

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 3436

- 02/12/2024 Authored by Tabke
The bill was read for the first time and referred to the Committee on Transportation Finance and Policy
- 02/22/2024 Adoption of Report: Amended and re-referred to the Committee on Ways and Means
- 02/26/2024 By motion, recalled and re-referred to the Committee on Transportation Finance and Policy
- 03/25/2024 Adoption of Report: Placed on the General Register as Amended
Read for the Second Time
- 04/04/2024 Calendar for the Day, Amended
Read Third Time as Amended
Passed by the House as Amended and transmitted to the Senate to include Floor Amendments
- 04/11/2024 Passed by the Senate as Amended and returned to the House
Refused to concur and a Conference Committee was appointed
- 05/07/2024 Conference Committee Report Adopted
Read Third Time as Amended by Conference and repassed by the House
- 05/09/2024 Read Third Time as Amended by Conference and repassed by the Senate

1.1 A bill for an act

1.2 relating to transportation; modifying various transportation-related provisions,

1.3 including but not limited to motor vehicles, driving rules, accident reporting

1.4 requirements, child passenger restraint requirements, roadable aircraft, legislative

1.5 routes, drivers' licenses and exams, excavation requirements, and greater Minnesota

1.6 transit; modifying criminal penalties; modifying prior appropriations; making

1.7 technical changes; requiring reports; amending Minnesota Statutes 2022, sections

1.8 43A.17, by adding a subdivision; 65B.28, subdivision 2; 161.115, subdivisions

1.9 116, 117, by adding a subdivision; 161.14, by adding a subdivision; 161.321,

1.10 subdivisions 2, 2b; 168.002, subdivisions 18, 24, 26, 27; 168.013, subdivision 1d;

1.11 168.0135, by adding a subdivision; 168.12, subdivision 1; 168.1282, subdivision

1.12 1; 168.33, subdivision 8a; 168A.085, by adding a subdivision; 168B.035,

1.13 subdivision 3; 169.011, subdivisions 3a, 44, by adding subdivisions; 169.09,

1.14 subdivisions 5, 14a, 19; 169.19, subdivision 2; 169.224, subdivision 3; 169.34,

1.15 subdivision 1; 169.444, subdivision 4; 169.4503, subdivision 31; 169.56, by adding

1.16 a subdivision; 169.685, subdivisions 4, 5, 7, by adding subdivisions; 169.79, by

1.17 adding a subdivision; 169.80, by adding a subdivision; 169.801, subdivision 7;

1.18 169.829, by adding a subdivision; 169.87, subdivision 6; 169.974, subdivision 2;

1.19 169A.52, subdivision 7; 171.01, subdivisions 40, 41a, 47, by adding a subdivision;

1.20 171.06, subdivision 2a; 171.0605, subdivisions 2, 6; 171.072; 171.13, subdivision

1.21 6, by adding a subdivision; 171.30, subdivisions 2a, 5; 171.335, subdivision 3;

1.22 174.03, subdivision 12; 174.22, subdivisions 2b, 7, 12, 14, by adding subdivisions;

1.23 174.23, subdivision 2; 174.24, subdivisions 1a, 3b, 3c; 174.247; 174.632,

1.24 subdivision 2; 174.636, subdivision 1; 216D.01, subdivision 12, by adding

1.25 subdivisions; 216D.03, by adding a subdivision; 216D.04; 216D.05; 219.46,

1.26 subdivision 1; 221.033, subdivision 1, by adding a subdivision; 360.013, by adding

1.27 a subdivision; 473.121, subdivision 19; Minnesota Statutes 2023 Supplement,

1.28 sections 4.076, subdivision 3; 115E.042, subdivision 4; 168.1235, subdivision 1;

1.29 168.1259, subdivision 5; 168.345, subdivision 2; 169.09, subdivision 8; 171.06,

1.30 subdivision 3; 171.0605, subdivision 5; 171.07, subdivision 15; 171.12, subdivisions

1.31 5c, 7b, 11; 171.13, subdivision 1a; 171.395, subdivision 1; 171.396; 174.38,

1.32 subdivision 3; 174.40, subdivision 4a; 221.0269, subdivision 4; 256B.0625,

1.33 subdivision 17; 609.855, subdivision 7; Laws 2023, chapter 68, article 1, sections

1.34 2, subdivision 4; 17, subdivisions 7, 18; article 2, section 2, subdivisions 3, 4, 5,

1.35 7, 9; proposing coding for new law in Minnesota Statutes, chapters 168; 169; 171;

1.36 174; 219; repealing Minnesota Statutes 2022, sections 169.011, subdivision 70;

1.37 169.25; 171.0605, subdivision 4; 174.22, subdivisions 5, 15; 174.23, subdivision

1.38 7; 216D.06, subdivision 3; 221.033, subdivision 2c; Minnesota Statutes 2023

2.1 Supplement, section 171.06, subdivisions 9, 10, 11; Minnesota Rules, parts
2.2 7410.6180; 7411.7600, subpart 3; 8835.0110, subparts 1, 1a, 6, 7, 10, 11a, 12a,
2.3 12b, 13a, 14a, 15, 15a, 16, 17, 18, 19; 8835.0210; 8835.0220; 8835.0230;
2.4 8835.0240; 8835.0250; 8835.0260; 8835.0265; 8835.0270; 8835.0275; 8835.0280;
2.5 8835.0290; 8835.0310; 8835.0320; 8835.0330, subparts 1, 3, 4; 8835.0350, subparts
2.6 1, 3, 4, 5.

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

2.8 **ARTICLE 1**

2.9 **TRANSPORTATION POLICY**

2.10 Section 1. Minnesota Statutes 2023 Supplement, section 4.076, subdivision 3, is amended
2.11 to read:

2.12 Subd. 3. **Membership; chair.** (a) The advisory council consists of the following
2.13 members:

2.14 (1) the chair, which is filled on a two-year rotating basis by a designee from:

2.15 (i) the Office of Traffic Safety in the Department of Public Safety;

2.16 (ii) the Office of Traffic Engineering in the Department of Transportation; and

2.17 (iii) the Injury and Violence Prevention Section in the Department of Health;

2.18 (2) two vice chairs, which must be filled by the two designees who are not currently
2.19 serving as chair of the advisory council under clause (1);

2.20 (3) the statewide Toward Zero Deaths communications coordinator;

2.21 (4) the statewide Toward Zero Deaths program and operations coordinator;

2.22 ~~(4)~~ (5) a regional coordinator from the Toward Zero Deaths program;

2.23 ~~(5)~~ (6) the chief of the State Patrol or a designee;

2.24 ~~(6)~~ (7) the state traffic safety engineer in the Department of Transportation or a designee;

2.25 ~~(7)~~ (8) a law enforcement liaison from the Department of Public Safety;

2.26 ~~(8)~~ (9) a representative from the Department of Human Services;

2.27 ~~(9)~~ (10) a representative from the Department of Education;

2.28 ~~(10)~~ (11) a representative from the Council on Disability;

2.29 ~~(11)~~ (12) a representative for Tribal governments;

2.30 ~~(12)~~ (13) a representative from the Center for Transportation Studies at the University
2.31 of Minnesota;

- 3.1 ~~(13)~~ (14) a representative from the Minnesota Chiefs of Police Association;
- 3.2 ~~(14)~~ (15) a representative from the Minnesota Sheriffs' Association;
- 3.3 ~~(15)~~ (16) a representative from the Minnesota Safety Council;
- 3.4 ~~(16)~~ (17) a representative from AAA Minnesota;
- 3.5 ~~(17)~~ (18) a representative from the Minnesota Trucking Association;
- 3.6 ~~(18)~~ (19) a representative from the Insurance Federation of Minnesota;
- 3.7 ~~(19)~~ (20) a representative from the Association of Minnesota Counties;
- 3.8 ~~(20)~~ (21) a representative from the League of Minnesota Cities;
- 3.9 ~~(21)~~ (22) the American Bar Association State Judicial Outreach Liaison;
- 3.10 ~~(22)~~ (23) a representative from the City Engineers Association of Minnesota;
- 3.11 ~~(23)~~ (24) a representative from the Minnesota County Engineers Association;
- 3.12 ~~(24)~~ (25) a representative from the Bicycle Alliance of Minnesota;
- 3.13 ~~(25)~~ (26) two individuals representing vulnerable road users, including pedestrians,
- 3.14 bicyclists, and other operators of a personal conveyance;
- 3.15 ~~(26)~~ (27) a representative from Minnesota Operation Lifesaver;
- 3.16 ~~(27)~~ (28) a representative from the Minnesota Driver and Traffic Safety Education
- 3.17 Association;
- 3.18 ~~(28)~~ (29) a representative from the Minnesota Association for Pupil Transportation;
- 3.19 ~~(29)~~ (30) a representative from the State Trauma Advisory Council;
- 3.20 ~~(30)~~ (31) a person representing metropolitan planning organizations; ~~and~~
- 3.21 ~~(31)~~ (32) a person representing contractors engaged in construction and maintenance of
- 3.22 highways and other infrastructure;
- 3.23 (33) the director of the Minnesota Emergency Medical Services Regulatory Board or
- 3.24 successor organization; and
- 3.25 (34) a person representing a victims advocacy organization.
- 3.26 (b) The commissioners of public safety and transportation must jointly appoint the
- 3.27 advisory council members under paragraph (a), clauses ~~(11)~~ (12), ~~(25)~~ (26), ~~(30)~~ (31), ~~and~~
- 3.28 ~~(31)~~ (32), and (34).

4.1 Sec. 2. Minnesota Statutes 2022, section 43A.17, is amended by adding a subdivision to
4.2 read:

4.3 Subd. 13. **Compensation for law enforcement officers.** (a) For purposes of this
4.4 subdivision, the term "law enforcement officers" means all licensed peace officers employed
4.5 by the state who are included in the state units under section 179A.10, subdivision 2,
4.6 including without limitation: Minnesota State Patrol troopers, Bureau of Criminal
4.7 Apprehension agents, and Alcohol and Gambling Enforcement agents, in the Department
4.8 of Public Safety; Department of Natural Resources conservation officers; Department of
4.9 Corrections Fugitive Apprehension Unit members; and Commerce Fraud Bureau agents in
4.10 the Department of Commerce.

4.11 (b) When the commissioner of management and budget negotiates a collective bargaining
4.12 agreement establishing compensation for law enforcement officers, the commissioner must
4.13 use compensation and benefit data from the most recent salary and benefits survey conducted
4.14 pursuant to section 299D.03, subdivision 2a, to compare salaries to ensure appropriate
4.15 increases are made to law enforcement officer salaries and benefits.

4.16 **EFFECTIVE DATE; APPLICATION.** This section is effective the day following
4.17 final enactment and expires January 1, 2032. This section applies to contracts entered into
4.18 on or after the effective date but before January 1, 2032.

4.19 Sec. 3. Minnesota Statutes 2022, section 65B.28, subdivision 2, is amended to read:

4.20 Subd. 2. **Accident prevention course; rules.** (a) The commissioner of public safety
4.21 ~~shall~~ must adopt rules establishing and regulating a motor vehicle accident prevention course
4.22 for persons 55 years old and older.

4.23 (b) The rules must, at a minimum, include provisions:

4.24 (1) establishing curriculum requirements; and

4.25 ~~(2) establishing the number of hours required for successful completion of the course;~~
4.26 ~~and~~

4.27 ~~(3)~~ (2) providing for the issuance of a course completion certification and requiring its
4.28 submission to an insured as evidence of completion of the course.

4.29 (c) The accident prevention course must be a total of four hours.

4.30 **EFFECTIVE DATE.** This section is effective July 1, 2024, and applies to accident
4.31 prevention courses held on or after that date.

5.1 Sec. 4. Minnesota Statutes 2023 Supplement, section 115E.042, subdivision 4, is amended
5.2 to read:

5.3 Subd. 4. **Response capabilities; time limits.** (a) Following confirmation of a discharge,
5.4 a railroad must deliver and deploy sufficient equipment and trained personnel to (1) contain
5.5 and recover discharged oil or other hazardous substances, (2) protect the environment, and
5.6 (3) assist local public safety officials. Within 15 minutes of a rail incident involving a
5.7 confirmed discharge or release of oil or other hazardous substances, a railroad must contact
5.8 the applicable emergency manager and applicable fire ~~chief~~ department, through the local
5.9 public safety answering point, having jurisdiction along the route where the incident occurred.
5.10 After learning of the rail incident involving oil or other hazardous substances, the applicable
5.11 emergency manager and applicable fire ~~chief~~ department must, as soon as practicable,
5.12 identify and provide contact information of the responsible incident commander to the
5.13 reporting railroad.

5.14 (b) Within 15 minutes of local emergency responder arrival on the scene of a rail incident
5.15 involving oil or other hazardous substances, a railroad must assist the incident commander
5.16 to determine the nature of any hazardous substance known to have been released and
5.17 hazardous substance cargo transported on the train. Assistance must include providing
5.18 information that identifies the chemical content of the hazardous substance, contact
5.19 information for the shipper, and instructions for dealing with the release of the material. A
5.20 railroad may provide information on the hazardous substances transported on the train
5.21 through the train orders on board the train or by facsimile or electronic transmission.

5.22 (c) Within one hour of confirmation of a discharge, a railroad must provide a qualified
5.23 company representative to advise the incident commander, assist in assessing the situation,
5.24 initiate railroad response actions as needed, and provide advice and recommendations to
5.25 the incident commander regarding the response. The representative may be made available
5.26 by telephone, and must be authorized to deploy all necessary response resources of the
5.27 railroad.

5.28 (d) Within three hours of confirmation of a discharge, a railroad must be capable of
5.29 delivering monitoring equipment and a trained operator to assist in protection of responder
5.30 and public safety. A plan to ensure delivery of monitoring equipment and an operator to a
5.31 discharge site must be provided each year to the commissioner of public safety.

5.32 (e) Within three hours of confirmation of a discharge, a railroad must provide (1) qualified
5.33 personnel at a discharge site to assess the discharge and to advise the incident commander,

6.1 and (2) resources to assist the incident commander with ongoing public safety and scene
6.2 stabilization.

6.3 (f) A railroad must be capable of deploying containment boom from land across sewer
6.4 outfalls, creeks, ditches, and other places where oil or other hazardous substances may drain,
6.5 in order to contain leaked material before it reaches those resources. The arrangement to
6.6 provide containment boom and staff may be made by:

6.7 (1) training and caching equipment with local jurisdictions;

6.8 (2) training and caching equipment with a fire mutual-aid group;

6.9 (3) means of an industry cooperative or mutual-aid group;

6.10 (4) deployment of a contractor;

6.11 (5) deployment of a response organization under state contract; or

6.12 (6) other dependable means acceptable to the Pollution Control Agency.

6.13 (g) Each arrangement under paragraph (f) must be confirmed each year. Each arrangement
6.14 must be tested by drill at least once every five years.

6.15 (h) Within eight hours of confirmation of a discharge, a railroad must be capable of
6.16 delivering and deploying containment boom, boats, oil recovery equipment, trained staff,
6.17 and all other materials needed to provide:

6.18 (1) on-site containment and recovery of a volume of oil equal to ten percent of the
6.19 calculated worst case discharge at any location along the route; and

6.20 (2) protection of listed sensitive areas and potable water intakes within one mile of a
6.21 discharge site and within eight hours of water travel time downstream in any river or stream
6.22 that the right-of-way intersects.

6.23 (i) Within 60 hours of confirmation of a discharge, a railroad must be capable of
6.24 delivering and deploying additional containment boom, boats, oil recovery equipment,
6.25 trained staff, and all other materials needed to provide containment and recovery of a worst
6.26 case discharge and to protect listed sensitive areas and potable water intakes at any location
6.27 along the route.

6.28 Sec. 5. Minnesota Statutes 2022, section 161.115, subdivision 116, is amended to read:

6.29 Subd. 116. **Route No. 185.** Beginning at a point on Route No. 1 ~~at Sandstone~~ and Route
6.30 No. 390, thence extending in a northeasterly direction to a point on Route No. 103 as herein
6.31 established in Duluth.

7.1 **EFFECTIVE DATE.** This section is effective the day after the commissioner of
7.2 transportation receives a copy of the agreement between the commissioner and the governing
7.3 body of Pine County to transfer jurisdiction of a portion of Legislative Route No. 185 and
7.4 notifies the revisor of statutes electronically or in writing that the conditions required to
7.5 transfer the route have been satisfied.

7.6 Sec. 6. Minnesota Statutes 2022, section 161.115, subdivision 117, is amended to read:

7.7 Subd. 117. **Route No. 186.** Beginning at a point on Route No. 110 as herein established,
7.8 thence extending in an easterly direction to a point on Route No. 185 as herein established
7.9 at or near Askov 1 and Route No. 390; affording Isle, and Finlayson, and Askov, a reasonable
7.10 means of communication each with the other and other places within the state.

7.11 **EFFECTIVE DATE.** This section is effective the day after the commissioner of
7.12 transportation notifies the revisor of statutes electronically or in writing of the effective
7.13 date.

7.14 Sec. 7. Minnesota Statutes 2022, section 161.115, is amended by adding a subdivision to
7.15 read:

7.16 Subd. 272. **Route No. 341.** Beginning at a point on Route No. 1 at Sandstone, thence
7.17 extending in a generally easterly direction to a point at or near the east bank of the Kettle
7.18 River.

7.19 **EFFECTIVE DATE.** This section is effective the day after the commissioner of
7.20 transportation notifies the revisor of statutes electronically or in writing of the effective
7.21 date.

7.22 Sec. 8. Minnesota Statutes 2022, section 161.14, is amended by adding a subdivision to
7.23 read:

7.24 Subd. 106. **Mayor Dave Smiglewski Memorial Bridge.** The bridge on marked U.S.
7.25 Highway 212 over the Minnesota River in the city of Granite Falls is designated as "Mayor
7.26 Dave Smiglewski Memorial Bridge." Subject to section 161.139, the commissioner must
7.27 adopt a suitable design to mark the bridge and erect appropriate signs.

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

8.1 Sec. 9. Minnesota Statutes 2022, section 161.321, subdivision 2, is amended to read:

8.2 Subd. 2. **Small targeted group business, small business; contract preferences.** (a)

8.3 The commissioner may award up to a ~~six~~ 12 percent preference in the amount bid for
8.4 specified construction work to small targeted group businesses.

8.5 (b) The commissioner may designate a contract for construction work for award only
8.6 to small targeted group businesses if the commissioner determines that at least three small
8.7 targeted group businesses are likely to bid.

8.8 (c) The commissioner may award up to a four percent preference in the amount bid for
8.9 specified construction work to small businesses located in an economically disadvantaged
8.10 area as defined in section 16C.16, subdivision 7.

8.11 Sec. 10. Minnesota Statutes 2022, section 161.321, subdivision 2b, is amended to read:

8.12 Subd. 2b. **Veteran-owned small business; contract preferences.** (a) The commissioner
8.13 may award up to a ~~six~~ 12 percent preference in the amount bid for specified construction
8.14 work to veteran-owned small businesses, except when prohibited by the federal government
8.15 as a condition of receiving federal funds. When a bid preference is provided under this
8.16 section, the percentage of preference in bid amount under this subdivision may not be less
8.17 than the percentage of bid preference provided to any small targeted group business under
8.18 subdivision 2.

8.19 (b) When a bid preference is provided under this subdivision, the commissioner must
8.20 be as inclusive as possible in specifying contracts for construction work, as well as for
8.21 construction-related professional and technical services, available under this bid preference
8.22 program for veteran-owned small businesses. The term "construction" must be given broad
8.23 meaning for purposes of specifying and letting contracts for veteran-owned small businesses
8.24 and must include, but is not limited to, preplanning, planning, and all other
8.25 construction-related professional and technical services.

8.26 (c) When a bid preference is provided under this subdivision, the commissioner must
8.27 strive to ensure that contracts will be awarded on a proportional basis with contracts awarded
8.28 under subdivision 2.

8.29 (d) The commissioner may designate a contract for construction work for award only
8.30 to veteran-owned small businesses, if the commissioner determines that at least three
8.31 veteran-owned small businesses are likely to bid.

9.1 Sec. 11. Minnesota Statutes 2022, section 168.002, subdivision 18, is amended to read:

9.2 Subd. 18. **Motor vehicle.** (a) "Motor vehicle" means any self-propelled vehicle designed
9.3 and originally manufactured to operate primarily on highways, and not operated exclusively
9.4 upon railroad tracks. It includes any vehicle propelled or drawn by a self-propelled vehicle
9.5 and includes vehicles known as trackless trolleys that are propelled by electric power obtained
9.6 from overhead trolley wires but not operated upon rails.

9.7 (b) "Motor vehicle" includes an all-terrain vehicle only if the all-terrain vehicle (1) has
9.8 at least four wheels, (2) is owned and operated by a physically disabled person, and (3)
9.9 displays both disability plates and a physically disabled certificate issued under section
9.10 169.345.

9.11 (c) "Motor vehicle" does not include an all-terrain vehicle except (1) an all-terrain vehicle
9.12 described in paragraph (b), or (2) an all-terrain vehicle licensed as a motor vehicle before
9.13 August 1, 1985. The owner may continue to license an all-terrain vehicle described in clause
9.14 (2) as a motor vehicle until it is conveyed or otherwise transferred to another owner, is
9.15 destroyed, or fails to comply with the registration and licensing requirements of this chapter.

9.16 (d) "Motor vehicle" does not include a snowmobile; a manufactured home; a park trailer;
9.17 an electric personal assistive mobility device as defined in section 169.011, subdivision 26;
9.18 a motorized foot scooter as defined in section 169.011, subdivision 46; or an electric-assisted
9.19 bicycle as defined in section 169.011, subdivision 27.

9.20 (e) "Motor vehicle" includes an off-highway motorcycle modified to meet the
9.21 requirements of chapter 169 according to section 84.788, subdivision 12.

9.22 (f) "Motor vehicle" includes a roadable aircraft as defined in section 169.011, subdivision
9.23 67a.

9.24 Sec. 12. Minnesota Statutes 2022, section 168.002, subdivision 24, is amended to read:

9.25 Subd. 24. **Passenger automobile.** (a) "Passenger automobile" means any motor vehicle
9.26 designed and used for carrying not more than 15 individuals, including the driver.

9.27 (b) "Passenger automobile" does not include motorcycles, motor scooters, buses, school
9.28 buses, or commuter vans as defined in section 168.126.

9.29 (c) "Passenger automobile" includes; but is not limited to:

9.30 (1) a vehicle that is a pickup truck or a van as defined in subdivisions 26 and 40;

9.31 (2) neighborhood electric vehicles, as defined in section 169.011, subdivision 47; ~~and~~

- 10.1 (3) medium-speed electric vehicles, as defined in section 169.011, subdivision 39; and
- 10.2 (4) roadable aircraft, as defined in section 169.011, subdivision 67a.

10.3 Sec. 13. Minnesota Statutes 2022, section 168.002, subdivision 26, is amended to read:

10.4 Subd. 26. **Pickup truck.** "Pickup truck" means any truck with a manufacturer's nominal

10.5 rated carrying capacity of three-fourths ton or less and commonly known as a pickup truck.

10.6 If the manufacturer's nominal rated carrying capacity is not provided or cannot be determined,

10.7 then the value specified by the manufacturer as the gross vehicle weight as indicated on the

10.8 manufacturer's certification label must be ~~less than~~ 10,000 pounds or less.

10.9 Sec. 14. Minnesota Statutes 2022, section 168.002, subdivision 27, is amended to read:

10.10 Subd. 27. **Recreational vehicle.** (a) "Recreational vehicle" means travel trailers including

10.11 those that telescope or fold down, chassis-mounted campers, motor homes, tent trailers,

10.12 teardrop trailers, and converted buses that provide temporary human living quarters.

10.13 (b) "Recreational vehicle" is a vehicle that:

10.14 (1) is not used as the residence of the owner or occupant;

10.15 (2) is used while engaged in recreational or vacation activities; and

10.16 (3) is either self-propelled or towed on the highways incidental to the recreational or

10.17 vacation activities.

10.18 Sec. 15. Minnesota Statutes 2022, section 168.013, subdivision 1d, is amended to read:

10.19 Subd. 1d. **Trailer.** (a) On trailers registered at a gross vehicle weight of greater than

10.20 3,000 pounds, the annual tax is based on total gross weight and is 30 percent of the Minnesota

10.21 base rate prescribed in subdivision 1e, when the gross weight is 15,000 pounds or less, and

10.22 when the gross weight of a trailer is more than 15,000 pounds, the tax for the first eight

10.23 years of vehicle life is 100 percent of the tax imposed in the Minnesota base rate schedule,

10.24 and during the ninth and succeeding years of vehicle life the tax is 75 percent of the

10.25 Minnesota base rate prescribed by subdivision 1e. A trailer registered at a gross vehicle

10.26 weight greater than 3,000 pounds but no greater than 7,200 pounds may be taxed either: (1)

10.27 annually as provided in this paragraph; or (2) once every three years on the basis of total

10.28 gross weight and is 90 percent of the Minnesota base rate prescribed in subdivision 1e,

10.29 provided that the filing fee under section 168.33, subdivision 7, paragraph (a), is multiplied

10.30 by three, with funds collected by the commissioner allocated proportionally in the same

10.31 manner as provided in section 168.33, subdivision 7, paragraph (e).

11.1 (b) Farm trailers with a gross weight in excess of 10,000 pounds and as described in
11.2 section 168.002, subdivision 8, are taxed as farm trucks as prescribed in subdivision 1c.

11.3 (c) Effective on and after July 1, 2001, trailers registered at a gross vehicle weight of
11.4 3,000 pounds or less, excluding recreational vehicles, must display a distinctive plate. The
11.5 registration on the license plate is valid for the life of the trailer only if it remains registered
11.6 at the same gross vehicle weight. The onetime registration tax for trailers registered for the
11.7 first time in Minnesota is \$55. For trailers registered in Minnesota before July 1, 2001, and
11.8 for which:

11.9 (1) registration is desired for the remaining life of the trailer, the registration tax is \$25;
11.10 or

11.11 (2) permanent registration is not desired, the biennial registration tax is \$10 for the first
11.12 renewal if registration is renewed between and including July 1, 2001, and June 30, 2003.
11.13 These trailers must be issued permanent registration at the first renewal on or after July 1,
11.14 2003, and the registration tax is \$20.

11.15 For trailers registered at a gross weight of 3,000 pounds or less before July 1, 2001, but
11.16 not renewed until on or after July 1, 2003, the registration tax is \$20 and permanent
11.17 registration must be issued.

11.18 Sec. 16. Minnesota Statutes 2022, section 168.0135, is amended by adding a subdivision
11.19 to read:

11.20 Subd. 2a. **Limitations.** (a) A vendor must not have an ownership interest with a deputy
11.21 registrar or a driver's license agent.

11.22 (b) A vendor is not eligible to be appointed by the commissioner as a deputy registrar
11.23 or a driver's license agent.

11.24 (c) An entity that owns, leases, or otherwise provides a location where a self-service
11.25 kiosk is placed is not eligible to be appointed by the commissioner as a deputy registrar or
11.26 a driver's license agent. This paragraph does not apply to a deputy registrar or a driver's
11.27 license agent appointed prior to placement of a self-service kiosk within the office of the
11.28 deputy registrar or driver's license agent.

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

12.1 Sec. 17. Minnesota Statutes 2022, section 168.12, subdivision 1, is amended to read:

12.2 Subdivision 1. **Plates; design, visibility, periods of issuance.** (a) The commissioner,
12.3 upon approval and payment, ~~shall~~ must issue to the applicant the plates required by this
12.4 chapter, bearing the state name and an assigned vehicle registration number. The number
12.5 assigned by the commissioner may be a combination of a letter or sign with figures. The
12.6 color of the plates and the color of the abbreviation of the state name and the number assigned
12.7 must be in marked contrast. The plates must be lettered, spaced, or distinguished to suitably
12.8 indicate the registration of the vehicle according to the rules of the commissioner.

12.9 (b) When a vehicle is registered on the basis of total gross weight, the plates issued must
12.10 clearly indicate by letters or other suitable insignia the maximum gross weight for which
12.11 the tax has been paid.

12.12 (c) Plates issued to a noncommercial vehicle must bear the inscription "noncommercial"
12.13 unless the vehicle is displaying a special plate authorized and issued under this chapter.

12.14 (d) A one-ton pickup truck that is used for commercial purposes and is subject to section
12.15 168.185, is eligible to display special plates as authorized and issued under this chapter.

12.16 (e) The plates must be so treated as to be at least 100 times brighter than the conventional
12.17 painted number plates. When properly mounted on an unlighted vehicle, the plates, when
12.18 viewed from a vehicle equipped with standard headlights, must be visible for a distance of
12.19 not less than 1,500 feet and readable for a distance of not less than 110 feet.

12.20 (f) The commissioner ~~shall~~ must issue plates for the following periods:

12.21 (1) New plates issued pursuant to section 168.012, subdivision 1, must be issued to a
12.22 vehicle for as long as the vehicle is owned by the exempt agency and the plate ~~shall~~ is not
12.23 ~~be~~ transferable from one vehicle to another but the plate may be transferred with the vehicle
12.24 from one tax-exempt agency to another.

12.25 (2) Plates issued for passenger automobiles must be issued for a seven-year period. All
12.26 plates issued under this paragraph must be replaced if they are seven years old or older at
12.27 the time of registration renewal or will become so during the registration period.

