

and independence. The commissioner shall report to the legislature no later than January 15, 1984, on the effectiveness of the program, its effect on reducing the number of mentally retarded persons in state hospitals and in intermediate care facilities, and his recommendations regarding making this program an integral part of the social services programs administered by the counties.

Subd. 8. USE OF FEDERAL FUNDS. The commissioner shall maximize the use of federal funds for semi-independent living services.

Approved June 9, 1983

CHAPTER 311 — S.F.No. 891

An act relating to transportation; permitting the use of state vehicles in ridesharing arrangements; providing for a unique registration category and special license plates for commuter vans; defining ridesharing arrangement and other terms; clarifying taxation, licensing, and vehicle use requirements in ridesharing arrangements; excluding certain ridesharing arrangements from the provisions of chapter 176 governing workers' compensation; clarifying employers' liability under workers' compensation for a ridesharing arrangement; excluding participation in a ridesharing arrangement from overtime compensation and the payment of minimum wages as defined in chapter 177; excluding payments other than salary to drivers in ridesharing arrangements from the definition of gross income; excluding motor vehicles participating in ridesharing arrangements from the definition of commercial motor vehicle; deleting the requirement to transfer rideshare program development from the commissioner of transportation; amending Minnesota Statutes 1982, sections 16.753, subdivision 3; 169.01, by adding a subdivision; 174.257, by adding subdivisions; 176.041; 176.051, by adding subdivisions; 290.08, by adding a subdivision; 296.17; and Laws 1981, chapter 363, section 55, subdivision 2; proposing new law coded in Minnesota Statutes, chapters 168 and 177.

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

Section 1. Minnesota Statutes 1982, section 16.753, subdivision 3, is amended to read:

Subd. 3. **PERMITTED USES.** A state vehicle may be used by a state employee to travel to or from the employee's residence:

(a) On a day on which it may be necessary for the employee to respond to a work-related emergency during hours when the employee is not normally working; or

(b) If the employee has been assigned the use of a state vehicle for authorized state business on an extended basis, and the employee's primary place of work is not the state work station to which he is permanently assigned; or

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(c) If the employee has been assigned the use of a state vehicle for authorized state business away from the work station to which he is permanently assigned, and the number of miles travelled, or the time needed to conduct the business, will be minimized if the employee uses a state vehicle to travel to the employee's residence before or after travelling to the place of state business. Use of a state vehicle pursuant to this subdivision shall require the prior approval of the agency head, or the designee of the agency head. Within 15 days of the end of each three-month period, beginning July 1, 1981, the head of each state agency or department shall report to the commissioner of administration on each case in which a state vehicle is used by an employee of that agency to travel to or from the employee's residence. The commissioner shall specify the form of this report and the information to be included. If no state vehicles have been used for this travel, the head of the agency shall report this to the commissioner; or

(d) If the employee is authorized to participate in a ridesharing program established by the commissioner pursuant to section 174.257.

Sec. 2. [168.126] COMMUTER VANS; REGISTRATION, LICENSE PLATES.

Subdivision 1. UNIQUE REGISTRATION CATEGORY. A unique vehicle registration category is established for vehicles known as commuter vans, as defined in section 221.011, subdivision 22, paragraph (1).

Subd. 2. LICENSE PLATES. The registrar shall issue special license plates for a commuter van as defined in section 221.011, subdivision 22, paragraph (1), upon the applicant's compliance with the laws of Minnesota relating to registration and licensing of motor vehicles and drivers.

Subd. 3. ELIGIBILITY CRITERIA; COMMISSIONER OF PUBLIC SAFETY. The commissioner of public safety, in cooperation with the commissioner of transportation, shall establish criteria and procedures governing applications for and issuance of plates permitted by this section. The criteria and procedures may include:

- (1) certification of vehicle use as a commuter van;
- (2) provision for transfer of special license plates; and
- (3) deposit of fees for the registration, sale, and transfer of commuter vans.

The special plate must be designed to specifically identify the vehicle as a commuter van.

Sec. 3. Minnesota Statutes 1982, section 169.01, is amended by adding a subdivision to read:

Subd. 63. RIDESHARING ARRANGEMENT. "Ridesharing arrangement" means the transportation of persons, for a fee or otherwise, in a motor vehicle when the transportation is incidental to another purpose of the driver.

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The term includes the forms of shared transportation known as carpools, commuter vanpools, and buspools, whether or not furnished by an employer. A "ridesharing arrangement" does not include transportation of employees by an employer from one place of employment to another.

