

**SENATE**  
**STATE OF MINNESOTA**  
**NINETY-FIRST SESSION**

**S.F. No. 1093**

(SENATE AUTHORS: NEWMAN, Senjem, Jasinski, Miller and Dahms)

DATE	D-PG	OFFICIAL STATUS
02/11/2019	331	Introduction and first reading Referred to Transportation Finance and Policy
02/14/2019	351a	Comm report: To pass as amended and re-refer to Finance
02/21/2019	467	Comm report: To pass
	467	Second reading
	492	Authors added Senjem; Jasinski; Miller; Dahms
04/03/2019	2093	General Orders: Stricken and re-referred to Transportation Finance and Policy
04/10/2019	2661a	Comm report: To pass as amended and re-refer to Taxes
04/11/2019		Comm report: To pass as amended and re-refer to Finance

1.1 A bill for an act

1.2 relating to transportation; establishing a budget for transportation; appropriating

1.3 money for transportation purposes, including Department of Transportation,

1.4 Metropolitan Council, and Department of Public Safety activities; modifying

1.5 various provisions governing transportation policy and finance; modifying various

1.6 provisions relating to motor vehicles; requiring reports; establishing working

1.7 groups; making technical changes; amending Minnesota Statutes 2018, sections

1.8 3.972, by adding subdivisions; 13.46, subdivision 2; 13.72, subdivision 10; 80E.13;

1.9 160.262, subdivision 1; 160.263, subdivision 2; 160.264; 160.266, subdivision 5;

1.10 160.93, subdivisions 1, 2, 4, 5, by adding a subdivision; 161.04, by adding a

1.11 subdivision; 161.14, subdivision 16, by adding subdivisions; 168.002, subdivision

1.12 8; 168.013, subdivisions 1a, 1m, 6, by adding a subdivision; 168.10, subdivision

1.13 1h; 168.1294, subdivision 6; 168.27, by adding subdivisions; 168.301, subdivision

1.14 3; 168.33, subdivision 8a; 168A.02, subdivision 1; 168A.12, subdivision 2;

1.15 168A.17, by adding a subdivision; 169.011, by adding subdivisions; 169.06,

1.16 subdivision 4a; 169.13, subdivisions 1, 2; 169.14, subdivisions 2a, 5; 169.18,

1.17 subdivisions 1, 7, 8, 11; 169.20, subdivision 7, by adding a subdivision; 169.26,

1.18 subdivisions 1, 4; 169.28; 169.29; 169.443, subdivision 2; 169.4503, subdivision

1.19 5; 169.58, by adding a subdivision; 169.64, subdivision 9; 169.71, subdivisions

1.20 1, 4; 169.829, by adding a subdivision; 169.864, subdivision 1; 169.865,

1.21 subdivisions 1, 2, by adding a subdivision; 169.87, subdivision 6; 174.37,

1.22 subdivision 1; 174.75, by adding a subdivision; 360.013, by adding a subdivision;

1.23 360.017, subdivision 1; 360.021, subdivision 1; 360.024; 360.062; 360.063,

1.24 subdivisions 1, 3; 360.064, subdivision 1; 360.065, subdivision 1; 360.066,

1.25 subdivision 1; 360.067, by adding a subdivision; 360.071, subdivision 2; 360.305,

1.26 subdivision 6; 394.22, by adding a subdivision; 394.23; 394.231; 394.25,

1.27 subdivision 3; 462.352, by adding a subdivision; 462.355, subdivision 1; 462.357,

1.28 subdivision 9, by adding a subdivision; 473.121, by adding subdivisions; 473.386,

1.29 subdivision 3; 473.388, subdivision 4a; 473.4051, subdivisions 2, 3; Laws 2018,

1.30 chapter 165, section 1; proposing coding for new law in Minnesota Statutes,

1.31 chapters 161; 168A; 169; 174; 296A; 299D; 360; repealing Minnesota Statutes

1.32 2018, sections 160.93, subdivisions 2a, 3; 161.1419, subdivision 8; 169.18,

1.33 subdivisions 10, 12; 360.063, subdivision 4; 360.065, subdivision 2; 360.066,

1.34 subdivisions 1a, 1b.

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

2.2 **ARTICLE 1**

2.3 **TRANSPORTATION APPROPRIATIONS**

2.4 Section 1. **TRANSPORTATION APPROPRIATIONS.**

2.5 The sums shown in the columns marked "Appropriations" are appropriated to the agencies  
 2.6 and for the purposes specified in this article. The appropriations are from the trunk highway  
 2.7 fund, or another named fund, and are available for the fiscal years indicated for each purpose.  
 2.8 Amounts for "Total Appropriation" and sums shown in the corresponding columns marked  
 2.9 "Appropriations by Fund" are summary only and do not have legal effect. Unless specified  
 2.10 otherwise, the amounts in the second year under "Appropriations by Fund" show the base  
 2.11 within the meaning of Minnesota Statutes, section 16A.11, subdivision 3, by fund. The  
 2.12 figures "2020" and "2021" used in this article mean that the appropriations listed under them  
 2.13 are available for the fiscal year ending June 30, 2020, or June 30, 2021, respectively. "The  
 2.14 first year" is fiscal year 2020. "The second year" is fiscal year 2021. "The biennium" is  
 2.15 fiscal years 2020 and 2021.

2.16 **APPROPRIATIONS**  
 2.17 **Available for the Year**  
 2.18 **Ending June 30**  
 2.19 **2020                      2021**

2.20 **Sec. 2. DEPARTMENT OF**  
 2.21 **TRANSPORTATION**

2.22 **Subdivision 1. Total Appropriation**                      \$ **3,050,750,000** \$ **3,017,437,000**

	<u>Appropriations by Fund</u>	
	<u>2020</u>	<u>2021</u>
2.25 <u>General</u>	<u>19,285,000</u>	<u>19,375,000</u>
2.26 <u>Airports</u>	<u>20,632,000</u>	<u>20,632,000</u>
2.27 <u>C.S.A.H.</u>	<u>833,470,000</u>	<u>846,656,000</u>
2.28 <u>M.S.A.S.</u>	<u>208,653,000</u>	<u>211,622,000</u>
2.29 <u>Trunk Highway</u>	<u>1,968,710,000</u>	<u>1,919,152,000</u>

2.30 The appropriations in this section are to the  
 2.31 commissioner of transportation. The amounts  
 2.32 that may be spent for each purpose are  
 2.33 specified in the following subdivisions.

2.34 **Subd. 2. Multimodal Systems**

2.35 **(a) Aeronautics**

3.1	<b><u>(1) Airport Development and Assistance</u></b>	<u>15,298,000</u>	<u>15,298,000</u>
3.2	<u>This appropriation is from the state airports</u>		
3.3	<u>fund and must be spent according to</u>		
3.4	<u>Minnesota Statutes, section 360.305,</u>		
3.5	<u>subdivision 4.</u>		
3.6	<u>Notwithstanding Minnesota Statutes, section</u>		
3.7	<u>16A.28, subdivision 6, this appropriation is</u>		
3.8	<u>available for five years after the year of the</u>		
3.9	<u>appropriation. If the appropriation for either</u>		
3.10	<u>year is insufficient, the appropriation for the</u>		
3.11	<u>other year is available for it.</u>		
3.12	<u>If the commissioner of transportation</u>		
3.13	<u>determines that a balance remains in the state</u>		
3.14	<u>airports fund following the appropriations</u>		
3.15	<u>made in this article and that the appropriations</u>		
3.16	<u>made are insufficient for advancing airport</u>		
3.17	<u>development and assistance projects, an</u>		
3.18	<u>amount necessary to advance the projects, not</u>		
3.19	<u>to exceed the balance in the state airports fund,</u>		
3.20	<u>is appropriated in each year to the</u>		
3.21	<u>commissioner and must be spent according to</u>		
3.22	<u>Minnesota Statutes, section 360.305,</u>		
3.23	<u>subdivision 4. Within two weeks of a</u>		
3.24	<u>determination under this contingent</u>		
3.25	<u>appropriation, the commissioner of</u>		
3.26	<u>transportation must notify the commissioner</u>		
3.27	<u>of management and budget and the chairs,</u>		
3.28	<u>ranking minority members, and staff of the</u>		
3.29	<u>legislative committees with jurisdiction over</u>		
3.30	<u>transportation finance concerning the funds</u>		
3.31	<u>appropriated. Funds appropriated under this</u>		
3.32	<u>contingent appropriation do not adjust the base</u>		
3.33	<u>for fiscal years 2022 and 2023.</u>		
3.34	<b><u>(2) Aviation Support and Services</u></b>	<u>6,877,000</u>	<u>6,877,000</u>

4.1	<u>Appropriations by Fund</u>		
4.2		<u>2020</u>	<u>2021</u>
4.3	<u>Airports</u>	<u>5,254,000</u>	<u>5,254,000</u>
4.4	<u>Trunk Highway</u>	<u>1,623,000</u>	<u>1,623,000</u>
4.5	<b><u>(3) Civil Air Patrol</u></b>		<u>80,000</u>
4.6	<u>This appropriation is from the state airports</u>		
4.7	<u>fund for the Civil Air Patrol.</u>		
4.8	<b><u>(b) Transit</u></b>		<u>18,126,000</u>
4.9	<u>Appropriations by Fund</u>		
4.10		<u>2020</u>	<u>2021</u>
4.11	<u>General</u>	<u>17,249,000</u>	<u>17,249,000</u>
4.12	<u>Trunk Highway</u>	<u>877,000</u>	<u>877,000</u>
4.13	<b><u>(c) Safe Routes to School</u></b>		<u>500,000</u>
4.14	<u>This appropriation is from the general fund</u>		
4.15	<u>for the safe routes to school program under</u>		
4.16	<u>Minnesota Statutes, section 174.40.</u>		
4.17	<b><u>(d) Freight</u></b>		
4.18	<b><u>Freight and Commercial Vehicle Operations</u></b>		<u>6,775,000</u>
4.19	<u>Appropriations by Fund</u>		
4.20		<u>2020</u>	<u>2021</u>
4.21	<u>General</u>	<u>1,229,000</u>	<u>1,069,000</u>
4.22	<u>Trunk Highway</u>	<u>5,546,000</u>	<u>5,546,000</u>
4.23	<u>\$160,000 in the first year is from the general</u>		
4.24	<u>fund for port development assistance grants</u>		
4.25	<u>under Minnesota Statutes, chapter 457A, to</u>		
4.26	<u>the Port Authority of Winona. Any</u>		
4.27	<u>improvements made with the proceeds of the</u>		
4.28	<u>grants must be publicly owned. This is a</u>		
4.29	<u>onetime appropriation and is available in the</u>		
4.30	<u>second year.</u>		
4.31	<u>\$800,000 in each year is from the general fund</u>		
4.32	<u>for additional rail safety and rail service</u>		
4.33	<u>activities.</u>		

5.1 The commissioner must not spend this  
 5.2 appropriation for passenger rail system  
 5.3 planning, alternatives analysis, environmental  
 5.4 analysis, design, or preliminary engineering  
 5.5 under Minnesota Statutes, sections 174.632  
 5.6 to 174.636.

5.7 **Subd. 3. State Roads**

5.8 **(a) Operations and Maintenance** 318,145,000 311,932,000

5.9 **(b) Program Planning and Delivery**

5.10 **(1) Planning and Research** 31,467,000 30,950,000

5.11 If a balance remains of this appropriation, the  
 5.12 commissioner may transfer up to that amount  
 5.13 for program delivery under clause (2).

5.14 \$130,000 in each year is available for  
 5.15 administrative costs of the targeted group  
 5.16 business program.

5.17 \$266,000 in each year is available for grants  
 5.18 to metropolitan planning organizations outside  
 5.19 the seven-county metropolitan area.

5.20 \$900,000 in each year is available for grants  
 5.21 for transportation studies outside the  
 5.22 metropolitan area to identify critical concerns,  
 5.23 problems, and issues. These grants are  
 5.24 available:

5.25 (1) to regional development commissions;

5.26 (2) in regions where no regional development  
 5.27 commission is functioning, to joint powers  
 5.28 boards established under agreement of two or  
 5.29 more political subdivisions in the region to  
 5.30 exercise the planning functions of a regional  
 5.31 development commission; and

5.32 (3) in regions where no regional development  
 5.33 commission or joint powers board is

6.1 functioning, to the Department of  
 6.2 Transportation district office for that region.

6.3 **(2) Program Delivery** 241,016,000 236,874,000

6.4 This appropriation includes use of consultants  
 6.5 to support development and management of  
 6.6 projects.

6.7 \$1,000,000 in each year is available for  
 6.8 management of contaminated and regulated  
 6.9 material on property owned by the Department  
 6.10 of Transportation, including mitigation of  
 6.11 property conveyances, facility acquisition or  
 6.12 expansion, chemical release at maintenance  
 6.13 facilities, and spills on the trunk highway  
 6.14 system where there is no known responsible  
 6.15 party. If the appropriation for either year is  
 6.16 insufficient, the appropriation for the other  
 6.17 year is available for it.

6.18 **(c) State Road Construction** 1,052,295,000 999,282,000

6.19 This appropriation is for the actual  
 6.20 construction, reconstruction, and improvement  
 6.21 of trunk highways, including design-build  
 6.22 contracts, internal department costs associated  
 6.23 with delivering the construction program,  
 6.24 consultant usage to support these activities,  
 6.25 and the cost of actual payments to landowners  
 6.26 for lands acquired for highway rights-of-way,  
 6.27 payment to lessees, interest subsidies, and  
 6.28 relocation expenses.

6.29 This appropriation includes federal highway  
 6.30 aid.

6.31 \$38,000,000 in the first year is appropriated  
 6.32 to acquire property or permanent easements  
 6.33 for, and to design, engineer, construct, furnish,  
 6.34 and equip an expansion of U.S. Highway 212

7.1 to four lanes from Tacoma Ave. N. in  
 7.2 Norwood Young America to Lake Street West  
 7.3 in Cologne. Of this amount, up to \$10,000,000  
 7.4 is for safety improvements to the intersection  
 7.5 of Trunk Highway 212 and Carver County  
 7.6 Road 51. This is a onetime appropriation.

7.7 The commissioner may expend up to one-half  
 7.8 of one percent of the federal appropriations  
 7.9 under this paragraph as grants to opportunity  
 7.10 industrialization centers and other nonprofit  
 7.11 job training centers for job training programs  
 7.12 related to highway construction.

7.13 The commissioner may transfer up to  
 7.14 \$15,000,000 each year to the transportation  
 7.15 revolving loan fund.

7.16 The commissioner may receive money  
 7.17 covering other shares of the cost of partnership  
 7.18 projects. These receipts are appropriated to  
 7.19 the commissioner for these projects.

7.20 **(d) Highway Debt Service** 236,439,000 250,766,000

7.21 \$226,939,000 in fiscal year 2020 and  
 7.22 \$241,266,000 in fiscal year 2021 are for  
 7.23 transfer to the state bond fund. If this  
 7.24 appropriation is insufficient to make all  
 7.25 transfers required in the year for which it is  
 7.26 made, the commissioner of management and  
 7.27 budget must transfer the deficiency amount  
 7.28 under the statutory open appropriation and  
 7.29 notify the chairs, ranking minority members,  
 7.30 and staff of the legislative committees with  
 7.31 jurisdiction over transportation finance and  
 7.32 the chairs of the senate Finance Committee  
 7.33 and the house of representatives Ways and  
 7.34 Means Committee of the amount of the

8.1 deficiency. Any excess appropriation cancels  
 8.2 to the trunk highway fund.

8.3 **(e) Statewide Radio Communications** 5,851,000 5,851,000

8.4 Appropriations by Fund

8.5 2020 2021

8.6 General 3,000 3,000

8.7 Trunk Highway 5,848,000 5,848,000

8.8 \$3,000 in each year is from the general fund  
 8.9 to equip and operate the Roosevelt signal  
 8.10 tower for Lake of the Woods weather  
 8.11 broadcasting.

8.12 **Subd. 4. Local Roads**

8.13 **(a) County State-Aid Roads** 833,470,000 846,656,000

8.14 This appropriation is from the county state-aid  
 8.15 highway fund under Minnesota Statutes,  
 8.16 sections 161.081 and 297A.815, subdivision  
 8.17 3, and chapter 162, and is available until June  
 8.18 30, 2029.

8.19 If the commissioner of transportation  
 8.20 determines that a balance remains in the  
 8.21 county state-aid highway fund following the  
 8.22 appropriations and transfers made in this  
 8.23 paragraph, and that the appropriations made  
 8.24 are insufficient for advancing county state-aid  
 8.25 highway projects, an amount necessary to  
 8.26 advance the projects, not to exceed the balance  
 8.27 in the county state-aid highway fund, is  
 8.28 appropriated in each year to the commissioner.

8.29 Within two weeks of a determination under  
 8.30 this contingent appropriation, the  
 8.31 commissioner of transportation shall notify  
 8.32 the commissioner of management and budget  
 8.33 and the chairs, ranking minority members, and  
 8.34 staff of the legislative committees with



9.1 jurisdiction over transportation finance  
 9.2 concerning funds appropriated. The  
 9.3 commissioner shall identify in the next budget  
 9.4 submission to the legislature under Minnesota  
 9.5 Statutes, section 16A.11, any amount that is  
 9.6 appropriated under this paragraph.

9.7 **(b) Municipal State-Aid Roads** 208,653,000 211,622,000

9.8 This appropriation is from the municipal  
 9.9 state-aid street fund under Minnesota Statutes,  
 9.10 chapter 162, and is available until June 30,  
 9.11 2029.

9.12 If the commissioner of transportation  
 9.13 determines that a balance remains in the  
 9.14 municipal state-aid street fund following the  
 9.15 appropriations and transfers made in this  
 9.16 paragraph, and that the appropriations made  
 9.17 are insufficient for advancing municipal  
 9.18 state-aid street projects, an amount necessary  
 9.19 to advance the projects, not to exceed the  
 9.20 balance in the municipal state-aid street fund,  
 9.21 is appropriated in each year to the  
 9.22 commissioner. Within two weeks of a  
 9.23 determination under this contingent  
 9.24 appropriation, the commissioner of  
 9.25 transportation shall notify the commissioner  
 9.26 of management and budget and the chairs,  
 9.27 ranking minority members, and staff of the  
 9.28 legislative committees with jurisdiction over  
 9.29 transportation finance concerning funds  
 9.30 appropriated. The commissioner shall identify  
 9.31 in the next budget submission to the legislature  
 9.32 under Minnesota Statutes, section 16A.11, any  
 9.33 amount that is appropriated under this  
 9.34 paragraph.

9.35 **(c) Small Cities Assistance** 250,000 500,000

10.1 This appropriation is from the general fund  
 10.2 for the small cities assistance program under  
 10.3 Minnesota Statutes, section 162.145.

10.4 **Subd. 5. Agency Management**

10.5 **(a) Agency Services** 45,447,000 45,447,000

10.6 **(b) Buildings** 29,461,000 29,461,000

10.7 Appropriations by Fund

10.8 2020 2021

10.9 General 54,000 54,000

10.10 Trunk Highway 29,407,000 29,407,000

10.11 Any money appropriated to the commissioner  
 10.12 of transportation for building construction for  
 10.13 any fiscal year before the first year is available  
 10.14 to the commissioner during the biennium to  
 10.15 the extent that the commissioner spends the  
 10.16 money on the building construction projects  
 10.17 for which the money was originally  
 10.18 encumbered during the fiscal year for which  
 10.19 it was appropriated. If the appropriation for  
 10.20 either year is insufficient, the appropriation  
 10.21 for the other year is available for it.

10.22 **(c) Tort Claims** 600,000 600,000

10.23 If the appropriation for either year is  
 10.24 insufficient, the appropriation for the other  
 10.25 year is available for it.

10.26 **Subd. 6. Transfers**

10.27 (a) With the approval of the commissioner of  
 10.28 management and budget, the commissioner  
 10.29 of transportation may transfer unencumbered  
 10.30 balances among the appropriations from the  
 10.31 trunk highway fund and the state airports fund  
 10.32 made in this section. Transfers under this  
 10.33 paragraph must not be made:

- 11.1 (1) between funds;
- 11.2 (2) from the appropriations for state road
- 11.3 construction or debt service; or
- 11.4 (3) from the appropriations for operations and
- 11.5 maintenance or program delivery, except for
- 11.6 a transfer to state road construction or debt
- 11.7 service.
- 11.8 (b) The commissioner of transportation must
- 11.9 immediately report transfers under paragraph
- 11.10 (a) to the chairs, ranking minority members,
- 11.11 and staff of the legislative committees with
- 11.12 jurisdiction over transportation finance. The
- 11.13 authority for the commissioner of
- 11.14 transportation to make transfers under
- 11.15 Minnesota Statutes, section 16A.285, is
- 11.16 superseded by the authority and requirements
- 11.17 under this paragraph.
- 11.18 (c) The commissioner of transportation must
- 11.19 transfer from the flexible highway account in
- 11.20 the county state-aid highway fund the entire
- 11.21 amount in each year to the county turnback
- 11.22 account in the county state-aid highway fund.
- 11.23 The funds transferred are for highway
- 11.24 turnback purposes under Minnesota Statutes,
- 11.25 section 161.081, subdivision 3.
- 11.26 **Subd. 7. Previous State Road Construction**
- 11.27 **Appropriations**
- 11.28 Any money appropriated to the commissioner
- 11.29 of transportation for state road construction
- 11.30 for any fiscal year before the first year is
- 11.31 available to the commissioner during the
- 11.32 biennium to the extent that the commissioner
- 11.33 spends the money on the state road
- 11.34 construction project for which the money was

12.1 originally encumbered during the fiscal year  
 12.2 for which it was appropriated.

12.3 **Subd. 8. Contingent Appropriations**

12.4 The commissioner of transportation, with the  
 12.5 approval of the governor and the written  
 12.6 approval of at least five members of a group  
 12.7 consisting of the members of the Legislative  
 12.8 Advisory Commission under Minnesota  
 12.9 Statutes, section 3.30, and the ranking minority  
 12.10 members of the legislative committees with  
 12.11 jurisdiction over transportation finance, may  
 12.12 transfer all or part of the unappropriated  
 12.13 balance in the trunk highway fund to an  
 12.14 appropriation:

12.15 (1) for trunk highway design, construction, or  
 12.16 inspection that takes advantage of an  
 12.17 unanticipated receipt of income to the trunk  
 12.18 highway fund or federal advanced construction  
 12.19 funding;

12.20 (2) for emergency trunk highway maintenance;  
 12.21 or

12.22 (3) to pay tort or environmental claims.

12.23 Nothing in this subdivision authorizes the  
 12.24 commissioner to increase the use of federal  
 12.25 advanced construction funding beyond  
 12.26 amounts specifically authorized. Any transfer  
 12.27 as a result of the use of federal advanced  
 12.28 construction funding must include an analysis  
 12.29 of the effects on the long-term trunk highway  
 12.30 fund balance. The amount transferred is  
 12.31 appropriated for the purpose of the account to  
 12.32 which it is transferred.

12.33 **Sec. 3. METROPOLITAN COUNCIL                    \$            89,820,000 \$            89,820,000**



14.1	<b><u>(c) Public Safety Officer Survivor Benefits</u></b>		<u>640,000</u>	<u>640,000</u>
14.2	<u>This appropriation is from the general fund</u>			
14.3	<u>for payment of public safety officer survivor</u>			
14.4	<u>benefits under Minnesota Statutes, section</u>			
14.5	<u>299A.44.</u>			
14.6	<u>If the appropriation for either year is</u>			
14.7	<u>insufficient, the appropriation for the other</u>			
14.8	<u>year is available for it.</u>			
14.9	<b><u>(d) Public Safety Officer Reimbursements</u></b>		<u>1,367,000</u>	<u>1,367,000</u>
14.10	<u>This appropriation is from the general fund to</u>			
14.11	<u>be deposited in the public safety officer's</u>			
14.12	<u>benefit account. This money is available for</u>			
14.13	<u>reimbursements under Minnesota Statutes,</u>			
14.14	<u>section 299A.465.</u>			
14.15	<b><u>(e) Soft Body Armor Reimbursements</u></b>		<u>700,000</u>	<u>700,000</u>
14.16	<u>Appropriations by Fund</u>			
14.17		<u>2020</u>	<u>2021</u>	
14.18	<u>General</u>	<u>600,000</u>	<u>600,000</u>	
14.19	<u>Trunk Highway</u>	<u>100,000</u>	<u>100,000</u>	
14.20	<u>This appropriation is for soft body armor</u>			
14.21	<u>reimbursements under Minnesota Statutes,</u>			
14.22	<u>section 299A.38.</u>			
14.23	<b><u>(f) Technology and Support Service</u></b>		<u>3,814,000</u>	<u>3,814,000</u>
14.24	<u>Appropriations by Fund</u>			
14.25		<u>2020</u>	<u>2021</u>	
14.26	<u>General</u>	<u>1,365,000</u>	<u>1,365,000</u>	
14.27	<u>H.U.T.D.</u>	<u>19,000</u>	<u>19,000</u>	
14.28	<u>Trunk Highway</u>	<u>2,430,000</u>	<u>2,430,000</u>	
14.29	<b><u>Subd. 3. State Patrol</u></b>			
14.30	<b><u>(a) Patrolling Highways</u></b>		<u>95,252,000</u>	<u>96,083,000</u>
14.31	<u>Appropriations by Fund</u>			
14.32		<u>2020</u>	<u>2021</u>	
14.33	<u>General</u>	<u>37,000</u>	<u>37,000</u>	

15.1 H.U.T.D. 92,000 92,000

15.2 Trunk Highway 95,123,000 95,954,000

15.3 From this appropriation, State Patrol trainee

15.4 salaries as provided under Minnesota Statutes,

15.5 section 299D.03, subdivision 6, must be

15.6 provided as follows: (1) for trainees in the Law

15.7 Enforcement Training Opportunity program,

15.8 80 percent of the basic salary for patrol

15.9 officers; and (2) for all other trainees, 100

15.10 percent of the basic salary.

15.11 To account for base adjustments provided in

15.12 Laws 2018, chapter 211, article 21, section 2,

15.13 paragraph (a), the base appropriation from the

15.14 trunk highway fund for fiscal years 2022 and

15.15 2023 is \$96,784,000.

15.16 **(b) Commercial Vehicle Enforcement** 8,948,000 8,993,000

15.17 To account for base adjustments provided in

15.18 Laws 2018, chapter 211, article 21, section 2,

15.19 paragraph (a), the base appropriation from the

15.20 trunk highway fund for fiscal years 2022 and

15.21 2023 is \$9,038,000.

15.22 **(c) Capitol Security** 8,664,000 8,707,000

15.23 This appropriation is from the general fund.

15.24 To account for base adjustments provided in

15.25 Laws 2018, chapter 211, article 21, section 2,

15.26 paragraph (a), the base appropriation from the

15.27 general fund for fiscal years 2022 and 2023 is

15.28 \$8,750,000.

15.29 The commissioner must not:

15.30 (1) spend any money from the trunk highway

15.31 fund for capitol security; or

16.1 (2) permanently transfer any state trooper from  
 16.2 the patrolling highways activity to capitol  
 16.3 security.

16.4 The commissioner must not transfer any  
 16.5 money appropriated to the commissioner under  
 16.6 this section:

16.7 (1) to capitol security; or

16.8 (2) from capitol security.

16.9 **(d) Vehicle Crimes Unit** 793,000 802,000

16.10 This appropriation is from the highway user  
 16.11 tax distribution fund.

16.12 This appropriation is to investigate:

16.13 (1) registration tax and motor vehicle sales tax  
 16.14 liabilities from individuals and businesses that  
 16.15 currently do not pay all taxes owed; and

16.16 (2) illegal or improper activity related to the  
 16.17 sale, transfer, titling, and registration of motor  
 16.18 vehicles.

