carriers.** (a) No motor carrier and no
61.20 interstate carrier shall operate a vehicle until it has obtained and has in effect the minimum
61.21 amount of financial responsibility required by this section. Policies of insurance, surety
61.22 bonds, other types of security, and endorsements must be continuously in effect and must
61.23 remain in effect until canceled. Before providing transportation, the motor carrier or
61.24 interstate carrier shall secure and cause to be filed with the commissioner and maintain in
61.25 full effect, a certificate of insurance in a form required by the commissioner, evidencing
61.26 public liability insurance in the amount prescribed. The insurance must cover injuries and
61.27 damage to persons or property resulting from the operation or use of motor vehicles,
61.28 regardless of whether each vehicle is specifically described in the policy. This insurance
61.29 does not apply to injuries or death to the employees of the motor carrier or to property
61.30 being transported by the carrier.

61.31 (b) Notwithstanding any other provision of this chapter, the insurance required of
61.32 a motor carrier of passengers must be at least that amount required of interstate carriers
61.33 under Code of Federal Regulations, title 49, section 387.33, as amended.

62.1 (c) This section does not apply to a charitable organization exempt from taxation
62.2 under section 501(c)(3) of the Internal Revenue Code when the transportation furthers
62.3 the charitable organization's charitable mission. The charitable organization must comply
62.4 with the insurance requirements of section 65B.48.

62.5 Sec. 85. Minnesota Statutes 2006, section 221.231, is amended to read:

62.6 **221.231 RECIPROCAL AGREEMENT.**

62.7 The commissioner may enter into reciprocal agreements with the regulatory bodies
62.8 of other states and the provinces of the Dominion of Canada, ~~whereby the payment of the~~
62.9 ~~fees provided in section 221.60 may be waived in whole or in part for regarding~~ motor
62.10 carriers having an established place of business in that state or province; provided that
62.11 reciprocal privileges are extended under the agreement to motor carriers of this state.

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

62.13 Sec. 86. Minnesota Statutes 2006, section 221.60, subdivision 1, is amended to read:

62.14 Subdivision 1. **Procedure Registration required.** ~~A motor carrier may transport~~
62.15 ~~persons or property for hire in interstate commerce in Minnesota only if it first:~~

62.16 ~~(1) complies with section 221.141;~~

62.17 ~~(2) either registers with the commissioner the federal operating authority that it~~
62.18 ~~intends to exercise, or registers and describes the transportation it performs under an~~
62.19 ~~exemption contained in United States Code, title 49; and~~

62.20 ~~(3) purchases an interstate identification stamp or an interstate registration trip permit~~
62.21 ~~for each vehicle to be used in interstate transportation in Minnesota. A foreign or domestic~~
62.22 motor carrier, motor private carrier, leasing company, broker, or freight forwarder, as
62.23 defined in United States Code, title 49, section 13102, may operate in interstate commerce
62.24 in Minnesota only if it first complies with the Unified Carrier Registration Agreement
62.25 authorized by United States Code, title 49, section 14504a, enacted pursuant to the Unified
62.26 Carrier Registration Act of 2005, and the rules, regulations, and directives adopted
62.27 thereunder, including registering with a base state and paying all required fees.

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

62.29 Sec. 87. Minnesota Statutes 2006, section 221.60, is amended by adding a subdivision
62.30 to read:

62.31 **Subd. 7. Commissioner's authority.** The commissioner of transportation is
62.32 authorized to take all necessary actions to enter into the Unified Carrier Registration

63.1 Agreement in accordance with United States Code, title 49, section 14504a, and shall
63.2 implement and administer the agreement and the rules and regulations adopted thereunder,
63.3 including directives of the Unified Carrier Registration Plan board of directors as
63.4 authorized by United States Code, title 49, section 14504a, subsection (d)(2).

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

63.6 Sec. 88. Minnesota Statutes 2006, section 222.50, subdivision 7, is amended to read:

63.7 Subd. 7. **Expenditures.** (a) The commissioner may expend money from the rail
63.8 service improvement account for the following purposes:

63.9 (1) to make transfers as provided under section 222.57 or to pay interest adjustments
63.10 on loans guaranteed under the state rail user and rail carrier loan guarantee program;

63.11 (2) to pay a portion of the costs of capital improvement projects designed to
63.12 improve rail service ~~including construction or improvement of short segments of rail line~~
63.13 ~~such as side track, team track, and connections between existing lines, and construction~~
63.14 ~~and improvement of loading, unloading, storage, and transfer facilities of a rail user or~~
63.15 a rail carrier;

63.16 (3) to pay a portion of the costs of rehabilitation projects designed to improve rail
63.17 service of a rail user or a rail carrier;

63.18 (4) to acquire, maintain, manage, and dispose of railroad right-of-way pursuant to
63.19 the state rail bank program;

63.20 ~~(4)~~ (5) to provide for aerial photography survey of proposed and abandoned railroad
63.21 tracks for the purpose of recording and reestablishing by analytical triangulation the
63.22 existing alignment of the in-place track;

63.23 ~~(5)~~ (6) to pay a portion of the costs of acquiring a rail line by a regional railroad
63.24 authority established pursuant to chapter 398A;

63.25 ~~(6)~~ (7) to pay the state matching portion of federal grants for rail-highway grade
63.26 crossing improvement projects.

63.27 (b) All money derived by the commissioner from the disposition of railroad
63.28 right-of-way or of any other property acquired pursuant to sections 222.46 to 222.62 shall
63.29 be deposited in the rail service improvement account.

63.30 Sec. 89. Minnesota Statutes 2006, section 222.63, subdivision 4, is amended to read:

63.31 Subd. 4. **Disposition permitted.** (a) The commissioner may lease any rail line or
63.32 right-of-way held in the state rail bank or enter into an agreement with any person for the
63.33 operation of any rail line or right-of-way for any of the purposes set forth in subdivision 2
63.34 in accordance with a fee schedule to be developed by the commissioner.

64.1 (b) The commissioner may convey any rail line or right-of-way, for consideration or
64.2 for no consideration and upon other terms as the commissioner may determine to be in
64.3 the public interest, to any other state agency or to a governmental subdivision of the state
64.4 having power by law to utilize it for any of the purposes set forth in subdivision 2.

64.5 (c) The commissioner may convey a portion of previously acquired rail bank
64.6 right-of-way to a state agency or governmental subdivision when the commissioner
64.7 determines that:

64.8 (1) the portion to be conveyed is in excess of that needed for the purposes stated in
64.9 subdivision 2;

64.10 (2) the conveyance is upon terms and conditions agreed upon by both the
64.11 commissioner and the state agency or governmental subdivision;

64.12 (3) after the sale, the rail bank corridor will continue to meet the future public and
64.13 commercial transportation and transmission needs of the state; and

64.14 (4) the conveyance will not reduce the width of the rail bank corridor to less than
64.15 ~~50~~ 100 feet.

64.16 (d) The commissioner may lease previously acquired state rail bank right-of-way to
64.17 a state agency or governmental subdivision or to a private entity for nontransportation
64.18 purposes when:

64.19 (1) the portion to be leased is in excess of that needed for the purposes stated in
64.20 subdivision 2;

64.21 (2) the lease will not reduce the useable width of the rail bank corridor to less than
64.22 ~~50~~ 100 feet;

64.23 (3) the cost of the lease is based on the fair market value of the portion to be leased,
64.24 as determined by appraisal;

64.25 (4) the lease allows the commissioner to terminate the lease on 90 days' written
64.26 notice to the lessee; and

64.27 (5) the lease prohibits the construction or erection of any permanent structure within
64.28 the ~~50-foot~~ 100-foot rail bank corridor and requires any structure erected on the leased
64.29 property to be removed and the land restored to its original condition on 90 days' written
64.30 notice to the lessee.

64.31 (e) Proceeds from a sale or lease must be deposited in the rail bank maintenance
64.32 account described in subdivision 8.

64.33 Sec. 90. Minnesota Statutes 2006, section 222.63, is amended by adding a subdivision
64.34 to read:

Subd. 9. **Rail bank property use; petty misdemeanors.** (a) Except for the actions of road authorities and their agents, employees, and contractors, and of utilities, in carrying out their duties imposed by permit, law, or contract, and except as otherwise provided in this section, it is unlawful to perform any of the following activities on rail bank property:

(1) obstruct any trail;

(2) deposit snow or ice;

(3) remove or place any earth, gravel, or rock without authorization;

(4) obstruct or remove any ditch-draining device, or drain any harmful or dangerous materials;

(5) erect a fence, or place or maintain any advertising, sign, or memorial;

(6) remove, injure, displace, or destroy right-of-way markers or reference or witness monuments or markers placed to preserve section or quarter-section corners defining rail bank property limits;

(7) drive upon any portion of rail bank property, except at approved crossings, and except where authorized for snowmobiles, emergency vehicles, maintenance vehicles, or other vehicles authorized to use rail bank property;

(8) deface, mar, damage, or tamper with any structure, work, material, sign, marker, paving, guardrail, drain, or any other rail bank appurtenance; or

(9) park, overhang, or abandon any unauthorized vehicle or implement of husbandry on, across, or over the limits of rail bank property.

(b) Unless a greater penalty is provided elsewhere in statute, any violation of this subdivision is a petty misdemeanor.

(c) The cost to remove, repair, or perform any other corrective action necessitated by a violation of this subdivision may be charged to the violator.

Sec. 91. Minnesota Statutes 2006, section 299F.60, subdivision 1, is amended to read:

Subdivision 1. **Money penalty.** Any person who violates any provision of sections 299F.56 to 299F.641, or any rule issued thereunder, ~~shall be~~ is subject to a civil penalty to be imposed by the commissioner not to exceed ~~\$10,000~~ \$100,000 for each ~~such~~ violation for each day that ~~such~~ the violation persists, except that the maximum civil penalty ~~shall~~ must not exceed ~~\$500,000~~ \$1,000,000 for any related series of violations.

EFFECTIVE DATE. This section is effective August 1, 2008, and applies to violations committed on or after that date.

Sec. 92. Minnesota Statutes 2006, section 299J.16, subdivision 1, is amended to read:

Subdivision 1. **Civil penalty.** (a) A pipeline operator who violates section 299J.07, subdivision 1, or 299J.15, or the rules of the commissioner implementing those sections, shall forfeit and pay to the state a civil penalty in an amount to be determined by the court, up to ~~\$10,000~~ \$100,000 for each day that the operator remains in violation, subject to a maximum of ~~\$500,000~~ \$1,000,000 for a related series of violations.

(b) The penalty provided under this subdivision may be recovered by an action brought by the attorney general at the request of the commissioner, in the name of the state, in connection with an action to recover expenses of the director under section 299J.13, subdivision 4:

(1) in the District Court of Ramsey County; or

(2) in the county of the defendant's residence.

EFFECTIVE DATE. This section is effective August 1, 2008, and applies to violations committed on or after that date.

Sec. 93. Minnesota Statutes 2006, section 325F.665, is amended by adding a subdivision to read:

Subd. 14. **Title branding.** (a) Upon transfer and application for title of all vehicles subject to this section, the registrar of motor vehicles shall record the term "lemon law vehicle" on the certificate of title and all subsequent certificates of title for that vehicle.

(b) For vehicles with out-of-state titles that bear the term "lemon law vehicle," or any similar term, the registrar of motor vehicles shall record the term "lemon law vehicle" on the first Minnesota certificate of title and all subsequent Minnesota certificates of title issued for that vehicle.

(c) The designation of "lemon law vehicle" on a certificate of title must be made by the registrar of motor vehicles in a clear and conspicuous manner, in a color different from all other writing on the certificate of title.

Sec. 94. Minnesota Statutes 2006, section 473.1466, is amended to read:

473.1466 TRANSPORTATION SYSTEM PERFORMANCE ~~AUDIT;~~
TRANSIT EVALUATION.

~~(a) In 1997 and every four years thereafter, the council shall provide for an independent entity selected through a request for proposal process conducted nationwide to do~~ Prior to each major revision of the transportation policy plan, the council must carry out a performance ~~audit~~ evaluation of the ~~commuting~~ metropolitan area's transportation system as a whole. The performance ~~audit~~ evaluation must:

67.1 (1) evaluate the ~~commuting~~ area's ability to meet the ~~region's needs~~ need for
67.2 effective and efficient transportation of goods and people;

67.3 (2) evaluate ~~future~~ trends and their impacts on the ~~region's~~ area's transportation
67.4 system, ~~and~~;

67.5 (3) assess the region's success in meeting the currently adopted regional
67.6 transportation benchmarks; and

67.7 (4) include an evaluation of the regional transit system, including a comparison with
67.8 peer metropolitan regions with regard to key operating and investment measurements.