Sec. 4. Minnesota Statutes 1982, section 169.01, is amended by adding a subdivision to read:

Subd. 64. BUSPOOL. "Buspool" means a prearranged ridesharing arrangement in which a group of persons travel together on a regular basis in a bus, especially to and from their place of employment or to and from a transit stop authorized by a local transit authority.

Sec. 5. Minnesota Statutes 1982, section 169.01, is amended by adding a subdivision to read:

Subd. 65. CARPOOL. "Carpool" means a prearranged ridesharing arrangement in which two or more persons travel together on a regular basis in an automobile, especially to and from their place of employment or to and from a transit stop authorized by a local transit authority.

Sec. 6. Minnesota Statutes 1982, section 169.01, is amended by adding a subdivision to read:

Subd. 66. COMMUTER VANPOOL. "Commuter vanpool" means a prearranged ridesharing arrangement in which seven to 16 persons travel together on a regular basis in a commuter van, especially to and from their place of employment or to and from a transit stop authorized by a local transit authority.

Sec. 7. Minnesota Statutes 1982, section 174.257, is amended to read:

174.257 RIDESHARING PROGRAM.

Subdivision 1. REQUIREMENTS. The commissioner of transportation shall establish a ridesharing program in order to advise citizens of the available alternatives to travel by low occupancy vehicles and the benefits derived from sharing rides. The program shall must provide citizens with necessary information and opportunities for sharing rides, encourage citizens to share rides, and assist citizens in obtaining access to shared rides. The program shall must make use of existing services and agencies whenever possible. The program shall must give priority to assisting employers who will implement employee ridesharing programs. The services provided by the program shall must include, ~~but not be limited to:~~

- (a) providing general information to potential ridesharing users;
- (b) establishing procedures for the implementation of ridesharing programs by individuals, groups, corporations, or local agencies;

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(c) offering assistance to local governments and other political subdivisions in implementing ridesharing programs;

(d) providing technical assistance to those individuals, groups, corporations, or local agencies;

(e) providing advice to individuals requesting assistance in finding ride-sharing opportunities and programs;

(f) providing ~~van leasing, insurance, assistance in obtaining insured leased vans~~ and management assistance to individuals and persons implementing ride-sharing programs.

Subd. 2. NO TAX OR LICENSE. No political subdivision may impose a tax on, or require a license for a ridesharing arrangement as defined in section 3.

Subd. 3. VEHICLE USE BY POLITICAL SUBDIVISION. A political subdivision may authorize the use of motor vehicles which it owns or operates for ridesharing arrangements for its employees, and may establish reasonable reimbursement rates for that use.

Subd. 4. VEHICLE USE BY STATE. The state may authorize the use of motor vehicles which it owns or operates for ridesharing arrangements for its employees, and shall establish reasonable reimbursement rates for that use. The commissioner of administration shall by September 1, 1983, establish a demonstration program for using state-owned vehicles, other than commuter vans, for use in ridesharing arrangements for state employees.

Sec. 8. Minnesota Statutes 1982, section 176.041, subdivision 1, is amended to read:

Subdivision 1. **EMPLOYMENTS EXCLUDED.** This chapter does not apply to ~~persons~~ a person employed by ~~any~~ a common carrier by railroad engaged in interstate or foreign commerce, ~~which persons are and who is~~ covered by the Federal Employers' Liability Act (45 U.S.C. 51-60), United States Code, title 45, sections 51 to 60, or other comparable federal law; ~~persons to a person~~ employed by a family farm as defined by section 176.011, subdivision 11a, or the spouse, parent, and child, regardless of age, of a farmer-employer working for him; ~~partners to a partner~~ engaged in any a farm operation or ~~partners a partner~~ engaged in a business and the spouse, parent, and child, regardless of age, of ~~any of the partners of a partner in~~ the farm operation or business; ~~to an executive officer of a family farm corporation; to an executive officer of a closely held corporation referred to in section 176.012; any to a spouse, parent, or child, regardless of age, of an executive officer of a family farm corporation as defined in section 500.24, subdivision 2, and employed by that family farm corporation; any to a spouse, parent, or child, regardless of age, of an executive officer of a closely held corporation referred to in section 176.012; or other farmers to~~

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~~another farmer or members of their families to a member of the other farmer's family~~ exchanging work with the farmer-employer or family farm corporation operator in the same community, ~~or persons; to a person whose employment at the time of the injury is casual, and not in the usual course of the trade, business, profession, or occupation of his the employer; nor does it this chapter apply to officers an officer or members a member of veteran's organizations a veterans' organization whose employment relationship arises solely by virtue of attending meetings or conventions of their the veterans' organization, unless the veteran's organizations elect veterans' organization elects by resolution to provide coverage under this chapter for the officers officer or members member.~~

Neither shall ~~does~~ the chapter apply to ~~any~~ a person employed as a household worker in, for, or about, a private home or household who earns less than \$500 in cash in ~~any~~ a three-month period from a single private home or household provided that ~~any~~ a household worker who has earned \$500 or more from ~~his the~~ present employer in ~~any~~ a three-month period within the previous year ~~shall be is~~ covered by this chapter regardless of whether or not ~~he the~~ household worker has in the present quarter earned \$500.