16.19 To account for base adjustments provided in  
 16.20 Laws 2018, chapter 211, article 21, section 2,  
 16.21 paragraph (a), the base appropriation from the  
 16.22 highway user tax distribution fund for fiscal  
 16.23 years 2022 and 2023 is \$811,000.

16.24 **Subd. 4. Driver and Vehicle Services**

16.25 **(a) Vehicle Services** 31,226,000 31,226,000

16.26 Appropriations by Fund

	<u>2020</u>	<u>2021</u>
16.28 <u>Special Revenue</u>	<u>22,990,000</u>	<u>22,990,000</u>
16.29 <u>H.U.T.D.</u>	<u>8,236,000</u>	<u>8,236,000</u>

16.30 The special revenue fund appropriation is from  
 16.31 the vehicle services operating account.

16.32 **(b) Driver Services** 32,842,000 32,842,000



17.1 \$156,000 in each year is to maintain the  
 17.2 automated knowledge test system.

17.3 Subd. 5. Traffic Safety 964,000 964,000

17.4 Appropriations by Fund

17.5 2020 2021

17.6 General 470,000 470,000

17.7 Trunk Highway 494,000 494,000

17.8 The appropriation from the general fund in  
 17.9 each year is for maintenance of the crash  
 17.10 record system.

17.11 Subd. 6. Pipeline Safety 1,443,000 1,443,000

17.12 This appropriation is from the pipeline safety  
 17.13 account in the special revenue fund.

17.14 Sec. 5. APPROPRIATION CANCELLATION.

17.15 \$160,000 of the appropriation for port development assistance under Laws 2017, First  
 17.16 Special Session chapter 3, article 1, section 2, subdivision 2, paragraph (e), is canceled to  
 17.17 the general fund on June 30, 2019.

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

17.19 Sec. 6. OFFICE OF THE LEGISLATIVE AUDITOR; APPROPRIATION.

17.20 \$400,000 in the first year is appropriated from the general fund to the legislative auditor  
 17.21 to carry out the audits under Minnesota Statutes, section 3.972, subdivisions 2c and 2d. This  
 17.22 is a onetime appropriation and is available in the second year.

17.23 Sec. 7. OFFICE OF THE STATE AUDITOR; APPROPRIATION.

17.24 \$50,000 in the first year is appropriated from the general fund to the state auditor to  
 17.25 conduct the compensation survey in article 2, section 122. This is a onetime appropriation.

17.26 Sec. 8. APPROPRIATIONS BUDGET.

17.27 (a) In the budget submission to the legislature under Minnesota Statutes, section 16A.11,  
 17.28 for fiscal years 2022 and 2023, the commissioner of transportation, and the commissioner  
 17.29 of public safety with respect to the transportation portion of the public safety budget, must

18.1 present budget narratives and proposed appropriations for each appropriation established  
 18.2 in sections 2 and 4.

18.3 (b) In the budget submission to the legislature under Minnesota Statutes, section 16A.11,  
 18.4 for fiscal years 2022 and 2023, the metropolitan council must present budget narratives and  
 18.5 the proposed appropriations, if any, for each of the following categories: metro mobility,  
 18.6 contracted bus service, regular route bus service, light rail transit, commuter rail,  
 18.7 transportation planning, and allocation to the regional administration.

## 18.8 ARTICLE 2

### 18.9 TRANSPORTATION POLICY

18.10 Section 1. Minnesota Statutes 2018, section 3.972, is amended by adding a subdivision  
 18.11 to read:

18.12 Subd. 2c. **Audits of the Department of Transportation.** The legislative auditor must  
 18.13 audit, as resources permit, the programs and services administered by the Department of  
 18.14 Transportation.

18.15 Sec. 2. Minnesota Statutes 2018, section 3.972, is amended by adding a subdivision to  
 18.16 read:

18.17 Subd. 2d. **Audits of the Department of Public Safety.** The legislative auditor must  
 18.18 audit, as resources permit, the programs and services administered by the Department of  
 18.19 Public Safety.

18.20 Sec. 3. Minnesota Statutes 2018, section 13.46, subdivision 2, is amended to read:

18.21 Subd. 2. **General.** (a) Data on individuals collected, maintained, used, or disseminated  
 18.22 by the welfare system are private data on individuals, and shall not be disclosed except:

18.23 (1) according to section 13.05;

18.24 (2) according to court order;

18.25 (3) according to a statute specifically authorizing access to the private data;

18.26 (4) to an agent of the welfare system and an investigator acting on behalf of a county,  
 18.27 the state, or the federal government, including a law enforcement person or attorney in the  
 18.28 investigation or prosecution of a criminal, civil, or administrative proceeding relating to the  
 18.29 administration of a program;

19.1 (5) to personnel of the welfare system who require the data to verify an individual's  
19.2 identity; determine eligibility, amount of assistance, and the need to provide services to an  
19.3 individual or family across programs; coordinate services for an individual or family;  
19.4 evaluate the effectiveness of programs; assess parental contribution amounts; and investigate  
19.5 suspected fraud;

19.6 (6) to administer federal funds or programs;

19.7 (7) between personnel of the welfare system working in the same program;

19.8 (8) to the Department of Revenue to assess parental contribution amounts for purposes  
19.9 of section 252.27, subdivision 2a, administer and evaluate tax refund or tax credit programs  
19.10 and to identify individuals who may benefit from these programs. The following information  
19.11 may be disclosed under this paragraph: an individual's and their dependent's names, dates  
19.12 of birth, Social Security numbers, income, addresses, and other data as required, upon  
19.13 request by the Department of Revenue. Disclosures by the commissioner of revenue to the  
19.14 commissioner of human services for the purposes described in this clause are governed by  
19.15 section 270B.14, subdivision 1. Tax refund or tax credit programs include, but are not limited  
19.16 to, the dependent care credit under section 290.067, the Minnesota working family credit  
19.17 under section 290.0671, the property tax refund and rental credit under section 290A.04,  
19.18 and the Minnesota education credit under section 290.0674;

19.19 (9) between the Department of Human Services, the Department of Employment and  
19.20 Economic Development, and when applicable, the Department of Education, for the following  
19.21 purposes:

19.22 (i) to monitor the eligibility of the data subject for unemployment benefits, for any  
19.23 employment or training program administered, supervised, or certified by that agency;

19.24 (ii) to administer any rehabilitation program or child care assistance program, whether  
19.25 alone or in conjunction with the welfare system;

19.26 (iii) to monitor and evaluate the Minnesota family investment program or the child care  
19.27 assistance program by exchanging data on recipients and former recipients of food support,  
19.28 cash assistance under chapter 256, 256D, 256J, or 256K, child care assistance under chapter  
19.29 119B, medical programs under chapter 256B or 256L, or a medical program formerly  
19.30 codified under chapter 256D; and

19.31 (iv) to analyze public assistance employment services and program utilization, cost,  
19.32 effectiveness, and outcomes as implemented under the authority established in Title II,  
19.33 Sections 201-204 of the Ticket to Work and Work Incentives Improvement Act of 1999.

20.1 Health records governed by sections 144.291 to 144.298 and "protected health information"  
20.2 as defined in Code of Federal Regulations, title 45, section 160.103, and governed by Code  
20.3 of Federal Regulations, title 45, parts 160-164, including health care claims utilization  
20.4 information, must not be exchanged under this clause;

20.5 (10) to appropriate parties in connection with an emergency if knowledge of the  
20.6 information is necessary to protect the health or safety of the individual or other individuals  
20.7 or persons;

20.8 (11) data maintained by residential programs as defined in section 245A.02 may be  
20.9 disclosed to the protection and advocacy system established in this state according to Part  
20.10 C of Public Law 98-527 to protect the legal and human rights of persons with developmental  
20.11 disabilities or other related conditions who live in residential facilities for these persons if  
20.12 the protection and advocacy system receives a complaint by or on behalf of that person and  
20.13 the person does not have a legal guardian or the state or a designee of the state is the legal  
20.14 guardian of the person;

20.15 (12) to the county medical examiner or the county coroner for identifying or locating  
20.16 relatives or friends of a deceased person;

20.17 (13) data on a child support obligor who makes payments to the public agency may be  
20.18 disclosed to the Minnesota Office of Higher Education to the extent necessary to determine  
20.19 eligibility under section 136A.121, subdivision 2, clause (5);

20.20 (14) participant Social Security numbers and names collected by the telephone assistance  
20.21 program may be disclosed to the Department of Revenue to conduct an electronic data  
20.22 match with the property tax refund database to determine eligibility under section 237.70,  
20.23 subdivision 4a;

20.24 (15) the current address of a Minnesota family investment program participant may be  
20.25 disclosed to law enforcement officers who provide the name of the participant and notify  
20.26 the agency that:

20.27 (i) the participant:

20.28 (A) is a fugitive felon fleeing to avoid prosecution, or custody or confinement after  
20.29 conviction, for a crime or attempt to commit a crime that is a felony under the laws of the  
20.30 jurisdiction from which the individual is fleeing; or

20.31 (B) is violating a condition of probation or parole imposed under state or federal law;

20.32 (ii) the location or apprehension of the felon is within the law enforcement officer's  
20.33 official duties; and

21.1 (iii) the request is made in writing and in the proper exercise of those duties;

21.2 (16) the current address of a recipient of general assistance may be disclosed to probation  
21.3 officers and corrections agents who are supervising the recipient and to law enforcement  
21.4 officers who are investigating the recipient in connection with a felony level offense;

21.5 (17) information obtained from food support applicant or recipient households may be  
21.6 disclosed to local, state, or federal law enforcement officials, upon their written request, for  
21.7 the purpose of investigating an alleged violation of the Food Stamp Act, according to Code  
21.8 of Federal Regulations, title 7, section 272.1(c);

21.9 (18) the address, Social Security number, and, if available, photograph of any member  
21.10 of a household receiving food support shall be made available, on request, to a local, state,  
21.11 or federal law enforcement officer if the officer furnishes the agency with the name of the  
21.12 member and notifies the agency that:

21.13 (i) the member:

21.14 (A) is fleeing to avoid prosecution, or custody or confinement after conviction, for a  
21.15 crime or attempt to commit a crime that is a felony in the jurisdiction the member is fleeing;

21.16 (B) is violating a condition of probation or parole imposed under state or federal law;  
21.17 or

21.18 (C) has information that is necessary for the officer to conduct an official duty related  
21.19 to conduct described in subitem (A) or (B);

21.20 (ii) locating or apprehending the member is within the officer's official duties; and

21.21 (iii) the request is made in writing and in the proper exercise of the officer's official duty;

21.22 (19) the current address of a recipient of Minnesota family investment program, general  
21.23 assistance, or food support may be disclosed to law enforcement officers who, in writing,  
21.24 provide the name of the recipient and notify the agency that the recipient is a person required  
21.25 to register under section 243.166, but is not residing at the address at which the recipient is  
21.26 registered under section 243.166;

21.27 (20) certain information regarding child support obligors who are in arrears may be  
21.28 made public according to section 518A.74;

21.29 (21) data on child support payments made by a child support obligor and data on the  
21.30 distribution of those payments excluding identifying information on obligees may be  
21.31 disclosed to all obligees to whom the obligor owes support, and data on the enforcement

22.1 actions undertaken by the public authority, the status of those actions, and data on the income  
22.2 of the obligor or obligee may be disclosed to the other party;

22.3 (22) data in the work reporting system may be disclosed under section 256.998,  
22.4 subdivision 7;

22.5 (23) to the Department of Education for the purpose of matching Department of Education  
22.6 student data with public assistance data to determine students eligible for free and  
22.7 reduced-price meals, meal supplements, and free milk according to United States Code,  
22.8 title 42, sections 1758, 1761, 1766, 1766a, 1772, and 1773; to allocate federal and state  
22.9 funds that are distributed based on income of the student's family; and to verify receipt of  
22.10 energy assistance for the telephone assistance plan;

22.11 (24) the current address and telephone number of program recipients and emergency  
22.12 contacts may be released to the commissioner of health or a community health board as  
22.13 defined in section 145A.02, subdivision 5, when the commissioner or community health  
22.14 board has reason to believe that a program recipient is a disease case, carrier, suspect case,  
22.15 or at risk of illness, and the data are necessary to locate the person;

22.16 (25) to other state agencies, statewide systems, and political subdivisions of this state,  
22.17 including the attorney general, and agencies of other states, interstate information networks,  
22.18 federal agencies, and other entities as required by federal regulation or law for the  
22.19 administration of the child support enforcement program;

22.20 (26) to personnel of public assistance programs as defined in section 256.741, for access  
22.21 to the child support system database for the purpose of administration, including monitoring  
22.22 and evaluation of those public assistance programs;

22.23 (27) to monitor and evaluate the Minnesota family investment program by exchanging  
22.24 data between the Departments of Human Services and Education, on recipients and former  
22.25 recipients of food support, cash assistance under chapter 256, 256D, 256J, or 256K, child  
22.26 care assistance under chapter 119B, medical programs under chapter 256B or 256L, or a  
22.27 medical program formerly codified under chapter 256D;

22.28 (28) to evaluate child support program performance and to identify and prevent fraud  
22.29 in the child support program by exchanging data between the Department of Human Services,  
22.30 Department of Revenue under section 270B.14, subdivision 1, paragraphs (a) and (b),  
22.31 without regard to the limitation of use in paragraph (c), Department of Health, Department  
22.32 of Employment and Economic Development, and other state agencies as is reasonably  
22.33 necessary to perform these functions;

23.1 (29) counties operating child care assistance programs under chapter 119B may  
23.2 disseminate data on program participants, applicants, and providers to the commissioner of  
23.3 education;

23.4 (30) child support data on the child, the parents, and relatives of the child may be  
23.5 disclosed to agencies administering programs under titles IV-B and IV-E of the Social  
23.6 Security Act, as authorized by federal law;

23.7 (31) to a health care provider governed by sections 144.291 to 144.298, to the extent  
23.8 necessary to coordinate services;

23.9 (32) to the chief administrative officer of a school to coordinate services for a student  
23.10 and family; data that may be disclosed under this clause are limited to name, date of birth,  
23.11 gender, and address; ~~or~~

23.12 (33) to county correctional agencies to the extent necessary to coordinate services and  
23.13 diversion programs; data that may be disclosed under this clause are limited to name, client  
23.14 demographics, program, case status, and county worker information; or

23.15 (34) between the Department of Human Services and the Metropolitan Council for the  
23.16 following purposes:

23.17 (i) to coordinate special transportation service provided under section 473.386 with  
23.18 services for people with disabilities and elderly individuals funded by or through the  
23.19 Department of Human Services; and

23.20 (ii) to provide for reimbursement of special transportation service provided under section  
23.21 473.386.

23.22 The data that may be shared under this clause are limited to the individual's first, last, and  
23.23 middle names; date of birth; residential address; and program eligibility status with expiration  
23.24 date for the purposes of informing the other party of program eligibility.

23.25 (b) Information on persons who have been treated for drug or alcohol abuse may only  
23.26 be disclosed according to the requirements of Code of Federal Regulations, title 42, sections  
23.27 2.1 to 2.67.

23.28 (c) Data provided to law enforcement agencies under paragraph (a), clause (15), (16),  
23.29 (17), or (18), or paragraph (b), are investigative data and are confidential or protected  
23.30 nonpublic while the investigation is active. The data are private after the investigation  
23.31 becomes inactive under section 13.82, subdivision 5, paragraph (a) or (b).

24.1 (d) Mental health data shall be treated as provided in subdivisions 7, 8, and 9, but are  
 24.2 not subject to the access provisions of subdivision 10, paragraph (b).

24.3 For the purposes of this subdivision, a request will be deemed to be made in writing if  
 24.4 made through a computer interface system.

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

24.6 Sec. 4. Minnesota Statutes 2018, section 13.72, subdivision 10, is amended to read:

24.7 Subd. 10. **Transportation service data.** (a) Personal, medical, financial, familial, or  
 24.8 locational information data pertaining to applicants for or users of services providing  
 24.9 transportation for ~~the disabled~~ people with disabilities or elderly individuals are private data  
 24.10 on individuals.

24.11 (b) Private transportation service data may be disclosed between the Department of  
 24.12 Human Services and the Metropolitan Council for purposes of administering and coordinating  
 24.13 human services programs and transportation services for people with disabilities and elderly  
 24.14 individuals. The data that may be shared under this paragraph are limited to the individual's  
 24.15 first, last, and middle names; date of birth; residential address; and program eligibility status  
 24.16 with expiration date for the purposes of informing the other party of program eligibility.

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

24.18 Sec. 5. Minnesota Statutes 2018, section 80E.13, is amended to read:

24.19 **80E.13 UNFAIR PRACTICES BY MANUFACTURERS, DISTRIBUTORS,**  
 24.20 **FACTORY BRANCHES.**

24.21 It is unlawful and an unfair practice for a manufacturer, distributor, or factory branch  
 24.22 to engage in any of the following practices:

24.23 (a) delay, refuse, or fail to deliver new motor vehicles or new motor vehicle parts or  
 24.24 accessories in reasonable time and in reasonable quantity relative to the new motor vehicle  
 24.25 dealer's facilities and sales potential in the dealer's relevant market area, after having accepted  
 24.26 an order from a new motor vehicle dealer having a franchise for the retail sale of any new  
 24.27 motor vehicle sold or distributed by the manufacturer or distributor, if the new motor vehicle  
 24.28 or new motor vehicle parts or accessories are publicly advertised as being available for  
 24.29 delivery or actually being delivered. This clause is not violated, however, if the failure is  
 24.30 caused by acts or causes beyond the control of the manufacturer;



25.1 (b) refuse to disclose to any new motor vehicle dealer handling the same line make, the  
25.2 manner and mode of distribution of that line make within the relevant market area;

25.3 (c) obtain money, goods, service, or any other benefit from any other person with whom  
25.4 the dealer does business, on account of, or in relation to, the transaction between the dealer  
25.5 and the other person, other than for compensation for services rendered, unless the benefit  
25.6 is promptly accounted for, and transmitted to, the new motor vehicle dealer;

25.7 (d) increase prices of new motor vehicles which the new motor vehicle dealer had ordered  
25.8 for private retail consumers prior to the dealer's receiving the written official price increase  
25.9 notification. A sales contract signed by a private retail consumer shall constitute evidence  
25.10 of each order if the vehicle is in fact delivered to that customer. In the event of manufacturer  
25.11 price reductions, the amount of any reduction received by a dealer shall be passed on to the  
25.12 private retail consumer by the dealer if the retail price was negotiated on the basis of the  
25.13 previous higher price to the dealer;

25.14 (e) offer any refunds or other types of inducements to any new motor vehicle dealer for  
25.15 the purchase of new motor vehicles of a certain line make without making the same offer  
25.16 to all other new motor vehicle dealers in the same line make within geographic areas  
25.17 reasonably determined by the manufacturer;

25.18 (f) release to any outside party, except under subpoena or in an administrative or judicial  
25.19 proceeding involving the manufacturer or dealer, any business, financial, or personal  
25.20 information which may be provided by the dealer to the manufacturer, without the express  
25.21 written consent of the dealer or unless pertinent to judicial or governmental administrative  
25.22 proceedings or to arbitration proceedings of any kind;

25.23 (g) deny any new motor vehicle dealer the right of free association with any other new  
25.24 motor vehicle dealer for any lawful purpose;

25.25 (h) unfairly discriminate among its new motor vehicle dealers with respect to warranty  
25.26 reimbursement or authority granted its new vehicle dealers to make warranty adjustments  
25.27 with retail customers;

25.28 (i) compete with a new motor vehicle dealer in the same line make operating under an  
25.29 agreement or franchise from the same manufacturer, distributor, or factory branch. A  
25.30 manufacturer, distributor, or factory branch is considered to be competing when it has an  
25.31 ownership interest, other than a passive interest held for investment purposes, in a dealership  
25.32 of its line make located within the state. A manufacturer, distributor, or factory branch shall  
25.33 not, however, be deemed to be competing when operating a dealership, either temporarily  
25.34 or for a reasonable period, which is for sale to any qualified independent person at a fair

26.1 and reasonable price, or when involved in a bona fide relationship in which an independent  
26.2 person has made a significant investment subject to loss in the dealership and can reasonably  
26.3 expect to acquire full ownership and full management and operational control of the  
26.4 dealership within a reasonable time on reasonable terms and conditions;

26.5 (j) prevent a new motor vehicle dealer from transferring or assigning a new motor vehicle  
26.6 dealership to a qualified transferee. There shall be no transfer, assignment of the franchise,  
26.7 or major change in the executive management of the dealership, except as is otherwise  
26.8 provided in sections 80E.01 to 80E.17, without consent of the manufacturer, which shall  
26.9 not be withheld without good cause. In determining whether good cause exists for  
26.10 withholding consent to a transfer or assignment, the manufacturer, distributor, factory  
26.11 branch, or importer has the burden of proving that the transferee is a person who is not of  
26.12 good moral character or does not meet the franchisor's existing and reasonable capital  
26.13 standards and, considering the volume of sales and service of the new motor vehicle dealer,  
26.14 reasonable business experience standards in the market area. Denial of the request must be  
26.15 in writing and delivered to the new motor vehicle dealer within 60 days after the manufacturer  
26.16 receives the completed application customarily used by the manufacturer, distributor, factory  
26.17 branch, or importer for dealer appointments. If a denial is not sent within this period, the  
26.18 manufacturer shall be deemed to have given its consent to the proposed transfer or change.  
26.19 In the event of a proposed sale or transfer of a franchise, the manufacturer, distributor,  
26.20 factory branch, or importer shall be permitted to exercise a right of first refusal to acquire  
26.21 the franchisee's assets or ownership if:

26.22 (1) the franchise agreement permits the manufacturer, distributor, factory branch, or  
26.23 importer to exercise a right of first refusal to acquire the franchisee's assets or ownership  
26.24 in the event of a proposed sale or transfer;

26.25 (2) the proposed transfer of the dealership or its assets is of more than 50 percent of the  
26.26 ownership or assets;

26.27 (3) the manufacturer, distributor, factory branch, or importer notifies the dealer in writing  
26.28 within 60 days of its receipt of the complete written proposal for the proposed sale or transfer  
26.29 on forms generally utilized by the manufacturer, distributor, factory branch, or importer for  
26.30 such purposes and containing the information required therein and all documents and  
26.31 agreements relating to the proposed sale or transfer;

26.32 (4) the exercise of the right of first refusal will result in the dealer and dealer's owners  
26.33 receiving the same or greater consideration with equivalent terms of sale as is provided in

27.1 the documents and agreements submitted to the manufacturer, distributor, factory branch,  
27.2 or importer under clause (3);

27.3 (5) the proposed change of 50 percent or more of the ownership or of the dealership  
27.4 assets does not involve the transfer or sale of assets or the transfer or issuance of stock by  
27.5 the dealer or one or more dealer owners to a family member, including a spouse, child,  
27.6 stepchild, grandchild, spouse of a child or grandchild, brother, sister, or parent of the dealer  
27.7 owner; to a manager who has been employed in the dealership for at least four years and is  
27.8 otherwise qualified as a dealer operator; or to a partnership or corporation owned and  
27.9 controlled by one or more of such persons; and

27.10 (6) the manufacturer, distributor, factory branch, or importer agrees to pay the reasonable  
27.11 expenses, including reasonable attorney fees, which do not exceed the usual customary and  
27.12 reasonable fees charged for similar work done for other clients incurred by the proposed  
27.13 new owner and transferee before the manufacturer, distributor, factory branch, or importer  
27.14 exercises its right of first refusal, in negotiating and implementing the contract for the  
27.15 proposed change of ownership or transfer of dealership assets. However, payment of such  
27.16 expenses and attorney fees shall not be required if the dealer has not submitted or caused  
27.17 to be submitted an accounting of those expenses within 20 days after the dealer's receipt of  
27.18 the manufacturer, distributor, factory branch, or importer's written request for such an  
27.19 accounting. The manufacturer, distributor, factory branch, or importer may request such an  
27.20 accounting before exercising its right of first refusal. The obligation created under this clause  
27.21 is enforceable by the transferee;

27.22 (k) threaten to modify or replace or modify or replace a franchise with a succeeding  
27.23 franchise that would adversely alter the rights or obligations of a new motor vehicle dealer  
27.24 under an existing franchise or that substantially impairs the sales or service obligations or  
27.25 investments of the motor vehicle dealer;

27.26 (l) unreasonably deny the right to acquire factory program vehicles to any dealer holding  
27.27 a valid franchise from the manufacturer to sell the same line make of vehicles, provided  
27.28 that the manufacturer may impose reasonable restrictions and limitations on the purchase  
27.29 or resale of program vehicles to be applied equitably to all of its franchised dealers. For the  
27.30 purposes of this paragraph, "factory program vehicle" has the meaning given the term in  
27.31 section 80E.06, subdivision 2;

27.32 (m) fail or refuse to offer to its same line make franchised dealers all models manufactured  
27.33 for that line make, other than alternative fuel vehicles as defined in section 216C.01,  
27.34 subdivision 1b. Failure to offer a model is not a violation of this section if the failure is not

28.1 arbitrary and is due to a lack of manufacturing capacity, a strike, labor difficulty, or other  
28.2 cause over which the manufacturer, distributor, or factory branch has no control;

28.3 (n) require a dealer to pay an extra fee, or remodel, renovate, or recondition the dealer's  
28.4 existing facilities, or purchase unreasonable advertising displays, training, tools, or other  
28.5 materials, or to require the dealer to establish exclusive facilities or dedicated personnel as  
28.6 a prerequisite to receiving a model or a series of vehicles;

28.7 (o) require a dealer by program, incentive provision, or otherwise to adhere to  
28.8 performance standards that are not applied uniformly to other similarly situated dealers.

28.9 A performance standard, sales objective, or program for measuring dealership performance  
28.10 that may have a material effect on a dealer, including the dealer's right to payment under  
28.11 any incentive or reimbursement program, and the application of the standard or program  
28.12 by a manufacturer, distributor, or factory branch must be fair, reasonable, equitable, and  
28.13 based on accurate information. Upon written request by any of its franchised dealers located  
28.14 within Minnesota, a manufacturer, distributor, or factory branch must provide the method  
28.15 or formula used by the manufacturer in establishing the sales volumes for receiving a rebate  
28.16 or incentive and the specific calculations for determining the required sales volumes of the  
28.17 inquiring dealer and any of the manufacturer's other Minnesota-franchised new motor vehicle  
28.18 dealers of the same line-make located within 75 miles of the inquiring dealer. Nothing  
28.19 contained in this section requires a manufacturer, distributor, or factory branch to disclose  
28.20 confidential business information of any of its franchised dealers or the required numerical  
28.21 sales volumes that any of its franchised dealers must attain to receive a rebate or incentive.  
28.22 An inquiring dealer may file a civil action as provided in section 80E.17 without a showing  
28.23 of injury if a manufacturer, distributor, or factory branch fails to make the disclosure required  
28.24 by this section.

