

CHAPTER 104--H.F.No. 3436

An act relating to transportation; modifying various transportation-related provisions, including but not limited to motor vehicles, driving rules, accident reporting requirements, child passenger restraint requirements, roadable aircraft, legislative routes, drivers' licenses and exams, excavation requirements, and greater Minnesota transit; modifying criminal penalties; modifying prior appropriations; making technical changes; requiring reports; amending Minnesota Statutes 2022, sections 43A.17, by adding a subdivision; 65B.28, subdivision 2; 161.115, subdivisions 116, 117, by adding a subdivision; 161.14, by adding a subdivision; 161.321, subdivisions 2, 2b; 168.002, subdivisions 18, 24, 26, 27; 168.013, subdivision 1d; 168.0135, by adding a subdivision; 168.12, subdivision 1; 168.1282, subdivision 1; 168.33, subdivision 8a; 168A.085, by adding a subdivision; 168B.035, subdivision 3; 169.011, subdivisions 3a, 44, by adding subdivisions; 169.09, subdivisions 5, 14a, 19; 169.19, subdivision 2; 169.224, subdivision 3; 169.34, subdivision 1; 169.444, subdivision 4; 169.4503, subdivision 31; 169.56, by adding a subdivision; 169.685, subdivisions 4, 5, 7, by adding subdivisions; 169.79, by adding a subdivision; 169.80, by adding a subdivision; 169.801, subdivision 7; 169.829, by adding a subdivision; 169.87, subdivision 6; 169.974, subdivision 2; 169A.52, subdivision 7; 171.01, subdivisions 40, 41a, 47, by adding a subdivision; 171.06, subdivision 2a; 171.0605, subdivisions 2, 6; 171.072; 171.13, subdivision 6, by adding a subdivision; 171.30, subdivisions 2a, 5; 171.335, subdivision 3; 174.03, subdivision 12; 174.22, subdivisions 2b, 7, 12, 14, by adding subdivisions; 174.23, subdivision 2; 174.24, subdivisions 1a, 3b, 3c; 174.247; 174.632, subdivision 2; 174.636, subdivision 1; 216D.01, subdivision 12, by adding subdivisions; 216D.03, by adding a subdivision; 216D.04; 216D.05; 219.46, subdivision 1; 221.033, subdivision 1, by adding a subdivision; 360.013, by adding a subdivision; 473.121, subdivision 19; Minnesota Statutes 2023 Supplement, sections 4.076, subdivision 3; 115E.042, subdivision 4; 168.1235, subdivision 1; 168.1259, subdivision 5; 168.345, subdivision 2; 169.09, subdivision 8; 171.06, subdivision 3; 171.0605, subdivision 5; 171.07, subdivision 15; 171.12, subdivisions 5c, 7b, 11; 171.13, subdivision 1a; 171.395, subdivision 1; 171.396; 174.38, subdivision 3; 174.40, subdivision 4a; 221.0269, subdivision 4; 256B.0625, subdivision 17; 609.855, subdivision 7; Laws 2023, chapter 68, article 1, sections 2, subdivision 4; 17, subdivisions 7, 18; article 2, section 2, subdivisions 3, 4, 5, 7, 9; proposing coding for new law in Minnesota Statutes, chapters 168; 169; 171; 174; 219; repealing Minnesota Statutes 2022, sections 169.011, subdivision 70; 169.25; 171.0605, subdivision 4; 174.22, subdivisions 5, 15; 174.23, subdivision 7; 216D.06, subdivision 3; 221.033, subdivision 2c; Minnesota Statutes 2023 Supplement, section 171.06, subdivisions 9, 10, 11; Minnesota Rules, parts 7410.6180; 7411.7600, subpart 3; 8835.0110, subparts 1, 1a, 6, 7, 10, 11a, 12a, 12b, 13a, 14a, 15, 15a, 16, 17, 18, 19; 8835.0210; 8835.0220; 8835.0230; 8835.0240; 8835.0250; 8835.0260; 8835.0265; 8835.0270; 8835.0275; 8835.0280; 8835.0290; 8835.0310; 8835.0320; 8835.0330, subparts 1, 3, 4; 8835.0350, subparts 1, 3, 4, 5.

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

ARTICLE 1

TRANSPORTATION POLICY

Section 1. Minnesota Statutes 2023 Supplement, section 4.076, subdivision 3, is amended to read:

Subd. 3. **Membership; chair.** (a) The advisory council consists of the following members:

- (1) the chair, which is filled on a two-year rotating basis by a designee from:
 - (i) the Office of Traffic Safety in the Department of Public Safety;
 - (ii) the Office of Traffic Engineering in the Department of Transportation; and
 - (iii) the Injury and Violence Prevention Section in the Department of Health;
- (2) two vice chairs, which must be filled by the two designees who are not currently serving as chair of the advisory council under clause (1);
- (3) the statewide Toward Zero Deaths communications coordinator;
- (4) the statewide Toward Zero Deaths program and operations coordinator;
- ~~(4)~~ (5) a regional coordinator from the Toward Zero Deaths program;
- ~~(5)~~ (6) the chief of the State Patrol or a designee;
- ~~(6)~~ (7) the state traffic safety engineer in the Department of Transportation or a designee;
- ~~(7)~~ (8) a law enforcement liaison from the Department of Public Safety;
- ~~(8)~~ (9) a representative from the Department of Human Services;
- ~~(9)~~ (10) a representative from the Department of Education;
- ~~(10)~~ (11) a representative from the Council on Disability;
- ~~(11)~~ (12) a representative for Tribal governments;
- ~~(12)~~ (13) a representative from the Center for Transportation Studies at the University of Minnesota;
- ~~(13)~~ (14) a representative from the Minnesota Chiefs of Police Association;
- ~~(14)~~ (15) a representative from the Minnesota Sheriffs' Association;
- ~~(15)~~ (16) a representative from the Minnesota Safety Council;
- ~~(16)~~ (17) a representative from AAA Minnesota;
- ~~(17)~~ (18) a representative from the Minnesota Trucking Association;
- ~~(18)~~ (19) a representative from the Insurance Federation of Minnesota;
- ~~(19)~~ (20) a representative from the Association of Minnesota Counties;
- ~~(20)~~ (21) a representative from the League of Minnesota Cities;
- ~~(21)~~ (22) the American Bar Association State Judicial Outreach Liaison;
- ~~(22)~~ (23) a representative from the City Engineers Association of Minnesota;
- ~~(23)~~ (24) a representative from the Minnesota County Engineers Association;
- ~~(24)~~ (25) a representative from the Bicycle Alliance of Minnesota;

~~(25)~~ (26) two individuals representing vulnerable road users, including pedestrians, bicyclists, and other operators of a personal conveyance;

~~(26)~~ (27) a representative from Minnesota Operation Lifesaver;

~~(27)~~ (28) a representative from the Minnesota Driver and Traffic Safety Education Association;

~~(28)~~ (29) a representative from the Minnesota Association for Pupil Transportation;

~~(29)~~ (30) a representative from the State Trauma Advisory Council;

~~(30)~~ (31) a person representing metropolitan planning organizations; ~~and~~

~~(31)~~ (32) a person representing contractors engaged in construction and maintenance of highways and other infrastructure;

(33) the director of the Minnesota Emergency Medical Services Regulatory Board or successor organization; and

(34) a person representing a victims advocacy organization.

(b) The commissioners of public safety and transportation must jointly appoint the advisory council members under paragraph (a), clauses ~~(11)~~ (12), ~~(25)~~ (26), ~~(30)~~ (31), ~~and (31)~~ (32), and (34).

