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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 1772

02/15/2023

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The bill was read for the first time and referred to the Committee on Transportation Finance and Policy

1.1 A bill for an act  
1.2 relating to transportation; establishing a work zone safety pilot program; providing  
1.3 for civil penalties; appropriating money.

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

1.5 Section 1. **WORK ZONE SAFETY PILOT PROGRAM.**

1.6 Subdivision 1. Definitions. (a) For purposes of this section, the following terms have  
1.7 the meanings given.

1.8 (b) "Commissioners" means the commissioner of transportation as the lead in coordination  
1.9 with the commissioner of public safety.

1.10 (c) "Pilot program" means the work zone safety pilot program established in this section.

1.11 (d) "Speed safety camera system" means an electronic system of one or more cameras  
1.12 or other sensors that is capable of automatically producing recorded images of a motor  
1.13 vehicle operated in violation of the speed limit, including related information technology  
1.14 for recorded image storage, retrieval, and transmission.

1.15 (e) "Speed safety camera system data" means government data, as defined in Minnesota  
1.16 Statutes, section 13.02, subdivision 7, derived from a speed safety camera system under  
1.17 this section.

1.18 (f) "Work zone" has the meaning given in Minnesota Statutes, section 169.011,  
1.19 subdivision 95.

1.20 Subd. 2. Pilot program established. The commissioner of transportation, in coordination  
1.21 with the commissioner of public safety, must implement a work zone safety pilot program

2.1 that provides for: (1) enforcement of speeding violations in a work zone through the use of  
2.2 speed safety camera systems and issuance of administrative citations; and (2) public education  
2.3 on the work zone safety pilot program, including before deployment, during deployment,  
2.4 and after deployment.

2.5 Subd. 3. **General requirements.** (a) The commissioners must begin pilot program field  
2.6 operations no later than the 2024 construction season and run through the end of the 2025  
2.7 construction season.

2.8 (b) The pilot program must include establishment of a speed safety camera system in at  
2.9 least two work zones on the trunk highway system, including in greater Minnesota. The  
2.10 work zone speed limit at each location must be at least 45 miles per hour.

2.11 (c) The pilot program must include:

2.12 (1) training and qualification of licensed peace officers to inspect and calibrate a speed  
2.13 safety camera system;

2.14 (2) initial calibration of the speed safety camera system prior to deployment;

2.15 (3) supervision by a licensed peace officer when the speed safety camera system is  
2.16 deployed;

2.17 (4) inspection and any necessary calibration of the speed safety camera system on a  
2.18 daily basis by a qualified licensed peace officer that ensures, at a minimum:

2.19 (i) accuracy of speed measurement; and

2.20 (ii) reliability in only identifying applicable speed violations;

2.21 (5) placement of conspicuous signage in conformance with Minnesota Statutes, section  
2.22 169.06, to notify drivers that a speed safety camera system is in place to detect speeding  
2.23 violations;

2.24 (6) information on a website that, at a minimum, summarizes the pilot program and  
2.25 identifies the geographic locations and dates of enforcement using speed safety camera  
2.26 systems; and

2.27 (7) a limitation that the speed safety camera system must only record the rear license  
2.28 plate of a vehicle operated in violation of a speed limit and an area surrounding the vehicle  
2.29 to the extent necessary to calculate vehicle speed.

2.30 Subd. 4. **Enforcement.** (a) A licensed peace officer may issue a warning or an  
2.31 administrative citation to the owner or lessee of a motor vehicle that a speed safety camera  
2.32 system detects is operated in violation of a speed limit in a work zone.

3.1 (b) Use of a speed safety camera system under the pilot program is limited only to  
3.2 enforcement within a work zone.

3.3 (c) A licensed peace officer must only issue a warning for a violation under this section  
3.4 that occurs within the first 30 days of use of a speed safety camera system at each pilot  
3.5 program location.

3.6 (d) Prior to issuing a warning or administrative citation under this section, a licensed  
3.7 peace officer must:

3.8 (1) inspect and certify the recorded images produced by a speed safety camera system;  
3.9 and

3.10 (2) confirm that at least two recorded images identify (i) the motor vehicle at different  
3.11 locations, and (ii) the same fixed object in each of the images.

3.12 Subd. 5. **Administrative citations; requirements.** (a) An administrative citation must  
3.13 include notification that the person has the right to contest the citation, basic procedures for  
3.14 contesting the citation, and information on the timeline and consequences for failure to  
3.15 contest the citation or pay the fine.

3.16 (b) An administrative citation may be issued through the United States mail if postmarked  
3.17 within: (1) 14 days of the violation for a vehicle registered in Minnesota; or (2) 30 days of  
3.18 the violation for a vehicle registered outside of Minnesota.

3.19 Subd. 6. **Administrative citations; disposition.** (a) A person who is issued an  
3.20 administrative citation under this section must pay the fine as specified in subdivision 7 or  
3.21 contest the citation prior to the due date specified for fine payment. A person who fails to  
3.22 either pay the fine or contest the citation within the specified period is considered to have  
3.23 waived the contested citation process and is subject to collections.