28.25 A manufacturer, distributor, or factory branch has the burden of proving that the performance  
28.26 standard, sales objective, or program for measuring dealership performance is fair, reasonable,  
28.27 and uniformly applied under this section;

28.28 (p) assign or change a dealer's area of sales effectiveness arbitrarily or without due regard  
28.29 to the present pattern of motor vehicle sales and registrations within the dealer's market.  
28.30 The manufacturer, distributor, or factory branch must provide at least 90 days' notice of the  
28.31 proposed change. The change may not take effect if the dealer commences a civil action  
28.32 within the 90 days' notice period to determine whether the manufacturer, distributor, or  
28.33 factory branch met its obligations under this section. The burden of proof in such an action  
28.34 shall be on the manufacturer or distributor. In determining at the evidentiary hearing whether

29.1 a manufacturer, distributor, or factory branch has assigned or changed the dealer's area of  
29.2 sales effectiveness or is proposing to assign or change the dealer's area of sales effectiveness  
29.3 arbitrarily or without due regard to the present pattern of motor vehicle sales and registrations  
29.4 within the dealer's market, the court may take into consideration the relevant circumstances,  
29.5 including, but not limited to:

29.6 (1) the traffic patterns between consumers and the same line-make franchised dealers  
29.7 of the affected manufacturer, distributor, or factory branch who are located within the  
29.8 market;

29.9 (2) the pattern of new vehicle sales and registrations of the affected manufacturer,  
29.10 distributor, or factory branch within various portions of the area of sales effectiveness and  
29.11 within the market as a whole;

29.12 (3) the growth or decline in population, density of population, and new car registrations  
29.13 in the market;

29.14 (4) the presence or absence of natural geographical obstacles or boundaries, such as  
29.15 rivers;

29.16 (5) the proximity of census tracts or other geographic units used by the affected  
29.17 manufacturer, factory branch, distributor, or distributor branch in determining the same  
29.18 line-make dealers' respective areas of sales effectiveness; and

29.19 (6) the reasonableness of the change or proposed change to the dealer's area of sales  
29.20 effectiveness, considering the benefits and harm to the petitioning dealer, other same  
29.21 line-make dealers, and the manufacturer, distributor, or factory branch;

29.22 (q) to charge back, withhold payment, deny vehicle allocation, or take any other adverse  
29.23 action against a dealer when a new vehicle sold by the dealer has been exported to a foreign  
29.24 country, unless the manufacturer, distributor, or factory branch can show that at the time  
29.25 of sale, the customer's information was listed on a known or suspected exporter list made  
29.26 available to the dealer, or the dealer knew or reasonably should have known of the purchaser's  
29.27 intention to export or resell the motor vehicle in violation of the manufacturer's export  
29.28 policy. There is a rebuttable presumption that the dealer did not know or should not have  
29.29 reasonably known that the vehicle would be exported or resold in violation of the  
29.30 manufacturer's export policy if the vehicle is titled and registered in any state of the United  
29.31 States; ~~or~~

29.32 (r) to implement a charge back or withhold payment to a dealer that is solely due to an  
29.33 unreasonable delay by the registrar, as defined in section 168.002, subdivision 29, in the

30.1 transfer or registration of a new motor vehicle. The dealer must give the manufacturer notice  
 30.2 of the state's delay in writing. Within 30 days of any notice of a charge back, withholding  
 30.3 of payments, or denial of a claim, the dealer must transmit to the manufacturer (1)  
 30.4 documentation to demonstrate the vehicle sale and delivery as reported, and (2) a written  
 30.5 attestation signed by the dealer operator or general manager stating that the delay is  
 30.6 attributable to the state. This clause expires on June 30, 2022; or

30.7 ~~(†)~~ (s) to require a dealer or prospective dealer by program, incentive provision, or  
 30.8 otherwise to construct improvements to its or a predecessor's facilities or to install new signs  
 30.9 or other franchisor image elements that replace or substantially alter improvements, signs,  
 30.10 or franchisor image elements completed within the preceding ten years that were required  
 30.11 and approved by the manufacturer, distributor, or factory branch, including any such  
 30.12 improvements, signs, or franchisor image elements that were required as a condition of the  
 30.13 dealer or predecessor dealer receiving an incentive or other compensation from the  
 30.14 manufacturer, distributor, or factory branch.

30.15 This paragraph shall not apply to a program or agreement that provides lump sum payments  
 30.16 to assist dealers in making facility improvements or to pay for signs or franchisor image  
 30.17 elements when such payments are not dependent on the dealer selling or purchasing specific  
 30.18 numbers of new vehicles and shall not apply to a program that is in effect with more than  
 30.19 one Minnesota dealer on August 1, 2018, nor to any renewal of such program, nor to a  
 30.20 modification that is not a substantial modification of a material term or condition of such  
 30.21 program.

30.22 **EFFECTIVE DATE.** This section is effective August 1, 2019.

30.23 Sec. 6. Minnesota Statutes 2018, section 160.262, subdivision 1, is amended to read:

30.24 Subdivision 1. **Bikeways; powers and duties; design guidelines.** (a) The legislature  
 30.25 determines that it is in the interests of the public health, safety and welfare, to provide for  
 30.26 the addition of bikeways to proposed and existing public highways. The commissioner of  
 30.27 transportation is authorized to plan, design, establish, and maintain bikeways on the  
 30.28 right-of-way of any trunk highway. The commissioner is responsible for the design and  
 30.29 construction of all bikeway projects within the right-of-way of any trunk highway. The  
 30.30 commissioner must consider the development of bikeways during the planning, design,  
 30.31 construction, reconstruction, or improvement of any trunk highway, or allow the  
 30.32 establishment of such bikeways within trunk highway right-of-way.

30.33 (b) The commissioner must maintain bikeway design guidelines consistent with the state  
 30.34 transportation goals in section 174.01.

31.1 (c) The commissioner must compile and maintain a map of bikeways in the state and  
 31.2 must publish and distribute the map's information at least once every two years in a form  
 31.3 and manner suitable to assist persons wishing to use the bikeways.

31.4 (d) The commissioner must maintain bikeways within the limits of trunk highway  
 31.5 right-of-way unless a written agreement or limited use permit provides otherwise.

31.6 (e) The commissioner must not spend any money from the trunk highway fund on  
 31.7 creating, constructing, expanding, marking, or maintaining bicycle lanes or routes.

31.8 Sec. 7. Minnesota Statutes 2018, section 160.263, subdivision 2, is amended to read:

31.9 Subd. 2. **Powers of political subdivisions.** (a) The governing body of any political  
 31.10 subdivision may by ordinance or resolution:

31.11 (1) designate any roadway or shoulder or portion thereof under its jurisdiction as a  
 31.12 bicycle lane or bicycle route;

31.13 (2) designate any sidewalk or portion thereof under its jurisdiction as a bicycle path  
 31.14 provided that the designation does not destroy a pedestrian way or pedestrian access;

31.15 (3) develop and designate bicycle paths;

31.16 (4) designate as bikeways all bicycle lanes, bicycle routes, and bicycle paths.

31.17 (b) A governing body may not prohibit or otherwise restrict operation of an  
 31.18 electric-assisted bicycle, as defined in section 169.011, subdivision 27, on any bikeway,  
 31.19 roadway, or shoulder, unless the governing body determines that operation of the  
 31.20 electric-assisted bicycle is not consistent with (1) the safety or general welfare of bikeway,  
 31.21 roadway, or shoulder users; or (2) the terms of any property conveyance.

31.22 (c) A governing body is prohibited from establishing a bikeway in a segment of public  
 31.23 road right-of-way that results in the elimination or relocation of any disability parking that  
 31.24 is designated under section 169.346, subdivision 2.

31.25 **EFFECTIVE DATE.** This section is effective June 1, 2019.

31.26 Sec. 8. Minnesota Statutes 2018, section 160.264, is amended to read:

31.27 **160.264 REPLACING BIKEWAYS AND PEDESTRIAN WAYS.**

31.28 Whenever an existing bikeway, pedestrian way, or roadway used by bicycles or  
 31.29 pedestrians or the sole access to such is destroyed by any new, reconstructed, or relocated  
 31.30 federal, state, or local highway, the road authority responsible shall replace the destroyed

32.1 facility or access with a comparable facility or access. Replacement is not required where  
 32.2 it would be contrary to public safety or when sparsity of population, other available ways  
 32.3 or other factors indicate an absence of need for such facility or access. Replacement is  
 32.4 prohibited where money from the trunk highway fund would be used for the replacement.

32.5 Sec. 9. Minnesota Statutes 2018, section 160.266, subdivision 5, is amended to read:

32.6 Subd. 5. **Funding.** (a) Shared use paths included within state bicycle routes and not  
 32.7 administered by the commissioner of natural resources are eligible for funding from the  
 32.8 environment and natural resources trust fund under chapter 116P, from the parks and trails  
 32.9 grant program under section 85.535, from the local recreation grants program under section  
 32.10 85.019, subdivision 4b, and from other sources.

32.11 (b) The commissioner must not spend any money from the trunk highway fund on  
 32.12 creating, constructing, expanding, marking, or maintaining a state bicycle route.

32.13 Sec. 10. Minnesota Statutes 2018, section 160.93, subdivision 1, is amended to read:

32.14 Subdivision 1. **Fees authorized.** To improve efficiency and provide more options to  
 32.15 individuals traveling in a trunk highway corridor, the commissioner of transportation may  
 32.16 charge user fees to owners or operators of ~~single-occupant~~ low-occupancy vehicles using  
 32.17 dynamic shoulder lanes as designated by the commissioner and any designated  
 32.18 high-occupancy vehicle lanes. The fees may be collected using electronic or other  
 32.19 toll-collection methods and may vary in amount with the time of day and level of traffic  
 32.20 congestion within the corridor. The commissioner shall consult with the Metropolitan  
 32.21 Council and obtain necessary federal authorizations before implementing user fees on a  
 32.22 high-occupancy vehicle lane or dynamic shoulder lane. Fees under this section are not  
 32.23 subject to section 16A.1283.

32.24 Sec. 11. Minnesota Statutes 2018, section 160.93, subdivision 2, is amended to read:

32.25 Subd. 2. **Deposit of revenues; appropriation.** (a) ~~Except as provided in subdivision~~  
 32.26 ~~2a,~~ Money collected from fees authorized under subdivision 1 must be deposited in a  
 32.27 high-occupancy vehicle lane user fee account in the special revenue fund. A separate account  
 32.28 must be established for each trunk highway corridor. Money in the account is appropriated  
 32.29 to the commissioner.

32.30 (b) From this appropriation the commissioner shall ~~first~~:

32.31 (1) first, repay the trunk highway fund and any other fund source for money spent to  
 32.32 install, equip, or modify the corridor for the purposes of subdivision 1, ~~and then shall;~~



33.1 (2) second, pay all the costs of implementing and administering the fee collection system  
 33.2 for that corridor;

33.3 ~~(c) The commissioner shall spend remaining money in the account as follows:~~

33.4 ~~(1) one-half must be spent~~ (3) third, pay for transportation capital improvements within  
 33.5 the corridor; ~~and~~

33.6 (4) fourth, pay for maintenance of the corridor; and

33.7 ~~(2) one-half must be transferred~~ (5) fifth, transfer any funds not spent according to clauses  
 33.8 (1) to (4) to the Metropolitan Council for expansion and improvement of bus transit services  
 33.9 within the corridor beyond the level of service provided on the date of implementation of  
 33.10 subdivision 1.

33.11 Sec. 12. Minnesota Statutes 2018, section 160.93, subdivision 4, is amended to read:

33.12 Subd. 4. **Prohibition.** No person may operate a ~~single-occupant~~ low-occupancy vehicle  
 33.13 in a designated high-occupancy vehicle lane or dynamic shoulder lane except in compliance  
 33.14 with the requirements of ~~the commissioner~~ this section. A person who violates this  
 33.15 subdivision is guilty of a petty misdemeanor and is subject to sections 169.89, subdivisions  
 33.16 1, 2, and 4, and 169.891 and any other provision of chapter 169 applicable to the commission  
 33.17 of a petty misdemeanor traffic offense.

33.18 Sec. 13. Minnesota Statutes 2018, section 160.93, subdivision 5, is amended to read:

33.19 Subd. 5. **Dynamic shoulder lanes.** (a) The commissioner may designate dynamic  
 33.20 shoulder lanes on freeways. The commissioner may operate dynamic shoulder lanes as  
 33.21 priced lanes, general purpose lanes, high-occupancy vehicle lanes, or as shoulders as defined  
 33.22 in section 169.011, subdivision 74. The commissioner may prescribe the conditions under  
 33.23 which the lanes may be used.

33.24 (b) The commissioner may not operate a dynamic shoulder lane on marked Trunk  
 33.25 Highway 35W from its intersection with marked Trunk Highway 94 to its intersection with  
 33.26 marked Trunk Highway 62 as a general purpose lane. A dynamic shoulder lane along this  
 33.27 portion of marked Trunk Highway 35W may only be used by:

33.28 (1) a vehicle with more than one occupant;

33.29 (2) a ~~single-occupant~~ low-occupancy vehicle if the fee under subdivision 1 is paid;

33.30 (3) a transit bus providing public transit, as defined in section 174.22, subdivision 7;

33.31 and

34.1 (4) an authorized emergency vehicle, as defined in section 169.011, subdivision 3.

34.2 (c) The commissioner shall erect signs to indicate when the lanes may be used.

34.3 Sec. 14. Minnesota Statutes 2018, section 160.93, is amended by adding a subdivision to  
34.4 read:

34.5 Subd. 6. **Low-occupancy vehicle.** For purposes of this section, a "low-occupancy vehicle"  
34.6 is a motor vehicle with an occupancy of one or two individuals.

34.7 Sec. 15. Minnesota Statutes 2018, section 161.04, is amended by adding a subdivision to  
34.8 read:

34.9 Subd. 7. **Prohibition on use for bicycle lanes or routes.** No money from the trunk  
34.10 highway fund may be spent on creating, constructing, expanding, marking, or maintaining  
34.11 bicycle lanes or routes. Money from the trunk highway fund must not be spent to convert  
34.12 a vehicle travel lane to a bicycle lane or route.

34.13 Sec. 16. **[161.089] REPORT ON DEDICATED FUND EXPENDITURES.**

34.14 By January 15 of each odd-numbered year, the commissioners of transportation and  
34.15 public safety, in consultation with the commissioner of management and budget, must jointly  
34.16 submit a report to the chairs and ranking minority members of the legislative committees  
34.17 with jurisdiction over transportation finance. The report must list detailed expenditures and  
34.18 transfers from the trunk highway fund and highway user tax distribution fund for the previous  
34.19 two fiscal years and must include information on the purpose of each expenditure.

34.20 Sec. 17. Minnesota Statutes 2018, section 161.14, subdivision 16, is amended to read:

34.21 Subd. 16. ~~Eisenhower Memorial Bridge~~ **Bridge of Valor.** The bridge over the Mississippi  
34.22 River at the city of Red Wing, being part of Legislative Route No. 161, is ~~hereby named~~  
34.23 ~~and designated the "Eisenhower Memorial Bridge." Any plaques or signs memorializing~~  
34.24 ~~this bridge should be furnished by other than the Minnesota Department of Transportation~~  
34.25 ~~and approved by the commissioner of transportation.~~ as "Bridge of Valor." Subject to section  
34.26 161.139, the commissioner must adopt a suitable design to mark this bridge and erect  
34.27 appropriate signs.

35.1 Sec. 18. Minnesota Statutes 2018, section 161.14, is amended by adding a subdivision to  
35.2 read:

35.3 Subd. 88. **Captain Jeffrey Vollmer Memorial Highway.** That segment of marked  
35.4 Trunk Highway 25 from marked Trunk Highway 7 to Carver County Road 30 is designated  
35.5 as "Captain Jeffrey Vollmer Memorial Highway." Subject to section 161.139, the  
35.6 commissioner shall adopt a suitable design to mark this highway and erect appropriate signs.

35.7 Sec. 19. Minnesota Statutes 2018, section 161.14, is amended by adding a subdivision to  
35.8 read:

35.9 Subd. 89. **Corrections Officer Joseph Gomm Memorial Highway.** That segment of  
35.10 marked Trunk Highway 95 in West Lakeland Township, Bayport, and Oak Park Heights  
35.11 from the intersection with signed Interstate Highway 94 to the intersection with marked  
35.12 Trunk Highway 36 is designated "Corrections Officer Joseph Gomm Memorial Highway."  
35.13 Subject to section 161.139, the commissioner shall adopt a suitable design to mark this  
35.14 highway and erect appropriate signs.

35.15 Sec. 20. Minnesota Statutes 2018, section 161.14, is amended by adding a subdivision to  
35.16 read:

35.17 Subd. 90. **Kenneth E. Sellon and Eugene B. Schlotfeldt Memorial Highway.** That  
35.18 segment of marked Interstate Highway 94 from Sauk Centre to Alexandria is designated as  
35.19 "Kenneth E. Sellon and Eugene B. Schlotfeldt Memorial Highway." Subject to section  
35.20 161.139, the commissioner shall adopt a suitable design to mark this highway and erect  
35.21 appropriate signs.

35.22 Sec. 21. Minnesota Statutes 2018, section 161.14, is amended by adding a subdivision to  
35.23 read:

35.24 Subd. 91. **Richard J. Ames Memorial Highway.** (a) The following route between the  
35.25 city of Jordan and marked U.S. Highway 61 shall be known as the "Richard J. Ames  
35.26 Memorial Highway":

35.27 Beginning at a point at the eastern city limits of Jordan; thence extending easterly along  
35.28 marked Trunk Highway 282 to its junction with marked Trunk Highway 13; thence extending  
35.29 northerly along marked Trunk Highway 13 to its junction with Eagle Creek Avenue in the  
35.30 city limits of Prior Lake; thence extending easterly along Eagle Creek Avenue and 185th  
35.31 Street East to its junction with Kenwood Trail and Dakota County State-Aid Highway 50;  
35.32 thence extending easterly and southerly along Kenwood Trail and Dakota County State-Aid

36.1 Highway 50 to its junction with marked Trunk Highway 3 in the city limits of Farmington;  
36.2 thence extending southerly along marked Trunk Highway 3 to its junction with marked  
36.3 Trunk Highway 50; thence extending easterly along marked Trunk Highway 50 to its  
36.4 terminus at its junction with marked Trunk Highway 20 and marked U.S. Highway 61 near  
36.5 Miesville.

36.6 (b) Subject to section 161.139, the commissioner shall adopt a suitable design to mark  
36.7 this highway and erect appropriate signs along U.S. and trunk highways. The appropriate  
36.8 local road authority shall erect appropriate signs on local roads, once the local road authority  
36.9 is assured of the availability of funds from nonstate sources as provided in section 161.139.

36.10 Sec. 22. Minnesota Statutes 2018, section 161.14, is amended by adding a subdivision to  
36.11 read:

36.12 Subd. 92. **Ryane Clark Memorial Highway.** That segment of marked Trunk Highway  
36.13 23 in Kandiyohi County between New London and Spicer is designated as "Ryane Clark  
36.14 Memorial Highway." Subject to section 161.139, the commissioner shall adopt a suitable  
36.15 design to mark this highway and erect appropriate signs.

36.16 Sec. 23. Minnesota Statutes 2018, section 161.14, is amended by adding a subdivision to  
36.17 read:

36.18 Subd. 93. **State Trooper Ray Krueger Memorial Highway.** That segment of marked  
36.19 Trunk Highway 210 within Cass County is designated as "State Trooper Ray Krueger  
36.20 Memorial Highway." Subject to section 161.139, the commissioner shall adopt a suitable  
36.21 design to mark this highway and erect appropriate signs in the vicinity of the location where  
36.22 Trooper Krueger died.

36.23 Sec. 24. Minnesota Statutes 2018, section 161.14, is amended by adding a subdivision to  
36.24 read:

36.25 Subd. 94. **Tom Rukavina Memorial Bridge.** The bridge on marked U.S. Highway 53  
36.26 over a mining area easterly of 2nd Avenue West in the city of Virginia is designated as  
36.27 "Tom Rukavina Memorial Bridge." Subject to section 161.139, the commissioner shall  
36.28 adopt a suitable design to mark this bridge and erect appropriate signs.

37.1 Sec. 25. Minnesota Statutes 2018, section 161.14, is amended by adding a subdivision to  
37.2 read:

37.3 Subd. 95. **Warrant Officer Dennis A. Groth Memorial Bridge.** The bridge on marked  
37.4 U.S. Highway 52 over Dakota County State-Aid Highway 42, known as 145th Street within  
37.5 the city of Rosemount, is designated as "Warrant Officer Dennis A. Groth Memorial Bridge."  
37.6 Subject to section 161.139, the commissioner shall adopt a suitable design to mark the  
37.7 bridge and erect appropriate signs.

37.8 Sec. 26. Minnesota Statutes 2018, section 168.002, subdivision 8, is amended to read:

37.9 Subd. 8. **Farm truck.** (a) "Farm truck" means all single-unit trucks, pickup trucks,  
37.10 truck-tractors, tractors, semitrailers, and trailers used by the owner thereof to transport  
37.11 agricultural, horticultural, dairy, and other farm products, including livestock, produced or  
37.12 finished by the owner of the truck, and any other personal property owned by the farmer to  
37.13 whom the license for the truck is issued, from the farm to market, and to transport property  
37.14 and supplies to the farm of the owner. Trucks, pickup trucks, truck-tractors, tractors,  
37.15 semitrailers, and trailers registered as "farm trucks" may be used by the owner thereof to  
37.16 occasionally transport unprocessed and raw farm products, not produced by the owner of  
37.17 the truck, from the place of production to market when the transportation constitutes the  
37.18 first haul of the products, and may be used by the owner thereof, either farmer or logger  
37.19 who harvests and hauls forest products only, to transport logs, pulpwood, lumber, chips,  
37.20 railroad ties and other raw and unfinished forest products from the place of production to  
37.21 an intermediate or final assembly point or transfer yard or railhead, which transportation  
37.22 may be continued by another farm truck to a place for final processing or manufacture  
37.23 located within 200 miles of the place of production and all of which is deemed to constitute  
37.24 the first haul of unfinished wood products; provided that the owner and operator of the  
37.25 vehicle transporting planed lumber shall have in immediate possession a statement signed  
37.26 by the producer of the lumber designating the governmental subdivision, section, and  
37.27 township where the lumber was produced and that this haul, indicating the date, is the first  
37.28 haul thereof. The licensed vehicles may also be used by the owner thereof to transport, to  
37.29 and from timber-harvesting areas, equipment and appurtenances incidental to timber  
37.30 harvesting, and gravel and other road-building materials for timber haul roads.

37.31 (b) "Farm trucks" shall also include only single-unit trucks that, because of their  
37.32 construction, cannot be used for any other purpose and are used exclusively to transport  
37.33 milk and cream en route from a farm to an assembly point or place for final manufacture,  
37.34 and for transporting milk and cream from an assembly point to a place for final processing

38.1 or manufacture. This section shall not be construed to mean that the owner or operator of  
 38.2 the truck cannot carry on usual accommodation services for patrons on regular return trips,  
 38.3 such as butter, cream, cheese, and other dairy supplies.

38.4 Sec. 27. Minnesota Statutes 2018, section 168.013, subdivision 1a, is amended to read:

38.5 Subd. 1a. **Passenger automobile; hearse.** (a) On passenger automobiles as defined in  
 38.6 section 168.002, subdivision 24, and hearses, except as otherwise provided, the tax is \$10  
 38.7 plus an additional tax equal to 1.25 percent of the base value.

38.8 (b) Subject to the classification provisions herein, "base value" means the manufacturer's  
 38.9 suggested retail price of the vehicle including destination charge using list price information  
 38.10 published by the manufacturer or determined by the registrar if no suggested retail price  
 38.11 exists, and shall not include the cost of each accessory or item of optional equipment  
 38.12 separately added to the vehicle and the suggested retail price. In the case of the first  
 38.13 registration of a new vehicle sold or leased by a licensed dealer, the dealer may elect to  
 38.14 individually determine the base value of the vehicle using suggested retail price information  
 38.15 provided by the manufacturer. The registrar must use the base value determined by the  
 38.16 dealer to properly classify the vehicle. A dealer that elects to make the determination must  
 38.17 retain a copy of the suggested retail price label or other supporting documentation with the  
 38.18 vehicle transaction records maintained under Minnesota Rules, part 7400.5200.

38.19 (c) If the manufacturer's list price information contains a single vehicle identification  
 38.20 number followed by various descriptions and suggested retail prices, the registrar shall  
 38.21 select from those listings only the lowest price for determining base value.

38.22 (d) If unable to determine the base value because the vehicle is specially constructed,  
 38.23 or for any other reason, the registrar may establish such value upon the cost price to the  
 38.24 purchaser or owner as evidenced by a certificate of cost but not including Minnesota sales  
 38.25 or use tax or any local sales or other local tax.

38.26 (e) The registrar shall classify every vehicle in its proper base value class as follows:

38.27	FROM	TO
38.28	\$ 0	\$ 199.99
38.29	\$ 200	\$ 399.99

38.30 and thereafter a series of classes successively set in brackets having a spread of \$200  
 38.31 consisting of such number of classes as will permit classification of all vehicles.

38.32 (f) The base value for purposes of this section shall be the middle point between the  
 38.33 extremes of its class.

39.1 (g) The registrar shall establish the base value, when new, of every passenger automobile  
 39.2 and hearse registered prior to the effective date of Extra Session Laws 1971, chapter 31,  
 39.3 using list price information published by the manufacturer or any nationally recognized  
 39.4 firm or association compiling such data for the automotive industry. If unable to ascertain  
 39.5 the base value of any registered vehicle in the foregoing manner, the registrar may use any  
 39.6 other available source or method. The registrar shall calculate tax using base value  
 39.7 information available to dealers and deputy registrars at the time the application for  
 39.8 registration is submitted. The tax on all previously registered vehicles shall be computed  
 39.9 upon the base value thus determined taking into account the depreciation provisions of  
 39.10 paragraph (h).

39.11 (h) The annual additional tax must be computed upon a percentage of the base value as  
 39.12 follows: during the first year of vehicle life, upon 100 percent of the base value; for the  
 39.13 second year, 90 percent of such value; for the third year, 80 percent of such value; for the  
 39.14 fourth year, 70 percent of such value; for the fifth year, 60 percent of such value; for the  
 39.15 sixth year, 50 percent of such value; for the seventh year, 40 percent of such value; for the  
 39.16 eighth year, 30 percent of such value; for the ninth year, 20 percent of such value; for the  
 39.17 tenth year, ten percent of such value; for the 11th and each succeeding year, the sum of \$25.

39.18 (i) In no event shall the annual additional tax be less than \$25.

39.19 (j) For any vehicle previously registered in Minnesota and regardless of prior ownership,  
 39.20 the total amount due under this subdivision and ~~subdivision 1m~~ subdivisions 1m and 1n  
 39.21 must not exceed the smallest total amount previously paid or due on the vehicle.

39.22 **EFFECTIVE DATE.** This section is effective August 1, 2019.

39.23 Sec. 28. Minnesota Statutes 2018, section 168.013, subdivision 1m, is amended to read:

39.24 Subd. 1m. **Electric vehicle.** In addition to the tax under subdivision 1a, a surcharge of  
 39.25 ~~\$75~~ \$200 is imposed for an all-electric vehicle, as defined in section 169.011, subdivision  
 39.26 1a. Notwithstanding subdivision 8, revenue from the fee imposed under this subdivision  
 39.27 must be deposited in the highway user tax distribution fund.

39.28 Sec. 29. Minnesota Statutes 2018, section 168.013, is amended by adding a subdivision  
 39.29 to read:

39.30 **Subd. 1n. Plug-in hybrid electric vehicle.** In addition to the tax under subdivision 1a,  
 39.31 a surcharge of \$100 is imposed for a plug-in hybrid electric vehicle as defined in section

40.1 169.011, subdivision 54a. Notwithstanding subdivision 8, revenue from the fee imposed  
 40.2 under this subdivision must be deposited in the highway user tax distribution fund.