Sec. 2. Minnesota Statutes 2022, section 43A.17, is amended by adding a subdivision to read:

Subd. 13. Compensation for law enforcement officers. (a) For purposes of this subdivision, the term "law enforcement officers" means all licensed peace officers employed by the state who are included in the state units under section 179A.10, subdivision 2, including without limitation: Minnesota State Patrol troopers, Bureau of Criminal Apprehension agents, and Alcohol and Gambling Enforcement agents, in the Department of Public Safety; Department of Natural Resources conservation officers; Department of Corrections Fugitive Apprehension Unit members; and Commerce Fraud Bureau agents in the Department of Commerce.

(b) When the commissioner of management and budget negotiates a collective bargaining agreement establishing compensation for law enforcement officers, the commissioner must use compensation and benefit data from the most recent salary and benefits survey conducted pursuant to section 299D.03, subdivision 2a, to compare salaries to ensure appropriate increases are made to law enforcement officer salaries and benefits.

EFFECTIVE DATE; APPLICATION. This section is effective the day following final enactment and expires January 1, 2032. This section applies to contracts entered into on or after the effective date but before January 1, 2032.

Sec. 3. Minnesota Statutes 2022, section 65B.28, subdivision 2, is amended to read:

Subd. 2. Accident prevention course; rules. (a) The commissioner of public safety ~~shall~~ must adopt rules establishing and regulating a motor vehicle accident prevention course for persons 55 years old and older.

(b) The rules must, at a minimum, include provisions:

(1) establishing curriculum requirements; and

~~(2) establishing the number of hours required for successful completion of the course; and~~

~~(3)~~ (2) providing for the issuance of a course completion certification and requiring its submission to an insured as evidence of completion of the course.

(c) The accident prevention course must be a total of four hours.

EFFECTIVE DATE. This section is effective July 1, 2024, and applies to accident prevention courses held on or after that date.

Sec. 4. Minnesota Statutes 2023 Supplement, section 115E.042, subdivision 4, is amended to read:

Subd. 4. **Response capabilities; time limits.** (a) Following confirmation of a discharge, a railroad must deliver and deploy sufficient equipment and trained personnel to (1) contain and recover discharged oil or other hazardous substances, (2) protect the environment, and (3) assist local public safety officials. Within 15 minutes of a rail incident involving a confirmed discharge or release of oil or other hazardous substances, a railroad must contact the applicable emergency manager and applicable fire ~~chief~~ department, through the local public safety answering point, having jurisdiction along the route where the incident occurred. After learning of the rail incident involving oil or other hazardous substances, the applicable emergency manager and applicable fire ~~chief~~ department must, as soon as practicable, identify and provide contact information of the responsible incident commander to the reporting railroad.

(b) Within 15 minutes of local emergency responder arrival on the scene of a rail incident involving oil or other hazardous substances, a railroad must assist the incident commander to determine the nature of any hazardous substance known to have been released and hazardous substance cargo transported on the train. Assistance must include providing information that identifies the chemical content of the hazardous substance, contact information for the shipper, and instructions for dealing with the release of the material. A railroad may provide information on the hazardous substances transported on the train through the train orders on board the train or by facsimile or electronic transmission.

(c) Within one hour of confirmation of a discharge, a railroad must provide a qualified company representative to advise the incident commander, assist in assessing the situation, initiate railroad response actions as needed, and provide advice and recommendations to the incident commander regarding the response. The representative may be made available by telephone, and must be authorized to deploy all necessary response resources of the railroad.

(d) Within three hours of confirmation of a discharge, a railroad must be capable of delivering monitoring equipment and a trained operator to assist in protection of responder and public safety. A plan to ensure delivery of monitoring equipment and an operator to a discharge site must be provided each year to the commissioner of public safety.

(e) Within three hours of confirmation of a discharge, a railroad must provide (1) qualified personnel at a discharge site to assess the discharge and to advise the incident commander, and (2) resources to assist the incident commander with ongoing public safety and scene stabilization.

(f) A railroad must be capable of deploying containment boom from land across sewer outfalls, creeks, ditches, and other places where oil or other hazardous substances may drain, in order to contain leaked material before it reaches those resources. The arrangement to provide containment boom and staff may be made by:

(1) training and caching equipment with local jurisdictions;

- (2) training and caching equipment with a fire mutual-aid group;
- (3) means of an industry cooperative or mutual-aid group;
- (4) deployment of a contractor;
- (5) deployment of a response organization under state contract; or
- (6) other dependable means acceptable to the Pollution Control Agency.

(g) Each arrangement under paragraph (f) must be confirmed each year. Each arrangement must be tested by drill at least once every five years.

(h) Within eight hours of confirmation of a discharge, a railroad must be capable of delivering and deploying containment boom, boats, oil recovery equipment, trained staff, and all other materials needed to provide:

(1) on-site containment and recovery of a volume of oil equal to ten percent of the calculated worst case discharge at any location along the route; and

(2) protection of listed sensitive areas and potable water intakes within one mile of a discharge site and within eight hours of water travel time downstream in any river or stream that the right-of-way intersects.

(i) Within 60 hours of confirmation of a discharge, a railroad must be capable of delivering and deploying additional containment boom, boats, oil recovery equipment, trained staff, and all other materials needed to provide containment and recovery of a worst case discharge and to protect listed sensitive areas and potable water intakes at any location along the route.

Sec. 5. Minnesota Statutes 2022, section 161.115, subdivision 116, is amended to read:

Subd. 116. **Route No. 185.** Beginning at a point on Route No. 1 ~~at Sandstone~~ and Route No. 390, thence extending in a northeasterly direction to a point on Route No. 103 as herein established in Duluth.

EFFECTIVE DATE. This section is effective the day after the commissioner of transportation receives a copy of the agreement between the commissioner and the governing body of Pine County to transfer jurisdiction of a portion of Legislative Route No. 185 and notifies the revisor of statutes electronically or in writing that the conditions required to transfer the route have been satisfied.

Sec. 6. Minnesota Statutes 2022, section 161.115, subdivision 117, is amended to read:

Subd. 117. **Route No. 186.** Beginning at a point on Route No. 110 as herein established, thence extending in an easterly direction to a point on Route No. 185 ~~as herein established at or near Askov 1 and Route No. 390;~~ affording Isle; ~~and~~ Finlayson; ~~and~~ Askov; a reasonable means of communication each with the other and other places within the state.

EFFECTIVE DATE. This section is effective the day after the commissioner of transportation notifies the revisor of statutes electronically or in writing of the effective date.

Sec. 7. Minnesota Statutes 2022, section 161.115, is amended by adding a subdivision to read:

Subd. 272. **Route No. 341.** Beginning at a point on Route No. 1 at Sandstone, thence extending in a generally easterly direction to a point at or near the east bank of the Kettle River.

EFFECTIVE DATE. This section is effective the day after the commissioner of transportation notifies the revisor of statutes electronically or in writing of the effective date.

Sec. 8. Minnesota Statutes 2022, section 161.14, is amended by adding a subdivision to read:

Subd. 106. Mayor Dave Smiglewski Memorial Bridge. The bridge on marked U.S. Highway 212 over the Minnesota River in the city of Granite Falls is designated as "Mayor Dave Smiglewski Memorial Bridge." Subject to section 161.139, the commissioner must adopt a suitable design to mark the bridge and erect appropriate signs.

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

Sec. 9. Minnesota Statutes 2022, section 161.321, subdivision 2, is amended to read:

Subd. 2. Small targeted group business, small business; contract preferences. (a) The commissioner may award up to a ~~six~~ 12 percent preference in the amount bid for specified construction work to small targeted group businesses.

(b) The commissioner may designate a contract for construction work for award only to small targeted group businesses if the commissioner determines that at least three small targeted group businesses are likely to bid.

(c) The commissioner may award up to a four percent preference in the amount bid for specified construction work to small businesses located in an economically disadvantaged area as defined in section 16C.16, subdivision 7.

