

1.1 A bill for an act
1.2 relating to transportation; requiring the commissioner of transportation to
1.3 implement complete streets policy; requiring reports; amending Minnesota
1.4 Statutes 2008, sections 162.02, subdivision 3a; 162.09, subdivision 3a; proposing
1.5 coding for new law in Minnesota Statutes, chapter 174.

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

1.7 **ARTICLE 1**

1.8 **IMPLEMENTATION**

1.9 Section 1. Minnesota Statutes 2008, section 162.02, subdivision 3a, is amended to read:

1.10 Subd. 3a. **Variances from rules and engineering standards.** (a) Subject to section
1.11 174.75, subdivision 6, the commissioner may grant variances from the rules and from the
1.12 engineering standards developed pursuant to section 162.021 or 162.07, subdivision 2. A
1.13 political subdivision in which a county state-aid highway is located or is proposed to be
1.14 located may submit a written request to the commissioner for a variance for that highway.

1.15 (b) The commissioner shall publish notice of the request in the State Register and
1.16 give notice to all persons known to the commissioner to have an interest in the matter. The
1.17 commissioner may grant or deny the variance within 30 days of providing notice of the
1.18 request. If a written objection to the request is received within seven days of providing
1.19 notice, the variance shall be granted or denied only after a contested case hearing has been
1.20 held on the request. If no timely objection is received and the variance is denied without
1.21 hearing, the political subdivision may request, within 30 days of receiving notice of denial,
1.22 and shall be granted a contested case hearing.

1.23 (c) For purposes of this subdivision, "political subdivision" includes (1) an agency of
1.24 a political subdivision which has jurisdiction over parks, and (2) a regional park authority.

2.1 Sec. 2. Minnesota Statutes 2008, section 162.09, subdivision 3a, is amended to read:

2.2 Subd. 3a. **Variations from rules and engineering standards.** (a) Subject to section
2.3 174.75, subdivision 6, the commissioner may grant variations from the rules and from the
2.4 engineering standards developed pursuant to section 162.13, subdivision 2. A political
2.5 subdivision in which a municipal state-aid street is located or is proposed to be located
2.6 may submit a written request to the commissioner for a variation for that street.

2.7 (b) The commissioner shall publish notice of the request in the State Register and
2.8 give notice to all persons known to the commissioner to have an interest in the matter. The
2.9 commissioner may grant or deny the variation within 30 days of providing notice of the
2.10 request. If a written objection to the request is received within seven days of providing
2.11 notice, the variation shall be granted or denied only after a contested case hearing has been
2.12 held on the request. If no timely objection is received and the variation is denied without
2.13 hearing, the political subdivision may request, within 30 days of receiving notice of denial,
2.14 and shall be granted a contested case hearing.

2.15 (c) For purposes of this subdivision, "political subdivision" includes (1) an agency of
2.16 a political subdivision which has jurisdiction over parks, and (2) a regional park authority.

2.17 Sec. 3. **[174.75] COMPLETE STREETS.**

2.18 Subdivision 1. **Definition.** "Complete streets" is the planning, scoping, design,
2.19 implementation, operation, and maintenance of roads in order to reasonably address the
2.20 safety and accessibility needs of users of all ages and abilities. Complete streets considers
2.21 the needs of motorists, pedestrians, transit users and vehicles, bicyclists, and commercial
2.22 and emergency vehicles moving along and across roads, intersections, and crossings in a
2.23 manner that is sensitive to the local context and recognizes that the needs vary in urban,
2.24 suburban, and rural settings.

2.25 Subd. 2. **Application.** Complete streets applies to every road construction,
2.26 reconstruction, or rehabilitation project funded partially or completely by the state.

2.27 Subd. 3. **Implementation.** The commissioner shall implement a complete streets
2.28 policy after consultation with stakeholders, state and regional agencies, local governments,
2.29 and road authorities. The commissioner, after such consultation, shall address relevant
2.30 protocols, guidance, standards, requirements, training, and shall integrate related
2.31 principles of context-sensitive solutions.

2.32 Subd. 4. **Report.** Beginning in 2011, the commissioner shall report on the
2.33 implementation of the complete streets policy in the agency's biennial budget submission
2.34 under section 174.02.

S.F. No. 2461, 2nd Engrossment - 86th Legislative Session (2009-2010) [s2461-2]

4.1 any recommendations for supporting local complete streets implementation under the
4.2 state-aid standards variance process; and identify statutory recommendations to facilitate
4.3 complete streets policy implementation.

4.4 The reports in clauses (1), (2), and (3) must be made available electronically and
4.5 made available in print only upon request.

APPENDIX
Article locations in s2461-2

ARTICLE 1 IMPLEMENTATION Page.Ln 1.7
ARTICLE 2 REPORTS Page.Ln 3.18