40.3 Sec. 30. Minnesota Statutes 2018, section 168.013, subdivision 6, is amended to read:

40.4 Subd. 6. **Listing by dealers.** The owner of every motor vehicle not exempted by section  
 40.5 168.012 or 168.28, ~~shall~~ must, so long as it is subject to taxation within the state, annually  
 40.6 list and register the same and pay the tax ~~herein provided annually~~ under this section;  
 40.7 provided, however, that any dealer in motor vehicles, to whom dealer's plates have been  
 40.8 issued as provided in this chapter, coming into the possession of ~~any such~~ a motor vehicle  
 40.9 to be held solely for the purpose of sale or demonstration or both, ~~shall be~~ is entitled to  
 40.10 withhold the tax due on the vehicle from the prior registration period or becoming due on  
 40.11 ~~such vehicle~~ for the following year and no lien for registration tax as provided in section  
 40.12 168.31, subdivision 6, shall attach. When, thereafter, ~~such~~ the vehicle is otherwise used or  
 40.13 is sold, leased, or rented to another person, firm, corporation, or association, the tax for the  
 40.14 remainder of the year, prorated on a monthly basis, ~~shall become~~ becomes payable  
 40.15 immediately.

40.16 **EFFECTIVE DATE.** This section is effective August 1, 2019.

40.17 Sec. 31. Minnesota Statutes 2018, section 168.10, subdivision 1h, is amended to read:

40.18 Subd. 1h. **Collector military vehicle.** (a) A motor vehicle, including a truck, shall be  
 40.19 listed and registered under this section if it meets the following conditions:

40.20 (1) it is at least 20 years old;

40.21 (2) its first owner following its manufacture was a branch of the armed forces of the  
 40.22 United States and it presently conforms to the vehicle specifications required during the  
 40.23 time of military ownership, or it has been restored and presently conforms to the  
 40.24 specifications required by a branch of the armed forces for the model year that the restored  
 40.25 vehicle could have been owned by that branch of the armed forces; and

40.26 (3) it is owned by a nonprofit organization and operated solely as a collector's vehicle.  
 40.27 For purposes of this subdivision, "nonprofit organization" means a corporation, society,  
 40.28 association, foundation, or institution organized and operated exclusively for historical or  
 40.29 educational purposes, no part of the net earnings of which inures to the benefit of a private  
 40.30 individual.

40.31 (b) The owner of the vehicle shall execute an affidavit stating the name and address of  
 40.32 the person from whom purchased and of the new owner; the make, year, and model number



41.1 of the motor vehicle; the manufacturer's identification number; and the collector military  
41.2 vehicle identification number, if any, located on the exterior of the vehicle. The affidavit  
41.3 must affirm that the vehicle is owned by a nonprofit organization and is operated solely as  
41.4 a collector's item and not for general transportation purposes. If the commissioner is satisfied  
41.5 that the affidavit is true and correct and the owner pays a \$25 tax and the plate fee authorized  
41.6 under section 168.12, the commissioner shall list the vehicle for taxation and registration  
41.7 and shall issue number plates. The number plates shall bear the inscriptions "Collector" and  
41.8 "Minnesota" and the registration number, but no date. The number plates are valid without  
41.9 renewal as long as the vehicle is in existence in Minnesota. The commissioner may revoke  
41.10 the plates for failure to comply with this subdivision.

41.11 (c) Notwithstanding section 168.09, 168.12, or other law to the contrary, the owner of  
41.12 a registered collector military vehicle is not required to display registration plates on the  
41.13 exterior of the vehicle if the vehicle has an exterior number identification that conforms to  
41.14 the identifying system for military vehicles in effect when the vehicle was last owned by  
41.15 the branch of the armed forces of the United States or in effect in the year to which the  
41.16 collector military vehicle has been restored. However, the state registration plates must be  
41.17 carried in or on the collector military vehicle at all times.

41.18 (d) The owner of a registered collector military vehicle that is not required to display  
41.19 registration plates under paragraph (c) may tow a registered trailer behind it. The trailer is  
41.20 not required to display registration plates if the trailer:

41.21 (1) does not exceed a gross weight of 15,000 pounds;

41.22 (2) otherwise conforms to registration, licensing, and safety laws and specifications;

41.23 (3) conforms to military specifications for appearance and identification;

41.24 (4) is intended to represent and does represent a military trailer; and

41.25 (5) carries registration plates on or in the trailer or the collector military vehicle towing  
41.26 the trailer.

41.27 (e) This subdivision does not apply to a decommissioned military vehicle that (1) was  
41.28 also manufactured and sold as a comparable civilian vehicle, and (2) has the same size  
41.29 dimensions and vehicle weight as the comparable civilian vehicle. A decommissioned  
41.30 military vehicle under this paragraph is eligible for a motor vehicle title under chapter 168A  
41.31 and is subject to the same registration, insurance, equipment, and operating requirements  
41.32 as a motor vehicle.

42.1 Sec. 32. Minnesota Statutes 2018, section 168.1294, subdivision 6, is amended to read:

42.2 Subd. 6. **Contributions; memorial account; appropriation.** Contributions collected  
42.3 under subdivision 1, clause (4), must be deposited in the Minnesota law enforcement  
42.4 memorial account, which is established in the special revenue fund. Money in the account  
42.5 is appropriated to the commissioner of public safety. This appropriation is first for the annual  
42.6 cost of administering the account funds, and the remaining funds are for distribution to the  
42.7 Minnesota Law Enforcement Memorial Association, ~~to be used.~~ By August 15 of each year,  
42.8 the commissioner must distribute all funds remaining to the association. The association  
42.9 must use the funds to further the mission of the association in assisting the families and  
42.10 home agencies of Minnesota law enforcement officers who have died in the line of duty.  
42.11 By January 15 of each year, the association must report to the commissioner of public safety  
42.12 and to the chairs and ranking minority members of the legislative committees with jurisdiction  
42.13 over transportation policy and finance. The report must include an itemized list of each  
42.14 expenditure the association made with the funds received under this section for the previous  
42.15 calendar year.

42.16 Sec. 33. Minnesota Statutes 2018, section 168.27, is amended by adding a subdivision to  
42.17 read:

42.18 Subd. 32. **Multiple licenses.** If a single legal entity holds more than one new or used  
42.19 vehicle dealer license, new and used vehicles owned by the entity may be held and offered  
42.20 for sale at any of the licensed dealership locations without assigning vehicle ownership or  
42.21 title from one licensee to another. This subdivision does not authorize the sale or offering  
42.22 for sale of new vehicles by a licensee that is not authorized by the manufacturer to sell that  
42.23 make of new vehicles.

42.24 **EFFECTIVE DATE.** This section is effective August 1, 2019.

42.25 Sec. 34. Minnesota Statutes 2018, section 168.27, is amended by adding a subdivision to  
42.26 read:

42.27 Subd. 33. **Designated dealer title and registration liaison.** The registrar must designate  
42.28 by name and provide contact information for one or more registrar employees as needed to  
42.29 (1) promptly and effectively respond to questions from licensed dealers, and (2) troubleshoot  
42.30 dealer issues related to vehicle titling and registration.

42.31 **EFFECTIVE DATE.** This section is effective August 1, 2019.

43.1 Sec. 35. Minnesota Statutes 2018, section 168.301, subdivision 3, is amended to read:

43.2 Subd. 3. **Late fee.** In addition to any fee or tax otherwise authorized or imposed upon  
43.3 the transfer of title for a motor vehicle, the commissioner of public safety shall impose a  
43.4 \$2 additional fee for failure to deliver a title transfer within ten business days. This  
43.5 subdivision does not apply to transfers from licensed vehicle dealers.

43.6 **EFFECTIVE DATE.** This section is effective July 1, 2020, or upon completion of the  
43.7 necessary programming changes to the driver and vehicle services information system,  
43.8 whichever is earlier.

43.9 Sec. 36. Minnesota Statutes 2018, section 168.33, subdivision 8a, is amended to read:

43.10 Subd. 8a. **Electronic transmission.** (a) If the commissioner accepts electronic  
43.11 transmission of a motor vehicle transfer and registration by a new or used motor vehicle  
43.12 dealer, a deputy registrar who is equipped with electronic transmission technology and  
43.13 trained in its use shall receive the filing fee provided for in subdivision 7 and review the  
43.14 transfer of each new or used motor vehicle to determine its genuineness and regularity  
43.15 before issuance of a certificate of title, and shall receive and retain the filing fee under  
43.16 subdivision 7, paragraph (a), clause ~~(ii)~~ (2).

43.17 (b) The commissioner must establish reasonable performance, security, technical, and  
43.18 financial standards to approve companies that provide computer software and services to  
43.19 motor vehicle dealers to electronically transmit vehicle title transfer and registration  
43.20 information. An approved company must be offered access to department facilities, staff,  
43.21 and technology on a fair and reasonable basis.

43.22 **EFFECTIVE DATE.** This section is effective August 1, 2019.

43.23 Sec. 37. Minnesota Statutes 2018, section 168A.02, subdivision 1, is amended to read:

43.24 Subdivision 1. **Application for certificate of title.** (a) Except as provided in section  
43.25 168A.03, every owner of a vehicle which is in this state and for which no currently effective  
43.26 certificate of title has been issued in this state ~~shall make application~~ must apply to the  
43.27 department for a certificate of title of the vehicle, pursuant to rules adopted by the department  
43.28 under section 168A.24, subdivision 2, clause ~~3~~ (3).

43.29 (b) A decommissioned military vehicle that (1) was also manufactured and sold as a  
43.30 comparable civilian vehicle, and (2) has the same size dimensions and vehicle weight as  
43.31 the comparable civilian vehicle, is eligible for a certificate of title under this chapter.

44.1 Sec. 38. Minnesota Statutes 2018, section 168A.12, subdivision 2, is amended to read:

44.2 Subd. 2. **Owner's interest terminated or vehicle sold by secured party.** If the interest  
44.3 of the owner is terminated or the vehicle is sold under a security agreement by a secured  
44.4 party named in the certificate of title or an assignee of the secured party, the transferee shall  
44.5 promptly mail or deliver to the department the last certificate of title, if available, an  
44.6 application for a new certificate in the format the department prescribes, and an affidavit  
44.7 made by or on behalf of the secured party or assignee that the interest of the owner was  
44.8 lawfully terminated or the vehicle sold pursuant to the terms of the security agreement. If  
44.9 the secured party or assignee succeeds to the interest of the owner and holds the vehicle for  
44.10 resale, the secured party or assignee need not secure a new certificate of title provided that  
44.11 a notice thereof in a format designated by the department is mailed or delivered by the  
44.12 secured party or assignee to the department in duplicate within 48 hours, but upon transfer  
44.13 to another person the secured party or assignee shall promptly execute assignment and  
44.14 warranty of title and mail or deliver to the transferee or the department the certificate, if  
44.15 available, the affidavit, and other documents required to be sent to the department by the  
44.16 transferee.

44.17 **EFFECTIVE DATE.** This section is effective August 1, 2019.

44.18 Sec. 39. Minnesota Statutes 2018, section 168A.17, is amended by adding a subdivision  
44.19 to read:

44.20 Subd. 4. **Notice of perfection by dealer.** When a security interest in a vehicle sold by  
44.21 a dealer licensed under section 168.27 is perfected under subdivision 2, the dealer may  
44.22 provide a statement of perfection to the secured party on a form provided by the department.  
44.23 The statement must certify compliance with subdivision 2 and contain the date of delivery  
44.24 to the department. The information provided in the dealer's statement is considered prima  
44.25 facie evidence of the facts contained in it.

44.26 **EFFECTIVE DATE.** This section is effective August 1, 2019.

44.27 Sec. 40. **[168A.241] DRIVER AND VEHICLE SERVICES EXECUTIVE STEERING**  
44.28 **COMMITTEE.**

44.29 Subdivision 1. **Definition.** For purposes of this section, "committee" means the Driver  
44.30 and Vehicle Services Executive Steering Committee established in this section.

44.31 Subd. 2. **Members.** The committee consists of 22 members, appointed as follows:

45.1 (1) five members appointed by the commissioner of public safety who are employees  
45.2 who work in the Driver and Vehicle Services Division;

45.3 (2) five members appointed by the chief information officer who are employees who  
45.4 work in the Office of MN.IT Services, which must include leadership staff for the driver  
45.5 and vehicle services information system;

45.6 (3) two members appointed by the executive director of the Minnesota Automobile  
45.7 Dealers Association;

45.8 (4) one member appointed by the executive director of the Northland Independent  
45.9 Automobile Dealer Association;

45.10 (5) one member who performs auctions exclusively for dealers licensed under section  
45.11 168.27 and not for the general public, appointed by the commissioner following consultation  
45.12 with eligible auto auctions;

45.13 (6) six members appointed by the board of directors of the Minnesota Deputy Registrars  
45.14 Association; and

45.15 (7) two members appointed by the board of directors of the Minnesota Deputy Registrar  
45.16 Business Owners Association.

45.17 Subd. 3. **Terms; vacancies.** Section 15.059 governs the committee, except that committee  
45.18 members must not receive compensation for serving on the committee.

45.19 Subd. 4. **Chair.** The committee must elect a chair from among its members. The chair  
45.20 serves for a term of four years and may not serve more than two full consecutive terms. If  
45.21 a chair ceases to be a member of the committee, the committee shall select a chair to serve  
45.22 the remainder of the vacated term and that partial term shall not count toward the chair's  
45.23 term limit.

45.24 Subd. 5. **Meetings.** (a) The chair must convene the committee at least two times per  
45.25 year.

45.26 (b) The committee is subject to chapter 13D. A committee meeting occurs when a quorum  
45.27 is present and the members receive information, discuss, or take action on any matter relating  
45.28 to the committee's duties. The committee may conduct meetings as provided in section  
45.29 13D.015 or 13D.02. The committee may conduct meetings at any location in the state that  
45.30 is appropriate for the purposes of the committee, provided the location is open and accessible  
45.31 to the public. Enforcement of this paragraph is governed by section 13D.06, subdivisions  
45.32 1 and 2.

46.1 Subd. 6. **Administrative support.** The commissioner must provide support staff, office  
46.2 space, and administrative services for the committee.

46.3 Subd. 7. **Duties.** The committee's duties include, but are not limited to:

46.4 (1) serving in an advisory capacity to the commissioner of public safety and the director  
46.5 of driver and vehicle services on matters relevant to oversight and accountability of projects  
46.6 within driver and vehicle services that impact the information systems used to issue  
46.7 identification cards and motor vehicle titles and registrations by reviewing status reports  
46.8 from Independent Verification and Validation (IV&V) services for projects and audits that  
46.9 impact driver and vehicle services information systems;

46.10 (2) reviewing and making recommendations with respect to work plans, policy initiatives,  
46.11 major activities, and strategic planning, with regard to the issuance of identification cards  
46.12 and providing motor vehicle title and registration services; and

46.13 (3) reviewing and making recommendations on information system changes used for  
46.14 the issuance of identification cards and motor vehicle titles and registrations.

46.15 Subd. 8. **Report and recommendations.** By February 15 each year, the commissioner  
46.16 must submit to the chairs and ranking minority members of the committees in the house of  
46.17 representatives and the senate with jurisdiction over motor vehicle title and registration a  
46.18 report that summarizes the committee's activities in the previous calendar year, the issues  
46.19 identified by the committee, methods taken or suggested to address the issues, and  
46.20 recommendations for legislative action, if needed. The report must include draft legislation  
46.21 to implement recommended legislative action.

46.22 Subd. 9. **Expiration.** The committee expires June 30, 2022.

46.23 Sec. 41. Minnesota Statutes 2018, section 169.011, is amended by adding a subdivision  
46.24 to read:

46.25 Subd. 3b. **Automated driving system.** "Automated driving system" means technology  
46.26 that allows a vehicle to be tested without any control or monitoring by a human.

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

46.28 Sec. 42. Minnesota Statutes 2018, section 169.011, is amended by adding a subdivision  
46.29 to read:

46.30 Subd. 34a. **Highly automated vehicle.** "Highly automated vehicle" means a motor  
46.31 vehicle equipped with automated technology with the capability to function without a human

47.1 operator present in the vehicle. A highly automated vehicle does not include a vehicle  
47.2 enabled with active safety systems or operator assistance systems, including but not limited  
47.3 to a system to provide electronic blind spot assistance, crash avoidance, emergency braking,  
47.4 parking assistance, adaptive cruise control, lane-keeping assistance, lane departure warning,  
47.5 or traffic jam and queuing assistance, unless these technologies alone or in combination  
47.6 with other systems enable the vehicle to test without any control or monitoring by an operator.

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

47.8 Sec. 43. Minnesota Statutes 2018, section 169.011, is amended by adding a subdivision  
47.9 to read:

47.10 Subd. 54b. **Platooning system.** "Platooning system" means driver-assisted  
47.11 vehicle-to-vehicle technology that integrates electronic communications between and among  
47.12 multiple vehicles to synchronize speed, acceleration, and braking while leaving system  
47.13 monitoring and intervention in the control of each vehicle's human operator.

47.14 Sec. 44. Minnesota Statutes 2018, section 169.011, is amended by adding a subdivision  
47.15 to read:

47.16 Subd. 62a. **Recycling vehicle.** "Recycling vehicle" means a vehicle hauling recyclable  
47.17 materials as authorized by section 115A.93, subdivision 1.

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

47.19 Sec. 45. Minnesota Statutes 2018, section 169.011, is amended by adding a subdivision  
47.20 to read:

47.21 Subd. 76a. **Solid waste vehicle.** "Solid waste vehicle" means a vehicle hauling solid  
47.22 waste as authorized by section 115A.93, subdivision 1.

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

47.24 Sec. 46. Minnesota Statutes 2018, section 169.011, is amended by adding a subdivision  
47.25 to read:

47.26 Subd. 92a. **Vehicle platoon.** "Vehicle platoon" means a group of not more than three  
47.27 commercial vehicles traveling in a unified manner through use of a platooning system or  
47.28 systems. A vehicle platoon consists of a lead vehicle and following vehicles. A vehicle  
47.29 platoon is not a combination vehicle under this chapter.

48.1 Sec. 47. Minnesota Statutes 2018, section 169.06, subdivision 4a, is amended to read:

48.2 Subd. 4a. **Obedience to work zone flagger; violation, penalty.** (a) A flagger in a work  
48.3 zone may stop vehicles and, hold vehicles in place until it is safe for the vehicles to proceed.  
48.4 ~~A person operating a motor vehicle that has been stopped by a flagger in a work zone may~~  
48.5 ~~proceed after stopping only on instruction by the flagger or a police officer, and direct~~  
48.6 vehicles to proceed when it is safe.

48.7 (b) A person convicted of operating a motor vehicle in violation of a speed limit in a  
48.8 work zone, or any other provision of this section while in a work zone, shall be required to  
48.9 pay a fine of \$300. This fine is in addition to the surcharge under section 357.021, subdivision  
48.10 6.

48.11 (c) If a motor vehicle is operated in violation of paragraph (a), the owner of the vehicle,  
48.12 or for a leased motor vehicle the lessee of the vehicle, is guilty of a petty misdemeanor and  
48.13 is subject to a fine as provided in paragraph (b). The owner or lessee may not be fined under  
48.14 this paragraph if (1) another person is convicted for that violation, or (2) the motor vehicle  
48.15 was stolen at the time of the violation. This paragraph does not apply to a lessor of a motor  
48.16 vehicle if the lessor keeps a record of the name and address of the lessee.

48.17 (d) Paragraph (c) does not prohibit or limit the prosecution of a motor vehicle operator  
48.18 for violating paragraph (a).

48.19 (e) A violation under paragraph (c) does not constitute grounds for revocation or  
48.20 suspension of a driver's license.

48.21 (f) A peace officer may issue a citation to the operator of a motor vehicle if the peace  
48.22 officer has probable cause to believe that the person has operated the vehicle in violation  
48.23 of paragraph (a). A citation may be issued even though the violation did not occur in the  
48.24 officer's presence. In addition to other evidentiary elements or factors, a peace officer has  
48.25 probable cause under this subdivision if:

48.26 (1) a qualified work zone flagger has provided a report of a violation of paragraph (a)  
48.27 that includes a description and the license plate number of the vehicle used to commit the  
48.28 offense, and the time of the incident;

48.29 (2) the person is operating the vehicle described in the report; and

48.30 (3) it is within the four-hour period following the time of the incident, as specified in  
48.31 the report.

48.32 (g) A work zone flagger is qualified to provide a report under paragraph (f) if each  
48.33 flagger involved in the reporting has completed training that includes information on flagging



49.1 operations, equipment, traffic laws, observation and accurate identification of motor vehicles,  
49.2 and delegation of duties involving a report under paragraph (f).

49.3 **EFFECTIVE DATE.** This section is effective August 1, 2019, and applies to violations  
49.4 that occur on or after that date.

49.5 Sec. 48. Minnesota Statutes 2018, section 169.13, subdivision 1, is amended to read:

49.6 Subdivision 1. **Reckless driving.** (a) A person who drives a motor vehicle or light rail  
49.7 transit vehicle while aware of and consciously disregarding a substantial and unjustifiable  
49.8 risk that the driving may result in harm to another or another's property is guilty of reckless  
49.9 driving. The risk must be of such a nature and degree that disregard of it constitutes a  
49.10 significant deviation from the standard of conduct that a reasonable person would observe  
49.11 in the situation.

49.12 (b) A person shall not race any vehicle upon any street or highway of this state. Any  
49.13 person who willfully compares or contests relative speeds by operating one or more vehicles  
49.14 is guilty of racing, which constitutes reckless driving, whether or not the speed contested  
49.15 or compared is in excess of the maximum speed prescribed by law.

49.16 (c) A person who violates paragraph (a) or (b) is guilty of a misdemeanor. A person who  
49.17 violates paragraph (a) or (b) and causes great bodily harm or death to another is guilty of a  
49.18 gross misdemeanor.

49.19 (d) For purposes of this section, "great bodily harm" has the meaning given in section  
49.20 609.02, subdivision 8.

49.21 Sec. 49. Minnesota Statutes 2018, section 169.13, subdivision 2, is amended to read:

49.22 Subd. 2. **Careless driving.** (a) Any person who operates or halts any vehicle upon any  
49.23 street or highway carelessly or heedlessly in disregard of the rights of others, or in a manner  
49.24 that endangers or is likely to endanger any property or any person, including the driver or  
49.25 passengers of the vehicle, is guilty of a misdemeanor.

49.26 (b) Any person who operates or halts a light rail transit vehicle carelessly or heedlessly  
49.27 in disregard of the rights of others, or in a manner that endangers or is likely to endanger  
49.28 any property or any person, including the operator or passengers on the light rail transit  
49.29 vehicle, is guilty of a misdemeanor.

50.1 Sec. 50. Minnesota Statutes 2018, section 169.14, subdivision 2a, is amended to read:

50.2 Subd. 2a. **Increased speed limit when passing.** (a) Notwithstanding subdivision 2, the  
50.3 speed limit is increased by ten miles per hour over the posted speed limit when the driver:

50.4 (1) is on a two-lane highway having one lane for each direction of travel;

50.5 (2) is on a highway with a posted speed limit that is equal to or higher than 55 miles per  
50.6 hour;

50.7 (3) is overtaking and passing another vehicle proceeding in the same direction of travel;  
50.8 and

50.9 (4) meets the requirements in section 169.18.

50.10 (b) Notwithstanding subdivision 2, the speed limit is increased by five miles per hour  
50.11 over the posted speed limit when the driver:

50.12 (1) is on a highway having two or more lanes for each direction of travel;

50.13 (2) is on a highway with a posted speed limit that is equal to or higher than 55 miles per  
50.14 hour;

50.15 (3) is overtaking and passing another vehicle proceeding in the same direction of travel;  
50.16 and

50.17 (4) meets the requirements in section 169.18.

50.18 Sec. 51. Minnesota Statutes 2018, section 169.14, subdivision 5, is amended to read:

50.19 Subd. 5. **Zoning within local area.** (a) When local authorities believe that the existing  
50.20 speed limit upon any street or highway, or part thereof, within their respective jurisdictions  
50.21 and not a part of the trunk highway system is greater or less than is reasonable or safe under  
50.22 existing conditions, they may request the commissioner to authorize, upon the basis of an  
50.23 engineering and traffic investigation, the erection of appropriate signs designating what  
50.24 speed is reasonable and safe, and the commissioner may authorize the erection of appropriate  
50.25 signs designating a reasonable and safe speed limit thereat, which speed limit shall be  
50.26 effective when such signs are erected. Any speeds in excess of these speed limits shall be  
50.27 prima facie evidence that the speed is not reasonable or prudent and that it is unlawful;  
50.28 except that any speed limit within any municipality shall be a maximum limit and any speed  
50.29 in excess thereof shall be unlawful. Alteration of speed limits on streets and highways shall  
50.30 be made only upon authority of the commissioner except as provided in paragraph (b) and  
50.31 subdivision 5a.

51.1 (b) Notwithstanding paragraph (a), a city may establish speed limits for city streets under  
51.2 the city's jurisdiction other than the limits provided in subdivision 2. This paragraph does  
51.3 not apply to town roads, county highways, or trunk highways in the city. A city that  
51.4 establishes speed limits pursuant to this section must implement speed limit changes in a  
51.5 consistent and understandable manner. The city must erect appropriate signs to display the  
51.6 speed limit. A city that uses the authority under this paragraph must develop procedures to  
51.7 set speed limits based on the city's safety, engineering, and traffic analysis. At a minimum,  
51.8 the safety, engineering, and traffic analysis must consider national urban speed limit guidance  
51.9 and studies, local traffic crashes, and methods to effectively communicate the change to the  
51.10 public.

51.11 Sec. 52. Minnesota Statutes 2018, section 169.18, subdivision 1, is amended to read:

51.12 Subdivision 1. **Keep to the right.** (a) Upon all roadways of sufficient width a vehicle  
51.13 shall be driven upon the right half of the roadway, except as follows:

51.14 (1) when overtaking and passing another vehicle proceeding in the same direction under  
51.15 the rules governing such movement;

51.16 (2) when the right half of a roadway is closed to traffic while under construction or  
51.17 repair;

51.18 (3) upon a roadway divided into three marked lanes for traffic under the rules applicable  
51.19 thereon;

51.20 (4) upon a roadway designated and signposted for one-way traffic as a one-way roadway;

51.21 (5) as necessary to comply with subdivision 11 when approaching an authorized  
51.22 emergency vehicle parked or stopped on the roadway; or

51.23 (6) as necessary to comply with subdivision 12 when approaching a road maintenance  
51.24 or construction vehicle parked or stopped on the roadway.

51.25 (b) Upon a roadway with two or more lanes in the same direction, a person must not  
51.26 drive a vehicle in the left-most lane if another vehicle is immediately behind the first vehicle,  
51.27 except if:

51.28 (1) the vehicle is overtaking and passing another vehicle proceeding in the same direction;

51.29 (2) the vehicle is preparing to turn left at an intersection or into a private road or driveway;

51.30 (3) a specific lane is designated and posted for a specific type of traffic;

52.1 (4) the vehicle is preparing to exit a controlled-access highway by using an exit on the  
 52.2 left side of the road or the vehicle is entering a controlled-access highway by using an  
 52.3 on-ramp that enters on the left side of the road;

52.4 (5) when traffic conditions, congestion, inclement weather, or hazards make it impractical;

52.5 (6) the vehicle is a law enforcement vehicle, ambulance, or other emergency vehicle  
 52.6 engaged in official duties; or

52.7 (7) the vehicle is engaged in highway maintenance or construction operations.

52.8 If a person is driving a vehicle in the left-most lane to overtake or pass a vehicle as provided  
 52.9 in clause (1) and another vehicle approaches the first vehicle in the same lane from behind,  
 52.10 the first vehicle must exit the left-most lane as soon as possible.

52.11 (c) A person who violates this subdivision must pay a fine of not less than \$100.