12.28 (3) Plates issued under sections 168.053 and 168.27, subdivisions 16 and 17, must be
12.29 for a seven-year period.

12.30 (4) Plates issued under subdivisions 2c and 2d and sections 168.123, 168.1235, and
12.31 168.1255 must be issued for the life of the veteran under section 169.79.

13.1 (5) Plates for any vehicle not specified in clauses (1) to (3) must be issued for the life
13.2 of the vehicle.

13.3 (g) In a year in which plates are not issued, the commissioner ~~shall~~ must issue for each
13.4 registration a sticker to designate the year of registration. This sticker must show the year
13.5 or years for which the sticker is issued, and is valid only for that period. The plates and
13.6 stickers issued for a vehicle may not be transferred to another vehicle during the period for
13.7 which the sticker is issued, except when issued for a vehicle registered under section 168.187.

13.8 (h) Despite any other provision of this subdivision, plates issued to a vehicle used for
13.9 behind-the-wheel instruction in a driver education course in a public school may be
13.10 transferred to another vehicle used for the same purpose without payment of any additional
13.11 fee. The public school ~~shall~~ must notify the commissioner of each transfer of plates under
13.12 this paragraph. The commissioner may prescribe a format for notification.

13.13 (i) In lieu of plates required under this section, the commissioner must issue a registration
13.14 number identical to the federally issued tail number assigned to a roadable aircraft.

13.15 Sec. 18. Minnesota Statutes 2023 Supplement, section 168.1235, subdivision 1, is amended
13.16 to read:

13.17 Subdivision 1. **General requirements; fees.** (a) The commissioner ~~shall~~ must issue a
13.18 special plate emblem for each plate to an applicant who:

13.19 (1) is a member of a congressionally chartered veterans service organization and is a
13.20 registered owner of a passenger automobile, pickup truck, van, or self-propelled recreational
13.21 vehicle, or is a congressionally chartered veterans service organization that is the registered
13.22 owner of a passenger automobile, pickup truck, van, or self-propelled recreational vehicle;

13.23 (2) pays the registration tax required by law;

13.24 (3) pays a fee in the amount specified for special plates under section 168.12, subdivision
13.25 5, for each set of two plates, and any other fees required by this chapter; and

13.26 (4) complies with this chapter and rules governing the registration of motor vehicles and
13.27 licensing of drivers.

13.28 (b) The additional fee is payable at the time of initial application for the special plate
13.29 emblem and when the plates must be replaced or renewed. ~~An applicant must not be issued~~
13.30 ~~more than two sets of special plate emblems for motor vehicles listed in paragraph (a) and~~
13.31 ~~registered to the applicant.~~

14.1 (c) The applicant must present a valid card indicating membership in the American
14.2 Legion, Veterans of Foreign Wars, or Disabled American Veterans.

14.3 Sec. 19. Minnesota Statutes 2023 Supplement, section 168.1259, subdivision 5, is amended
14.4 to read:

14.5 Subd. 5. **Contributions; account; appropriation.** Contributions collected under
14.6 subdivision 2, paragraph (a), clause (5), must be deposited in the Minnesota professional
14.7 sports team foundations account, which is established in the special revenue fund. Money
14.8 in the account is annually appropriated to the commissioner of public safety. This
14.9 appropriation is first for the annual cost of administering the account funds, and the remaining
14.10 funds are for distribution to the foundations in proportion to the total number of Minnesota
14.11 professional sports team foundation plates issued for that year. Proceeds from a plate that
14.12 includes the marks and colors of all foundations must be divided evenly between all
14.13 foundations. The foundations must only use the proceeds for philanthropic or charitable
14.14 purposes.

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

14.16 Sec. 20. Minnesota Statutes 2022, section 168.1282, subdivision 1, is amended to read:

14.17 Subdivision 1. **Issuance of plates.** The commissioner must issue "Start Seeing
14.18 Motorcycles" special license plates or a single motorcycle plate to an applicant who:

14.19 (1) is a registered owner of a passenger automobile, noncommercial one-ton pickup
14.20 truck, motorcycle, or recreational vehicle;

14.21 (2) pays a fee in the amount specified for special plates under section 168.12, subdivision
14.22 5, for each set of plates;

14.23 (3) pays the registration tax as required under section 168.013, along with any other fees
14.24 required by this chapter;

14.25 (4) contributes a minimum of \$10 annually to the motorcycle safety ~~fund~~ account, created
14.26 under section 171.06, subdivision 2a, ~~paragraph (a), clause (1); and~~

14.27 (5) complies with this chapter and rules governing registration of motor vehicles and
14.28 licensing of drivers.

14.29 **EFFECTIVE DATE.** This section is effective July 1, 2024.

15.1 Sec. 21. [168.24] ROADABLE AIRCRAFT REGISTRATION.

15.2 (a) For purposes of this section, "roadable aircraft" has the meaning given in section
15.3 169.011, subdivision 67a.

15.4 (b) An owner of a roadable aircraft must comply with all rules and requirements of this
15.5 chapter and chapter 168A governing the titling, registration, taxation, and insurance of
15.6 motor vehicles.

15.7 (c) A person who seeks to register a roadable aircraft for operation as a motor vehicle
15.8 on public roadways in Minnesota must apply to the commissioner. The application must
15.9 contain:

15.10 (1) the name and address of the owner of the roadable aircraft;

15.11 (2) the federally issued tail number assigned to the aircraft;

15.12 (3) the make and model of the roadable aircraft; and

15.13 (4) any other information the commissioner may require.

15.14 (d) Upon receipt of a valid and complete application for registration of a roadable aircraft,
15.15 the commissioner must issue a certificate of registration.

15.16 (e) A valid registration certificate issued under this section must be located inside the
15.17 roadable aircraft when the aircraft is in operation on a public highway.

15.18 (f) A roadable aircraft registered as a motor vehicle under this section must also be
15.19 registered as an aircraft as provided in section 360.60.

15.20 Sec. 22. Minnesota Statutes 2022, section 168.33, subdivision 8a, is amended to read:

15.21 Subd. 8a. **Electronic transmission.** (a) If the commissioner accepts electronic
15.22 transmission of a motor vehicle transfer and registration by a new or used motor vehicle
15.23 dealer, a deputy registrar who is equipped with electronic transmission technology and
15.24 trained in its use ~~shall~~ must receive the filing fee provided for in subdivision 7 and review
15.25 the transfer of each new or used motor vehicle to determine its genuineness and regularity
15.26 before issuance of a certificate of title, and ~~shall~~ must receive and retain the filing fee under
15.27 subdivision 7, paragraph (a), clause (2).

15.28 (b) The commissioner must establish reasonable performance, security, technical, and
15.29 financial standards to approve companies that provide computer software and services to
15.30 motor vehicle dealers to electronically transmit vehicle title transfer and registration
15.31 information. An approved company must be offered access to department facilities, staff,

16.1 and technology on a fair and reasonable basis. An approved company must not have an
16.2 ownership interest with a deputy registrar or a driver's license agent. An approved company
16.3 is not eligible to be appointed by the commissioner as a deputy registrar or a driver's license
16.4 agent.

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

16.6 Sec. 23. Minnesota Statutes 2023 Supplement, section 168.345, subdivision 2, is amended
16.7 to read:

16.8 Subd. 2. **Lessees; information.** (a) The commissioner may not furnish information about
16.9 registered owners of ~~passenger automobiles who are~~ motor vehicle lessees under a lease
16.10 for a term of 180 days or more to any person except:

16.11 (1) the owner of the vehicle;

16.12 (2) the lessee;

16.13 (3) personnel of law enforcement agencies ~~and~~;

16.14 (4) trade associations performing a member service under section 604.15, subdivision
16.15 4a, ~~and~~;

16.16 (5) licensed dealers in connection with a vehicle sale or lease;

16.17 (6) federal, state, and local governmental units; and;

16.18 (7) at the commissioner's discretion, to persons who use the information to notify lessees
16.19 of automobile recalls.

16.20 (b) The commissioner may release information about motor vehicle lessees in the form
16.21 of summary data, as defined in section 13.02, to persons who use the information in
16.22 conducting statistical analysis and market research.

16.23 **EFFECTIVE DATE.** This section is effective October 1, 2024.

16.24 Sec. 24. Minnesota Statutes 2022, section 168A.085, is amended by adding a subdivision
16.25 to read:

16.26 Subd. 4. **Foreign passport.** A valid and unexpired passport issued to the applicant by
16.27 a recognized foreign government is a primary document for purposes of Minnesota Rules,
16.28 part 7410.0400, and successor rules, when the applicant is an individual who is applying
16.29 as the owner for a vehicle title or registration.

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

17.1 Sec. 25. Minnesota Statutes 2022, section 168B.035, subdivision 3, is amended to read:

17.2 Subd. 3. **Towing prohibited.** (a) A towing authority may not tow a motor vehicle
17.3 because:

17.4 (1) the vehicle ~~has expired~~ displays registration tabs validation stickers that have been
17.5 expired for less than 90 days; or

17.6 (2) the vehicle is at a parking meter on which the time has expired ~~and the vehicle has~~
17.7 ~~fewer than five unpaid parking tickets.~~

17.8 (b) A towing authority may tow a motor vehicle, notwithstanding paragraph (a), if:

17.9 (1) the vehicle is parked in violation of snow emergency regulations;

17.10 (2) the vehicle is parked in a rush-hour restricted parking area;

17.11 (3) the vehicle is blocking a driveway, alley, or fire hydrant;

17.12 (4) the vehicle is parked in a bus lane, or at a bus stop, during hours when parking is
17.13 prohibited;

17.14 (5) the vehicle is parked within 30 feet of a stop sign and visually blocking the stop sign;

17.15 (6) the vehicle is parked in a disability transfer zone or disability parking space without
17.16 a disability parking certificate or disability license plates;

17.17 (7) the vehicle is parked in an area that has been posted for temporary restricted parking

17.18 (i) at least 12 hours in advance in a home rule charter or statutory city having a population
17.19 under 50,000, or (ii) at least 24 hours in advance in another political subdivision;

17.20 (8) the vehicle is parked within the right-of-way of a controlled-access highway or within
17.21 the traveled portion of a public street when travel is allowed there;

17.22 (9) the vehicle is unlawfully parked in a zone that is restricted by posted signs to use by
17.23 fire, police, public safety, or emergency vehicles;

17.24 (10) the vehicle is unlawfully parked on property at the Minneapolis-St. Paul International
17.25 Airport owned by the Metropolitan Airports Commission;

17.26 (11) a law enforcement official has probable cause to believe that the vehicle is stolen,
17.27 or that the vehicle constitutes or contains evidence of a crime and impoundment is reasonably
17.28 necessary to obtain or preserve the evidence;

17.29 (12) the driver, operator, or person in physical control of the vehicle is taken into custody
17.30 and the vehicle is impounded for safekeeping;

18.1 (13) a law enforcement official has probable cause to believe that the owner, operator,
18.2 or person in physical control of the vehicle has failed to respond to five or more citations
18.3 for parking or traffic offenses;

18.4 (14) the vehicle is unlawfully parked in a zone that is restricted by posted signs to use
18.5 by taxicabs;

18.6 (15) the vehicle is unlawfully parked and prevents egress by a lawfully parked vehicle;

18.7 (16) the vehicle is parked, on a school day during prohibited hours, in a school zone on
18.8 a public street where official signs prohibit parking; or

18.9 (17) the vehicle is a junk, abandoned, or unauthorized vehicle, as defined in section
18.10 168B.011, and subject to immediate removal under this chapter.

18.11 Sec. 26. Minnesota Statutes 2022, section 169.011, subdivision 3a, is amended to read:

18.12 Subd. 3a. **Autocycle.** (a) "Autocycle" means a motorcycle that:

18.13 (1) has three wheels in contact with the ground;

18.14 (2) is designed with seating that does not require operators or any occupants to straddle
18.15 or sit astride it;

18.16 (3) has a steering wheel;

18.17 (4) is equipped with antilock brakes; and

18.18 (5) is originally manufactured to meet federal motor vehicle safety standards for
18.19 motorcycles in Code of Federal Regulations, title 49, part 571, and successor requirements.

18.20 (b) An autocycle does not include a roadable aircraft as defined in subdivision 67a.

18.21 Sec. 27. Minnesota Statutes 2022, section 169.011, subdivision 44, is amended to read:

18.22 Subd. 44. **Motorcycle.** "Motorcycle" means every motor vehicle having a seat or saddle
18.23 for the use of the rider and designed to travel on not more than three wheels in contact with
18.24 the ground, including motor scooters and autocycles. Motorcycle does not include (1)
18.25 motorized bicycles as defined in subdivision 45, (2) electric-assisted bicycles as defined in
18.26 subdivision 27, ~~or~~ (3) a tractor, or (4) roadable aircraft.

19.1 Sec. 28. Minnesota Statutes 2022, section 169.011, is amended by adding a subdivision
19.2 to read:

19.3 Subd. 48a. **Nondivisible load or vehicle.** "Nondivisible load" or "nondivisible vehicle"
19.4 means any load or vehicle exceeding the applicable length, width, height, or weight limits
19.5 set forth in this chapter which, if separated into smaller loads or vehicles, would:

19.6 (1) compromise the intended use of the load or vehicle;

19.7 (2) destroy the value of the load or vehicle; or

19.8 (3) require more than eight work hours to dismantle using appropriate equipment.

19.9 Sec. 29. Minnesota Statutes 2022, section 169.011, is amended by adding a subdivision
19.10 to read:

19.11 Subd. 67a. **Roadable aircraft.** "Roadable aircraft" means any aircraft capable of taking
19.12 off and landing from a suitable airfield and that is also designed to be operated on a public
19.13 highway as a motor vehicle.

19.14 Sec. 30. Minnesota Statutes 2022, section 169.09, subdivision 5, is amended to read:

19.15 Subd. 5. **Notify owner of damaged property.** If the driver of any vehicle involved in
19.16 a collision knows or has reason to know the collision resulted only in damage to fixtures
19.17 legally upon or adjacent to a highway, the driver ~~shall~~ must:

19.18 (1) take reasonable steps to locate and notify the owner or person in charge of the property
19.19 of ~~that fact~~ the collision, ~~of~~ the driver's name and address, and ~~of~~ the registration license
19.20 plate number of the vehicle being driven and ~~shall~~ must, upon request and if available,
19.21 exhibit the driver's license, ~~and make an accident report in every case; and~~

19.22 (2) report the information required in clause (1) to a peace officer.

19.23 Sec. 31. Minnesota Statutes 2023 Supplement, section 169.09, subdivision 8, is amended
19.24 to read:

19.25 Subd. 8. **Officer to report accident to commissioner.** ~~A peace officer who, in the~~
19.26 ~~regular course of duty, investigates an accident that must be reported under this section~~
19.27 ~~shall, within ten days after the date of the accident, forward an electronic or written report~~
19.28 ~~of the accident as prescribed by the commissioner of public safety. Within two business~~
19.29 ~~days after identification of a fatality that resulted from an accident, the reporting agency~~
19.30 ~~must notify the commissioner of the basic circumstances of the accident using an electronic~~
19.31 ~~format as prescribed by the commissioner~~ (a) A peace officer who investigates in the regular

20.1 course of duty an accident that is required to be reported under this section must submit an
20.2 electronic or written report of the accident to the commissioner of public safety within ten
20.3 days after the date of the accident. Within two business days after identification of a fatality
20.4 that resulted from an accident, the reporting agency must notify the commissioner of the
20.5 basic circumstances of the accident. A report or notification under this subdivision must be
20.6 in the format as prescribed in subdivision 9.

20.7 (b) Accidents on streets, highways, roadways, sidewalks, shoulders, shared use paths,
20.8 or any other portion of a public right-of-way must be reported under the requirements of
20.9 this section if the accident results in:

20.10 (1) a fatality;

20.11 (2) bodily injury to a person who, because of the injury, immediately receives medical
20.12 treatment away from or at the scene of the accident;

20.13 (3) one or more of the motor vehicles incurring disabling damage that requires a vehicle
20.14 to be transported away from the scene of the accident by tow truck or other vehicle; or

20.15 (4) damage to fixtures, infrastructure, or any other property alongside or on a highway.

20.16 (c) An accident involving a school bus, as defined in section 169.011, subdivision 71,
20.17 must be reported under the requirements of this section and section 169.4511.

20.18 (d) An accident involving a commercial motor vehicle, as defined in section 169.781,
20.19 subdivision 1, paragraph (a), must be reported under the requirements of this section and
20.20 section 169.783.

20.21 (e) Accidents occurring on public lands or trail systems that result in the circumstances
20.22 specified in paragraph (b) must be reported under the requirements of this section.

20.23 Sec. 32. Minnesota Statutes 2022, section 169.09, subdivision 14a, is amended to read:

20.24 Subd. 14a. **Suspension of license for failure to report accident.** The commissioner
20.25 may suspend the license, or any nonresident's operating privilege, of any ~~person~~ driver who
20.26 willfully fails, refuses, or neglects to make report of a traffic accident as required ~~by the~~
20.27 ~~laws of this state~~ under this section. A license suspension under this section is subject to
20.28 the notice requirements of section 171.18, subdivision 2.

20.29 Sec. 33. Minnesota Statutes 2022, section 169.09, subdivision 19, is amended to read:

20.30 Subd. 19. **Terminology.** (a) The provisions of this section apply equally whether the
20.31 term "accident" or "collision" is used. The term "accident" or "collision" does not include:

- 21.1 (1) an occurrence involving only boarding and alighting from a stationary motor vehicle;
- 21.2 (2) an occurrence involving only the loading or unloading of cargo; or
- 21.3 (3) intentional vehicle-to-vehicle contact when initiated by a peace officer:
- 21.4 (i) to stop a perpetrator from fleeing in a motor vehicle, as defined in section 609.487,
- 21.5 subdivision 3; or
- 21.6 (ii) as an authorized use of force, as defined in section 609.06, subdivision 1; 609.065;
- 21.7 or 609.066.
- 21.8 (b) For purposes of this section, "disabling damage" means damage that prevents a motor
- 21.9 vehicle from departing the scene of the accident in its usual manner in daylight after simple
- 21.10 repairs. Disabling damage includes damage to a motor vehicle that could be driven from
- 21.11 the scene of the accident but would be further damaged if so driven. Disabling damage does
- 21.12 not include:
- 21.13 (1) damage that can be remedied temporarily at the scene of the accident without special
- 21.14 tools or parts;
- 21.15 (2) tire disablement without other damage, even if no spare tire is available;
- 21.16 (3) headlamp or taillight damage; or
- 21.17 (4) damage that makes the turn signals, horn, or windshield wipers inoperable.
- 21.18 (c) For purposes of this section, motor vehicle includes off-highway vehicles, as defined
- 21.19 in section 84.771, and snowmobiles, as defined in section 84.81.

21.20 Sec. 34. Minnesota Statutes 2022, section 169.19, subdivision 2, is amended to read:

- 21.21 Subd. 2. **U-turn.** ~~No vehicle shall be turned~~ The operator of a vehicle must not turn to
- 21.22 proceed in the opposite direction upon any curve, or upon the approach to or near the crest
- 21.23 of a grade, where the vehicle cannot be seen by the driver operator of any other vehicle
- 21.24 approaching from either direction within 1,000 feet, nor shall the driver. The operator of a
- 21.25 vehicle must not turn the vehicle to proceed in the opposite direction unless the movement
- 21.26 can be made safely and without interfering with other traffic. ~~When necessary to~~
- 21.27 accommodate vehicle configuration on The operator of a vehicle is permitted to make a
- 21.28 right-hand turn into the farthest lane of a roadway with two or more lanes in the same
- 21.29 direction, a driver may turn the vehicle into the farthest lane and temporarily use the shoulder
- 21.30 to make a U-turn in order to make a U-turn at a reduced-conflict intersection if it is safe to
- 21.31 do so.

22.1 Sec. 35. Minnesota Statutes 2022, section 169.224, subdivision 3, is amended to read:

22.2 Subd. 3. **Operation.** (a) A neighborhood electric vehicle or a medium-speed electric
22.3 vehicle may not be operated on a street or highway with a speed limit greater than 35 miles
22.4 per hour, except to make a direct crossing of that street or highway.

22.5 (b) A person may operate a three-wheeled neighborhood electric vehicle without a
22.6 ~~two-wheeled vehicle~~ motorcycle endorsement, provided if the person has a valid driver's
22.7 license issued under chapter 171.

22.8 Sec. 36. Minnesota Statutes 2022, section 169.34, subdivision 1, is amended to read:

22.9 Subdivision 1. **Prohibitions.** (a) ~~No person shall~~ A person must not stop, stand, or park
22.10 a vehicle, except when necessary to avoid conflict with other traffic or in compliance with
22.11 the directions of a police officer or traffic-control device, in any of the following places:

22.12 (1) on a sidewalk;

22.13 (2) in front of a public or private driveway;

22.14 (3) within an intersection;

22.15 (4) within ten feet of a fire hydrant;

22.16 (5) on a crosswalk;

22.17 (6) within 20 feet of a crosswalk at an intersection;

22.18 (7) within 30 feet upon the approach to any flashing beacon, stop sign, or traffic-control
22.19 signal located at the side of a roadway;

22.20 ~~(8) between a safety zone and the adjacent curb or within 30 feet of points on the curb~~
22.21 ~~immediately opposite the ends of a safety zone, unless a different length is indicated by~~
22.22 ~~signs or markings;~~

22.23 ~~(9)~~ (8) within 50 feet of the nearest rail of a railroad crossing;

22.24 ~~(10)~~ (9) within 20 feet of the driveway entrance to any fire station and on the side of a
22.25 street opposite the entrance to any fire station within 75 feet of said entrance when properly
22.26 signposted;

22.27 ~~(11)~~ (10) alongside or opposite any street excavation or obstruction when such stopping,
22.28 standing, or parking would obstruct traffic;

22.29 ~~(12)~~ (11) on the roadway side of any vehicle stopped or parked at the edge or curb of a
22.30 street;

23.1 ~~(13)~~ (12) upon any bridge or other elevated structure upon a highway or within a highway
 23.2 tunnel, except as otherwise provided by ordinance;

23.3 ~~(14)~~ (13) within a bicycle lane, except when posted signs permit parking; or

23.4 ~~(15)~~ (14) at any place where official signs prohibit stopping.

23.5 (b) ~~No person shall~~ A person must not move a vehicle not owned by ~~such~~ the person
 23.6 into any prohibited area or away from a curb such distance as is unlawful.

23.7 (c) ~~No person shall~~ A person must not, for camping purposes, leave or park a travel
 23.8 trailer on or within the limits of any highway or on any highway right-of-way, except where
 23.9 signs are erected designating the place as a campsite.

23.10 (d) ~~No person shall~~ A person must not stop or park a vehicle on a street or highway when
 23.11 directed or ordered to proceed by any peace officer invested by law with authority to direct,
 23.12 control, or regulate traffic.

23.13 Sec. 37. Minnesota Statutes 2022, section 169.444, subdivision 4, is amended to read:

23.14 Subd. 4. **Exception for separated roadway.** (a) A person driving a vehicle on a street
 23.15 or highway with separated roadways is not required to stop the vehicle when approaching
 23.16 or meeting a school bus that is on a different roadway.

23.17 (b) "Separated roadway" means a road that is separated from a parallel road by a ~~safety~~
 23.18 ~~island or safety zone~~ physical barrier, raised median, or depressed median.

23.19 Sec. 38. Minnesota Statutes 2022, section 169.4503, subdivision 31, is amended to read:

23.20 Subd. 31. **Supplemental warning system; temporary authority.** ~~(a) Prior to August~~
 23.21 ~~1, 2022, the commissioner may approve a Type A, B, C, or D school bus to~~ buses may be
 23.22 equipped with a supplemental warning system. On and after that date, a school bus may
 23.23 continue to be equipped with a previously approved supplemental warning system.

23.24 ~~(b) To determine approval of a supplemental warning system, the commissioner must~~
 23.25 ~~consider~~ A supplemental warning system must:

23.26 (1) use amber and red signal colors, which are limited to one or more of the colors white,
 23.27 amber, and red;

23.28 (2) flashing patterns use supplemental amber warning lights activated only in conjunction
 23.29 with activated overhead amber warning lights and supplemental red warning lights activated
 23.30 only in conjunction with activated overhead red flashing lights;

24.1 ~~(3) vehicle mounting and placement;~~

24.2 ~~(4) supplemental warning system activation~~ (3) be wired so the supplemental warning
 24.3 system is automatically activated in conjunction with activation of prewarning flashing
 24.4 amber signals, stop-signal arm, and flashing red signals;

24.5 ~~(5) light intensity~~ (4) be programmed to flash at a rate of 60 to 120 flashes per minute
 24.6 by either:

24.7 (i) using a randomized flash pattern; or

24.8 (ii) alternating with the corresponding overhead light; and

24.9 ~~(6) permissible text, signage, and graphics, if any~~ (5) use lights installed in pairs and
 24.10 mounted on the same level and placed as wide as practicable on the body above the bumper
 24.11 level.

24.12 ~~(e) The commissioner must review relevant research findings and experience in other~~
 24.13 ~~jurisdictions, and must consult with interested stakeholders, including but not limited to~~
 24.14 ~~representatives from school district pupil transportation directors, private school bus~~
 24.15 ~~operators, and pupil transportation and traffic safety associations.~~

24.16 Sec. 39. Minnesota Statutes 2022, section 169.56, is amended by adding a subdivision to
 24.17 read:

24.18 Subd. 6. **Motorcycle ground light.** Notwithstanding section 169.64, subdivision 4a, a
 24.19 motorcycle may be equipped with white ground lights mounted under the motorcycle if:

24.20 (1) the bulbs or strips are not visible to operators of other vehicles; and

24.21 (2) the lights are aimed as to project a steady, nonflashing beam not more than six feet
 24.22 in radius directly onto the roadway and illuminate an area around the motorcycle.

24.23 Sec. 40. Minnesota Statutes 2022, section 169.685, is amended by adding a subdivision
 24.24 to read:

24.25 Subd. 3a. **Definitions.** (a) For purposes of this section, the following terms have the
 24.26 meanings given.

24.27 (b) "Booster seat" means a child passenger restraint system that meets applicable federal
 24.28 motor vehicle safety standards and is designed to provide belt-positioning that elevates a
 24.29 child to be properly seated with a safety belt.

24.30 (c) "Child passenger restraint system" means a device that:

25.1 (1) meets applicable federal motor vehicle safety standards of the United States
25.2 Department of Transportation and complies with any other applicable federal regulations;

25.3 (2) is designed to restrain, seat, or position children; and

25.4 (3) is appropriate to the age of the child being restrained.

25.5 Child passenger restraint system includes a booster seat.

25.6 (d) "Properly restrained" means restrained or secured according to the instructions of
25.7 both the motor vehicle manufacturer and the child passenger restraint system manufacturer.

25.8 (e) "Secured with a safety belt" means restrained or secured by a seat belt that (1) meets
25.9 applicable federal motor vehicle safety standards, and (2) is properly adjusted and fastened,
25.10 including both the shoulder and lap straps when equipped in the vehicle.

25.11 Sec. 41. Minnesota Statutes 2022, section 169.685, subdivision 4, is amended to read:

25.12 Subd. 4. **Admissibility into evidence.** (a) Except as provided in paragraph (b), proof of
25.13 the use or failure to use seat belts or a child passenger restraint system as described in
25.14 subdivision ~~5~~ 4a, or proof of the installation or failure of installation of seat belts or a child
25.15 passenger restraint system as described in subdivision ~~5~~ shall not be 4a is not admissible in
25.16 evidence in any litigation involving personal injuries or property damage resulting from the
25.17 use or operation of any motor vehicle.

25.18 (b) Paragraph (a) does not affect the right of a person to bring an action for damages
25.19 arising out of an incident that involves a defectively designed, manufactured, installed, or
25.20 operating seat belt or child passenger restraint system. Paragraph (a) does not prohibit the
25.21 introduction of evidence pertaining to the use of a seat belt or child passenger restraint
25.22 system in an action described in this paragraph.

25.23 Sec. 42. Minnesota Statutes 2022, section 169.685, is amended by adding a subdivision
25.24 to read:

25.25 Subd. 4a. **Child passenger restraint systems.** (a) Except as provided in paragraph (c),
25.26 every driver in this state who transports a child or children under the age of 18 years in a
25.27 motor vehicle that is in motion or a part of traffic and is required under federal motor vehicle
25.28 safety standards to be equipped with a safety belt or lower anchors and tethers for children
25.29 in a passenger seating position must have the child or children secured as follows:

26.1 (1) a child who is younger than two years of age must be properly restrained in a
26.2 rear-facing child passenger restraint system with an internal harness, until the child reaches
26.3 the weight or height limit of the child passenger restraint system;

26.4 (2) a child who is at least two years of age and exceeds the rear-facing weight or height
26.5 limit of the child passenger restraint system must be properly restrained in a forward-facing
26.6 child passenger restraint system with an internal harness, until the child reaches the weight
26.7 or height limit of the child passenger restraint system;

26.8 (3) a child who is at least four years of age and exceeds the weight or height limit of the
26.9 forward-facing child passenger restraint system must be properly restrained in a booster
26.10 seat and secured with a safety belt;

26.11 (4) a child who is at least nine years of age or exceeds the weight or height limit of the
26.12 child passenger restraint system or the booster seat must be secured with a safety belt adjusted
26.13 and fastened around the child's body to fit correctly. The safety belt fits correctly when the
26.14 child sits all the way back against the vehicle seat, the child's knees bend over the edge of
26.15 the vehicle seat, the lap strap fits snugly across the child's thighs and lower hips and not the
26.16 child's abdomen, and the shoulder strap snugly crosses the center of the child's chest and
26.17 not the child's neck;

26.18 (5) a child who is younger than 13 years of age must be transported in the rear seat of a
26.19 motor vehicle, when available, and must be properly restrained in a child passenger restraint
26.20 system or booster seat or secured with a safety belt; and

26.21 (6) a child who, because of age or weight, can be placed in more than one category under
26.22 this paragraph must be placed in the more protective category, where clause (1) provides
26.23 for the most protective and clause (5) provides for the least protective.

