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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 3469

02/15/2022 Authored by Koznick, Petersburg and Scott
The bill was read for the first time and referred to the Committee on Transportation Finance and Policy

1.1 A bill for an act
1.2 relating to transportation; establishing performance requirements and conditional
1.3 termination of the Northstar Commuter Rail line.

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

1.5 Section 1. NORTHSTAR COMMUTER RAIL; PERFORMANCE AND
1.6 TERMINATION.

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

1.9 (b) "Commissioner" means the commissioner of transportation.

1.10 (c) "Council" means the Metropolitan Council.

1.11 (d) "Northstar" means the Northstar Commuter Rail line that is operated by the council
1.12 to provide rail passenger service between downtown Minneapolis and Big Lake, and includes
1.13 any subsequent rail project or service that operates wholly or primarily in the same corridor.

1.14 Subd. 2. Performance requirements. Northstar is subject to termination as provided
1.15 under this section if:

1.16 (1) total ridership is less than 450,000 in any six-month period, beginning with the period
1.17 that starts on June 1, 2022;

1.18 (2) total annual ridership is less than 900,000, as measured for each period that starts on
1.19 June 1 and ends on May 31 in the following year, beginning with the period that starts on
1.20 June 1, 2022; or

2.1 (3) the farebox recovery ratio is less than 40 percent in any calendar year, beginning
2.2 with calendar year 2023.

2.3 Subd. 3. **Federal waiver.** If any of the performance requirements specified in subdivision
2.4 2 are not met, the council must immediately seek a federal waiver or similar release of all
2.5 obligations for payment to the United States Department of Transportation related to the
2.6 termination of Northstar.

2.7 Subd. 4. **Contingent termination.** If any of the performance requirements specified in
2.8 subdivision 2 are not met:

2.9 (1) the council must decommission and permanently terminate all services related to
2.10 Northstar, including stopping all passenger service, closing all stations, and ending law
2.11 enforcement services provided by the Metropolitan Transit Police along the route;

2.12 (2) the commissioner and the council must terminate all memorandums of understanding,
2.13 joint powers agreements, contracts, or any other agreement entered into with any public or
2.14 private entity pursuant to Minnesota Statutes, sections 174.82 and 473.4057, for the planning,
2.15 development, construction, operation, or maintenance of Northstar to the fullest extent
2.16 permissible without a breach under the agreements;

2.17 (3) pursuant to Minnesota Statutes, section 473.4057, subdivision 5, the commissioner
2.18 must immediately terminate any lease, license, assignment, right of access, or other agreement
2.19 provided to the council to develop, operate, and maintain Northstar;

2.20 (4) the council must convey ownership in any real or personal property related to
2.21 Northstar that was previously owned and conveyed by the commissioner or Department of
2.22 Transportation under Minnesota Statutes, section 473.4057, subdivision 5, back to the
2.23 commissioner; and

2.24 (5) the council and the commissioner must sell or otherwise dispose of all assets related
2.25 to Northstar, including but not limited to equipment, supplies, materials, rolling stock,
2.26 facilities, improvements, personal property, and real property, which must be conducted
2.27 pursuant to Minnesota Statutes, section 16B.2975.

2.28 Subd. 5. **Deposit of funds.** The commissioner and the council must deposit any revenue
2.29 received under subdivision 4 in the general fund.

2.30 **EFFECTIVE DATE.** This section is effective the day following final enactment and
2.31 applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.