This chapter does not apply to those persons employed by a corporation ~~where~~ if those persons are related by blood or marriage, within the third degree of kindred according to the rules of civil law, to ~~all~~ of the officers of the corporation, and if the corporation files a written election with the commissioner of labor and industry to have those persons excluded from this chapter.

This chapter does not apply to a nonprofit association which does not pay more than \$500 in salary or wages in a year.

This chapter does not apply to employees injured while participating in a ridesharing arrangement as defined in section 3, between the employee's residence and place of employment or terminus near the place of employment. This chapter does apply if the employer elects to assume liability coverage under this chapter for persons injured while participating in ridesharing arrangements as outlined in section 9, subdivision 3.

Sec. 9. Minnesota Statutes, section 176.051, is amended to read:

176.051 ASSUMPTION OF LIABILITY; FARM AND HOUSEHOLD WORKERS; RIDESHARING.

Subdivision 1. FARM AND HOUSEHOLD WORKERS. An employer of workers on ~~any~~ a farm operation or household workers not otherwise covered by this chapter may assume the liability for compensation imposed by this chapter and ~~such the~~ employer's procurement of a workers' compensation policy constitutes an assumption by the employer of ~~such~~ liability unless the employer elects in writing not to have ~~such~~ those persons covered and the policy ~~so~~ states ~~the that~~ election. This assumption of liability takes effect and continues from the effective date of the policy and only as long ~~only~~ as the policy remains in force.

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If during the life of any such the insurance policy any, an employee, who is a worker on any a farm operation or a household worker, suffers personal injury or death arising out of and in the course of his employment, the exclusive remedy of the employee or his the employee's dependents is under this chapter. For purposes of this section, farm worker shall does not include any a spouse, parent, or child, regardless of age, of any a farmer or of any, a partner in a farm operation, or of any an officer of a family farm corporation as defined in section 500.24, subdivision 1, nor shall does it include other farmers in the same community or members of their family exchanging work with the farmer-employer or family farm corporation operator.

Subd. 2. COMPENSATION LIMITATION; RIDESHARING ARRANGEMENTS. The purpose of subdivisions 3 and 4 is to promote and encourage ridesharing arrangements by limiting compensation under this chapter to persons injured while in ridesharing arrangements in programs covered by an employer's election under subdivision 3.

Subd. 3. EMPLOYER LIABILITY ASSUMPTIONS. An employer of workers participating in a ridesharing arrangement as defined by section 3 may assume the liability of compensation imposed by this chapter and the employer's procurement of a workers' compensation policy constitutes an assumption by the employer of liability unless the employer elects in writing not to have those persons covered and the policy states that election. Election by an employer to assume liability of compensation imposed by this chapter does not extend to persons not employed by the employer.

Subd. 4. NO FAULT COVERAGE PRIMARY. Notwithstanding an election by an employer to assume liability of compensation imposed by this chapter, the benefits provided under chapter 65B are the primary coverage for an injury incurred by a driver or a passenger while in a ridesharing arrangement, including an injury incurred while entering or alighting from a motor vehicle used in a ridesharing arrangement.

Sec. 10. [177.251] RIDESHARING NOT OVERTIME.

The provisions of this chapter relating to compensation for overtime and payment of a minimum wage do not apply to employees while they are participating in ridesharing arrangements as defined in section 3.

Sec. 11. Minnesota Statutes 1982, section 290.08, subdivision 23, is amended to read:

Subd. 23. COMMUTER VAN USE RIDESHARING PAYMENTS NOT GROSS INCOME. Gross income shall does not include benefits derived by a driver from the personal use of a commuter van owned by a person other than the driver. For purposes of this subdivision, commuter van shall mean a motor vehicle having a capacity of seven to 16 persons which is used principally to provide prearranged transportation of persons to or from their place of

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employment or to or from a transit stop authorized by a local transit authority which vehicle is to be operated by a person who does not drive the vehicle for his principal occupation but is driving it only to or from his principal place of employment, to or from a transit stop authorized by a local transit commission, or for personal use when authorized by the owner. The exemption shall not apply to monetary compensation received by a person in return for his services in driving the van payments, other than salary, received by a driver of a motor vehicle for use of the motor vehicle in a ridesharing arrangement as defined in section 3.

