

## S.F. No. 1159 – Transportation Omnibus (as amended by the A-8 amendment)

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### Article 1 – Transportation Appropriations

**Section 1** states that all appropriations in this article are from the trunk highway fund unless another fund is specified.

### Section 3. Department of Transportation.

**Subdivision 1. Total MnDOT Appropriations.** Contains the total appropriations to the Department of Transportation by fund. Prohibits trunk highway fund appropriations from being used for transit and active transportation; aeronautics; passenger rail; statewide radio communication; government affairs; tourist centers; parades, events, or sponsorship of events; public electric vehicle infrastructure; the Office of Communication and Public Engagement; the Office of Environmental Stewardship; the Office of Civil Rights; or the Office of Equity and Diversity.

### Subdivision 2. Multimodal systems.

#### (a) Aeronautics.

- (1) Appropriates \$18.6 million in each of FY22 and FY23 for airport development and assistance.
  - (2) Appropriates \$8.332 million in FY22 and \$8.34 million in FY23 for aviation support and services. Includes \$28,000 in FY22 and \$36,000 in FY23 for regulating unmanned aircraft systems. Replaces the base trunk highway fund appropriation with general fund.
  - (3) Appropriates \$80,000 in each year for the Civil Air Patrol.
- (b) **Transit.** Appropriates \$18.2 million in each of FY22 and FY23 for Greater Minnesota transit. Replaces the base trunk highway fund appropriation with general fund.
- (c) **Safe Routes to School.** Appropriates \$500,000 in each of FY22 and FY23.

- (d) **Freight.** Appropriates \$7.9 million in FY22 and \$6.9 million in FY23 for freight purposes. Includes \$1 million in FY22 for procurement of a statewide freight optimization tool.

### **Subdivision 3. State Roads.**

- (a) **Operations and Maintenance.** Appropriates \$364.3 million in FY22 and \$362.8 million in FY23 for operations and maintenance.
- (b) **Program Planning and Delivery.**
- Planning and Research: Appropriates \$30.95 million in each of FY22 and FY23.
  - Program Delivery: Appropriates \$219.9 million in each of FY22 and FY23. Includes \$1 million in each year for management of contaminated and regulated material on MNDOT property. Replaces a portion of reduced trunk highway fund appropriations with general fund.
- (c) **State Road Construction.** Appropriates \$924.3 million in FY22 and \$939.3 million in FY23 from the trunk highway fund for construction and improvement of trunk highways and for turnback projects. The base amounts in FY 24 and FY25 contain one-time increases of \$30 million and \$80 million, respectively. Of the amounts each year:
- up to one-half of one percent of the federal highway funds included in the appropriation may be used for highway construction-related job training center grants; and
  - up to \$15 million each year may be used for the transportation revolving loan fund.
- (d) **Corridors of Commerce.** Appropriates \$157.5 million in FY22 and \$177.5 million in FY23. The base amounts in FY 24 and FY25 contain one-time increases of \$102.5 million each year. Allows use of up to 17% of appropriation for program delivery in each year.
- (e) **Highway Debt Service.** Appropriates \$229.4 million in FY22 and \$264.2 million in FY23 for highway debt service. Allows the commissioner of management and budget to transfer an additional amount if this appropriation is insufficient to make all transfers required in a given year.
- (f) **Statewide Radio Communications.** Appropriates \$6.2 million in each of FY22 and FY23. Replaces the base trunk highway fund appropriation with general fund.

### **Subdivision 4. Local Roads.**

- (a) **County State Aid Roads.** Appropriates \$873.7 million in FY22 and \$898.1 million in FY23 from the county state aid highway fund for distribution to counties.
- (b) **Municipal State Aid Roads.** Appropriates \$219.6 million in FY22 and \$226.0 million in FY23 from the municipal state aid street fund for distribution to cities with a population of over 5,000.
- (c) **Other Local Roads.**
- (1) Appropriates \$30 million in each of FY22 and FY23 for local bridge improvements. These are one-time appropriations and are available until June 30, 2025.
  - (2) Appropriates \$11.4 million in each of FY22 and FY23 for local road improvement. These are one-time appropriations and are available until June 30, 2025.

### **Subdivision 5. Agency Management.**

- (a) **Agency Services.** Appropriates \$50.0 million in each of FY22 and FY23. Replaces a portion of reduced trunk highway fund appropriations with general fund.
- (b) **Buildings.** Appropriates \$32.6 million in FY22 and \$32.1 million in FY23. Replaces reduced trunk highway fund appropriations with an open general fund appropriation.
- (c) **Tort Claims.** Appropriates \$600,000 in each of FY22 and FY23.

**Subdivision 6. Transfers.**

- (a) Allows the commissioner, with approval of the commissioner of management and budget, to transfer among the appropriations from trunk highway fund and state airports fund contained in this article. Any such transfers may not be made between funds, may not be made from the appropriations for state road construction or debt service, and may not be made from the appropriations for operations and maintenance or program delivery unless the transfer is to state road construction or debt service.
- (b) Requires that transfers under paragraph (a) must be reported to the legislature.
- (c) Directs the commissioner of transportation to make transfers from the flexible highway account in FY22 and FY23 to the trunk highway fund, the municipal turnback account, and the county turnback account. The transfers are for the costs of highway turnbacks.

**Subdivision 7. Previous State Road Construction Appropriations.** Specifies that money appropriated for state road construction for any fiscal year before FY22 is available during FY22 and FY23, provided the money is spent on the project for which the money was originally encumbered.

**Subdivision 8. Contingent Appropriation.** Allows the commissioner, with approval of the governor and the majority of a group consisting of the Legislative Advisory Commission and ranking minority members of the House and Senate transportation finance committees, to transfer all or part of the balance in the trunk highway fund to an appropriation:

- (1) for trunk highway design, construction, or inspection in order to take advantage of an unanticipated receipt of income or federal advance construction funding;
- (2) for emergency trunk highway maintenance; or
- (3) to pay tort or environmental claims.

Specifies that any transfer as a result of using federal advance construction funding must include an analysis of the effects on the long-term trunk highway fund balance. Does not authorize commissioner to increase federal advanced construction funding beyond specifically authorized amounts.

**Section 4. Metropolitan Council.**

**Subdivision 1. Total Metropolitan Council Appropriations.** Contains the total appropriations to the Metropolitan Council from the general fund.

**Subdivision 2. Transit System Operations.** Appropriates \$5,000 in each of F22 and FY23. States that the base is \$5,000 in FY24 and \$32.7 million in FY 25.

**Subdivision 3. Metro Mobility.** Appropriates \$5,000 in each of F22 and FY23. States that the base is \$5,000 in FY24 and \$56.0 million in FY 25.

**Section 5. Department of Public Safety.**

**Subdivision 1. Total Public Safety Appropriations.** Contains the total appropriations to the Department of Public Safety transportation-related programs by fund. States that the

commissioner must spend trunk highway fund appropriations in **subdivisions 2 and 3** only for state patrol purposes.

**Subdivision 2. Administration and Related Services.**

- (a) Office of Communications.** Appropriates \$575,000 in each of FY22 and FY23.  
Replaces the base trunk highway fund appropriation with general fund.
- (b) Public Safety Support.** Appropriates \$5.7 million in FY22 and \$5.6 million in FY23.  
Replaces the base trunk highway fund appropriation with general fund. Prohibits these appropriations from being used for Driver and Vehicle Services public information center employees.
- (c) Public Safety Officer Survivor Benefits.** Appropriates \$640,000 in each of FY22 and FY23.
- (d) Public Safety Office Reimbursements.** Appropriates \$1.4 million in each of FY22 and FY23.
- (e) Soft Body Armor Reimbursements.** Appropriates \$745,000 in each of FY22 and FY23. Replaces the base trunk highway fund appropriation with general fund.
- (f) Technology and Support Service.** Appropriates \$6.3 million in each of FY22 and FY23. Replaces the base trunk highway fund appropriation and base highway user tax distribution fund appropriation with general fund.

**Subdivision 3. State Patrol.**

- (a) Patrolling Highways.** Appropriates \$107.8 million in FY22 and \$105.4 million in FY23. Includes \$1.7 million as a carryforward amount for the 2021 trooper academy. Includes \$3.5 million in FY22 and \$2.8 million in FY23 for body-worn cameras.
- (b) Commercial Vehicle Enforcement.** Appropriates \$10.2 million in FY22 and \$10.0 million in FY23. Includes \$494,000 in FY22 and \$360,000 in FY23 for body-worn cameras.
- (c) Capitol Security.** Appropriates \$11.0 million in each of FY22 and FY23 from the general fund. Includes \$449,000 in FY22 and \$395,000 in FY23 for body-worn cameras.
- (d) Vehicle Crimes Unit.** Appropriates \$888,000 in FY22 and \$884,000 in FY23. Includes \$22,000 in FY22 and \$18,000 in FY23 for body-worn cameras.