67.9 (b) The council must update the evaluation of the regional transit system every
67.10 two years.

67.11 (c) The council shall use the results of the performance evaluation to make
67.12 recommendations for improving the system in each revision of the transportation policy
67.13 plan. ~~The performance audit must recommend performance-funding measures.~~

67.14 ~~(b) In 1999 and every four years thereafter, the council must evaluate the~~
67.15 ~~performance of the metropolitan transit system's operation in relationship to the regional~~
67.16 ~~transit performance standards developed by the council.~~

67.17 (d) The council must conduct a peer review of the performance evaluation using at
67.18 least two nationally recognized transportation and transit consultants.

67.19 (e) The council must submit the performance evaluation to the chairs and ranking
67.20 minority members of the house of representatives and senate committees and divisions
67.21 with jurisdiction over transportation finance and policy.

67.22 **EFFECTIVE DATE.** This section is effective the day following final enactment
67.23 and applies to each revision of the transportation policy plan after the 2008 revision.

67.24 Sec. 95. Minnesota Statutes 2006, section 473.166, is amended to read:

67.25 **473.166 CONTROLLED ACCESS; ~~TRANSIT FIXED-GUIDEWAY;~~**
67.26 **APPROVAL.**

67.27 Before acquiring land for or constructing a controlled access highway ~~or transit~~
67.28 ~~fixed-guideway~~ in the area, the state Transportation Department or local government
67.29 unit proposing the acquisition or construction shall submit to the council a statement
67.30 describing the proposed project. The statement must be in the form and detail required by
67.31 the council. The council shall review the statement to ascertain its consistency with its
67.32 policy plan and the development guide. No project may be undertaken unless the council
67.33 determines that it is consistent with the policy plan. This approval is in addition to the
67.34 requirements of any other statute, ordinance or rule.

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

68.2 Sec. 96. Minnesota Statutes 2006, section 473.386, subdivision 1, is amended to read:

68.3 Subdivision 1. **Service objectives.** The council shall implement a special
68.4 transportation service, as defined in section 174.29, in the metropolitan area. The service
68.5 has the following objectives:

68.6 (a) to provide greater access to transportation for the elderly, people with disabilities,
68.7 and others with special transportation needs in the metropolitan area;

68.8 (b) to develop an integrated system of special transportation service providing
68.9 transportation tailored to meet special individual needs in the most cost-efficient manner;
68.10 and

68.11 (c) to use existing public, private, and private nonprofit providers of service
68.12 ~~wherever possible~~ when feasible and cost-efficient, to supplement rather than replace
68.13 existing service, and to increase the productivity of all special transportation vehicles
68.14 available in the area.

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

68.16 Sec. 97. Minnesota Statutes 2006, section 473.386, subdivision 2, is amended to read:

68.17 Subd. 2. **Service contracts; management; transportation accessibility advisory**
68.18 **committee.** (a) The council may contract for services necessary for the provision of
68.19 special transportation. Transportation service provided under a contract must specify the
68.20 service to be provided, the standards that must be met, and the rates for operating and
68.21 providing special transportation services.

68.22 (b) The council shall establish management policies for the service and may contract
68.23 with a service administrator for day-to-day administration and management of the service.
68.24 Any contract must delegate to the service administrator clear authority to administer and
68.25 manage the delivery of the service pursuant to council management policies and must
68.26 establish performance and compliance standards for the service administrator. The council
68.27 may provide directly day to day administration and management of the service and may
68.28 own or lease vehicles used to provide the service.

68.29 (c) The council shall ensure that the service administrator establishes a system for
68.30 registering and expeditiously responding to complaints by users, informing users of how
68.31 to register complaints, and requiring providers to report on incidents that impair the safety
68.32 and well-being of users or the quality of the service.

68.33 (d) The council shall ~~annually report to the commissioner of transportation and the~~
68.34 ~~legislature on complaints and provider reports, the response of the service administrator,~~

~~and steps taken by the council and the service administrator to identify causes and provide remedies to recurring problems on its special transportation services as part of the program evaluation provided for in section 473.13, subdivision 1a.~~

~~(d) Each year before renewing contracts with providers and the service administrator, the council shall provide an opportunity for the transportation accessibility advisory committee, users, and other interested persons to testify before the council concerning providers, contract terms, and other matters relating to council policies and procedures for implementing the service.~~

(e) The council shall provide, on an annual basis, an opportunity for users and other interested persons to provide testimony to the council concerning services provided under this section.

(f) The council shall establish a Transportation Accessibility Advisory Committee consisting of 15 members and a chair to advise the council on management policies for the council's special transportation service. The Transportation Accessibility Advisory Committee must include elderly and disabled persons, other users of special transportation service, ~~representatives of persons contracting to provide special transportation services, and representatives of appropriate agencies for elderly and disabled persons to advise the council on management policies for the service.~~ At least half the Transportation Accessibility Advisory Committee members must be ~~disabled or elderly persons or the representatives of disabled or elderly persons~~ who are both ADA-certified and users of public transit in the metropolitan area. Two of the appointments to the Transportation Accessibility Advisory Committee shall be made by the Council on Disability in consultation with the chair of the Metropolitan Council.

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

Sec. 98. Minnesota Statutes 2006, section 473.386, subdivision 2a, is amended to read:

Subd. 2a. **Eligibility application and verification; penalty for fraudulent certification.** If the council requires a person to be certified as eligible for special transportation services, an applicant for certification must submit an application form and the applicant's eligibility must be verified by a type of professional specified by the council. ~~The council shall include the notice of penalty for fraudulent certification, and require the person certifying the applicant to sign the eligibility certification form and the applicant to sign the application form, as provided in section 174.295.~~

(1) require the applicant to sign the application form and certify that the application information is accurate; and

(2) require the person verifying the applicant's eligibility to sign the eligibility verification form and certify that the verifying information is accurate.

The penalty provided for in section 174.295, subdivision 4, applies to the certifications by the applicant and the person verifying the applicant's eligibility. The council must include a notice of the penalty for fraudulent certification in the application form and the eligibility verification form.

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

Sec. 99. Minnesota Statutes 2006, section 473.386, subdivision 3, is amended to read:

Subd. 3. **Duties of council.** In implementing the special transportation service, the council shall:

(a) encourage participation in the service by public, private, and private nonprofit providers of special transportation currently receiving capital or operating assistance from a public agency;

(b) when feasible and cost-efficient, contract with public, private, and private nonprofit providers that have demonstrated their ability to effectively provide service at a reasonable cost;

(c) encourage individuals using special transportation to use the type of service most appropriate to their particular needs;

~~(d) ensure that all persons providing special transportation service receive equitable treatment in the allocation of the ridership;~~

~~(e)~~ encourage shared rides to the greatest extent practicable;

~~(f)~~ (e) encourage public agencies that provide transportation to eligible individuals as a component of human services and educational programs to coordinate with this service and to allow reimbursement for transportation provided through the service at rates that reflect the public cost of providing that transportation;

~~(g)~~ (f) establish criteria to be used in determining individual eligibility for special transportation services;

~~(h)~~ (g) consult with the Transportation Accessibility Advisory Committee in a timely manner before changes are made in the provision of special transportation services; ~~including, but not limited to, changes in policies affecting the matters subject to hearing under subdivision 2;~~

~~(i)~~ (h) provide for effective administration and enforcement of council policies and standards;

~~(j) annually evaluate providers of special transportation service to ensure compliance with the standards established for the program; and~~

71.1 ~~(k)~~ (i) ensure that, taken as a whole including contracts with public, private, and
71.2 private nonprofit providers, the geographic coverage area of the special transportation
71.3 service is continuous within the boundaries of the transit taxing district, as defined as of
71.4 March 1, 2006, in section 473.446, subdivision 2.

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

71.6 Sec. 100. Minnesota Statutes 2006, section 473.399, is amended to read:

71.7 **473.399 TRANSIT WAYS; LIGHT RAIL TRANSIT AND COMMUTER RAIL**
71.8 **PLANNING IN THE METROPOLITAN AREA.**

71.9 Subdivision 1. **General requirements.** (a) The council must identify in its
71.10 transportation policy plan those heavily traveled corridors where development of a transit
71.11 way may be feasible and cost-effective. Modes of providing service in a transit way may
71.12 include bus rapid transit, light rail transit, commuter rail, or other available systems or
71.13 technologies that improve transit service.

71.14 (b) After the completion of environmental studies and receipt of input from the
71.15 governing body of each statutory and home rule charter city, county, and town in which a
71.16 transit way is proposed to be constructed, the council must designate the locally preferred
71.17 alternative transit mode with respect to the corridor.

71.18 (c) The council shall ~~adopt a plan to~~ ensure that any light rail transit facilities
71.19 that are designated as the locally preferred alternative and that are to be constructed in
71.20 the metropolitan area will be acquired, developed, owned, and capable of operation in
71.21 an efficient, cost-effective, and coordinated manner in coordination with buses and other
71.22 transportation modes and facilities. ~~The plan may be developed and adopted in phases~~
71.23 ~~corresponding to phasing of construction of light rail. The council may incorporate into its~~
71.24 ~~plan appropriate elements of the plans of regional railroad authorities in order to avoid~~
71.25 ~~duplication of effort.~~

71.26 ~~(b) The light rail transit plan or first phase of the plan required by this section must~~
71.27 ~~be adopted by the council before the commissioner of transportation may begin~~

71.28 (d) Construction of light rail transit facilities in a particular transit corridor may not
71.29 commence unless and until that mode is designated as the locally preferred alternative
71.30 for that corridor by the council. ~~Following adoption of the plan, the commissioner of~~
71.31 ~~transportation shall act in conformity with the plan. The commissioner shall prepare or~~
71.32 ~~amend the final design plans as necessary to make the plans consistent with the light~~
71.33 ~~rail transit plan.~~

~~(c) Throughout the development and implementation of the plan, the council shall contract for or otherwise obtain engineering services to assure that the plan adequately addresses the technical aspects of light rail transit.~~

Subd. 1a. **Integrated transportation system.** The commissioner of transportation and the Metropolitan Council shall ensure that ~~the~~ light rail transit and commuter rail facilities are planned, designed, and implemented: (1) to move commuters and transit users into and out of, as well as within, the metropolitan area, and (2) to ensure that rail transit lines will interface with each other and other transportation facilities and services so as to provide a unified, integrated, and efficient multimodal transportation system.

Subd. 4. **Expenditure of state funds.** No state funds may be expended by the Metropolitan Council to study a particular light rail transit or commuter rail facility unless the funds are appropriated in legislation that identifies the route, including the origin and destination.

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

Sec. 101. Minnesota Statutes 2006, section 473.3993, subdivision 1, is amended to read:

Subdivision 1. **Application.** The definitions in this section apply to ~~section 473.3994~~ sections 473.3993 to 473.3997.

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

Sec. 102. Minnesota Statutes 2006, section 473.3993, subdivision 3, is amended to read:

Subd. 3. **Final design plan.** "Final design plan" means a light rail transit plan that includes the items in the preliminary design plan and the preliminary engineering plan for the facilities proposed but with greater detail and specificity needed for construction. The final design plan must include, at a minimum:

(1) final plans for the physical design of facilities, including the right-of-way definition; environmental impacts and mitigation measures; intermodal coordination with bus operations and routes; and civil engineering plans for vehicles, track, stations, parking, and access, including disability access; and

(2) final plans for civil engineering for electrification, communication, and other similar facilities; operational rules, procedures, and strategies; capital costs; ridership; operating costs and revenues, and sources of funds for operating subsidies; financing for construction and operation; an implementation method; and other similar matters.

73.1 The final design plan must be stated with sufficient particularity and detail to
73.2 allow the proposer to begin the acquisition and construction of operable facilities. If a
73.3 design-build implementation method is proposed, instead of civil engineering plans the
73.4 final design plan must state detailed design criteria and performance standards for the
73.5 facilities.