Sec. 10. Minnesota Statutes 2022, section 161.321, subdivision 2b, is amended to read:

Subd. 2b. Veteran-owned small business; contract preferences. (a) The commissioner may award up to a ~~six~~ 12 percent preference in the amount bid for specified construction work to veteran-owned small businesses, except when prohibited by the federal government as a condition of receiving federal funds. When a bid preference is provided under this section, the percentage of preference in bid amount under this subdivision may not be less than the percentage of bid preference provided to any small targeted group business under subdivision 2.

(b) When a bid preference is provided under this subdivision, the commissioner must be as inclusive as possible in specifying contracts for construction work, as well as for construction-related professional and technical services, available under this bid preference program for veteran-owned small businesses. The term "construction" must be given broad meaning for purposes of specifying and letting contracts for veteran-owned small businesses and must include, but is not limited to, preplanning, planning, and all other construction-related professional and technical services.

(c) When a bid preference is provided under this subdivision, the commissioner must strive to ensure that contracts will be awarded on a proportional basis with contracts awarded under subdivision 2.

(d) The commissioner may designate a contract for construction work for award only to veteran-owned small businesses, if the commissioner determines that at least three veteran-owned small businesses are likely to bid.

Sec. 11. Minnesota Statutes 2022, section 168.002, subdivision 18, is amended to read:

Subd. 18. **Motor vehicle.** (a) "Motor vehicle" means any self-propelled vehicle designed and originally manufactured to operate primarily on highways, and not operated exclusively upon railroad tracks. It includes any vehicle propelled or drawn by a self-propelled vehicle and includes vehicles known as trackless trolleys that are propelled by electric power obtained from overhead trolley wires but not operated upon rails.

(b) "Motor vehicle" includes an all-terrain vehicle only if the all-terrain vehicle (1) has at least four wheels, (2) is owned and operated by a physically disabled person, and (3) displays both disability plates and a physically disabled certificate issued under section 169.345.

(c) "Motor vehicle" does not include an all-terrain vehicle except (1) an all-terrain vehicle described in paragraph (b), or (2) an all-terrain vehicle licensed as a motor vehicle before August 1, 1985. The owner may continue to license an all-terrain vehicle described in clause (2) as a motor vehicle until it is conveyed or otherwise transferred to another owner, is destroyed, or fails to comply with the registration and licensing requirements of this chapter.

(d) "Motor vehicle" does not include a snowmobile; a manufactured home; a park trailer; an electric personal assistive mobility device as defined in section 169.011, subdivision 26; a motorized foot scooter as defined in section 169.011, subdivision 46; or an electric-assisted bicycle as defined in section 169.011, subdivision 27.

(e) "Motor vehicle" includes an off-highway motorcycle modified to meet the requirements of chapter 169 according to section 84.788, subdivision 12.

(f) "Motor vehicle" includes a roadable aircraft as defined in section 169.011, subdivision 67a.

Sec. 12. Minnesota Statutes 2022, section 168.002, subdivision 24, is amended to read:

Subd. 24. **Passenger automobile.** (a) "Passenger automobile" means any motor vehicle designed and used for carrying not more than 15 individuals, including the driver.

(b) "Passenger automobile" does not include motorcycles, motor scooters, buses, school buses, or commuter vans as defined in section 168.126.

(c) "Passenger automobile" includes; but is not limited to:

(1) a vehicle that is a pickup truck or a van as defined in subdivisions 26 and 40;

(2) neighborhood electric vehicles, as defined in section 169.011, subdivision 47; ~~and~~

(3) medium-speed electric vehicles, as defined in section 169.011, subdivision 39; and

(4) roadable aircraft, as defined in section 169.011, subdivision 67a.

Sec. 13. Minnesota Statutes 2022, section 168.002, subdivision 26, is amended to read:

Subd. 26. **Pickup truck.** "Pickup truck" means any truck with a manufacturer's nominal rated carrying capacity of three-fourths ton or less and commonly known as a pickup truck. If the manufacturer's nominal rated carrying capacity is not provided or cannot be determined, then the value specified by the manufacturer as the gross vehicle weight as indicated on the manufacturer's certification label must be ~~less than~~ 10,000 pounds or less.

Sec. 14. Minnesota Statutes 2022, section 168.002, subdivision 27, is amended to read:

Subd. 27. **Recreational vehicle.** (a) "Recreational vehicle" means travel trailers including those that telescope or fold down, chassis-mounted campers, motor homes, tent trailers, teardrop trailers, and converted buses that provide temporary human living quarters.

(b) "Recreational vehicle" is a vehicle that:

- (1) is not used as the residence of the owner or occupant;
- (2) is used while engaged in recreational or vacation activities; and
- (3) is either self-propelled or towed on the highways incidental to the recreational or vacation activities.

Sec. 15. Minnesota Statutes 2022, section 168.013, subdivision 1d, is amended to read:

Subd. 1d. **Trailer.** (a) On trailers registered at a gross vehicle weight of greater than 3,000 pounds, the annual tax is based on total gross weight and is 30 percent of the Minnesota base rate prescribed in subdivision 1e, when the gross weight is 15,000 pounds or less, and when the gross weight of a trailer is more than 15,000 pounds, the tax for the first eight years of vehicle life is 100 percent of the tax imposed in the Minnesota base rate schedule, and during the ninth and succeeding years of vehicle life the tax is 75 percent of the Minnesota base rate prescribed by subdivision 1e. A trailer registered at a gross vehicle weight greater than 3,000 pounds but no greater than 7,200 pounds may be taxed either: (1) annually as provided in this paragraph; or (2) once every three years on the basis of total gross weight and is 90 percent of the Minnesota base rate prescribed in subdivision 1e, provided that the filing fee under section 168.33, subdivision 7, paragraph (a), is multiplied by three, with funds collected by the commissioner allocated proportionally in the same manner as provided in section 168.33, subdivision 7, paragraph (e).

(b) Farm trailers with a gross weight in excess of 10,000 pounds and as described in section 168.002, subdivision 8, are taxed as farm trucks as prescribed in subdivision 1c.

(c) Effective on and after July 1, 2001, trailers registered at a gross vehicle weight of 3,000 pounds or less, excluding recreational vehicles, must display a distinctive plate. The registration on the license plate is valid for the life of the trailer only if it remains registered at the same gross vehicle weight. The onetime registration tax for trailers registered for the first time in Minnesota is \$55. For trailers registered in Minnesota before July 1, 2001, and for which:

(1) registration is desired for the remaining life of the trailer, the registration tax is \$25; or

(2) permanent registration is not desired, the biennial registration tax is \$10 for the first renewal if registration is renewed between and including July 1, 2001, and June 30, 2003. These trailers must be issued permanent registration at the first renewal on or after July 1, 2003, and the registration tax is \$20.

For trailers registered at a gross weight of 3,000 pounds or less before July 1, 2001, but not renewed until on or after July 1, 2003, the registration tax is \$20 and permanent registration must be issued.

Sec. 16. Minnesota Statutes 2022, section 168.0135, is amended by adding a subdivision to read:

Subd. 2a. **Limitations.** (a) A vendor must not have an ownership interest with a deputy registrar or a driver's license agent.

(b) A vendor is not eligible to be appointed by the commissioner as a deputy registrar or a driver's license agent.

(c) An entity that owns, leases, or otherwise provides a location where a self-service kiosk is placed is not eligible to be appointed by the commissioner as a deputy registrar or a driver's license agent. This paragraph does not apply to a deputy registrar or a driver's license agent appointed prior to placement of a self-service kiosk within the office of the deputy registrar or driver's license agent.