**Subdivision 4. Driver and Vehicle Services.**

- (a) Vehicle Services.** Appropriates \$38.0 million in FY22 and \$34.2 million in FY23.  
Replaces the base highway user tax distribution fund appropriations with appropriations from the vehicle services operating account in the special revenue fund. Includes:

  - \$2.39 million in FY22 for temporary employees to process driver's licenses and identification cards (this amount was appropriated in FY 20, but was unable to be used due to the COVID-19 pandemic and cancelled by law in FY21);
  - \$326,000 in FY22 and \$391,000 in FY23 for new vehicle inspection sites and staff;
  - \$250,000 in FY22 for programming for self-service registration kiosks;
  - \$8,000 in FY22 for programming to allow lifetime issuance of additional veterans special plates;
  - \$16,000 in FY22 for programming for temporary permit fees for out-of-state carriers; and
  - \$16,000 in FY22 for programming to allow for motor vehicle bulk data subscriptions.

**(b) Driver Services.** Appropriates \$39.8 million in FY22 and \$36.8 million in FY23 from the driver services operating account in the special revenue fund. Includes:

- \$2.2 million in FY22 and \$155,000 in FY23 for a pilot project to allow for same-day issuance of driver's licenses;
- \$425,000 in FY22 and \$369,999 in FY23 for administering the third-party tester program for commercial driver's licenses;
- \$108,000 in FY22 and \$49,000 in FY23 for staff to support online driver's education programs; and
- \$24,000 in FY22 for programing to allow for \$20 no-show fees for driver's behind-the-wheel exams.

**Subdivision 5. Traffic Safety.** Appropriates \$18.6 million in FY22 and \$18.5 million in FY23. Includes \$17.5 million of onetime funding in each year for grants to schools and school bus companies for school bus stop-arm camera systems. Includes \$110,000 in FY 22 and \$94,000 in FY23 for staff costs of administering this grant program.

**Subdivision 6. Pipeline Safety.** Appropriates \$1.4 million in FY18 and FY19 from the pipeline safety account in the special revenue fund.

**Section 5. Rail Service Improvement; Transfer.** Transfers \$15 million in each of FY22 and FY23 from the general fund to the rail service improvement account in the special revenue fund, for the rail service improvement (MRSI) program. These are one-time transfers.

**Section 6. Small Cities Assistance; Transfer.** Transfers \$6.15 million in FY22 and \$5.75 million in FY23 from the general fund to the small cities assistance account in the special revenue fund. The base for these transfers is \$5.4 million in FY 24 and \$5.0 million in FY 25.

**Section 7. Township Roads; Transfer.** Transfers \$6.15 million in FY22 and \$5.75 million in FY23 from the general fund to the township road account in the county state-aid highway fund. The base for these transfers is \$5.4 million in FY 24 and \$5.0 million in FY 25.

**Section 8. Airport Infrastructure Renewal (AIR) Grant Program; Appropriation.** Appropriates \$2 million in FY22 and \$1 million in FY23 one-time from the general fund to the commissioner of employment and economic development for the airport infrastructure renewal grant program. The commissioner of DEED must consult with the commissioner of MNDOT in making grants, and must prioritize applicants who have not previously received a grant under this program.

**Section 9. Appropriation Cancellation.** Cancels \$1.7 million of a FY21 appropriation from the trunk highway fund for a state patrol trooper academy. This amount is carried forward to FY22 and appropriated in this bill in FY22 to the commissioner of public safety for the same purpose.

**Section 10. Appropriation Cancellation.** Cancels \$271,000 of a FY21 appropriation from the general fund for MNDOT's passenger rail program.

**Section 11. Appropriation Cancellation.** Cancels \$220,000 of a FY21 appropriation from the general fund for public safety support in the Administration Division of the Department of Public Safety.

**Section 12. Department of Employment and Economic Development; Appropriation.**

Appropriates \$15,000 in each of FY22 and FY23 from the general fund for temporary staff costs related to procurement of a statewide freight optimization tool for MNDOT established in **Article 2, section 61**.

**Section 13. Becker interchange project; appropriation.** Appropriates \$1,979,000 in fiscal year 2022 from the general fund to the commissioner of transportation for an interchange in the city of Becker and Becker Township. This section is from **S.F. 1738 (Mathews)**.

**Section 14. Blaine; 99<sup>th</sup> Avenue at Marked Trunk Highway 65; appropriation.** Appropriates \$7,000,000 in fiscal year 2022 from the general fund to the commissioner of transportation for grants to the city of Blaine for a local road intersection at 99th Avenue Northeast and Trunk Highway 65 and associated local road improvements. This section is from **S.F. 1679 (Newton)**.

**Section 15. Culvert under U.S. Highway 29; Douglas County; appropriation.** Appropriates \$2,000,000 in fiscal year 2022 from the general fund to the commissioner of transportation for a grant to Douglas County to install a new box culvert under U.S. Highway 29, to regrade, and for related reconstruction. This section is from **S.F. 1107 (Ingebrigtsen)**.

**Section 16. Duluth Aerial Lift Bridge; appropriation.** Appropriates \$12,000,000 in fiscal year 2022 from the general fund to the commissioner of transportation for a grant to the city of Duluth for capital repairs and restoration of the Aerial Lift Bridge. This section is from **S.F. 733 (McEwen)**.

**Section 17. Improved access and safety study; Marked U.S. Highway 10 in St. Cloud; appropriations.** Appropriates \$400,000 in fiscal year 2022 from the trunk highway fund to the commissioner of transportation to study options to improve access to and safety on U.S. Highway 10 in St. Cloud. This section also appropriates \$600,000 in fiscal year 2022 from the trunk highway fund to the commissioner of transportation for a grant to the St. Cloud Area Planning Organization. This section is from **S.F. 2314 (Putnam)**.

**Section 18. Interstate Highway 35 at County Road 9 in Rice County Interchange Feasibility Study; appropriation.** Appropriates \$500,000 in fiscal year 2022 from the trunk highway fund to the commissioner of transportation to conduct a study on the feasibility of an interchange at Interstate Highway 35 and County Road 9 in Rice County. This section is from **S.F. 407 (Jasinski)**.

**Section 19. Interstate 35 study and Interchange project; appropriation.** Appropriates \$700,000 in fiscal year 2022 from the trunk highway fund to the commissioner of transportation to study corridor mobility and safety improvement needs along marked Interstate 35 in Dakota County. This section is from **S.F. 1669 (Duckworth)**.

**Section 20. Karlstad Airport runway; appropriation.** Appropriates \$5,600,000 in fiscal year 2022 from the general fund to the commissioner of transportation for a grant to the city of Karlstad for a primary airport runway. This section is from **S.F. 2034 (Johnson)**.

**Section 21. Marked U.S. Highway 8 reconstruction; appropriation.** Appropriates \$10,000,000 in fiscal year 2022 from the general fund to the commissioner of transportation for a grant to Chisago County for reconstruction of U.S. Highway 8 in Chisago County. This section is from **S.F. 1224 (Koran)**.

**Section 22. Marked U.S. Highway 10 strategic congestion mitigation; appropriation.**

Appropriates \$23,550,000 in fiscal year 2022 from the trunk highway fund to the commissioner of transportation for a grant to Anoka County for expanding U.S. Highway 10 in Coon Rapids. This section is from **S.F. 80 (Abeler)**.

**Section 23. Marked U.S. Highway 61 lighting project; appropriation.** Appropriates \$3,500,000 in fiscal year 2022 from the general fund to the commissioner of transportation to install lighting along U.S. Highway 61 in Cottage Grove. This section is from **S.F. 505 (Bigham)**.

**Section 24. Olmsted County; Trunk Highway 14 and County Road 104 interchange; appropriation.** \$11,060,000 in fiscal year 2022 is appropriated from the trunk highway fund for an interchange in Olmsted County.

**Section 25. Ramsey Gateway Project; appropriation.** Appropriates \$12,000,000 in fiscal year 2022 from the general fund to the commissioner of transportation for grants to Anoka County, the city of Ramsey, or both, for the Ramsey Gateway Project.

**Section 26. Scott County Interchange project; appropriation.** Appropriates \$2,500,000 in fiscal year 2022 from the general fund to the commissioner of transportation for a grant to Scott County for an interchange in Jordan. This section is from **S.F. 1216 (Pratt)**.

**Section 27. Scott County; local road improvements; appropriation.** Appropriates \$20,650,000 in fiscal year 2022 from the general fund for a grant from the local road improvement fund to Scott County for local road improvements.

**Section 28. Street and utility reconstruction; Sherburn; appropriation.** Appropriates \$3,030,000 in fiscal year 2022 from the general fund to the commissioner of transportation for a grant to the city of Sherburn to a project in the city. This section is from **S.F. 1812 (Rosen)**.