73.6 ~~The commissioner of transportation may use a design-build method of project~~
73.7 ~~development and construction for light rail transit. Notwithstanding any law to the~~
73.8 ~~contrary, the commissioner may award a design-build contract on the basis of requests~~
73.9 ~~for proposals or requests for qualifications without bids. "Design-build method of~~
73.10 ~~project development and construction" means a project delivery system in which a single~~
73.11 ~~contractor is responsible for both the design and construction of the project and bids the~~
73.12 ~~design and construction together.~~

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

73.14 Sec. 103. Minnesota Statutes 2006, section 473.3993, is amended by adding a
73.15 subdivision to read:

73.16 Subd. 4. **Responsible authority.** "Responsible authority" means either the
73.17 Metropolitan Council or the state of Minnesota acting through the commissioner of
73.18 transportation, as designated by the governor under section 473.3994, subdivision 1a, for a
73.19 particular light rail transit facility.

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

73.21 Sec. 104. Minnesota Statutes 2006, section 473.3994, is amended to read:

73.22 **473.3994 LIGHT RAIL TRANSIT; DESIGN PLANS.**

73.23 Subd. 1a. **Designation of responsible authority.** For each proposed light rail transit
73.24 facility in the metropolitan area, the governor must designate either the Metropolitan
73.25 Council or the state of Minnesota acting through the commissioner of transportation as
73.26 the entity responsible for planning, designing, acquiring, constructing, and equipping
73.27 the facility. Notwithstanding such designation, the commissioner and the council may
73.28 enter into one or more cooperative agreements with respect to the planning, designing,
73.29 acquiring, constructing, or equipping of a particular light rail transit facility that provide
73.30 for the parties to exercise their respective authorities in support of the project in a manner
73.31 that best serves the project and the public.

73.32 Subd. 2. **Preliminary design plans; public hearing.** Before final design plans are
73.33 prepared for a light rail transit facility in the metropolitan area, the ~~commissioner of~~

~~transportation~~ responsible authority and the regional railroad authority or authorities in whose jurisdiction the line or lines are located must hold a public hearing on the physical design component of the preliminary design plans. The ~~commissioner of transportation~~ responsible authority and the regional railroad authority or authorities in whose jurisdiction the line or lines are located must provide appropriate public notice of the hearing and publicity to ensure that affected parties have an opportunity to present their views at the hearing. The ~~commissioner~~ responsible authority shall summarize the proceedings and testimony and maintain the record of a hearing held under this section, including any written statements submitted.

Subd. 3. **Preliminary design plans; local approval.** (a) At least 30 days before the hearing under subdivision 2, the ~~commissioner of transportation~~ responsible authority shall submit the physical design component of the preliminary design plans to the governing body of each statutory and home rule charter city, county, and town in which the route is proposed to be located. The city, county, or town shall hold a public hearing. Within 45 days after the hearing under subdivision 2, the city, county, or town shall review and approve or disapprove the plans for the route to be located in the city, county, or town. A local unit of government that disapproves the plans shall describe specific amendments to the plans that, if adopted, would cause the local unit to withdraw its disapproval. Failure to approve or disapprove the plans in writing within 45 days after the hearing is deemed to be approval, unless an extension of time is agreed to by the city, county, or town and the ~~commissioner of transportation~~ responsible authority.

Subd. 4. **Preliminary design plans; council referral.** If the governing body of one or more cities, counties, or towns disapproves the preliminary design plans within the period allowed under subdivision 3, the ~~commissioner of transportation may refer the plans, along with any comments of local jurisdictions, to the Metropolitan Council. The~~ council shall hold a hearing on the plans, giving the commissioner of transportation, if the responsible authority, any disapproving local governmental units, and other persons an opportunity to present their views on the plans. The council may conduct independent study as it deems desirable and may mediate and attempt to resolve disagreements about the plans. Within ~~90~~ 60 days after the ~~referral hearing~~ hearing, the council shall review the plans ~~submitted by the commissioner of transportation and the council and~~ shall decide what amendments to the plans, if any, must be made to accommodate the objections presented by the disapproving local governmental units. ~~The commissioner shall make the~~ Amendments to the plans as decided by the council must be made before continuing the planning and designing process.

75.1 Subd. 5. **Final design plans.** (a) If the final design plans incorporate a substantial
75.2 change from the preliminary design plans with respect to location, length, or termini
75.3 of routes; general dimension, elevation, or alignment of routes and crossings; location
75.4 of tracks above ground, below ground, or at ground level; or station locations, before
75.5 beginning construction, the ~~commissioner~~ responsible authority shall submit the changed
75.6 component of the final design plans to the governing body of each statutory and home
75.7 rule city, county, and town in which the changed component is proposed to be located.
75.8 Within 60 days after the submission of the plans, the city, county, or town shall review
75.9 and approve or disapprove the changed component located in the city, county, or town. A
75.10 local unit of government that disapproves the change shall describe specific amendments
75.11 to the plans that, if adopted, would cause the local unit to withdraw its disapproval.
75.12 Failure to approve or disapprove the changed plans in writing within the time period is
75.13 deemed to be approval, unless an extension is agreed to by the city, county, or town and
75.14 the ~~commissioner~~ responsible authority.

75.15 (b) If the governing body of one or more cities, counties, or towns disapproves the
75.16 changed plans within the period allowed under paragraph (a), the ~~commissioner may refer~~
75.17 ~~the plans, along with any comments of local jurisdictions, to the Metropolitan Council.~~
75.18 ~~The~~ council shall review the final design plans under the same procedure and with the
75.19 same effect as provided in subdivision 4 for preliminary design plans.

75.20 Subd. 7. **Council review.** If the commissioner is the responsible authority, before
75.21 proceeding with construction of a light rail transit facility, the commissioner must submit
75.22 preliminary and final design plans to the Metropolitan Council. The council must review
75.23 the plans for consistency with the council's development guide and approve the plans.

75.24 Subd. 8. **Metropolitan significance.** This section does not diminish or replace the
75.25 authority of the council under section 473.173.

75.26 Subd. 9. **Light rail transit operating costs.** (a) Before submitting an application for
75.27 federal assistance for light rail transit facilities in the metropolitan area, the ~~applicant must~~
75.28 ~~provide to the Metropolitan Council estimates~~ must prepare an estimate of the amount
75.29 of operating subsidy which will be required to operate light rail transit in the corridor to
75.30 which the federal assistance would be applied. ~~The information provided to the council~~
75.31 estimate must indicate the amount of operating subsidy estimated to be required in each
75.32 of the first ten years of operation of the light rail transit facility. If the commissioner of
75.33 transportation is the responsible authority, the commissioner must provide information
75.34 requested by the council that is necessary to make the estimate.

(b) The council must review and evaluate the ~~information provided~~ estimate developed under paragraph (a) with regard to the effect of operating the light rail transit facility on the currently available mechanisms for financing transit in the metropolitan area.

Subd. 10. **Corridor Management Committee.** The responsible authority must establish a Corridor Management Committee ~~shall be established~~ to advise the ~~commissioner of transportation~~ responsible authority in the design and construction of light rail transit in each corridor to be constructed. The Corridor Management Committee for each corridor shall consist of the following members:

(1) one member appointed by each city and county in which the corridor is located;

(2) the commissioner of transportation or a designee of the commissioner;

(3) two members appointed by the Metropolitan Council, one of whom shall be designated as the chair of the committee;

(4) one member appointed by the Metropolitan Airports Commission, if the designated corridor provides direct service to the Minneapolis-St. Paul International Airport; and

(5) one member appointed by the president of the University of Minnesota, if the designated corridor provides direct service to the university.

The Corridor Management Committee shall advise the ~~commissioner of transportation~~ responsible authority on issues relating to ~~the alternatives analysis,~~ environmental review, preliminary design, preliminary engineering, final design, implementation method, and construction of light rail transit in the corridor.

Subd. 13. **Dispute resolution.** In the event of a dispute between any of the parties arising from the parties' respective authority and responsibility under this section, the dispute shall be submitted to the Metropolitan Council for final resolution by any party to the dispute. The Metropolitan Council shall establish ~~by July 1, 1993,~~ a process to ensure a prompt and speedy resolution of the dispute. This process shall allow the parties to provide evidence and testimony in support of their positions.

Subd. 14. **Transfer of facility after construction.** If the commissioner of transportation is the responsible authority for a particular light rail transit facility, the commissioner must transfer to the Metropolitan Council all facilities constructed and all equipment and property acquired in developing the facility upon completion of construction.

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

Sec. 105. **[473.3995] LIGHT RAIL TRANSIT; DESIGN-BUILD METHOD.**

(a) A responsible authority may use a design-build method of project development and construction for light rail transit. Notwithstanding any law to the contrary, a responsible authority may award a design-build contract on the basis of requests for proposals or requests for qualifications without bids. "Design-build method of project development and construction" means a project delivery system in which a single contractor is responsible for both the design and construction of the project and bids the design and construction together.

(b) If a responsible authority utilizes a design-build method of project development and construction for light rail transit, the requirements and procedures in sections 161.3410 to 161.3426 apply to the procurement, subject to the following conditions and exceptions:

(1) if the Metropolitan Council is the responsible authority for a particular light rail transit project, when used in sections 161.3410 to 161.3426, (i) the terms "commissioner," "Minnesota Department of Transportation," "department," "state agencies," and "road authority" refer to the Metropolitan Council, and (ii) the term "state" refers to the Metropolitan Council except in references to state law or in references to the state as a geographical location;

(2) the provisions of section 161.3412, subdivisions 3 and 4, are not applicable to the procurement; and

(3) if any federal funds are used in developing or constructing the light rail transit project, any provisions in sections 161.3410 to 161.3426 that are inconsistent with, or prohibited by, any federal law, regulation, or other requirement are not applicable to the procurement.

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

Sec. 106. Minnesota Statutes 2006, section 473.3997, is amended to read:

473.3997 FEDERAL FUNDING; LIGHT RAIL TRANSIT.

(a) ~~Upon completion of the alternatives analysis and draft environmental impact statement, and selection of the locally preferred alternative, for the central corridor transit improvement project each light rail transit facility, the council, the commissioner of transportation, and the affected regional rail authorities~~ responsible authority may prepare ~~a joint~~ an application for federal assistance for ~~the light rail transit facilities in the metropolitan area facility. If the commissioner is the responsible authority, the application~~ must be reviewed and approved by the Metropolitan Council before it is submitted by ~~the council and the commissioner. In reviewing the application the council must consider the~~

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78.1 ~~information submitted to it~~ operating cost estimate developed under section 473.3994,
78.2 subdivision 9.

78.3 (b) ~~Until the application described in paragraph (a) is submitted~~ Except for the
78.4 designated responsible authority for a particular light rail transit facility, no political
78.5 subdivision in the metropolitan area may on its own apply for federal assistance for light
78.6 rail transit planning or construction.

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

78.8 Sec. 107. **[473.3999] LIGHT RAIL TRANSIT CONSTRUCTION IN**
78.9 **METROPOLITAN AREA; COUNCIL AUTHORITY.**

78.10 The Metropolitan Council may exercise the powers granted in this chapter and in
78.11 other applicable law, as necessary, to plan, design, acquire, construct, and equip light rail
78.12 transit facilities in the metropolitan area as defined in section 473.121, subdivision 2.

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

78.14 Sec. 108. Minnesota Statutes 2006, section 473.4051, is amended to read:

78.15 **473.4051 LIGHT RAIL TRANSIT OPERATION.**

78.16 The council shall operate all light rail transit facilities and services located in the
78.17 metropolitan area upon completion of construction of the facilities and the commencement
78.18 of revenue service using the facilities. ~~The commissioner of transportation and the council~~
78.19 may not allow the commencement of revenue service until after an appropriate period of
78.20 acceptance testing to ensure safe and satisfactory performance. In assuming the operation
78.21 of the system, the council must comply with section 473.415. The council shall coordinate
78.22 operation of the light rail transit system with bus service to avoid duplication of service
78.23 on a route served by light rail transit and to ensure the widest possible access to light rail
78.24 transit lines in both suburban and urban areas by means of a feeder bus system.