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

Sec. 17. Minnesota Statutes 2022, section 168.12, subdivision 1, is amended to read:

Subdivision 1. **Plates; design, visibility, periods of issuance.** (a) The commissioner, upon approval and payment, ~~shall~~ must issue to the applicant the plates required by this chapter, bearing the state name and an assigned vehicle registration number. The number assigned by the commissioner may be a combination of a letter or sign with figures. The color of the plates and the color of the abbreviation of the state name and the number assigned must be in marked contrast. The plates must be lettered, spaced, or distinguished to suitably indicate the registration of the vehicle according to the rules of the commissioner.

(b) When a vehicle is registered on the basis of total gross weight, the plates issued must clearly indicate by letters or other suitable insignia the maximum gross weight for which the tax has been paid.

(c) Plates issued to a noncommercial vehicle must bear the inscription "noncommercial" unless the vehicle is displaying a special plate authorized and issued under this chapter.

(d) A one-ton pickup truck that is used for commercial purposes and is subject to section 168.185, is eligible to display special plates as authorized and issued under this chapter.

(e) The plates must be so treated as to be at least 100 times brighter than the conventional painted number plates. When properly mounted on an unlighted vehicle, the plates, when viewed from a vehicle equipped with standard headlights, must be visible for a distance of not less than 1,500 feet and readable for a distance of not less than 110 feet.

(f) The commissioner ~~shall~~ must issue plates for the following periods:

(1) New plates issued pursuant to section 168.012, subdivision 1, must be issued to a vehicle for as long as the vehicle is owned by the exempt agency and the plate ~~shall~~ is not be transferable from one vehicle to another but the plate may be transferred with the vehicle from one tax-exempt agency to another.

(2) Plates issued for passenger automobiles must be issued for a seven-year period. All plates issued under this paragraph must be replaced if they are seven years old or older at the time of registration renewal or will become so during the registration period.

(3) Plates issued under sections 168.053 and 168.27, subdivisions 16 and 17, must be for a seven-year period.

(4) Plates issued under subdivisions 2c and 2d and sections 168.123, 168.1235, and 168.1255 must be issued for the life of the veteran under section 169.79.

(5) Plates for any vehicle not specified in clauses (1) to (3) must be issued for the life of the vehicle.

(g) In a year in which plates are not issued, the commissioner ~~shall~~ must issue for each registration a sticker to designate the year of registration. This sticker must show the year or years for which the sticker

is issued, and is valid only for that period. The plates and stickers issued for a vehicle may not be transferred to another vehicle during the period for which the sticker is issued, except when issued for a vehicle registered under section 168.187.

(h) Despite any other provision of this subdivision, plates issued to a vehicle used for behind-the-wheel instruction in a driver education course in a public school may be transferred to another vehicle used for the same purpose without payment of any additional fee. The public school ~~shall~~ must notify the commissioner of each transfer of plates under this paragraph. The commissioner may prescribe a format for notification.

(i) In lieu of plates required under this section, the commissioner must issue a registration number identical to the federally issued tail number assigned to a roadable aircraft.

Sec. 18. Minnesota Statutes 2023 Supplement, section 168.1235, subdivision 1, is amended to read:

Subdivision 1. **General requirements; fees.** (a) The commissioner ~~shall~~ must issue a special plate emblem for each plate to an applicant who:

(1) is a member of a congressionally chartered veterans service organization and is a registered owner of a passenger automobile, pickup truck, van, or self-propelled recreational vehicle, or is a congressionally chartered veterans service organization that is the registered owner of a passenger automobile, pickup truck, van, or self-propelled recreational vehicle;

(2) pays the registration tax required by law;

(3) pays a fee in the amount specified for special plates under section 168.12, subdivision 5, for each set of two plates, and any other fees required by this chapter; and

(4) complies with this chapter and rules governing the registration of motor vehicles and licensing of drivers.

(b) The additional fee is payable at the time of initial application for the special plate emblem and when the plates must be replaced or renewed. ~~An applicant must not be issued more than two sets of special plate emblems for motor vehicles listed in paragraph (a) and registered to the applicant.~~

(c) The applicant must present a valid card indicating membership in the American Legion, Veterans of Foreign Wars, or Disabled American Veterans.

Sec. 19. Minnesota Statutes 2023 Supplement, section 168.1259, subdivision 5, is amended to read:

Subd. 5. **Contributions; account; appropriation.** Contributions collected under subdivision 2, paragraph (a), clause (5), must be deposited in the Minnesota professional sports team foundations account, which is established in the special revenue fund. Money in the account is annually appropriated to the commissioner of public safety. This appropriation is first for the annual cost of administering the account funds, and the remaining funds are for distribution to the foundations in proportion to the total number of Minnesota professional sports team foundation plates issued for that year. Proceeds from a plate that includes the marks and colors of all foundations must be divided evenly between all foundations. The foundations must only use the proceeds for philanthropic or charitable purposes.

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

Sec. 20. Minnesota Statutes 2022, section 168.1282, subdivision 1, is amended to read:

Subdivision 1. **Issuance of plates.** The commissioner must issue "Start Seeing Motorcycles" special license plates or a single motorcycle plate to an applicant who:

(1) is a registered owner of a passenger automobile, noncommercial one-ton pickup truck, motorcycle, or recreational vehicle;

(2) pays a fee in the amount specified for special plates under section 168.12, subdivision 5, for each set of plates;

(3) pays the registration tax as required under section 168.013, along with any other fees required by this chapter;

(4) contributes a minimum of \$10 annually to the motorcycle safety ~~fund~~ account, created under section 171.06, subdivision 2a, ~~paragraph (a), clause (1);~~ and

(5) complies with this chapter and rules governing registration of motor vehicles and licensing of drivers.

EFFECTIVE DATE. This section is effective July 1, 2024.

Sec. 21. **[168.24] ROADABLE AIRCRAFT REGISTRATION.**

(a) For purposes of this section, "roadable aircraft" has the meaning given in section 169.011, subdivision 67a.

(b) An owner of a roadable aircraft must comply with all rules and requirements of this chapter and chapter 168A governing the titling, registration, taxation, and insurance of motor vehicles.

(c) A person who seeks to register a roadable aircraft for operation as a motor vehicle on public roadways in Minnesota must apply to the commissioner. The application must contain:

(1) the name and address of the owner of the roadable aircraft;

(2) the federally issued tail number assigned to the aircraft;

(3) the make and model of the roadable aircraft; and

(4) any other information the commissioner may require.

(d) Upon receipt of a valid and complete application for registration of a roadable aircraft, the commissioner must issue a certificate of registration.

(e) A valid registration certificate issued under this section must be located inside the roadable aircraft when the aircraft is in operation on a public highway.

(f) A roadable aircraft registered as a motor vehicle under this section must also be registered as an aircraft as provided in section 360.60.

Sec. 22. Minnesota Statutes 2022, section 168.33, subdivision 8a, is amended to read:

Subd. 8a. **Electronic transmission.** (a) If the commissioner accepts electronic transmission of a motor vehicle transfer and registration by a new or used motor vehicle dealer, a deputy registrar who is equipped with electronic transmission technology and trained in its use ~~shall~~ must receive the filing fee provided for

in subdivision 7 and review the transfer of each new or used motor vehicle to determine its genuineness and regularity before issuance of a certificate of title, and ~~shall~~ must receive and retain the filing fee under subdivision 7, paragraph (a), clause (2).

(b) The commissioner must establish reasonable performance, security, technical, and financial standards to approve companies that provide computer software and services to motor vehicle dealers to electronically transmit vehicle title transfer and registration information. An approved company must be offered access to department facilities, staff, and technology on a fair and reasonable basis. An approved company must not have an ownership interest with a deputy registrar or a driver's license agent. An approved company is not eligible to be appointed by the commissioner as a deputy registrar or a driver's license agent.