**Section 29. Telework activities; appropriation.** Appropriates \$300,000 in fiscal year 2022 from the general fund to the commissioner of transportation for a grant to the 494 Corridor Commission for programming and service expansion to assist companies and commuters in telecommuting efforts. This section is from **S.F. 94 (Johnson Stewart)**.

**Section 30. Trunk Highway 3; appropriation.** Appropriates \$500,000 in fiscal year 2022 from the trunk highway fund to the commissioner of transportation for a grant to Dakota County for mobility and safety improvements on Trunk Highway 3 in Inver Grove Heights. This section is from **S.F. 2038 (Duckworth)**.

**Section 31. Trunk Highway 41 Roundabout in Chanhassen; Appropriation.** Appropriates \$1,500,000 in fiscal year 2022 from the trunk highway fund to the commissioner of transportation for a roundabout on Trunk Highway 41 in Chanhassen. This section is from **S.F. 281 (Osmeck)**.

**Section 32. Trunk Highway 55; appropriation.** Appropriates \$1,000,000 in fiscal year 2022 from the trunk highway fund to the commissioner of transportation for a grant to Dakota County for corridor mobility and safety improvements in U.S. Highway 55 in Hastings. This section is from **S.F. 2037 (Duckworth)**.

**Section 34. Trunk Highway 77; appropriation.** Appropriates \$1,000,000 in fiscal year 2022 from the trunk highway fund to the commissioner of transportation for a grant to Dakota County for

corridor mobility and safety improvements on Trunk Highway 77 in Bloomington. This section is from **S.F. 2040 (Duckworth)**.

**Section 35. U.S. Highway 10 interchange; Becker; appropriation.** Appropriates \$1,869,000 in fiscal year 2022 from the trunk highway to the commissioner of transportation for an interchange on U.S. Highway 10 in Becker County. This section is from **S.F. 1738 (Mathews)**.

**Section 36. U.S. Highway 169; appropriation.** Appropriates \$95,000 in fiscal year 2022 from the general fund to the commissioner of transportation for improvements to U.S. Highway 169 from Taconite to Pengilly. This section is from **S.F. 1743 (Tomassoni)**.

**Section 37. U.S. Highway 169 and Sherburne County State-Aid Highway 4; Zimmerman; appropriation.** Appropriates \$16,400,000 in fiscal year 2022 from the trunk highway fund to the commissioner of transportation for an interchange in Zimmerman. This section is from **S.F. 1366 (Benson)**.

**Section 38. U.S. Highway 212 Expansion to four lanes between Norwood Young America and Cologne; appropriation.** Appropriates \$34,080,000 in fiscal year 2022 from the trunk highway fund to the commissioner of transportation for the expansion of U.S. Highway 212 from Norwood Young America to Cologne. This section is from **S.F. 528 (Coleman)**.

**Section 39. Wadena; U.S. Highway 10; appropriation.** Appropriates \$25,000,000 in fiscal year 2022 from the trunk highway fund for expansion of U.S. Highway 10 in Wadena.

**Section 40. Washington County; bridge over I-694; appropriation.** Appropriates \$3,500,000 in fiscal year 2022 from the general fund to the commissioner of transportation for a grant to Washington County for a bridge over I-694 in Oakdale. This section is from **S.F. 1234 (Kent)**.

## **Article 2 – Minnesota Department of Transportation**

This article includes various policy and technical changes to laws relating to or administered by the Minnesota Department of Transportation. For purposes of this article, “commissioner” means the commissioner of transportation and “department” means the Department of Transportation.

**Section 1 (Software sale fund)** states that existing authority for MNDOT to develop software products or services with trunk highway funds may not violate the restrictions on highway fund spending specified in **section 24**. This section is from **S.F. 583 (Newman)**.

**Section 2 (Appoint commissioners for damages)** requires commissioners appointed in eminent domain proceedings to reside in Minnesota. This section is from **S.F. 747 (Jasinski)**.

**Section 3 (Commissioner qualifications)** eliminates the requirement that judges inquire into a commissioner’s conflicts of interest prior to appointing that commissioner in an eminent domain proceeding. This allows the court to appoint commissioners without the commissioners needing to be present. This section is from **S.F. 747 (Jasinski)**.

**Section 4 (Bicycle lane) and section 5 (Bicycle route)** define terms for purposes of **chapter 160**. These sections are from **S.F. 1151 (Newman)**.



**Section 6 (Bikeways; powers and duties; design guidelines)** prohibits the commissioner from converting vehicle travel lanes on the trunk highway system into bicycle lanes or routes. This section is from **S.F. 1151 (Newman)**.

**Section 7 (Designation)** applies when a local government is considering designating a bikeway on a road where there is a disability parking space. The local government must work with the primary user of the parking space to see if they can agree on relocating the parking space. If not, the local government must designate the bikeway in a manner that does not eliminate or interfere with the parking space. This section is from **S.F. 1215 (Howe)**.

**Section 8 (Replacing bikeways and pedestrian ways)** prohibits the commissioner from converting vehicle travel lanes on the trunk highway system into bicycle lanes or routes when replacing a bikeway that was eliminated as part of a road project. This section is from **S.F. 1151 (Newman)**.

**Section 9 (Prohibition on lane conversion)** prohibits the commissioner from converting vehicle travel lanes on the trunk highway system into bicycle lanes or routes. This section is from **S.F. 1151 (Newman)**.

**Section 10 (Fees authorized)** requires MnDOT to set MnPass fees so that they vary in amount based on the level of traffic congestion on the highway. The commissioner must adopt a policy that establishes the congestion thresholds and the corresponding fees. The commissioner must post signs that show the fees in place in real time. The commissioner must establish the fees in an amount that will repay the trunk highway fund and other funds for money spent to install, equip, or modify the MnPass lane and pay all the costs of implementing and administering the fee collection system for the MnPass lane. This section is effective August 1, 2021. This section is from **S.F. 655 (Duckworth)**.

**Section 11 (Deposit of revenues; appropriations)** requires revenue from MnPass lanes to be spent in the corridor where it was collected and must be spent as follows: first, to repay the trunk highway fund or other funds for money spent to install, equip, or modify the corridor; second, to pay all the costs of implementing and administering the fee collection system; third, for transportation capital improvements; fourth, for maintenance of the corridor; and fifth, any remaining funds are transferred to the Metropolitan Council for expansion and improvement of bus transit services in the corridor. This section is effective August 1, 2021. This section is from **S.F. 655 (Duckworth)**.

**Section 12 (Prohibition)** prohibits a person from operating a single-occupant vehicle in a MnPass lane except in compliance with the requirements of **section 160.93**. Upon approval of the Federal Highway Administration, anyone will be able to use a MnPass lane on specified holidays. This section is effective August 1, 2021. This section is from **S.F. 655 (Duckworth)**.

**Section 13 (Restrictions on funding for bicycle lanes and routes)** prohibits the commissioner from spending money from the highway user tax distribution fund (HUTF) or the trunk highway fund on bicycle lanes or bicycle routes on the trunk highway system. This section is from **S.F. 1151 (Newman)**.

**Section 14 (Project selection process; criteria)** requires the commissioner to consider project readiness when selecting projects for the corridors of commerce program. All criteria must be given equal weight in the selection process, with the exception of the criterion to consider regional balance. This section is from **S.F. 1300 (Jasinski)**.

**Section 15 (Highway purpose; report)** says that in order to ensure compliance with the state constitution, commissioners of state agencies must not include in a biennial budget any expenditures from the trunk highway fund or the highway user tax distribution fund for a nonhighway purpose or for any purpose prohibited by **section 24**. The commissioner of management and budget and the attorney general must examine proposed appropriations from the highway user tax distribution fund (HUTF) or the trunk highway fund and determine if any of the proposed appropriations are for a nonhighway purpose. The commissioner and attorney general must submit a report on their findings no later than 45 days after the submission of the governor's biennial budget to the legislature. This section is from **S.F. 738 (Duckworth)**.

**Section 16 (Payment of premium and reimbursement)** prohibits trunk highway funds from being used to pay for workers' compensation insurance premiums for MNDOT employees doing work on roads other than trunk highways, in excess of the amount deposited into the trunk highway fund for this purpose by the relevant political subdivision. This section is from **S.F. 583 (Newman)**.

**Section 17 (Route No. 96)** amends the description of legislative route number 96 to reflect a portion of the road being turned back to Washington County. This section is effective the day after the commissioner receives a copy of the turnback agreement. This section is from **S.F. 1298 (Newman)**.

**Section 18 (Chief Daryl "Taddy" Drusch Memorial Highway)** designates a portion of U.S. Highway 12 in Howard Lake as Chief Daryl "Taddy" Drusch Memorial Highway. This section is from **S.F. 1031 (Anderson)**.

