

1.1 A bill for an act

1.2 relating to transportation; requiring inclusion of bicycle and pedestrian  
1.3 accommodations as part of trunk highway bridge improvement program;  
1.4 amending Minnesota Statutes 2008, section 165.14, subdivisions 3, 4, 5.

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

1.6 Section 1. Minnesota Statutes 2008, section 165.14, subdivision 3, is amended to read:

1.7 Subd. 3. **Program requirements.** (a) The commissioner shall develop an inventory  
1.8 of bridges included in the program. The inventory must include all bridges on the trunk  
1.9 highway system in Minnesota that are classified as fracture-critical or structurally deficient,  
1.10 or constitute a priority project, as identified by the commissioner. In determining whether  
1.11 a bridge is a priority project, the commissioner may consider national bridge inventory  
1.12 (NBI) condition codes, bridge classification as functionally obsolete, the year in which  
1.13 the bridge was built, the history of bridge maintenance and inspection report findings, the  
1.14 average daily traffic count, engineering judgments with respect to the safety or condition  
1.15 of the bridge, safety concerns for pedestrians, bicyclists, motorists, or other roadway users,  
1.16 whether existing pedestrian facilities meet the accessibility requirements of the Americans  
1.17 with Disabilities Act, and any other factors specifically identified by the commissioner.

1.18 (b) For each bridge included in the inventory, the commissioner must provide the  
1.19 following information: a summary of the bridge, including but not limited to, county  
1.20 and department district, route number, feature crossed, the year in which the bridge was  
1.21 built, average daily traffic count, load rating, bridge length and deck area, and main span  
1.22 type; the condition ratings for the deck, superstructure, and substructure; identification of  
1.23 whether the bridge is structurally deficient, functionally obsolete, or fracture-critical; the  
1.24 sufficiency rating; pedestrian, bicyclist, and motorist crash reports for the previous ten

2.1 years; current accommodations for pedestrians, bicyclists, and transit users; identification  
2.2 of whether existing pedestrian facilities are compliant with the accessibility requirements  
2.3 of Title II of the Americans with Disabilities Act; a brief description of the work planned  
2.4 for the bridge, including work type needed; an estimate of total costs related to the bridge,  
2.5 which may include general and planning cost estimates; and, the year or range of years in  
2.6 which the work is planned.

2.7 Sec. 2. Minnesota Statutes 2008, section 165.14, subdivision 4, is amended to read:

2.8 Subd. 4. **Prioritization of bridge projects.** (a) The commissioner shall classify all  
2.9 bridges in the program into tier 1, 2, or 3 bridges, where tier 1 is the highest tier. Unless  
2.10 the commissioner identifies a reason for proceeding otherwise, before commencing bridge  
2.11 projects in a lower tier, all bridge projects within a higher tier must to the extent feasible  
2.12 be selected and funded in the approved state transportation improvement program, at  
2.13 any stage in the project development process, solicited for bids, in contract negotiation,  
2.14 under construction, or completed.

2.15 (b) The classification of each tier is as follows:

2.16 (1) tier 1 consists of any bridge in the program that (i) has an average daily traffic  
2.17 count that is above 1,000 and has a sufficiency rating that is at or below 50, or (ii) is  
2.18 identified by the commissioner as a priority project;

2.19 (2) tier 2 consists of any bridge that is not a tier 1 bridge, and (i) is classified as  
2.20 fracture-critical, or (ii) has a sufficiency rating that is at or below 80; and

2.21 (3) tier 3 consists of any other bridge in the program that is not a tier 1 or tier 2 bridge.

2.22 (c) By June 30, 2018, all tier 1 and tier 2 bridges originally included in the program  
2.23 must be under contract for repair or replacement with a new bridge that contains a  
2.24 load-path-redundant design, except that a specific bridge may remain in continued service  
2.25 if the reasons are documented in the report required under subdivision 5.

2.26 (d) All bridge projects funded under this section in fiscal year 2010 or later must  
2.27 include bicycle and pedestrian accommodations if both sides of the bridge are located in a  
2.28 city or the bridge links a pedestrian way, shared-use path, trail, or scenic bikeway.

2.29 Bicycle and pedestrian accommodations would not be required if:

2.30 (1) a comprehensive assessment demonstrates that there is an absence of need for  
2.31 bicycle and pedestrian accommodations for the life of the bridge; or

2.32 (2) there is a reasonable alternative bicycle and pedestrian crossing within  
2.33 one-quarter mile of the bridge project.

2.34 All bicycle and pedestrian accommodations should provide for the connection to any  
2.35 existing bicycle and pedestrian infrastructure in close proximity to the bridge. All

3.1 pedestrian facilities must meet or exceed federal accessibility requirements as outlined in  
3.2 Title II of the Americans with Disabilities Act, codified in United States Code, title 42,  
3.3 chapter 126, subchapter II, and Section 504 of the Rehabilitation Act of 1973, codified in  
3.4 United States Code, title 29, section 794.

3.5 (e) The commissioner shall establish criteria for determining the priority of bridge  
3.6 projects within each tier, and must include safety considerations as a criterion.

3.7 Sec. 3. Minnesota Statutes 2008, section 165.14, subdivision 5, is amended to read:

3.8 Subd. 5. **Statewide transportation planning report.** In conjunction with each  
3.9 update to the Minnesota statewide transportation plan, or at least every six years, the  
3.10 commissioner shall submit a report to the chairs and ranking minority members of the  
3.11 house of representatives and senate committees with jurisdiction over transportation  
3.12 finance. The report must include:

3.13 (1) an explanation of the criteria and decision-making processes used to prioritize  
3.14 bridge projects;

3.15 (2) a historical and projected analysis of the extent to which all trunk highway  
3.16 bridges meet bridge performance targets, including safety targets for pedestrian, bicyclist,  
3.17 and motorist safety and compliance with the accessibility requirements of Title II of the  
3.18 Americans with Disabilities Act;

3.19 (3) a summary of bridge projects (i) completed in the previous six years or since the  
3.20 last update to the Minnesota statewide transportation plan, and (ii) currently in progress  
3.21 under the program;

3.22 (4) a summary of bridge projects scheduled in the next four fiscal years and included  
3.23 in the state transportation improvement program;

3.24 (5) a projection of annual needs over the next 20 years;

3.25 (6) a calculation of funding necessary to meet the completion date under subdivision  
3.26 4, paragraph (c), compared to the total amount of bridge-related funding available; and

3.27 (7) for any tier 1 fracture-critical bridge that is repaired but not replaced, an  
3.28 explanation of the reasons for repair instead of replacement.