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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SEVENTH SESSION

H. F. No. 2864

03/14/2012 Authored by Atkins

The bill was read for the first time and referred to the Committee on Transportation Policy and Finance

1.1 A bill for an act
1.2 relating to transportation; establishing certification and training requirements for
1.3 performance of certain bridge protective coating work; proposing coding for new
1.4 law in Minnesota Statutes, chapter 165.

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

1.6 Section 1. **[165.045] BRIDGE STRUCTURE PROTECTIVE COATING.**

1.7 Subdivision 1. Definitions. For purposes of this section, the following terms have
1.8 the meanings given them:

1.9 (1) "applicable bridge project" means construction, reconstruction, maintenance, or
1.10 repair of a state or federally funded bridge under a contract with a road authority;

1.11 (2) "contractor" means any individual, firm, copartnership, cooperative, company,
1.12 association, or corporation operating under a contract with a road authority, including
1.13 any subcontractor to a prime contractor;

1.14 (3) "protective coating work type" means that portion of an applicable bridge
1.15 project that consists of:

1.16 (i) surface preparation or coating application on bridge steel;

1.17 (ii) removal of lead-based or other hazardous paint from bridge steel;

1.18 (iii) shop painting of structural steel fabricated for installation on a bridge; or

1.19 (iv) design, application, installation, and maintenance of a cathodic protection
1.20 system;

1.21 (4) "road authority" has the meaning given in section 160.02, subdivision 25, and
1.22 includes the governing body of a city with respect to city bridges; and

1.23 (5) "state or federally funded bridge" means any bridge that has at any time been
1.24 constructed, reconstructed, maintained, or repaired using state or federal funds, whether in

2.1 whole or in part, including but not limited to proceeds from general obligation bonds of
2.2 the state.

2.3 Subd. 2. **Certification; training.** (a) The commissioner shall establish separate
2.4 certification requirements to perform each protective coating work type, as identified in
2.5 subdivision 1, clause (3), items (i) to (iv). In establishing the certification requirements,
2.6 the commissioner shall consult with engineers and others with specialized expertise in
2.7 corrosion control, mitigation, and prevention methods.

2.8 (b) The commissioner shall identify training programs to perform each protective
2.9 coating work type, as identified in subdivision 1, clause (3), items (i) to (iv). Each training
2.10 program must be offered by an organization that is recognized in the industry or by other
2.11 departments of transportation.

2.12 Subd. 3. **Contractor requirements.** A contractor on an applicable bridge project:

2.13 (1) may not perform a protective coating work type unless certified by the
2.14 commissioner for that specific work type;

2.15 (2) shall use corrosion mitigation and prevention methods to preserve the bridge,
2.16 taking into account:

2.17 (i) material selection;

2.18 (ii) coating considerations;

2.19 (iii) cathodic protection considerations;

2.20 (iv) design considerations for corrosion; and

2.21 (v) training of applicators;

2.22 (3) shall use industry best practices for prevention of environmental degradation
2.23 and ensuring careful handling of hazardous materials; and

2.24 (4) shall provide or make available training through a program identified by the
2.25 commissioner under subdivision 2, paragraph (b), for each applicable craft or trade
2.26 classification that the contractor intends to employ to perform a protective coating work
2.27 type.

2.28 Subd. 4. **Rulemaking.** The commissioner shall adopt rules to implement this
2.29 section.

2.30 **EFFECTIVE DATE.** Subdivision 4 is effective the day following final enactment.