**Section 19 (Deputy Richard K. Magnuson Memorial Highway)** designates a portion of Trunk Highway 310 between Roseau and the Canadian border as Deputy Richard K. Magnuson Memorial Highway. This section is from **S.F. 256 (Johnson)**.

**Section 20 (Patrol Inspector Robert H. Lobdell Memorial Highway)** designates a portion of Trunk Highway 11 from Roseau to Warroad as Patrol Inspector Robert H. Lobdell Memorial Highway. This section is from **S.F. 257 (Johnson)**.

**Section 21 (Corporal Caleb L. Erickson Memorial Highway)** designates a section of Trunk Highway 13 in Waseca County as Corporal Caleb L. Erickson Memorial Highway. This section is from **S.F. 302 (Jasinski)**.

**Section 22 (Reimbursement of expenses)** makes an open general fund appropriation to the commissioner to reimburse expenses incurred by the final route layout appeal board and removes a direction to pay these costs out of the trunk highway fund. This section is from **S.F. 583 (Newman)**.

**Section 23 (Certain records obtained and filed)** prohibits trunk highway funds from being used to pay legal fees for copies of necessary records relating to a road that has become or may become a trunk highway and makes an open general fund appropriation to the commissioner for this purpose. This section is from **S.F. 583 (Newman)**.

**Section 24 (Highway user tax distribution fund appropriations; trunk highway fund appropriations)** amends the section of statute that prohibits appropriations from the trunk highway fund for certain activities or programs that do not further a highway purpose. It adds the highway user tax distribution fund as a prohibited source of funds for these activities. This section adds items that must not be funded from either source. This section is from **S.F. 583 (Newman)**.

**Section 25 (Conveyance of excess)** allows the commissioner to sell excess real estate to the owner of the abutting land. If lands are unsold after being offered for public sale, the commissioner may offer to sell the land to anyone agreeing to pay the minimum bid. This section is from **S.F. 957 (Newman)**.

**Section 26 (Services of licensed real estate broker)** allows the commissioner to negotiate the sale price of excess land in some situations, as long as the negotiated price is not less than 80% of the appraised market value. This section is from **S.F. 957 (Newman)**.

**Section 27 (Services of licensed real estate broker)** allows the commissioner to negotiate the sale process of unnecessary land in some situations, as long as the negotiated price is not less than 80% of the appraised market value. This section is from **S.F. 957 (Newman)**.

**Section 28 (Unsold lands)** allows the commissioner to sell unneeded lands for at least 80% of the minimum bid established for public sale. The commissioner must approve any offers less than 100% of the minimum bid. This section is from **S.F. 957 (Newman)**.

**Section 29 (Reimbursement for fire services)** prohibits trunk highway funds from being used to reimburse fire departments for costs of extinguishing grass fires within trunk highway rights-of-way and makes an open general fund appropriation to the commissioner for this purpose. This section is from **S.F. 583 (Newman)**.

**Section 30 (Small cities assistance account)** annually appropriates money in the small cities assistance account to the commissioner for purposes of the small cities assistance program. This section is from **S.F. 625 (Howe)**.

**Section 31 (Administration)** requires the commissioner to allocate funds in the small cities assistance account as provided by this section. This section is from **S.F. 625 (Howe) and S.F. 1154 (Newman)**.

**Section 32 (Qualifications, salary, and term)** eliminates the requirement that a county highway engineer be a resident of Minnesota. This section is from **S.F. 1491 (Johnson)**.

**Section 33 (Operation costs for central office building, payment)** prohibits trunk highway funds from being used to pay for operation and maintenance costs of MNDOT's central office building and makes an open appropriation from the general fund to the commissioner for this purpose. This section is from **S.F. 583 (Newman)**.

**Section 34 (Escort vehicles required; width)** requires a vehicle transporting an overdimensional load that extends beyond the left of the centerline on an undivided highway to have one lead escort vehicle, one rear escort vehicle, and one lead licensed peace officer. Current law only requires the lead licensed peace officer. This section is effective the day following final enactment. This section is from **S.F. 1298 (Newman)**.

**Section 35 (Special soybean meal-hauling vehicle permit)** allows the commissioner to issue annual special permits to vehicles hauling soybean meal. The commissioner may issue a two- or three-unit vehicle permit to a vehicle transporting soybean meal that meets length and weight specifications and that will operate only on Highways 2 and 75 in northwest Minnesota. Vehicles operating with a special permit are subject to weight and load limits and cannot operate on the

interstate highway system. The fee for the permit is \$850 and the proceeds are deposited in the trunk highway fund. This section is effective January 1, 2022. This section is from **S.F. 1686 (Johnson)**.

**Section 36 (Statewide freight and passenger rail plan)** requires the commissioner to revise the statewide freight and passenger rail plan within 2 years of each update to the multimodal transportation plan. The rail plan must prioritize future passenger rail capital improvement projects based a scoring system. The plan must list the projects that were evaluated, the score assigned, and any other reasons for prioritizing a project other than the score. The commissioner must publish the plan on the department's website. The commissioner must spend funds for passenger rail on projects listed in the plan in order of priority, unless an appropriation otherwise specifies a project. Obsolete language is stricken. This section is from **S.F. 521 (Newman)**.

**Section 37 (Salaries and expenses)** specifies that salaries and expenses of the department relating to highway purposes are paid from the trunk highway fund, except as provided in **section 24**. This section is from **S.F. 583 (Newman)**.

**Section 38 (Transportation Programming and Investment Committee)** codifies the Transportation Programming and Investment Committee that currently exists within the department. The Committee provides policy direction on the department's capital investments on the transportation system and must make programmatic capital investment decisions and recommendations to the commissioner. The Committee is made up of ten voting members, including six department officials and four legislators, and an additional six department officials that are nonvoting members. Any decision or recommendation made by the Committee must be made by six or more of the voting members, including at least one legislature from each party. The Committee must establish and maintain an investment opportunity plan that includes projects that need funding but are not funded by the standard project programming process. This section is from **S.F. 1364 (Newman)**.

**Section 39 (Report)** deletes an obsolete date relating to the report on pavement life-cycle cost analysis. This section is from **S.F. 1159 (Newman)**.

**Section 40 (Pavement selection guidelines)** requires the commissioner to develop and implement a pavement investment guide. The commissioner must review and approve pavement selections made by district offices to ensure that the selection is consistent with the guide. The commissioner is not allowed to alter projects selected by district offices, except for the type of pavement to be used. This section is from **S.F. 168 (Howe)**.

**Section 41 (Transit service for disabled veterans)** deletes an obsolete date relating to transit services for disabled veterans. This section is from **S.F. 1159 (Newman)**.

**Section 42 (Report)** deletes an obsolete date relating to a report by the Minnesota Council on Transportation Access. This section is from **S.F. 1159 (Newman)**.

**Section 43 (Program administration)** requires the commissioner to publish the Safe Routes to School program requirements, grant process, and manual on the department's website. The commissioner must publish on the department's website all projects that were considered for funding. For each project that was not selected, the commissioner must include a reason it was not selected. This section is from **S.F. 521 (Newman)**.

**Section 44 (Major local bridges)** allows the commissioner to may make grants for major local bridges only if the enacted appropriation specifically references the subdivision on major local bridges. When authorized by law, the commissioner may make grants for replacement or rehabilitation of a major local bridge with a total bridge cost estimate of \$7 million or more. This section is from **S.F. 520 (Newman)**.

**Section 45 (Bridge grant program; rulemaking)** requires the commissioner to maintain a local bridge project list, which must be updated annually and published on the department's website. The commissioner must not award a grant of more than \$7 million for a local bridge replacement or rehabilitation project except: 1) for a specific major local bridge appropriation as described in **section 44** of the bill; or 2) if every other local bridge project with a total bridge cost estimate of \$7 million or less on the local bridge project list has been fully funded. The commissioner must publish on the department's website a list of all projects that were considered for funding. For each project that was not selected, the commissioner must include the reason it was not selected. This section is from **S.F. 521 (Newman) and S.F. 520 (Newman)**.

**Section 46 (Total bridge cost estimate; definition)** defines "total bridge cost estimate" to include the costs for the work directly relating only to the bridge itself. This section is from **S.F. 520 (Newman)**.

**Section 47 (Grant procedures and criteria)** requires the commissioner to publish the local road improvement program procedures on the department's website. The commissioner must publish on the department's website a list of all projects that were considered for funding. For each project that was not selected, the commissioner must include the reason it was not selected. This section is from **S.F. 521 (Newman)**.

**Section 48 (Report required)** deletes an obsolete date relating to the report on major highway projects, trunk highway fund expenditures, and efficiencies. This section is from **S.F. 1159 (Newman)**.