52.12 Sec. 53. Minnesota Statutes 2018, section 169.18, subdivision 7, is amended to read:

52.13 Subd. 7. **Laned highway.** When any roadway has been divided into two or more clearly  
 52.14 marked lanes for traffic, the following rules, in addition to all others consistent ~~herewith,~~  
 52.15 ~~shall with this subdivision,~~ apply:

52.16 ~~(a)~~ (1) A vehicle shall be driven as nearly as practicable entirely within a single lane  
 52.17 and shall not be moved from ~~such~~ the lane until the driver has first ascertained that ~~such~~ the  
 52.18 movement can be made with safety.;

52.19 ~~(b)~~ (2) Upon a roadway which is not a one-way roadway and which is divided into three  
 52.20 lanes, a vehicle shall not be driven in the center lane except when overtaking and passing  
 52.21 another vehicle where the roadway is clearly visible and ~~such~~ the center lane is clear of  
 52.22 traffic within a safe distance, or in preparation for a left turn or where ~~such~~ the center lane  
 52.23 is at the time allocated exclusively to traffic moving in the direction the vehicle is proceeding,  
 52.24 and is signposted to give notice of ~~such~~ the allocation. The left lane of a three-lane roadway  
 52.25 which is not a one-way roadway shall not be used for overtaking and passing another vehicle.;

52.26 ~~(c)~~ (3) Official signs may be erected directing slow-moving traffic to use a designated  
 52.27 lane or allocating specified lanes to traffic moving in the same direction, and drivers of  
 52.28 vehicles shall obey the ~~directions of every such~~ sign.;

52.29 ~~(d)~~ (4) Whenever a bicycle lane has been established on a roadway, any person operating  
 52.30 a motor vehicle on ~~such~~ the roadway shall not drive in the bicycle lane except to perform  
 52.31 parking maneuvers in order to park where parking is permitted, to enter or leave the highway,  
 52.32 to prepare for a turn as provided in section 169.19, subdivision 1, or to stop a school bus

53.1 for the purpose of receiving or discharging any person provided the school bus is equipped  
 53.2 and identified as provided in sections 169.441 and 169.442, subdivision 1, and the flashing  
 53.3 red signals are activated and stop-signal arm is extended; and

53.4 (5) notwithstanding clause (1), the operator of a vehicle with a total length in excess of  
 53.5 40 feet, a total width exceeding ten feet, or any combination of vehicles may, with due  
 53.6 regard for all other traffic, deviate from the lane in which the operator is driving to the extent  
 53.7 necessary to approach and drive through a roundabout.

53.8 Sec. 54. Minnesota Statutes 2018, section 169.18, subdivision 8, is amended to read:

53.9 Subd. 8. **Following vehicle too closely.** (a) The driver of a motor vehicle shall not follow  
 53.10 another vehicle more closely than is reasonable and prudent, having due regard for the speed  
 53.11 of such vehicles and the traffic upon and the conditions of the highway.

53.12 (b) The driver of any motor vehicle drawing another vehicle, or the driver of any motor  
 53.13 truck or bus, when traveling upon a roadway outside of a business or residence district, shall  
 53.14 not follow within 500 feet of another vehicle. The provisions of this paragraph shall not be  
 53.15 construed to prevent overtaking and passing nor shall the same apply upon any lane specially  
 53.16 designated for use by motor trucks. This paragraph does not apply to following vehicles in  
 53.17 a vehicle platoon if the operator has an approved plan in compliance with section 169.881.

53.18 (c) The driver of a motor vehicle shall not follow within 500 feet of an authorized  
 53.19 emergency vehicle that is traveling in response to an emergency.

53.20 Sec. 55. Minnesota Statutes 2018, section 169.18, subdivision 11, is amended to read:

53.21 Subd. 11. **Passing parked ~~emergency~~ authorized vehicle; citation; probable cause.** (a)  
 53.22 For purposes of this subdivision, "authorized vehicle" means an authorized emergency  
 53.23 vehicle, as defined under section 169.011, subdivision 3; a tow truck or towing vehicle, as  
 53.24 defined under section 168B.011, subdivision 12a; a freeway service patrol vehicle; a road  
 53.25 maintenance vehicle; a utility company vehicle; a construction vehicle; a solid waste vehicle;  
 53.26 or a recycling vehicle.

53.27 (b) When approaching and before passing an authorized ~~emergency~~ vehicle with its  
 53.28 emergency, flashing, or warning lights activated that is parked or otherwise stopped on or  
 53.29 next to a street or highway having two lanes in the same direction, the driver of a vehicle  
 53.30 shall safely move the vehicle to the lane farthest away from the ~~emergency~~ authorized  
 53.31 vehicle, if it is possible to do so.

54.1 ~~(b)~~ (c) When approaching and before passing an authorized ~~emergency~~ vehicle with its  
 54.2 emergency, flashing, or warning lights activated that is parked or otherwise stopped on or  
 54.3 next to a street or highway having more than two lanes in the same direction, the driver of  
 54.4 a vehicle shall safely move the vehicle so as to leave a full lane vacant between the driver  
 54.5 and any lane in which the ~~emergency~~ authorized vehicle is completely or partially parked  
 54.6 or otherwise stopped, if it is possible to do so.

54.7 ~~(e)~~ (d) If a lane change under paragraph ~~(a)~~ (b) or ~~(b)~~ (c) is impossible, or when  
 54.8 approaching and before passing an authorized ~~emergency~~ vehicle with its emergency,  
 54.9 flashing, or warning lights activated that is parked or otherwise stopped on or next to a street  
 54.10 or highway having only one lane in the same direction, the driver of a vehicle must reduce  
 54.11 the speed of the motor vehicle to a speed that is reasonable and prudent under the conditions  
 54.12 until the motor vehicle has completely passed the parked or stopped ~~emergency~~ authorized  
 54.13 vehicle, if it is possible to do so.

54.14 ~~(d)~~ (e) A peace officer may issue a citation to the driver of a motor vehicle if the peace  
 54.15 officer has probable cause to believe that the driver has operated the vehicle in violation of  
 54.16 this subdivision within the four-hour period following the termination of the incident or a  
 54.17 receipt of a report under paragraph ~~(e)~~ (f). The citation may be issued even though the  
 54.18 violation was not committed in the presence of the peace officer.

54.19 ~~(e)~~ (f) Although probable cause may be otherwise satisfied by other evidentiary elements  
 54.20 or factors, probable cause is sufficient for purposes of this subdivision when the person  
 54.21 cited is operating the vehicle described by a member of the crew of an authorized emergency  
 54.22 vehicle or a towing vehicle as defined in section 168B.011, subdivision 12a, responding to  
 54.23 an incident in a timely report of the violation of this subdivision, which includes a description  
 54.24 of the vehicle used to commit the offense and the vehicle's license plate number. For the  
 54.25 purposes of issuance of a citation under paragraph ~~(d)~~ (e), "timely" means that the report  
 54.26 must be made within a four-hour period following the termination of the incident.

54.27 ~~(f)~~ For purposes of paragraphs (a) to (e) only, ~~"authorized emergency vehicle" and~~  
 54.28 ~~"emergency vehicle" include a towing vehicle defined in section 168B.011, subdivision~~  
 54.29 ~~12a, that has activated flashing lights authorized under section 169.64, subdivision 3, in~~  
 54.30 ~~addition to the vehicles described in the definition for "authorized emergency vehicle" in~~  
 54.31 ~~section 169.011, subdivision 3.~~

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

55.1 Sec. 56. Minnesota Statutes 2018, section 169.20, subdivision 7, is amended to read:

55.2 Subd. 7. **Transit bus; school bus.** (a) The driver of a vehicle traveling in the right-hand  
55.3 lane of traffic shall yield the right-of-way to any transit bus attempting to enter that lane  
55.4 from a bus stop or shoulder, as indicated by a flashing left turn signal.

55.5 (b) The driver of a vehicle traveling in the right-hand lane of traffic shall yield the  
55.6 right-of-way to any school bus attempting to enter that lane from a shoulder, right-turn lane,  
55.7 or other location where the school bus has stopped to load or unload passengers. The school  
55.8 bus must indicate the intent to enter the right-hand lane of traffic by activating a flashing  
55.9 left turn signal.

55.10 Sec. 57. Minnesota Statutes 2018, section 169.20, is amended by adding a subdivision to  
55.11 read:

55.12 Subd. 8. **Roundabouts.** If two vehicles with a total length in excess of 40 feet, a total  
55.13 width in excess of ten feet, or any combination of vehicles, approach or drive through a  
55.14 roundabout at approximately the same time or so closely as to constitute a hazard of collision,  
55.15 the operator of the vehicle or combination of vehicles on the right must yield the right-of-way  
55.16 to the vehicle or combination of vehicles on the left and, if necessary, must reduce speed  
55.17 or stop in order to so yield.

55.18 Sec. 58. **[169.203] HIGHLY AUTOMATED VEHICLES PROHIBITION ON**  
55.19 **HIGHWAYS.**

55.20 No person may drive or operate a highly automated vehicle or engage an automated  
55.21 driving system on a street or highway of this state.

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

55.23 Sec. 59. Minnesota Statutes 2018, section 169.26, subdivision 1, is amended to read:

55.24 Subdivision 1. **Requirements.** (a) Except as provided in section 169.28, subdivision 1,  
55.25 when any person driving a vehicle approaches a railroad grade crossing under any of the  
55.26 circumstances stated in this paragraph, the driver shall stop the vehicle not less than ten feet  
55.27 from the nearest railroad track and shall not proceed until safe to do so and until the roadway  
55.28 is clear of traffic so that the vehicle can proceed without stopping until the rear of the vehicle  
55.29 is at least ten feet past the farthest railroad track. These requirements apply when:

55.30 (1) a clearly visible electric or mechanical signal device warns of the immediate approach  
55.31 of a railroad train or other on-track equipment; or

56.1 (2) an approaching railroad train or other on-track equipment is plainly visible and is in  
56.2 hazardous proximity.

56.3 (b) The fact that a moving railroad train or other on-track equipment approaching a  
56.4 railroad grade crossing is visible from the crossing is prima facie evidence that it is not safe  
56.5 to proceed.

56.6 (c) The driver of a vehicle shall stop and remain stopped and not traverse the grade  
56.7 crossing when (1) a human flagger signals the approach or passage of a railroad train or  
56.8 other on-track equipment or ~~when~~ (2) a crossing gate is lowered warning of the immediate  
56.9 approach or passage of a railroad train or other on-track equipment. No person may drive  
56.10 a vehicle past a flagger at a railroad crossing until the flagger signals that the way is clear  
56.11 to proceed or drive a vehicle past a lowered crossing gate.

56.12 Sec. 60. Minnesota Statutes 2018, section 169.26, subdivision 4, is amended to read:

56.13 Subd. 4. **Pedestrians; penalty.** (a) A pedestrian shall not pass through, around, over,  
56.14 or under any crossing gate or barrier at a railroad grade crossing while the gate or barrier  
56.15 is closed or is being opened or closed.

56.16 (b) A pedestrian shall not enter, remain upon, or traverse over a railroad track, grade  
56.17 crossing, or pedestrian walkway crossing a railroad track when an audible bell or clearly  
56.18 visible electric or mechanical signal device is operational and warning of the presence,  
56.19 approach, passage, or departure of a railroad train or other on-track equipment.

56.20 (c) A person who violates this subdivision is subject to a fine of up to \$100.

56.21 Sec. 61. Minnesota Statutes 2018, section 169.28, is amended to read:

56.22 **169.28 CERTAIN VEHICLES TO STOP AT RAILROAD CROSSING.**

56.23 Subdivision 1. **Requirements.** (a) The driver of any motor vehicle carrying passengers  
56.24 for hire, or of any school bus whether carrying passengers or not, or of any Head Start bus  
56.25 whether carrying passengers or not, or of any vehicle that is required to stop at railroad  
56.26 grade crossings under Code of Federal Regulations, title 49, section 392.10, before crossing  
56.27 at grade any track or tracks of a railroad, shall stop the vehicle not less than 15 feet nor more  
56.28 than 50 feet from the nearest rail of the railroad and while so stopped shall listen and look  
56.29 in both directions along the track for any approaching railroad train or other on-track  
56.30 equipment, and for signals indicating the approach of a railroad train or other on-track  
56.31 equipment, except as ~~hereinafter~~ otherwise provided, and shall in this section. The driver  
56.32 must not proceed until safe to do so and until the roadway is clear of traffic so that the



57.1 vehicle can proceed without stopping until the rear of the vehicle is at least ten feet past the  
57.2 farthest railroad track. The driver must not shift gears while crossing the railroad tracks.

57.3 (b) A school bus or Head Start bus shall not be flagged across railroad grade crossings  
57.4 except at those railroad grade crossings that the local school administrative officer may  
57.5 designate.

57.6 (c) A type III vehicle, as defined in section 169.011, is exempt from the requirement of  
57.7 school buses to stop at railroad grade crossings.

57.8 (d) The requirements of this subdivision do not apply to the crossing of light rail vehicle  
57.9 track or tracks that are located in a public street when:

57.10 (1) the crossing occurs within the intersection of two or more public streets;

57.11 (2) the intersection is controlled by a traffic-control signal; and

57.12 (3) the intersection is marked with signs indicating to drivers that the requirements of  
57.13 this subdivision do not apply. Notwithstanding any other provision of law, the owner or  
57.14 operator of the track or tracks is authorized to place, maintain, and display the signs upon  
57.15 and in the view of the public street or streets.

57.16 Subd. 2. **Exempt crossing.** (a) The commissioner may designate a crossing as an exempt  
57.17 crossing:

57.18 (1) if the crossing is on a rail line on which service has been abandoned;

57.19 (2) if the crossing is on a rail line that carries fewer than five railroad trains each year,  
57.20 traveling at speeds of ten miles per hour or less; or

57.21 (3) as agreed to by the operating railroad and the Department of Transportation, following  
57.22 a diagnostic review of the crossing.

57.23 (b) The commissioner shall direct the railroad to erect at the crossing signs bearing the  
57.24 word "Exempt" that conform to section 169.06. The installation or presence of an exempt  
57.25 sign does not relieve a driver of the duty to use due care.

57.26 (c) A railroad train or other on-track equipment must not proceed across an exempt  
57.27 crossing unless a police officer is present to direct traffic or a railroad employee is on the  
57.28 ground to warn traffic until the railroad train enters the crossing.

57.29 ~~(e)~~ (d) A vehicle that must stop at grade crossings under subdivision 1 is not required  
57.30 to stop at a marked exempt crossing unless directed otherwise by a police officer or a railroad  
57.31 employee.

58.1 Sec. 62. Minnesota Statutes 2018, section 169.29, is amended to read:

58.2 **169.29 CROSSING RAILROAD TRACKS WITH CERTAIN EQUIPMENT.**

58.3 (a) No person shall operate or move any caterpillar tractor, steam shovel, derrick, roller,  
58.4 or any equipment or structure having a normal operating speed of six or less miles per hour  
58.5 or a vertical body or load clearance of less than nine inches above the level surface of a  
58.6 roadway upon or across any tracks at a railroad grade crossing without first complying with  
58.7 this section.

58.8 (b) Before making any crossing, the person operating or moving any vehicle or equipment  
58.9 set forth in this section shall first stop the same not less than ten, nor more than 50, feet  
58.10 from the nearest rail of the railway, and while so stopped shall listen and look in both  
58.11 directions along the track for any approaching railroad train or other on-track equipment  
58.12 and for signals indicating the approach of a railroad train or other on-track equipment, and  
58.13 shall not proceed until the crossing can be made safely.

58.14 (c) No crossing shall be made when warning is given by automatic signal or crossing  
58.15 gates or a flagger or otherwise of the immediate approach of a railroad train or other on-track  
58.16 equipment or car.

58.17 (d) ~~No~~ A stop need be made is not required at a crossing on a rail line on which service  
58.18 has been abandoned and where a sign erected in conformance with section 169.06 and  
58.19 bearing the word "Exempt" has been installed, unless directed otherwise by a flagger. The  
58.20 installation or presence of an exempt sign shall not relieve any driver of the duty to use due  
58.21 care.

58.22 Sec. 63. Minnesota Statutes 2018, section 169.443, subdivision 2, is amended to read:

58.23 **Subd. 2. Use of stop-signal arm.** (a) The stop-signal arm system of a school bus must  
58.24 be used in conjunction with the flashing red signals only when the school bus is stopped on  
58.25 a street or highway to load or unload school children.

58.26 (b) A local authority, including the governing body of an Indian tribe, may by ordinance  
58.27 require that a school bus activate the stop-signal arm system and flashing red signals while  
58.28 stopped to unload school children at a location other than a location on a street or highway.  
58.29 The ordinance must designate each location where the requirement is imposed. The  
58.30 requirement is effective only if the local authority has erected signs at or near the location  
58.31 to provide adequate notice that other vehicles are required to obey section 169.444,  
58.32 subdivision 1, when those signals are activated.

59.1 (c) A school bus driver is prohibited from loading or unloading passengers in a designated  
59.2 right-turn lane or in a lane immediately adjacent to a designated right-turn lane unless:

59.3 (1) a school bus stop designated by the district transportation safety director is located  
59.4 in the right-turn lane;

59.5 (2) the driver stops the bus at the extreme right side of the right-turn lane; and

59.6 (3) the driver activates the prewarning flashing amber signals, flashing red signals, and  
59.7 stop-signal arm, unless the school board or its designee, based on safety considerations,  
59.8 provides written direction to the driver not to do so.

59.9 After loading or unloading passengers, the school bus driver may re-enter the right-hand  
59.10 lane of traffic without turning right. The school bus must indicate the intent to enter the  
59.11 right-hand lane of traffic by activating a flashing left turn signal.

59.12 Sec. 64. Minnesota Statutes 2018, section 169.4503, subdivision 5, is amended to read:

59.13 Subd. 5. **Colors.** Fenderettes may be black. The beltline may be painted yellow over  
59.14 black or black over yellow. The rub rails ~~shall~~ adjacent to the beltline may be black or  
59.15 yellow. All other rub rails must be black. The area around the lenses of alternately flashing  
59.16 signal lamps extending outward from the edge of the lamp three inches, plus or minus  
59.17 one-quarter inch, to the sides and top and at least one inch to the bottom, ~~shall~~ must be  
59.18 black. Visors or hoods, black in color, with a minimum of four inches may be provided.

59.19 Sec. 65. Minnesota Statutes 2018, section 169.58, is amended by adding a subdivision to  
59.20 read:

59.21 Subd. 5. **Transportation network company vehicle.** (a) For purposes of this subdivision,  
59.22 the definitions in section 65B.472, subdivision 1, apply except that "transportation network  
59.23 company vehicle" has the meaning given to "personal vehicle" in section 65B.472,  
59.24 subdivision 1, paragraph (c).

59.25 (b) A transportation network company vehicle may be equipped with no more than two  
59.26 removable, interior-mounted, trade dress identifying devices as provided by the transportation  
59.27 network company that are designed to assist riders in identifying and communicating with  
59.28 drivers. The identifying device may be illuminated and emit a steady beam of solid colored  
59.29 light in any direction when the driver is logged into the digital network. The identifying  
59.30 device must not: (1) display the colors red, amber, or blue; (2) project a flashing, oscillating,  
59.31 alternating, or rotating light; or (3) project a glaring or dazzling light.

60.1 Sec. 66. Minnesota Statutes 2018, section 169.64, subdivision 9, is amended to read:

60.2 Subd. 9. **Warning lamp on vehicles collecting solid waste or recycling.** A ~~vehicle~~  
 60.3 ~~used to collect solid waste~~ vehicle or recycling vehicle may be equipped with a single amber  
 60.4 ~~gaseous discharge~~ warning lamp that meets the most current Society of Automotive Engineers  
 60.5 standard ~~J-1318~~ for authorized maintenance and service vehicles, Class 2. The lamp may  
 60.6 be operated only when the collection vehicle is in the process of collecting solid waste or  
 60.7 recycling and is either:

60.8 (1) stopped at an establishment where solid waste or recycling is to be collected; or

60.9 (2) traveling at a speed that is at least ten miles per hour below the posted speed limit  
 60.10 and moving between establishments where solid waste or recycling is to be collected.

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

60.12 Sec. 67. Minnesota Statutes 2018, section 169.71, subdivision 1, is amended to read:

60.13 Subdivision 1. **Prohibitions generally; exceptions.** (a) A person shall not drive or  
 60.14 operate any motor vehicle with:

60.15 (1) a windshield cracked or discolored to an extent to limit or obstruct proper vision;

60.16 (2) any objects suspended between the driver and the windshield, other than:

60.17 (i) sun visors;

60.18 (ii) rearview mirrors;

60.19 (iii) driver feedback and safety monitoring equipment when mounted immediately behind,  
 60.20 slightly above, or slightly below the rearview mirror;

60.21 (iv) global positioning systems or navigation systems when mounted or located near the  
 60.22 bottommost portion of the windshield; ~~and~~

60.23 (v) electronic toll collection devices; ~~or~~ and

60.24 (vi) an identifying device as provided in section 169.58, subdivision 5, when the device  
 60.25 is mounted or located near the bottommost portion of the windshield; or

60.26 (3) any sign, poster, or other nontransparent material upon the front windshield,  
 60.27 sidewings, or side or rear windows of the vehicle, other than a certificate or other paper  
 60.28 required to be so displayed by law or authorized by the state director of the Division of  
 60.29 Emergency Management or the commissioner of public safety.

60.30 (b) Paragraph (a), clauses (2) and (3), do not apply to law enforcement vehicles.

61.1 (c) Paragraph (a), clause (2), does not apply to authorized emergency vehicles.

61.2 Sec. 68. Minnesota Statutes 2018, section 169.71, subdivision 4, is amended to read:

61.3 Subd. 4. **Glazing material; prohibitions and exceptions.** ~~(a) No~~ A person ~~shall~~ must  
61.4 not drive or operate any motor vehicle required to be registered in the state of Minnesota  
61.5 upon any street or highway under the following conditions:

61.6 (1) when the windshield is composed of, covered by, or treated with any material which  
61.7 has the effect of making the windshield more reflective or in any other way reducing light  
61.8 transmittance through the windshield;

61.9 (2) when any window on the vehicle is composed of, covered by, or treated with any  
61.10 material that has a highly reflective or mirrored appearance;

61.11 (3) when any side window or rear window is composed of or treated with any material  
61.12 so as to obstruct or substantially reduce the driver's clear view through the window or has  
61.13 a light transmittance of less than 50 percent plus or minus three percent in the visible light  
61.14 range or a luminous reflectance of more than 20 percent plus or minus three percent; or

61.15 (4) when any material has been applied after August 1, 1985, to any motor vehicle  
61.16 window without an accompanying permanent marking which indicates the percent of  
61.17 transmittance and the percent of reflectance afforded by the material. The marking must be  
61.18 in a manner so as not to obscure vision and be readable when installed on the vehicle.

61.19 Subd. 4a. **Glazing material; exceptions.** ~~(b) This~~ (a) Subdivision 4 does not apply to  
61.20 glazing materials ~~which~~ that:

61.21 (1) have not been modified since the original installation, nor to original replacement  
61.22 windows and windshields, that were originally installed or replaced in ~~conformance~~  
61.23 conformity with Federal Motor Vehicle Safety Standard 205;

61.24 (2) are required to satisfy prescription or medical needs ~~of the driver of the vehicle or a~~  
61.25 passenger if, provided:

61.26 (i) the vehicle's driver or a passenger ~~is in possession of the~~ possesses a prescription or  
61.27 a physician's statement of medical need;

61.28 (ii) the prescription or statement specifically states the minimum percentage that light  
61.29 transmittance may be reduced to satisfy the prescription or medical needs of the patient;  
61.30 and

61.31 (iii) the prescription or statement contains an expiration date, which must be no more  
61.32 than two years after the date the prescription or statement was issued; or

62.1 (3) are applied to:

62.2 (i) the rear windows of a pickup truck as defined in section 168.002, subdivision 26;

62.3 (ii) the rear windows or the side windows on either side behind the driver's seat of a van  
62.4 as defined in section 168.002, subdivision 40;

62.5 (iii) the side and rear windows of a vehicle used to transport human remains by a funeral  
62.6 establishment holding a license under section 149A.50;

62.7 (iv) the side and rear windows of a limousine as defined in section 168.002, subdivision  
62.8 15; or

62.9 (v) the rear and side windows of a police vehicle.

62.10 (b) For the purposes of paragraph (a), clause (2), a driver of a vehicle may rely on a  
62.11 prescription or physician's statement of medical need issued to a person not present in the  
62.12 vehicle if:

62.13 (1) the prescription or physician's statement of medical need is issued to the driver's  
62.14 parent, child, grandparent, sibling, or spouse;

62.15 (2) the prescription or physician's statement of medical need specifies the make, model,  
62.16 and license plate of one or two vehicles that will have tinted windows; and

62.17 (3) the driver is in possession of the prescription or physician's statement of medical  
62.18 need.

62.19 **EFFECTIVE DATE.** Paragraph (b) is effective on November 1, 2019.

62.20 Sec. 69. Minnesota Statutes 2018, section 169.829, is amended by adding a subdivision  
62.21 to read:

62.22 **Subd. 5. Sewage septic tank trucks.** (a) Sections 169.823 and 169.826 to 169.828 do  
62.23 not apply to a sewage septic tank truck used exclusively to transport sewage from septic or  
62.24 holding tanks.

62.25 (b) The weight limitations under section 169.824 are increased by ten percent for a  
62.26 single-unit vehicle transporting sewage from the point of service to (1) another point of  
62.27 service, or (2) the point of unloading.

62.28 (c) Notwithstanding sections 169.824, subdivision 1, paragraph (d); 169.826, subdivision  
62.29 3; or any other law to the contrary, a permit is not required to operate a vehicle under this  
62.30 subdivision.

63.1 (d) The seasonal weight increases under section 169.826, subdivision 1, do not apply to  
63.2 a vehicle operated under this subdivision, except that the vehicle may not exceed 20,000  
63.3 pounds per single axle.

63.4 (e) A vehicle operated under this subdivision is subject to bridge load limits posted under  
63.5 section 169.84.

63.6 (f) A vehicle operated under this section must not be operated with a load that exceeds  
63.7 the tire manufacturer's recommended load, the manufacturer's gross vehicle weight rating  
63.8 as affixed to the vehicle, or other certification of gross vehicle weight rating under Code of  
63.9 Federal Regulations, title 49, sections 567.4 to 567.7.

63.10 **EFFECTIVE DATE.** This section is effective June 1, 2019.

63.11 Sec. 70. Minnesota Statutes 2018, section 169.864, subdivision 1, is amended to read:

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

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

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

63.18 (3) complies with the axle weight limits in section 169.824;

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

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

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

63.28 Sec. 71. Minnesota Statutes 2018, section 169.865, subdivision 1, is amended to read:

63.29 Subdivision 1. **Six-axle vehicles.** (a) A road authority may issue an annual permit  
63.30 authorizing a vehicle or combination of vehicles with a total of six or more axles to haul

64.1 ~~raw or unprocessed~~ qualifying agricultural products and be operated with a gross vehicle  
 64.2 weight of up to:

64.3 (1) 90,000 pounds; and

64.4 (2) 99,000 pounds during the period set by the commissioner under section 169.826,  
 64.5 subdivision 1.

64.6 (b) Notwithstanding subdivision 3, paragraph (a), clause (4), a vehicle or combination  
 64.7 of vehicles operated under this subdivision and transporting only sealed intermodal containers  
 64.8 may be operated on an interstate highway if allowed by the United States Department of  
 64.9 Transportation.

64.10 (c) The fee for a permit issued under this subdivision is \$300, or a proportional amount  
 64.11 as provided in section 169.86, subdivision 5.