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

78.26 Sec. 109. Minnesota Statutes 2006, section 473.407, subdivision 1, is amended to read:

78.27 Subdivision 1. **Authorization.** The council may appoint peace officers, as defined
78.28 in section 626.84, subdivision 1, paragraph (c), and establish a law enforcement agency,
78.29 as defined in section 626.84, subdivision 1, paragraph (f), known as the Metropolitan
78.30 Transit Police, to police its transit property and routes, to carry out investigations, and to
78.31 make arrests under sections 629.30 and 629.34. The jurisdiction of the law enforcement

agency is limited to offenses relating to council transit property, equipment, employees, and passengers. The jurisdiction of the Metropolitan Transit Police shall include traffic lanes designed for bus or transit use, freeway or expressway shoulders in the seven-county metropolitan area used by authorized transit buses and metro mobility buses under section 169.306, and high-occupancy vehicle lanes used by transit buses. Upon request from, or under an agreement with, any law enforcement agency and subject to the availability of its personnel and other resources, the Metropolitan Transit Police may exercise general law enforcement agency authority to assist any law enforcement agency in implementing or carrying out law enforcement activities, programs, or initiatives. If the commissioner of transportation contracts with the Metropolitan Council for operation of commuter rail facilities under section 174.90, the jurisdiction of the Metropolitan Transit Police extends to offenses relating to the operation, property, facilities, equipment, employees, and passengers of the commuter rail facilities located in and outside of the metropolitan area.

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

Sec. 110. Minnesota Statutes 2006, section 473.408, is amended by adding a subdivision to read:

Subd. 8. Charitable organization discount passes. The council may offer passes, including tokens, for regular route bus service for sale to charitable organizations, described in section 501(c)(3) of the Internal Revenue Code, at a special discount.

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

Sec. 111. Minnesota Statutes 2006, section 473.408, is amended by adding a subdivision to read:

Subd. 9. Youth discount passes. (a) The council may offer passes, including tokens, for regular route bus service to charitable organizations, described in section 501(c)(3) of the Internal Revenue Code, free of charge. Any passes provided under this subdivision must be:

(1) distributed to and used solely by a person who is under 16 years of age; and
(2) restricted to use on a bus that is not operating at full capacity at the time of use of the bus pass.

(b) The council may establish additional requirements and terms of use of the passes, including but not limited to charging a fee to the charitable organization for any printing or production costs, restricting times of bus pass use to certain or nonpeak hours

80.1 of operation, and establishing oversight and auditing of the charitable organization with
80.2 regard to bus pass distribution and use.

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

80.4 Sec. 112. Minnesota Statutes 2006, section 609.531, subdivision 1, is amended to read:

80.5 Subdivision 1. **Definitions.** For the purpose of sections 609.531 to 609.5318, the
80.6 following terms have the meanings given them.

80.7 (a) "Conveyance device" means a device used for transportation and includes, but
80.8 is not limited to, a motor vehicle, trailer, snowmobile, airplane, and vessel and any
80.9 equipment attached to it. The term "conveyance device" does not include property which
80.10 is, in fact, itself stolen or taken in violation of the law.

80.11 (b) "Weapon used" means a dangerous weapon as defined under section 609.02,
80.12 subdivision 6, that the actor used or had in possession in furtherance of a crime.

80.13 (c) "Property" means property as defined in section 609.52, subdivision 1, clause (1).

80.14 (d) "Contraband" means property which is illegal to possess under Minnesota law.

80.15 (e) "Appropriate agency" means the Bureau of Criminal Apprehension, the
80.16 Minnesota Division of Driver and Vehicle Services, the Minnesota State Patrol, a
80.17 county sheriff's department, the Three Rivers Park District park rangers, the Department
80.18 of Natural Resources Division of Enforcement, the University of Minnesota Police
80.19 Department, the Department of Corrections' Fugitive Apprehension Unit, or a city,
80.20 metropolitan transit, or airport police department.

80.21 (f) "Designated offense" includes:

80.22 (1) for weapons used: any violation of this chapter, chapter 152, or chapter 624;

80.23 (2) for driver's license or identification card transactions: any violation of section
80.24 171.22; and

80.25 (3) for all other purposes: a felony violation of, or a felony-level attempt or
80.26 conspiracy to violate, section 325E.17; 325E.18; 609.185; 609.19; 609.195; 609.21;
80.27 609.221; 609.222; 609.223; 609.2231; 609.24; 609.245; 609.25; 609.255; 609.282;
80.28 609.283; 609.322; 609.342, subdivision 1, clauses (a) to (f); 609.343, subdivision 1,
80.29 clauses (a) to (f); 609.344, subdivision 1, clauses (a) to (e), and (h) to (j); 609.345,
80.30 subdivision 1, clauses (a) to (e), and (h) to (j); 609.352; 609.42; 609.425; 609.466;
80.31 609.485; 609.487; 609.52; 609.525; 609.527; 609.528; 609.53; 609.54; 609.551; 609.561;
80.32 609.562; 609.563; 609.582; 609.59; 609.595; 609.631; 609.66, subdivision 1e; 609.671,
80.33 subdivisions 3, 4, 5, 8, and 12; 609.687; 609.821; 609.825; 609.86; 609.88; 609.89;
80.34 609.893; 609.895; 617.246; 617.247; or a gross misdemeanor or felony violation of
80.35 section 609.891 or 624.7181; or any violation of section 609.324.

81.1 (g) "Controlled substance" has the meaning given in section 152.01, subdivision 4.

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

81.3 Sec. 113. Laws 2005, First Special Session chapter 1, article 4, section 39, the effective
81.4 date, is amended to read:

81.5 **EFFECTIVE DATE.** This section is effective ~~the latter of August 1, 2006, or the~~
81.6 ~~date on which the commissioner determines that building permits have been issued for~~
81.7 ~~the construction of a new pulp and paper manufacturing facility at Grand Rapids on the~~
81.8 ~~effective date of 2007 House File 1351, article 1, sections 58 and 59, as amended.~~

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

81.10 Sec. 114. Laws 2008, chapter 152, article 6, section 7, is amended to read:

81.11 Sec. 7. **[398A.10] TRANSIT FUNDING.**

81.12 Subdivision 1. **Capital costs.** A county regional railroad authority may not
81.13 contribute more than ten percent of the capital costs of a light rail transit or commuter rail
81.14 project. This subdivision does not apply to a light rail transit project for which a county
81.15 regional railroad authority commits to providing an amount greater than ten percent of
81.16 the capital costs, if the commitment (1) is made before October 2, 2008, (2) is made as
81.17 part of an application for federal funds, and (3) is adjusted by the county regional railroad
81.18 authority to meet the requirements of this subdivision as part of the next scheduled federal
81.19 funding application for the project.

81.20 Subd. 2. **Operating and maintenance costs.** A county regional railroad authority
81.21 may not contribute any funds to pay the operating and maintenance costs for a light rail
81.22 transit or commuter rail project. If a county regional railroad authority is contributing
81.23 funds for operating and maintenance costs on a light rail transit or commuter rail project
81.24 on the date of the enactment of this act, the authority may continue to contribute funds
81.25 for these purposes until January 1, 2009.

81.26 Subd. 3. **Application.** This section only applies ~~if~~ to a county that has imposed the
81.27 metropolitan transportation sales and use tax under section 297A.992.

81.28 **EFFECTIVE DATE.** ~~This section is effective the day after the metropolitan~~
81.29 ~~transportation area sales tax is imposed under Minnesota Statutes, section 297A.992,~~
81.30 ~~subdivision 2.~~ This section is effective July 1, 2008.

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

82.1 Sec. 115. **LEGISLATIVE INTENT CONCERNING TRUCK WEIGHT**
82.2 **INCREASES.**

82.3 It is the intent of the legislature to study, during the 2010 legislative session, the
82.4 effects of the sections in this chapter that increase allowable size, weight, or load limits on
82.5 state or local roads or bridges, and to modify statutes as necessary to achieve the goals of
82.6 promoting mobility while protecting infrastructure.

82.7 Sec. 116. **CULKIN SAFETY REST AREA.**

82.8 The commissioner of transportation shall reopen without delay the Culkin safety rest
82.9 area, located on marked Interstate Highway 35.

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

82.11 Sec. 117. **REAL ID.**

82.12 (a) The commissioner of public safety may not expend any state funds to implement
82.13 or comply with the Real ID Act of 2005, Public Law 109-13, unless:

82.14 (1) the implementation or compliance with the Real ID Act is in all respects
82.15 consistent with the requirements of paragraph (b); and

82.16 (2) federal funds are appropriated by Congress and designated for the state of
82.17 Minnesota and are:

82.18 (i) appropriated to fund the implementation of Real ID Act in this state; and

82.19 (ii) in amounts sufficient to fund 95 percent of the costs of the state implementing or
82.20 complying with the Real ID Act of 2005.

82.21 (b) Before issuing a driver's license or state identification card that complies with
82.22 the requirements of the Real ID Act of 2005, Public Law 109-13, and before storing
82.23 or including data about Minnesota state residents in any database, records facility, or
82.24 computer system that meets the requirements of the Real ID Act of 2005, the Department
82.25 of Public Safety shall certify to the chairs and ranking minority members of the senate
82.26 and house of representatives committees with jurisdiction over transportation policy
82.27 and finance that the driver's license, state identification card, database, records facility,
82.28 computer system, and the department's personnel screening and training procedures:

82.29 (1) include reasonable security measures to protect the privacy of Minnesota state
82.30 residents;

82.31 (2) include reasonable safeguards to protect against unauthorized disclosure of
82.32 data; and

82.33 (3) do not place unreasonable costs or record-keeping burdens on driver's license or
82.34 state identification card applicants.

83.1 (c) Nothing in this section prevents the commissioner from enhancing the security
83.2 features of Minnesota's driver's licenses or state identification cards.

83.3 Sec. 118. **CREDIT CARD PAYMENT STUDY; PROPOSAL.**

83.4 (a) By February 1, 2009, the commissioner of public safety shall submit a proposal
83.5 to the chairs and ranking minority members of the senate and house of representatives
83.6 committees with jurisdiction over transportation finance. The proposal must identify a
83.7 method that allows the Department of Public Safety, its deputy registrars, and driver's
83.8 license agents to collect by credit or debit card, motor vehicle registration taxes under
83.9 Minnesota Statutes, section 168.013; motor vehicle certificates of title and related
83.10 document fees under Minnesota Statutes, section 168A.29; motor vehicle sales tax under
83.11 Minnesota Statutes, sections 297B.02 and 297B.025; and driver's license and Minnesota
83.12 identification card fees under Minnesota Statutes, section 171.06.

83.13 (b) The proposal must identify the total estimated statewide cost of the processing
83.14 fees paid to either a vendor, financial institution, or credit card company. The proposal
83.15 must consider options to finance the acceptance fees through either (1) state fee increases
83.16 necessary to finance (i) the costs of credit and debit card processing fees paid to a
83.17 processing vendor, (ii) the administrative costs of the department to implement the
83.18 acceptance of credit and debit cards, including hardware and software costs of the
83.19 department, its deputy registrars, and agents, and (iii) associated ongoing administrative
83.20 cost increases, or (2) an agreement with a vendor that allows the addition of a convenience
83.21 fee to each transaction to be paid directly by customers who choose to utilize credit or
83.22 debit cards.

83.23 (c) The commissioner of public safety, with the assistance of the commissioners of
83.24 finance and administration, shall develop a request for proposals from vendors, to be
83.25 issued by January 1, 2010, to implement the acceptance of credit and debit payments by
83.26 the Department of Public Safety, its deputy registrars, and agents. The department shall
83.27 consult deputy registrars and driver's license agents in developing the request for proposals.

83.28 Sec. 119. **STUDY OF TRANSPORTATION LONG-RANGE SOLUTIONS.**

83.29 (a) The commissioner of transportation shall conduct a study in consultation with
83.30 other state agencies and key stakeholders to evaluate the current and long-range needs of
83.31 the state's transportation system, and investigate possible strategies to meet these needs.

83.32 (b) The study must include, but is not limited to:

83.33 (1) evaluation of the current needs of the state's highway systems, bridges, and
83.34 transit;

84.1 (2) analysis and quantification of the needs for the next 20 years of the state's
84.2 highway systems, bridges, and transit;

84.3 (3) comparison of estimates of revenues raised by current transportation funding
84.4 sources, with long-term needs of the state's transportation system;

84.5 (4) identification of options for maintenance and improvement of the state's
84.6 transportation system with specific reference to the effects of potential increases in vehicle
84.7 fuel economy, availability of alternative modes of transportation, and extreme fuel price
84.8 volatility on future transportation revenues;

84.9 (5) analysis of alternative pricing options utilized in other states and countries,
84.10 and their potential for use, public acceptance, alleviation of congestion, and revenue
84.11 generation in this state; and

84.12 (6) identification of options for road-use pricing, other alternative financing
84.13 mechanisms with particular consideration of key environmental impacts such as air
84.14 quality, water quality, and greenhouse gas emissions, and estimates of implementation
84.15 costs, user costs, and revenue.