**Section 49 (Prohibition on lane conversion)** prohibits the commissioner's complete streets policy from allowing the conversion of vehicle travel lanes on trunk highway system into a bicycle lane or bicycle route. This section is from **S.F. 1151 (Newman)**.

**Section 50 (Costs paid from trunk highway fund)** prohibits trunk highway funds from being used to pay for the costs of administering existing motor carrier provisions. This section is from **S.F. 583 (Newman)**.

**Section 51 (Debt service forecast)** changes the date the commissioner of management and budget must report to the commissioner of revenue on trunk highway debt service from March 1 to April 1. This section is from **S.F. 1159 (Newman)**.

**Section 52 (Deposit of revenues)** amends the dedication of revenues from the general sales tax on vehicle repair and replacement parts. Under current law, a specific dollar amount (\$12,137,000) of the revenues is deposited monthly into the highway user tax distribution fund (HUTDF) and the remainder of the revenues into the general fund. This section changes the dedication to a percentage, as follows: 54% deposited in the HUTDF; 3% deposited in the small cities assistance account; 3% deposited in the township road account; and the remaining 40% is deposited in the general fund. This section is from **S.F. 625 (Howe)**.

**Section 53 (Reporting)** requires a metropolitan county that imposes the transportation sales and use tax to submit an annual report to the commissioner. The report must include: (1) an overview of tax-funded projects; (2) a summary of future funding commitments; (3) total revenues, expenditures, and balances from the sales tax; (4) expenditure breakdowns by capital and operations, and by transportation mode; and (5) a summary of all debt obligations. The commissioner must compile the information submitted from all relevant counties and report this information to the legislature by February 15 each year. This section is from **S.F. 738 (Duckworth)**.

**Section 54 (Ordinances of political subdivisions)** requires political subdivisions to allow the commissioner to review proposed ordinances affecting the operation of drones. Political subdivisions must notify the commissioner whenever an ordinance affecting the operation of drones is adopted. This section is from **S.F. 957 (Newman)**.

**Section 55 (Small unmanned aircraft)** and **section 56 (Small unmanned aircraft system)** provide definitions relating to small unmanned aircraft. These sections are from **S.F. 957 (Newman)**.

**Section 57 (Small unmanned aircraft systems)** provides that small unmanned aircraft systems are not subject to registration if the system is owned and operated solely for recreational purposes. Otherwise, the system must be registered in the state and pay an annual \$25 fee. These systems are exempt from aircraft registration tax. This section is from **S.F. 957 (Newman)**.

**Section 58 (Certificate of insurance)** specifies owners of small unmanned aircraft must, at the time of registration, provide proof of insurability. Operators must maintain records that each flight was insured. A cross-reference is updated. This section is from **S.F. 957 (Newman)**.

**Section 59 (Appointments; Transportation Programming and Investment Committee)** requires the legislative appointments to the Transportation Programming and Investment Committee to be made by June 30, 2021. This section is effective the day following final enactment. This section is from **S.F. 1364 (Newman)**.

**Section 60 (Bureau of Criminal Apprehension laboratory expenditures)** says that bills proposing the use of highway user tax distribution funds or trunk highway funds for the Bureau of Criminal Apprehension laboratory must be referred to the House and Senate transportation committees.

**Section 61 (Freight Network Optimization Tool Creation)** requires the commissioner, in consultation with the commissioner of employment and economic development, to procure a statewide freight network optimization tool to assist public and private entities in optimizing the movement of freight. This section is from **S.F. 289 (Jasinski)**.

**Section 62 (Legislative Route No. 263 removed)** describes a turnback of trunk highway 263 to Martin County. The statutory description of the route is repealed upon completion of the turnback agreement. This section is from **S.F. 1298 (Newman)**.

**Section 63 (Legislative Route No. 267 removed)** describes a turnback of trunk highway 267 to Murray County. The statutory description of the route is repealed upon completion of the turnback agreement. This section is from **S.F. 1298 (Newman)**.

**Section 64 (MnPass Lanes; Request to Federal Highway Administration)** requires the commissioner to request approval from the Federal Highway Administration to allow MnPass lanes to be used by anyone on certain holidays. This section is effective the day following final enactment. This section is from **S.F. 655 (Duckworth)**.

**Section 65 (Traffic-control signal required)** requires the commissioner to install a traffic light at the intersection of trunk highway 47 and McKinley Street in Anoka if left turn lanes are constructed on the highway. This section is effective the day following final enactment. This section is from **S.F. 2072 (Abeler)**.

**Section 66 (Transportation project selection process)** requires the commissioner to develop and implement a project selection process for every program or process the commissioner uses to evaluate, prioritize, or select capital projects; award grants for capital projects; or allocate funding or resources for capital projects, including trunk highway and general obligation bonds. The commissioner must consult with relevant stakeholders before developing and implementing a policy. The commissioner must adopt the policy by November 1, 2022, and publish it on the department's website. The commissioner must report to the legislature by February 1, 2023, on the policy. This section is effective the day following final enactment. This section is from **S.F. 521 (Newman)**.

**Section 67 (Transportation revenue and expenditures; report)** requires the commissioner, in collaboration with the commissioners of revenue and management and budget, to submit a report to the legislature on transportation revenues and expenditures in the state. The report is due by January 1, 2022. This section is effective the day following final enactment. This section is from **S.F. 738 (Duckworth)**.

**Section 68 (Repealer)** repeals several statutes and laws.

**Paragraph (a)** repeals **section 16A.60**, which allows the commissioner of revenue to transfer money from the highway user tax distribution fund to the general fund for the cost of collecting gas taxes. This paragraph is from **S.F. 583 (Newman)**.

**Paragraph (b)** repeals **section 160.93, subdivisions 2a and 3. Subd. 2a** governs the I-35W MnPass lane revenue and expenditures. **Subdivision 3** exempts the commissioner from rulemaking for MnPass. This paragraph is from **S.F. 655 (Duckworth)**.

**Paragraph (c)** repeals session laws that require the commissioner of management and budget and the attorney general to report on proposed appropriations from the highway user tax distribution fund or the trunk highway fund. This section is from **S.F. 738 (Duckworth)**.

**Effective dates.** Paragraphs (a) and (b) are effective July 1, 2021. Paragraph (c) is effective August 1, 2021.

**Section 69 (Effective date)** provides that the article is generally effective on July 1, 2021.

### **Article 3 – Minnesota Department of Public Safety**

This article includes various policy and technical changes to laws relating to or administered by the Minnesota Department of Public Safety. For purposes of this article, “commissioner” means the commissioner of public safety and “department” means the Department of Public Safety.

**Section 1 (Off-highway motorcycle), section 2 (Off-road vehicle), and section 3 (All-terrain vehicle or vehicle)** exclude electric-assisted bicycles from the definition of “off-highway motorcycle,” “off-road vehicle,” and “all-terrain vehicle” in chapter 84, which relates to the Department of Natural Resources. These sections are from **S.F. 1161 (Dibble)**.

**Section 4 (Motor vehicle)** excludes electric-assisted bicycle from the definition of “motor vehicle” in **chapter 168**, which relates to vehicle registration. This section is from **S.F. 1161 (Dibble)**.

**Section 5 (All-electric vehicle)** increases the vehicle registration tax surcharge for all-electric vehicles from \$75 to \$229. The surcharge revenues are deposited into the highway user tax distribution fund. If the gas tax is increased or decreased, the surcharge must be adjusted by a proportional amount. This section is from **S.F. 1086 (Howe)**.

**Section 6 (Plug-in hybrid electric vehicle)** establishes a new registration tax surcharge of \$114.50 on plug-in hybrid electric vehicles. The surcharge revenues are deposited into the highway user tax distribution fund. If the gas tax is increased or decreased, the surcharge must be adjusted by a proportional amount. This section is from **S.F. 1086 (Howe)**.

**Section 7 (All-electric motorcycle)** establishes a new registration tax surcharge of \$46 on all-electric motorcycles. The surcharge revenues are deposited into the highway user tax distribution fund. If the gas tax is increased or decreased, the surcharge must be adjusted by a proportional amount. This section is from **S.F. 1086 (Howe)**.

**Section 8 (Plug-in hybrid electric motorcycle)** establishes a new registration tax surcharge of \$23 on Plug-in hybrid electric motorcycles. The surcharge revenues are deposited into the highway user tax distribution fund. If the gas tax is increased or decreased, the surcharge must be adjusted by a proportional amount. This section is from **S.F. 1086 (Howe)**.

**Section 9 (Motor vehicle registration self-service kiosks)** authorizes the commissioner to establish a process to implement and install self-service kiosks to be used for motor vehicle registration renewals. The commissioner works with deputy registrars on the placement of kiosks within a requesting deputy registrar’s service area. The commissioner must contract with a vendor to provide the kiosks. The minimum requirements for kiosks are established. This section is from **S.F. 805 (Jasinski)**.