64.12 Sec. 72. Minnesota Statutes 2018, section 169.865, subdivision 2, is amended to read:

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

64.16 (1) 97,000 pounds; and

64.17 (2) 99,000 pounds during the period set by the commissioner under section 169.826,  
 64.18 subdivision 1.

64.19 (b) Drivers of vehicles operating under this subdivision must comply with driver  
 64.20 qualification requirements adopted under section 221.0314, subdivisions 2 to 5, and Code  
 64.21 of Federal Regulations, title 49, parts 40 and 382, unless exempt under section 221.031,  
 64.22 subdivision 2c.

64.23 (c) The fee for a permit issued under this subdivision is \$500, or a proportional amount  
 64.24 as provided in section 169.86, subdivision 5.

64.25 Sec. 73. Minnesota Statutes 2018, section 169.865, is amended by adding a subdivision  
 64.26 to read:

64.27 Subd. 6. **Definition.** For purposes of this section, "qualifying agricultural products"  
 64.28 means:

64.29 (1) agricultural crops, including but not limited to corn, soybeans, oats, grain and  
 64.30 by-products of agricultural crops;



- 65.1 (2) livestock, including but not limited to cattle, hogs, and poultry;  
 65.2 (3) food crops, including but not limited to, sugar beets, potatoes, carrots, and onions;  
 65.3 (4) fluid milk;  
 65.4 (5) seed and material used for or in livestock and poultry feed; and  
 65.5 (6) natural and commercial fertilizers, potash and agricultural lime, not including those  
 65.6 materials that require the vehicle to be marked or placarded in accordance with section  
 65.7 221.033 and Code of Federal Regulations, title 49, part 172.

65.8 Sec. 74. Minnesota Statutes 2018, section 169.87, subdivision 6, is amended to read:

65.9 Subd. 6. **Recycling and garbage vehicles.** (a) ~~Except as provided in paragraph (b)~~ While  
 65.10 a vehicle is engaged in the type of collection the vehicle was designed to perform, weight  
 65.11 restrictions imposed under subdivisions 1 and 2 do not apply to:

65.12 (1) a vehicle that does not exceed 20,000 pounds per single axle and is designed and  
 65.13 used exclusively for recycling, while engaged in recycling operating in a political subdivision  
 65.14 that mandates curbside recycling pickup;

65.15 ~~(b) Weight restrictions imposed under subdivisions 1 and 2 do not apply to: (1) (2) a~~  
 65.16 vehicle that does not exceed 14,000 pounds per single axle and is used exclusively for  
 65.17 recycling as described in paragraph (a);

65.18 ~~(2) (3) a vehicle that does not exceed 14,000 pounds per single axle and is designed and~~  
 65.19 used exclusively for collecting mixed municipal solid waste, as defined in section 115A.03,  
 65.20 subdivision 21, while engaged in such collection; or

65.21 ~~(3) (4) a portable toilet service vehicle that does not exceed 14,000 pounds per single~~  
 65.22 axle or 26,000 pounds gross vehicle weight, and is designed and used exclusively for  
 65.23 collecting liquid waste from portable toilets, while engaged in such collection; or

65.24 (5) a sewage septic tank truck that does not exceed 20,000 pounds per single axle and  
 65.25 is designed and used exclusively to haul sewage from septic or holding tanks.

65.26 ~~(e) (b) Notwithstanding section 169.80, subdivision 1, a violation of the owner or operator~~  
 65.27 of a vehicle that violates the weight restrictions imposed under subdivisions 1 and 2 by a  
 65.28 vehicle designed and used exclusively for recycling while engaged in recycling in a political  
 65.29 subdivision that mandates curbside recycling pickup while engaged in such collection, by  
 65.30 a vehicle that is designed and used exclusively for collecting mixed municipal solid waste  
 65.31 as defined in section 115A.03, subdivision 21, while engaged in such collection, or by a  
 65.32 portable toilet service vehicle that is designed and used exclusively for collecting liquid

66.1 ~~waste from portable toilets, while engaged in such collection,~~ is not subject to criminal  
66.2 penalties but is subject to a civil penalty for excess weight under section 169.871 if the  
66.3 vehicle (1) meets the requirements under paragraph (a), and (2) is engaged in the type of  
66.4 collection the vehicle was designed to perform.

66.5 **EFFECTIVE DATE.** This section is effective June 1, 2019.

66.6 Sec. 75. **[169.881] VEHICLE PLATOONS.**

66.7 Subdivision 1. **Vehicle platoon plan.** A person may apply to the commissioner for  
66.8 approval of a plan to use a platooning system on freeways and expressways under the  
66.9 jurisdiction of the commissioner. A platooning system may only be used if a plan has been  
66.10 approved by the commissioner. The commissioner must consult with the commissioner of  
66.11 public safety prior to approving the plan, regarding identifiable public safety concerns. A  
66.12 plan is valid for one year from the date of issuance, unless the plan is for a shorter period  
66.13 of time, in which case the plan is valid for the shorter time period.

66.14 Subd. 2. **Required information.** The plan must include but is not limited to the following  
66.15 information on a form prescribed by the commissioner:

66.16 (1) total length of the vehicle platoon;

66.17 (2) the configuration of the vehicle platoon, including spacing between vehicles;

66.18 (3) proposed route and section of freeway or expressway;

66.19 (4) proposed time frames the vehicle platoon will be operating;

66.20 (5) certification that each human driver in the vehicle platoon has a valid driver's license  
66.21 for the type or class of vehicle being driven;

66.22 (6) certification that the vehicle height, width, and load limits conform to this chapter;

66.23 and

66.24 (7) vehicle identification information.

66.25 Subd. 3. **Authority to approve plan.** (a) The commissioner may grant or deny a vehicle  
66.26 platoon plan. The approved plan may include reasonable conditions and restrictions to  
66.27 ensure public safety, minimize congestion, or prevent undue damage to roads or structures.

66.28 (b) The commissioner must provide written notice to the applicant and to the  
66.29 commissioner of public safety if a plan is denied and lists the reasons for the denial. The  
66.30 commissioner must approve or deny a plan within 60 days.

66.31 Subd. 4. **Requirements.** Vehicle platoons must meet the following requirements:

- 67.1 (1) must not include more than three vehicles;
- 67.2 (2) each vehicle in the vehicle platoon must have a platooning system installed;
- 67.3 (3) while platooning, each vehicle must have the platooning system engaged;
- 67.4 (4) each vehicle in the vehicle platoon must have a human driver present and in the  
 67.5 driver seat who is monitoring performance of the vehicle at all times and who holds a valid  
 67.6 driver's license for the type or class of vehicle being driven;
- 67.7 (5) each vehicle in the vehicle platoon must meet the vehicle height, width, and load  
 67.8 limits under this chapter;
- 67.9 (6) each vehicle in the platoon must possess minimum liability insurance; and
- 67.10 (7) each vehicle in the platoon must have a paper or electronic copy of the approved  
 67.11 plan in the vehicle.

67.12 Subd. 5. **Operations.** Notwithstanding any other law to the contrary, a vehicle platoon  
 67.13 must allow reasonable access for the movement of other motor vehicles to change lanes  
 67.14 and enter or exit the roadway.

67.15 Subd. 6. **Violations.** Each vehicle and each driver within the vehicle platoon must comply  
 67.16 with all applicable traffic laws under this chapter. Each driver and each vehicle within the  
 67.17 vehicle platoon must comply with any lawful order or direction of any peace officer.

67.18 **Sec. 76. [174.20] PAVEMENT SELECTION GUIDELINES.**

67.19 (a) The commissioner of transportation shall develop, implement, and adhere to a  
 67.20 pavement investment guide.

67.21 (b) Each department district office, in collaboration with the central office, must choose  
 67.22 priority roads for construction, reconstruction, rehabilitation, or preservation within each  
 67.23 district. The central office pavement engineer shall review and approve all pavement  
 67.24 selections for construction, reconstruction, rehabilitation, or preservation and ensure that  
 67.25 the pavement selection is consistent with the pavement investment guide.

67.26 **Sec. 77. Minnesota Statutes 2018, section 174.37, subdivision 1, is amended to read:**

67.27 **Subdivision 1. **Purpose.**** (a) The commissioner of transportation shall establish an  
 67.28 advisory committee on nonmotorized transportation. The committee shall make  
 67.29 recommendations to the commissioner on items related to nonmotorized transportation,  
 67.30 including safety, education, and development programs. The committee shall review and  
 67.31 analyze issues and needs relating to operating nonmotorized transportation on public

68.1 rights-of-way, and identify solutions and goals for addressing identified issues and needs.  
 68.2 The committee must not make any recommendations that would spend money from the  
 68.3 trunk highway fund on bicycle lanes or routes.

68.4 (b) For purposes of this section, "nonmotorized transportation" includes bicycling,  
 68.5 pedestrian activities, and other forms of nonmotorized transportation.

68.6 Sec. 78. Minnesota Statutes 2018, section 174.75, is amended by adding a subdivision to  
 68.7 read:

68.8 Subd. 6. **Bicycle lane or route funding limitation.** Notwithstanding any complete street  
 68.9 policy or plan, the commissioner is prohibited from spending any money from the trunk  
 68.10 highway fund on creating, constructing, expanding, marking, or maintaining bicycle lanes  
 68.11 or routes.

68.12 Sec. 79. [296A.075] TAX ON USE OF ELECTRIC VEHICLE CHARGING  
 68.13 STATION.

68.14 Subdivision 1. **Definitions.** For the purposes of this section, "electric vehicle charging  
 68.15 station" or "charging station" means any facility or equipment that is used to charge a battery  
 68.16 or other energy storage device of an electric vehicle at any location where a vehicle may  
 68.17 park at any public or private location, except parking spaces for single-family or multifamily  
 68.18  dwellings.

68.19 Subd. 2. **Tax on kilowatt hours; electric vehicle charging stations.** (a) Beginning  
 68.20 January 1, 2020, a tax of five cents is imposed on each kilowatt hour of electricity delivered  
 68.21 or placed into the battery or other energy source of an electric vehicle at an electric vehicle  
 68.22 charging station. The tax must be collected at the time the charging station is used for each  
 68.23 electric vehicle that uses the charging station.

68.24 (b) The owner of the charging station must remit the tax required under this subdivision  
 68.25 to the commissioner of revenue in the same manner as required under sections 289A.18 and  
 68.26 289A.20. The commissioner of revenue must deposit the proceeds of the tax collected under  
 68.27 this paragraph into the highway user tax distribution fund.

68.28 Subd. 3. **Annual fee for charging stations.** Notwithstanding subdivision 2, the owner  
 68.29 of a charging station installed prior to January 1, 2020, must pay an annual fee of \$200 per  
 68.30 charging station for each charging station that does not have the functional capability to  
 68.31 collect the tax required by subdivision 2. The fee must be paid in a form and manner  
 68.32 prescribed by the commissioner of revenue by December 31 of each year. The commissioner

69.1 of revenue may also prescribe a method for filing returns of the fees due under this  
 69.2 subdivision. The commissioner of revenue must deposit the funds collected under this  
 69.3 paragraph into the highway user tax distribution fund.

69.4 Subd. 4. **Failure to comply; interest and penalties.** The interest provisions under  
 69.5 section 289A.55 and the penalty provisions under sections 289A.60 and 289A.63 apply to  
 69.6 the tax and fee due under this section.

69.7 Sec. 80. **[299D.11] VEHICLE CRIMES UNIT ANNUAL REPORT.**

69.8 By January 15 of each year, the commissioner must submit a report to the chairs and  
 69.9 ranking minority members of the house of representatives and senate committees having  
 69.10 jurisdiction over transportation finance on the vehicle crimes unit. At a minimum, the report  
 69.11 must specify the following for the previous calendar year: total revenues generated by the  
 69.12 unit; revenues deposited into state funds, listed by fund; the number of cases assigned to  
 69.13 the unit; and the number of cases closed.

69.14 Sec. 81. Minnesota Statutes 2018, section 360.013, is amended by adding a subdivision  
 69.15 to read:

69.16 Subd. 46a. **Comprehensive plan.** "Comprehensive plan" has the meaning given in  
 69.17 section 394.22, subdivision 9, or 462.352, subdivision 5.

69.18 Sec. 82. Minnesota Statutes 2018, section 360.017, subdivision 1, is amended to read:

69.19 Subdivision 1. **Creation; authorized disbursements.** (a) There is hereby created a fund  
 69.20 to be known as the state airports fund. The fund shall consist of all money appropriated to  
 69.21 it, or directed to be paid into it, by the legislature.

69.22 (b) The state airports fund shall be paid out on authorization of the commissioner and  
 69.23 shall be used:

69.24 (1) to acquire, construct, improve, maintain, and operate airports and other air navigation  
 69.25 facilities;

69.26 (2) to assist municipalities in the planning, acquisition, construction, improvement, and  
 69.27 maintenance of airports and other air navigation facilities;

69.28 (3) to assist municipalities to initiate, enhance, and market scheduled air service at their  
 69.29 airports;

69.30 (4) to promote interest and safety in aeronautics through education and information; and

70.1 (5) to pay the salaries and expenses of the Department of Transportation related to  
 70.2 aeronautic planning, administration, and operation. All allotments of money from the state  
 70.3 airports fund for salaries and expenses shall be approved by the commissioner of management  
 70.4 and budget.

70.5 ~~(e) A municipality that adopts a comprehensive plan that the commissioner finds is~~  
 70.6 ~~incompatible with the state aviation plan is not eligible for assistance from the state airports~~  
 70.7 ~~fund.~~

70.8 Sec. 83. Minnesota Statutes 2018, section 360.021, subdivision 1, is amended to read:

70.9 Subdivision 1. **Authority to establish.** The commissioner is authorized and empowered,  
 70.10 on behalf of and in the name of this state, within the limitation of available appropriations,  
 70.11 to acquire, by purchase, gift, devise, lease, condemnation proceedings, or otherwise, property,  
 70.12 real or personal, for the purpose of establishing and constructing restricted landing areas  
 70.13 and other air navigation facilities and to acquire in like manner, own, control, establish,  
 70.14 construct, enlarge, improve, maintain, equip, operate, regulate, and police such restricted  
 70.15 landing areas and other air navigation facilities, either within or without this state; and to  
 70.16 make, prior to any such acquisition, investigations, surveys, and plans. The commissioner  
 70.17 may maintain, equip, operate, regulate, and police airports, either within or without this  
 70.18 state. The operation and maintenance of airports is an essential public service. The  
 70.19 commissioner may maintain at such airports facilities for the servicing of aircraft and for  
 70.20 the comfort and accommodation of air travelers. The commissioner may dispose of any  
 70.21 such property, airport, restricted landing area, or any other air navigation facility, by sale,  
 70.22 lease, or otherwise, in accordance with the laws of this state governing the disposition of  
 70.23 other like property of the state. The commissioner may not acquire or take over any restricted  
 70.24 landing area, or other air navigation facility without the consent of the owner. The  
 70.25 commissioner shall not acquire any additional state airports nor establish any additional  
 70.26 state-owned airports. The commissioner may erect, equip, operate, and maintain on any  
 70.27 airport buildings and equipment necessary and proper to maintain, and conduct such airport  
 70.28 and air navigation facilities connected therewith. The commissioner shall not expend money  
 70.29 for land acquisition, or for the construction, improvement, or maintenance of airports, or  
 70.30 for air navigation facilities for an airport, unless the ~~governmental unit~~ municipality, county,  
 70.31 or joint airport zoning board involved has or is establishing a zoning authority for that  
 70.32 airport, and the authority has made a good-faith showing that it is in the process of and will  
 70.33 complete with due diligence, an airport zoning ordinance in accordance with sections 360.061  
 70.34 to 360.074. The commissioner may provide funds to support airport safety projects that  
 70.35 maintain existing infrastructure, regardless of a zoning authority's efforts to complete a

71.1 zoning regulation. The commissioner may withhold funding from only the airport subject  
 71.2 to the proposed zoning ordinance. Notwithstanding the foregoing prohibition, the  
 71.3 commissioner may continue to maintain the state-owned airport at Pine Creek.

71.4 Sec. 84. Minnesota Statutes 2018, section 360.024, is amended to read:

71.5 **360.024 AIR TRANSPORTATION SERVICE CHARGE.**

71.6 Subdivision 1. **Charges.** (a) The commissioner shall ~~shall~~ must charge users of air  
 71.7 transportation services provided by the commissioner for direct operating costs, excluding  
 71.8 pilot salary ~~and~~.

71.9 (b) The commissioner must charge users for a portion of aircraft acquisition, replacement,  
 71.10 or leasing costs.

71.11 Subd. 2. **Accounts; appropriation.** (a) An air transportation services account is  
 71.12 established in the state airports fund. The account consists of money collected under  
 71.13 subdivision 1, paragraph (a), and any other money donated, allotted, transferred, or otherwise  
 71.14 provided to the account. ~~All receipts for these services shall be deposited in the air~~  
 71.15 ~~transportation services account in the state airports fund and are~~ Money in the account is  
 71.16 annually appropriated to the commissioner to pay ~~these~~ direct air service operating costs.

71.17 (b) An aircraft capital account is established in the state airports fund. The account  
 71.18 consists of collections under subdivision 1, paragraph (b), proceeds from the sale of aircraft  
 71.19 under jurisdiction of the department, and any other money donated, allotted, transferred, or  
 71.20 otherwise provided to the account. Money in the account must be used for aircraft acquisition,  
 71.21 replacement, or leasing costs. Except as provided by law, the commissioner must not transfer  
 71.22 money into or out of the account.

71.23 Sec. 85. Minnesota Statutes 2018, section 360.062, is amended to read:

71.24 **360.062 AIRPORT HAZARD PREVENTION; PROTECTING EXISTING**  
 71.25 **NEIGHBORHOOD LAND USES.**

71.26 (a) It is hereby found that an airport hazard endangers the lives and property of users of  
 71.27 the airport and of occupants of land in its vicinity, and may reduce the size of the area  
 71.28 available for the landing, takeoff, and maneuvering of aircraft, thereby impairing the utility  
 71.29 of the airport and the public investment therein. It is also found that the social and financial  
 71.30 costs of disrupting existing land uses around airports ~~in built up urban areas, particularly~~  
 71.31 ~~established residential neighborhoods,~~ often outweigh the benefits of a reduction in airport  
 71.32 hazards that might result from the elimination or removal of those uses.

72.1 (b) Accordingly, it is hereby declared: (1) ~~that~~ the creation or establishment of an airport  
 72.2 hazard is a public nuisance and an injury to the community served by the airport in question;  
 72.3 (2) ~~that it is therefor~~ necessary in the interest of the public health, public safety, and general  
 72.4 welfare that the creation or establishment of airport hazards be prevented and that this should  
 72.5 be accomplished to the extent legally possible, by exercise of the police power, without  
 72.6 compensation; and (3) ~~that~~ the elimination or removal of existing land uses, ~~particularly~~  
 72.7 ~~established residential neighborhoods in built-up urban areas,~~ or their designation as  
 72.8 nonconforming uses is not in the public interest and should be avoided whenever possible  
 72.9 consistent with reasonable standards of safety.

72.10 (c) It is further declared that the prevention of the creation or establishment of airport  
 72.11 hazards and the elimination, removal, alteration, mitigation, or marking and lighting of  
 72.12 existing airport hazards are essential public purposes services for which political subdivisions  
 72.13 may raise and expend public funds and acquire land or property interests therein.

72.14 Sec. 86. Minnesota Statutes 2018, section 360.063, subdivision 1, is amended to read:

72.15 Subdivision 1. **Enforcement under police power.** (a) In order to prevent the creation  
 72.16 or establishment of airport hazards, every municipality having an airport hazard area within  
 72.17 its territorial limits may, unless a joint airport zoning board is permitted under subdivision  
 72.18 3, adopt, amend from time to time, administer, and enforce, under the police power and in  
 72.19 the manner and upon the conditions hereinafter prescribed, airport zoning regulations for  
 72.20 such airport hazard area, which regulations may divide such area into zones, and, within  
 72.21 such zones, specify the land uses permitted and regulate and restrict the height to which  
 72.22 structures and trees may be erected or allowed to grow.

72.23 (b) ~~For the purpose of promoting~~ In order to promote health, safety, order, convenience,  
 72.24 prosperity, and general welfare and ~~for conserving~~ to conserve property values and  
 72.25 ~~encouraging~~ encourage the most appropriate use of land, the municipality may regulate ~~the~~  
 72.26 ~~location, size and use of buildings and the density of population in that portion of an airport~~  
 72.27 ~~hazard area under approach zones for a distance not to exceed two miles from the airport~~  
 72.28 ~~boundary and in other portions of an~~ in airport hazard area may regulate by land use zoning  
 72.29 ~~for a distance not to exceed one mile from the airport boundary, and by height restriction~~  
 72.30 ~~zoning for a distance not to exceed 1-1/2 miles from the airport boundary~~ areas: (1) land  
 72.31 use; (2) height restrictions; (3) the location, size, and use of buildings; and (4) the density  
 72.32 of population.

72.33 (c) The powers granted by this subdivision may be exercised by metropolitan airports  
 72.34 commissions in contiguous cities of the first class in and for which they have been created.



73.1 (d) In the case of airports owned or operated by the state of Minnesota such powers shall  
 73.2 be exercised by the state airport zoning boards or by the commissioner of transportation as  
 73.3 authorized herein.

73.4 Sec. 87. Minnesota Statutes 2018, section 360.063, subdivision 3, is amended to read:

73.5 Subd. 3. **Joint airport zoning board.** (a) Where an airport is owned or controlled by a  
 73.6 municipality and an airport hazard area appertaining to the airport is located within the  
 73.7 territorial limits of another county or municipality, the municipality owning or controlling  
 73.8 the airport may request a county or municipality in which an airport hazard area is located:

73.9 (1) to adopt and enforce airport zoning regulations for the area in question ~~that conform~~  
 73.10 ~~to standards prescribed by the commissioner pursuant to subdivision 4~~ under sections  
 73.11 360.0655 and 360.0656; or

73.12 (2) to join in creating a joint airport zoning board pursuant to paragraph (b). The owning  
 73.13 or controlling municipality shall determine which of these actions it shall request, except  
 73.14 as provided in paragraph (e) for the Metropolitan Airports Commission. The request shall  
 73.15 be made by certified mail to the governing body of each county and municipality in which  
 73.16 an airport hazard area is located.

73.17 (b) Where an airport is owned or controlled by a municipality and an airport hazard area  
 73.18 appertaining to the airport is located within the territorial limits of another county or  
 73.19 municipality, the municipality owning or controlling the airport and the county or other  
 73.20 municipality within which the airport hazard area is located may, by ordinance or resolution  
 73.21 duly adopted, create a joint airport zoning board, which board shall have the same power  
 73.22 to adopt, administer, and enforce airport zoning regulations applicable to the airport hazard  
 73.23 area in question as that vested by subdivision 1 in the municipality within which the area  
 73.24 is located. A joint board shall have as members two representatives appointed by the  
 73.25 municipality owning or controlling the airport and two from the county or municipality, or  
 73.26 in case more than one county or municipality is involved two from each county or  
 73.27 municipality, in which the airport hazard is located, and in addition a chair elected by a  
 73.28 majority of the members so appointed. All members shall serve at the pleasure of their  
 73.29 respective appointing authority. Notwithstanding any other provision of law to the contrary,  
 73.30 if the owning and controlling municipality is a city of the first class it shall appoint four  
 73.31 members to the board, and the chair of the board shall be elected from the membership of  
 73.32 the board.

73.33 (c) If a county or municipality, within 60 days of receiving a request from an owning  
 73.34 or controlling municipality pursuant to paragraph (a), fails to adopt, or thereafter fails to

74.1 enforce, the zoning regulations or fails to join in creating a joint airport zoning board, the  
 74.2 owning or controlling municipality, or a joint airport zoning board created without  
 74.3 participation by the subdivisions which fail to join the board, may itself adopt, administer,  
 74.4 and enforce airport zoning regulations for the airport hazard area in question. In the event  
 74.5 of conflict between the regulations and airport zoning regulations adopted by the county or  
 74.6 municipality within which the airport hazard area is located, section 360.064, subdivision  
 74.7 2, applies.

74.8 (d) "Owning or controlling municipality," as used in this subdivision, includes:

74.9 (1) a joint airport operating board created pursuant to section 360.042 that has been  
 74.10 granted all the powers of a municipality in zoning matters under the agreement creating the  
 74.11 board;

74.12 (2) a joint airport operating board created pursuant to section 360.042 that has not been  
 74.13 granted zoning powers under the agreement creating the board; provided that the board shall  
 74.14 not itself adopt zoning regulations nor shall a joint airport zoning board created at its request  
 74.15 adopt zoning regulations unless all municipalities that created the joint operating board join  
 74.16 to create the joint zoning board; and

74.17 (3) the Metropolitan Airports Commission established and operated pursuant to chapter  
 74.18 473.

74.19 (e) The Metropolitan Airports Commission shall request creation of one joint airport  
 74.20 zoning board for each airport operated under its authority.

74.21 Sec. 88. Minnesota Statutes 2018, section 360.064, subdivision 1, is amended to read:

74.22 Subdivision 1. **Comprehensive regulations.** In the event that a municipality has adopted,  
 74.23 or hereafter adopts, a comprehensive zoning ordinance regulating, among other things the  
 74.24 height of buildings, any airport zoning regulations applicable to the same area or portion  
 74.25 thereof ~~may~~ must be incorporated by reference or incorporated in and made a part of such  
 74.26 comprehensive zoning regulations and be administered and enforced in connection therewith.

74.27 Sec. 89. Minnesota Statutes 2018, section 360.065, subdivision 1, is amended to read:

74.28 Subdivision 1. **Notice of proposed zoning regulations, hearing.** (a) No airport zoning  
 74.29 regulations shall be adopted, amended, or changed under sections 360.011 to 360.076,  
 74.30 except by action of the governing body of the municipality or, county in question, or joint  
 74.31 airport zoning board under section 360.0655 or 360.0656, or the boards provided for in  
 74.32 section 360.063, subdivisions 3 and 7, or by the commissioner as provided in subdivisions

75.1 6 and 8, ~~after public hearings, at which parties in interest and citizens shall have an~~  
 75.2 ~~opportunity to be heard.~~

75.3 (b) A public hearing shall ~~must~~ be held on the ~~proposed~~ airport zoning regulations  
 75.4 proposed by a municipality, county, or joint airport zoning board before they are submitted  
 75.5 for approval to the commissioner and after that approval but before final adoption by the  
 75.6 local zoning authority for approval. If any changes that alter the regulations placed on a  
 75.7 parcel of land are made to the proposed airport zoning regulations after the initial public  
 75.8 hearing, the municipality, county, or joint airport zoning board must hold a second public  
 75.9 hearing before final adoption of the regulation. The commissioner may require a second  
 75.10 hearing as determined necessary.

75.11 (c) Notice of a hearing ~~required pursuant to this subdivision shall~~ must be published by  
 75.12 the ~~local zoning authority~~ municipality, county, or joint airport zoning board at least three  
 75.13 times during the period between 15 days and five days before the hearing in an official  
 75.14 newspaper and in a second newspaper designated by that authority which has a wide general  
 75.15 circulation in the area affected by the proposed regulations and posted on the municipality's,  
 75.16 county's, or joint airport zoning board's website. If there is not a second newspaper of wide  
 75.17 general circulation in the area that the municipality, county, or joint airport zoning board  
 75.18 can designate for the notice, the municipality, county, or joint airport zoning board is only  
 75.19 required to publish the notice once in the official newspaper of the jurisdiction. The notice  
 75.20 shall not be published in the legal notice section of a newspaper. The notice must specify  
 75.21 the time, location, and purpose of the hearing, and must identify any additional location and  
 75.22 time the proposed regulations will be available for public inspection. A copy of the published  
 75.23 notice must be added to the record of the proceedings.