26.24 (b) The driver of a motor vehicle transporting a child who is younger than six years of
26.25 age or weighs less than 60 pounds must transport the child in a rear seat if:

26.26 (1) the vehicle is equipped with a passenger side air bag supplemental restraint system;

26.27 (2) the air bag system is activated; and

26.28 (3) a rear seat is available.

26.29 (c) When the number of children in the motor vehicle under 13 years of age exceeds the
26.30 number of age- or size-appropriate child passenger restraint systems and safety belts available
26.31 in the motor vehicle, the unrestrained children must be seated in a rear seat, if rear seats are
26.32 available.

27.1 (d) The weight and height limits of a child passenger restraint system under this
27.2 subdivision are as established by the child passenger restraint system manufacturer.

27.3 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to violations
27.4 committed on or after that date.

27.5 Sec. 43. Minnesota Statutes 2022, section 169.685, subdivision 5, is amended to read:

27.6 **Subd. 5. Violation; petty misdemeanor.** ~~(a) Every motor vehicle operator, when~~
27.7 ~~transporting a child who is both under the age of eight and shorter than four feet nine inches~~
27.8 ~~on the streets and highways of this state in a motor vehicle equipped with factory-installed~~
27.9 ~~seat belts, shall equip and install for use in the motor vehicle, according to the manufacturer's~~
27.10 ~~instructions, a child passenger restraint system meeting federal motor vehicle safety standards.~~

27.11 ~~(b) No motor vehicle operator who is operating a motor vehicle on the streets and~~
27.12 ~~highways of this state may transport a child who is both under the age of eight and shorter~~
27.13 ~~than four feet nine inches in a seat of a motor vehicle equipped with a factory-installed seat~~
27.14 ~~belt, unless the child is properly fastened in the child passenger restraint system. Any motor~~
27.15 ~~vehicle operator who violates this subdivision 4a is guilty of a petty misdemeanor and may~~
27.16 ~~be sentenced to pay a fine of not more than \$50. The fine may be waived or the amount~~
27.17 ~~reduced if the motor vehicle operator produces evidence that within 14 days after the date~~
27.18 ~~of the violation a child passenger restraint system meeting federal motor vehicle safety~~
27.19 ~~standards was purchased or obtained for the exclusive use of the operator.~~

27.20 ~~(e)~~ (b) At the time of issuance of a citation under this subdivision, a peace officer may
27.21 provide to the violator information on obtaining a free or low-cost child passenger restraint
27.22 system.

27.23 ~~(d)~~ (c) The fines collected for violations of this subdivision must be deposited in the
27.24 state treasury and credited to a special account to be known as the Minnesota child passenger
27.25 restraint and education account.

27.26 ~~(e) For the purposes of this section, "child passenger restraint system" means any device~~
27.27 ~~that meets the standards of the United States Department of Transportation; is designed to~~
27.28 ~~restrain, seat, or position children; and includes a booster seat.~~

27.29 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to violations
27.30 committed on or after that date.

28.1 Sec. 44. Minnesota Statutes 2022, section 169.685, subdivision 7, is amended to read:

28.2 Subd. 7. **Appropriation; special account.** The Minnesota child passenger restraint and
28.3 education account is created in the ~~state treasury~~ special revenue fund, consisting of fines
28.4 collected under subdivision 5 and other money appropriated or donated. The money in the
28.5 account is annually appropriated to the commissioner of public safety to be used to provide
28.6 child passenger restraint systems to families in financial need, school districts and child
28.7 care providers that provide for the transportation of pupils to and from school using type
28.8 III vehicles or school buses with a gross vehicle weight rating of 10,000 pounds or less, and
28.9 to provide an educational program on the need for and proper use of child passenger restraint
28.10 systems. Information on the commissioner's activities and expenditure of funds under this
28.11 section must be available upon request.

28.12 **EFFECTIVE DATE.** This section is effective July 1, 2024.

28.13 Sec. 45. Minnesota Statutes 2022, section 169.79, is amended by adding a subdivision to
28.14 read:

28.15 **Subd. 3b. Roadable aircraft.** Notwithstanding subdivision 1 and section 168.09,
28.16 subdivision 1, a roadable aircraft is not required to display a license plate.

28.17 Sec. 46. Minnesota Statutes 2022, section 169.80, is amended by adding a subdivision to
28.18 read:

28.19 **Subd. 4. Divisible load.** (a) A load that is not a nondivisible load on a vehicle or
28.20 combination of vehicles must be transported:

28.21 (1) with the load reduced or positioned in a manner so that the transportation does not
28.22 exceed the size and weight limits of vehicles under this chapter; or

28.23 (2) under a special permit authorized in this chapter for which the transportation qualifies.

28.24 (b) The applicant for a special permit related to a nondivisible load has the burden of
28.25 proof as to the number of work hours required to dismantle the load.

28.26 Sec. 47. Minnesota Statutes 2022, section 169.801, subdivision 7, is amended to read:

28.27 Subd. 7. **Driving rules.** (a) An implement of husbandry may not be operated or towed
28.28 on an interstate highway.

28.29 (b) An implement of husbandry may be operated or towed to the left of the center of a
28.30 roadway only if it the operation does not extend into the left half of the roadway more than
28.31 is necessary and:

29.1 (1) the operation is for the purpose of avoiding an obstacle on the right-hand side of the
29.2 road and the following requirements are met:

29.3 (i) the implement crosses the center line for as brief a period of time as necessary to
29.4 avoid the obstacle;

29.5 (ii) the implement returns to the right half of the roadway immediately after passing the
29.6 obstacle and when safe to do so; and

29.7 (iii) no other vehicles are approaching from the opposite direction such that the
29.8 approaching vehicle would be within the immediate vicinity of the implement before the
29.9 implement returns to the right-hand side of the road; or

29.10 (2) the implement is escorted at the front by a vehicle displaying hazard warning lights
29.11 visible in normal sunlight and the operation does not extend into the left half of the roadway
29.12 more than is necessary.

29.13 (c) An implement of husbandry, when operating in compliance with the requirements
29.14 of this section and under paragraph (b), is not subject to the escort requirements in section
29.15 169.812, subdivision 2.

29.16 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to violations
29.17 committed on or after that date.

29.18 Sec. 48. Minnesota Statutes 2022, section 169.829, is amended by adding a subdivision
29.19 to read:

29.20 **Subd. 5. Sewage septic tank trucks.** (a) For the purposes of this subdivision, "emergency
29.21 pumping services" means a sewage septic tank truck's response to:

29.22 (1) uncontrolled and unintended seepage of the contents of a septic system into the
29.23 ground, around a structure, or into a body of surface water;

29.24 (2) damage or malfunction to a septic system that requires removal of the contents of
29.25 the septic system for repair or maintenance; or

29.26 (3) a condition that creates an immediate hazard to the health, welfare, or safety of a
29.27 person.

29.28 (b) When a sewage septic tank truck used exclusively to transport sewage from septic
29.29 or holding tanks is performing emergency pumping services, sections 169.823 and 169.826
29.30 to 169.828 do not apply, and the weight limitations under section 169.824 are increased by
29.31 ten percent when transporting sewage from a single point of service to the point of unloading.

30.1 (c) Notwithstanding section 169.824, subdivision 1, paragraph (d); 169.826, subdivision
30.2 3; or any other law to the contrary, a permit is not required to operate a vehicle under this
30.3 subdivision.

30.4 (d) The seasonal weight increases under section 169.826, subdivision 1, do not apply to
30.5 a vehicle operated under this subdivision.

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

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

30.12 (g) The exceptions under this subdivision do not apply to a sewage septic tank truck's
30.13 operation on an interstate highway.

30.14 **EFFECTIVE DATE.** This section is effective June 1, 2024.

30.15 Sec. 49. **[169.8655] SPECIAL SUGAR BEET HAULING VEHICLE PERMIT.**

30.16 Subdivision 1. **122,000-pound vehicles; East Grand Forks.** A road authority may issue
30.17 a permit for a vehicle or combination of vehicles that transports sugar beets and meets the
30.18 following requirements:

30.19 (1) does not exceed a maximum gross vehicle weight of 122,000 pounds;

30.20 (2) does not use a semitrailer in a combination of vehicles that has an overall length in
30.21 excess of 28-1/2 feet; and

30.22 (3) is only for operation on the following roads in East Grand Forks:

30.23 (i) U.S. Highway 2 between the North Dakota border and Fifth Avenue Northeast;

30.24 (ii) Fifth Avenue Northeast between U.S. Highway 2 and Business Highway 2; and

30.25 (iii) Business Highway 2 from Fifth Avenue Northeast to the sugar beet processing
30.26 facility on Business Highway 2.

30.27 Subd. 2. **Requirements; restrictions.** (a) A vehicle or combination of vehicles issued
30.28 a permit under subdivision 1:

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

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

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

31.2 (4) may not be operated with a load that exceeds the tire manufacturer's recommended
 31.3 load limit under section 169.823, the manufacturer's gross vehicle weight rating as affixed
 31.4 to the vehicle, or other certification of gross weight rating under Code of Federal Regulations,
 31.5 title 49, sections 567.4 to 567.7; and

31.6 (5) may not be operated on the interstate highway system.

31.7 (b) The seasonal weight increases authorized under section 169.826 do not apply to a
 31.8 vehicle or combination of vehicles operating under this section.

31.9 Subd. 3. **Permit fee.** A permit issued under this section must be an annual permit. A
 31.10 permit issued under this section may only be issued before July 1, 2027. The fee for permits
 31.11 issued under this section is \$300 and must be deposited in the trunk highway fund.

31.12 Sec. 50. Minnesota Statutes 2022, section 169.87, subdivision 6, is amended to read:

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

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

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

31.22 ~~(2) (3) a vehicle that does not exceed 14,000 pounds per single axle and is designed and~~
 31.23 used exclusively for collecting mixed municipal solid waste, as defined in section 115A.03,
 31.24 subdivision 21, while engaged in such collection; or

31.25 ~~(3) (4) a portable toilet service vehicle that does not exceed 14,000 pounds per single~~
 31.26 axle or 26,000 pounds gross vehicle weight, and is designed and used exclusively for
 31.27 collecting liquid waste from portable toilets, while engaged in such collection; or

31.28 (5) a sewage septic tank truck while performing emergency pumping services as defined
 31.29 in section 169.829, subdivision 5, that does not exceed 20,000 pounds per single axle and
 31.30 is designed and used exclusively to haul sewage from septic or holding tanks.

31.31 ~~(e) (b) Notwithstanding section 169.80, subdivision 1, a violation of the owner or operator~~
 31.32 of a vehicle that violates the weight restrictions imposed under subdivisions 1 and 2 by a

32.1 ~~vehicle designed and used exclusively for recycling while engaged in recycling in a political~~
 32.2 ~~subdivision that mandates curbside recycling pickup while engaged in such collection, by~~
 32.3 ~~a vehicle that is designed and used exclusively for collecting mixed municipal solid waste~~
 32.4 ~~as defined in section 115A.03, subdivision 21, while engaged in such collection, or by a~~
 32.5 ~~portable toilet service vehicle that is designed and used exclusively for collecting liquid~~
 32.6 ~~waste from portable toilets, while engaged in such collection, is not subject to criminal~~
 32.7 penalties but is subject to a civil penalty for excess weight under section 169.871 if the
 32.8 vehicle meets the requirements under paragraph (a) and is engaged in the type of collection
 32.9 the vehicle was designed to perform.

32.10 **EFFECTIVE DATE.** This section is effective June 1, 2024.

32.11 Sec. 51. Minnesota Statutes 2022, section 169.974, subdivision 2, is amended to read:

32.12 Subd. 2. **License endorsement and permit requirements.** (a) ~~No person shall~~ A person
 32.13 must not operate a motorcycle on any street or highway without having a valid driver's
 32.14 license with a ~~two-wheeled vehicle~~ motorcycle endorsement as provided by law. A person
 32.15 may operate an autocycle without a ~~two-wheeled vehicle~~ motorcycle endorsement, ~~provided~~
 32.16 if the person has a valid driver's license issued under section 171.02.

32.17 (b) The commissioner of public safety ~~shall~~ must issue a ~~two-wheeled vehicle~~ motorcycle
 32.18 endorsement only if the applicant (1) has in possession a valid ~~two-wheeled vehicle~~
 32.19 motorcycle instruction permit as provided in paragraph (c), (2) has passed a written
 32.20 examination and road test administered by the Department of Public Safety for the
 32.21 endorsement, and (3) in the case of applicants under 18 years of age, presents a certificate
 32.22 or other evidence of having successfully completed an approved ~~two-wheeled vehicle~~
 32.23 motorcycle driver's safety course in this or another state, in accordance with rules adopted
 32.24 by the commissioner of public safety for courses offered by a public, private, or commercial
 32.25 school or institute. The commissioner of public safety may waive the road test for any
 32.26 applicant on determining that the applicant possesses a valid license to operate a ~~two-wheeled~~
 32.27 ~~vehicle~~ motorcycle issued by a jurisdiction that requires a comparable road test for license
 32.28 issuance.

32.29 (c) The commissioner of public safety ~~shall~~ must issue a ~~two-wheeled vehicle~~ motorcycle
 32.30 instruction permit to any person over 16 years of age who (1) is in possession of a valid
 32.31 driver's license, (2) is enrolled in an approved ~~two-wheeled vehicle~~ motorcycle driver's
 32.32 safety course, and (3) has passed a written examination for the permit and paid a fee
 32.33 prescribed by the commissioner of public safety. A ~~two-wheeled vehicle~~ motorcycle

33.1 instruction permit is effective for one year and may be renewed under rules prescribed by
33.2 the commissioner of public safety.

33.3 (d) ~~No~~ A person who is operating by virtue of a two-wheeled vehicle motorcycle
33.4 instruction permit ~~shall~~ must not:

33.5 (1) carry any passengers on the streets and highways of this state on the motorcycle
33.6 while the person is operating the motorcycle;

33.7 (2) drive the motorcycle at night; or

33.8 (3) drive the motorcycle without wearing protective headgear that complies with standards
33.9 established by the commissioner of public safety.

33.10 (e) Notwithstanding paragraphs (a) to (d), the commissioner of public safety may issue
33.11 a special motorcycle permit, restricted or qualified as the commissioner of public safety
33.12 deems proper, to any person demonstrating a need for the permit and unable to qualify for
33.13 a driver's license.

33.14 **Sec. 52. [169.975] OPERATION OF ROADABLE AIRCRAFT.**

33.15 **Subdivision 1. Definitions.** (a) For purposes of this section, the following terms have
33.16 the meanings given.

33.17 (b) "Aircraft" has the meaning given in section 360.013, subdivision 37.

33.18 (c) "Airport" has the meaning given in section 360.013, subdivision 39, and includes a
33.19 personal-use airport as defined in Minnesota Rules, part 8800.0100, subpart 22a.

33.20 (d) "Restricted landing area" has the meaning given in section 360.013, subdivision 57.

33.21 (e) "Unlicensed landing area" has the meaning given in Minnesota Rules, part 8800.0100,
33.22 subpart 32a.

33.23 **Subd. 2. Operation.** (a) A roadable aircraft is considered a motor vehicle when in
33.24 operation, including on a public highway, except when the vehicle is (1) at an airport, (2)
33.25 on a restricted landing area, (3) on an unlicensed landing area, or (4) in flight. When operating
33.26 a roadable aircraft as a motor vehicle, an operator must comply with all rules and
33.27 requirements set forth in this chapter governing the operation and insurance of a motor
33.28 vehicle.

33.29 (b) When in operation at an airport, a restricted landing area, an unlicensed landing area,
33.30 or in flight, a roadable aircraft is considered an aircraft and the operator must comply with
33.31 all rules and requirements set forth in chapter 360. An owner of a roadable aircraft registered

34.1 in Minnesota must comply with all rules and requirements of chapter 360 governing the
34.2 registration, taxation, and insurance of aircraft.

34.3 (c) A roadable aircraft may only take off or land at an airport, unlicensed landing area,
34.4 or restricted landing area.

34.5 Sec. 53. Minnesota Statutes 2022, section 169A.52, subdivision 7, is amended to read:

34.6 Subd. 7. **Test refusal; driving privilege lost.** (a) On behalf of the commissioner, a peace
34.7 officer requiring a test or directing the administration of a chemical test shall serve immediate
34.8 notice of intention to revoke and of revocation on a person who refuses to permit a test or
34.9 on a person who submits to a test the results of which indicate an alcohol concentration of
34.10 0.08 or more.

34.11 (b) On behalf of the commissioner, a peace officer requiring a test or directing the
34.12 administration of a chemical test of a person driving, operating, or in physical control of a
34.13 commercial motor vehicle shall serve immediate notice of intention to disqualify and of
34.14 disqualification on a person who refuses to permit a test, or on a person who submits to a
34.15 test the results of which indicate an alcohol concentration of 0.04 or more.

34.16 (c) The officer shall:

34.17 (1) invalidate the person's driver's license or permit card ~~by clipping the upper corner~~
34.18 ~~of the card in such a way that no identifying information including the photo is destroyed,~~
34.19 ~~and immediately return the card to the person;~~

34.20 (2) issue the person a temporary license effective for only seven days; and

34.21 (3) send the notification of this action to the commissioner along with the certificate
34.22 required by subdivision 3 or 4.

34.23 Sec. 54. Minnesota Statutes 2022, section 171.01, subdivision 40, is amended to read:

34.24 Subd. 40. **Motorcycle.** "Motorcycle" means every motor vehicle having a seat or saddle
34.25 for the use of the rider and designed to travel on not more than three wheels in contact with
34.26 the ground, ~~including.~~ Motorcycle includes motor scooters and bicycles with motor attached,
34.27 ~~but excluding.~~

34.28 (b) Motorcycle excludes tractors and, motorized bicycles, and roadable aircraft, as
34.29 defined in section 169.011, subdivision 67a.

35.1 Sec. 55. Minnesota Statutes 2022, section 171.01, subdivision 41a, is amended to read:

35.2 Subd. 41a. **Noncompliant license; noncompliant identification card.** "Noncompliant
35.3 license," "noncompliant identification card," or "noncompliant license or identification
35.4 card," means a driver's license or a Minnesota identification card issued under section
35.5 171.019, subdivision 2, paragraph (b). Unless provided otherwise, noncompliant license
35.6 includes an appropriate instruction permit, provisional license, limited license, and restricted
35.7 license.

35.8 Sec. 56. Minnesota Statutes 2022, section 171.01, is amended by adding a subdivision to
35.9 read:

35.10 Subd. 45c. **REAL ID compliant license; REAL ID compliant identification**
35.11 **card.** "REAL ID compliant license," "REAL ID compliant identification card," or "REAL
35.12 ID compliant license or identification card" means a driver's license or a Minnesota
35.13 identification card issued under section 171.019, subdivision 2, paragraph (a). Unless
35.14 provided otherwise, REAL ID compliant license includes an appropriate instruction permit,
35.15 provisional license, limited license, and restricted license.

35.16 Sec. 57. Minnesota Statutes 2022, section 171.01, subdivision 47, is amended to read:

35.17 Subd. 47. **State.** "State" means a state of the United States, the District of Columbia,
35.18 Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject
35.19 to the jurisdiction of the United States, including a United States military base located on
35.20 foreign soil.

35.21 Sec. 58. Minnesota Statutes 2022, section 171.06, subdivision 2a, is amended to read:

35.22 Subd. 2a. ~~Two-wheeled vehicle~~ **Motorcycle endorsement fee.** (a) In addition to the
35.23 appropriate fee under subdivision 2, the fee for a ~~two-wheeled vehicle~~ motorcycle
35.24 endorsement on a driver's license is:

35.25 (1) \$26.50 for an initial endorsement or a duplicate license obtained for the purpose of
35.26 adding the endorsement; and

35.27 (2) \$17 for each license renewal with the endorsement.

35.28 (b) The additional fee must be paid into the state treasury and credited as follows:

35.29 (1) \$19 of the additional fee under paragraph (a), clause (1), and \$11 of the additional
35.30 fee under paragraph (a), clause (2), to the motorcycle safety ~~fund~~ account, which is hereby
35.31 created in the special revenue fund; and

36.1 (2) the remainder to the general fund.

36.2 (c) All application forms prepared by the commissioner for ~~two-wheeled vehicle~~
36.3 motorcycle endorsements must clearly state the amount of the total fee that is dedicated to
36.4 the motorcycle safety ~~fund~~ account.

36.5 Sec. 59. Minnesota Statutes 2023 Supplement, section 171.06, subdivision 3, is amended
36.6 to read:

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

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

36.10 (2) ~~as may be required by the commissioner,~~ contain a description of the applicant ~~and~~
36.11 ~~any other facts pertaining to the applicant,~~ including the applicant's height in feet and inches,
36.12 weight in pounds, eye color, and sex; the applicant's driving privileges; and the applicant's
36.13 ability to operate a motor vehicle with safety;

36.14 (3) state:

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

36.16 (ii) if the applicant does not have a Social Security number and is applying for a
36.17 Minnesota identification card, instruction permit, or class D provisional or driver's license,
36.18 that the applicant elects not to specify a Social Security number;

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

36.21 (5) include a method for the applicant to:

36.22 (i) request a veteran designation on the license under section 171.07, subdivision 15,
36.23 and the driving record under section 171.12, subdivision 5a;

36.24 (ii) indicate a desire to make an anatomical gift under subdivision 3b, paragraph (e);

36.25 (iii) as applicable, designate document retention as provided under section 171.12,
36.26 subdivision 3c;

36.27 (iv) indicate emergency contacts as provided under section 171.12, subdivision 5b;

36.28 (v) indicate the applicant's race and ethnicity; and

36.29 (vi) indicate caretaker information as provided under section 171.12, subdivision 5c;
36.30 and

37.1 (6) meet the requirements under section 201.161, subdivision 3.

37.2 (b) Applications must be accompanied by satisfactory evidence demonstrating:

37.3 (1) identity, date of birth, and any legal name change if applicable; and

37.4 (2) for ~~driver's~~ drivers' licenses and Minnesota identification cards that meet all
37.5 requirements of the REAL ID Act:

37.6 (i) principal residence address in Minnesota, including application for a change of address,
37.7 unless the applicant provides a designated address under section 5B.05;

37.8 (ii) Social Security number, or related documentation as applicable; and

37.9 (iii) lawful status, as defined in Code of Federal Regulations, title 6, section 37.3.

37.10 (c) An application for an enhanced driver's license or enhanced identification card must
37.11 be accompanied by:

37.12 (1) satisfactory evidence demonstrating the applicant's full legal name and United States
37.13 citizenship; and

37.14 (2) a photographic identity document.

37.15 ~~(d) A valid Department of Corrections or Federal Bureau of Prisons identification card~~
37.16 ~~containing the applicant's full name, date of birth, and photograph issued to the applicant~~
37.17 ~~is an acceptable form of proof of identity in an application for an identification card,~~
37.18 ~~instruction permit, or driver's license as a secondary document for purposes of Minnesota~~
37.19 ~~Rules, part 7410.0400, and successor rules.~~

37.20 ~~(e)~~ (d) An application form must not provide for identification of (1) the accompanying
37.21 documents used by an applicant to demonstrate identity, or (2) except as provided in
37.22 paragraphs (b) and (c), the applicant's citizenship, immigration status, or lawful presence
37.23 in the United States. The commissioner and a driver's license agent must not inquire about
37.24 an applicant's citizenship, immigration status, or lawful presence in the United States, except
37.25 as provided in paragraphs (b) and (c).

37.26 (e) A Minnesota driver's license or identification card must be issued only to an individual
37.27 who has a residence address in the state at the time of the application. Applications for an
37.28 enhanced driver's license or enhanced identification card must include proof of residency
37.29 in accordance with section 171.063, subdivision 6. An individual may only have one
37.30 residence address where the individual is domiciled at any particular time. The residence
37.31 address of the individual is presumed to continue until the contrary is shown. The applicant

38.1 must provide the following information about the residence address: residence number,
38.2 street name, street type, directional, city or town, state, and zip code.

38.3 Sec. 60. Minnesota Statutes 2022, section 171.0605, subdivision 2, is amended to read:

38.4 Subd. 2. **Evidence; identity; date of birth.** (a) Only the following is satisfactory evidence
38.5 of an applicant's identity and date of birth under section 171.06, subdivision 3, paragraph
38.6 (b):

38.7 (1) a driver's license or identification card that:

38.8 (i) complies with all requirements of the REAL ID Act;

38.9 (ii) is not designated as temporary or limited term; and

38.10 (iii) is current or has been expired for five years or less;

38.11 (2) a valid, unexpired United States passport, including a passport booklet or passport
38.12 card, issued by the United States Department of State;

38.13 (3) a certified copy of a birth certificate issued by a government bureau of vital statistics
38.14 or equivalent agency in the applicant's state of birth, which must bear the raised or authorized
38.15 seal of the issuing government entity;

38.16 (4) a consular report of birth abroad, certification of report of birth, or certification of
38.17 birth abroad, issued by the United States Department of State, Form FS-240, Form DS-1350,
38.18 or Form FS-545;

38.19 (5) a valid, unexpired permanent resident card issued by the United States Department
38.20 of Homeland Security or the former Immigration and Naturalization Service of the United
38.21 States Department of Justice, Form I-551. If the Form I-551 validity period has been
38.22 automatically extended by the United States Department of Homeland Security, it is deemed
38.23 unexpired, regardless of the expiration date listed;

38.24 (6) a foreign passport with an unexpired temporary I-551 stamp or a temporary I-551
38.25 printed notation on a machine-readable immigrant visa with a United States Department of
38.26 Homeland Security admission stamp within the validity period;

38.27 (7) a United States Department of Homeland Security Form I-94 or Form I-94A with a
38.28 photograph and an unexpired temporary I-551 stamp;

38.29 (8) a United States Department of State Form DS-232 with a United States Department
38.30 of Homeland Security admission stamp and validity period;

39.1 ~~(6)~~(9) a certificate of naturalization issued by the United States Department of Homeland
39.2 Security, Form N-550 or Form N-570;

39.3 ~~(7)~~(10) a certificate of citizenship issued by the United States Department of Homeland
39.4 Security, Form N-560 or Form N-561;

39.5 ~~(8)~~(11) an unexpired employment authorization document issued by the United States
39.6 Department of Homeland Security, Form I-766 or Form I-688B. If the Form I-766 validity
39.7 period has been automatically extended by the United States Department of Homeland
39.8 Security, it is deemed unexpired, regardless of the expiration date listed;

39.9 ~~(9)~~(12) a valid, unexpired passport issued by a foreign country and a valid, unexpired
39.10 United States visa accompanied by documentation of the applicant's most recent lawful
39.11 admittance into the United States;

39.12 ~~(10)~~(13) a document as designated by the United States Department of Homeland
39.13 Security under Code of Federal Regulations, title 6, part 37.11 (c)(1)(x);

39.14 ~~(11)~~(14) a copy of the applicant's certificate of marriage certified by the issuing
39.15 government jurisdiction;

39.16 ~~(12)~~(15) a certified copy of a court order that specifies the applicant's name change; or

39.17 ~~(13)~~(16) a certified copy of a divorce decree or dissolution of marriage that specifies
39.18 the applicant's name change, issued by a court.

39.19 (b) A document under paragraph (a) must be legible and unaltered.