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

Sec. 23. Minnesota Statutes 2023 Supplement, section 168.345, subdivision 2, is amended to read:

Subd. 2. **Lessees; information.** (a) The commissioner may not furnish information about registered owners of ~~passenger automobiles who are~~ motor vehicle lessees under a lease for a term of 180 days or more to any person except:

(1) the owner of the vehicle;

(2) the lessee;

(3) personnel of law enforcement agencies ~~and~~;

(4) trade associations performing a member service under section 604.15, subdivision 4a, ~~and~~;

(5) licensed dealers in connection with a vehicle sale or lease;

(6) federal, state, and local governmental units; and,

(7) at the commissioner's discretion, to persons who use the information to notify lessees of automobile recalls.

(b) The commissioner may release information about motor vehicle lessees in the form of summary data, as defined in section 13.02, to persons who use the information in conducting statistical analysis and market research.

EFFECTIVE DATE. This section is effective October 1, 2024.

Sec. 24. Minnesota Statutes 2022, section 168A.085, is amended by adding a subdivision to read:

Subd. 4. **Foreign passport.** A valid and unexpired passport issued to the applicant by a recognized foreign government is a primary document for purposes of Minnesota Rules, part 7410.0400, and successor rules, when the applicant is an individual who is applying as the owner for a vehicle title or registration.

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

Sec. 25. Minnesota Statutes 2022, section 168B.035, subdivision 3, is amended to read:

Subd. 3. **Towing prohibited.** (a) A towing authority may not tow a motor vehicle because:

(1) the vehicle ~~has expired~~ displays registration tabs validation stickers that have been expired for less than 90 days; or

(2) the vehicle is at a parking meter on which the time has expired ~~and the vehicle has fewer than five unpaid parking tickets.~~

(b) A towing authority may tow a motor vehicle, notwithstanding paragraph (a), if:

(1) the vehicle is parked in violation of snow emergency regulations;

(2) the vehicle is parked in a rush-hour restricted parking area;

(3) the vehicle is blocking a driveway, alley, or fire hydrant;

(4) the vehicle is parked in a bus lane, or at a bus stop, during hours when parking is prohibited;

(5) the vehicle is parked within 30 feet of a stop sign and visually blocking the stop sign;

(6) the vehicle is parked in a disability transfer zone or disability parking space without a disability parking certificate or disability license plates;

(7) the vehicle is parked in an area that has been posted for temporary restricted parking (i) at least 12 hours in advance in a home rule charter or statutory city having a population under 50,000, or (ii) at least 24 hours in advance in another political subdivision;

(8) the vehicle is parked within the right-of-way of a controlled-access highway or within the traveled portion of a public street when travel is allowed there;

(9) the vehicle is unlawfully parked in a zone that is restricted by posted signs to use by fire, police, public safety, or emergency vehicles;

(10) the vehicle is unlawfully parked on property at the Minneapolis-St. Paul International Airport owned by the Metropolitan Airports Commission;

(11) a law enforcement official has probable cause to believe that the vehicle is stolen, or that the vehicle constitutes or contains evidence of a crime and impoundment is reasonably necessary to obtain or preserve the evidence;

(12) the driver, operator, or person in physical control of the vehicle is taken into custody and the vehicle is impounded for safekeeping;

(13) a law enforcement official has probable cause to believe that the owner, operator, or person in physical control of the vehicle has failed to respond to five or more citations for parking or traffic offenses;

(14) the vehicle is unlawfully parked in a zone that is restricted by posted signs to use by taxicabs;

(15) the vehicle is unlawfully parked and prevents egress by a lawfully parked vehicle;

(16) the vehicle is parked, on a school day during prohibited hours, in a school zone on a public street where official signs prohibit parking; or

(17) the vehicle is a junk, abandoned, or unauthorized vehicle, as defined in section 168B.011, and subject to immediate removal under this chapter.

Sec. 26. Minnesota Statutes 2022, section 169.011, subdivision 3a, is amended to read:

Subd. 3a. **Autocycle.** (a) "Autocycle" means a motorcycle that:

- (1) has three wheels in contact with the ground;
- (2) is designed with seating that does not require operators or any occupants to straddle or sit astride it;
- (3) has a steering wheel;
- (4) is equipped with antilock brakes; and
- (5) is originally manufactured to meet federal motor vehicle safety standards for motorcycles in Code of Federal Regulations, title 49, part 571, and successor requirements.

(b) An autocycle does not include a roadable aircraft as defined in subdivision 67a.

Sec. 27. Minnesota Statutes 2022, section 169.011, subdivision 44, is amended to read:

Subd. 44. **Motorcycle.** "Motorcycle" means every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, including motor scooters and autocycles. Motorcycle does not include (1) motorized bicycles as defined in subdivision 45, (2) electric-assisted bicycles as defined in subdivision 27, ~~or~~ (3) a tractor, or (4) roadable aircraft.

Sec. 28. Minnesota Statutes 2022, section 169.011, is amended by adding a subdivision to read:

Subd. 48a. **Nondivisible load or vehicle.** "Nondivisible load" or "nondivisible vehicle" means any load or vehicle exceeding the applicable length, width, height, or weight limits set forth in this chapter which, if separated into smaller loads or vehicles, would:

- (1) compromise the intended use of the load or vehicle;
- (2) destroy the value of the load or vehicle; or
- (3) require more than eight work hours to dismantle using appropriate equipment.

Sec. 29. Minnesota Statutes 2022, section 169.011, is amended by adding a subdivision to read:

Subd. 67a. **Roadable aircraft.** "Roadable aircraft" means any aircraft capable of taking off and landing from a suitable airfield and that is also designed to be operated on a public highway as a motor vehicle.

Sec. 30. Minnesota Statutes 2022, section 169.09, subdivision 5, is amended to read:

Subd. 5. **Notify owner of damaged property.** If the driver of any vehicle involved in a collision knows or has reason to know the collision resulted only in damage to fixtures legally upon or adjacent to a highway, the driver ~~shall~~ must:

(1) take reasonable steps to locate and notify the owner or person in charge of the property of ~~that fact~~ the collision, ~~of~~ the driver's name and address, and ~~of~~ the ~~registration~~ license plate number of the vehicle being driven and ~~shall~~ must, upon request and if available, exhibit the driver's license, ~~and make an accident report in every case; and~~

(2) report the information required in clause (1) to a peace officer.

Sec. 31. Minnesota Statutes 2023 Supplement, section 169.09, subdivision 8, is amended to read:

Subd. 8. **Officer to report accident to commissioner.** ~~A peace officer who, in the regular course of duty, investigates an accident that must be reported under this section shall, within ten days after the date of the accident, forward an electronic or written report of the accident as prescribed by the commissioner of public safety. Within two business days after identification of a fatality that resulted from an accident, the reporting agency must notify the commissioner of the basic circumstances of the accident using an electronic format as prescribed by the commissioner.~~ (a) A peace officer who investigates in the regular course of duty an accident that is required to be reported under this section must submit an electronic or written report of the accident to the commissioner of public safety within ten days after the date of the accident. Within two business days after identification of a fatality that resulted from an accident, the reporting agency must notify the commissioner of the basic circumstances of the accident. A report or notification under this subdivision must be in the format as prescribed in subdivision 9.

(b) Accidents on streets, highways, roadways, sidewalks, shoulders, shared use paths, or any other portion of a public right-of-way must be reported under the requirements of this section if the accident results in:

(1) a fatality;

(2) bodily injury to a person who, because of the injury, immediately receives medical treatment away from or at the scene of the accident;

(3) one or more of the motor vehicles incurring disabling damage that requires a vehicle to be transported away from the scene of the accident by tow truck or other vehicle; or

(4) damage to fixtures, infrastructure, or any other property alongside or on a highway.

(c) An accident involving a school bus, as defined in section 169.011, subdivision 71, must be reported under the requirements of this section and section 169.4511.

(d) An accident involving a commercial motor vehicle, as defined in section 169.781, subdivision 1, paragraph (a), must be reported under the requirements of this section and section 169.783.