84.16 (c) The commissioner shall report the results of the study to the legislature no later
84.17 than November 1, 2009.

84.18 Sec. 120. **STUDY AND REPORT ON SPEED LIMITS.**

84.19 The commissioner of transportation shall report to the chairs and ranking minority
84.20 members of the legislative committees with jurisdiction over transportation and local
84.21 government by January 30, 2009, on speed limits on local roads. The commissioner shall
84.22 consult with local governments and solicit input from local governments before issuing
84.23 the report. The report must include, at a minimum:

84.24 (1) whether the current statutory speed limit of 30 miles per hour in urban districts
84.25 and rural residential districts is appropriate, or if there are locations where the appropriate
84.26 speed limit is 25 miles per hour;

84.27 (2) whether the current statutory speed limit of 55 miles per hour in rural residential
84.28 districts within a city is appropriate, or if there are locations where the appropriate speed
84.29 limit is 30 miles per hour; and

84.30 (3) whether the current definitions of urban district, rural residential district, and
84.31 residential roadway are appropriate, or whether and how they should be changed.

84.32 Sec. 121. **RAIL TRANSIT FEASIBILITY STUDY.**

84.33 The Metropolitan Council may conduct a study of the feasibility of the use of light
84.34 rail or commuter rail transit in a corridor aligned on marked Interstate Highway 394 or

85.1 between marked Interstate Highway 394 and marked Trunk Highway 55, from downtown
85.2 Minneapolis to Ridgedale Drive in Minnetonka, with the alternative of extending to
85.3 Wayzata. The study must include consideration of the feasibility of combining the
85.4 Southwest Rail Transit Corridor with the Interstate Highway 394 Corridor between
85.5 downtown Minneapolis and a point of divergence west of downtown. The Metropolitan
85.6 Council may hire a consultant to assist in the study and report.

85.7 Sec. 122. **REPORT ON INTERNET-BASED DRIVER EDUCATION.**

85.8 The commissioner of public safety shall submit a report on Internet-based driver
85.9 education for the instruction permit component by February 15, 2009, to the chairs and
85.10 ranking minority members of the house of representatives and senate committees having
85.11 jurisdiction over transportation finance and policy. The report must review and analyze
85.12 current findings and studies on the feasibility, effectiveness, and impacts of Internet-based
85.13 driver education programs for the instruction permit component, including program
85.14 effectiveness for persons under age 18.

85.15 Sec. 123. **NULLIFICATION OF EXPEDITED TOWN ROAD**
85.16 **EXTINGUISHMENT.**

85.17 (a) Any extinguishment of town interest in a town road under Minnesota Statutes,
85.18 section 164.06, subdivision 2, is hereby nullified if:

85.19 (1) the interest was not recorded or filed with the county recorder but was recorded
85.20 or filed with the county auditor prior to 1972;

85.21 (2) the state or a political subdivision has constructed a road or bridge improvement
85.22 on a right-of-way affected by the interest;

85.23 (3) the affected road was the only means of access to a property;

85.24 (4) the extinguishment took place within the last ten years; and

85.25 (5) a person whose only access to property was lost because of the extinguishment
85.26 files a petition of a nullification with the town board stating that the person's property
85.27 became landlocked because of the extinguishment and that the road satisfies all of the
85.28 requirements of paragraph (a), clauses (1) to (4). A copy of the road order found filed or
85.29 recorded with the county auditor must be attached to the petition. The town shall file the
85.30 petition with the county auditor and record it with the county recorder.

85.31 (b) Notwithstanding Minnesota Statutes, sections 164.08, subdivision 1, and
85.32 541.023, for any nullification under paragraph (a), the affected road is hereby deemed to
85.33 be a cartway. No additional damages or other payments may be required other than those
85.34 paid at the time the fee interest was originally acquired and the order filed with the county

86.1 auditor. A cartway created by this paragraph may be converted to a private driveway
86.2 under Minnesota Statutes, section 164.08, subdivision 2.

86.3 (c) For purposes of this section, "affected road" means the road in which the town
86.4 board extinguished its interest.

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

86.6 Sec. 124. **WILLMAR AIRPORT.**

86.7 (a) Notwithstanding any law, rule, or agreement to the contrary, the commissioner
86.8 of transportation may enter into an agreement with the city of Willmar to allow funds
86.9 granted by the state to the city for land acquisition purposes at its former airport to instead
86.10 be used by June 30, 2012, as the state's share of funds for aeronautical purposes at the
86.11 city's new airport.

86.12 (b) Funds not spent pursuant to paragraph (a) by June 30, 2012, must be paid to the
86.13 commissioner of transportation and deposited in the state airports fund.

86.14 Sec. 125. **AIRPORT ZONING EXCEPTION.**

86.15 (a) Notwithstanding any other law, rule, or ordinance to the contrary, the
86.16 Eveleth-Virginia Municipal Airport Board of Adjustment must grant a variance to a
86.17 property owner who resides in Safety Zone A of the Eveleth-Virginia Municipal Airport
86.18 for the construction of, reconstruction of, remodeling of, or expansion of a structure in
86.19 accordance with St. Louis County Ordinance 46, provided that the structure must not
86.20 exceed the height restrictions imposed by the airport ordinance.

86.21 (b) Notwithstanding any other law, rule, or ordinance to the contrary, Safety Zone A
86.22 of the Eveleth-Virginia Municipal Airport shall not include any residential building lot
86.23 riparian to the east shore of St. Mary's Lake, St. Louis County provided such residential
86.24 building lot was in existence on January 1, 1978.

86.25 Sec. 126. **REPEALER.**

86.26 (a) Minnesota Statutes 2006, sections 221.60, subdivisions 2, 3, 3a, 4, 5, and 6;
86.27 221.601; and 221.602, are repealed.

86.28 (b) Minnesota Statutes 2006, sections 168A.05, subdivision 5a; and 325E.0951,
86.29 subdivision 3a, are repealed.

86.30 (c) Minnesota Statutes 2006, sections 473.1465; and 473.3994, subdivision 13, are
86.31 repealed.

86.32 (d) Laws 1999, chapter 230, section 44, is repealed.

87.1 **EFFECTIVE DATE.** Paragraph (a) is effective the day following final enactment.

87.2 Sec. 127. **APPLICATION.**

87.3 Sections 95 to 112 apply in the counties of Anoka, Carver, Dakota, Hennepin,
87.4 Ramsey, Scott, and Washington.

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

87.6 **ARTICLE 2**
87.7 **REGISTRATION PLATES**

87.8 Section 1. Minnesota Statutes 2006, section 168.10, subdivision 1a, is amended to read:

87.9 Subd. 1a. **Collector's vehicle, pioneer license plate.** (a) Any motor vehicle
87.10 manufactured prior to 1936 and owned and operated solely as a collector's item shall be
87.11 listed for taxation and registration as follows: An affidavit shall be executed stating the
87.12 name and address of the owner, the name and address of the person from whom purchased,
87.13 the make of the motor vehicle, year and number of the model, the manufacturer's
87.14 identification number and that the vehicle is owned and operated solely as a collector's
87.15 item and not for general transportation purposes. If the ~~registrar~~ commissioner is satisfied
87.16 that the affidavit is true and correct and the owner pays a \$25 tax and the plate fee
87.17 authorized under section 168.12, the ~~registrar~~ commissioner shall list such vehicle for
87.18 taxation and registration and shall issue a single number plate.

87.19 (b) The number plate so issued shall bear the inscription "Pioneer," "Minnesota"
87.20 and the registration number or other combination of characters authorized under section
87.21 168.12, subdivision 2a, but no date. The number plate is valid without renewal as long
87.22 as the vehicle is in existence in Minnesota. The ~~registrar~~ commissioner has the power to
87.23 revoke said plate for failure to comply with this subdivision.

87.24 Sec. 2. Minnesota Statutes 2006, section 168.10, subdivision 1b, is amended to read:

87.25 Subd. 1b. **Collector's vehicle, classic car license plate.** (a) Any motor vehicle
87.26 manufactured between and including the years 1925 and 1948, and designated by the
87.27 ~~registrar of motor vehicles~~ commissioner as a classic car because of its fine design, high
87.28 engineering standards, and superior workmanship, and owned and operated solely as a
87.29 collector's item shall be listed for taxation and registration as follows: An affidavit shall be
87.30 executed stating the name and address of the owner, the name and address of the person
87.31 from whom purchased, the make of the motor vehicle, year and number of the model, the
87.32 manufacturer's identification number and that the vehicle is owned and operated solely as a

88.1 collector's item and not for general transportation purposes. If the ~~registrar~~ commissioner
88.2 is satisfied that the affidavit is true and correct and that the motor vehicle qualifies to
88.3 be classified as a classic car, and the owner pays a \$25 tax and the plate fee authorized
88.4 under section 168.12, the ~~registrar~~ commissioner shall list such vehicle for taxation and
88.5 registration and shall issue a single number plate.

88.6 (b) The number plate so issued shall bear the inscription "Classic Car," "Minnesota,"
88.7 and the registration number or other combination of characters authorized under section
88.8 168.12, subdivision 2a, but no date. The number plate is valid without renewal as long
88.9 as the vehicle is in existence in Minnesota. The ~~registrar~~ commissioner has the power to
88.10 revoke said plate for failure to comply with this subdivision.

88.11 (c) The following cars built between and including 1925 and 1948 are classic:

88.12	A.C.	
88.13	Adler	
88.14	Alfa Romeo	
88.15	Alvis	Speed 20, 25, and 4.3 litre.
88.16	Amilcar	
88.17	Aston Martin	
88.18	Auburn	All 8-cylinder and 12-cylinder models.
88.19	Audi	
88.20	Austro-Daimler	
88.21	Avions Voisin 12	
88.22	Bentley	
88.23	Blackhawk	
88.24	B.M.W.	Models 327, 328, and 335 only.
88.25	Brewster (Heart-front Ford)	
88.26	Bugatti	
88.27	Buick	1931 through 1942: series 90 only.
88.28	Cadillac	All 1925 through 1935.
88.29		All 12's and 16's.
88.30		1936-1948: Series 63, 65, 67,
88.31		70, 72, 75, 80, 85 and 90 only.
88.32		1938-1947: 60 special only.
88.33		1940-1947: All 62 Series.
88.34	Chrysler	1926 through 1930: Imperial 80.
88.35		1929: Imperial L.
88.36		1931 through 1937: Imperial Series CG,
88.37		CH, CL, and CW.
88.38		All Newports and Thunderbolts.
88.39		1934 CX.
88.40		1935 C-3.
88.41		1936 C-11.

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89.1		1937 through 1948: Custom Imperial,
89.2		Crown Imperial Series C-15, C-20, C-24,
89.3		C-27, C-33, C-37, and C-40.
89.4	Cord	
89.5	Cunningham	
89.6	Dagmar	Model 25-70 only.
89.7	Daimler	
89.8	Delage	
89.9	Delahaye	
89.10	Doble	
89.11	Dorris	
89.12	Duesenberg	
89.13	du Pont	
89.14	Franklin	All models except 1933-34 Olympic Sixes.
89.15	Frazer Nash	
89.16	Graham	1930-1931: Series 137.
89.17	Graham-Paige	1929-1930: Series 837.
89.18	Hispano Suiza	
89.19	Horch	
89.20	Hotchkiss	
89.21	Invicta	
89.22	Isotta Fraschini	
89.23	Jaguar	
89.24	Jordan	Speedway Series 'Z' only.
89.25	Kissel	1925, 1926 and 1927: Model 8-75.
89.26		1928: Model 8-90, and 8-90 White Eagle.
89.27		1929: Model 8-126, and 8-90 White Eagle.
89.28		1930: Model 8-126.
89.29		1931: Model 8-126.
89.30	Lagonda	
89.31	Lancia	
89.32	La Salle	1927 through 1933 only.
89.33	Lincoln	All models K, L, KA, and KB.
89.34		1941: Model 168H.
89.35		1942: Model 268H.
89.36	Lincoln Continental	1939 through 1948.
89.37	Locomobile	All models 48 and 90.
89.38		1927: Model 8-80.
89.39		1928: Model 8-80.
89.40		1929: Models 8-80 and 8-88.
89.41	Marmon	All 16-cylinder models.
89.42		1925: Model 74.
89.43		1926: Model 74.

