

**SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION**

S.F. No. 4677

(SENATE AUTHORS: HAWJ, Fateh and McEwen)

DATE
03/07/2024

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Introduction and first reading
Referred to Transportation

OFFICIAL STATUS

1.1 A bill for an act
1.2 relating to transportation; requiring alternative design analysis of major highway
1.3 projects; proposing coding for new law in Minnesota Statutes, chapter 161.

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

1.5 Section 1. **[161.1611] COMMUNITY PREFERRED ALTERNATIVE ANALYSIS.**

1.6 Subdivision 1. **Alternative study required.** (a) The requirements in this section apply
1.7 to all federally funded transportation projects involving the construction, reconstruction,
1.8 rehabilitation, or resurfacing of a highway. The requirements of this section do not apply
1.9 to a maintenance resurfacing project.

1.10 (b) The commissioner must study, in accordance with National Environmental Policy
1.11 Act requirements for studying design alternatives, an alternative design that has been
1.12 approved by the policy advisory committee as provided in subdivision 2, paragraph (b),
1.13 before developing transportation projects involving the construction, reconstruction,
1.14 rehabilitation, or resurfacing of a highway.

1.15 Subd. 2. **Policy advisory committee; members.** (a) The commissioner must form a
1.16 policy advisory committee composed of elected and appointed local officials from impacted
1.17 project areas to approve or disapprove alternative designs that involve construction,
1.18 reconstruction, rehabilitation, or resurfacing of a highway. The policy advisory committee
1.19 convened under this subdivision must have an odd number of members. The policy advisory
1.20 committee convened by the commissioner must contain:

1.21 (1) the county commissioner of the county where the impacted project area is located;

1.22 (2) the two members of the legislature representing the impacted project area;

2.1 (3) the mayor of the city or town of the impacted project area; and

2.2 (4) at least three but no more than five members of a city council of the impacted project
2.3 area.

2.4 (b) The commissioner must develop, in accordance with National Environmental Policy
2.5 Act requirements, design alternatives for highway projects and submit the design alternatives
2.6 for approval to the policy advisory committee established in paragraph (a). The policy
2.7 advisory committee must approve by a two-thirds vote a preferred alternative design before
2.8 the commissioner:

2.9 (1) selects a preferred alternative design;

2.10 (2) initiates the final layout approval process as described in sections 161.162 to 161.167;

2.11 or

2.12 (3) begins project construction.

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