3.24 (b) The commissioners must provide a civil process for a person to contest the  
3.25 administrative citation before a neutral third party. The commissioners may appoint an  
3.26 employee to hear and rule on challenges to administrative citations or may contract with  
3.27 another unit of government or a private entity to provide the service.

3.28 (c) The commissioners may contract with credit bureaus, public and private collection  
3.29 agencies, the Department of Revenue, and other public or private entities providing collection  
3.30 services as necessary for the collection of fine debts under this section. As determined by  
3.31 the commissioners, collection costs are added to the debts referred to a public or private  
3.32 collection entity for collection. Collection costs include the fees of the collection entity and  
3.33 may include, if separately provided, skip tracing fees, credit bureau reporting charges, and

4.1 fees assessed by any public entity for obtaining information necessary for debt collection.  
4.2 If the collection entity collects an amount less than the total due, the payment is applied  
4.3 proportionally to collection costs and the underlying debt.

4.4 Subd. 7. **Administrative citations; penalty; application.** (a) A person who is issued  
4.5 an administrative citation under this section must pay a fine of \$50.

4.6 (b) Paragraph (a) does not apply if:

4.7 (1) the vehicle was stolen at the time of the violation;

4.8 (2) a transfer of interest in the vehicle, in compliance with Minnesota Statutes, section  
4.9 168A.10, was made before the time of the violation;

4.10 (3) the vehicle owner is a lessor of the motor vehicle and the lessor identifies the name  
4.11 and address of the lessee;

4.12 (4) the vehicle is an authorized emergency vehicle being operated in the performance  
4.13 of official duties; or

4.14 (5) another person is convicted, within the meaning under Minnesota Statutes, section  
4.15 171.01, subdivision 29, for the same violation.

4.16 Subd. 8. **Administrative citations; limitations.** (a) The owner or lessee of a motor  
4.17 vehicle operated in violation of a speed limit is not subject to an administrative citation if  
4.18 the driver of the motor vehicle is issued an administrative citation for the same violation.

4.19 (b) Issuance of an administrative citation under this section prevents imposition of a  
4.20 citation under Minnesota Statutes, section 169.14 or 169.999, for the same conduct.

4.21 (c) A violation under this section does not constitute grounds for revocation or suspension  
4.22 of the owner's or lessee's driver's license.

4.23 Subd. 9. **Agreements.** The commissioner of transportation may enter into agreements  
4.24 with the commissioner of public safety and with a private entity. Payment under a contract  
4.25 to a private entity must not be based on the number of citations issued.

4.26 Subd. 10. **Consultation.** In design, implementation, data collection, and evaluation of  
4.27 the pilot program, the commissioners must consult with representatives from the State Patrol,  
4.28 the Minnesota Safety Council, the highway construction industry, organized labor,  
4.29 transportation researchers, and other interested stakeholders.

4.30 Subd. 11. **Data practices.** (a) Speed safety camera system data are private data on  
4.31 individuals as defined in Minnesota Statutes, section 13.02, subdivision 12, or nonpublic  
4.32 data as defined in Minnesota Statutes, section 13.02, subdivision 9.

5.1 (b) Speed safety camera system data may only be used for speed enforcement and crash  
5.2 investigations in work zones.

5.3 (c) Notwithstanding Minnesota Statutes, section 138.17, speed safety camera system  
5.4 data must be destroyed within 24 hours of collection of the data unless, as a result of  
5.5 collection of the data, a citation is issued for violation of a speed limit or the data are active  
5.6 investigative data.

5.7 (d) A contract with a private entity under subdivision 9 must comply with Minnesota  
5.8 Statutes, section 13.05, subdivision 11. The private entity may use the data gathered only  
5.9 for purposes of the pilot program.

5.10 Subd. 12. **Allocation of funds.** Fines collected under this section must be maintained  
5.11 in a separate special revenue account.

5.12 Subd. 13. **Evaluation.** (a) The commissioners must arrange an independent evaluation  
5.13 of the pilot program. The evaluation must be performed by a nonprofit transportation research  
5.14 entity from outside the transportation and public safety departments. At a minimum, the  
5.15 evaluation must provide an analysis of the effectiveness of speed safety camera systems in  
5.16 supporting construction worker safety and reducing traffic crashes, injuries, and fatalities.

5.17 (b) By February 1, 2026, the commissioners must submit a copy of the evaluation to the  
5.18 members and staff of the legislative committees with jurisdiction over transportation policy  
5.19 and finance.

5.20 Subd. 14. **Expiration.** The pilot program under this section expires on February 1, 2026.

5.21 Sec. 2. **WORK ZONE SAFETY; APPROPRIATION.**

5.22 \$..... in fiscal year 2024 is appropriated from the general fund to the commissioner of  
5.23 transportation for the work zone safety pilot program under section 1. This appropriation  
5.24 may be used for interagency agreements, contracts with private entities, public education,  
5.25 safe driving classes for offenders in lieu of fine payment, and the pilot program evaluation.  
5.26 This is a onetime appropriation and is available until June 30, 2026.