39.20 Sec. 61. Minnesota Statutes 2023 Supplement, section 171.0605, subdivision 5, is amended
39.21 to read:

39.22 Subd. 5. **Evidence; residence in Minnesota.** (a) Submission of two forms of
39.23 documentation from the following is satisfactory evidence of an applicant's principal
39.24 residence address in Minnesota under section 171.06, subdivision 3, paragraph (b):

39.25 (1) a home utility services bill issued no more than 12 months before the application;

39.26 (2) a home utility services hook-up work order issued no more than 12 months before
39.27 the application;

39.28 (3) United States bank or financial information issued no more than 12 months before
39.29 the application, with account numbers redacted, including:

39.30 (i) a bank account statement;

39.31 (ii) a credit card or debit card statement;

- 40.1 (iii) a brokerage account statement;
- 40.2 (iv) a money market account statement;
- 40.3 (v) a Health Savings Account statement; or
- 40.4 (vi) a retirement account statement;
- 40.5 (4) a certified transcript from a United States high school, if issued no more than 180
- 40.6 days before the application;
- 40.7 (5) a certified transcript from a Minnesota college or university, if issued no more than
- 40.8 180 days before the application;
- 40.9 (6) a student summary report from a United States high school signed by a school
- 40.10 principal or designated authority and issued no more than 180 days before the application;
- 40.11 (7) an employment pay stub issued no more than 12 months before the application that
- 40.12 lists the employer's name and address;
- 40.13 (8) a Minnesota unemployment insurance benefit statement issued no more than 12
- 40.14 months before the application;
- 40.15 (9) a statement from an assisted living facility licensed under chapter 144G, nursing
- 40.16 home licensed under chapter 144A, or a boarding care facility licensed under sections 144.50
- 40.17 to 144.56, that was issued no more than 12 months before the application;
- 40.18 (10) a current policy or card for health, automobile, homeowner's, or renter's insurance;
- 40.19 (11) a federal or state income tax return for the most recent tax filing year;
- 40.20 (12) a Minnesota property tax statement for the current or prior calendar year or a
- 40.21 proposed Minnesota property tax notice for the current year that shows the applicant's
- 40.22 principal residential address both on the mailing portion and the portion stating what property
- 40.23 is being taxed;
- 40.24 (13) a Minnesota vehicle certificate of title;
- 40.25 (14) a filed property deed or title for current residence;
- 40.26 (15) a Supplemental Security Income award statement issued no more than 12 months
- 40.27 before the application;
- 40.28 (16) mortgage documents for the applicant's principal residence;
- 40.29 (17) a residential lease agreement for the applicant's principal residence issued no more
- 40.30 than 12 months before the application;

41.1 (18) an affidavit of residence for an applicant whose principal residence is a group home,
 41.2 communal living arrangement, cooperative, or a religious order issued no more than 90
 41.3 days before the application;

41.4 (19) an assisted living or nursing home statement issued no more than 90 days before
 41.5 the application;

41.6 (20) a valid driver's license, including an instruction permit, issued under this chapter;

41.7 (21) a valid Minnesota identification card;

41.8 (22) an unexpired Minnesota professional license;

41.9 (23) an unexpired Selective Service card;

41.10 (24) military orders that are still in effect at the time of application;

41.11 (25) a cellular phone bill issued no more than 12 months before the application; or

41.12 (26) a valid license issued pursuant to the game and fish laws.

41.13 (b) In lieu of one of the two documents required by paragraph (a), an applicant under
 41.14 the age of 18 may use a parent or guardian's proof of principal residence as provided in this
 41.15 paragraph. The parent or guardian of the applicant must provide a document listed under
 41.16 paragraph (a) that includes the parent or guardian's name and the same address as the address
 41.17 on the document provided by the applicant. The parent or guardian must also certify that
 41.18 the applicant is the child of the parent or guardian and lives at that address.

41.19 (c) A document under paragraph (a) must include the applicant's name and principal
 41.20 residence address in Minnesota.

41.21 (d) For purposes of this ~~section~~ subdivision, Internet service and cable service are utilities
 41.22 ~~under this section and Minnesota Rules, part 7410.0410, subpart 4a.~~

41.23 Sec. 62. Minnesota Statutes 2022, section 171.0605, subdivision 6, is amended to read:

41.24 Subd. 6. **Exceptions process.** (a) The commissioner may grant a variance from the
 41.25 requirements of this section as provided under Minnesota Rules, part 7410.0600, or successor
 41.26 rules, for evidence of:

41.27 (1) identity or date of birth under subdivision 2;

41.28 (2) lawful status under subdivision 3, only for demonstration of United States citizenship;
 41.29 and

41.30 ~~(3) Social Security number under subdivision 4; and~~

42.1 ~~(4)~~ (3) residence in Minnesota under subdivision 5.

42.2 (b) The commissioner must not grant a variance for an applicant having a lawful
42.3 temporary admission period.

42.4 Sec. 63. [171.062] EVIDENCE OF IDENTITY; NONCOMPLIANT CREDENTIALS.

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

42.7 (b) "Court" includes a foreign court of competent jurisdiction.

42.8 (c) "Foreign" means a jurisdiction that is not, and is not within, the United States, the
42.9 Commonwealth of the Northern Mariana Islands, the Commonwealth of Puerto Rico, Guam,
42.10 the United States Virgin Islands, or a territory of the United States.

42.11 Subd. 2. Evidence of identity. For a noncompliant license or identification card, an
42.12 applicant must submit:

42.13 (1) a Minnesota driver's license or identification card that is current or has been expired:

42.14 (i) for five years or less with a color photograph or electronically produced or digitized
42.15 image; or

42.16 (ii) for one year or less without a color photograph or electronically produced or digitized
42.17 image; or

42.18 (2) if the applicant cannot present a credential under clause (1), either:

42.19 (i) one primary document under subdivision 4 and one secondary document under
42.20 subdivision 5; or

42.21 (ii) two primary documents under subdivision 4.

42.22 Subd. 3. General requirements. (a) A document submitted under this section must
42.23 include the applicant's name and must be:

42.24 (1) issued to or provided for the applicant;

42.25 (2) legible and unaltered;

42.26 (3) an original or a copy certified by the issuing agency or by a court; and

42.27 (4) accompanied by a certified translation or an affidavit of translation into English, if
42.28 the document is not in English.

42.29 (b) If the applicant's current legal name is different from the name on a document
42.30 submitted under subdivision 4 or 5, the applicant must submit:

43.1 (1) a certified copy of a court order that specifies the applicant's name change;

43.2 (2) a certified copy of the applicant's certificate of marriage;

43.3 (3) a certified copy of a divorce decree or dissolution of marriage that specifies the
43.4 applicant's name change, issued by a court; or

43.5 (4) similar documentation of a lawful change of name, as determined by the
43.6 commissioner.

43.7 (c) A form issued by a federal agency that is specified under this section includes any
43.8 subsequent form or version.

43.9 (d) The commissioner must establish a process to grant a waiver from the requirements
43.10 under this section.

43.11 (e) The same document must not be submitted as both a primary document and a
43.12 secondary document.

43.13 Subd. 4. **Primary documents.** (a) For purposes of a noncompliant driver's license or
43.14 identification card, a primary document includes:

43.15 (1) a copy of the applicant's record of birth, or an original certificate of birth that is in
43.16 the files of the applicable bureau or board under item (iii) and can be readily viewed by the
43.17 official accepting the application, certified by the issuing state that:

43.18 (i) is not issued by a hospital and is not a baptismal certificate;

43.19 (ii) bears the raised or authorized seal of the issuing government jurisdiction or a
43.20 protective equivalent; and

43.21 (iii) is issued by:

43.22 (A) a government bureau of vital statistics or community health board;

43.23 (B) the United States Department of State as a Record of Birth Abroad, Form FS-545
43.24 or Form DS-1350; or

43.25 (C) a United States embassy as a Consular Report of Birth Abroad, Form FS-240;

43.26 (2) a certified copy of an adoption certificate with the applicant's full name and date of
43.27 birth from a United States court of competent jurisdiction that bears the raised court seal or
43.28 other court certification;

43.29 (3) an unexpired identification card issued to the applicant by the United States
43.30 Department of Defense for active duty, reserve, or retired military personnel, Form DD-2
43.31 or Common Access Card;

44.1 (4) a valid, unexpired passport issued to the applicant by the United States Department
44.2 of State;

44.3 (5) a Canadian birth certificate or Canadian naturalization certificate;

44.4 (6) one of the following documents issued by the United States Department of Justice
44.5 or the United States Department of Homeland Security or any subsequent form or version
44.6 of the documents:

44.7 (i) Certificate of Naturalization, Form N-550, Form N-570, or Form N-578;

44.8 (ii) Certificate of Citizenship, Form N-560, Form N-561, or Form N-645;

44.9 (iii) United States Citizen Identification card, Form I-179 or Form I-197;

44.10 (iv) valid, unexpired Permanent Resident or Resident Alien card, Form I-551 or Form
44.11 I-151;

44.12 (v) Northern Mariana card, Form I-873, with "Northern Mariana" imprinted instead of
44.13 "Resident Alien";

44.14 (vi) American Indian card, Form I-872, with "American Indian" imprinted instead of
44.15 "Resident Alien";

44.16 (vii) unexpired employment authorization document with a photograph, Form I-688,
44.17 Form I-688A, Form I-688B, or Form I-766; or

44.18 (viii) unexpired Re-entry Permit/Refugee Travel Document, Form I-571;

44.19 (7) an unexpired passport or a consular identification document that bears a photograph
44.20 of the applicant;

44.21 (8) a certified birth certificate issued by a foreign jurisdiction; and

44.22 (9) a certified adoption certificate issued by a foreign jurisdiction that includes the
44.23 applicant's name and date of birth.

44.24 (b) A document submitted under this subdivision must contain security features that
44.25 make the document as impervious to alteration as is reasonably practicable in its design and
44.26 quality of material and technology.

44.27 (c) Submission of more than one primary document is not required under this subdivision.

44.28 Subd. 5. **Secondary documents.** (a) For purposes of a noncompliant driver's license or
44.29 identification card, a secondary document includes:

44.30 (1) a second primary document listed under subdivision 4, paragraph (a);

45.1 (2) a driver's license, identification card, or permit, with a photograph or digitized image,
45.2 issued by a United States state other than Minnesota or a foreign jurisdiction and that is
45.3 current or has expired no more than five years before the application;

45.4 (3) a certified copy of a court order or judgment from a United States or Canadian court
45.5 of competent jurisdiction containing the applicant's full name and date of birth and bearing
45.6 the raised court seal or other court certification;

45.7 (4) a current United States or Canadian government jurisdiction employee photo
45.8 identification card;

45.9 (5) a certified copy of a record of birth issued by a government jurisdiction other than
45.10 one in the United States, the District of Columbia, Guam, Puerto Rico, or the United States
45.11 Virgin Islands;

45.12 (6) a current identification card or document issued to the applicant by the United States
45.13 Department of Defense, described as:

45.14 (i) DD Form 1173 series, for dependents of active duty personnel; or

45.15 (ii) DD Form 214, Certificate of Release or Discharge from Active Duty;

45.16 (7) a copy of a marriage certificate certified by the issuing government jurisdiction or
45.17 the original certificate only if it is in the files of the issuing jurisdiction and can be readily
45.18 viewed by the official accepting the application;

45.19 (8) an unexpired permit to carry a firearm or concealed weapon bearing a color photo
45.20 of the applicant issued by a chief of police in an organized, full-time United States police
45.21 department or by a United States county sheriff;

45.22 (9) a current pilot's license issued by the United States Department of Transportation,
45.23 Federal Aviation Administration;

45.24 (10) a copy of a transcript containing the applicant's full legal name and date of birth
45.25 certified by the issuing secondary or postsecondary school;

45.26 (11) a United States nonmetal Social Security card or a Canadian social insurance card;

45.27 (12) a current secondary school student identification card with the student's name, a
45.28 photograph or electronically produced image of the student, and the student's date of birth
45.29 or unique student identification number;

45.30 (13) a notice of action on or proof of submission of a completed Application for Asylum
45.31 and for Withholding of Removal issued by the United States Department of Homeland
45.32 Security, Form I-589;

- 46.1 (14) a Certificate of Eligibility for Nonimmigrant Student Status issued by the United
46.2 States Department of Homeland Security, Form I-20;
- 46.3 (15) a Certificate of Eligibility for Exchange Visitor (J-1) Status issued by the United
46.4 States Department of State, Form DS-2019;
- 46.5 (16) a Deferred Action for Childhood Arrival approval notice issued by the United States
46.6 Department of Homeland Security;
- 46.7 (17) an employment authorization document issued by the United States Department of
46.8 Homeland Security, Form I-688, Form I-688A, Form I-688B, or Form I-766;
- 46.9 (18) a document issued by the Internal Revenue Service with an individual taxpayer
46.10 identification number;
- 46.11 (19) a Social Security card;
- 46.12 (20) a Supplemental Security Income award statement;
- 46.13 (21) a Selective Service card;
- 46.14 (22) military orders that are still in effect at the time of the application with a copy of a
46.15 DD Form 2058 State of Legal Residence Certificate;
- 46.16 (23) a Minnesota unemployment insurance benefit statement;
- 46.17 (24) a valid identification card for health benefits or an assistance or social services
46.18 program;
- 46.19 (25) a Minnesota vehicle certificate of title;
- 46.20 (26) mortgage documents for the applicant's residence;
- 46.21 (27) a filed property deed or title for the applicant's residence;
- 46.22 (28) a Minnesota property tax statement or a proposed Minnesota property tax notice;
- 46.23 (29) a certified copy of a divorce decree or dissolution of marriage issued by a court that
46.24 specifies the applicant's name or name change;
- 46.25 (30) a valid Department of Corrections or Federal Bureau of Prisons identification card
46.26 containing the applicant's full name, date of birth, and photograph; and
- 46.27 (31) any of the following documents issued by a foreign jurisdiction:
- 46.28 (i) a driver's license that is current or has been expired for no more than five years before
46.29 the application;

47.1 (ii) a high school, college, or university student identification card with a certified
47.2 transcript from the school;

47.3 (iii) an official high school, college, or university transcript that includes the applicant's
47.4 date of birth and a photograph of the applicant at the age the record was issued;

47.5 (iv) a federal electoral card that contains the applicant's photograph issued on or after
47.6 January 1, 1991;

47.7 (v) a certified copy of the applicant's certificate of marriage; and

47.8 (vi) a certified copy of a court order or judgment from a court of competent jurisdiction
47.9 that contains the applicant's name and date of birth.

47.10 (b) Submission of more than one secondary document is not required under this
47.11 subdivision.

47.12 Subd. 6. **Verification.** The department must be able to verify with the issuing jurisdiction
47.13 the issuance and authenticity of the primary or secondary documents submitted under this
47.14 section. Verification is required if:

47.15 (1) the document provided by the applicant is inconsistent with the department record;

47.16 (2) the document provided by the applicant appears to be altered or fraudulent; or

47.17 (3) there is reason to believe the applicant is not who the applicant claims to be.

47.18 Sec. 64. **[171.063] EVIDENCE OF IDENTITY FOR ENHANCED CREDENTIALS.**

47.19 Subdivision 1. **Date of birth.** As satisfactory evidence of date of birth, an applicant for
47.20 an enhanced driver's license or an enhanced identification card must present one of the
47.21 following documents:

47.22 (1) original or certified copy of a United States or United States territory birth certificate
47.23 that bears the raised or authorized seal of the issuing jurisdiction or a protective equivalent;

47.24 (2) United States Department of State Consular Report of Birth Abroad, Form FS-240,
47.25 Form DS-1350, or Form FS-545;

47.26 (3) valid, unexpired United States passport or United States passport card;

47.27 (4) Certificate of Naturalization, Form N-550 or Form N-570;

47.28 (5) Certificate of Citizenship, Form N-560 or Form N-561;

47.29 (6) American Indian card, Form I-872, or Minnesota tribal identification card that meets
47.30 the requirements of section 171.072; or

48.1 (7) United States military photo identification card issued to active duty, reserve, or
48.2 retired military personnel.

48.3 Subd. 2. Full legal name. As satisfactory evidence of full legal name, an applicant for
48.4 an enhanced driver's license or enhanced identification card must present one of the following
48.5 documents that was not also presented for proof of photographic identity under subdivision
48.6 4:

48.7 (1) original or certified copy of a United States or United States territory birth certificate
48.8 that bears the raised or authorized seal of the issuing jurisdiction or a protective equivalent;

48.9 (2) United States Department of State Consular Report of Birth Abroad, Form FS-240,
48.10 Form DS-1350, or Form FS-545;

48.11 (3) valid, unexpired United States passport or United States passport card;

48.12 (4) Certificate of Naturalization, Form N-550 or Form N-570;

48.13 (5) Certificate of Citizenship, Form N-560 or Form N-561;

48.14 (6) American Indian card, Form I-872, or Minnesota tribal identification card that meets
48.15 the requirements of section 171.072;

48.16 (7) United States military photo identification card issued to active duty, reserve, or
48.17 retired military personnel;

48.18 (8) federal or Minnesota income tax form W-2;

48.19 (9) federal or Minnesota income tax form SSA-1099;

48.20 (10) non-SSA federal or Minnesota income tax form 1099;

48.21 (11) United States high school identification card with a certified transcript from the
48.22 same school if issued no more than 180 days before the application;

48.23 (12) United States college or university identification card with a certified transcript
48.24 from the same college or university if issued no more than 180 days before the application;

48.25 (13) Minnesota unemployment insurance benefit statement issued no more than 90 days
48.26 before the application;

48.27 (14) life, health, automobile, homeowner's, or renter's insurance policy that is issued no
48.28 more than 90 days before the application. The commissioner must not accept a proof of
48.29 insurance card;

48.30 (15) federal or state income tax return or statement for the most recent tax filing year;

49.1 (16) Minnesota property tax statement for the current year that reflects the applicant's
49.2 principal residential address both on the mailing portion and the portion stating what property
49.3 is being taxed;

49.4 (17) Minnesota vehicle certificate of title if issued no more than 12 months before the
49.5 application;

49.6 (18) filed property deed or title for the applicant's current residence if issued no more
49.7 than 12 months before the application;

49.8 (19) Supplemental Security Income award statement that is issued no more than 12
49.9 months before the application;

49.10 (20) valid Minnesota driver's license, valid Minnesota identification card, or valid permit;

49.11 (21) unexpired Minnesota professional license;

49.12 (22) unexpired Selective Service card;

49.13 (23) military orders that are still in effect at the time of the application;

49.14 (24) copy of the applicant's certificate of marriage certified by the issuing government
49.15 jurisdiction;

49.16 (25) certified copy of a court order specifying a name change; or

49.17 (26) certified copy of a divorce decree or dissolution of marriage granted to the applicant
49.18 that specifies a name change requested from a court of competent jurisdiction.

49.19 Subd. 3. **Social Security number.** As satisfactory evidence of Social Security number,
49.20 an applicant for an enhanced driver's license or an enhanced identification card must present
49.21 the applicant's original Social Security card or one of the following:

49.22 (1) federal or Minnesota income tax form W-2;

49.23 (2) federal or Minnesota income tax form SSA-1099;

49.24 (3) non-SSA federal or Minnesota income tax form 1099; or

49.25 (4) United States employment computer-printed pay stub containing the applicant's
49.26 name, address, and full Social Security number.

49.27 Subd. 4. **Photographic identity.** As satisfactory evidence of photographic identity, an
49.28 applicant for an enhanced driver's license or an enhanced identification card must present
49.29 one of the following documents:

49.30 (1) valid Minnesota driver's license, identification card, or permit;

50.1 (2) valid driver's license, identification card, or permit issued by another United States
50.2 state, including the District of Columbia and any United States territory;

50.3 (3) United States military identification card issued to active duty, reserve, or retired
50.4 military personnel;

50.5 (4) United States military dependent identification card;

50.6 (5) valid, unexpired United States passport or United States passport card;

50.7 (6) American Indian card, Form I-872, or Minnesota tribal identification card that meets
50.8 the requirements under section 171.072;

50.9 (7) valid city, county, state, or federal employee identification card;

50.10 (8) United States high school identification card with a certified transcript from the same
50.11 school, both issued no more than 180 days before the application;

50.12 (9) United States college or university identification card with a certified transcript from
50.13 the same college or university, both issued no more than 180 days before the application;

50.14 or

50.15 (10) veterans universal access identification card.

50.16 Subd. 5. **United States citizenship.** As satisfactory evidence of United States citizenship,
50.17 an applicant for an enhanced driver's license or enhanced identification card must present
50.18 one of the following documents:

50.19 (1) original or certified copy of a United States or United States territory birth certificate
50.20 that bears the raised or authorized seal of the issuing jurisdiction or a protective equivalent;

50.21 (2) United States Department of State Consular Report of Birth Abroad, Form FS-240,
50.22 Form DS-1350, or Form FS-545;

50.23 (3) valid, unexpired United States passport or United States passport card;

50.24 (4) Certificate of Naturalization, Form N-550 or Form N-570; or

50.25 (5) Certificate of Citizenship, Form N-560 or Form N-561.

50.26 Subd. 6. **Residency.** (a) As satisfactory evidence of residency, an applicant for an
50.27 enhanced driver's license or enhanced identification card must present two different forms
50.28 of the following documents that list the applicant's name and address:

50.29 (1) United States home utility services bill that is issued no more than 90 days before
50.30 the application. The commissioner must not accept a United States home utility bill if two
50.31 unrelated people are listed on the bill;

51.1 (2) United States home utility services hook-up work order that is issued no more than
51.2 90 days before the application. The commissioner must not accept a United States home
51.3 utility services hook-up work order if two unrelated people are listed on the work order;

51.4 (3) United States financial information with account numbers redacted that is issued no
51.5 more than 90 days before the application, including a:

51.6 (i) bank account statement;

51.7 (ii) canceled check; or

51.8 (iii) credit card statement;

51.9 (4) United States high school identification card with a certified transcript from the same
51.10 school if issued no more than 180 days before the application;

51.11 (5) United States college or university identification card with a certified transcript from
51.12 the same college or university if issued no more than 180 days before the application;

51.13 (6) United States employment pay stub that lists the employer's name, address, and
51.14 telephone number that is issued no more than 90 days before the application;

51.15 (7) Minnesota unemployment insurance benefit statement issued no more than 90 days
51.16 before the application;

51.17 (8) assisted living or nursing home statement that is issued no more than 90 days before
51.18 the application;

51.19 (9) life, health, automobile, homeowner's, or renter's insurance policy that is issued no
51.20 more than 90 days before the application. The commissioner must not accept a proof of
51.21 insurance card;

51.22 (10) federal or state income tax return or statement for the most recent tax filing year;

51.23 (11) Minnesota property tax statement for the current year that reflects the applicant's
51.24 principal residential address both on the mailing portion and the portion stating what property
51.25 is being taxed;

51.26 (12) Minnesota vehicle certificate of title if issued no more than 12 months before the
51.27 application;

51.28 (13) filed property deed or title for the applicant's current residence if issued no more
51.29 than 12 months before the application;

51.30 (14) Supplemental Security Income award statement that is issued no more than 12
51.31 months before the application;

- 52.1 (15) mortgage documents for the applicant's principal residence;
- 52.2 (16) residential lease agreement for the applicant's principal residence that is issued no
- 52.3 more than 12 months before the application;
- 52.4 (17) valid Minnesota driver's license, identification card, or permit;
- 52.5 (18) unexpired Minnesota professional license;
- 52.6 (19) unexpired Selective Service card; or
- 52.7 (20) military orders that are still in effect at the time of the application with a copy of a
- 52.8 DD Form 2058 State of Legal Residence Certificate.
- 52.9 (b) For purposes of this subdivision, Internet service and cable service are utilities.
- 52.10 (c) The commissioner must verify with the United States Postal Service the address
- 52.11 information provided under this subdivision.
- 52.12 Subd. 7. **Verification.** The department must be able to verify with the issuing jurisdiction
- 52.13 the issuance and authenticity of the documents submitted under this section. Verification
- 52.14 is required if:
- 52.15 (1) the document provided by the applicant is inconsistent with the department record;
- 52.16 (2) the document provided by the applicant appears to be altered or fraudulent; or
- 52.17 (3) there is reason to believe the applicant is not who the applicant claims to be.
- 52.18 **Sec. 65. [171.069] TRANSLATIONS.**
- 52.19 For any document submitted to the commissioner under this chapter in a language other
- 52.20 than English:
- 52.21 (1) the document must be accompanied by a translation of that document into the English
- 52.22 language;
- 52.23 (2) the translation must be sworn to by the translator as being a true and accurate
- 52.24 translation;
- 52.25 (3) the translator must not be related by blood or marriage to the applicant; and
- 52.26 (4) the translator must be:
- 52.27 (i) accredited by the American Translators Association;
- 52.28 (ii) certified by a court of competent jurisdiction;

53.1 (iii) approved by an embassy or consulate of the United States or diplomatic or consular
53.2 official of a foreign country assigned or accredited to the United States;

53.3 (iv) affiliated with or approved by the United States Citizenship and Immigration Services
53.4 or a government jurisdiction within the United States;

53.5 (v) an attorney licensed to practice in the United States or affiliated with that attorney;

53.6 (vi) a vendor listed to provide translation services for the state of Minnesota; or

53.7 (vii) a qualified individual who certifies the individual is competent to translate the
53.8 document into English.

53.9 Sec. 66. Minnesota Statutes 2023 Supplement, section 171.07, subdivision 15, is amended
53.10 to read:

53.11 Subd. 15. **Veteran designation.** (a) At the request of an eligible applicant and on payment
53.12 of the required fee, the department ~~shall~~ must issue, renew, or reissue to the applicant a
53.13 driver's license or Minnesota identification card bearing a graphic or written designation
53.14 of:

53.15 (1) Veteran; or

53.16 (2) Veteran 100% T&P.

53.17 (b) At the time of the initial application for the designation provided under this
53.18 subdivision, the applicant must:

53.19 (1) be one of the following:

53.20 (i) a veteran, as defined in section 197.447; or

53.21 (ii) a retired or honorably discharged member of the National Guard or a reserve
53.22 component of the United States armed forces;

53.23 (2) provide a certified copy of the applicant's discharge papers that confirms an honorable
53.24 or general discharge under honorable conditions status, or a military retiree identification
53.25 card, veteran identification card, or veteran health identification card; and

53.26 (3) if the applicant is seeking the disability designation under paragraph (a), clause (2),
53.27 provide satisfactory evidence of a 100 percent total and permanent service-connected
53.28 disability as determined by the United States Department of Veterans Affairs.

54.1 Sec. 67. Minnesota Statutes 2022, section 171.072, is amended to read:

54.2 **171.072 TRIBAL IDENTIFICATION CARD.**

54.3 (a) If a Minnesota identification card is deemed an acceptable form of identification in
54.4 Minnesota Statutes or Rules, a tribal identification card is also an acceptable form of
54.5 identification. A tribal identification card is a primary document for purposes of ~~Minnesota~~
54.6 ~~Rules, part 7410.0400, and successor rules, section 171.062~~ when an applicant applies for
54.7 a noncompliant license or identification card.

54.8 (b) For purposes of this section, "tribal identification card" means an unexpired
54.9 identification card issued by a ~~Minnesota~~ tribal government of a tribe recognized by the
54.10 Bureau of Indian Affairs, United States Department of the Interior, that contains the legal
54.11 name, date of birth, signature, and picture of the enrolled tribal member.

54.12 (c) The tribal identification card must contain security features that make it as impervious
54.13 to alteration as is reasonably practicable in its design and quality of material and technology.
54.14 The security features must use materials that are not readily available to the general public.
54.15 The tribal identification card must not be susceptible to reproduction by photocopying or
54.16 simulation and must be highly resistant to data or photograph substitution and other
54.17 tampering.

54.18 (d) The requirements of this section do not apply: (1) except as provided in paragraph
54.19 (a), to an application for a driver's license or Minnesota identification card under this chapter;
54.20 or (2) to tribal identification cards used to prove an individual's residence for purposes of
54.21 section 201.061, subdivision 3.

54.22 Sec. 68. Minnesota Statutes 2023 Supplement, section 171.12, subdivision 5c, is amended
54.23 to read:

54.24 Subd. 5c. **Caretaker information.** (a) Upon request by an applicant for a driver's license,
54.25 instruction permit, or Minnesota identification card under section 171.06, subdivision 3,
54.26 the commissioner must maintain electronic records of names and contact information for
54.27 ~~up to three~~ individuals receiving exclusive care from the applicant. The request must be
54.28 made on a form prescribed by the commissioner. The commissioner must make the form
54.29 available on the department's website. The form must include a notice as described in section
54.30 13.04, subdivision 2.

54.31 (b) A person who has provided caretaker information under this subdivision may change,
54.32 add, or delete the information at any time. Notwithstanding sections 171.06, subdivision 2;

55.1 and 171.061, the commissioner or a driver's license agent must not charge a fee for a
55.2 transaction described in this paragraph.

55.3 (c) Caretaker data are classified as private data on individuals, as defined in section
55.4 13.02, subdivision 12, except that the commissioner may share caretaker information with
55.5 law enforcement agencies to notify the cared-for individuals regarding an emergency.

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

55.7 Sec. 69. Minnesota Statutes 2023 Supplement, section 171.12, subdivision 7b, is amended
55.8 to read:

55.9 Subd. 7b. **Data privacy; noncompliant license or identification card.** (a) With respect
55.10 to noncompliant licenses or identification cards, the commissioner is prohibited from:

55.11 (1) electronically disseminating outside the state data that is not disseminated as of May
55.12 19, 2017; or

55.13 (2) utilizing any electronic validation or verification system accessible from or maintained
55.14 outside the state that is not in use as of May 19, 2017.

55.15 (b) The limitations in paragraph (a) do not apply to the extent necessary to:

55.16 (1) maintain compliance with the driver's license compact under section 171.50 and
55.17 applicable federal law governing commercial driver's licenses; ~~and~~

55.18 (2) perform identity verification as part of an application for a replacement Social Security
55.19 card issued by the Social Security Administration; and

55.20 (3) perform identity verification for a program participant in the Transportation Security
55.21 Administration's Registered Traveler program who has voluntarily provided their Minnesota
55.22 driver's license or identification card to confirm their identity to a private entity operating
55.23 under the Registered Traveler program.

55.24 (c) For purposes of paragraph (b), clause (3), the information provided for identity
55.25 verification is limited to name, date of birth, the license or identification card's identification
55.26 number, issuance date, expiration date, and credential security features which does not
55.27 include facial recognition.

55.28 ~~(e)~~ (d) For purposes of this subdivision, "outside the state" includes federal agencies,
55.29 states other than Minnesota, organizations operating under agreement among the states, and
55.30 private entities.