(e) Accidents occurring on public lands or trail systems that result in the circumstances specified in paragraph (b) must be reported under the requirements of this section.

Sec. 32. Minnesota Statutes 2022, section 169.09, subdivision 14a, is amended to read:

Subd. 14a. **Suspension of license for failure to report accident.** The commissioner may suspend the license, or any nonresident's operating privilege, of any ~~person~~ driver who willfully fails, refuses, or neglects to make report of a traffic accident as required ~~by the laws of this state~~ under this section. A license suspension under this section is subject to the notice requirements of section 171.18, subdivision 2.

Sec. 33. Minnesota Statutes 2022, section 169.09, subdivision 19, is amended to read:

Subd. 19. **Terminology.** (a) The provisions of this section apply equally whether the term "accident" or "collision" is used. The term "accident" or "collision" does not include:

(1) an occurrence involving only boarding and alighting from a stationary motor vehicle;

(2) an occurrence involving only the loading or unloading of cargo; or

(3) intentional vehicle-to-vehicle contact when initiated by a peace officer:(i) to stop a perpetrator from fleeing in a motor vehicle, as defined in section 609.487, subdivision 3; or(ii) as an authorized use of force, as defined in section 609.06, subdivision 1; 609.065; or 609.066.

(b) For purposes of this section, "disabling damage" means damage that prevents a motor vehicle from departing the scene of the accident in its usual manner in daylight after simple repairs. Disabling damage includes damage to a motor vehicle that could be driven from the scene of the accident but would be further damaged if so driven. Disabling damage does not include:

(1) damage that can be remedied temporarily at the scene of the accident without special tools or parts;(2) tire disablement without other damage, even if no spare tire is available;(3) headlamp or taillight damage; or(4) damage that makes the turn signals, horn, or windshield wipers inoperable.

(c) For purposes of this section, motor vehicle includes off-highway vehicles, as defined in section 84.771, and snowmobiles, as defined in section 84.81.

Sec. 34. Minnesota Statutes 2022, section 169.19, subdivision 2, is amended to read:

Subd. 2. **U-turn.** ~~No vehicle shall be turned~~ The operator of a vehicle must not turn to proceed in the opposite direction upon any curve, or upon the approach to or near the crest of a grade, where the vehicle cannot be seen by the driver operator of any other vehicle approaching from either direction within 1,000 feet, nor shall the driver. The operator of a vehicle must not turn the vehicle to proceed in the opposite direction unless the movement can be made safely and without interfering with other traffic. When necessary to accommodate vehicle configuration on The operator of a vehicle is permitted to make a right-hand turn into the farthest lane of a roadway with two or more lanes in the same direction, a driver may turn the vehicle into the farthest lane and temporarily use the shoulder to make a U-turn in order to make a U-turn at a reduced-conflict intersection if it is safe to do so.

Sec. 35. Minnesota Statutes 2022, section 169.224, subdivision 3, is amended to read:

Subd. 3. **Operation.** (a) A neighborhood electric vehicle or a medium-speed electric vehicle may not be operated on a street or highway with a speed limit greater than 35 miles per hour, except to make a direct crossing of that street or highway.

(b) A person may operate a three-wheeled neighborhood electric vehicle without a ~~two-wheeled vehicle motorcycle endorsement, provided~~ if the person has a valid driver's license issued under chapter 171.

Sec. 36. Minnesota Statutes 2022, section 169.34, subdivision 1, is amended to read:

Subdivision 1. **Prohibitions.** (a) ~~No person shall~~ A person must not stop, stand, or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic-control device, in any of the following places:

(1) on a sidewalk;(2) in front of a public or private driveway;

(3) within an intersection;

(4) within ten feet of a fire hydrant;

(5) on a crosswalk;

(6) within 20 feet of a crosswalk at an intersection;

(7) within 30 feet upon the approach to any flashing beacon, stop sign, or traffic-control signal located at the side of a roadway;

~~(8) between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless a different length is indicated by signs or markings;~~

~~(9)~~ (8) within 50 feet of the nearest rail of a railroad crossing;

~~(10)~~ (9) within 20 feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within 75 feet of said entrance when properly signposted;

~~(11)~~ (10) alongside or opposite any street excavation or obstruction when such stopping, standing, or parking would obstruct traffic;

~~(12)~~ (11) on the roadway side of any vehicle stopped or parked at the edge or curb of a street;

~~(13)~~ (12) upon any bridge or other elevated structure upon a highway or within a highway tunnel, except as otherwise provided by ordinance;

~~(14)~~ (13) within a bicycle lane, except when posted signs permit parking; or

~~(15)~~ (14) at any place where official signs prohibit stopping.

(b) ~~No person shall~~ A person must not move a vehicle not owned by ~~such~~ the person into any prohibited area or away from a curb such distance as is unlawful.

(c) ~~No person shall~~ A person must not, for camping purposes, leave or park a travel trailer on or within the limits of any highway or on any highway right-of-way, except where signs are erected designating the place as a campsite.

(d) ~~No person shall~~ A person must not stop or park a vehicle on a street or highway when directed or ordered to proceed by any peace officer invested by law with authority to direct, control, or regulate traffic.

Sec. 37. Minnesota Statutes 2022, section 169.444, subdivision 4, is amended to read:

Subd. 4. **Exception for separated roadway.** (a) A person driving a vehicle on a street or highway with separated roadways is not required to stop the vehicle when approaching or meeting a school bus that is on a different roadway.

(b) "Separated roadway" means a road that is separated from a parallel road by a ~~safety isle or safety zone~~ physical barrier, raised median, or depressed median.

Sec. 38. Minnesota Statutes 2022, section 169.4503, subdivision 31, is amended to read:

Subd. 31. **Supplemental warning system; temporary authority.** (a) ~~Prior to August 1, 2022, the commissioner may approve a Type A, B, C, or D school bus to~~ buses may be equipped with a supplemental

warning system. ~~On and after that date, a school bus may continue to be equipped with a previously approved supplemental warning system.~~

~~(b) To determine approval of a supplemental warning system, the commissioner must consider A supplemental warning system must:~~

~~(1) use amber and red signal colors, which are limited to one or more of the colors white, amber, and red;~~

~~(2) flashing patterns use supplemental amber warning lights activated only in conjunction with activated overhead amber warning lights and supplemental red warning lights activated only in conjunction with activated overhead red flashing lights;~~

~~(3) vehicle mounting and placement;~~

~~(4) supplemental warning system activation (3) be wired so the supplemental warning system is automatically activated in conjunction with activation of prewarning flashing amber signals, stop-signal arm, and flashing red signals;~~

~~(5) light intensity (4) be programmed to flash at a rate of 60 to 120 flashes per minute by either:~~

~~(i) using a randomized flash pattern; or~~

~~(ii) alternating with the corresponding overhead light; and~~

~~(6) permissible text, signage, and graphics, if any (5) use lights installed in pairs and mounted on the same level and placed as wide as practicable on the body above the bumper level.~~

~~(e) The commissioner must review relevant research findings and experience in other jurisdictions, and must consult with interested stakeholders, including but not limited to representatives from school district pupil transportation directors, private school bus operators, and pupil transportation and traffic safety associations.~~

Sec. 39. Minnesota Statutes 2022, section 169.56, is amended by adding a subdivision to read:

Subd. 6. **Motorcycle ground light.** Notwithstanding section 169.64, subdivision 4a, a motorcycle may be equipped with white ground lights mounted under the motorcycle if:

(1) the bulbs or strips are not visible to operators of other vehicles; and

(2) the lights are aimed as to project a steady, nonflashing beam not more than six feet in radius directly onto the roadway and illuminate an area around the motorcycle.

Sec. 40. Minnesota Statutes 2022, section 169.685, is amended by adding a subdivision to read:

Subd. 3a. **Definitions.** (a) For purposes of this section, the following terms have the meanings given.