**Section 10 (Plates; design, visibility, periods of issuance)** adds veterans service groups special plates and “Proud to be a Veteran” special plates to the list of plates that are issued for the life of the veteran. This section is from **S.F. 957 (Newman)**.

**Section 11 (Additional fee)** increases the fees for license plates starting July 1, 2022. This section is from **S.F. 957 (Newman)**.

**Section 12 (Minnesota 100 Club plates)** establishes Minnesota 100 Club special plates. The annual contributions are distributed to the Minnesota 100 Club. This section is from **S.F. 1534 (Duckworth)**.



**Section 13 (Minnesota Agriculture special plates)** establishes Minnesota agriculture special plates. The annual contributions are distributed to the Minnesota FFA Foundation and the University of Minnesota Extension Service to support Minnesota 4-H. This section is from **S.F. 352 (Dahms)**.

**Section 14 (Motor vehicles of certain nonresidents)** adds a cross-reference the statute that establishes vehicle tax on trucks and tractors. Permits for payment in lieu of registration plates must be available in an approved format while the vehicle is in the state. This section is from **S.F. 957 (Newman)**.

**Section 15 (Surrender plates and credit tax)** adds a cross-reference to the \$10 fee that is charged for each title transfer for motor vehicles weighing more than 1,000 pounds. This fee is already collected under current law. This section is from **S.F. 957 (Newman)**.

**Section 16 (Installments; registration generally)** amends the timeline for paying taxes in installments so that the second and third payments are due on July 1 and November 1. This section is from **S.F. 741 (Newman)**.

**Section 17 (Vehicle records subscription service)** requires the commissioner to implement a vehicle record subscription service to provide information from motor vehicle records to subscribers. The fee must not exceed \$3,680 per month. The commissioner must charge a fee of \$0.02 per motor vehicle record requested. This section is from **S.F. 957 (Newman)**.

**Section 18 (Review and audit of driver license and vehicle records subscription service)** requires each subscription of vehicle records or driver license records to annually engage in an independent audit of its use of the data and IT security procedures. This section is from **S.F. 957 (Newman)**.

**Section 19 (Custom data request record fee)** requires the commissioner to charge a fee of \$0.02 per record for custom data request on vehicle records, registration records, or driver's license records. This section is from **S.F. 957 (Newman)**.

**Section 20 (Filing fees; allocation)** requires the commissioner to transmit a payment of either \$1 or \$3 to deputy registrars for each transaction performed by the deputy registrar where a filing fee is collected. Payments are made quarterly. This section is from the **A-7 amendment**.

**Section 21 (Annual recomputation and tax adjustment)** makes an open appropriation from the general fund to the commissioner of public safety for refunds for overpayment of vehicle registration taxes by intercity bus operators. This replaces an open appropriation from the highway user tax distribution fund. This section is from **S.F. 583 (Newman)**.

**Section 22 (Requirements upon subsequent transfer; service fee)** allows deputy registrars to charge dealers a fee of \$7 (instead of up to \$7) to provide the required notice to the state that a vehicle has been removed from the state. This section is from **S.F. 741 (Newman)**.

**Section 23 (Notification on vehicle held for resale)** allows deputy registrars to charge auto dealers a fee of \$7 (instead of up to \$7) to provide the required notice to the state that a dealership is holding a vehicle for resale. This section is from **S.F. 741 (Newman)**.

**Section 24 (Salvage titles)** requires an insurer to obtain a salvage title for all salvage vehicles, regardless of age or value. A person who retains a late-model or high value vehicle and receives a total loss settlement from an insurer must apply for a salvage title. This section is effective January 1, 2023. This section is from **S.F. 640 (Jasinski)**.

**Section 25 (All-electric motorcycle)** provides a definition relating to the new surcharge in **section 7**. This section is from **S.F. 1086 (Howe)**.

**Section 26 (Class 1 electric-assisted bicycle), section 26 (Class 2 electric-assisted bicycle), and section 28 (Class 3 electric-assisted bicycle)** provide definitions for purposes of **chapter 169**. These sections are from **S.F. 1161 (Dibble)**.

**Section 27 (Electric-assisted bicycle)** amends the definition of “electric-assisted bicycle” to be consistent with other changes made in the article relating to electric-assisted bicycles. This section is from **S.F. 1161 (Dibble)**.

**Section 30 (Motor vehicle)** excludes electric-assisted bicycles from the definition of “motor vehicle.” This section is from **S.F. 1161 (Dibble)**.

**Section 31 (Plug-in hybrid electric motorcycle)** provides a definition relating to the new surcharge in **section 7**. This section is from **S.F. 1086 (Howe)**.

**Section 32 (Transportation by animal)** requires a person operating an animal-drawn vehicle to comply with applicable sections of the traffic code. This section is from **S.F. 957 (Newman)**.

**Section 33 (Reports confidential; evidence, fee, penalty, appropriation)** allows crash reports to be used by a prosecuting attorney for a traffic or criminal offense that is the result of a crash investigation conducted by law enforcement. This section is from **S.F. 742 (Jasinski)**.

**Section 34 (Slower vehicles)** requires animal-drawn vehicles to be operated as close as practicable to the right-hand curb or edge of the roadway. This section is from **S.F. 957 (Newman)**.

**Section 35 (Riding rules)** strikes language relating to electric-assisted bicycles. This is replaced with language in **section 36**. This section is from **S.F. 1161 (Dibble)**.

**Section 36 (Electric-assisted bicycle; riding rules)** establishes riding rules for electric-assisted bicycles. In general, a person may operate an electric-assisted bicycle in the same manner as other bicycles on roads, bicycle lanes, and bicycle routes and may operate without the motor engaged on a bikeway or bicycle trail. State and local authorities may restrict the use of electric-assisted bicycles on paths and trails under certain circumstances. This section is from **S.F. 1161 (Dibble)**.

**Section 37 (Electric-assisted bicycle; equipment)** establishes equipment requirements for electric assisted bicycles, including the following: 1) the manufacturer must affix an information label on each bicycle; 2) if a person modifies the speed capabilities of the bicycle, the label must be updated; 3) the motor must disengage when the rider stops pedaling or when the brake is applied; and 4) class 3 electric-assisted bicycles must be equipped with a speedometer. This section is from **S.F. 1161 (Dibble)**.

**Section 38 (Inspection criteria)** modifies school bus inspection criteria by striking a reference to the inspection criteria in Minnesota Rules and repealing the Rules. New criteria are specified in

statute. The department must inspect school buses in accordance with the School Bus Inspection Manual as prescribed in current law. A bus with an out-of-service defect must not be used to transport students. The process for correcting out-of-service defects is specified. This section is from **S.F. 744 (Jasinski)**.

**Section 39 (Displaying emblem; rules)** must display a triangular slow-moving vehicle emblem as well as being equipped with lamps as provided in **section 39**. This section is from **S.F. 957 (Newman)**.

**Section 40 (Animal-drawn vehicle)** requires animal-drawn vehicles to be equipped with lamps, unless the vehicle operates only during daylight hours or never operates on a public roadway. This section is from **S.F. 957 (Newman)**.

**Section 41 (Permit fee; appropriation)** makes an open appropriation from the general fund to the commissioner of transportation to pay for costs of administering the special products vehicle permits for transport of paper products, finished forest products, or iron ore tailings. This replaces an open appropriation from the trunk highway fund. This section is from **S.F. 583 (Newman)**.

**Section 42 (Permit fee; appropriation)** makes an open appropriation from the general fund to the commissioner of transportation to pay for costs of administering the special canola-hauling vehicle permit. This replaces an open appropriation from the trunk highway fund. This section is from **S.F. 583 (Newman)**.

**Section 43 (Persons less than 18 years of age)** reorganizes the subdivision that allows the Department of Public Safety to issue an instruction permit to a person age 15, 16, or 17. Online driver education courses are recognized as one of the ways a person can complete the driver education requirements. This section is from **S.F. 255 (Jasinski)**.

**Section 44 (Two-wheeled vehicle endorsement fee)** increases the additional fee for an initial endorsement or a duplicate driver's license obtained for the purpose of adding an endorsement from \$18.50 to \$26.50. Of this fee, \$19 goes to the motorcycle safety fund and \$7.50 goes to the general fund. The fee for each subsequent renewal with a motorcycle endorsement is increased from \$13 to \$17. Of this fee, \$11 goes to the motorcycle safety fund and \$6 goes to the general fund. These fees are in addition to the fee required to obtain a driver's license. This section is effective August 1, 2021. This section is from **S.F. 152 (Kiffmeyer)**.

**Section 45 (Contents of application; other information)** corrects an incorrect cross-reference. This section is from **S.F. 1154 (Newman)**.