56.1 ~~(d)~~ (e) Prior to disclosing to a data requester, other than the data subject, any data on
56.2 individuals relating to a noncompliant driver's license or identification card, the commissioner
56.3 or a driver's license agent must require the data requester to certify that the data requester
56.4 must not use the data for civil immigration enforcement purposes or disclose the data to a
56.5 state or federal government entity that primarily enforces immigration law or to any employee
56.6 or agent of any such government entity. A data requester who violates the certification
56.7 required in this paragraph may be liable in a civil action brought under section 13.08, may
56.8 be subject to criminal penalties under section 13.09, may have subsequent requests for
56.9 noncompliant driver's license or identification card data be denied by the commissioner,
56.10 and may lose access to the driver records subscription service under section 168.327. A
56.11 certification form used by the commissioner or a driver's license agent under this paragraph
56.12 must include information about penalties that apply for violations.

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

56.14 Sec. 70. Minnesota Statutes 2023 Supplement, section 171.12, subdivision 11, is amended
56.15 to read:

56.16 Subd. 11. **Certain data on noncompliant license or identification card; department**
56.17 **and agents.** (a) For purposes of this section, "immigration status data" means data on
56.18 individuals who have applied for or been issued a noncompliant driver's license or
56.19 identification card and that indicate or otherwise have the effect of identifying (1) whether
56.20 the individual has demonstrated United States citizenship, or (2) whether the individual has
56.21 demonstrated lawful presence in the United States. Immigration status data include but are
56.22 not limited to any documents specified under section ~~171.06, subdivision 9, 10, or 11~~
56.23 171.062; immigration status data contained in those documents; or the applicant's submission
56.24 of the documents.

56.25 (b) Immigration status data are classified as private data on individuals, as defined in
56.26 section 13.02, subdivision 12. Notwithstanding any law to the contrary, the commissioner
56.27 or a driver's license agent must not share or disseminate immigration status data except to
56.28 or within the division of the department that administers driver licensing and to the secretary
56.29 of state for purposes of improving the accuracy of voter registration records under subdivision
56.30 7a.

56.31 (c) As authorized or required by state or federal law, the commissioner or a driver's
56.32 license agent may share or disseminate data on individuals who have applied for or been
56.33 issued a noncompliant driver's license or identification card that are not immigration status
56.34 data to a government entity, as defined in section 13.02, subdivision 7a, or to a federal

57.1 government entity that does not enforce immigration law, provided that the receiving entity
57.2 must not use the data for civil immigration enforcement purposes or further disclose the
57.3 data to a state or federal government entity that primarily enforces immigration law or to
57.4 any employee or agent of any such government entity.

57.5 (d) Notwithstanding any law to the contrary, the commissioner or a driver's license agent
57.6 must not share or disseminate any data on individuals who have applied for or been issued
57.7 a noncompliant driver's license or identification card to any federal government entity that
57.8 primarily enforces immigration law, except pursuant to a valid search warrant or court order
57.9 issued by a state or federal judge.

57.10 (e) Violation of this subdivision by the commissioner, a driver's license agent, a
57.11 government entity, or an employee or agent thereof constitutes a violation of the Minnesota
57.12 Government Data Practices Act and may be subject to penalties and remedies applicable
57.13 under that chapter.

57.14 Sec. 71. Minnesota Statutes 2023 Supplement, section 171.13, subdivision 1a, is amended
57.15 to read:

57.16 Subd. 1a. **Waiver when license issued by another jurisdiction.** (a) If the commissioner
57.17 determines that an applicant for a driver's license is 21 years of age or older and possesses
57.18 a valid driver's license issued by another state or jurisdiction that requires a comparable
57.19 examination to obtain a driver's license, the commissioner must waive the requirements that
57.20 the applicant pass a knowledge examination and demonstrate ability to exercise ordinary
57.21 and reasonable control in the operation of a motor vehicle.

57.22 (b) If the commissioner determines that an applicant for a ~~two-wheeled vehicle~~ motorcycle
57.23 endorsement is 21 years of age or older and possesses a valid driver's license with a
57.24 ~~two-wheeled vehicle~~ motorcycle endorsement issued by another state or jurisdiction that
57.25 requires a comparable examination to obtain an endorsement, the commissioner must waive
57.26 the requirements with respect to the endorsement that the applicant pass a knowledge
57.27 examination and demonstrate the ability to exercise ordinary and reasonable control in the
57.28 operation of a motor vehicle.

57.29 (c) For purposes of this subdivision, "jurisdiction" includes, but is not limited to, both
57.30 the active and reserve components of any branch or unit of the United States armed forces,
57.31 and "valid driver's license" includes any driver's license that is recognized by that branch
57.32 or unit as currently being valid, or as having been valid at the time of the applicant's
57.33 separation or discharge from the military within a period of time deemed reasonable and

58.1 fair by the commissioner, up to and including one year past the date of the applicant's
58.2 separation or discharge.

58.3 Sec. 72. Minnesota Statutes 2022, section 171.13, subdivision 6, is amended to read:

58.4 Subd. 6. ~~Two-wheeled vehicle~~ **Motorcycle endorsement examination fee.** A person
58.5 applying for an initial ~~two-wheeled vehicle~~ motorcycle endorsement on a driver's license
58.6 ~~shall~~ must pay at the place of examination a \$2.50 examination fee, an endorsement fee as
58.7 prescribed in section 171.06, subdivision 2a, and the appropriate driver's license fee as
58.8 prescribed in section 171.06, subdivision 2.

58.9 Sec. 73. Minnesota Statutes 2022, section 171.13, is amended by adding a subdivision to
58.10 read:

58.11 Subd. 10. Exam scheduling reporting. (a) For purposes of this subdivision, the following
58.12 terms have the meanings given:

58.13 (1) "delay" or "delayed" means a road test examination under this section between 15
58.14 and 30 days after an eligible applicant's request for a road test; and

58.15 (2) "reporting period" means a calendar year or a fiscal year as identified for each report
58.16 under paragraph (b).

58.17 (b) By March 1 and September 1 of each year, the commissioner must submit a report
58.18 on road test examination scheduling to the chairs and ranking minority members of the
58.19 legislative committees with jurisdiction over transportation policy and finance. The report
58.20 due by September 1 must include information for the most recently ended fiscal year. The
58.21 report due by March 1 must include information for the most recently ended calendar year.

58.22 (c) At a minimum, the report must:

58.23 (1) identify each performance measure or metric established by the commissioner related
58.24 to scheduling availability and passage of road tests;

58.25 (2) for the reporting period, identify the results for the performance measures or metrics
58.26 under clause (1); and

58.27 (3) for the reporting period, identify the rate at which applicants are able to obtain an
58.28 appointment for a road test in the time period provided under subdivision 1, paragraph (d),
58.29 compared to the number of individuals who experienced a delay in booking a road test
58.30 appointment.

59.1 (d) For the reporting period, if a goal is not met in a performance measure or metric
 59.2 under paragraph (c), clause (1), or if the requirements specified under subdivision 1,
 59.3 paragraph (d), are not fully met, the report must also:

59.4 (1) include the number of administered road tests for Class D and commercial drivers'
 59.5 licenses per month for the previous five fiscal years;

59.6 (2) provide information about factors that impact road test examination appointment
 59.7 availability, including information on staffing and the use of overtime at exam stations,
 59.8 budgetary resources, the number of potential applicants seeking a road test, and any other
 59.9 analysis based on the department's experience necessary to identify and project what may
 59.10 cause delays in the next five fiscal years;

59.11 (3) analyze the rate and frequency of which an applicant was administered a road test
 59.12 for either a Class D or commercial driver's license at an exam station outside the applicant's
 59.13 county or exam station region to identify the rate at which an applicant must travel to obtain
 59.14 a road test appointment;

59.15 (4) for the analysis required in clause (3), provide a breakout by county and exam station
 59.16 region; and

59.17 (5) conduct the analysis required in clauses (3) and (4) for retakes of Class D or
 59.18 commercial driver's license road tests.

59.19 Sec. 74. Minnesota Statutes 2022, section 171.30, subdivision 2a, is amended to read:

59.20 Subd. 2a. **Other waiting periods.** Notwithstanding subdivision 2, a limited license ~~shall~~
 59.21 must not be issued for a period of:

59.22 (1) 15 days, to a person whose license or privilege has been revoked or suspended for
 59.23 a first violation of section 169A.20, sections 169A.50 to 169A.53, section 171.177, or a
 59.24 statute or ordinance from another state in conformity with either of those sections; or

59.25 (2) one year, to a person whose license or privilege has been revoked or suspended for:

59.26 (i) committing manslaughter resulting from the operation of a motor vehicle, committing
 59.27 criminal vehicular homicide or injury under section 609.2112, subdivision 1, clause (1),
 59.28 (2), item (ii), (5), (6), (7), or (8), committing criminal vehicular homicide under section
 59.29 609.2112, subdivision 1, clause (2), item (i) or (iii), (3), or (4), or violating a statute or
 59.30 ordinance from another state in conformity with either of those offenses; or

59.31 (ii) committing criminal vehicular operation under section:

59.32 (A) 609.2113, subdivision 1, 2, or 3; or

60.1 (B) 609.2114, subdivision 2.

60.2 Sec. 75. Minnesota Statutes 2022, section 171.30, subdivision 5, is amended to read:

60.3 Subd. 5. **Exception; criminal vehicular ~~operation~~ homicide.** Notwithstanding
60.4 subdivision 1, the commissioner may not issue a limited license to a person whose driver's
60.5 license has been suspended or revoked due to:

60.6 (1) a violation of ~~under~~ section:

60.7 (i) 609.2112, subdivision 1, ~~clause (2), item (i) or (iii), (3), or (4), resulting in bodily~~
60.8 ~~harm, substantial bodily harm, or great bodily harm~~ paragraph (a);

60.9 (ii) 609.2114, subdivision 1, paragraph (a); or

60.10 (iii) 169.13, subdivision 1, that contributed to causing death to another; or

60.11 (2) a statute or ordinance from another state in conformity with the offenses under clause
60.12 (1).

60.13 Sec. 76. Minnesota Statutes 2022, section 171.335, subdivision 3, is amended to read:

60.14 Subd. 3. **Appropriation.** (a) All funds in the motorcycle safety fund and account created ~~by~~
60.15 under section 171.06, subdivision 2a, are ~~hereby~~ annually appropriated to the commissioner
60.16 of public safety to carry out the purposes of subdivisions 1 and 2.

60.17 (b) Of the money appropriated under paragraph (a):

60.18 (1) not more than five percent shall be expended to defray the administrative costs of
60.19 carrying out the purposes of subdivisions 1 and 2; and

60.20 (2) not more than 65 percent shall be expended for the combined purpose of training
60.21 and coordinating the activities of motorcycle safety instructors and making reimbursements
60.22 to schools and other approved organizations.

60.23 **EFFECTIVE DATE.** This section is effective July 1, 2024.

60.24 Sec. 77. Minnesota Statutes 2023 Supplement, section 171.395, subdivision 1, is amended
60.25 to read:

60.26 Subdivision 1. **Authorization.** A licensed or approved driver education program that
60.27 provides both classroom and behind-the-wheel instruction may offer teleconference driver
60.28 education as provided in this section. For purposes of this section, the driver education
60.29 program must offer both classroom and behind-the-wheel instruction. ~~If a program partners~~
60.30 ~~or contracts with a second program to provide any portion of classroom or behind-the-wheel~~

61.1 ~~instruction, the first program is not eligible to offer teleconference driver education~~

61.2 ~~instruction.~~

61.3 Sec. 78. Minnesota Statutes 2023 Supplement, section 171.396, is amended to read:

61.4 **171.396 ONLINE DRIVER EDUCATION PROGRAM.**

61.5 (a) A licensed or approved driver education program may offer online driver education
61.6 as provided in this section. The online driver education program must satisfy the requirements
61.7 for classroom driver education as provided in section 171.0701, subdivision 1, and Minnesota
61.8 Rules, chapter 7411. In addition, an online driver education program must:

61.9 (1) include a means for the student to measure performance outcomes;

61.10 (2) use a pool of rotating quiz questions;

61.11 (3) incorporate accountability features to ensure the identity of the student while engaged
61.12 in the course of online study;

61.13 (4) measure the amount of time that the student spends in the course;

61.14 (5) provide technical support to customers that is available 24 hours per day, seven days
61.15 per week;

61.16 (6) require a licensed Minnesota driver education instructor to monitor each student's
61.17 progress and be available to answer questions in a timely manner, provided that the instructor
61.18 is not required to monitor progress or answer questions in real time;

61.19 (7) store course content and student data on a secure server that is protected against data
61.20 breaches and is regularly backed up;

61.21 (8) incorporate preventive measures in place to protect against the access of private
61.22 information;

61.23 (9) include the ability to update course content uniformly throughout the state; and

61.24 (10) provide online interactive supplemental parental curriculum consistent with section
61.25 171.0701, subdivision 1a.

61.26 (b) Except as required by this section, the commissioner is prohibited from imposing
61.27 requirements on online driver education programs that are not equally applicable to classroom
61.28 driver education programs.

62.1 Sec. 79. Minnesota Statutes 2022, section 174.03, subdivision 12, is amended to read:

62.2 Subd. 12. **Trunk highway performance, resiliency, and sustainability.** (a) The
62.3 commissioner must implement performance measures and ~~annual~~ targets for the trunk
62.4 highway system in order to construct resilient infrastructure, enhance the project selection
62.5 for all transportation modes, improve economic security, and achieve the state transportation
62.6 goals established in section 174.01.

62.7 (b) At a minimum, the transportation planning process must include:

62.8 (1) an inventory of transportation assets, including but not limited to bridge, pavement,
62.9 geotechnical, pedestrian, bicycle, and transit asset categories;

62.10 (2) ~~lag (resulting), and where practicable lead (predictive),~~ establishment of statewide
62.11 performance measures and annual targets, reporting of performance measure results, and
62.12 where possible, performance forecasts that are:

62.13 (i) statewide and, where data allow, district-specific;

62.14 (ii) for assets in each asset category specified in clause (1) ~~for a period of up to 60 years;~~
62.15 and

62.16 (iii) identified in collaboration with the public;

62.17 (3) gap identification and an explanation of the difference between performance targets
62.18 and current status; and

62.19 (4) life cycle assessment and corridor risk assessment as part of asset management
62.20 programs in each district of the department.

62.21 (c) At a minimum, the ten-year capital highway investment plan in each district of the
62.22 department must:

62.23 (1) be based on expected funding during the plan period and, to the extent feasible,
62.24 maximize long-term benefits;

62.25 (2) estimate the funding necessary to make optimal life cycle investments;

62.26 ~~(2)~~ (3) identify investments within each of the asset categories specified in paragraph
62.27 (b), clause (1), that are funded through the trunk highway capital program;

62.28 ~~(3)~~ (4) ~~recommend~~ identify specific trunk highway segments programmed to be removed
62.29 from the trunk highway system; and

62.30 ~~(4)~~ (5) deliver annual progress toward achieving the state transportation goals established
62.31 in section 174.01.

63.1 (d) Annually by December 15, the commissioner must report trunk highway performance
63.2 measures and ~~annual~~ targets and identify gaps, including information detailing the
63.3 department's progress on achieving the state transportation goals, to the chairs and ranking
63.4 minority members of the legislative committees having jurisdiction over transportation
63.5 policy and finance. The report must be signed by the ~~department's chief engineer~~
63.6 commissioner.

63.7 Sec. 80. Minnesota Statutes 2023 Supplement, section 174.38, subdivision 3, is amended
63.8 to read:

63.9 Subd. 3. **Active transportation accounts.** (a) An active transportation account is
63.10 established in the special revenue fund. The account consists of funds provided by law and
63.11 any other money donated, allotted, transferred, or otherwise provided to the account. Money
63.12 in the account is annually appropriated to the commissioner and must be expended only on
63.13 projects that receive financial assistance under this section.

63.14 (b) An active transportation account is established in the bond proceeds fund. The account
63.15 consists of state bond proceeds appropriated to the commissioner. Money in the account
63.16 may only be expended on bond-eligible costs of a project receiving financial assistance as
63.17 provided under this section. Money in the account may only be expended on a project that
63.18 is publicly owned.

63.19 ~~(c) An active transportation account is established in the general fund. The account~~
63.20 ~~consists of money as provided by law and any other money donated, allotted, transferred,~~
63.21 ~~or otherwise provided to the account. Money in the account may only be expended on a~~
63.22 ~~project receiving financial assistance as provided under this section.~~

63.23 **EFFECTIVE DATE.** This section is effective July 1, 2024.

63.24 Sec. 81. Minnesota Statutes 2023 Supplement, section 174.40, subdivision 4a, is amended
63.25 to read:

63.26 Subd. 4a. **Eligibility.** A statutory or home rule charter city, county, town, or federally
63.27 recognized Indian Tribe is eligible to receive funding under this section. A statutory or home
63.28 rule charter city, county, or town is eligible to receive funding for infrastructure projects
63.29 under this section only if it has adopted subdivision regulations that require safe routes to
63.30 school infrastructure in developments authorized on or after June 1, 2016.

64.1 Sec. 82. [174.595] TRANSPORTATION FACILITIES CAPITAL PROGRAM.

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

64.4 (b) "Capital building asset" includes but is not limited to district headquarters buildings,
64.5 truck stations, salt storage or other unheated storage buildings, deicing and anti-icing
64.6 facilities, fuel dispensing facilities, highway rest areas, and vehicle weigh and inspection
64.7 stations.

64.8 (c) "Commissioner" means the commissioner of transportation.

64.9 (d) "Department" means the Department of Transportation.

64.10 (e) "Program" means the transportation facilities capital program established in this
64.11 section.

64.12 Subd. 2. Program established. The commissioner must establish a transportation
64.13 facilities capital program in conformance with this section to provide for capital building
64.14 asset projects related to buildings and other capital facilities of the department.

64.15 Subd. 3. Transportation facilities capital accounts. (a) A transportation facilities
64.16 capital account is established in the trunk highway fund. The account consists of money
64.17 appropriated from the trunk highway fund for the purposes of the program and any other
64.18 money donated, allotted, transferred, or otherwise provided to the account by law.

64.19 (b) A transportation facilities capital subaccount is established in the bond proceeds
64.20 account in the trunk highway fund. The subaccount consists of trunk highway bond proceeds
64.21 appropriated to the commissioner for the purposes of the program. Money in the subaccount
64.22 may only be expended on trunk highway purposes, including the purposes specified in this
64.23 section.

64.24 Subd. 4. Implementation standards. The commissioner must establish a process to
64.25 implement the program that includes allocation of funding based on review of eligible
64.26 projects as provided under subdivision 5 and prioritization as provided under subdivision
64.27 6. The process must be in conformance with trunk highway fund uses for the purposes of
64.28 constructing, improving, and maintaining the trunk highway system in the state pursuant
64.29 to Minnesota Constitution, article XIV.

64.30 Subd. 5. Eligible expenditures. A project is eligible under this section only if the project:

64.31 (1) involves the construction, improvement, or maintenance of a capital building asset
64.32 that is part of the trunk highway system;

65.1 (2) accomplishes at least one of the following:

65.2 (i) supports the programmatic mission of the department;

65.3 (ii) extends the useful life of existing buildings; or

65.4 (iii) renovates or constructs facilities to meet the department's current and future

65.5 operational needs; and

65.6 (3) complies with the sustainable building guidelines provided in section 16B.325.

65.7 Subd. 6. **Prioritization.** In prioritizing funding allocation among projects under the
65.8 program, the commissioner must consider:

65.9 (1) whether a project ensures the effective and efficient condition and operation of the
65.10 facility;

65.11 (2) the urgency in ensuring the safe use of existing buildings;

65.12 (3) the project's total life-cycle cost;

65.13 (4) additional criteria for priorities otherwise specified in law that apply to a category

65.14 listed in the act making an appropriation for the program; and

65.15 (5) any other criteria the commissioner deems necessary.

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

65.17 Sec. 83. Minnesota Statutes 2022, section 174.632, subdivision 2, is amended to read:

65.18 Subd. 2. **Responsibilities.** (a) The planning, design, development, construction, operation,
65.19 and maintenance of passenger rail track, facilities, and services are governmental functions,
65.20 serve a public purpose, and are a matter of public necessity.

65.21 (b) The commissioner is responsible for all aspects of planning, designing, developing,
65.22 constructing, equipping, operating, promoting, and maintaining passenger rail, including
65.23 system planning, alternatives analysis, environmental studies, preliminary engineering, final
65.24 design, construction, negotiating with railroads, and developing financial and operating
65.25 plans.

65.26 (c) The commissioner may enter into a memorandum of understanding or agreement
65.27 with a public or private entity, including Amtrak, a regional railroad authority, a joint powers
65.28 board, and a railroad, to carry out these activities.

66.1 Sec. 84. Minnesota Statutes 2022, section 174.636, subdivision 1, is amended to read:

66.2 Subdivision 1. **Powers.** The commissioner has all powers necessary to carry out the
66.3 duties specified in section 174.632. In the exercise of those powers, the commissioner may:

66.4 (1) acquire by purchase, gift, or by eminent domain proceedings as provided by law, all
66.5 land and property necessary to preserve future passenger rail corridors or to construct,
66.6 maintain, and improve passenger rail corridors;

66.7 (2) conduct and engage in promotional and marketing research, campaigns, outreach,
66.8 and other activities to increase awareness, education, and ridership of passenger rail in
66.9 Minnesota;

66.10 ~~(2)~~ (3) let all necessary contracts as provided by law; and

66.11 ~~(3)~~ (4) make agreements with and cooperate with any public or private entity, including
66.12 Amtrak, to carry out statutory duties related to passenger rail.

66.13 Sec. 85. Minnesota Statutes 2022, section 216D.01, is amended by adding a subdivision
66.14 to read:

66.15 Subd. 7a. **Locate.** "Locate" means an operator's markings of an underground facility.

66.16 Sec. 86. Minnesota Statutes 2022, section 216D.01, is amended by adding a subdivision
66.17 to read:

66.18 Subd. 7b. **Locate period.** "Locate period" means:

66.19 (1) the period among the following that ends farthest from now:

66.20 (i) the 48-hour period beginning at 12:01 a.m. on the day after a locate request is
66.21 submitted to the notification center, excluding any Saturday, Sunday, or holiday; or

66.22 (ii) the period between the date of submission of a locate request to the notification
66.23 center and the identified date and time of excavation; or

66.24 (2) if applicable, and notwithstanding clause (1), a period of time that is mutually agreed
66.25 to between the excavator and operator, as specified in written documentation provided to
66.26 the notification center.

66.27 Sec. 87. Minnesota Statutes 2022, section 216D.01, is amended by adding a subdivision
66.28 to read:

66.29 Subd. 8a. **On-site meet.** "On-site meet" means meeting at the site of a proposed
66.30 excavation requested at the time of notice by the excavator with all affected underground

67.1 facility operators to further clarify the precise geographic location of excavation, schedule
67.2 the locating, propose future contacts, and share other information concerning the excavation
67.3 and facilities.

67.4 Sec. 88. Minnesota Statutes 2022, section 216D.01, subdivision 12, is amended to read:

67.5 Subd. 12. **Utility quality level.** "Utility quality level" means a professional opinion
67.6 about the quality and reliability of utility information. There are four levels of utility quality
67.7 information, ranging from the most precise and reliable, level A, to the least precise and
67.8 reliable, level D. The utility quality level must be determined in accordance with guidelines
67.9 established by the Construction Institute of the American Society of Civil Engineers in the
67.10 document CI/ASCE 38-02 entitled "Standard Guidelines for the Collection and Depiction
67.11 of Existing Subsurface Utility Data. Standard Guideline for Investigating and Documenting
67.12 Existing Utilities," ASCE/UESI/CI 38-22, or in a successor document.

67.13 Sec. 89. Minnesota Statutes 2022, section 216D.03, is amended by adding a subdivision
67.14 to read:

67.15 Subd. 5. **Performance reporting.** (a) Each operator must submit a report to the Office
67.16 of Pipeline Safety on a quarterly basis, using a form or database entry designated by the
67.17 Office of Pipeline Safety. The report must contain the following information:

67.18 (1) the total number of notifications and the number of notifications, itemized by type;

67.19 (2) for each notification type, the percentage of notifications marked by the start time
67.20 on the notice; and

67.21 (3) the number of utility damages, itemized by the cause of the damages.

67.22 (b) Except for a pipeline operator that is subject to chapter 299F or 299J, an operator
67.23 with fewer than 5,000 notifications received during the previous calendar year is exempt
67.24 from the reporting requirement under paragraph (a).

67.25 (c) The data collected under this subdivision may not be used to initiate an enforcement
67.26 action by the Office of Pipeline Safety.

67.27 (d) The commissioner must annually publish a report on the data collected under this
67.28 subdivision and make the report available on the Office of Pipeline Safety website.

68.1 Sec. 90. Minnesota Statutes 2022, section 216D.04, is amended to read:

68.2 **216D.04 EXCAVATION; LAND SURVEY.**

68.3 Subdivision 1. **Notice required; contents.** (a) Except in an emergency, an excavator
68.4 ~~shall~~ must and a land surveyor may contact the notification center and provide notice at
68.5 least 48 hours, excluding the day of notification, Saturdays, Sundays, and holidays and not
68.6 more than 14 calendar days before beginning any excavation or boundary survey. An
68.7 excavation or boundary survey begins, for purposes of this requirement, the first time
68.8 excavation or a boundary survey occurs in an area that was not previously identified by the
68.9 excavator or land surveyor in the notice.

68.10 (b) The notice may be oral or written, and must contain the following information:

68.11 (1) the name of the individual providing the notice;

68.12 (2) the precise location of the proposed area of excavation or survey;

68.13 (3) the name, address, and telephone number of the individual or individual's company;

68.14 (4) the field telephone number, if one is available;

68.15 (5) the type and extent of the activity;

68.16 (6) whether or not the discharge of explosives is anticipated;

68.17 (7) the date and time when the excavation or survey is to commence; and

68.18 (8) the estimated duration of the activity.

68.19 Subd. 1a. **Plans for excavation.** (a) Any person, prior to soliciting bids or entering into
68.20 a contract for excavation, ~~shall~~ must provide a proposed notice to the notification center to
68.21 obtain from the affected operators of underground facilities the type, size, and general
68.22 location of underground facilities. Affected operators ~~shall~~ must provide the information
68.23 within 15 working days. An operator who provides information to a person who is not a
68.24 unit of government may indicate any portions of the information which are proprietary and
68.25 may require the person to provide appropriate confidentiality protection. The information
68.26 obtained from affected operators must be submitted on the final drawing used for the bid
68.27 or contract and must depict the utility quality level of that information. This information
68.28 must be updated not more than 90 days before completion of the final drawing used for the
68.29 bid or contract.

68.30 (b) This subdivision does not apply to bids and contracts for:

69.1 (1) routine maintenance of underground facilities or installation, maintenance, or repair
69.2 of service lines;

69.3 (2) excavation for operators of underground facilities performed on a unit of work or
69.4 similar basis; or

69.5 (3) excavation for home construction and projects by home owners.

69.6 (c) A person required by this section to show existing underground facilities on its
69.7 drawings ~~shall~~ must conduct one or more preliminary design meetings during the design
69.8 phase to communicate the project design and project scope and timeline and to coordinate
69.9 utility relocation. Affected facility operators ~~shall~~ must attend these meetings ~~or make other~~
69.10 ~~arrangements to provide information.~~ Project owners must provide project start dates,
69.11 duration information, and scope of work.

69.12 (d) A person required by this section to show existing underground facilities on its
69.13 drawings ~~shall~~ must conduct one or more preconstruction meetings to communicate the
69.14 project design and project scope and timeline and to coordinate utility relocation. Affected
69.15 facility operators and contractors ~~shall~~ must attend these meetings ~~or make other arrangements~~
69.16 ~~to provide information.~~

69.17 (e) This subdivision does not affect the obligation to provide a notice of excavation as
69.18 required under subdivision 1.

69.19 Subd. 1b. On-site meet. (a) An on-site meet may be requested for any excavation at the
69.20 discretion of the excavator. The meet request must include the entire geographic area of the
69.21 proposed excavation and the specific location of the meet.

69.22 (b) Unless otherwise agreed to between an excavator and operator, an on-site meet is
69.23 required for:

69.24 (1) an excavation notice that involves excavation of one mile or more in length; or

69.25 (2) any combination of notices provided for adjacent geographic sections that, when
69.26 combined, meet or exceed the minimum excavation length under clause (1).

69.27 (c) The excavator must provide a precise geographic area of the proposed excavation
69.28 and use markings as specified under section 216D.05, clause (2).

69.29 (d) An affected operator must (1) attend the on-site meet at the proposed date and time,
69.30 or (2) contact the excavator before the meet and (i) reschedule the meet for a mutually
69.31 agreed date and time, or (ii) reach an agreement with the excavator that a meet is not required.

70.1 At the meet, the operator and the excavator must reach an agreement on any subsequent
70.2 planned meets or further communication.

70.3 (e) The on-site meet date and time must occur at least 48 hours after the notice, excluding
70.4 Saturdays, Sundays, and holidays. The excavation start time must be at least 48 hours after
70.5 the proposed meet date and time specified on the notice, excluding Saturdays, Sundays, and
70.6 holidays.

70.7 (f) The excavator and the operator must submit documentation of each on-site meet to
70.8 the notification center, in the manner specified by the notification center. The documentation
70.9 must include:

70.10 (1) the date and time of the meet;

70.11 (2) the names, company affiliations, and contact information of the attendees of each
70.12 meet;

70.13 (3) a diagram, sketch, or description of the precise excavation locations, dates, and times;
70.14 and

70.15 (4) the agreed schedule of any future on-site meets or communications.