75.24 (d) Notice of a hearing ~~shall also be mailed to the governing body of each political~~  
 75.25 subdivision in which property affected by the regulations is located. Notice shall ~~must~~ be  
 75.26 given by mail at least ~~15~~ ten days before each hearing to any persons in municipalities that  
 75.27 own land proposed to be included in safety zone A or B as provided in the rules of the  
 75.28 Department of Transportation and landowners where the location or size of a building, or  
 75.29 the density of population, will be regulated. Mailed notice must also be provided at least  
 75.30 ten days before each hearing to persons or municipalities that have previously requested  
 75.31 such notice from the ~~authority~~ municipality, county, or joint airport zoning board. The notice  
 75.32 must specify the time, location, and purpose of the hearing, and must identify any additional  
 75.33 location and time the proposed regulations will be made available for public inspection.  
 75.34 Mailed notice must also identify the property affected by the regulations. For the purpose  
 75.35 of ~~giving~~ providing mailed notice, the ~~authority~~ municipality, county, or joint airport zoning

76.1 board may use any appropriate records to determine the names and addresses of owners. A  
 76.2 copy of the notice and a list of the owners and addresses to which the notice was sent ~~shall~~  
 76.3 ~~be attested to by the responsible person and shall~~ must be made a part of added to the records  
 76.4 of the proceedings. ~~The Failure to give~~ provide mailed notice to individual property owners;  
 76.5 or ~~defects a defect in the notice, shall~~ does not invalidate the proceedings; ~~provided if~~ a  
 76.6 bona fide attempt to comply with this subdivision ~~has been~~ was made. ~~A notice shall describe~~  
 76.7 ~~the property affected by the proposed regulations and the restrictions to be imposed on the~~  
 76.8 ~~property by the regulations and shall state the place and time at which the proposed~~  
 76.9 ~~regulations are available for public inspection.~~

76.10 Sec. 90. [360.0655] AIRPORT ZONING REGULATIONS BASED ON  
 76.11 COMMISSIONER'S STANDARDS; SUBMISSION PROCESS.

76.12 Subdivision 1. Submission to commissioner; review. (a) Except as provided in section  
 76.13 360.0656, prior to adopting zoning regulations, the municipality, county, or joint airport  
 76.14 zoning board must submit the proposed regulations to the commissioner for the commissioner  
 76.15 to determine whether the regulations conform to the standards prescribed by the  
 76.16 commissioner. The municipality, county, or joint airport zoning board may elect to complete  
 76.17 custom airport zoning under section 360.0656 instead of using the commissioner's standard,  
 76.18 but only after providing written notice to the commissioner.

76.19 (b) Notwithstanding section 15.99, the commissioner must examine the proposed  
 76.20 regulations within 90 days of receipt of the regulations and report to the municipality, county,  
 76.21 or joint airport zoning board the commissioner's approval or objections, if any. Failure to  
 76.22 respond within 90 days is deemed an approval. The commissioner may request additional  
 76.23 information from the municipality, county, or joint airport zoning board within the 90-day  
 76.24 review period. If the commissioner requests additional information, the 90-day review period  
 76.25 is tolled until the commissioner receives information and deems the information satisfactory.

76.26 (c) If the commissioner objects on the grounds that the regulations do not conform to  
 76.27 the standards prescribed by the commissioner, the municipality, county, or joint airport  
 76.28 zoning board must make amendments necessary to resolve the objections or provide written  
 76.29 notice to the commissioner that the municipality, county, or joint airport zoning board will  
 76.30 proceed with zoning under section 360.0656.

76.31 (d) If the municipality, county, or joint airport zoning board makes revisions to the  
 76.32 proposed regulations after its initial public hearing, the municipality, county, or joint airport  
 76.33 zoning board must conduct a second public hearing on the revisions and resubmit the revised  
 76.34 proposed regulations to the commissioner for review. The commissioner must examine the

77.1 revised proposed regulations within 90 days of receipt to determine whether the revised  
77.2 proposed regulations conform to the standards prescribed by the commissioner.

77.3 (e) If, after a second review period, the commissioner determines that the municipality,  
77.4 county, or joint airport zoning board failed to submit proposed regulations that conform to  
77.5 the commissioner's standards, the commissioner must provide a final written decision to  
77.6 the municipality, county, or joint airport zoning board.

77.7 (f) The municipality, county, or joint airport zoning board must not adopt regulations  
77.8 or take other action until the proposed regulations are approved by the commissioner.

77.9 (g) The commissioner may approve local zoning ordinances that are more stringent than  
77.10 the commissioner's standards.

77.11 (h) If the commissioner approves the proposed regulations, the municipality, county, or  
77.12 joint airport zoning board may adopt the regulations.

77.13 (i) A copy of the adopted regulations must be filed with the county recorder in each  
77.14 county that contains a zoned area subject to the regulations.

77.15 (j) Substantive rights that existed and had been exercised prior to August 1, 2019, are  
77.16 not affected by the filing of the regulations.

77.17 Subd. 2. **Protection of existing land uses.** (a) In order to ensure minimum disruption  
77.18 of existing land uses, the commissioner's airport zoning standards and local airport zoning  
77.19 ordinances or regulations adopted under this section must distinguish between the creation  
77.20 or establishment of a use and the elimination of an existing use, and must avoid the  
77.21 elimination, removal, or reclassification of existing uses to the extent consistent with  
77.22 reasonable safety standards. The commissioner's standards must include criteria for  
77.23 determining when an existing land use may constitute an airport hazard so severe that public  
77.24 safety considerations outweigh the public interest in preventing disruption to that land use.

77.25 (b) Airport zoning regulations that classify as a nonconforming use or require  
77.26 nonconforming use classification with respect to any existing low-density structure or  
77.27 existing isolated low-density building lots must be adopted under sections 360.061 to  
77.28 360.074.

77.29 (c) A local airport zoning authority may classify a land use described in paragraph (b)  
77.30 as an airport hazard if the authority finds that the classification is justified by public safety  
77.31 considerations and is consistent with the commissioner's airport zoning standards. Any land  
77.32 use described in paragraph (b) that is classified as an airport hazard must be acquired, altered,  
77.33 or removed at public expense.

78.1 (d) This subdivision must not be construed to affect the classification of any land use  
 78.2 under any zoning ordinances or regulations not adopted under sections 360.061 to 360.074.

78.3 **Sec. 91. [360.0656] CUSTOM AIRPORT ZONING STANDARDS.**

78.4 Subdivision 1. Custom airport zoning standards; factors. (a) Notwithstanding section  
 78.5 360.0655, a municipality, county, or joint airport zoning board must provide notice to the  
 78.6 commissioner when the municipality, county, or joint airport zoning board intends to establish  
 78.7 and adopt custom airport zoning regulations under this section.

78.8 (b) Airport zoning regulations submitted to the commissioner under this subdivision are  
 78.9 not subject to the commissioner's zoning regulations under section 360.0655 or Minnesota  
 78.10 Rules, part 8800.2400.

78.11 (c) When developing and adopting custom airport zoning regulations under this section,  
 78.12 the municipality, county, or joint airport zoning board must include in the record a detailed  
 78.13 analysis that explains how the proposed custom airport zoning regulations addressed the  
 78.14 following factors to ensure a reasonable level of safety:

78.15 (1) the location of the airport, the surrounding land uses, and the character of  
 78.16 neighborhoods in the vicinity of the airport, including:

78.17 (i) the location of vulnerable populations, including schools, hospitals, and nursing  
 78.18 homes, in the airport hazard area;

78.19 (ii) the location of land uses that attract large assemblies of people in the airport hazard  
 78.20 area;

78.21 (iii) the availability of contiguous open spaces in the airport hazard area;

78.22 (iv) the location of wildlife attractants in the airport hazard area;

78.23 (v) airport ownership or control of the federal Runway Protection Zone and the  
 78.24 department's Clear Zone;

78.25 (vi) land uses that create or cause interference with the operation of radio or electronic  
 78.26 facilities used by the airport or aircraft;

78.27 (vii) land uses that make it difficult for pilots to distinguish between airport lights and  
 78.28 other lights, result in glare in the eyes of pilots using the airport, or impair visibility in the  
 78.29 vicinity of the airport;

78.30 (viii) land uses that otherwise inhibit a pilot's ability to land, take off, or maneuver the  
 78.31 aircraft;

79.1 (ix) airspace protection to prevent the creation of air navigation hazards in the airport  
79.2 hazard area; and

79.3 (x) the social and economic costs of restricting land uses;

79.4 (2) the airport's type of operations and how the operations affect safety surrounding the  
79.5 airport;

79.6 (3) the accident rate at the airport compared to a statistically significant sample, including  
79.7 an analysis of accident distribution based on the rate with a higher accident incidence;

79.8 (4) the planned land uses within an airport hazard area, including any applicable platting,  
79.9 zoning, comprehensive plan, or transportation plan; and

79.10 (5) any other information relevant to safety or the airport.

79.11 Subd. 2. **Submission to commissioner; review.** (a) Except as provided in section  
79.12 360.0655, prior to adopting zoning regulations, the municipality, county, or joint airport  
79.13 zoning board must submit its proposed regulations and the supporting record to the  
79.14 commissioner for review. The commissioner must determine whether the proposed custom  
79.15 airport zoning regulations and supporting record (1) evaluate the criteria under subdivision  
79.16 1, and (2) provide a reasonable level of safety.

79.17 (b) Notwithstanding section 15.99, the commissioner must examine the proposed  
79.18 regulations within 90 days of receipt of the regulations and report to the municipality, county,  
79.19 or joint airport zoning board the commissioner's approval or objections, if any. Failure to  
79.20 respond within 90 days is deemed an approval. The commissioner may request additional  
79.21 information from the municipality, county, or joint airport zoning board within the 90-day  
79.22 review period.

79.23 (c) If the commissioner objects on the grounds that the regulations do not provide a  
79.24 reasonable level of safety, the municipality, county, or joint airport zoning board must  
79.25 review, consider, and provide a detailed explanation demonstrating how it evaluated the  
79.26 objections and what action it took or did not take in response to the objections. If the  
79.27 municipality, county, or joint airport zoning board submits amended regulations after its  
79.28 initial public hearing, the municipality, county, or joint airport zoning board must conduct  
79.29 a second public hearing on the revisions and resubmit the revised proposed regulations to  
79.30 the commissioner for review. The commissioner must examine the revised proposed  
79.31 regulations within 90 days of receipt of the regulations. If the commissioner requests  
79.32 additional information, the 90-day review period is tolled until satisfactory information is  
79.33 received by the commissioner. Failure to respond within 90 days is deemed an approval.

80.1 (d) If, after the second review period, the commissioner determines that the municipality,  
 80.2 county, or joint airport zoning board failed to submit proposed regulations that provide a  
 80.3 reasonable level of safety, the commissioner must provide a final written decision to the  
 80.4 municipality, county, or joint airport zoning board.

80.5 (e) A municipality, county, or joint airport zoning board is prohibited from adopting  
 80.6 custom regulations or taking other action until the proposed regulations are approved by  
 80.7 the commissioner.

80.8 (f) If the commissioner approves the proposed regulations, the municipality, county, or  
 80.9 joint airport zoning board may adopt the regulations.

80.10 (g) A copy of the adopted regulations must be filed with the county recorder in each  
 80.11 county that contains a zoned area subject to the regulations.

80.12 (h) Substantive rights that existed and had been exercised prior to August 1, 2019, are  
 80.13 not affected by the filing of the regulations.

80.14 Sec. 92. Minnesota Statutes 2018, section 360.066, subdivision 1, is amended to read:

80.15 Subdivision 1. **Reasonableness.** ~~Standards of the commissioner~~ Zoning standards defining  
 80.16 airport hazard areas and the categories of uses permitted and airport zoning regulations  
 80.17 adopted under sections 360.011 to 360.076, shall be reasonable, and none shall impose a  
 80.18 requirement or restriction which is not reasonably necessary to effectuate the purposes of  
 80.19 sections 360.011 to 360.076. ~~In determining what minimum airport zoning regulations may~~  
 80.20 ~~be adopted, the commissioner and a local airport zoning authority shall consider, among~~  
 80.21 ~~other things, the character of the flying operations expected to be conducted at the airport,~~  
 80.22 ~~the location of the airport, the nature of the terrain within the airport hazard area, the existing~~  
 80.23 ~~land uses and character of the neighborhood around the airport, the uses to which the property~~  
 80.24 ~~to be zoned are planned and adaptable, and the social and economic costs of restricting land~~  
 80.25 ~~uses versus the benefits derived from a strict application of the standards of the commissioner.~~

80.26 Sec. 93. Minnesota Statutes 2018, section 360.067, is amended by adding a subdivision  
 80.27 to read:

80.28 Subd. 5. **Federal no hazard determination.** (a) Notwithstanding subdivisions 1 and 2,  
 80.29 a municipality, county, or joint airport zoning board may include in its custom airport zoning  
 80.30 regulations adopted under section 360.0656 an option to permit construction of a structure,  
 80.31 an increase or alteration of the height of a structure, or the growth of an existing tree without  
 80.32 a variance from height restrictions if the Federal Aviation Administration has analyzed the



81.1 proposed construction, alteration, or growth under Code of Federal Regulations, title 14,  
 81.2 part 77, and has determined the proposed construction, alteration, or growth does not:

81.3 (1) pose a hazard to air navigation;

81.4 (2) require changes to airport or aircraft operations; or

81.5 (3) require any mitigation conditions by the Federal Aviation Administration that cannot  
 81.6 be satisfied by the landowner.

81.7 (b) A municipality, county, or joint airport zoning board that permits an exception to  
 81.8 height restrictions under this subdivision must require the applicant to file the Federal  
 81.9 Aviation Administration's no hazard determination with the applicable zoning administrator.  
 81.10 The applicant must obtain written approval of the zoning administrator before construction,  
 81.11 alteration, or growth may occur. Failure of the administrator to respond within 60 days to  
 81.12 a filing under this subdivision is deemed a denial. The Federal Aviation Administration's  
 81.13 no hazard determination does not apply to requests for variation from land use, density, or  
 81.14 any other requirement unrelated to the height of structures or the growth of trees.

81.15 Sec. 94. Minnesota Statutes 2018, section 360.071, subdivision 2, is amended to read:

81.16 Subd. 2. **Membership.** (a) Where a zoning board of appeals or adjustment already exists,  
 81.17 it may be appointed as the board of adjustment. Otherwise, the board of adjustment shall  
 81.18 consist of five members, each to be appointed for a term of three years by the authority  
 81.19 adopting the regulations and to be removable by the appointing authority for cause, upon  
 81.20 written charges and after public hearing. The length of initial appointments may be staggered.

81.21 (b) In the case of a Metropolitan Airports Commission, five members shall be appointed  
 81.22 by the commission chair from the area in and for which the commission was created, any  
 81.23 of whom may be members of the commission. In the case of an airport owned or operated  
 81.24 by the state of Minnesota, the board of commissioners of the county, or counties, in which  
 81.25 the airport hazard area is located shall constitute the airport board of adjustment and shall  
 81.26 exercise the powers and duties of such board as provided herein.

81.27 Sec. 95. Minnesota Statutes 2018, section 360.305, subdivision 6, is amended to read:

81.28 Subd. 6. **Zoning required.** The commissioner ~~shall~~ must not expend money for planning  
 81.29 or land acquisition, ~~or~~ for the construction, improvement, or maintenance of airports, or for  
 81.30 air navigation facilities for an airport, unless the ~~governmental unit~~ municipality, county,  
 81.31 or joint airport zoning board involved has or is establishing a zoning authority for that  
 81.32 airport, and the authority has made a good-faith showing that it is in the process of and will

82.1 complete with due diligence, an airport zoning ordinance in accordance with sections 360.061  
 82.2 to 360.074. The commissioner may provide funds to support airport safety projects that  
 82.3 maintain existing infrastructure, regardless of a zoning authority's efforts to complete a  
 82.4 zoning regulation. The commissioner ~~shall~~ must make maximum use of zoning and easements  
 82.5 to eliminate runway and other potential airport hazards rather than land acquisition in fee.

82.6 Sec. 96. Minnesota Statutes 2018, section 394.22, is amended by adding a subdivision to  
 82.7 read:

82.8 Subd. 1a. **Airport safety zone.** "Airport safety zone" means an area subject to land use  
 82.9 zoning controls adopted under sections 360.061 to 360.074 if the zoning controls regulate  
 82.10 (1) the size or location of buildings, or (2) the density of population.

82.11 Sec. 97. Minnesota Statutes 2018, section 394.23, is amended to read:

82.12 **394.23 COMPREHENSIVE PLAN.**

82.13 The board has the power and authority to prepare and adopt by ordinance, a  
 82.14 comprehensive plan. A comprehensive plan or plans when adopted by ordinance must be  
 82.15 the basis for official controls adopted under the provisions of sections 394.21 to 394.37.  
 82.16 The commissioner of natural resources must provide the natural heritage data from the  
 82.17 county biological survey, if available, to each county for use in the comprehensive plan.  
 82.18 When adopting or updating the comprehensive plan, the board must, if the data is available  
 82.19 to the county, consider natural heritage data resulting from the county biological survey. In  
 82.20 a county that is not a greater than 80 percent area, as defined in section 103G.005, subdivision  
 82.21 10b, the board must consider adopting goals and objectives that will protect open space and  
 82.22 the environment. The board must consider the location and dimensions of airport safety  
 82.23 zones in any portion of the county, and of any airport improvements, identified in the airport's  
 82.24 most recent approved airport layout plan.

82.25 Sec. 98. Minnesota Statutes 2018, section 394.231, is amended to read:

82.26 **394.231 COMPREHENSIVE PLANS IN GREATER MINNESOTA; OPEN SPACE.**

82.27 A county adopting or updating a comprehensive plan in a county outside the metropolitan  
 82.28 area as defined by section 473.121, subdivision 2, and that is not a greater than 80 percent  
 82.29 area, as defined in section 103G.005, subdivision 10b, shall consider adopting goals and  
 82.30 objectives for the preservation of agricultural, forest, wildlife, and open space land, and  
 82.31 minimizing development in sensitive shoreland areas. Within three years of updating the  
 82.32 comprehensive plan, the county shall consider adopting ordinances as part of the county's

83.1 official controls that encourage the implementation of the goals and objectives. The county  
83.2 shall consider the following goals and objectives:

83.3 (1) minimizing the fragmentation and development of agricultural, forest, wildlife, and  
83.4 open space lands, including consideration of appropriate minimum lot sizes;

83.5 (2) minimizing further development in sensitive shoreland areas;

83.6 (3) minimizing development near wildlife management areas, scientific and natural  
83.7 areas, and nature centers;

83.8 (4) encouraging land uses in airport safety zones that are compatible with the safe  
83.9 operation of the airport and the safety of people in the vicinity of the airport;

83.10 ~~(4)~~ (5) identification of areas of preference for higher density, including consideration  
83.11 of existing and necessary water and wastewater services, infrastructure, other services, and  
83.12 to the extent feasible, encouraging full development of areas previously zoned for  
83.13 nonagricultural uses;

83.14 ~~(5)~~ (6) encouraging development close to places of employment, shopping centers,  
83.15 schools, mass transit, and other public and private service centers;

83.16 ~~(6)~~ (7) identification of areas where other developments are appropriate; and

83.17 ~~(7)~~ (8) other goals and objectives a county may identify.

83.18 Sec. 99. Minnesota Statutes 2018, section 394.25, subdivision 3, is amended to read:

83.19 Subd. 3. **In district zoning, maps.** Within each such district zoning ordinances or maps  
83.20 may also be adopted designating or limiting the location, height, width, bulk, type of  
83.21 foundation, number of stories, size of, and the specific uses for which dwellings, buildings,  
83.22 and structures may be erected or altered; the minimum and maximum size of yards, courts,  
83.23 or other open spaces; setback from existing roads and highways and roads and highways  
83.24 designated on an official map; protective measures necessary to protect the public interest  
83.25 including but not limited to controls relating to appearance, signs, lighting, hours of operation  
83.26 and other aesthetic performance characteristics including but not limited to noise, heat,  
83.27 glare, vibrations and smoke; the area required to provide for off street loading and parking  
83.28 facilities; heights of trees and structures near airports; and to avoid too great concentration  
83.29 or scattering of the population. All such provisions shall be uniform for each class of land  
83.30 or building throughout each district, but the provisions in one district may differ from those  
83.31 in other districts. No provision may prohibit earth sheltered construction as defined in section  
83.32 216C.06, subdivision 14, or manufactured homes built in conformance with sections 327.31

84.1 to 327.35 that comply with all other zoning ordinances promulgated pursuant to this section.  
84.2 Airport safety zones must be included on maps that illustrate boundaries of zoning districts  
84.3 and that are adopted as official controls.

84.4 **EFFECTIVE DATE.** This section is effective August 1, 2019, and applies to maps  
84.5 created or updated under this section on or after that date.

84.6 Sec. 100. Minnesota Statutes 2018, section 462.352, is amended by adding a subdivision  
84.7 to read:

84.8 Subd. 1a. **Airport safety zone.** "Airport safety zone" has the meaning given in section  
84.9 394.22, subdivision 1a.

84.10 Sec. 101. Minnesota Statutes 2018, section 462.355, subdivision 1, is amended to read:

84.11 Subdivision 1. **Preparation and review.** The planning agency shall prepare the  
84.12 comprehensive municipal plan. In discharging this duty the planning agency shall consult  
84.13 with and coordinate the planning activities of other departments and agencies of the  
84.14 municipality to insure conformity with and to assist in the development of the comprehensive  
84.15 municipal plan. In its planning activities the planning agency shall take due cognizance of  
84.16 the planning activities of adjacent units of government and other affected public agencies.  
84.17 The planning agency shall periodically review the plan and recommend amendments  
84.18 whenever necessary. When preparing or recommending amendments to the comprehensive  
84.19 plan, the planning agency of a municipality located within a county that is not a greater than  
84.20 80 percent area, as defined in section 103G.005, subdivision 10b, must consider adopting  
84.21 goals and objectives that will protect open space and the environment. When preparing or  
84.22 recommending amendments to the comprehensive plan, the planning agency must consider  
84.23 (1) the location and dimensions of airport safety zones in any portion of the municipality,  
84.24 and (2) any airport improvements identified in the airport's most recent approved airport  
84.25 layout plan.

84.26 Sec. 102. Minnesota Statutes 2018, section 462.357, is amended by adding a subdivision  
84.27 to read:

84.28 Subd. 1i. **Airport safety zones on zoning maps.** Airport safety zones must be included  
84.29 on maps that illustrate boundaries of zoning districts and that are adopted as official controls.

84.30 **EFFECTIVE DATE.** This section is effective August 1, 2019, and applies to maps  
84.31 created or updated under this section on or after that date.

85.1 Sec. 103. Minnesota Statutes 2018, section 462.357, subdivision 9, is amended to read:

85.2 Subd. 9. **Development goals and objectives.** In adopting official controls after July 1,  
85.3 2008, in a municipality outside the metropolitan area, as defined by section 473.121,  
85.4 subdivision 2, the municipality shall consider restricting new residential, commercial, and  
85.5 industrial development so that the new development takes place in areas subject to the  
85.6 following goals and objectives:

85.7 (1) minimizing the fragmentation and development of agricultural, forest, wildlife, and  
85.8 open space lands, including consideration of appropriate minimum lot sizes;

85.9 (2) minimizing further development in sensitive shoreland areas;

85.10 (3) minimizing development near wildlife management areas, scientific and natural  
85.11 areas, and nature centers;

85.12 (4) encouraging land uses in airport safety zones that are compatible with the safe  
85.13 operation of the airport and the safety of people in the vicinity of the airport;

85.14 ~~(4)~~ (5) identification of areas of preference for higher density, including consideration  
85.15 of existing and necessary water and wastewater services, infrastructure, other services, and  
85.16 to the extent feasible, encouraging full development of areas previously zoned for  
85.17 nonagricultural uses;

85.18 ~~(5)~~ (6) encouraging development close to places of employment, shopping centers,  
85.19 schools, mass transit, and other public and private service centers;

85.20 ~~(6)~~ (7) identification of areas where other developments are appropriate; and

85.21 ~~(7)~~ (8) other goals and objectives a municipality may identify.

85.22 Sec. 104. Minnesota Statutes 2018, section 473.121, is amended by adding a subdivision  
85.23 to read:

85.24 Subd. 37. **Light rail transit.** "Light rail transit" means an electrically powered passenger  
85.25 train that operates on a fixed two-rail route. Light rail transit operates in a dedicated  
85.26 right-of-way that is not shared with motor vehicles except for intersections where vehicles  
85.27 may cross the tracks. Light rail transit does not include streetcars.

85.28 **EFFECTIVE DATE; APPLICATION.** This section is effective June 1, 2019, and  
85.29 applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

86.1 Sec. 105. Minnesota Statutes 2018, section 473.121, is amended by adding a subdivision  
86.2 to read:

86.3 Subd. 38. **Streetcar.** "Streetcar" means a passenger car, other than light rail transit or  
86.4 rail cars, that operates on a fixed two-rail route. Streetcars operate primarily in mixed traffic,  
86.5 but may also operate in a dedicated right-of-way for a portion of a route.

86.6 **EFFECTIVE DATE; APPLICATION.** This section is effective June 1, 2019, and  
86.7 applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

86.8 Sec. 106. Minnesota Statutes 2018, section 473.386, subdivision 3, is amended to read:

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

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

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

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

86.19 (d) encourage shared rides to the greatest extent practicable;

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

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

86.26 (g) consult with the Transportation Accessibility Advisory Committee in a timely manner  
86.27 before changes are made in the provision of special transportation services;

86.28 (h) provide for effective administration and enforcement of council policies and standards;  
86.29 and

86.30 (i) ensure that, taken as a whole including contracts with public, private, and private  
86.31 nonprofit providers, the geographic coverage area of the special transportation service is

87.1 continuous within the boundaries of the transit taxing district, as defined as of March 1,  
87.2 2006, in section 473.446, subdivision 2, and within the boundaries of any city that pays into  
87.3 the transit taxing district that is not included in section 473.446, subdivision 2.

87.4 **EFFECTIVE DATE; APPLICATION.** This section is effective July 1, 2019, and  
87.5 applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

87.6 Sec. 107. Minnesota Statutes 2018, section 473.388, subdivision 4a, is amended to read:

87.7 Subd. 4a. **Financial assistance; regional allocation.** (a) In addition to the assistance  
87.8 under subdivision 4, paragraph (c), ~~for fiscal years 2018 and 2019~~ the council must annually  
87.9 provide financial assistance through regional allocation to replacement service municipalities.  
87.10 The amount of financial assistance under this paragraph must equal at least 0.35 percent of  
87.11 the total state revenues generated from the taxes imposed under chapter 297B for the current  
87.12 fiscal year.

87.13 (b) The council must establish a process to regionally allocate financial assistance under  
87.14 this subdivision. At a minimum, the council must:

87.15 (1) adopt and implement a regional allocation policy that specifies funding priorities,  
87.16 identifies decision-making procedures, and establishes criteria to determine the amount  
87.17 allocated to a replacement service municipality; and

87.18 (2) ensure transparency and stakeholder input, which must include publishing on the  
87.19 council's website the policy adopted under clause (1), a summary of the regional allocation  
87.20 process, and financial information on the allocations.

87.21 (c) The regional allocation policy may specify eligibility requirements based on a  
87.22 replacement service municipality's transit service operating reserves.