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90.1		1927: Model 75.
90.2		1928: Model E75.
90.3		1931: Model 88, and Big 8.
90.4	Maybach	
90.5	McFarlan	
90.6	Mercedes Benz	All models 2.2 litres and up.
90.7	Mercer	
90.8	M.G.	6-cylinder models only.
90.9	Minerva	
90.10	Nash	1931: Series 8-90.
90.11		1932: Series 9-90,
90.12		Advanced 8, and Ambassador 8.
90.13		1933-1934: Ambassador 8.
90.14	Packard	1925 through 1934: All models.
90.15		1935 through 1942: Models 1200,
90.16		1201, 1202, 1203, 1204, 1205, 1207,
90.17		1208, 1400, 1401, 1402, 1403, 1404,
90.18		1405, 1407, 1408, 1500, 1501, 1502,
90.19		1506, 1507, 1508, 1603, 1604, 1605,
90.20		1607, 1608, 1705, 1707, 1708, 1806,
90.21		1807, 1808, 1906, 1907, 1908, 2006,
90.22		2007, and 2008 only.
90.23		1946 and 1947: Models 2106 and
90.24		2126 only.
90.25	Peerless	1926 through 1928: Series 69.
90.26		1930-1931: Custom 8.
90.27		1932: Deluxe Custom 8.
90.28	Pierce Arrow	
90.29	Railton	
90.30	Renault	Grand Sport model only.
90.31	Reo	1930-1931: Royale Custom 8, and
90.32		Series 8-35 and 8-52 Elite 8.
90.33		1933: Royale Custom 8.
90.34	Revere	
90.35	Roamer	1925: Series 8-88, 6-54e, and 4-75.
90.36		1926: Series 4-75e, and 8-88.
90.37		1927-1928: Series 8-88.
90.38		1929: Series 8-88, and 8-125.
90.39		1930: Series 8-125.
90.40	Rohr	
90.41	Rolls Royce	
90.42	Ruxton	
90.43	Salmson	

91.1	Squire	
91.2	Stearns Knight	
91.3	Stevens Duryea	
91.4	Steyr	
91.5	Studebaker	1929-1933: President, except model 82.
91.6	Stutz	
91.7	Sunbeam	
91.8	Talbot	
91.9	Triumph	Dolomite 8 and Gloria 6.
91.10	Vauxhall	Series 25-70 and 30-98 only.
91.11	Voisin	
91.12	Wills Saint Claire	

91.13 (d) No commercial vehicles such as hearses, ambulances, or trucks are considered
91.14 to be classic cars.

91.15 Sec. 3. Minnesota Statutes 2006, section 168.10, subdivision 1c, is amended to read:

91.16 Subd. 1c. **Collector's vehicle, collector plate.** (a) The owner of any self-propelled
91.17 motor vehicle, including any truck, (1) that is (i) at least 20 model years old, or (ii) at
91.18 least ten model years old and with a body or engine style of which not more than 500
91.19 were manufactured in or imported into the United States in any model year, (2) that was
91.20 manufactured after 1935, and (3) that is owned and operated solely as a collector's vehicle,
91.21 shall list the vehicle for taxation and registration as provided in paragraph (b).

91.22 (b) The owner shall execute an affidavit stating (1) the name and address of the
91.23 person from whom purchased and of the new owner, (2) the make of the motor vehicle,
91.24 (3) the year and number of the model, (4) the manufacturer's identification number, (5)
91.25 in the case of a vehicle described in paragraph (a), clause (1)(ii), that the vehicle has a
91.26 body or engine style of which not more than 500 were manufactured or imported into the
91.27 United States in any model year, and (6) that the vehicle is owned and operated solely as a
91.28 collector's item and not for general transportation purposes.

91.29 (c) The owner shall provide a statement of the manufacturer or importer regarding
91.30 the number of vehicles manufactured or imported during the model year.

91.31 (d) The owner shall also prove that the owner also has one or more vehicles with
91.32 regular license plates.

91.33 If the ~~registrar~~ commissioner is satisfied that the affidavit is true and correct and the
91.34 owner pays a \$25 tax and the plate fee authorized under section 168.12, the ~~registrar~~
91.35 commissioner shall list the vehicle for taxation and registration and shall issue a single
91.36 number plate.

92.1 (e) The number plate issued shall bear the inscription "Collector," "Minnesota,"
92.2 and the registration number or other combination of characters authorized under section
92.3 168.12, subdivision 2a, but no date. The number plate is valid without renewal as long
92.4 as the vehicle is in existence in Minnesota. The ~~registrar~~ commissioner has the power to
92.5 revoke the plate for failure to comply with this subdivision.

92.6 Sec. 4. Minnesota Statutes 2006, section 168.10, subdivision 1d, is amended to read:

92.7 Subd. 1d. **Collector's vehicle, street rod license plate.** Any modernized motor
92.8 vehicle manufactured prior to the year 1949 or designed and manufactured to resemble
92.9 such vehicle shall be listed for taxation and registration as follows:

92.10 An affidavit shall be executed stating the name and address of the person from
92.11 whom purchased and of the new owner, the make of the motor vehicle, year number of
92.12 model, and the manufacturer's identification number. The affidavit shall further state that
92.13 the vehicle is owned and operated solely as a street rod and not for general transportation
92.14 purposes. The owner must also prove that the owner has one or more vehicles with regular
92.15 license plates. If the ~~registrar~~ commissioner is satisfied that the affidavit is true and
92.16 correct and the owner pays a \$25 tax and the plate fee authorized under section 168.12,
92.17 the ~~registrar~~ commissioner shall list such vehicle for taxation and registration and shall
92.18 issue a single number plate.

92.19 The number plate issued shall bear the inscription "Street Rod", "Minnesota" and the
92.20 registration number or other combination of characters authorized under section 168.12,
92.21 subdivision 2a, but no date. The number plate is valid without renewal as long as the
92.22 vehicle is in existence in Minnesota. The ~~registrar~~ commissioner has the power to revoke
92.23 such plate for failure to comply with this subdivision.

92.24 Sec. 5. Minnesota Statutes 2006, section 168.10, subdivision 1g, is amended to read:

92.25 Subd. 1g. **Original plates.** A vehicle registered pursuant to subdivision 1a, 1b, 1c
92.26 or 1d may in lieu of being issued number plates by the ~~registrar~~ commissioner display
92.27 original Minnesota number plates issued in the same year as the model year of the car
92.28 on which they are displayed. The number of the original plates must be provided to the
92.29 ~~registrar~~ commissioner. The original plates must be in good condition ~~and shall be used in~~
92.30 ~~pairs one to be displayed in the front of the car and one in the rear, except for an original~~
92.31 ~~plate issued in 1911, 1944, 1945, or 1946 which may be used singly and displayed at the~~
92.32 ~~rear of the vehicle.~~ Original Minnesota number plates shall not be used if the number on
92.33 the original plate is identical to a number on any current ~~street rod~~ plate or any other plate
92.34 in a numbering system used by the ~~registrar~~ commissioner without written authorization

93.1 from the commissioner. Any person currently using plates issued pursuant to subdivision
93.2 1a, 1b, 1c or 1d shall return those plates to the ~~registrar~~ commissioner before substituting
93.3 original plates. The ~~registrar may~~ commissioner shall charge a fee of \$10 for registering
93.4 the number on original plates.

93.5 Sec. 6. Minnesota Statutes 2006, section 168.10, subdivision 1h, is amended to read:

93.6 Subd. 1h. **Collector military vehicle.** (a) A motor vehicle, including a truck, shall
93.7 be listed and registered under this section if it meets the following conditions:

93.8 (1) it is at least 20 years old;

93.9 (2) its first owner following its manufacture was a branch of the armed forces of
93.10 the United States and it presently conforms to the vehicle specifications required during
93.11 the time of military ownership, or it has been restored and presently conforms to the
93.12 specifications required by a branch of the armed forces for the model year that the restored
93.13 vehicle could have been owned by that branch of the armed forces; and

93.14 (3) it is owned by a nonprofit organization and operated solely as a collector's
93.15 vehicle. For purposes of this subdivision, "nonprofit organization" means a corporation,
93.16 society, association, foundation, or institution organized and operated exclusively for
93.17 historical or educational purposes, no part of the net earnings of which inures to the
93.18 benefit of a private individual.

93.19 (b) The owner of the vehicle shall execute an affidavit stating the name and address
93.20 of the person from whom purchased and of the new owner; the make, year, and model
93.21 number of the motor vehicle; the manufacturer's identification number; and the collector
93.22 military vehicle identification number, if any, located on the exterior of the vehicle. The
93.23 affidavit must affirm that the vehicle is owned by a nonprofit organization and is operated
93.24 solely as a collector's item and not for general transportation purposes. If the ~~registrar~~
93.25 commissioner is satisfied that the affidavit is true and correct and the owner pays a \$25
93.26 tax and the plate fee authorized under section 168.12, the ~~registrar~~ commissioner shall
93.27 list the vehicle for taxation and registration and shall issue number plates. The number
93.28 plates shall bear the inscriptions "Collector" and "Minnesota" and the registration number,
93.29 but no date. The number plates are valid without renewal as long as the vehicle is in
93.30 existence in Minnesota. The ~~registrar~~ commissioner may revoke the plates for failure
93.31 to comply with this subdivision.

93.32 (c) Notwithstanding section 168.09, 168.12, or other law to the contrary, the owner
93.33 of a registered collector military vehicle is not required to display registration plates on the
93.34 exterior of the vehicle if the vehicle has an exterior number identification that conforms to
93.35 the identifying system for military vehicles in effect when the vehicle was last owned by

94.1 the branch of the armed forces of the United States or in effect in the year to which the
94.2 collector military vehicle has been restored. However, the state registration plates must be
94.3 carried in or on the collector military vehicle at all times.

94.4 (d) The owner of a registered collector military vehicle that is not required to display
94.5 registration plates under paragraph (c) may tow a registered trailer behind it. The trailer
94.6 is not required to display registration plates if the trailer:

94.7 (1) does not exceed a gross weight of 15,000 pounds;

94.8 (2) otherwise conforms to registration, licensing, and safety laws and specifications;

94.9 (3) conforms to military specifications for appearance and identification;

94.10 (4) is intended to represent and does represent a military trailer; and

94.11 (5) carries registration plates on or in the trailer or the collector military vehicle
94.12 towing the trailer.

94.13 Sec. 7. Minnesota Statutes 2006, section 168.10, subdivision 1i, is amended to read:

94.14 Subd. 1i. **Collector plate transfer.** Notwithstanding section 168.12, subdivision 1,
94.15 on payment of a transfer fee of \$5, plates issued under this section may be transferred to
94.16 another vehicle owned or jointly owned by the person to whom the special plates were
94.17 issued or the plate may be assigned to another owner. In addition to the transfer fee a new
94.18 owner must pay the \$25 ~~plate tax~~ or and any fee required by section 168.12, subdivision
94.19 2a. The \$5 fee must be paid into the state treasury and credited to the highway user tax
94.20 distribution fund. License plates issued under this section may not be transferred to a
94.21 vehicle not eligible for the collector's vehicle license plates.

94.22 Sec. 8. Minnesota Statutes 2006, section 168.12, subdivision 1, is amended to read:

94.23 Subdivision 1. **Plates; design, visibility, periods of issuance.** (a) The commissioner,
94.24 upon approval and payment, shall issue to the applicant the plates required by this chapter,
94.25 bearing the state name and an assigned vehicle registration number. The number assigned
94.26 by the commissioner may be a combination of a letter or sign with figures. The color of the
94.27 plates and the color of the abbreviation of the state name and the number assigned must
94.28 be in marked contrast. The plates must be lettered, spaced, or distinguished to suitably
94.29 indicate the registration of the vehicle according to the rules of the commissioner.

94.30 (b) When a vehicle is registered on the basis of total gross weight, the plates issued
94.31 must clearly indicate by letters or other suitable insignia the maximum gross weight
94.32 for which the tax has been paid.