70.16 Subd. 2. **Duties of notification center; regarding notice.** The notification center ~~shall~~
70.17 must assign an inquiry identification number to each notice and retain a record of all notices
70.18 received for at least six years. The center ~~shall~~ must immediately transmit the information
70.19 contained in a notice to every operator that has an underground facility in the area of the
70.20 proposed excavation or boundary survey.

70.21 Subd. 3. **Locating underground facility; operator.** (a) Prior to the ~~excavation start~~
70.22 ~~time on the notice~~ conclusion of the locate period, an operator ~~shall~~ must locate and mark
70.23 or otherwise provide the approximate horizontal location of the underground facilities of
70.24 the operator and provide readily available information regarding the operator's abandoned
70.25 and out-of-service underground facilities as shown on maps, drawings, diagrams, or other
70.26 records used in the operator's normal course of business, without cost to the excavator. The
70.27 excavator ~~shall~~ must determine the precise location of the underground facility, without
70.28 damage, before excavating within two feet of the marked location of the underground facility.

70.29 (b) Within 96 hours or the time specified in the notice, whichever is later, after receiving
70.30 a notice for boundary survey from the notification center, excluding Saturdays, Sundays,
70.31 and holidays, unless otherwise agreed to between the land surveyor and operator, an operator
70.32 ~~shall~~ must locate and mark or otherwise provide the approximate horizontal location of the
70.33 underground facilities of the operator, without cost to the land surveyor.

71.1 (c) For the purpose of this section, the approximate horizontal location of the underground
71.2 facilities is a strip of land two feet on either side of the underground facilities.

71.3 (d) Markers used to designate the approximate horizontal location of underground
71.4 facilities ~~must~~ are subject to the following requirements:

71.5 (1) markers must be a combination of paint markings and at least one of the following:
71.6 (i) a flag or flags, (ii) a stake or stakes, or (iii) a whisker or whiskers;

71.7 (2) all markers under clause (1) must follow the current color code standard used by the
71.8 American Public Works Association;

71.9 (3) markers must be located within a plus or minus two-foot tolerance; and

71.10 (4) the name of the operator must be indicated on each flag, stake, or whisker.

71.11 If the surface being marked is hard, markers without flags, stakes, or whiskers may be used
71.12 but must comply with the color code standard and tolerance requirement under clauses (2)
71.13 and (3).

71.14 (e) If the operator cannot complete marking of the excavation or boundary survey area
71.15 before the excavation or boundary survey start time stated in the notice, the operator ~~shall~~
71.16 must promptly contact the excavator or land surveyor.

71.17 (f) ~~After December 31, 1998,~~ Operators ~~shall~~ must maintain maps, drawings, diagrams,
71.18 or other records of any underground facility abandoned or out-of-service after December
71.19 31, 1998.

71.20 (g) An operator or other person providing information pursuant to this subdivision is
71.21 not responsible to any person, for any costs, claims, or damages for information provided
71.22 in good faith regarding abandoned, out-of-service, or private or customer-owned underground
71.23 facilities.

71.24 (h) An operator must use geospatial location information or an equivalent technology
71.25 to develop as-built drawings of newly installed or newly abandoned facilities if exposed in
71.26 the excavation area. The requirements under this paragraph apply (1) on or after January 1,
71.27 2026, or (2) on or after January 1, 2027, for an operator that provided services to fewer than
71.28 10,000 customers in calendar year 2025.

71.29 Subd. 4. **Locating underground facility; excavator or land surveyor.** (a) The excavator
71.30 or land surveyor ~~shall~~ must determine the precise location of the underground facility,
71.31 without damage, before excavating within two feet on either side of the marked location of
71.32 the underground facility.

72.1 (b) Activities in the proposed area of excavation or boundary survey must take place
 72.2 before the expiration date and time on the notification. If the excavator or land surveyor
 72.3 cancels the excavation or boundary survey, the excavator or land surveyor ~~shall~~ must cancel
 72.4 the notice through the notification center.

72.5 (c) The notice is valid for 14 calendar days from the start time stated on the notice. If
 72.6 the activity will continue after the expiration time, then the person responsible for the activity
 72.7 ~~shall~~ must serve an additional notice at least 48 hours, excluding Saturdays, Sundays, and
 72.8 holidays, before the expiration time of the original notice, unless the excavator makes
 72.9 arrangements with the operators affected to periodically verify or refresh the marks, in
 72.10 which case the notice is valid for six months from the start time stated on the notice.

72.11 (d) The excavator is responsible for reasonably protecting and preserving the marks until
 72.12 no longer required for proper and safe excavation near the underground facility. If the
 72.13 excavator has reason to believe the marks are obliterated, obscured, missing, or incorrect,
 72.14 the excavator ~~shall~~ must notify the facility operator or notification center in order to have
 72.15 an operator verify or refresh the marks.

72.16 Sec. 91. Minnesota Statutes 2022, section 216D.05, is amended to read:

72.17 **216D.05 PRECAUTIONS TO AVOID DAMAGE.**

72.18 (a) An excavator ~~shall~~ must:

72.19 (1) plan the excavation to avoid damage to and minimize interference with underground
 72.20 facilities in and near the construction area;

72.21 (2) ~~use white markings for proposed excavations except where it can be shown that it~~
 72.22 ~~is not practical,~~ use (i) white markings or black markings in wintery conditions, or (ii)
 72.23 electronic marking as provided in paragraph (b);

72.24 (3) maintain a clearance between an underground facility and the cutting edge or point
 72.25 of any mechanized equipment, considering the known limit of control of the cutting edge
 72.26 or point to avoid damage to the facility;

72.27 (4) provide support for underground facilities in and near the construction area, including
 72.28 during backfill operations, to protect the facilities; and

72.29 (5) conduct the excavation in a careful and prudent manner.

72.30 (b) An excavator may use electronic marking under paragraph (a), clause (2), if:

72.31 (1) the marking provides at least as much proposed excavation information as equivalent
 72.32 physical markings; and

73.1 (2) electronic marking used prior to January 1, 2026, is accompanied by equivalent
73.2 physical markings as provided under paragraph (a), clause (2).

73.3 (c) Following submission of electronic marking, an operator may require the excavator
73.4 to use physical markings.

73.5 Sec. 92. **[219.455] DEFINITIONS.**

73.6 (a) For purposes of sections 219.45 to 219.53, the following terms have the meanings
73.7 given.

73.8 (b) "Depot company" means a company formed to construct and operate a passenger
73.9 station on behalf of a railroad or rail carrier.

73.10 (c) "Passenger service" means both intercity rail passenger service and commuter rail
73.11 passenger service.

73.12 (d) "Railway company" means a company incorporated or licensed to operate a railroad
73.13 track or train, and includes a company that loads, unloads, or transloads products.

73.14 (e) "Terminal" means a facility or station where:

73.15 (1) trains stop to load, unload, or transfer passengers, freight, or both;

73.16 (2) formation, dispatch, reception and temporary stabling, and marshalling of rolling
73.17 stock occurs; or

73.18 (3) trains are serviced, maintained, or repaired.

73.19 (f) "Yard" means a system of tracks within defined limits provided for making up trains,
73.20 storing cars, and other purposes.

73.21 (g) "Yard track" means a system of tracks within defined limits used for:

73.22 (1) the making up or breaking up of trains;

73.23 (2) the storing of cars; and

73.24 (3) other related purposes over which movements not authorized by timetable or by train
73.25 order may be made subject to prescribed signals, rules, or other special instructions.

73.26 Sidings used exclusively as passing track and main line track within yard limits do not
73.27 constitute yard track.

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

74.1 Sec. 93. Minnesota Statutes 2022, section 219.46, subdivision 1, is amended to read:

74.2 Subdivision 1. **Structure.** (a) On and after April 16, 1913, it is unlawful for a common
74.3 carrier or any other person, on a standard gauge road on its line or a standard gauge sidetrack,
74.4 for use in any traffic mentioned in section 219.45:

74.5 (1) to erect or reconstruct and maintain an adjoining warehouse, coal chute, stock pen,
74.6 pole, mail crane, standpipe, hog drencher, or any permanent or fixed structure or obstruction
74.7 within eight feet of the centerline of the track or sidetrack;

74.8 (2) in excavating, to allow an adjoining embankment of earth or natural rock to remain
74.9 within eight feet of the centerline of the track or sidetrack; or

74.10 (3) to erect or reconstruct overhead wires, bridges, viaducts or other obstructions passing
74.11 over or above its tracks at a height less than 21 feet, measured from the top of the track rail.

74.12 (b) If after May 1, 1943, overhead structures or platforms or structures designed only
74.13 to be used in the loading or unloading of cars are rebuilt or remodeled, then these overhead
74.14 structures must be built with an overhead clearance of not less than 22 feet from the top of
74.15 the rail. These structures or platforms must be built with a side clearance of not less than
74.16 8-1/2 feet from the centerline of the track unless by order the commissioner may provide
74.17 otherwise.

74.18 (c) Sections 219.45 to 219.53 do not apply to yards and terminals of: (1) depot companies,
74.19 or (2) railway companies used only for passenger service. If personal injury is sustained by
74.20 an employee of a depot company or railway company used only for passenger service, by
74.21 reason of noncompliance with sections 219.45 to 219.53, that employee, or in case of the
74.22 employee's death, the personal representative, has the rights, privileges, and immunities
74.23 enumerated in section 219.53.

74.24 (d) On and after May 1, 1943, it is unlawful for a common carrier or any other person,
74.25 on a standard gauge road on its line or a standard gauge sidetrack or spur, for use in any
74.26 traffic mentioned in section 219.45:

74.27 (1) to erect or construct and maintain an adjoining warehouse, coal chute, stock pen,
74.28 pole, mail crane, standpipe, hog drencher, or any permanent or fixed structure or obstruction
74.29 within 8-1/2 feet of the centerline of the track;

74.30 (2) in excavating, to allow an adjoining embankment of earth or natural rock to remain
74.31 within 8-1/2 feet of the centerline of the track or sidetrack; or

74.32 (3) to erect or construct overhead wires, bridges, viaducts, or other obstructions passing
74.33 over or above its tracks at a height less than 22 feet, measured from the top of the track rail.

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

75.2 Sec. 94. Minnesota Statutes 2023 Supplement, section 221.0269, subdivision 4, is amended
75.3 to read:

75.4 Subd. 4. **Intrastate transportation; heating fuel products.** (a) If a regional emergency
75.5 has been declared by the President of the United States or by the Federal Motor Carrier
75.6 Safety Administration pursuant to United States Code, title 49, section 390.23(a), ~~and the~~
75.7 ~~declaration includes heating fuel as a covered commodity,~~ the federal regulations incorporated
75.8 into section 221.0314, subdivision 9, for hours of service do not apply to drivers engaged
75.9 in intrastate transportation of heating fuel products when the driver is:

75.10 (1) driving a vehicle designed and exclusively used to transport fuel products; and

75.11 (2) carrying only fuel products as defined in section 296A.01.

75.12 (b) The relief provided by paragraph (a) only applies when the fuel product being
75.13 transported is included in the emergency declaration as a covered commodity.

75.14 (c) Notwithstanding the relief provided in paragraph (a), a driver may not exceed a total
75.15 of 14 hours combined on-duty and driving time after coming on duty following at least ten
75.16 consecutive hours off-duty.

75.17 ~~(e)~~ (d) If a driver is operating under the relief provided by paragraph (a), and the
75.18 declaration is in effect for more than 30 calendar days, the driver must take a 34-hour restart
75.19 before the driver has been on duty for 30 consecutive days.

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

75.21 Sec. 95. Minnesota Statutes 2022, section 221.033, subdivision 1, is amended to read:

75.22 Subdivision 1. **Requirements.** Except as provided in ~~subdivisions 2 to 2d~~ this section,
75.23 no person may transport or offer or accept for transportation within the state of Minnesota
75.24 a hazardous material, hazardous substance, or hazardous waste except in compliance with
75.25 United States Code, title 49, sections 5101 to 5126 and the provisions of Code of Federal
75.26 Regulations, title 49, parts 171 to 199, which are incorporated by reference. Those provisions
75.27 apply to transportation in intrastate commerce to the same extent they apply to transportation
75.28 in interstate commerce.

76.1 Sec. 96. Minnesota Statutes 2022, section 221.033, is amended by adding a subdivision
 76.2 to read:

76.3 Subd. 2e. **Transportation of specific petroleum products; driver requirements.** (a)
 76.4 This subdivision applies to intrastate commerce.

76.5 (b) A driver who operates a motorized tank truck vehicle with a capacity of less than
 76.6 3,500 gallons that is used to transport petroleum products must have a valid commercial
 76.7 driver's license with endorsements for hazardous materials and tank vehicles and be at least
 76.8 18 years of age.

76.9 (c) A driver who operates a vehicle that is used to transport liquefied petroleum gases
 76.10 in nonbulk or bulk packaging as defined in Code of Federal Regulations, title 49, section
 76.11 171.8, including the transportation of consumer storage tanks in compliance with Code of
 76.12 Federal Regulations, title 49, section 173.315(j), must have a valid commercial driver's
 76.13 license with a hazardous materials endorsement and be at least 18 years of age.

76.14 (d) A driver who operates a vehicle under paragraph (c) must also have a tank vehicle
 76.15 endorsement if the aggregate capacity of the bulk packaging being transported is 1,000
 76.16 gallons or more.

76.17 (e) Nonbulk or bulk packaging transported under paragraph (c) must have an aggregate
 76.18 capacity of less than 3,500 gallons.

76.19 Sec. 97. Minnesota Statutes 2022, section 360.013, is amended by adding a subdivision
 76.20 to read:

76.21 Subd. 57c. **Roadable aircraft.** "Roadable aircraft" has the meaning given in section
 76.22 169.011, subdivision 67a.

76.23 Sec. 98. Laws 2023, chapter 68, article 1, section 2, subdivision 4, is amended to read:

76.24 **Subd. 4. Local Roads**

76.25 (a) County State-Aid Highways	917,782,000	991,615,000
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76.26 This appropriation is from the county state-aid
 76.27 highway fund under Minnesota Statutes,
 76.28 sections 161.081, 174.49, and 297A.815,
 76.29 subdivision 3, and chapter 162, and is
 76.30 available until June 30, 2033.

77.1 If the commissioner of transportation
 77.2 determines that a balance remains in the
 77.3 county state-aid highway fund following the
 77.4 appropriations and transfers made in this
 77.5 paragraph and that the appropriations made
 77.6 are insufficient for advancing county state-aid
 77.7 highway projects, an amount necessary to
 77.8 advance the projects, not to exceed the balance
 77.9 in the county state-aid highway fund, is
 77.10 appropriated in each year to the commissioner.
 77.11 Within two weeks of a determination under
 77.12 this contingent appropriation, the
 77.13 commissioner of transportation must notify
 77.14 the commissioner of management and budget
 77.15 and the chairs, ranking minority members, and
 77.16 staff of the legislative committees with
 77.17 jurisdiction over transportation finance
 77.18 concerning funds appropriated. The governor
 77.19 must identify in the next budget submission
 77.20 to the legislature under Minnesota Statutes,
 77.21 section 16A.11, any amount that is
 77.22 appropriated under this paragraph.

77.23	(b) Municipal State-Aid Streets	236,360,000	251,748,000
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77.24 This appropriation is from the municipal
 77.25 state-aid street fund under Minnesota Statutes,
 77.26 chapter 162, and is available until June 30,
 77.27 2033.

77.28 If the commissioner of transportation
 77.29 determines that a balance remains in the
 77.30 municipal state-aid street fund following the
 77.31 appropriations and transfers made in this
 77.32 paragraph and that the appropriations made
 77.33 are insufficient for advancing municipal
 77.34 state-aid street projects, an amount necessary
 77.35 to advance the projects, not to exceed the

78.1 balance in the municipal state-aid street fund,
 78.2 is appropriated in each year to the
 78.3 commissioner. Within two weeks of a
 78.4 determination under this contingent
 78.5 appropriation, the commissioner of
 78.6 transportation must notify the commissioner
 78.7 of management and budget and the chairs,
 78.8 ranking minority members, and staff of the
 78.9 legislative committees with jurisdiction over
 78.10 transportation finance concerning funds
 78.11 appropriated. The governor must identify in
 78.12 the next budget submission to the legislature
 78.13 under Minnesota Statutes, section 16A.11, any
 78.14 amount that is appropriated under this
 78.15 paragraph.

78.16 **(c) Other Local Roads**

78.17	(1) Local Bridges	18,013,000	-0-
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78.18 This appropriation is from the general fund to
 78.19 replace or rehabilitate local deficient bridges
 78.20 under Minnesota Statutes, section 174.50. This
 78.21 is a onetime appropriation and is available
 78.22 until June 30, 2027.

78.23	(2) Local Road Improvement	18,013,000	-0-
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78.24 This appropriation is from the general fund
 78.25 for construction and reconstruction of local
 78.26 roads under Minnesota Statutes, section
 78.27 174.52. This is a onetime appropriation and
 78.28 is available until June 30, 2027.

78.29	(3) Local Transportation Disaster Support	4,300,000	1,000,000
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78.30 This appropriation is from the general fund to
 78.31 provide:

78.32 (i) a cost-share for federal assistance from the
 78.33 Federal Highway Administration for the

79.1 emergency relief program under United States
 79.2 Code, title 23, section 125.; and
 79.3 (ii) assistance for roadway damage on the
 79.4 state-aid or federal-aid system associated with
 79.5 state or federally declared disasters ineligible
 79.6 for assistance from existing state and federal
 79.7 disaster programs.

79.8 Of the appropriation in fiscal year 2024,
 79.9 \$3,300,000 is onetime and is available until
 79.10 June 30, 2027.

79.11 (4) Metropolitan Counties	20,000,000	-0-
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79.12 This appropriation is from the general fund
 79.13 for distribution to metropolitan counties as
 79.14 provided under Minnesota Statutes, section
 79.15 174.49, subdivision 5, for use in conformance
 79.16 with the requirements under Minnesota
 79.17 Statutes, section 174.49, subdivision 6.

79.18 Sec. 99. Laws 2023, chapter 68, article 1, section 17, subdivision 7, is amended to read:

79.19 Subd. 7. **U.S. Highway 52 box culvert underpass; Dakota County.** \$2,000,000 in
 79.20 fiscal year 2024 is appropriated from the general fund to the commissioner of transportation
 79.21 for preliminary and final design, planning, engineering, environmental analysis, acquisition
 79.22 of permanent easements and rights-of-way, and construction of a box culvert underpass ~~at~~
 79.23 or an alternative option near marked U.S. Highway 52 and Dakota County ~~Road 6~~ State-Aid
 79.24 Highway 66 near the Hmong American Farmers Association in the township of Vermillion.
 79.25 This is a onetime appropriation and is available until June 30, 2027.

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

79.27 Sec. 100. Laws 2023, chapter 68, article 1, section 17, subdivision 18, is amended to read:

79.28 Subd. 18. **Town roads.** (a) \$7,000,000 in fiscal year 2024 is appropriated from the
 79.29 general fund to the commissioner of transportation for a grant to a township with a population
 79.30 greater than 10,000 according to the last two federal decennial censuses. This appropriation
 79.31 is for the ~~purposes specified in Minnesota Statutes, section 162.081, subdivision 4~~
 79.32 construction, reconstruction, and gravel maintenance of town roads within the town.

80.1 (b) Notwithstanding internal Department of Transportation guidelines, policies, or
 80.2 documents relating to grant management, the commissioner must disburse the appropriation
 80.3 under this subdivision directly to a township meeting the criteria in paragraph (a), and may
 80.4 do so without complying with Minnesota laws and policies regarding grant management,
 80.5 including but not limited to the requirement to have an agreement.

80.6 (c) Notwithstanding Minnesota Statutes, section 16B.98, subdivision 14, the commissioner
 80.7 must not use any amount of this appropriation for administrative costs.

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

80.9 Sec. 101. Laws 2023, chapter 68, article 2, section 2, subdivision 3, is amended to read:

80.10 **Subd. 3. Transportation Facilities Capital**
 80.11 **Improvements** 87,440,000

80.12 This appropriation is for ~~capital improvements~~
 80.13 ~~to Department of Transportation facilities. The~~
 80.14 ~~improvements must: (1) support the~~
 80.15 ~~programmatic mission of the department; (2)~~
 80.16 ~~extend the useful life of existing buildings; or~~
 80.17 ~~(3) renovate or construct facilities to meet the~~
 80.18 ~~department's current and future operational~~
 80.19 ~~needs~~ the transportation facilities capital
 80.20 program under Minnesota Statutes, section
 80.21 174.595.

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

80.23 Sec. 102. Laws 2023, chapter 68, article 2, section 2, subdivision 4, is amended to read:

80.24 **Subd. 4. Trunk Highway 65; Anoka County** 68,750,000

80.25 This appropriation is for ~~one or more grants~~
 80.26 ~~to the city of Blaine, Anoka County, or both~~
 80.27 ~~for the~~ predesign, right-of-way acquisition,
 80.28 design, engineering, and construction of
 80.29 intersection improvements along Trunk
 80.30 Highway 65 at 99th Avenue Northeast; 105th
 80.31 Avenue Northeast; Anoka County State-Aid
 80.32 Highway 12; 109th Avenue Northeast; 117th
 80.33 Avenue Northeast; and the associated frontage

81.1 roads and backage roads within the trunk
 81.2 highway system.

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

81.4 Sec. 103. Laws 2023, chapter 68, article 2, section 2, subdivision 5, is amended to read:

81.5 **Subd. 5. U.S. Highway 10; Coon Rapids** 30,000,000

81.6 This appropriation is for ~~a grant to Anoka~~
 81.7 ~~County~~ for preliminary engineering,
 81.8 environmental analysis, final design,
 81.9 right-of-way acquisition, construction, and
 81.10 construction administration of a third travel
 81.11 lane in each direction of marked U.S. Highway
 81.12 10 from east of the interchange with Hanson
 81.13 Boulevard to Round Lake Boulevard in the
 81.14 city of Coon Rapids.

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

81.16 Sec. 104. Laws 2023, chapter 68, article 2, section 2, subdivision 7, is amended to read:

81.17 **Subd. 7. U.S. Highway 169 Interchange; Scott**
 81.18 **County** 4,200,000

81.19 This appropriation is for ~~a grant to Scott~~
 81.20 ~~County~~ to design and construct trunk highway
 81.21 improvements associated with an interchange
 81.22 at U.S. Highway 169, marked Trunk Highway
 81.23 282, and Scott County State-Aid Highway 9
 81.24 in the city of Jordan, including
 81.25 accommodations for bicycles and pedestrians
 81.26 and for bridge and road construction.

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

81.28 Sec. 105. Laws 2023, chapter 68, article 2, section 2, subdivision 9, is amended to read:

81.29 **Subd. 9. U.S. Highway 8; Chisago County** 42,000,000

81.30 This appropriation is for ~~a grant to Chisago~~
 81.31 ~~County~~ for predesign, design, engineering,

82.1 and reconstruction of marked U.S. Highway
82.2 8 from Karmel Avenue in Chisago City to
82.3 marked Interstate Highway 35, including
82.4 pedestrian and bike trails along and crossings
82.5 of this segment of marked U.S. Highway 8.

82.6 The reconstruction project may include
82.7 expanding segments of marked U.S. Highway
82.8 8 to four lanes, constructing or reconstructing
82.9 frontage roads and backage roads, and
82.10 realigning local roads to consolidate, remove,
82.11 and relocate access onto and off of U.S.
82.12 Highway 8. This appropriation is for the
82.13 portion of the project that is eligible for use
82.14 of proceeds of trunk highway bonds. ~~This~~
82.15 ~~appropriation is not available until the~~
82.16 ~~commissioner of management and budget~~
82.17 ~~determines that sufficient resources have been~~
82.18 ~~committed from nonstate sources to complete~~
82.19 ~~the project.~~

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

82.21 Sec. 106. **REPORT; CITY SPEED LIMIT ANALYSIS STUDY REQUIRED.**

82.22 (a) The commissioner of transportation must conduct a comprehensive study to assess
82.23 speed limits in cities that adopted speed limits on city streets under the provisions provided
82.24 in Minnesota Statutes, section 169.14, subdivision 5h, since the provision's enactment. The
82.25 commissioner must conduct the assessment on all cities that have instituted speed limit
82.26 changes to determine whether the cities are setting the appropriate speed limit for the roadway
82.27 based on engineering principles, safety considerations, and traffic flow.

82.28 (b) The study required under this section must include:

82.29 (1) an evaluation of roadway design and characteristics;

82.30 (2) an analysis of traffic volume and patterns;

82.31 (3) an examination of crash data and safety records;

82.32 (4) a review of existing speed studies and surveys;

83.1 (5) any discrepancies between established speed limits and engineering recommendations;
83.2 and

83.3 (6) recommendations for upward adjustments to city speed limits necessary to align with
83.4 engineering principles and enhance roadway safety and design.

83.5 (c) By March 15, 2025, the commissioner of transportation must submit the results of
83.6 the comprehensive study to the chairs and ranking minority members of the legislative
83.7 committees with jurisdiction over transportation policy and finance. The report must identify
83.8 affected cities and recommend upward adjustments based on observations in the report.

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

83.10 Sec. 107. **TRAFFIC ENGINEERING STUDIES AND INVESTIGATIONS.**

83.11 (a) Notwithstanding the requirements of the Minnesota Manual on Uniform Traffic
83.12 Control Devices established by the commissioner of transportation under Minnesota Statutes,
83.13 section 169.06, subdivision 2, by July 1, 2024, the commissioner must implement section
83.14 2B.21 of the Manual on Uniform Traffic Control Devices for Streets and Highways, 11th
83.15 Edition, as incorporated by the United States Department of Transportation, pertaining to
83.16 traffic engineering studies and investigations for establishing or reevaluating speed limits
83.17 within speed zones.

83.18 (b) This section expires upon adoption of relevant revisions to the Minnesota Manual
83.19 on Uniform Traffic Control Devices that pertain to traffic engineering studies and
83.20 investigations for speed zones. The commissioner must notify the revisor of statutes, whether
83.21 electronically or in writing, of the expiration.

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

83.23 Sec. 108. **FULL-SERVICE PROVIDER.**

83.24 (a) For purposes of this section, the following terms have the meanings given:

83.25 (1) "commissioner" means the commissioner of public safety; and

83.26 (2) "full-service provider" has the meaning given in Minnesota Statutes, section 168.002,
83.27 subdivision 12a.

83.28 (b) A driver's license agent under Minnesota Statutes, section 171.061, who was appointed
83.29 before January 1, 2024, and is recognized by the commissioner as a limited licensing agent
83.30 under Minnesota Rules, part 7404.0340, may apply to the commissioner to become a
83.31 full-service provider at the agent's current office location. A driver's license agent must

84.1 submit an application on or before June 1, 2025. By June 30, 2025, an applicant under this
84.2 section must satisfactorily complete any additional staff training required by the
84.3 commissioner to offer expanded services as a full-service provider.

84.4 (c) The commissioner may appoint an applicant who meets the requirements under this
84.5 section as a full-service provider.

84.6 (d) Minnesota Rules, chapter 7404, applies to an appointment under this section, except
84.7 that this section applies notwithstanding Minnesota Rules, parts 7404.0300, subparts 4, 5,
84.8 and 6; 7404.0305, subpart 1, item B; 7404.0345, item D; 7404.0350; 7404.0360, subpart
84.9 2; and 7404.0400, subpart 4, item B.

84.10 **Sec. 109. MINNESOTA STATE FAIR TRANSPORTATION PLANNING.**

84.11 (a) By August 1, 2024, the board of managers of the State Agricultural Society, in
84.12 consultation with the Metropolitan Council, must develop a multimodal Minnesota State
84.13 Fair transportation plan for implementation at the 2024 Minnesota State Fair and must
84.14 submit a copy of the plan to the chairs and ranking minority members of the legislative
84.15 committees with jurisdiction over agriculture and transportation policy and finance.

84.16 (b) At a minimum, the plan must:

84.17 (1) determine methods to reduce motor vehicle traffic, congestion, and parking in the
84.18 area of the Minnesota State Fairgrounds;

84.19 (2) identify improvements to the transportation experience for attendees at the Minnesota
84.20 State Fair;

84.21 (3) expand bicycle access and secure storage, including at park-and-ride locations;

84.22 (4) improve support for ride hailing and transportation network companies; and

84.23 (5) specify public distribution of information on transportation options and services.

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

84.25 **Sec. 110. REPEALER.**

84.26 (a) Minnesota Statutes 2022, sections 169.011, subdivision 70; 169.25; 171.0605,
84.27 subdivision 4; 216D.06, subdivision 3; and 221.033, subdivision 2c, are repealed.

84.28 (b) Minnesota Statutes 2023 Supplement, section 171.06, subdivisions 9, 10, and 11,
84.29 are repealed.

84.30 (c) Minnesota Rules, part 7410.6180, is repealed.

85.1 (d) Minnesota Rules, part 7411.7600, subpart 3, is repealed.

85.2 **EFFECTIVE DATE.** Paragraph (d) is effective July 1, 2024.

85.3 **ARTICLE 2**

85.4 **GREATER MINNESOTA TRANSIT**

85.5 Section 1. Minnesota Statutes 2022, section 174.22, is amended by adding a subdivision
85.6 to read:

85.7 Subd. 1a. **Complementary paratransit service (ADA).** "Complementary paratransit
85.8 service (ADA)" means public transportation service provided on a regular basis where fixed
85.9 route public transit service exists and is designed exclusively or primarily to serve individuals
85.10 who are elderly or disabled and unable to use regular means of public transportation.