**Section 46 (Fee; equipment)** requires the commissioner to transmit a payment of \$3 to driver's license agents for each transaction performed by the agent where a filing fee is collected. Payments are made quarterly. This section is from the **A-7 amendment**.

**Section 47 (Variance for homebound individuals)** allows the commissioner of public safety to grant variances from the photo requirements for a noncompliant identification card if the individual is homebound, has provided proof that the individual is homebound, and has provided a recent photograph. This allows a homebound person to apply for and receive a noncompliant identification card without having to appear in person at a driver's license agent office. This section is from **S.F. 741 (Newman)**.

**Section 48 (Data privacy; noncompliant license or identification card)** allows the use of data on noncompliant driver's licenses and noncompliant identification cards to verify a person's identity as part of an online application for a replacement Social Security card. This section is from **S.F. 1446 (Coleman)**.

**Section 49 (Examination subjects and locations; provisions for color blindness, disabled veterans)** allows the commissioner or a third-party tester to administer a road test for a class D or commercial driver's license applicant. Also, this section prohibits the commissioner from denying an application for a driver's license based on the grounds that the applicant has been diagnosed with diabetes. This section is from **S.F. 276 (Housley) and S.F. 454 (Tomassoni) and the A-7 amendment**.

**Section 50 (Two-wheeled vehicle endorsement examination fee)** requires a person applying for an initial two-wheeled vehicle endorsement on a driver's license to pay a \$2.50 examination, the endorsement fee in **section 1**, and the appropriate driver's license fee. The \$2.50 fee is credited to the driver services operating account. This section is effective August 1, 2021. This section is from **S.F. 152 (Kiffmeyer)**.

**Section 51 (Examination fees)** requires an individual to pay a "no-show" fee of \$20 for missing a knowledge or road test or cancelling within 24 hours of the appointment time. This section is from the **A-7 amendment**.

**Section 52 (Online driver's license knowledge testing authorization)** defines who may serve as a proctor for an online driver's license knowledge test. A proctor must not be related to the person taking the test. This section is effective on the earlier of August 1, 2021, or the day following the expiration of the peacetime emergency declared in Executive Order 20-01 and extended by subsequent executive orders. This section is from **S.F. 1399 (Jasinski)**.

**Section 53 (License expiration and renewal; exceptions)** provides that the driver's license of a person serving outside of Minnesota as a Peace Corps volunteer remains in effect until the later of one year after the end of the person's service in the Peace Corps or four years after the person's most recent renewal. The same extension is granted to the spouse of a person serving outside of Minnesota as a Peace Corps volunteer. This section is from **S.F. 50 (Dziedzic)**.

**Section 54 (Reinstatement fees and surcharges allocated and appropriated)** allows anyone whose driver's license has been revoked to pay in installments to have the license reinstated. This section is from **S.F. 957 (Newman)**.

**Section 55 (Online driver education program)** authorizes licensed driver education programs to provide online driver education. Online driver education programs must meet the same standards and requirements as in-person classes. There are also several additional requirements specifically for online driver education programs. This section is from **S.F. 255 (Jasinski)**.

**Section 56 (Definitions)** provides definitions for **sections 57 to 68**. This section is effective August 1, 2021. This section is from **S.F. 276 (Housley)**.

**Section 57 (Third-party tester; authorization)** requires the commissioner to allow third-party testers that comply with **sections 57 to 68** to conduct road tests for class D driver's licenses. This section is effective August 1, 2021. This section is from **S.F. 276 (Housley)**.

**Section 58 (Program application; approval)** allows an entity to apply to the commissioner of public safety for approval to be a third-party testing program. The third-party testing program must be located in the state. The program must employ one or more certified third-party testers. If the application is satisfactory, the commissioner must approve the application to become a program. The commissioner must not impose any criteria or requirements on the applicant beyond what is included in this section. Upon approving an application, the commissioner must issue a letter of approval to the program. This section is effective August 1, 2021. This section is from **S.F. 276 (Housley)**.

**Section 59 (Indemnification)** requires a program to agree to indemnify and hold harmless the state from all claims brought that are in any manner based on an act of the third-party testing program or third-party testers in the performance of testing duties. This section is effective August 1, 2021. This section is from **S.F. 276 (Housley)**.

**Section 60 (Use of certified third-party testers)** requires the testing program to only allow certified third-party testers to conduct tests. The program must maintain a copy of each tester's certificate. This section is effective August 1, 2021. This section is from **S.F. 276 (Housley)**.

**Section 61 (Third-party tester qualifications)** requires an individual to apply to the commissioner to become a certified third-party tester. The requirements for becoming a third-party tester are specified. To maintain certification, the tester must conduct a minimum number of tests per 2 year, submit to evaluations, attend required trainings, submit reports, and keep certain records. The commissioner is prohibited from imposing any additional criteria or requirements. This section is effective August 1, 2021. This section is from **S.F. 276 (Housley)**.

**Section 62 (Certificates and letter of approval)** requires the commissioner to issue a certificate to each approved third-party tester. The program must keep a copy of each tester's certificate on file. The certificate is effective for four years. A tester must not conduct road tests without a valid certificate. This section is effective August 1, 2021. This section is from **S.F. 276 (Housley)**.

**Section 63 (Test proof)** requires a third-party testing program to provide a record of the exam to an individual who has passed a road test. The record must be presented at the time of application for a driver's license. This section is effective August 1, 2021. This section is from **S.F. 276 (Housley)**.

**Section 64 (Audits)** requires a third-party testing program to allow representatives of the commissioner to conduct random examinations, inspections, and audits of the tests without prior notice. Upon request of the commissioner, the third-party testing program must provide scheduled times and dates for upcoming tests. At least annually, the commissioner must be permitted to examine the administration of tests. This section is effective August 1, 2021. This section is from **S.F. 276 (Housley)**.

**Section 65 (Test administration)** requires third-party testers to meet the same requirements as state testers. The commissioner is prohibited from imposing additional test administration criteria or requirements on third-party testers. A third-party tester is prohibited from delegating testing to another person; testing a relative; testing anyone with a physical disability who may need an individualized restriction added to the person's license; or testing anyone who has not completed all required coursework or training. This section is effective August 1, 2021. This section is from **S.F. 276 (Housley)**.

**Section 66 (Record keeping; reporting requirements)** requires a third-party testing program to maintain specified records relating to tests performed and the testers employed by the program. The program must report annually to the commissioner on the number of tests administered by the program. The program and testers are subject to the Data Practices Act. This section is effective August 1, 2021. This section is from **S.F. 276 (Housley)**.

**Section 67 (Notification requirements)** requires the program must ensure that the commissioner is notified when there are changes in the program or testers employed by the program or when there are changes to the test route. This section is effective August 1, 2021. This section is from **S.F. 276 (Housley)**.

**Section 68 (Denial, cancellation, or suspension of program or tester certificate)** allows the commissioner to deny an application for a program or tester if the applicant does not qualify. The commissioner may cancel the approval of a program or tester for specified reasons. The commissioner may also issue correction orders. The program or tester can appeal a cancellation or correction order either to the commissioner or by initiating a contested case proceeding. If a correction order is appealed, the commissioner must not enforce the order until the appeal is complete. This section is effective August 1, 2021. This section is from **S.F. 276 (Housley)**.

**Section 69 (Third-party behind-the-wheel commercial driver's license examination)** allows for third-party testing for commercial driver's license (CDL) road tests. This section is from the **A-7 amendment**.

**Subdivision 1 (Definitions)** provides definitions for the section.

**Subdivision 2 (Third-party testing program; application)** requires a third-party testing program to apply to the commissioner for approval to administer third-party CDL road tests. The contents of the application are specified.

**Subdivision 3 (Third-party testing program; office location)** requires the applicant to be located in the state.

**Subdivision 4 (Third-party testing program; evaluation and approval)** requires the commissioner to evaluate each application submitted by the applicant. If the application is satisfactory, the commissioner must approve the application and issue a letter of approval to the program.

**Subdivision 5 (Third-party tester; authority)** allows a third-party tester to conduct road tests for a CDL if the person meets the specified requirements.

**Subdivision 6 (Third-party tester; certificates)** requires the commissioner to issue a third-party tester certificate to an individual who satisfactorily completes the required training and is authorized as a tester.

**Subdivision 7 (Training and information)** the commissioner must provide a training process that allows individuals to become authorized third-party testers. The commissioner must provide to each third-party tester all relevant information on how to conduct the road test.

**Subdivision 8 (Examinations)** requires a third-party tester to conduct the CDL road test in the manner required by state and federal law. If the tester also provides behind-the-wheel instruction, they must not use the same routes for training and testing. A tester is authorized to administer the test regardless of how many times the individual has previously taken the test. Upon passing the road test, the tester must provide the person with a certificate of passage.