(b) "Booster seat" means a child passenger restraint system that meets applicable federal motor vehicle safety standards and is designed to provide belt-positioning that elevates a child to be properly seated with a safety belt.

(c) "Child passenger restraint system" means a device that:

(1) meets applicable federal motor vehicle safety standards of the United States Department of Transportation and complies with any other applicable federal regulations;

(2) is designed to restrain, seat, or position children; and

(3) is appropriate to the age of the child being restrained.

Child passenger restraint system includes a booster seat.

(d) "Properly restrained" means restrained or secured according to the instructions of both the motor vehicle manufacturer and the child passenger restraint system manufacturer.

(e) "Secured with a safety belt" means restrained or secured by a seat belt that (1) meets applicable federal motor vehicle safety standards, and (2) is properly adjusted and fastened, including both the shoulder and lap straps when equipped in the vehicle.

Sec. 41. Minnesota Statutes 2022, section 169.685, subdivision 4, is amended to read:

Subd. 4. **Admissibility into evidence.** (a) Except as provided in paragraph (b), proof of the use or failure to use seat belts or a child passenger restraint system as described in subdivision ~~5~~ 4a, or proof of the installation or failure of installation of seat belts or a child passenger restraint system as described in subdivision ~~5~~ shall not be 4a is not admissible in evidence in any litigation involving personal injuries or property damage resulting from the use or operation of any motor vehicle.

(b) Paragraph (a) does not affect the right of a person to bring an action for damages arising out of an incident that involves a defectively designed, manufactured, installed, or operating seat belt or child passenger restraint system. Paragraph (a) does not prohibit the introduction of evidence pertaining to the use of a seat belt or child passenger restraint system in an action described in this paragraph.

Sec. 42. Minnesota Statutes 2022, section 169.685, is amended by adding a subdivision to read:

Subd. 4a. **Child passenger restraint systems.** (a) Except as provided in paragraph (c), every driver in this state who transports a child or children under the age of 18 years in a motor vehicle that is in motion or a part of traffic and is required under federal motor vehicle safety standards to be equipped with a safety belt or lower anchors and tethers for children in a passenger seating position must have the child or children secured as follows:

(1) a child who is younger than two years of age must be properly restrained in a rear-facing child passenger restraint system with an internal harness, until the child reaches the weight or height limit of the child passenger restraint system;

(2) a child who is at least two years of age and exceeds the rear-facing weight or height limit of the child passenger restraint system must be properly restrained in a forward-facing child passenger restraint system with an internal harness, until the child reaches the weight or height limit of the child passenger restraint system;

(3) a child who is at least four years of age and exceeds the weight or height limit of the forward-facing child passenger restraint system must be properly restrained in a booster seat and secured with a safety belt;

(4) a child who is at least nine years of age or exceeds the weight or height limit of the child passenger restraint system or the booster seat must be secured with a safety belt adjusted and fastened around the child's body to fit correctly. The safety belt fits correctly when the child sits all the way back against the vehicle

seat, the child's knees bend over the edge of the vehicle seat, the lap strap fits snugly across the child's thighs and lower hips and not the child's abdomen, and the shoulder strap snugly crosses the center of the child's chest and not the child's neck;

(5) a child who is younger than 13 years of age must be transported in the rear seat of a motor vehicle, when available, and must be properly restrained in a child passenger restraint system or booster seat or secured with a safety belt; and

(6) a child who, because of age or weight, can be placed in more than one category under this paragraph must be placed in the more protective category, where clause (1) provides for the most protective and clause (5) provides for the least protective.

(b) The driver of a motor vehicle transporting a child who is younger than six years of age or weighs less than 60 pounds must transport the child in a rear seat if:

(1) the vehicle is equipped with a passenger side air bag supplemental restraint system;

(2) the air bag system is activated; and

(3) a rear seat is available.

(c) When the number of children in the motor vehicle under 13 years of age exceeds the number of age- or size-appropriate child passenger restraint systems and safety belts available in the motor vehicle, the unrestrained children must be seated in a rear seat, if rear seats are available.

(d) The weight and height limits of a child passenger restraint system under this subdivision are as established by the child passenger restraint system manufacturer.

EFFECTIVE DATE. This section is effective August 1, 2024, and applies to violations committed on or after that date.

Sec. 43. Minnesota Statutes 2022, section 169.685, subdivision 5, is amended to read:

~~Subd. 5. **Violation; petty misdemeanor.** (a) Every motor vehicle operator, when transporting a child who is both under the age of eight and shorter than four feet nine inches on the streets and highways of this state in a motor vehicle equipped with factory-installed seat belts, shall equip and install for use in the motor vehicle, according to the manufacturer's instructions, a child passenger restraint system meeting federal motor vehicle safety standards.~~

~~(b) No motor vehicle operator who is operating a motor vehicle on the streets and highways of this state may transport a child who is both under the age of eight and shorter than four feet nine inches in a seat of a motor vehicle equipped with a factory-installed seat belt, unless the child is properly fastened in the child passenger restraint system. Any motor vehicle operator who violates this subdivision 4a is guilty of a petty misdemeanor and may be sentenced to pay a fine of not more than \$50. The fine may be waived or the amount reduced if the motor vehicle operator produces evidence that within 14 days after the date of the violation a child passenger restraint system meeting federal motor vehicle safety standards was purchased or obtained for the exclusive use of the operator.~~

~~(c) (b) At the time of issuance of a citation under this subdivision, a peace officer may provide to the violator information on obtaining a free or low-cost child passenger restraint system.~~

~~(d) (c) The fines collected for violations of this subdivision must be deposited in the state treasury and credited to a special account to be known as the Minnesota child passenger restraint and education account.~~

~~(e) For the purposes of this section, "child passenger restraint system" means any device that meets the standards of the United States Department of Transportation; is designed to restrain, seat, or position children; and includes a booster seat.~~

EFFECTIVE DATE. This section is effective August 1, 2024, and applies to violations committed on or after that date.

Sec. 44. Minnesota Statutes 2022, section 169.685, subdivision 7, is amended to read:

Subd. 7. **Appropriation; special account.** The Minnesota child passenger restraint and education account is created in the ~~state treasury~~ special revenue fund, consisting of fines collected under subdivision 5 and other money appropriated or donated. The money in the account is annually appropriated to the commissioner of public safety to be used to provide child passenger restraint systems to families in financial need, school districts and child care providers that provide for the transportation of pupils to and from school using type III vehicles or school buses with a gross vehicle weight rating of 10,000 pounds or less, and to provide an educational program on the need for and proper use of child passenger restraint systems. Information on the commissioner's activities and expenditure of funds under this section must be available upon request.

EFFECTIVE DATE. This section is effective July 1, 2024.

Sec. 45. Minnesota Statutes 2022, section 169.79, is amended by adding a subdivision to read:

Subd. 3b. Roadable aircraft. Notwithstanding subdivision 1 and section 168.09, subdivision 1, a roadable aircraft is not required to display a license plate.

Sec. 46. Minnesota Statutes 2022, section 169.80, is amended by adding a subdivision to read:

Subd. 4. Divisible load. (a) A load that is not a nondivisible load on a vehicle or combination of vehicles must be transported:

(1) with the load reduced or positioned in a manner so that the transportation does not exceed the size and weight limits of vehicles under this chapter; or

(2) under a special permit authorized in this chapter for which the transportation qualifies.

(b) The applicant for a special permit related to a nondivisible load has the burden of proof as to the number of work hours required to dismantle the load.

Sec. 47. Minnesota Statutes 2022, section 169.801, subdivision 7, is amended to read:

Subd. 7. **Driving rules.** (a) An implement of husbandry may not be operated or towed on an interstate highway.