85.11 Sec. 2. Minnesota Statutes 2022, section 174.22, subdivision 2b, is amended to read:

85.12 Subd. 2b. **Elderly and disabled service.** "Elderly and disabled service" means
85.13 transportation service provided on a regular basis in small urbanized or large urbanized
85.14 areas and designed exclusively or primarily to serve individuals who are elderly or disabled
85.15 and unable to use regular means of public transportation.

85.16 Sec. 3. Minnesota Statutes 2022, section 174.22, is amended by adding a subdivision to
85.17 read:

85.18 Subd. 3a. **Large urbanized area service.** "Large urbanized area service" means a public
85.19 transportation service operated in areas located outside the metropolitan area with a
85.20 population greater than 200,000 that is designated by the United States Census Bureau.
85.21 Large urbanized area service does not include complementary paratransit service (ADA),
85.22 as defined in subdivision 1a.

85.23 Sec. 4. Minnesota Statutes 2022, section 174.22, subdivision 7, is amended to read:

85.24 Subd. 7. **Public transit or transit transportation.** "~~Public transit~~" or "~~transit~~" means
85.25 ~~general or specific transportation service provided to the public on a regular and continuing~~
85.26 ~~basis. "Public transit" or "transit" includes paratransit and regular route transit.~~ "Public
85.27 transportation" means regular, continuing shared-ride surface transportation services that
85.28 are open to the general public or open to a segment of the general public defined by age,
85.29 disability, or low income. Public transportation does not include:

86.1 (1) intercity passenger rail transportation provided by the entity described in United
 86.2 States Code, title 49, section 243, or a successor entity;

86.3 (2) intercity bus service;

86.4 (3) charter bus service;

86.5 (4) school bus service;

86.6 (5) sightseeing service;

86.7 (6) courtesy shuttle service for patrons of one or more specific establishments; or

86.8 (7) intraterminal or intrafacility shuttle services.

86.9 Sec. 5. Minnesota Statutes 2022, section 174.22, subdivision 12, is amended to read:

86.10 Subd. 12. **Rural area service.** "Rural area service" means a public transportation service
 86.11 primarily operated in an area having population centers of less than 2,500 persons rural
 86.12 areas that have not been designated in the most recent decennial census as an urbanized
 86.13 area by the United States Census Bureau.

86.14 Sec. 6. Minnesota Statutes 2022, section 174.22, subdivision 14, is amended to read:

86.15 Subd. 14. **Small ~~urban~~ urbanized area service.** "Small ~~urban~~ urbanized area service"
 86.16 means a public transportation service operating in an area with a population between 2,500
 86.17 and 50,000 operated in areas located outside the metropolitan area with a population of at
 86.18 least 50,000 but less than 200,000 that is designated by the United States Census Bureau.
 86.19 Small urbanized area service does not include complementary paratransit service (ADA),
 86.20 as defined in subdivision 1a.

86.21 Sec. 7. Minnesota Statutes 2022, section 174.23, subdivision 2, is amended to read:

86.22 Subd. 2. **Financial assistance; application, approval.** (a) The commissioner ~~shall~~ must
 86.23 seek out and select eligible recipients of financial assistance under sections 174.21 to 174.27.

86.24 (b) The commissioner ~~shall~~ must establish ~~by rule~~ the procedures and standards for
 86.25 review and approval of applications for financial assistance submitted to the commissioner
 86.26 pursuant to sections 174.21 to 174.27. Any applicant ~~shall~~ must provide to the commissioner
 86.27 any financial or other information required by the commissioner to carry out the
 86.28 commissioner's duties. The commissioner may require local contributions from applicants
 86.29 as a condition for receiving financial assistance.

87.1 ~~(e) Before the commissioner approves any grant, the application for the grant may be~~
87.2 ~~reviewed by the appropriate regional development commission only for consistency with~~
87.3 ~~regional transportation plans and development guides. If an applicant proposes a project~~
87.4 ~~within the jurisdiction of a transit authority or commission or a transit system assisted or~~
87.5 ~~operated by a city or county, the application shall also be reviewed by that commission,~~
87.6 ~~authority, or political subdivision for consistency with its transit programs, policies, and~~
87.7 ~~plans.~~

87.8 Sec. 8. Minnesota Statutes 2022, section 174.24, subdivision 1a, is amended to read:

87.9 Subd. 1a. **Greater Minnesota transit investment plan.** (a) The commissioner ~~shall~~
87.10 must develop a greater Minnesota transit investment plan that contains a goal of meeting
87.11 at least 80 percent of total transit service needs in greater Minnesota by July 1, 2015, and
87.12 meeting at least 90 percent of total transit service needs in greater Minnesota by July 1,
87.13 2025.

87.14 (b) The plan must include, but is not limited to, the following:

87.15 (1) an analysis of ridership and total transit service needs throughout greater Minnesota;

87.16 (2) a calculation of the level and type of service required to meet total transit service
87.17 needs, for the transit system classifications as provided under subdivision 3b, paragraph
87.18 (c), of large urbanized area, small urban urbanized area, rural area, and elderly and disabled
87.19 service, and complementary paratransit service (ADA);

87.20 (3) an analysis of costs and revenue options;

87.21 (4) a plan to reduce total transit service needs as specified in this subdivision; and

87.22 (5) identification of the operating and capital costs necessary to meet 100 percent of the
87.23 greater Minnesota transit targeted and projected bus service hours, as identified in the greater
87.24 Minnesota transit plan, for 2010, 2015, 2020, 2025, and 2030.

87.25 (c) The plan must specifically address special transportation service ridership and needs.
87.26 The plan must also provide that recipients of operating assistance under this section provide
87.27 fixed route public transit service without charge for disabled veterans in accordance with
87.28 subdivision 7.

87.29 Sec. 9. Minnesota Statutes 2022, section 174.24, subdivision 3b, is amended to read:

87.30 Subd. 3b. **Operating assistance; recipient classifications.** ~~(a) The commissioner shall~~
87.31 ~~determine the total operating cost of any public transit system receiving or applying for~~

88.1 ~~assistance in accordance with generally accepted accounting principles. To be eligible for~~
 88.2 ~~financial assistance, an applicant or recipient shall provide to the commissioner all financial~~
 88.3 ~~records and other information and shall permit any inspection reasonably necessary to~~
 88.4 ~~determine total operating cost and correspondingly the amount of assistance that may be~~
 88.5 ~~paid to the applicant or recipient. Where more than one county or municipality contributes~~
 88.6 ~~assistance to the operation of a public transit system, the commissioner shall identify one~~
 88.7 ~~as lead agency for the purpose of receiving money under this section.~~

88.8 ~~(b)~~ (a) Prior to distributing operating assistance to eligible recipients for any contract
 88.9 period, the commissioner ~~shall~~ must place all recipients into one of the following
 88.10 classifications: large urbanized area service, small urban urbanized area service, rural area
 88.11 service, and elderly and disabled service, and complementary paratransit service (ADA).

88.12 ~~(e)~~ (b) The commissioner ~~shall~~ must distribute ~~funds~~ the operating assistance amount
 88.13 under this section so that the percentage of total contracted operating cost from local sources
 88.14 paid by any recipient from local sources will not exceed the following percentage for that
 88.15 recipient's classification, except as provided in this subdivision. The percentages must be:

88.16 (1) for urbanized area service and small urban area service, 20 percent;

88.17 (2) for rural area service, 15 percent; and

88.18 (3) for elderly and disabled service and complementary paratransit service (ADA), 15
 88.19 percent.

88.20 ~~Except as provided in a United States Department of Transportation program allowing or~~
 88.21 ~~requiring a lower percentage to be paid from local sources, the remainder of the recipient's~~
 88.22 ~~total contracted operating cost will be paid from state sources of funds less any assistance~~
 88.23 ~~received by the recipient from the United States Department of Transportation.~~

88.24 ~~(d)~~ (c) For purposes of this subdivision, "local sources" means all local sources of funds
 88.25 and includes all operating revenue, tax levies, and contributions from public funds, ~~except~~
 88.26 ~~that the commissioner may exclude from the total assistance contract revenues derived from~~
 88.27 ~~operations the cost of which is excluded from the computation of total operating cost.~~

88.28 ~~(e)~~ (d) If a recipient informs the commissioner in writing after the establishment of these
 88.29 percentages but prior to the distribution of financial assistance for any year that paying its
 88.30 designated percentage of ~~total operating cost~~ the operating assistance amount from local
 88.31 sources will cause undue hardship, the commissioner may reduce the percentage to be paid
 88.32 from local sources by the recipient and increase the percentage to be paid from local sources
 88.33 by one or more other recipients inside or outside the classification. However, the

89.1 commissioner may not reduce or increase any recipient's percentage under this paragraph
89.2 for more than two years successively. If for any year the funds appropriated to the
89.3 commissioner to carry out the purposes of this section are insufficient to allow the
89.4 commissioner to pay the state share of ~~total operating cost~~ the operating assistance amount
89.5 as provided in this paragraph, the commissioner ~~shall~~ must reduce the state share in each
89.6 classification to the extent necessary.

89.7 Sec. 10. Minnesota Statutes 2022, section 174.24, subdivision 3c, is amended to read:

89.8 Subd. 3c. **Nonoperating assistance.** The commissioner ~~shall~~ must determine the total
89.9 cost of any planning and engineering design, capital assistance, other capital expenditures,
89.10 and other assistance for public transit services that furthers the purposes of section 174.21
89.11 for any public transit system receiving or applying for the assistance in accordance with
89.12 generally accepted accounting principles. The percentage of local sources paid by any
89.13 recipient must not exceed 20 percent of the awarded amount. To be eligible for
89.14 non-operating-cost financial assistance, an applicant or recipient ~~shall~~ must provide to the
89.15 commissioner all financial records and other information and ~~shall~~ must permit any inspection
89.16 reasonably necessary to determine total cost and the amount of assistance that may be paid
89.17 to the applicant or recipient. When more than one county or municipality contributes
89.18 assistance to the operation of a public transit system, the commissioner ~~shall~~ must identify
89.19 one as a lead agency for the purpose of receiving money under this section. The commissioner
89.20 has the sole discretion to determine the amount of state funds distributed to any recipient
89.21 for non-operating-cost assistance.

89.22 Sec. 11. Minnesota Statutes 2022, section 174.247, is amended to read:

89.23 **174.247 ANNUAL TRANSIT REPORT.**

89.24 (a) By February 15 annually, the commissioner ~~shall~~ must submit a report to the
89.25 legislature on transit services outside the metropolitan area. ~~The Metropolitan Council and~~
89.26 Any public transit system receiving assistance under section 174.24 ~~shall~~ must provide
89.27 assistance in creating the report, as requested by the commissioner.

89.28 (b) The report must include, at a minimum, the following:

89.29 (1) a descriptive overview of public transit in Minnesota;

89.30 (2) a descriptive summary of funding sources and assistance programs;

89.31 (3) a summary of each public transit system receiving assistance under section 174.24;

89.32 (4) data that identifies use of volunteers in providing transit service;

90.1 (5) financial data that identifies for each public transit system and for each transit system
90.2 classification under section 174.24, subdivision 3b:

90.3 (i) the operating and capital costs;

90.4 (ii) each of the funding sources used to provide financial assistance; and

90.5 (iii) for federal funds, the amount from each specific federal program under which
90.6 funding is provided;

90.7 (6) a summary of the differences in program implementation requirements and aid
90.8 recipient eligibility between federal aid and state sources of funds; and

90.9 (7) ~~in each odd-numbered year~~, an analysis of public transit system needs and operating
90.10 expenditures on an annual basis, which must include a methodology for identifying monetary
90.11 needs, and calculations of:

90.12 (i) the total monetary needs for all public transit systems, for the year of the report and
90.13 the ensuing five years;

90.14 (ii) the total expenditures from local sources for each transit system classification;

90.15 (iii) the comprehensive transit assistance percentage for each transit system classification,
90.16 which equals (A) the expenditures identified under item (ii), for a transit system classification,
90.17 divided by (B) the amounts identified under subitem (A), plus the sum of state sources of
90.18 funds plus federal funds provided to all transit systems in that classification; and

90.19 (iv) the amount of surplus or insufficient funds available for paying capital and operating
90.20 costs to fully implement the greater Minnesota transit investment plan under section 174.24,
90.21 subdivision 1a.

90.22 Sec. 12. Minnesota Statutes 2023 Supplement, section 256B.0625, subdivision 17, is
90.23 amended to read:

90.24 Subd. 17. **Transportation costs.** (a) "Nonemergency medical transportation service"
90.25 means motor vehicle transportation provided by a public or private person that serves
90.26 Minnesota health care program beneficiaries who do not require emergency ambulance
90.27 service, as defined in section 144E.001, subdivision 3, to obtain covered medical services.

90.28 (b) For purposes of this subdivision, "rural urban commuting area" or "RUCA" means
90.29 a census-tract based classification system under which a geographical area is determined
90.30 to be urban, rural, or super rural.

91.1 (c) Medical assistance covers medical transportation costs incurred solely for obtaining
91.2 emergency medical care or transportation costs incurred by eligible persons in obtaining
91.3 emergency or nonemergency medical care when paid directly to an ambulance company,
91.4 nonemergency medical transportation company, or other recognized providers of
91.5 transportation services. Medical transportation must be provided by:

91.6 (1) nonemergency medical transportation providers who meet the requirements of this
91.7 subdivision;

91.8 (2) ambulances, as defined in section 144E.001, subdivision 2;

91.9 (3) taxicabs that meet the requirements of this subdivision;

91.10 (4) public transit, within the meaning of "public transportation" as defined in section
91.11 174.22, subdivision 7; or

91.12 (5) not-for-hire vehicles, including volunteer drivers, as defined in section 65B.472,
91.13 subdivision 1, paragraph (h).

91.14 (d) Medical assistance covers nonemergency medical transportation provided by
91.15 nonemergency medical transportation providers enrolled in the Minnesota health care
91.16 programs. All nonemergency medical transportation providers must comply with the
91.17 operating standards for special transportation service as defined in sections 174.29 to 174.30
91.18 and Minnesota Rules, chapter 8840, and all drivers must be individually enrolled with the
91.19 commissioner and reported on the claim as the individual who provided the service. All
91.20 nonemergency medical transportation providers shall bill for nonemergency medical
91.21 transportation services in accordance with Minnesota health care programs criteria. Publicly
91.22 operated transit systems, volunteers, and not-for-hire vehicles are exempt from the
91.23 requirements outlined in this paragraph.

91.24 (e) An organization may be terminated, denied, or suspended from enrollment if:

91.25 (1) the provider has not initiated background studies on the individuals specified in
91.26 section 174.30, subdivision 10, paragraph (a), clauses (1) to (3); or

91.27 (2) the provider has initiated background studies on the individuals specified in section
91.28 174.30, subdivision 10, paragraph (a), clauses (1) to (3), and:

91.29 (i) the commissioner has sent the provider a notice that the individual has been
91.30 disqualified under section 245C.14; and

91.31 (ii) the individual has not received a disqualification set-aside specific to the special
91.32 transportation services provider under sections 245C.22 and 245C.23.

92.1 (f) The administrative agency of nonemergency medical transportation must:

92.2 (1) adhere to the policies defined by the commissioner;

92.3 (2) pay nonemergency medical transportation providers for services provided to
92.4 Minnesota health care programs beneficiaries to obtain covered medical services;

92.5 (3) provide data monthly to the commissioner on appeals, complaints, no-shows, canceled
92.6 trips, and number of trips by mode; and

92.7 (4) by July 1, 2016, in accordance with subdivision 18e, utilize a web-based single
92.8 administrative structure assessment tool that meets the technical requirements established
92.9 by the commissioner, reconciles trip information with claims being submitted by providers,
92.10 and ensures prompt payment for nonemergency medical transportation services.

92.11 (g) Until the commissioner implements the single administrative structure and delivery
92.12 system under subdivision 18e, clients shall obtain their level-of-service certificate from the
92.13 commissioner or an entity approved by the commissioner that does not dispatch rides for
92.14 clients using modes of transportation under paragraph (1), clauses (4), (5), (6), and (7).

92.15 (h) The commissioner may use an order by the recipient's attending physician, advanced
92.16 practice registered nurse, physician assistant, or a medical or mental health professional to
92.17 certify that the recipient requires nonemergency medical transportation services.

92.18 Nonemergency medical transportation providers shall perform driver-assisted services for
92.19 eligible individuals, when appropriate. Driver-assisted service includes passenger pickup
92.20 at and return to the individual's residence or place of business, assistance with admittance
92.21 of the individual to the medical facility, and assistance in passenger securement or in securing
92.22 of wheelchairs, child seats, or stretchers in the vehicle.

92.23 (i) Nonemergency medical transportation providers must take clients to the health care
92.24 provider using the most direct route, and must not exceed 30 miles for a trip to a primary
92.25 care provider or 60 miles for a trip to a specialty care provider, unless the client receives
92.26 authorization from the local agency.

92.27 (j) Nonemergency medical transportation providers may not bill for separate base rates
92.28 for the continuation of a trip beyond the original destination. Nonemergency medical
92.29 transportation providers must maintain trip logs, which include pickup and drop-off times,
92.30 signed by the medical provider or client, whichever is deemed most appropriate, attesting
92.31 to mileage traveled to obtain covered medical services. Clients requesting client mileage
92.32 reimbursement must sign the trip log attesting mileage traveled to obtain covered medical
92.33 services.

93.1 (k) The administrative agency shall use the level of service process established by the
93.2 commissioner to determine the client's most appropriate mode of transportation. If public
93.3 transit or a certified transportation provider is not available to provide the appropriate service
93.4 mode for the client, the client may receive a onetime service upgrade.

93.5 (l) The covered modes of transportation are:

93.6 (1) client reimbursement, which includes client mileage reimbursement provided to
93.7 clients who have their own transportation, or to family or an acquaintance who provides
93.8 transportation to the client;

93.9 (2) volunteer transport, which includes transportation by volunteers using their own
93.10 vehicle;

93.11 (3) unassisted transport, which includes transportation provided to a client by a taxicab
93.12 or public transit. If a taxicab or public transit is not available, the client can receive
93.13 transportation from another nonemergency medical transportation provider;

93.14 (4) assisted transport, which includes transport provided to clients who require assistance
93.15 by a nonemergency medical transportation provider;

93.16 (5) lift-equipped/ramp transport, which includes transport provided to a client who is
93.17 dependent on a device and requires a nonemergency medical transportation provider with
93.18 a vehicle containing a lift or ramp;

93.19 (6) protected transport, which includes transport provided to a client who has received
93.20 a prescreening that has deemed other forms of transportation inappropriate and who requires
93.21 a provider: (i) with a protected vehicle that is not an ambulance or police car and has safety
93.22 locks, a video recorder, and a transparent thermoplastic partition between the passenger and
93.23 the vehicle driver; and (ii) who is certified as a protected transport provider; and

93.24 (7) stretcher transport, which includes transport for a client in a prone or supine position
93.25 and requires a nonemergency medical transportation provider with a vehicle that can transport
93.26 a client in a prone or supine position.

93.27 (m) The local agency shall be the single administrative agency and shall administer and
93.28 reimburse for modes defined in paragraph (l) according to paragraphs (p) and (q) when the
93.29 commissioner has developed, made available, and funded the web-based single administrative
93.30 structure, assessment tool, and level of need assessment under subdivision 18e. The local
93.31 agency's financial obligation is limited to funds provided by the state or federal government.

93.32 (n) The commissioner shall:

94.1 (1) verify that the mode and use of nonemergency medical transportation is appropriate;

94.2 (2) verify that the client is going to an approved medical appointment; and

94.3 (3) investigate all complaints and appeals.

94.4 (o) The administrative agency shall pay for the services provided in this subdivision and
94.5 seek reimbursement from the commissioner, if appropriate. As vendors of medical care,
94.6 local agencies are subject to the provisions in section 256B.041, the sanctions and monetary
94.7 recovery actions in section 256B.064, and Minnesota Rules, parts 9505.2160 to 9505.2245.

94.8 (p) Payments for nonemergency medical transportation must be paid based on the client's
94.9 assessed mode under paragraph (k), not the type of vehicle used to provide the service. The
94.10 medical assistance reimbursement rates for nonemergency medical transportation services
94.11 that are payable by or on behalf of the commissioner for nonemergency medical
94.12 transportation services are:

94.13 (1) \$0.22 per mile for client reimbursement;

94.14 (2) up to 100 percent of the Internal Revenue Service business deduction rate for volunteer
94.15 transport;

94.16 (3) equivalent to the standard fare for unassisted transport when provided by public
94.17 transit, and \$12.10 for the base rate and \$1.43 per mile when provided by a nonemergency
94.18 medical transportation provider;

94.19 (4) \$14.30 for the base rate and \$1.43 per mile for assisted transport;

94.20 (5) \$19.80 for the base rate and \$1.70 per mile for lift-equipped/ramp transport;

94.21 (6) \$75 for the base rate and \$2.40 per mile for protected transport; and

94.22 (7) \$60 for the base rate and \$2.40 per mile for stretcher transport, and \$9 per trip for
94.23 an additional attendant if deemed medically necessary.

94.24 (q) The base rate for nonemergency medical transportation services in areas defined
94.25 under RUCA to be super rural is equal to 111.3 percent of the respective base rate in
94.26 paragraph (p), clauses (1) to (7). The mileage rate for nonemergency medical transportation
94.27 services in areas defined under RUCA to be rural or super rural areas is:

94.28 (1) for a trip equal to 17 miles or less, equal to 125 percent of the respective mileage
94.29 rate in paragraph (p), clauses (1) to (7); and

94.30 (2) for a trip between 18 and 50 miles, equal to 112.5 percent of the respective mileage
94.31 rate in paragraph (p), clauses (1) to (7).

95.1 (r) For purposes of reimbursement rates for nonemergency medical transportation services
95.2 under paragraphs (p) and (q), the zip code of the recipient's place of residence shall determine
95.3 whether the urban, rural, or super rural reimbursement rate applies.

95.4 (s) The commissioner, when determining reimbursement rates for nonemergency medical
95.5 transportation under paragraphs (p) and (q), shall exempt all modes of transportation listed
95.6 under paragraph (l) from Minnesota Rules, part 9505.0445, item R, subitem (2).

95.7 (t) Effective for the first day of each calendar quarter in which the price of gasoline as
95.8 posted publicly by the United States Energy Information Administration exceeds \$3.00 per
95.9 gallon, the commissioner shall adjust the rate paid per mile in paragraph (p) by one percent
95.10 up or down for every increase or decrease of ten cents for the price of gasoline. The increase
95.11 or decrease must be calculated using a base gasoline price of \$3.00. The percentage increase
95.12 or decrease must be calculated using the average of the most recently available price of all
95.13 grades of gasoline for Minnesota as posted publicly by the United States Energy Information
95.14 Administration.

95.15 Sec. 13. Minnesota Statutes 2022, section 473.121, subdivision 19, is amended to read:

95.16 Subd. 19. **Public transit or transit.** "Public transit" or "transit" has the meaning given
95.17 to "public transportation" in section 174.22, subdivision 7.

95.18 Sec. 14. Minnesota Statutes 2023 Supplement, section 609.855, subdivision 7, is amended
95.19 to read:

95.20 Subd. 7. **Definitions.** (a) The definitions in this subdivision apply in this section.

95.21 (b) "Public transit" or "transit" has the meaning given to "public transportation" in section
95.22 174.22, subdivision 7.

95.23 (c) "Public transit vehicle" or "transit vehicle" means any vehicle used for the purpose
95.24 of providing public transit, whether or not the vehicle is owned or operated by a public
95.25 entity.

95.26 (d) "Public transit facilities" or "transit facilities" means any vehicles, equipment,
95.27 property, structures, stations, improvements, plants, parking or other facilities, or rights that
95.28 are owned, leased, held, or used for the purpose of providing public transit, whether or not
95.29 the facility is owned or operated by a public entity.

95.30 (e) "Fare medium" means a ticket, smart card, pass, coupon, token, transfer, or other
95.31 medium sold or distributed by a public transit provider, or its authorized agents, for use in
95.32 gaining entry to or use of the public transit facilities or vehicles of the provider.

96.1 (f) "Proof of fare payment" means a fare medium valid for the place or time at, or the
96.2 manner in, which it is used. If using a reduced-fare medium, proof of fare payment also
96.3 includes proper identification demonstrating a person's eligibility for the reduced fare. If
96.4 using a fare medium issued solely for the use of a particular individual, proof of fare payment
96.5 also includes an identification document bearing a photographic likeness of the individual
96.6 and demonstrating that the individual is the person to whom the fare medium is issued.

96.7 (g) "Authorized transit representative" means the person authorized by the transit provider
96.8 to operate the transit vehicle, a peace officer, a transit official under section 473.4075,
96.9 subdivision 1, or any other person designated by the transit provider as an authorized transit
96.10 representative under this section.

96.11 Sec. 15. **REVISOR INSTRUCTION.**

96.12 (a) The revisor of statutes must renumber the subdivisions in Minnesota Statutes, section
96.13 174.22, in alphabetical order and correct any cross-reference changes that result.

96.14 (b) The revisor of statutes must change the term "public transit" to "public transportation"
96.15 wherever the term appears in Minnesota Statutes, sections 174.21 to 174.27.

96.16 (c) Except as otherwise provided in this article, the revisor of statutes must change the
96.17 term "public transit" to "public transportation" wherever the term appears in Minnesota
96.18 Statutes in conjunction with a specific reference to Minnesota Statutes, section 174.22,
96.19 subdivision 7.

96.20 Sec. 16. **REPEALER.**

96.21 (a) Minnesota Statutes 2022, sections 174.22, subdivisions 5 and 15; and 174.23,
96.22 subdivision 7, are repealed.

96.23 (b) Minnesota Rules, parts 8835.0110, subparts 1, 1a, 6, 7, 10, 11a, 12a, 12b, 13a, 14a,
96.24 15, 15a, 16, 17, 18, and 19; 8835.0210; 8835.0220; 8835.0230; 8835.0240; 8835.0250;
96.25 8835.0260; 8835.0265; 8835.0270; 8835.0275; 8835.0280; 8835.0290; 8835.0310;
96.26 8835.0320; 8835.0330, subparts 1, 3, and 4; and 8835.0350, subparts 1, 3, 4, and 5, are
96.27 repealed.

169.011 DEFINITIONS.

Subd. 70. **Safety zone.** "Safety zone" means the area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times set apart as a safety zone.

169.25 SAFETY ZONE.

No vehicle shall at any time be driven through a safety zone.

171.06 APPLICATION FOR LICENSE, PERMIT, IDENTIFICATION CARD; FEES.

Subd. 9. **Noncompliant license or identification card; general requirements.** (a) A document submitted under this subdivision or subdivision 10 or 11 must include the applicant's name and must be:

- (1) issued to or provided for the applicant;
 - (2) legible and unaltered;
 - (3) an original or a copy certified by the issuing agency or by a court; and
 - (4) accompanied by a certified translation or an affidavit of translation into English, if the document is not in English.
- (b) If the applicant's current legal name is different from the name on a document submitted under subdivision 10 or 11, the applicant must submit:
- (1) a certified copy of a court order that specifies the applicant's name change;
 - (2) a certified copy of the applicant's certificate of marriage;
 - (3) a certified copy of a divorce decree or dissolution of marriage that specifies the applicant's name change, issued by a court; or
 - (4) similar documentation of a lawful change of name, as determined by the commissioner.
- (c) A form issued by a federal agency that is specified under subdivisions 10 and 11 includes any subsequent form or version.
- (d) The commissioner must establish a process to grant a waiver from the requirements under this subdivision and subdivisions 10 and 11.
- (e) The same document must not be submitted as both a primary document under subdivision 10 and a secondary document under subdivision 11.
- (f) For purposes of this subdivision and subdivisions 10 and 11:
- (1) "court" includes a foreign court of competent jurisdiction; and
 - (2) "foreign" means a jurisdiction that is not, and is not within, the United States, the Commonwealth of the Northern Mariana Islands, the Commonwealth of Puerto Rico, Guam, the United States Virgin Islands, or a territory of the United States.

Subd. 10. **Noncompliant license or identification card; primary documents.** (a) For purposes of a noncompliant driver's license or identification card, a primary document under Minnesota Rules, part 7410.0400, subpart 2, or successor rules, includes:

- (1) an unexpired foreign passport or a foreign consular identification document that bears a photograph of the applicant;
 - (2) a certified birth certificate issued by a foreign jurisdiction; and
 - (3) a certified adoption certificate issued by a foreign jurisdiction that includes the applicant's name and date of birth.
- (b) A document submitted under this subdivision must contain security features that make the document as impervious to alteration as is reasonably practicable in its design and quality of material and technology.
- (c) Submission of more than one primary document is not required under this subdivision.