**Subdivision 9 (Prohibited examinations)** prohibits a third-party tester from conducting a road test for a person to who the tester has provided skills training or who is required to be examined by the commissioner.

**Subdivision 10 (Indemnification)** provides that the department is held harmless for claims made based on any injury or damage arising from a third-party tester or program in performance of testing duties.

**Subdivision 11 (Application)** provides that this section does not apply to the commissioner or state employees that conduct road tests.

**Subdivision 12 (Oversight; investigations)** requires the commissioner to monitor and audit road tests conducted by third-party testers. The commissioner must establish a process to investigate violations of the law and complaints made against third-party testers or programs.

**Subdivision 13 (Denial; cancellation; suspicion)** allows the commissioner to deny an application for a third-party tester or program if the applicant does not qualify for certification. The commissioner may cancel approval of a program or tester or suspend a program or tester.

**Subdivision 14 (Commissioner's discretion)** specifies that the grounds for cancelling or suspending under **subdivision 13** is determined at the commissioner's discretion. When an application is denied or the approval or certificate is cancelled, a notice must be mailed to the third-party tester or program stating the reason. The third-party tester or program may appeal as provided in **subdivision 16**.

**Subdivision 15 (Correction order)** says that if an audit by the commissioner identifies a situation that needs correction but does not merit suspension or cancellation, the commissioner may issue a correction order to the third-party tester or program. The third-party tester or program may appeal as provided in **subdivision 16**.

**Subdivision 16 (Notice of denial or cancellation; request for reconsideration and hearing)** allows a third-party tester or program to submit to the commissioner a request for reconsideration of a cancellation or denial. The commissioner must review the request and issue a decision. After receiving the commissioner's decision, the third-party party or tester may request a contested case hearing under **chapter 14**. Alternatively, the third-party tester or program can initiate a contested case hearing instead of requesting reconsideration. The commissioner cannot enforce a correction order until an appeal is complete.

**Subdivision 17 (Rulemaking)** prohibits the commissioner from adopting or amending rules to implement the requirements of this section. The commissioner must apply existing

provisions relating to third-party testing of school bus drivers to third-party testing for CDLs.

**Section 70 (Salary and benefit survey)** amends the timeline for the legislative auditor to conduct compensation and benefit surveys of law enforcement police departments. This section is from **S.F. 1019 (Koran)**.

**Section 71 (Transfer of motor vehicle; mileage disclosure)** makes changes to state law in response to changes in federal law relating to mileage disclosure when a vehicle is sold. The stricken language refers to an old version of the federal law on mileage disclosure. The disclosure may be made electronically or in writing. This section is effective the day following final enactment. This section is from **S.F. 741 (Newman)**.

**Section 72 (State; unclaimed property; disposition; duty of state patrol)** allows state patrol troopers to seize and retain abandoned personal property on a highway or state-owned property. Notice must be provided to the owner if the owner is known. Unclaimed property may be sold or destroyed. Abandoned money and the proceeds from the sale of property must be deposited into the general fund. This section is from **S.F. 957 (Newman)**.

**Section 73 (Additional funding for state patrol for civil unrest or rioting)** requires that any request for additional funding for State Patrol funding for trooper response to civil unrest or rioting include an explanation of the need for the response and an explanation of why the response was a higher priority than patrolling highways. This section is from the **A-7 amendment**.

**Section 74 (Animal-drawn vehicles; safety manual)** the commissioner must develop and publish an animal-drawn vehicles safety manual. This section is from **S.F. 957 (Newman)**.

**Section 75 (Driver's license same-day issuance pilot project)** requires the commissioner of public safety to conduct a same-day driver's license pilot project in Lakeville and Moorhead. The pilot project will require participating driver's license agents to issue same-day noncompliant driver's licenses, identification cards, and instruction permits. The commissioner of public safety must provide the necessary equipment to the driver's license agents. The commissioner must submit a report to the legislature by January 1, 2023 about the pilot project. This section is from **S.F. 656 (Duckworth)**.

**Section 76 (Implementation)** requires the commissioner to implement third-party driver's license testing with existing resources. This section is effective August 1, 2021. This section is from **S.F. 276 (Housley)**.

**Section 77 (Payables offenses; best practices)** requires the Office of Traffic Safety, the state court administrator's office, and the State Patrol to confer with law enforcement officers and prosecutors to determine best practices to employ when processing cases where a citation is issued to ensure that the citation does not inadvertently fail to require a court appearance when one is warranted under the circumstances. This section is from **S.F. 140 (Housley)**.

**Section 78 (School bus and commercial driver's license knowledge test availability)** requires the commissioner to ensure availability of testing times for commercial driver's licenses and school bus endorsements. This section is effective the day following final enactment. This section is from the **A-7 amendment**.



**Section 79 (Vehicle registration self-service kiosk report)** requires the commissioner to report to the legislature by December 1, 2022, about the use of the self-service vehicle registration kiosks. This section is from **S.F. 805 (Jasinski)**.

**Section 80 (Revisor instruction)** requires the revisor to renumber subdivisions so that the definitions appear in alphabetical order. This section is from **S.F. 1086 (Howe)**.

**Section 81 (Repealer)** repeals several statutes and laws.

**Paragraph (a)** repeals two sections. **Section 168.327, subd 5**, governs bulk vehicle records requests. **Section 169.07, subd. 7**, requires a driver to submit an accident report to the commissioner in certain circumstances. This paragraph is from **S.F. 957 (Newman)**.

**Paragraph (b)** repeals several rules. **Rules parts 7410.2610 and 7414.1490** have to do with drivers that have been diagnosed with diabetes. **Rules part 741.0535** allows online driver education for adults over 18. **Rules parts 7470.0300, 7470.0400, 7470.0500, 7470.0600, and 7470.0700** relate to school bus inspections. This paragraph is from **S.F. 255 (Jasinski), S.F.454 (Tomassoni), and S.F. 744 (Jasinski)**.

**Section 82 (Effective date)** states that this article is effective July 1, 2021 unless otherwise specified.

## **Article 4 – Metropolitan Council**

This article includes various policy and technical changes to laws relating to or administered by the Metropolitan Council. For purposes of this article, “Council” means the Metropolitan Council.

**Section 1 (Fares)** requires MetroMobility fares to be established in accordance with federal law. The Council must use all fares collected from MetroMobility for MetroMobility purposes. This section is from the **A-6 amendment**.

**Section 2 (Forecasted funding)** requires the commissioner of management and budget to include in the February and November forecasts a state obligation from the general fund for the annual net costs to the council for MetroMobility. This section is from the **A-6 amendment**.

**Section 3 (County responsibility for guideways)** requires counties to fund current and future guideways. This includes, planning, design, engineering, and construction costs; operating costs; and capital maintenance. This section is effective July 1, 2021. This section is from **S.F. 957 (Newman)**.

**Section 4 (Transit operating reserves; report)** requires each replacement service provider (or “opt-out” provider) to submit an annual report to the Council with its projected total operating expenses for the current calendar year and its projected operating reserve fund balance. The Council must compile the reports and submit a report to the legislature. The Council’s report must also include the Council’s projected total operating expenses for the current calendar year and its projected operating reserve fund balance. This section is effective July 1, 2021. This section is from **S.F. 738 (Duckworth)**.

**Section 5 (Busway operation)** prohibits the use of money from a local governmental unit to pay for costs of operations or maintenance for a busway. This section is effective July 1, 2021, and applies to busways that begin revenue operations before January 1, 2023. This section is from **S.F. 1529 (Duckworth)**.

**Section 6 (Distribution of funds; Metropolitan Council)** requires the Council to distribute federal COVID-19 funds to the replacement service providers (or “opt-out” providers) pursuant to the federal urbanized area formula. This section is from the **A-6 amendment**.

**Section 7 (Federal funds reporting requirement; replacement service providers)** requires replacement service providers (or “opt-out” providers) to report to the legislature on all expenditures of COVID-19-related federal funds. This section is effective the day following final enactment. This section is from **S.F. 738 (Duckworth)**.

**Section 8 (Termination of NorthStar commuter rail service)** requires the commissioner of transportation and the Council to request approval from the Federal Transit Administration (FTA) to discontinue operations of the NorthStar commuter rail. The request must specify that the state will not reimburse the FTA for funds spent on NorthStar. If FTA approval is granted, there are provisions on how to terminate service, terminate agreements, sell or dispose of the real and personal property, and cancel an appropriation. The commissioner and the Council must report to the legislature on the response to the request to the FTA, and if granted, the termination of NorthStar. This section is from the **A-6 amendment**.

**Section 9** repeals several statutes. **Section 473.13, subd. 1b, and 473.4051, subdivisions 2 and 3**, relate to light rail funding of operating and capital costs. This section is effective the day following final enactment. This section is from **S.F. 957 (Newman)**.