Sec. 12. Minnesota Statutes 1982, section 296.17, subdivision 7, is amended to read:

Subd. 7. **DEFINITIONS.** As used in subdivisions 7 to 22:

(a) "motor fuel" means any a liquid, regardless of its composition or properties, used to propel a motor vehicle;

(b) "commercial motor vehicle" means a passenger vehicle that has seats for more than nine passengers in addition to the driver, or any a road tractor, or any a tractor truck, or any a truck having more than two axles, which ~~passenger vehicle, road tractor, tractor truck or truck~~ is propelled by motor fuel, but does not include a motor vehicle while used in a ridesharing arrangement as defined in section 3;

(c) "motor carrier" means any a person who operates or causes to be operated any a commercial motor vehicle on any a highway in this state;

(d) "operations" "operation" means operation of all commercial motor vehicles whether loaded or empty, whether for compensation or not for compensation, and whether owned by or leased to the motor carrier who operates them or causes them to be operated; and

(e) "highway" means the entire width between the boundary lines of every way publicly maintained when any part thereof of the highway is open to the use of for the public for purposes of vehicular to travel on.

Sec. 13. Laws 1981, chapter 363, section 55, subdivision 2, is amended to read:

Subd. 2. **RIDESHARING.** The sum of \$75,000 for the first year and \$50,000 for the second year of the biennium are appropriated from the trunk highway fund to the commissioner of transportation to continue operation of the rideshare program implemented pursuant to under section 174.257. ~~The commissioner shall complete program development and transfer responsibility for local program planning and operation activity to private operators or local authorities, or any combination of them, by June 30, 1983, when the state participation in the program shall cease. A status report shall be presented to the legislature by January 15, 1982. The rideshare program shall~~ must be

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administered so as to ensure maximum use of available federal aid. The commissioner shall not expend more than \$250,000 for the first year and \$150,000 for the second year of federal aid funds for any activities relating to ridesharing, including but not limited to, promoting ridematching and professional services if federal funds are or may be available for highway improvement or maintenance purposes.

Sec. 14. **EFFECTIVE DATE.**

Sections 1 to 10 and sections 12 and 13 are effective the day following final enactment. Section 11 is effective for taxable years beginning after December 31, 1982.

Approved June 9, 1983

CHAPTER 312 — S.F.No. 1234

An act relating to the organization and operation of state government; appropriating money for welfare, corrections, health, and other purposes with certain conditions; providing appropriations for the departments of public welfare, economic security, corrections, health, sentencing guidelines commission, corrections ombudsman, and health related boards; providing an entitlement to certain child care services; increasing marriage license and dissolution fees; providing for distribution of federal maternal and child health block grant money; requiring cost increase limits and other cost containment measures in medical care programs; amending eligibility standards; changing general assistance to allow employment through grant diversion and work registration requirements, and federal benefit application incentives; providing for job training for certain persons; allowing for certain changes in the services for the mentally retarded; amending Minnesota Statutes 1982, sections 13.46, subdivision 2; 15.61; 129A.03; 144.653, subdivision 2; 144A.04, subdivision 5; 144A.10, subdivision 2; 145.881; 145.882; 145.921, subdivision 1; 245.62; 245.66; 245.83; 245.84, subdivisions 1, 2, and 5; 245.85; 245.86; 245.87; 246.57, by adding a subdivision; 251.011, subdivision 6; 252.24, subdivision 1; 252.28; 256.01, subdivision 2; 256.045, subdivision 3; 256.82, by adding a subdivision; 256.966, subdivision 1; 256.967; 256.968; 256B.02, subdivision 8; 256B.04, subdivision 14, and by adding a subdivision; 256B.041, subdivisions 2 and 5; 256B.06, subdivision 1; 256B.061; 256B.064, subdivision 1a; 256B.07; 256B.14, subdivision 2; 256B.17, subdivision 4, and by adding subdivisions; 256B.19, by adding a subdivision; 256B.27, subdivisions 3 and 4; 256D.01, subdivision 1; 256D.02, subdivision 4, and by adding a subdivision; 256D.03, subdivisions 3, 4, and by adding subdivisions; 256D.05, subdivision 1a; 256D.06, subdivision 5; 256D.09, subdivision 2, and by adding a subdivision; 256E.06, subdivision 2, and by adding a subdivision; 260.191, subdivision 2; 260.242, subdivision 2; 261.23; 268.12, subdivision 12; 357.021, subdivisions 2 and 2a; 401.14, by adding a subdivision; 401.15, subdivision 1; 517.08, subdivisions 1b and 1c; Laws 1982, chapter 614, section 13;

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