94.33 (c) The plates must be so treated as to be at least 100 times brighter than the
94.34 conventional painted number plates. When properly mounted on an unlighted vehicle, the

plates, when viewed from a vehicle equipped with standard headlights, must be visible for a distance of not less than 1,500 feet and readable for a distance of not less than 110 feet.

(d) The commissioner shall issue plates for the following periods:

(1) New plates issued pursuant to section 168.012, subdivision 1, must be issued to a vehicle for as long as the vehicle is owned by the exempt agency and the plate shall not be transferable from one vehicle to another but the plate may be transferred with the vehicle from one tax-exempt agency to another.

(2) Plates issued for passenger automobiles must be issued for a seven-year period. All plates issued under this paragraph must be replaced if they are seven years old or older at the time of registration renewal or will become so during the registration period.

(3) Plates issued under sections 168.053 and 168.27, subdivisions 16 and 17, must be for a seven-year period.

(4) Plates issued under subdivisions 2c and 2d and section 168.123 must be issued for the life of the veteran under section 169.79.

(5) Plates for any vehicle not specified in clauses (1) to (3), ~~except for trailers as hereafter provided, must be issued for the life of the vehicle. Beginning with plates issued for the year 1981, plates issued for trailers with a total gross weight of 3,000 pounds or less must be issued for the life of the trailer and must be not more than seven inches in length and four inches in width.~~

(e) In a year in which plates are not issued, the commissioner shall issue for each registration a sticker to designate the year of registration. This sticker must show the year or years for which the sticker is issued, and is valid only for that period. The plates and stickers issued for a vehicle may not be transferred to another vehicle during the period for which the sticker is issued, except when issued for a vehicle registered under section 168.187.

(f) Despite any other provision of this subdivision, plates issued to a vehicle used for behind-the-wheel instruction in a driver education course in a public school may be transferred to another vehicle used for the same purpose without payment of any additional fee. The public school shall notify the commissioner of each transfer of plates under this paragraph. The commissioner may prescribe a format for notification.

Sec. 9. Minnesota Statutes 2006, section 168.12, subdivision 2, is amended to read:

Subd. 2. **Amateur radio licensee; special plates, rules.** (a) The commissioner shall issue amateur radio plates to an applicant who:

(1) is an owner of a passenger automobile or recreational motor vehicle;

(2) is a resident of this state;

(3) holds an official amateur radio station license or a citizens radio service class D license, in good standing, issued by the Federal Communications Commission;

(4) pays the registration tax required under section 168.013;

(5) pays a fee of \$10 for each set of special plates and any other fees required by this chapter; and

(6) complies with this chapter and rules governing the registration of motor vehicles and licensing of drivers;

(b) In lieu of the registration number required for identification under subdivision 1, the plates must indicate the official amateur call letters of the applicant, as assigned by the Federal Communications Commission, and the words "AMATEUR RADIO."

(c) This provision for the issue of special plates applies only if the applicant's motor vehicle is already registered in Minnesota so that the applicant has valid regular Minnesota plates issued for that motor vehicle under which to operate it during the time that it will take to have the necessary special plates made.

(d) If owning more than one motor vehicle of the type specified in this subdivision, the applicant may apply for special plates for each ~~of not more than two motor vehicles~~ motor vehicle and, if each application complies with this subdivision, the commissioner shall furnish the applicant with the special plates, indicating the official amateur call letters and other distinguishing information as the commissioner considers necessary, for each of the ~~two~~ motor vehicles.

(e) The commissioner may make reasonable rules governing the use of the special plates as will assure the full compliance by the owner of the special plates, with all existing laws governing the registration of motor vehicles and the transfer and use of the plates.

(f) Despite any contrary provision of subdivision 1, the special plates issued under this subdivision may be transferred by an owner to another motor vehicle listed in paragraph (a) and registered to the same owner, upon the payment of a fee of \$5. The commissioner must be notified before the transfer and may prescribe a format for the notification.

Sec. 10. Minnesota Statutes 2006, section 168.12, subdivision 2a, is amended to read:

Subd. 2a. **Personalized plates; rules.** (a) The commissioner ~~shall~~ may issue personalized plates or, if requested for special plates issued under section 168.123 for veterans, 168.124 for medal of honor recipients, or 168.125 for former prisoners of war, applicable personalized special veterans plates, to an applicant who:

(1) is an owner of a passenger automobile including a passenger automobile registered as a classic car, pioneer car, collector car, or street rod; any truck with a

97.1 manufacturer's nominal rated capacity of one ton or less and resembling a pickup truck; a
97.2 motorcycle, including a classic motorcycle; a motorized bicycle; a commuter van as
97.3 defined in section 168.126; or a recreational ~~motor~~ vehicle;

97.4 (2) pays a onetime fee of \$100 and any other fees required by this chapter;

97.5 (3) pays the registration tax required by this chapter for the motor vehicle; and

97.6 (4) complies with this chapter and rules governing registration of motor vehicles
97.7 and licensing of drivers.

97.8 (b) The commissioner shall charge a replacement fee for personalized license plates
97.9 and personalized special veterans plates issued under section 168.123 as specified in
97.10 subdivision 5. This fee must be paid by the applicant whenever the personalized plates are
97.11 required to be replaced by law, except that as provided in section 168.124, subdivision
97.12 3, and 168.125, subdivision 1b, no fee may be charged to replace plates issued under
97.13 those sections.

97.14 (c) In lieu of the registration number assigned as provided in subdivision 1,
97.15 personalized plates and personalized special veterans plates must have imprinted on them
97.16 a series of not more than seven numbers and letters, or five numbers and letters for
97.17 personalized special veterans plates, in any combination and, as applicable, satisfy the
97.18 design requirements of section 168.123, 168.124, or 168.125. When an applicant has once
97.19 obtained personalized plates or personalized special veterans plates, the applicant shall
97.20 have a prior claim for similar personalized plates or personalized special veterans plates in
97.21 the next succeeding year as long as current motor vehicle registration is maintained.

97.22 (d) The commissioner shall adopt rules in the manner provided by chapter 14,
97.23 regulating the issuance and transfer of personalized plates and personalized special
97.24 veterans plates. No words or combination of letters placed on these plates may be used
97.25 for commercial advertising, be of an obscene, indecent, or immoral nature, or be of a
97.26 nature that would offend public morals or decency. The call signals or letters of a radio or
97.27 television station are not commercial advertising for the purposes of this subdivision.

97.28 (e) Despite the provisions of subdivision 1, personalized plates and personalized
97.29 special veterans plates issued under this subdivision may be transferred to another motor
97.30 vehicle listed in paragraph (a) and owned by the applicant, upon the payment of a fee of \$5.

97.31 (f) The commissioner may by rule specify the format for notification.

97.32 (g) A personalized plate or personalized special veterans plate issued for a classic
97.33 car, pioneer car, collector car, street rod, or classic motorcycle may not be transferred
97.34 to a vehicle not eligible for such a plate.

97.35 (h) Despite any law to the contrary, if the personalized license plates are lost, stolen,
97.36 or destroyed, the applicant may apply and must be issued duplicate license plates bearing

98.1 the same combination of letters and numbers and the same design as (1) the former
98.2 personalized plates or personalized special veterans plates under section 168.123 upon
98.3 the payment of the fee required by section 168.29 or (2) the former personalized special
98.4 veterans plates issued under section 168.124 or 168.125, without charge.

98.5 Sec. 11. Minnesota Statutes 2006, section 168.12, subdivision 2b, is amended to read:

98.6 Subd. 2b. **Firefighters; special plates, rules.** (a) The commissioner shall issue
98.7 special plates, or a single license plate in the case of a motorcycle plate, to any applicant
98.8 who:

98.9 (1) is ~~both~~ a member of a fire department receiving state aid under chapter 69,
98.10 has a letter from the fire chief, and is an owner of a passenger automobile, a truck with
98.11 a manufacturer's nominal rated capacity of one ton and resembling a pickup truck, or
98.12 a motorcycle;

98.13 (2) pays a fee of \$10 and any other fees required by this chapter;

98.14 (3) pays the registration tax required by this chapter for the motor vehicle; and

98.15 (4) complies with this chapter and rules governing the registration of motor vehicles
98.16 and licensing of drivers.

98.17 (b) In lieu of the identification required under subdivision 1, the special plates must
98.18 bear an emblem of a Maltese Cross together with any numbers or characters prescribed
98.19 by the commissioner. ~~No applicant shall receive more than two sets of plates for motor~~
98.20 ~~vehicles owned by the applicant.~~

98.21 (c) Special plates issued under this subdivision may only be used during the period
98.22 that the owner of the motor vehicle is a member of a fire department as specified in this
98.23 subdivision. When the individual to whom the special plates were issued is no longer a
98.24 member of a fire department or when the motor vehicle ownership is transferred, the
98.25 owner shall remove the special plates from the motor vehicle. If the commissioner
98.26 receives written notification that an individual is no longer qualified for these special
98.27 plates, the commissioner shall invalidate the plates and notify the individual of this
98.28 action. The individual may retain the plate only upon demonstrating compliance with the
98.29 qualifications of this subdivision. Upon removal or invalidation of the special plates, or
98.30 special motorcycle plate, either the owner or purchaser of the motor vehicle is entitled
98.31 to receive regular plates or a regular motorcycle plate for the motor vehicle without cost
98.32 for the remainder of the registration period for which the special plate or plates were
98.33 issued shall obtain regular plates or a regular motorcycle plate for the proper registration
98.34 classification for the motor vehicle.

99.1 (d) A special motorcycle license plate issued under this subdivision must be the
99.2 same size as a standard motorcycle license plate.

99.3 (e) Upon payment of a fee of \$5, plates issued under this subdivision for a passenger
99.4 automobile or truck may be transferred to another passenger automobile or truck owned
99.5 or jointly owned by the person to whom the plates were issued. On payment of a fee of
99.6 \$5, a plate issued under this subdivision for a motorcycle may be transferred to another
99.7 motorcycle owned or jointly owned by the person to whom the plate was issued.

99.8 (f) The commissioner may adopt rules under the Administrative Procedure Act,
99.9 sections 14.001 to 14.69, to govern the issuance and use of the special plates authorized
99.10 in this subdivision.

99.11 Sec. 12. Minnesota Statutes 2006, section 168.12, subdivision 2c, is amended to read:

99.12 Subd. 2c. **National Guard; special plates, rules.** (a) The commissioner shall
99.13 issue special plates to any applicant who:

99.14 (1) is a regularly enlisted, commissioned, or retired member of the Minnesota
99.15 National Guard, other than an inactive member who is not a retired member, and is an
99.16 owner of a passenger automobile;

99.17 (2) pays a fee of \$10 and any other fees required by this chapter;

99.18 (3) pays the registration tax required by this chapter; and

99.19 (4) complies with this chapter and rules governing the registration of motor vehicles
99.20 and licensing of drivers.

99.21 (b) The adjutant general shall design the emblem for these special plates subject to
99.22 the approval of the commissioner.

99.23 ~~(c) An applicant must not be issued more than two sets of plates for motor vehicles~~
99.24 ~~registered to the applicant.~~

99.25 ~~(d)~~ (c) Special plates issued under this subdivision may only be used during the
99.26 period that the owner of the motor vehicle is an active or retired member of the Minnesota
99.27 National Guard as specified in this subdivision. When the individual to whom the
99.28 special plates were issued is no longer an active or retired member of the Minnesota
99.29 National Guard, the special plates must be removed from the vehicle by the owner. If the
99.30 commissioner receives written notification that an individual is no longer qualified for
99.31 these special plates, the commissioner shall invalidate the plates and notify the individual
99.32 of this action. The individual may retain the plate only upon demonstrating compliance
99.33 with the qualifications of this subdivision. Upon removal or invalidation of the special
99.34 plates, either the owner or purchaser of the motor vehicle is entitled to receive regular

~~plates for the motor vehicle without cost for the remainder of the registration period for which the special plates were issued shall obtain regular plates for the motor vehicle.~~

~~(e)~~ (d) While the person is an active or retired member of the Minnesota National Guard, plates issued pursuant to this subdivision may be transferred to another motor vehicle owned by that individual upon payment of a fee of \$5.

~~(f)~~ (e) For purposes of this subdivision, "retired member" means an individual placed on the roll of retired officers or roll of retired enlisted members in the Office of the Adjutant General under section 192.18 and who is not deceased.