APPENDIX
Repealed Minnesota Statutes: H3436-4

Subd. 11. **Noncompliant license or identification card; secondary documents.** (a) For purposes of a noncompliant driver's license or identification card, a secondary document under Minnesota Rules, part 7410.0400, subpart 3, or successor rules, includes:

- (1) a second primary document listed under subdivision 10, paragraph (a);
 - (2) a notice of action on or proof of submission of a completed Application for Asylum and for Withholding of Removal issued by the United States Department of Homeland Security, Form I-589;
 - (3) a Certificate of Eligibility for Nonimmigrant Student Status issued by the United States Department of Homeland Security, Form I-20;
 - (4) a Certificate of Eligibility for Exchange Visitor Status issued by the United States Department of State, Form DS-2019;
 - (5) a Deferred Action for Childhood Arrival approval notice issued by the United States Department of Homeland Security;
 - (6) an employment authorization document issued by the United States Department of Homeland Security, Form I-688, Form I-688A, Form I-688B, or Form I-766;
 - (7) a document issued by the Internal Revenue Service with an individual taxpayer identification number;
 - (8) a Social Security card;
 - (9) a Supplemental Security Income award statement issued no more than 12 months before the application;
 - (10) an unexpired Selective Service card;
 - (11) military orders that are still in effect at the time of application;
 - (12) a Minnesota unemployment insurance benefit statement issued no more than 90 days before the application;
 - (13) a valid identification card for health benefits or an assistance or social services program;
 - (14) a Minnesota vehicle certificate of title issued no more than 12 months before the application;
 - (15) mortgage documents for the applicant's residence;
 - (16) a filed property deed or title for the applicant's residence;
 - (17) a Minnesota property tax statement for the current or prior calendar year, or a proposed Minnesota property tax notice for the current year, that shows the applicant's principal residential address both on the mailing portion and the portion stating what property is being taxed;
 - (18) a certified copy of a divorce decree or dissolution of marriage that specifies the applicant's name or name change, issued by a court; and
 - (19) any of the following documents issued by a foreign jurisdiction:
 - (i) a driver's license that is current or has been expired for five years or less;
 - (ii) a high school, college, or university student identification card with a certified transcript from the school;
 - (iii) an official high school, college, or university transcript that includes the applicant's date of birth and a photograph of the applicant at the age the record was issued;
 - (iv) a federal electoral card issued on or after January 1, 1991, that contains the applicant's photograph;
 - (v) a certified copy of the applicant's certificate of marriage; and
 - (vi) a certified copy of a court order or judgment from a court of competent jurisdiction that contains the applicant's name and date of birth.
- (b) Submission of more than one secondary document is not required under this subdivision.

171.0605 EVIDENCE OF IDENTITY AND LAWFUL PRESENCE.

Subd. 4. **Evidence; Social Security number.** The following is satisfactory evidence of an applicant's Social Security number or related documentation under section 171.06, subdivision 3, paragraph (b):

- (1) a Social Security card;
- (2) if a Social Security card is not available:
 - (i) a federal Form W-2;
 - (ii) a federal Form SSA-1099 or other federal Form 1099 having the applicant's Social Security number; or
 - (iii) a computer-printed United States employment pay stub with the applicant's name, address, and Social Security number; or
- (3) for an applicant who provides a passport under subdivision 2, paragraph (a), clause (9), documentation demonstrating nonwork authorized status.

174.22 DEFINITIONS.

Subd. 5. **Operating deficit.** "Operating deficit" means the amount by which the total prudent operating expenses incurred in the operation of the public transit system exceeds the amount of operating revenue derived from the system.

Subd. 15. **Urbanized area service.** "Urbanized area service" means a transportation service operating in an urban area of more than 50,000 persons but does not include elderly and disabled service, as defined in subdivision 2b.

174.23 GENERAL POWERS AND DUTIES.

Subd. 7. **Rulemaking; total operating cost.** The commissioner shall by rule define "total operating cost" as the term is used in carrying out the purposes of section 174.24. "Total operating cost" may include provisions for a fee for service. The commissioner shall consult with eligible recipients to the maximum extent feasible in formulating these rules and develop necessary and reasonable changes in cost and fee allowability provisions and financial examination procedures where possible. The rules are subject to the provisions in the Administrative Procedure Act of sections 14.001 to 14.69.

216D.06 DAMAGE TO FACILITY.

Subd. 3. **Prima facie evidence of negligence.** It is prima facie evidence of the excavator's negligence in a civil court action if damage to the underground facilities of an operator resulted from excavation, and the excavator failed to give an excavation notice under section 216D.04 or provide support as required by section 216D.05.

221.033 REGULATION OF HAZARDOUS MATERIALS.

Subd. 2c. **Age of petroleum tank truck driver.** A driver of a motorized tank truck vehicle having a capacity of less than 3,500 gallons, who is engaged in the intrastate transportation of petroleum products, must be at least 18 years of age.

7410.6180 COMMERCIAL MOTOR VEHICLE TESTING PROGRAM.

A public, postsecondary educational institution or school as described in part 7410.6100 applying to be a third-party testing program for commercial motor vehicles shall offer a training course for commercial motor vehicle operation that consists of at least 180 hours of training.

7411.7600 REQUIREMENTS FOR APPROVAL AND OPERATION.

Subp. 3. **Course length restrictions.** The course of study may not be less than a total of eight hours, with no more than four hours of instruction required in a 24-hour period.

8835.0110 DEFINITIONS.

Subpart 1. **Scope.** The terms used in this chapter have the meanings given them in this part.

Subp. 1a. **Applicant.** "Applicant" means an entity that is eligible under Minnesota Statutes, section 174.24, subdivision 2, for financial assistance for a new or existing public transit system.

Subp. 6. **Cost reimbursement contract.** "Cost reimbursement contract" means a contract providing for payment to the contractor of allowable costs incurred in the performance of the contract, to the extent prescribed in the contract.

Subp. 7. **Department.** "Department" means the Department of Transportation.

Subp. 10. **Financial assistance.** "Financial assistance" means state funds paid to a recipient in accordance with the public transit participation program established under Minnesota Statutes, section 174.24.

Subp. 11a. **Greater Minnesota.** "Greater Minnesota" has the meaning given in Minnesota Statutes, section 116O.02, subdivision 5.

Subp. 12a. **Local share.** "Local share" means the percentage of total operating costs paid by a recipient according to the distribution classifications in Minnesota Statutes, section 174.24, subdivision 3b, and the percentage of capital costs paid by a recipient according to part 8835.0320.

Subp. 12b. **Local source.** "Local source" has the meaning given it in Minnesota Statutes, section 174.24, subdivision 3b.

Subp. 13a. **Management plan.** "Management plan" means a description of all the elements of a proposed public transit system, as required by part 8835.0260.

Subp. 14a. **Passenger trip.** "Passenger trip" means a one-way movement of a person between two points. Each time a passenger boards a transit vehicle counts as one passenger trip.

Subp. 15. **Public transit or transit.** "Public transit" or "transit" has the meaning given it in Minnesota Statutes, section 174.22, subdivision 7.

Subp. 15a. **Public transit participation program.** "Public transit participation program" means the department's program for providing financial assistance for public transit services in greater Minnesota under Minnesota Statutes, section 174.24.

Subp. 16. **Reasonable cost.** "Reasonable cost" means a price for a commodity or service which, in its nature or amount, does not exceed that which would be incurred by an ordinarily prudent person in the conduct of competitive business.

Subp. 17. **Regional Development Commission.** "Regional Development Commission" has the meaning given it in Minnesota Statutes, section 462.384, subdivision 4.

Subp. 18. **Revenue.** "Revenue" means sources of income.

Subp. 19. **Total operating cost.** "Total operating cost" means the categories of allowable expenses provided in part 8835.0280.

8835.0210 STATUTORY AUTHORITY.

This chapter is adopted pursuant to Minnesota Statutes, section 174.23, subdivisions 2 and 7.

8835.0220 PURPOSE.

The purpose of this chapter is to establish the procedures and standards for review and approval of applications for financial assistance under the public transit participation program in Minnesota Statutes, section 174.24, and to define "total operating cost" as the term is used in carrying out the public transit participation program.

8835.0230 SCOPE.

This chapter applies to applicants for financial assistance under the public transit participation program established by Minnesota Statutes, section 174.24.

8835.0240 ADMINISTRATION OF PUBLIC TRANSIT PARTICIPATION PROGRAM.

The Office of Transit shall administer the public transit participation program as provided by Minnesota Statutes, section 174.23, subdivision 8. The Office of Transit shall allocate:

A. operating assistance to public transit systems according to the distribution classifications in Minnesota Statutes, section 174.24, subdivision 3b; and

B. nonoperating or capital assistance to public transit systems according to the discretion provided to the commissioner by Minnesota Statutes, section 174.24, subdivision 3c, and according to part 8835.0320.

The Office of Transit shall make payments of financial assistance by a contract between the department and a recipient as required by Minnesota Statutes, section 174.24, subdivision 3.

8835.0250 APPLICATION FOR FINANCIAL ASSISTANCE.

Subpart 1. **Who may apply.** An applicant may apply for financial assistance under the public transit participation program to provide public transit in greater Minnesota.

Subp. 2. **Public transit.** Public transit includes a single service or a combination of services, such as route deviations, fixed route, flexible fixed route, demand-response/dial-a-ride, rideshare, subscription, volunteer driver services, and other services that meet the needs of individual transit systems to the extent they are consistent with Minnesota Statutes, section 174.21. A public transit system must be available and accessible to the general public.

Subp. 3. **Submission; deadline.** An applicant shall request financial assistance using an application prescribed by the department. The department shall establish a deadline for submission of applications for financial assistance and shall provide adequate notice of the deadline to applicants. A complete application contains a management plan, a resolution from the applicant's governing body, and other forms and certifications required by federal or state law or regulation.

Subp. 4. **Additional review.** In addition to submitting an application to the department, an applicant shall submit an application for review and approval as provided in Minnesota Statutes, section 174.23, subdivision 2.

Subp. 5. **Resolution.** An applicant shall submit with the application a resolution by the governing body that:

- A. resolves to provide public transit;
- B. indicates the person or persons authorized by title to execute a contract with the department and all amendments to the contract; and
- C. authorizes funds for the local share of financial assistance, if applicable.

8835.0260 MANAGEMENT PLAN.

Subpart 1. **Submission in application.** An applicant shall submit a management plan as part of its application for financial assistance.

Subp. 2. **Contents.** The management plan must include the following information:

- A. a service plan that describes the levels of service to be provided during the contract period, including a discussion of service area and general population, type or types of service, vehicle descriptions, days and hours of service, service schedules, contract services, and route maps;
- B. a description of unmet service needs;
- C. a financial plan, including:
 - (1) a general narrative that supports and explains the budget;
 - (2) a detailed narrative for each line item in the budget, including increases;
 - (3) actual statistics on operating expenses and operating revenues for the most recent calendar years;
 - (4) anticipated statistics on operating expenses and operating revenues for the new contract period;
 - (5) actual statistics on miles and hours of service and passenger trips for the most recent calendar year; and
 - (6) anticipated statistics on miles and hours of service and passenger trips for the new contract period;
- D. a coordination and marketing plan, including costs and benefits of major elements;
- E. a capital plan that describes the major capital assets of the transit system with an outline of how they will be maintained, improved, or replaced;
- F. a description of revenue-producing contracts relating to the transit services provided by or for the applicant;
- G. a description of expense contracts for services and goods procured by the transit system;
- H. a description of the participating public transit system's vehicle maintenance program for the period of financial assistance;
- I. a description of the organizational structure established to direct, control, review, and implement the management plan;
- J. a description of measurable goals and objectives for the transit system, illustrating the benefits expected to be realized by the investment of state financial assistance;
- K. a description of the fare structure of the public transit system;
- L. a listing of transit and paratransit systems and their union affiliations currently operating in the applicant's area, and a description of existing or potential coordination with these systems;
- M. a description of the transit system's safety and training policies, including its driver selection process;

- N. a description of the proposed insurance carrier and the limits of coverage;
- O. a description of the internal controls policy for the collection and deposit of fares;
- P. a copy of the transit system's most recent drug and alcohol policy as approved by the local recipient's governing body;
- Q. all third party contracts relating to transit operations; and
- R. a copy of the governing body's third-party contract procurement policy.

Subp. 3. **Incorporation into contract.** The department shall incorporate an approved management plan into the financial assistance contract between the department and the recipient, as provided in part 8835.0330. The department shall approve a management plan after it determines the financial assistance according to part 8835.0270.

8835.0265 THIRD-PARTY CONTRACT FOR OPERATING SERVICES.

A recipient shall include a copy of the third-party contract procurement policy of its governing body in the management plan required in part 8835.0260. A third-party contract for operating services must contain all relevant terms contained in the financial assistance contract between the recipient and the department. The recipient is responsible for third-party contractor compliance with local, state, and federal laws, rules, and regulations. A third-party contract must be available for audit according to part 8835.0350, subpart 3. Before a recipient awards a third-party contract for operating services, the department shall review the third-party contract for compliance with the terms of the financial assistance contract between the department and the recipient.

8835.0270 FINANCIAL ASSISTANCE.

Subpart 1. **Allocation priorities.** The department shall allocate financial assistance to recipients for purposes of the public transit participation program according to the following order of priority:

- A. first priority: operating costs for existing public transit systems;
- B. second priority: capital costs for existing public transit systems; and
- C. third priority: operating and capital costs for the provision of public transit services in a community or area not currently served by public transit.

Subp. 2. **Determination of financial assistance.** To determine financial assistance, the department shall review an applicant's management plan and evaluate the proposed public transit system by considering:

- A. the degree to which the proposed system meets the objectives of the public transit participation program;
- B. the accessibility of the proposed system to the general public, including persons with disabilities;
- C. the amount of local government and community support for the proposed system;
- D. the plan for continuation of the proposed system after the first year; and
- E. the plan for coordination of transit services in the geographical area.

The department shall evaluate the budget, service delivery and design, and administration of a public transit system. The department shall compare the past performance of a transit system to its current performance and to the performance of other similar transit systems. To measure the performance of a public transit system, the department shall consider cost efficiency, cost-effectiveness, service effectiveness, and quality.

Subp. 3. **Approval of management plan.** The department shall approve a management plan for incorporation into a financial assistance contract after determining the reasonable costs of the proposed public transit system.

8835.0275 DETERMINING FINANCIAL ASSISTANCE; EXPENSE CATEGORIES.

In determining the total operating costs of a public transit system, upon which financial assistance is based, part 8835.0290 and the definitions of expense categories in part 8835.0280 apply and have the meanings given them.

8835.0280 TOTAL OPERATING COST.

Subpart 1. **Definition.** "Total operating cost" means the categories of allowable expenses provided in subparts 2 to 7. The total operating cost is subject to the audit provisions of part 8835.0350, subpart 3.

Subp. 2. **Personnel services expense.** The "personnel services" expense category includes:

A. administrative, management, and supervisory services, which are the amount paid to transit system employees classified as managers, supervisors, coordinators, or administrators and for which the amounts claimed by employees must be supported by daily time distribution records or a cost allocation plan that is supported by the applicant and approved by the department as part of the management plan;

B. operators' wages, which are the total amount paid to transit system employees classified as vehicle operators and for which the amounts claimed by employees must be supported by daily time distribution records;

C. maintenance and repair wages, which are the labor charges incurred in the performance of maintenance and repair of vehicles and other property required for the operation of the transit system, including only wages of maintenance personnel employed by the transit system, and for which the amounts claimed by employees must be supported by daily time distribution records;

D. other direct wages, which are the amount paid to transit system employees not classified as operators, maintenance, or administrative personnel, such as dispatchers, bookkeepers, clerical personnel, janitors, and security personnel, and for which the amounts claimed by employees must be supported by daily time distribution records;

E. indirect labor charges, which are the amount to be allocated to the transit contract for labor that is not traceable to a specific transit activity but which benefits the transit operation and which must be based on a cost allocation plan approved by the department; and

F. fringe benefits, which are the cost of providing fringe benefits for active and retired transit system employees, including pension benefits, vacation and sick leave benefits, social security taxes, workers' compensation insurance, unemployment insurance, life insurance, and first party medical coverage, and which may be allocated indirectly based on a cost allocation plan approved by the department.

Subp. 3. **Administrative charges expense.** The "administrative charges" expense category includes:

A. management fees, which are the amount paid for professional services provided by a management service company engaged contractually to provide operating management to the transit system;

B. tariffs and traffic expenses, which are any necessary tariff filing fees and costs for the procurement of tickets, tokens, and transfers;

C. advertising, marketing, and promotional charges, including the necessary cost of advertising and promoting the transit system;

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D. legal, auditing, and other professional fees rendered by individuals or firms, other than transit system employees, for the purpose of maintaining continuing operations of the transit system, including:

(1) attorney fees and expenses, court costs, witness fees, and fees for accounting and auditing services, such as accident claims, defending workers' compensation claims, or other items directly related to the management plan and approved by the department; and

(2) fees paid for planning, engineering, or other consultant services that are directly related to the management plan approved by the department;

E. security costs, which are the costs necessary to provide armored car services, patrol services, and electronic surveillance for vehicles, stations, yards, and buildings to detect and prevent criminal activity, fires, and unsafe conditions, when the patrolling is performed by an outside security agency and not by transit system employees;

F. office supplies expense, which is the cost of office supplies and materials and printing and photocopying charges solely attributable to and necessary for the operation of the transit system;

G. lease and rental costs of administrative facilities used for performing the general administrative functions of the transit system, including leases and rentals of such items as land, buildings, office equipment, and furnishings;

H. utilities expense, which is the cost of utilities such as gas, electricity, water, telephone and other communications services, and trash collection;

I. other direct administrative charges, including administrative charges necessary for the continuing operation of the transit system, such as mileage reimbursement for transit support vehicles, approved conference fees, employee travel expenses, employee development, driver's training, approved membership fees for transit associations if the cost of membership is reasonably related to the value of the services or benefits received, and subscriptions to transit publications; and

J. indirect administrative charges, which are the amount allocated to the transit contract for administrative services not traceable to a specific transit activity but which benefit the transit operation and which must be based on a cost allocation plan approved by the department.

For purposes of item I, mileage reimbursement must be based on a rate approved by the local governing body, as long as the rate is reasonable and consistent with similar rates approved by the local governing body.

Subp. 4. **Vehicle charges expense.** The "vehicle charges" expense category applies to vehicles owned or leased by the public transit system and includes:

A. fuel and lubricants expense, including net costs of gasoline, diesel, and alternative fuels and costs of antifreeze, propane, lubricating oil, transmission fluid, and grease used by revenue and service vehicles;

B. maintenance and repair material expense, including costs of parts, materials, and supplies used in the maintenance and repair of revenue and service equipment;

C. contract service maintenance labor expense, which is the cost of labor for maintenance and repair service provided by persons other than transit system employees;

D. tire expense, which is the cost of tires and tubes used on revenue and service equipment including the cost of recapping or regrooving and the rental costs for tires and tubes; and

E. other vehicle charges, including the costs of:

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(1) first aid equipment, fire extinguishers, and other emergency equipment required for vehicles; and

(2) noncapitalized vehicle improvements that do not remake a vehicle or appreciably extend its useful life and that have received approval from the department.

Subp. 5. **Operations charges expense.** The "operations charges" expense category includes:

A. purchase of service, which is the cost of having a subcontractor operate the project service, with cost established:

(1) through competitive bidding procedures, except for those recipients covered under Minnesota Statutes, chapter 221;

(2) through a negotiated contract with the prime contractor in bid situations when only one bid is received; or

(3) through a negotiated subcontract in a nonbid situation;

B. depreciation, which is the amount of depreciation or use allowance on depreciable items such as structures, revenue equipment, service vehicles and equipment, and office furniture and equipment and is the amount allowed based on a company's existing depreciation schedule or, if a schedule does not already exist, a depreciation schedule submitted to and approved by the department, but which may not be charged for items purchased, totally or in part, with state or federal funds;

C. mileage reimbursement for passenger service, including the cost of volunteer driver reimbursement for projects incorporating this type of service, as well as mileage reimbursement for transit personnel using private vehicles for emergency replacement passenger transport in the event of mechanical breakdown of transit vehicles;

D. repair and maintenance of other property, including material costs associated with the upkeep and repair of buildings and stations, grounds, nonrevenue equipment owned or leased by the transit company, and miscellaneous expenses such as small tool replacement, and supplies used for cleaning and for general shop and garage purposes;

E. leases and rentals of facilities or equipment used in the operation of the transit system, including leases and rentals of garages, depots, passenger vehicles, service vehicles, passenger stations, communication equipment, and computers, with allowability based on the reasonableness of rates and the presence of evidence that the lease will not give rise to material equity in the property; and

F. other operations charges, including the cost of such things as the purchase or rental and cleaning of uniforms, tools and equipment, sanding and snowplow operations, passenger amenities, and station agents and which may be allocated indirectly based on a cost allocation plan approved by the department.

For purposes of item C, mileage reimbursement must be based on a rate approved by the local governing body, as long as the rate is reasonable and consistent with similar rates approved by the local governing body.

Subp. 6. **Insurance charges expense.** The "insurance charges" expense category includes:

A. public liability and property damage insurance expense on vehicles, including premiums paid to insure the transit system against loss through damage to its own property and to indemnify the transit system and all financial and operational participants against loss from liability for its acts that cause damage to the person or property of others; and

B. public liability and property damage insurance charges other than on vehicles, including excess liability insurance, baggage and express insurance, and fire and theft insurance.

Subp. 7. **Taxes and fees expense.** The "taxes and fees" expense category includes:

- A. vehicle registration and permit fees on vehicles; and
- B. other taxes and fees, including applicable real estate, property, and sales taxes.

8835.0290 UNALLOWABLE EXPENSES.

Subpart 1. **Scope.** In determining the total operating costs of a public transit system, upon which financial assistance is based, the definitions of unallowable expenses in subparts 2 to 8 apply and have the meanings given them.

Subp. 2. **General purpose equipment.** Expenditures for general purpose equipment are unallowable as operating costs. "General purpose equipment" means equipment that is used for other than transit contract purposes, such as communications equipment, office equipment and furnishings, air conditioning equipment, reproduction and printing equipment, and computers and related equipment.

Subp. 3. **Interest and other financial costs.** Interest on borrowing (however represented), bond discounts, cost of financing and refinancing operations, and legal and professional fees paid in connection with these costs are unallowable.

Subp. 4. **Fines and penalties.** Costs resulting from violations of, or failure to comply with federal, state, or local laws and regulations are unallowable.

Subp. 5. **Contingencies.** Contributions to a contingency reserve or any similar provision for unseen events are unallowable.

Subp. 6. **Bad debts.** Any losses arising from uncollectible accounts, other claims, and related costs are unallowable.

Subp. 7. **Donations and entertainment expense.** Contributions and donations are unallowable as are any entertainment expenses.

Subp. 8. **Unrelated costs.** Costs that are not directly related to the provision of public transit are unallowable.

8835.0310 REVENUE CATEGORIES.

Subpart 1. **Operating revenue categories; local sources.** In determining the local sources of funds that may comprise the fixed percentage of total operating costs to be paid by a recipient in accordance with the distribution classifications in Minnesota Statutes, sections 174.24, subdivision 3b, the definitions of revenue categories in subparts 2 to 7 apply and have the meanings given them.

Subp. 2. **Passenger fare.** "Passenger fare" means revenue earned from transporting passengers on the public transit system, including a cash fare, a donation received instead of a set fare, and an advance fare received from the sale of a coupon, token, or pass.

Subp. 3. **Contract revenue.** "Contract revenue" means revenue received from a contract with a beneficiary of a specific transit service. Contract revenue includes:

- A. an amount paid by an organization for a special route guarantee; and
- B. revenue earned for a ride given in regular transit service but paid for by an organization, including a state or local social service agency or a private social service organization, for the benefit of the rider.

Subp. 4. **School revenue.** "School revenue" means revenue earned from service provided under a contract with a school district, including an amount paid for transporting school children on regularly scheduled service, and an amount paid by a college or university for operating a transit vehicle on or between campuses.

Subp. 5. **Charter revenue.** "Charter revenue" includes reimbursement for charter service received in association with publicly funded transit service, providing that charter

service rates are developed so that cost recovery equals or exceeds the full cost of providing the charter service.

Subp. 6. **Auxiliary revenue.** "Auxiliary revenue" means revenue earned from an activity closely associated with the transit operation, including revenue received from an advertising service, delivery, a lease, and station and vehicle concessions.

Subp. 7. **Other financial assistance.** "Other financial assistance" includes revenue earned from an activity not associated with the provision of the recipient's transit service but which is applied to help cover the system's costs, including tax levies, a federal cash grant, senior citizen fare assistance, investment income, and any general donation.

8835.0320 CAPITAL ASSISTANCE.

Subpart 1. **Budget.** An applicant seeking financial assistance for capital costs shall include in its budget a description of the vehicle, facility, or equipment desired, its cost and the reason for the request.

Subp. 2. **Criteria.** The department shall use the following criteria to evaluate requests for capital assistance:

- A. the extent to which the request maintains public transit services, promotes safety, and promotes efficient operations;
- B. the extent to which accessibility is enhanced; and
- C. the availability of local share money.

Subp. 3. **Allocation formula.** The department shall determine the amount of capital assistance for the public transit participation program according to the discretion provided to the commissioner in Minnesota Statutes, section 174.24, subdivision 3c. Except as provided in subparts 4 and 5, the department shall fund 80 percent of the capital costs approved by the department under the public transit participation program. The recipient shall provide the remaining 20 percent of the approved capital costs from local sources.

Subp. 4. **Program deviation from allocation formula.** Under the discretion provided to the commissioner in Minnesota Statutes, section 174.24, subdivision 3c, the department may establish a capital assistance allocation formula that deviates from the formula established in subpart 3. In setting this formula, the department must consider all relevant conditions relating to funding the public transit participation program.

Subp. 5. **Individual exception to allocation formula.** The department may deviate from the capital assistance allocation formula for an exceptional circumstance. A recipient that seeks capital assistance from the public transit participation program in an amount greater than the allocation formula, established under subpart 3 or 4, must make a written request to the department that includes:

- A. a detailed description of the exceptional circumstance that is the basis of the written request; and
- B. a resolution from the governing body that the request is due to an exceptional circumstance.

The department shall consider a request for an individual exception to the allocation formula after assessing the nature of the exceptional circumstance, balancing the request against other requests from recipients for capital assistance, and considering the assurance provided by the governing body that the circumstance that gave rise to the request is exceptional.

Subp. 6. **Vehicle replacement or disposition.** The department shall determine financial assistance to a public transit system to replace, refurbish, or dispose of a vehicle based on the condition of the vehicle and the availability of funds.

Subp. 7. **Contract.** The financial assistance contract between the department and the recipient must specify the maximum amount of capital assistance to be allocated to the recipient and the terms and conditions of assistance. The department shall determine the actual amount of capital assistance based on the availability of funds.

8835.0330 CONTRACT FOR FINANCIAL ASSISTANCE.

Subpart 1. **Content.** The financial assistance contract is a cost reimbursement contract that is based on the total operating cost in part 8835.0280. The contract must specify the maximum amount of financial assistance to be awarded to the recipient by the department and state the terms and conditions of assistance. The management plan must be incorporated into the contract as a legal part of the contract document. A resolution by the governing body, as provided in part 8835.0250, subpart 5, must be included with the contract.

Subp. 3. **Penalties.** If a recipient fails to comply with the terms and conditions of the contract, the department may withhold payment at any time or may terminate the financial assistance contract upon 30 days' written notice.

Subp. 4. **Amendments.** A recipient or the department may initiate an amendment to the contract. Before implementation, an amendment must be fully executed by the parties to the original contract, or their successors.

8835.0350 FINANCIAL RECORDS.

Subpart 1. **Records.** A recipient and any third party contractor shall maintain their financial records in accordance with generally accepted accounting principles. The records must permit audit verification of transit cost allocations claimed during the contract period. The recipient and any third party contractor also shall keep records on miles and hours of service and passenger trips. Records must be kept available for a period of six years from the date of final payment or the expiration date of the contract, whichever occurs first.

Subp. 3. **Audits.** The financial records of the recipient must be audited. They may be audited by the department or the department may accept all or part of the audit of an independent auditor instead of a departmental audit if the audit meets department standards. In addition to chapter 8835, department audits must be based on the contract cost principles and procedures in Code of Federal Regulations, title 48, chapter 1, part 31, and Office of Management and Budget Circular, Number A-87 and Number A-122, as amended. The financial records of a subcontractor may be audited at the department's discretion. The department shall submit year-end financial statements to the department auditor by April 15 of the year following the period covered by the financial assistance contract. Audits at the end of a contract period must establish approved total operating costs. New recipients are subject to a preaward audit before contract execution and fund encumbrance. As provided by Minnesota Statutes, section 16C.05, subdivision 5, the records, books, documents, and accounting practices of the recipient and of any third party contractor relating to the contract are subject to audit and examination by the department and the legislative auditor during working hours. If the department determines it has overpaid a recipient on a previous contract, the department may reduce payments under the current contract by the amount of overpayment.

Subp. 4. **Project monitoring.** The department shall use the management plan required under part 8835.0260 as a basis for monitoring and evaluating the performance of the public transit system during the contract period. Public transit policy decisions made by the recipient and actions taken during the contract period must conform with the management plan. A proposed deviation from the management plan must be reported to the department and approval secured in writing before implementation. Approval will be granted if it is clearly documented that the proposed deviation will not increase overall project costs. Failure to secure approval jeopardizes continued financial assistance.

Subp. 5. **Reserve account.** If a public transit system generates operating revenue in excess of the recipient's local share amount, the recipient shall deposit the excess into a

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reserve account to be used for approved operating expenses that are not covered by the contract or for part of the local share of capital expenses of the transit system. The recipient shall report this revenue and expenses charged against it to the department on reporting forms provided by the department.