87.23 (d) The council must provide financial assistance under this subdivision using funds  
87.24 appropriated to the council from the metropolitan area transit account in the transit assistance  
87.25 fund.

87.26 **EFFECTIVE DATE; APPLICATION.** This section is effective the day following  
87.27 final enactment and applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey,  
87.28 Scott, and Washington.

88.1 Sec. 108. Minnesota Statutes 2018, section 473.4051, subdivision 2, is amended to read:

88.2 Subd. 2. **Operating costs.** (a) After operating revenue and federal money have been  
88.3 used to pay for light rail transit operations, 50 percent of the remaining operating costs must  
88.4 be paid by the state:

88.5 ~~(b) Notwithstanding paragraph (a), for light rail transit lines in operation prior to July~~  
88.6 ~~1, 2019. For all light rail lines or line extensions that begin operations on or after July 1,~~  
88.7 ~~2019, all operating and ongoing capital maintenance costs must be paid from nonstate~~  
88.8 ~~sources for a segment of a light rail transit line or line extension project that formally entered~~  
88.9 ~~the engineering phase of the Federal Transit Administration's "New Starts" capital investment~~  
88.10 ~~grant program between August 1, 2016, and December 31, 2016.~~

88.11 (b) For purposes of this subdivision, operating costs consist of the costs associated with  
88.12 light rail system daily operations and the maintenance costs associated with keeping light  
88.13 rail services and facilities operating. Operating costs do not include costs incurred to construct  
88.14 new buildings or facilities, purchase new vehicles, or make technology improvements.

88.15 **EFFECTIVE DATE; APPLICATION.** This section is effective July 1, 2019, and  
88.16 applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

88.17 Sec. 109. Minnesota Statutes 2018, section 473.4051, subdivision 3, is amended to read:

88.18 Subd. 3. **Capital costs.** State money ~~may~~ must not be used ~~to pay more than ten percent~~  
88.19 ~~of~~ for the ~~total~~ capital cost of a light rail transit project.

88.20 **EFFECTIVE DATE; APPLICATION.** This section is effective July 1, 2019, for  
88.21 appropriations encumbered on or after that date and applies in the counties of Anoka, Carver,  
88.22 Dakota, Hennepin, Ramsey, Scott, and Washington.

88.23 Sec. 110. Laws 2018, chapter 165, section 1, is amended to read:

88.24 Section 1. **TRUNK HIGHWAY MOWING OR HAYING; PERMIT MORATORIUM.**

88.25 (a) Except as provided in paragraph (b), the commissioner of transportation must  
88.26 implement a moratorium until April 30, ~~2019~~ 2020, on enforcing permits under Minnesota  
88.27 Statutes, sections 160.232 and 160.2715, or any other Minnesota statute or administrative  
88.28 rule, to mow or bale hay in the right-of-way of a trunk highway.

88.29 (b) This section applies regardless of the date of any permit issuance. This section does  
88.30 not apply to a right-of-way adjacent to land under the jurisdiction of the state or a political  
88.31 subdivision.



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

89.2 Sec. 111. **DEDICATED FUND EXPENDITURES REPORT; TRANSITION.**

89.3 By January 15, 2020, the commissioners of transportation and public safety, in  
 89.4 consultation with the commissioner of management and budget, must jointly submit a report  
 89.5 to the chairs and ranking minority members of the legislative committees with jurisdiction  
 89.6 over transportation finance. The report must list detailed expenditures and transfers from  
 89.7 the trunk highway fund and highway user tax distribution fund for fiscal years 2018 and  
 89.8 2019. The report must include information on the purpose of each expenditure.

89.9 Sec. 112. **DRIVER AND VEHICLE SERVICES EXECUTIVE STEERING**  
 89.10 **COMMITTEE FIRST APPOINTMENTS; FIRST MEETING; FIRST REPORT.**

89.11 (a) Appointing authorities must make initial appointments to the Driver and Vehicle  
 89.12 Services Executive Steering Committee under Minnesota Statutes, section 168A.241, by  
 89.13 August 1, 2019.

89.14 (b) The commissioner of public safety must convene the first meeting of the Driver and  
 89.15 Vehicle Services Executive Steering Committee by September 15, 2019.

89.16 (c) Notwithstanding Minnesota Statutes, section 168A.241, subdivision 5, paragraph  
 89.17 (a), the Driver and Vehicle Services Executive Steering Committee must meet one time in  
 89.18 2019.

89.19 (d) Notwithstanding Minnesota Statutes, section 168A.241, subdivision 8, the Driver  
 89.20 and Vehicle Services Executive Steering Committee must submit its first report under  
 89.21 subdivision 8 by February 15, 2020.

89.22 (e) By September 15, 2019, the commissioner of public safety must identify 11 of the  
 89.23 members who shall serve terms coterminous with the governor. The other 11 members shall  
 89.24 serve terms that end on the first Monday in January one year after the terms of the other  
 89.25 members.

89.26 Sec. 113. **ENGINE BRAKES; REGULATION BY BURNSVILLE.**

89.27 Notwithstanding any other law or ordinance, the governing body of the city of Burnsville  
 89.28 may by ordinance restrict or prohibit the use of an engine brake on motor vehicles along  
 89.29 Legislative Route No. 117, also known as marked Trunk Highway 13, between Nicollet  
 89.30 Avenue and Portland Avenue. Upon notification by the city of Burnsville to the commissioner  
 89.31 of transportation of the city's adoption of the ordinance, the commissioner of transportation

90.1 shall erect the appropriate signs, with the cost of the signs to be paid by the city. For purposes  
 90.2 of this section, "engine brake" means any device that uses the engine and transmission to  
 90.3 impede the forward motion of the motor vehicle by compression of the engine.

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

90.5 Sec. 114. **ENGINE BRAKES; REGULATION BY MINNEAPOLIS.**

90.6 Notwithstanding any other law or charter provision, the governing body of the city of  
 90.7 Minneapolis may by ordinance restrict or prohibit the use of an engine brake on motor  
 90.8 vehicles along Legislative Route No. 392, also known as marked Interstate Highway 94, in  
 90.9 the westbound lanes beginning at LaSalle Avenue and extending west to the Lowry Tunnel.  
 90.10 Upon notification by the city of Minneapolis to the commissioner of transportation of the  
 90.11 city's adoption of the ordinance, the commissioner of transportation shall erect the appropriate  
 90.12 signs, with the cost of the signs to be paid by the city. For purposes of this section, "engine  
 90.13 brake" means any device that uses the engine and transmission to impede the forward motion  
 90.14 of the motor vehicle by compression of the engine.

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

90.16 Sec. 115. **MARKED INTERSTATE HIGHWAY 35 SIGNS.**

90.17 The commissioner of transportation must erect signs that identify and direct motorists  
 90.18 to the campuses of Minnesota State Academy for the Deaf and Minnesota State Academy  
 90.19 for the Blind under Minnesota Statutes, sections 125A.61 to 125A.73. At least one sign in  
 90.20 each direction of travel must be placed on marked Interstate Highway 35, located as near  
 90.21 as practical to exits that reasonably access the campuses. The commissioner must pay for  
 90.22 the signs within existing appropriations. The commissioner is prohibited from removing  
 90.23 signs for the campuses posted on marked Trunk Highway 60.

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

90.25 Sec. 116. **METROPOLITAN COUNCIL AND CALHOUN ISLES CONDOMINIUM**  
 90.26 **ASSOCIATION FACILITATED MEETING.**

90.27 The Office of Collaboration and Dispute Resolution must facilitate a meeting or series  
 90.28 of meetings with the Metropolitan Council and the Calhoun Isles Condominium Association  
 90.29 to discuss issues related to vibration impacts to the Calhoun Isles property in Minneapolis,  
 90.30 including the high-rise building, townhomes, and parking ramp, due to Southwest light rail  
 90.31 transit project construction activities and operations. The council and the association must

91.1 both be allowed to present any evidence or research on the issue. The goal of the meeting  
91.2 is to agree on how to avoid damage to the buildings due to the vibrations from the project.

91.3 Sec. 117. **METROPOLITAN COUNCIL REIMBURSEMENT TO CALHOUN ISLES**  
91.4 **CONDOMINIUM ASSOCIATION.**

91.5 By July 1, 2019, the Metropolitan Council must pay \$250,000 to the Calhoun Isles  
91.6 Condominium Association in Minneapolis for reimbursement of the association's engineering  
91.7 and legal costs. The Metropolitan Council must absorb the cost of the payment within  
91.8 existing project resources for the Southwest light rail transit project.

91.9 Sec. 118. **PRESCRIPTION FOR GLAZED WINDOWS.**

91.10 Until November 1, 2019, for the purposes of Minnesota Statutes, section 169.71,  
91.11 subdivision 4a, paragraph (a), clause (2), a driver of a vehicle may rely on a prescription or  
91.12 physician's statement of medical need issued to a person not present in the vehicle if:

91.13 (1) the prescription or physician's statement of medical need is issued to a family member  
91.14 of the driver; and

91.15 (2) the driver is in possession of the prescription or physician's statement of medical  
91.16 need.

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

91.18 Sec. 119. **PUBLIC AWARENESS CAMPAIGN.**

91.19 The commissioner of public safety must conduct a public awareness campaign to inform  
91.20 the public about the prohibition on driving in the left-most lane, as provided in Minnesota  
91.21 Statutes, section 169.18, subdivision 1.

91.22 Sec. 120. **REDUCING APPROPRIATIONS FOR UNFILLED POSITIONS.**

91.23 Subdivision 1. **Reduction required.** The commissioner of management and budget must  
91.24 reduce general fund and nongeneral fund appropriations to the Department of Transportation  
91.25 and the Department of Public Safety for agency operations for the biennium ending June  
91.26 30, 2021, for salary and benefits savings that result from any positions that have not been  
91.27 filled within 180 days of the posting of the position. This section applies only to positions  
91.28 that are posted in fiscal years 2019, 2020, and 2021. Reductions made under this section  
91.29 must be reflected as reductions in agency base budgets for fiscal years 2022 and 2023. This

92.1 section does not apply to seasonal employees and any positions that require law enforcement  
 92.2 training.

92.3 Subd. 2. **Reporting.** The commissioner of management and budget must report to the  
 92.4 chairs and ranking minority members of the senate and the house of representatives  
 92.5 transportation committees regarding the amount of reductions in spending by each agency  
 92.6 under this section.

92.7 Sec. 121. **REQUEST FOR INFORMATION FOR OPERATION OF MNPASS**  
 92.8 **LANES.**

92.9 (a) No later than July 1, 2019, the commissioner of transportation must issue a request  
 92.10 for information as described in this section. The request for information must obtain advice  
 92.11 from qualified vendors regarding the feasibility of using a private entity to operate and  
 92.12 administer MnPASS lanes.

92.13 (b) The request for information must be designed to obtain information that includes:

92.14 (1) feasibility, costs, and a preliminary estimated timeline or schedule for the private  
 92.15 entity to assume responsibility for operating and administering MnPASS lanes; and

92.16 (2) capacity and experience of a potential entity.

92.17 (d) The request for information under this section must be published in the State Register  
 92.18 and on the Department of Administration's website at least 14 days prior to closing. The  
 92.19 request must otherwise be administered according to the requirements of Minnesota Statutes,  
 92.20 chapter 16C, to the extent applicable, except that a vendor's submission does not constitute  
 92.21 a response to a solicitation, as defined in Minnesota Statutes, section 16C.02, subdivision  
 92.22 14. The commissioner is prohibited from using a vendor submission in response to a request  
 92.23 for information under this section to enter a contract unless the terms of the submission are  
 92.24 later included in a vendor's response to a formal solicitation, as defined in Minnesota Statutes,  
 92.25 section 16C.02, subdivision 7.

92.26 (e) No later than January 1, 2020, the commissioner must submit a report to the chairs  
 92.27 and ranking minority members of the house of representatives and senate committees with  
 92.28 jurisdiction over transportation finance. The report must summarize the responses and  
 92.29 information received from qualified entities under this section.

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

93.1 Sec. 122. **STATE PATROL SALARY SURVEY.**

93.2 By February 15, 2020, the state auditor must conduct a compensation survey of law  
93.3 enforcement officers in every police department:

93.4 (1) in a city with a population in excess of 25,000, located in a metropolitan county, as  
93.5 defined in section 473.121, subdivision 4, that is represented by a union certified by the  
93.6 Bureau of Mediation Services; or

93.7 (2) in a city of the first class.

93.8 The survey must report on calendar year 2019. The survey must be based on full-time  
93.9 equivalent employees. The state auditor must calculate compensation using base salary and  
93.10 premium pay. Premium pay is payment that is received by a majority of employees and  
93.11 includes, but is not limited to, education pay and longevity pay. The state auditor must not  
93.12 include pension contributions and benefits when determining compensation. The survey  
93.13 must identify the seven highest paid police departments in the state and the average  
93.14 compensation of the seven departments. The state auditor must prescribe the format of the  
93.15 survey.

93.16 (b) By February 15, 2020, the state auditor must transmit a copy of the survey to the  
93.17 chairs and ranking minority members of the house of representatives and senate committees  
93.18 with jurisdiction over the State Patrol budget, the exclusive representative for members of  
93.19 the State Patrol, and the commissioner of management and budget.

93.20 Sec. 123. **TEMPORARY MOTOR VEHICLE PERMITS.**

93.21 (a) Notwithstanding Minnesota Statutes, sections 168.09, subdivision 7; 168.091,  
93.22 subdivision 1; and 168.092, subdivision 1, a temporary permit under any of those sections  
93.23 may be issued for a period of up to 180 days, in consultation with the commissioner of  
93.24 public safety.

93.25 (b) A temporary permit may only be issued under this section due to the inability of the  
93.26 driver and vehicle information system to complete a motor vehicle transaction in a timely  
93.27 manner.

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

94.1 Sec. 124. **TRANSFER OF JURISDICTION OF THE STONE ARCH BRIDGE IN**  
94.2 **MINNEAPOLIS.**

94.3 Notwithstanding any law to the contrary, by July 1, 2019, the commissioner of  
94.4 transportation must transfer legal title to the James J. Hill Stone Arch Bridge to the city of  
94.5 Minneapolis. This transfer does not affect a planned repair project to be paid for with funds  
94.6 from the federal Nontraditional Transportation Alternatives Program and the required local  
94.7 match paid for with funds from the Minnesota rail service improvement program. This  
94.8 repair project is deemed to be the consideration for the transfer of legal title.

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

94.10 Sec. 125. **VEHICLE REGISTRATION TASK FORCE.**

94.11 Subdivision 1. **Membership.** (a) The Vehicle Registration Task Force consists of the  
94.12 following 20 members:

94.13 (1) four senators, including two senators appointed by the senate majority leader and  
94.14 two senators appointed by the senate minority leader;

94.15 (2) four members of the house of representatives, including two members appointed by  
94.16 the speaker of the house and two members appointed by the minority leader of the house  
94.17 of representatives;

94.18 (3) one member appointed by the governor from the Office of the Governor;

94.19 (4) the commissioner of transportation or a designee;

94.20 (5) the chief financial officer of the Department of Transportation or a designee;

94.21 (6) the commissioner of public safety or a designee;

94.22 (7) the director of Driver and Vehicle Services Division of the Department of Public  
94.23 Safety or a designee;

94.24 (8) the chief financial officer of the Department of Public Safety or a designee;

94.25 (9) the state chief information officer or a designee;

94.26 (10) the chief financial officer of MN.IT Services or a designee;

94.27 (11) one deputy registrar appointed by the Minnesota Deputy Registrar Association;

94.28 (12) one deputy registrar appointed by the Minnesota Deputy Registrar Business Owners  
94.29 Association; and

95.1 (13) two members, one of whom is familiar with the title and registration process,  
95.2 appointed by the Minnesota Automobile Dealers Association.

95.3 (b) Appointing authorities must make initial appointments to the Vehicle Registration  
95.4 Task Force by June 1, 2019.

95.5 Subd. 2. **Duties.** The Vehicle Registration Task Force is established to study various  
95.6 methods of vehicle registration and the corresponding fee structures. At a minimum, the  
95.7 task force must study how each of the following methods could be implemented in Minnesota  
95.8 in a revenue neutral manner: flat rate, weight-based, value-based, and age-based.

95.9 Subd. 3. **Report.** By January 15, 2020, the task force shall report to the chairs and ranking  
95.10 minority members of the legislative committees with jurisdiction over transportation policy  
95.11 and finance. The report must:

95.12 (1) summarize the activities of the task force;

95.13 (2) provide an explanation of how each method examined could be implemented in  
95.14 Minnesota in a revenue neutral manner;

95.15 (3) provide recommendations by the task force on which method is preferable and why;  
95.16 and

95.17 (4) include any draft legislation needed to implement the recommendations.

95.18 Subd. 4. **First meeting; chair.** The chair of the Legislative Coordinating Commission  
95.19 must convene the first meeting of the Vehicle Registration Task Force by July 1, 2019. At  
95.20 the first meeting, the task force shall elect a chair by a majority vote of those members  
95.21 present.

95.22 Subd. 5. **Meetings.** The meetings of the commission are subject to Minnesota Statutes,  
95.23 chapter 13D.

95.24 Subd. 6. **Administration.** (a) The Legislative Coordinating Commission shall provide  
95.25 administrative services for the commission.

95.26 (b) The Department of Transportation, the Department of Public Safety, and MN.IT  
95.27 Services must provide the task force with general informational and technical support.

95.28 Subd. 7. **Compensation.** Public members are compensated as provided in Minnesota  
95.29 Statutes, section 15.059, subdivision 3.

95.30 Subd. 8. **Expiration.** This section expires the day after submitting the report required  
95.31 in subdivision 3 or on January 16, 2020, whichever is later.

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

96.2 Sec. 126. **VIBRATION SUSCEPTIBILITY STUDY ON CALHOUN ISLES**  
 96.3 **PROPERTY.**

96.4 (a) Within 21 days from the effective date of this act, the Metropolitan Council must  
 96.5 enter into a contract with an engineering group for the engineering group to conduct a  
 96.6 vibration susceptibility study on Calhoun Isles property in Minneapolis, including the  
 96.7 high-rise building, townhomes, and parking ramp. The study must:

96.8 (1) evaluate the susceptibility of the Calhoun Isles property to vibration during operations  
 96.9 of a light rail train;

96.10 (2) categorize the Calhoun Isles property based on the susceptibility evaluation; and

96.11 (3) address mitigation measures and operational changes required to protect the Calhoun  
 96.12 Isles property from vibratory damage.

96.13 (b) The selected engineering group must provide its research, testing, findings, and all  
 96.14 other work product to the Calhoun Isles Condominium Association. The Metropolitan  
 96.15 Council must pay for the study.

96.16 **EFFECTIVE DATE; APPLICATION.** This section is effective the day following  
 96.17 final enactment and applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey,  
 96.18 Scott, and Washington.

96.19 Sec. 127. **REPEALER.**

96.20 (a) Minnesota Statutes 2018, section 169.18, subdivision 12, is repealed.

96.21 (b) Minnesota Statutes 2018, section 169.18, subdivision 10, is repealed.

96.22 (c) Minnesota Statutes 2018, sections 360.063, subdivision 4; 360.065, subdivision 2;  
 96.23 and 360.066, subdivisions 1a and 1b, are repealed.

96.24 (d) Minnesota Statutes 2018, section 160.93, subdivisions 2a and 3, are repealed.

96.25 (e) Minnesota Statutes 2018, section 161.1419, subdivision 8, is repealed.

96.26 **EFFECTIVE DATE.** Paragraphs (a) and (d) are effective the day following final  
 96.27 enactment. Paragraph (b) is effective July 1, 2019. Paragraph (c) and (e) are effective August  
 96.28 1, 2019, and applies to airport sponsors that make or plan to make changes to runway lengths  
 96.29 or configurations on or after that date.



97.1 Sec. 128. **EFFECTIVE DATE; APPLICATION.**

97.2 (a) Sections 81 to 83, 85 to 98, 100, 101, and 103 are effective August 1, 2019, and  
97.3 applies to airport sponsors that make or plan to make changes to runway lengths or  
97.4 configurations on or after that date.

97.5 (b) Sections 81 to 83, 85 to 98, 100, 101, 103, and 127, paragraph (c), do not apply to  
97.6 airports that: (1) have airport safety zoning ordinances approved by the commissioner in  
97.7 effect on August 1, 2019; (2) have not made and are not planning to make changes to runway  
97.8 lengths or configurations; and (3) are not required to update airport safety zoning ordinances.

**160.93 USER FEES; HIGH-OCCUPANCY VEHICLE AND DYNAMIC SHOULDER LANES.**

Subd. 2a. **I-35W high-occupancy vehicle and dynamic shoulder lane account.** (a) An I-35W high-occupancy vehicle and dynamic shoulder lane account is established in the special revenue fund. Money collected from fees authorized under subdivision 1 for the marked Interstate Highway 35W (I-35W) corridor must be deposited in the account and used as described in this subdivision. Money in the account is appropriated to the commissioner.

(b) During the first year of revenue operations, the commissioner shall use the money received in that year to pay the costs of operating and administering the fee collection system within the corridor, up to \$1,000,000. Any remaining money must be transferred to the Metropolitan Council for improvement of bus transit services within the I-35W corridor including transit capital expenses.

(c) During the second and subsequent years of revenue operations, the commissioner shall use money in the account as follows:

(1) each year, allocate the lesser amount of \$1,000,000 or 75 percent of the revenues for operating and administering the fee collection system within the corridor;

(2) transfer the remaining amount up to the amount allocated under clause (1) to the Metropolitan Council for improvement of bus transit within the corridor including capital expenses; and

(3) allocate any remaining amount as follows: (i) 25 percent to the commissioner for operating and administering the fee collection system within the corridor and for transportation capital improvements that are consistent with the goals of the urban partnership agreement and that are located within the corridor and (ii) 75 percent to the Metropolitan Council for improvement of bus transit services within the corridor including transit capital expenses.

Subd. 3. **Rules exemption.** With respect to this section, the commissioner is exempt from statutory rulemaking requirements, including section 14.386, and from sections 160.84 to 160.92 and 161.162 to 161.167.

**161.1419 MISSISSIPPI RIVER PARKWAY COMMISSION.**

Subd. 8. **Expiration.** The commission expires on June 30, 2020.

**169.18 DRIVING RULES.**

Subd. 10. **Slow-moving vehicle.** Upon all roadways any vehicle proceeding at less than the normal speed of traffic at the time and place and under the conditions then existing shall be driven in the right-hand lane then available for traffic, or as close as practicable to the right-hand curb or edge of the roadway, except when overtaking and passing another vehicle proceeding in the same direction, or when preparing for a left turn at an intersection or into a private road or driveway, or when a specific lane is designated and posted for a specific type of traffic.

Subd. 12. **Passing certain parked vehicles.** (a) When approaching and before passing a freeway service patrol vehicle, road maintenance vehicle, utility company vehicle, or construction vehicle with its warning lights activated that is parked or otherwise stopped on or next to a street or highway having two lanes in the same direction, the driver of a vehicle shall safely move the vehicle to the lane farthest away from the parked or stopped vehicle, if it is possible to do so.

(b) When approaching and before passing a freeway service patrol vehicle, road maintenance vehicle, utility company vehicle, or construction vehicle with its warning lights activated that is parked or otherwise stopped on or next to a street or highway having more than two lanes in the same direction, the driver of a vehicle shall safely move the vehicle so as to leave a full lane vacant between the driver and any lane in which the vehicle is completely or partially parked or otherwise stopped, if it is possible to do so.

(c) If a lane change under paragraph (a) or (b) is impossible, or when approaching and before passing a freeway service patrol vehicle, road maintenance vehicle, utility company vehicle, or construction vehicle with its warning lights activated that is parked or otherwise stopped on or next to a street or highway having only one lane in the same direction, the driver of a vehicle must reduce the speed of the motor vehicle to a speed that is reasonable and prudent under the conditions until the motor vehicle has completely passed the parked or stopped freeway service patrol vehicle, road maintenance vehicle, utility company vehicle, or construction vehicle, if it is possible to do so.

**360.063 AIRPORT ZONING; AUTHORITY, PROCEDURE.**

Subd. 4. **Airport approach.** The commissioner may recommend an airport approach plan for each publicly owned airport in the state and for each privately owned airport of the publicly owned

class and from time to time recommend revisions of the plan. A plan shall indicate the circumstances in which structures or trees are or would be airport hazards, the airport hazard area, and what measures should be taken to eliminate airport hazards. The commissioner shall prescribe airport approach and turning standards for airports of various classes, and airport zoning regulations adopted by a municipality, county, or joint airport zoning board shall conform to the standards, except as provided in sections 360.065 and 360.066.

**360.065 AIRPORT ZONING; ADOPTION AND APPROVAL OF PROPOSED REGULATIONS.**

Subd. 2. **Regulations submitted to commissioner.** Prior to adopting zoning regulations for an airport hazard area under sections 360.011 to 360.076, the municipality, county, or joint airport zoning board which is to adopt the regulations shall submit its proposed regulations to the commissioner in order that the commissioner may determine whether it conforms to the standards prescribed by the commissioner. The commissioner shall immediately examine the proposed regulations and report to the municipality, county, or joint airport zoning board the commissioner's approval, or objections, if any. If objections are made by the commissioner on the ground that the regulations do not conform to the standards prescribed by the commissioner for the class of airport involved, the municipality, county, or joint zoning board shall make amendments as are necessary to meet the objections unless it demonstrates that the social and economic costs of restricting land uses in accordance with the standards outweigh the benefits of a strict application of the standards. The governing body of the municipality or county or the joint airport zoning board shall not adopt the regulations or take other action until the proposed regulations are approved by the commissioner. The commissioner may approve local zoning ordinances that are more stringent than the standards. A copy of the regulations as adopted shall be filed with the county recorder in each county in which the zoned area is located.

Substantive rights existing prior to the passage of this subdivision and previously exercised are not affected by the filing of the regulations.

**360.066 AIRPORT ZONING; MINIMUM STANDARDS, LAND USES.**

Subd. 1a. **Protection of existing neighborhood.** (a) In order to ensure the minimum disruption of existing land uses, particularly established residential neighborhoods in built-up urban areas, the airport zoning standards of the commissioner and the local airport zoning ordinances or regulations adopted under sections 360.061 to 360.074 shall distinguish between the creation or establishment of a use and the elimination of an existing use, and shall avoid the elimination, removal, or reclassification of existing uses to the extent consistent with reasonable standards of safety. The standards of the commissioner shall include criteria for determining when an existing land use may constitute an airport hazard so severe that considerations of public safety outweigh the public interest in preventing disruption to that land use.

(b) No airport zoning standards or local airport zoning ordinances or regulations shall be adopted pursuant to sections 360.061 to 360.074 that classify as a nonconforming use or require such classification with respect to any low-density residential structure or isolated low-density residential building lots existing on January 1, 1978, in an established residential neighborhood.

(c) A local airport zoning authority may classify a land use described in paragraph (b) as an airport hazard if that authority finds that this classification is justified by considerations of public safety and is consistent with the airport zoning standards of the commissioner. Any land use described in paragraph (b) which is classified as an airport hazard shall be acquired, altered, or removed at public expense.

(d) The provisions of this subdivision shall not be construed to affect the classification of any land use under any zoning ordinances or regulations not adopted pursuant to sections 360.061 to 360.074.

Subd. 1b. **Amendment of standards.** Within nine months after March 29, 1978, the commissioner shall amend the standards defining airport hazard areas and categories of uses permitted therein to conform with the requirements of Laws 1978, chapter 654. Until the commissioner adopts amended standards as required by this subdivision the unamended standards, insofar as they require classification of any residential property as a nonconforming use contrary to the provisions of subdivision 1a, paragraph (b), shall be without force or effect.