~~(g)~~ (f) The commissioner may adopt rules under the Administrative Procedure Act to govern the issuance and use of the special plates authorized by this subdivision.

Sec. 13. Minnesota Statutes 2006, section 168.12, subdivision 2d, is amended to read:

Subd. 2d. **Ready Reserve; special plates, rules.** (a) The commissioner shall issue special plates to an applicant who:

(1) is not eligible for special National Guard plates under subdivision 2c, is a member of the United States armed forces ready reserve as described in United States Code, title 10, section 10142 or 10143, or a retired reserve as described in United States Code, title 10, section 10154, and is an owner of a passenger automobile;

(2) pays a fee of \$10 and any other fees required by this chapter;

(3) pays the registration tax required by this chapter; and

(4) complies with this chapter and rules governing the registration of motor vehicles and licensing of drivers.

(b) The commissioner of veterans affairs shall design the emblem for these special plates subject to the approval of the commissioner.

~~(c) An applicant must not be issued more than two sets of plates for motor vehicles owned by the applicant.~~

~~(d)~~ (c) Special plates issued under this subdivision may only be used during the period that the owner of the motor vehicle is a member of the ready reserve. When the owner is no longer a member, the special plates must be removed from the motor vehicle by the owner. If the commissioner receives written notification that an individual is no longer qualified for these special plates, the commissioner shall invalidate the plates and notify the individual of this action. The individual may retain the plate only upon demonstrating compliance with the qualifications of this subdivision. On removing removal or invalidation of the special plates, either the owner or purchaser of the motor vehicle is entitled to receive regular plates for the motor vehicle without cost for the rest of the registration period for which the special plates were issued shall obtain regular

101.1 plates for the motor vehicle. While the owner is a member of the ready reserve, plates
101.2 issued under this subdivision may be transferred to another motor vehicle owned by that
101.3 individual on paying a fee of \$5.

101.4 ~~(e)~~ (d) The commissioner may adopt rules under the Administrative Procedure Act
101.5 to govern the issuance and use of the special plates authorized by this subdivision.

101.6 Sec. 14. Minnesota Statutes 2006, section 168.12, subdivision 2e, is amended to read:

101.7 Subd. 2e. **Volunteer ambulance attendants; special plates.** (a) The commissioner
101.8 shall issue special license plates to an applicant who:

101.9 (1) is a volunteer ambulance attendant as defined in section 144E.001, subdivision
101.10 15, and owns a motor vehicle taxed as a passenger automobile;

101.11 (2) pays the registration tax required by this chapter for the motor vehicle;

101.12 (3) pays a fee of \$10 and any other fees required by this chapter; and

101.13 (4) complies with this chapter and rules governing the registration of motor vehicles
101.14 and licensing of drivers.

101.15 ~~(b) The commissioner shall not issue more than two sets of these plates to each~~
101.16 ~~qualified applicant.~~

101.17 ~~(e)~~ (b) An individual may use special plates issued under this subdivision only during
101.18 the period that the individual is a volunteer ambulance attendant. When the individual to
101.19 whom the special plates were issued ceases to be a volunteer ambulance attendant, the
101.20 individual shall remove each set of special plates issued. If the commissioner receives
101.21 written notification that an individual is no longer qualified for these special plates, the
101.22 commissioner shall invalidate the plates and notify the individual of this action. The
101.23 individual may retain the plate only upon demonstrating compliance with the qualifications
101.24 of this subdivision. When ownership of the motor vehicle is transferred, the individual
101.25 shall remove the special plates from that motor vehicle. On removal or invalidation of
101.26 ~~each set of the special~~ plates, the owner or purchaser of the motor vehicle, ~~or new owner~~
101.27 ~~in case of a transferred motor vehicle, is entitled to receive regular plates for the motor~~
101.28 ~~vehicle without cost for the rest of the registration period for which the set of special~~
101.29 ~~plates were issued~~ shall obtain regular plates for the motor vehicle. Special plates issued
101.30 under this subdivision may be transferred to another motor vehicle owned by the volunteer
101.31 ambulance attendant on payment of a fee of \$5.

101.32 ~~(d)~~ (c) The commissioner may adopt rules governing the design, issuance, and sale
101.33 of the special plates authorized by this subdivision.

APPENDIX
Article locations in H1351-3

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ARTICLE 2	REGISTRATION PLATES	Page.Ln 87.6

168A.05 CERTIFICATE OF TITLE.

Subd. 5a. **Pollution control equipment disclosure.** The certificate of title shall contain a disclosure by the transferor of the condition of the vehicle's pollution control equipment as required by section 325E.0951. The disclosure must be in a format as prescribed by the registrar.

221.60 REGISTRATION OF INTERSTATE CARRIER.

Subd. 2. **Form and fees.** A motor carrier engaged in interstate commerce shall register its interstate transportation authority or exemption before February 1 of each year on a form prescribed by the commissioner. The fee for the initial registration is \$25. The fee for each identification stamp is \$5; however, a lesser fee may be collected pursuant to a reciprocal agreement authorized by section 221.65. In addition to the fees required by this subdivision, a motor carrier shall pay a service charge of 45 cents for each stamp or card issued.

Subd. 3. **Failure to register.** Failure to register for three consecutive years cancels the carrier's registration. The commissioner must give 30-days' notice of the cancellation to the carrier at the carrier's last known address.

Subd. 3a. **Failure to maintain insurance.** If a carrier fails to maintain and file with the commissioner the insurance or bond required by section 221.141 and the rules of the commissioner, the commissioner shall suspend and cancel the carrier's interstate registration according to the procedure in section 221.185, subdivisions 2, paragraphs (a) and (b), clause (1); and 3. If the carrier fails to comply with section 221.141 within 45 days of the date of suspension, the commissioner shall cancel the carrier's interstate registration until the carrier files and maintains insurance as required by section 221.141 and rules of the commissioner. The commissioner shall notify the carrier of the cancellation.

Subd. 4. **Cab card.** A carrier required to register under this section shall obtain the National Association of Regulatory Utility Commissioners cab card described in Code of Federal Regulations, title 49, section 1023.36, and affix the stamp to the cab card. A cab card bearing a current Minnesota interstate identification stamp must be carried in the cab of a vehicle operated for hire in interstate commerce in Minnesota.

Subd. 5. **Temporary interstate registration.** An interstate registration trip permit valid for ten days from the date of issue may be issued to a motor carrier engaged in interstate commerce that:

- (1) complies with section 221.141;
- (2) either registers its interstate operating authority or registers and describes the transportation it performs under an exemption contained in the Interstate Commerce Act, United States Code, title 49; and
- (3) pays a state fee of \$5 for each permit.

Subd. 6. **Transfer of authorization document.** A motor carrier engaged in interstate commerce may not transfer or sell or allow another carrier to use its interstate identification stamp, its interstate registration trip permit, or its cab card. However, a cab card and identification stamp may be transferred to a leased vehicle operated under the authority of the motor carrier to whom the cab card and identification stamp were issued.

221.601 AGREEMENT WITH ANOTHER STATE.

Subdivision 1. **Authority.** The commissioner may enter into agreements with representatives of other states to allow the cooperative registration of motor carriers transporting property or passengers for hire in interstate commerce. The agreement may authorize representatives of other states to issue interstate registration stamps and trip permits; accept the filing of insurance certificates, insurance cancellation notices, and orders of the former Interstate Commerce Commission or a successor agency; issue suspension and reinstatement orders or notices; and collect and disburse fees prescribed by this chapter. The agreement may allow the exchange of information for audit, reporting, and enforcement purposes, and the collection and disbursement of fees provided under this chapter and the laws of other states that participate in the agreement. The agreement and all amendments must be in writing. The agreement may provide for the gradual adoption of a base state registration system. It may provide that a motor carrier based in another state participating in the agreement, that has filed evidence of financial responsibility in that state that meets the requirements of this chapter and of the agreement, need not file evidence of financial responsibility with the commissioner for its interstate operations in this state.

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Subd. 2. **Definition.** For purposes of this section, "state" means a state, the District of Columbia, or a state or province of a foreign country.

221.602 INTERSTATE CARRIER REGISTRATION.

Subdivision 1. **Procedure; nonexempt carrier.** A motor carrier subject to the jurisdiction of the U.S. Department of Transportation or Surface Transportation Board under United States Code, title 49, chapter 135, subchapter I, with its principal place of business in Minnesota or that designates Minnesota as its base state, may transport persons or property for hire in Minnesota only if it first complies with the insurance regulations described in Code of Federal Regulations, title 49, part 387, and registration regulations described in Code of Federal Regulations, title 49, parts 356 and 365, adopted by the Interstate Commerce Commission or a successor agency under United States Code, title 49, section 14504 or former section 11506. The registration fee is \$5; however, a lesser fee may be collected pursuant to a reciprocal agreement authorized by section 221.65. A motor carrier shall pay a service charge of 45 cents for each registration receipt issued in addition to the fee required by this subdivision.

Subd. 2. **Procedure; exempt carrier.** (a) A motor carrier that is exempt from federal jurisdiction under United States Code, title 49, may transport persons or property for hire in interstate commerce in Minnesota only if it first:

(1) complies with section 221.141;

(2) registers and describes the transportation it performs under an exemption contained in United States Code, title 49; and

(3) pays the fee required in subdivision 1.

(b) A motor carrier that complies with subdivision 1 is not also required to comply with this subdivision.

Subd. 3. **Registration period.** The registration period is that provided in regulations adopted under United States Code, title 49, section 14504 or former section 11506.

Subd. 4. **Receipt.** On compliance with subdivision 1 or 2, the commissioner shall issue a receipt showing that the motor carrier has complied with the regulations applicable to it. Proof of registration must be kept in each of the carrier's vehicles.

325E.0951 MOTOR VEHICLE AIR POLLUTION CONTROL SYSTEMS.

Subd. 3a. **Disclosure.** No person may transfer a motor vehicle that was required to be manufactured with an air pollution control system without certifying in writing to the transferee that to the best of the person's knowledge, the air pollution control systems, including the restricted gasoline fill pipe, have not been removed, altered, or rendered inoperative. The registrar of motor vehicles shall prescribe the manner and form in which this written disclosure must be made. No transferor may knowingly give a false statement to a transferee in making a disclosure required by this subdivision.

473.1465 TRANSPORTATION POLICY.

Subdivision 1. **Definition.** For the purposes of this section and section 473.1466 "commuting area" means the metropolitan area and counties outside the metropolitan area in which five percent or more of the residents commute to employment in the metropolitan area.

Subd. 2. **Revised transportation policy plan.** The Metropolitan Council shall adopt, after appropriate public comment, a revised transportation policy plan that:

(1) is consistent with state law and council policy;

(2) identifies and summarizes issues concerning commuting into and out of the seven-county area from the commuting area;

(3) integrates and maximizes the efficiencies and effectiveness of all modes of transportation in the region; and

(4) reflects and does not exceed current available resources.

The council shall adopt the revised transportation policy plan by December 31, 1996.

Subd. 3. **Project evaluation.** As part of developing the revised transportation policy plan, the council shall evaluate all proposed and pending transportation projects that are subject to council review and report to the legislature the results of council's evaluation.

473.3994 LIGHT RAIL TRANSIT; DESIGN PLANS.

Subd. 13. **Dispute resolution.** In the event of a dispute between any of the parties arising from the parties' respective authority and responsibility under this section, the dispute shall

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be submitted to the Metropolitan Council for final resolution by any party to the dispute. The Metropolitan Council shall establish by July 1, 1993, a process to ensure a prompt and speedy resolution of the dispute. This process shall allow the parties to provide evidence and testimony in support of their positions.

APPENDIX
Repealed Minnesota Session Laws: H1351-3

Laws 1999, chapter 230, section 44

Sec. 44. CONSTRUCTION OF RAIL FACILITIES.

Neither the state nor any political subdivision may apply for federal assistance or receive any state appropriation or grant for light rail transit construction until the commissioner begins construction of light rail transit facilities in either the Riverview corridor, connecting the east side of St. Paul, the Minneapolis-St. Paul International Airport, and the Mall of America; or the central corridor, between downtown St. Paul and downtown Minneapolis. This prohibition does not apply to applications for federal funding or receipt of state funding for light rail transit in the Hiawatha corridor, connecting downtown Minneapolis, the Minneapolis-St. Paul International Airport, and the vicinity of the Mall of America; in the Riverview corridor; or in the central corridor.