(b) An implement of husbandry may be operated or towed to the left of the center of a roadway only if ~~it~~ the operation does not extend into the left half of the roadway more than is necessary and:

(1) the operation is for the purpose of avoiding an obstacle on the right-hand side of the road and the following requirements are met:

(i) the implement crosses the center line for as brief a period of time as necessary to avoid the obstacle;

(ii) the implement returns to the right half of the roadway immediately after passing the obstacle and when safe to do so; and

(iii) no other vehicles are approaching from the opposite direction such that the approaching vehicle would be within the immediate vicinity of the implement before the implement returns to the right-hand side of the road; or

(2) the implement is escorted at the front by a vehicle displaying hazard warning lights visible in normal sunlight and the operation does not extend into the left half of the roadway more than is necessary.

(c) An implement of husbandry, when operating in compliance with the requirements of this section and under paragraph (b), is not subject to the escort requirements in section 169.812, subdivision 2.

EFFECTIVE DATE. This section is effective August 1, 2024, and applies to violations committed on or after that date.

Sec. 48. Minnesota Statutes 2022, section 169.829, is amended by adding a subdivision to read:

Subd. 5. **Sewage septic tank trucks.** (a) For the purposes of this subdivision, "emergency pumping services" means a sewage septic tank truck's response to:

(1) uncontrolled and unintended seepage of the contents of a septic system into the ground, around a structure, or into a body of surface water;

(2) damage or malfunction to a septic system that requires removal of the contents of the septic system for repair or maintenance; or

(3) a condition that creates an immediate hazard to the health, welfare, or safety of a person.

(b) When a sewage septic tank truck used exclusively to transport sewage from septic or holding tanks is performing emergency pumping services, sections 169.823 and 169.826 to 169.828 do not apply, and the weight limitations under section 169.824 are increased by ten percent when transporting sewage from a single point of service to the point of unloading.

(c) Notwithstanding section 169.824, subdivision 1, paragraph (d); 169.826, subdivision 3; or any other law to the contrary, a permit is not required to operate a vehicle under this subdivision.

(d) The seasonal weight increases under section 169.826, subdivision 1, do not apply to a vehicle operated under this subdivision.

(e) A vehicle operated under this subdivision is subject to bridge load limits posted under section 169.84.

(f) A vehicle operated under this subdivision must not be operated with a load that exceeds the tire manufacturer's recommended load, the manufacturer's gross vehicle weight rating as affixed to the vehicle, or other certification of gross vehicle weight rating under Code of Federal Regulations, title 49, sections 567.4 to 567.7.

(g) The exceptions under this subdivision do not apply to a sewage septic tank truck's operation on an interstate highway.

EFFECTIVE DATE. This section is effective June 1, 2024.

Sec. 49. **[169.8655] SPECIAL SUGAR BEET HAULING VEHICLE PERMIT.**

Subdivision 1. 122,000-pound vehicles; East Grand Forks. A road authority may issue a permit for a vehicle or combination of vehicles that transports sugar beets and meets the following requirements:

- (1) does not exceed a maximum gross vehicle weight of 122,000 pounds;
- (2) does not use a semitrailer in a combination of vehicles that has an overall length in excess of 28-1/2 feet; and
- (3) is only for operation on the following roads in East Grand Forks:
 - (i) U.S. Highway 2 between the North Dakota border and Fifth Avenue Northeast;
 - (ii) Fifth Avenue Northeast between U.S. Highway 2 and Business Highway 2; and
 - (iii) Business Highway 2 from Fifth Avenue Northeast to the sugar beet processing facility on Business Highway 2.

Subd. 2. Requirements; restrictions. (a) A vehicle or combination of vehicles issued a permit under subdivision 1:

- (1) is subject to axle weight limitations under section 169.824, subdivision 1;
 - (2) is subject to seasonal load restrictions under section 169.87;
 - (3) is subject to bridge load limits posted under section 169.84;
 - (4) may not be operated with a load that exceeds the tire manufacturer's recommended load limit under section 169.823, the manufacturer's gross vehicle weight rating as affixed to the vehicle, or other certification of gross weight rating under Code of Federal Regulations, title 49, sections 567.4 to 567.7; and
 - (5) may not be operated on the interstate highway system.
- (b) The seasonal weight increases authorized under section 169.826 do not apply to a vehicle or combination of vehicles operating under this section.

Subd. 3. Permit fee. A permit issued under this section must be an annual permit. A permit issued under this section may only be issued before July 1, 2027. The fee for permits issued under this section is \$300 and must be deposited in the trunk highway fund.

Sec. 50. Minnesota Statutes 2022, section 169.87, subdivision 6, is amended to read:

Subd. 6. **Recycling and, garbage, and waste collection vehicles.** ~~(a) Except as provided in paragraph (b)~~ While a vehicle is engaged in the type of collection the vehicle was designed to perform, weight restrictions imposed under subdivisions 1 and 2 do not apply to:

- (1) a vehicle that does not exceed 20,000 pounds per single axle and is designed and used exclusively for recycling, while engaged in recycling operating in a political subdivision that mandates curbside recycling pickup;
- ~~(b) Weight restrictions imposed under subdivisions 1 and 2 do not apply to:~~ (2) a vehicle that does not exceed 14,000 pounds per single axle and is used exclusively for recycling as described in paragraph (a);

~~(2)~~ (3) a vehicle that does not exceed 14,000 pounds per single axle and is designed and used exclusively for collecting mixed municipal solid waste, as defined in section 115A.03, subdivision 21, ~~while engaged in such collection;~~ or

~~(3)~~ (4) a portable toilet service vehicle that does not exceed 14,000 pounds per single axle or 26,000 pounds gross vehicle weight, and is designed and used exclusively for collecting liquid waste from portable toilets, ~~while engaged in such collection;~~ or

(5) a sewage septic tank truck while performing emergency pumping services as defined in section 169.829, subdivision 5, that does not exceed 20,000 pounds per single axle and is designed and used exclusively to haul sewage from septic or holding tanks.

(e) (b) Notwithstanding section 169.80, subdivision 1, a violation of the owner or operator of a vehicle that violates the weight restrictions imposed under subdivisions 1 and 2 by a vehicle designed and used exclusively for recycling while engaged in recycling in a political subdivision that mandates curbside recycling pickup while engaged in such collection, by a vehicle that is designed and used exclusively for collecting mixed municipal solid waste as defined in section 115A.03, subdivision 21, while engaged in such collection, or by a portable toilet service vehicle that is designed and used exclusively for collecting liquid waste from portable toilets, while engaged in such collection, is not subject to criminal penalties but is subject to a civil penalty for excess weight under section 169.871 if the vehicle meets the requirements under paragraph (a) and is engaged in the type of collection the vehicle was designed to perform.

EFFECTIVE DATE. This section is effective June 1, 2024.

Sec. 51. Minnesota Statutes 2022, section 169.974, subdivision 2, is amended to read:

Subd. 2. **License endorsement and permit requirements.** (a) ~~No person shall~~ A person must not operate a motorcycle on any street or highway without having a valid driver's license with a ~~two-wheeled vehicle~~ motorcycle endorsement as provided by law. A person may operate an autocycle without a ~~two-wheeled vehicle~~ motorcycle endorsement, ~~provided if~~ if the person has a valid driver's license issued under section 171.02.

(b) The commissioner of public safety ~~shall~~ must issue a ~~two-wheeled vehicle~~ motorcycle endorsement only if the applicant (1) has in possession a valid ~~two-wheeled vehicle~~ motorcycle instruction permit as provided in paragraph (c), (2) has passed a written examination and road test administered by the Department of Public Safety for the endorsement, and (3) in the case of applicants under 18 years of age, presents a certificate or other evidence of having successfully completed an approved ~~two-wheeled vehicle~~ motorcycle driver's safety course in this or another state, in accordance with rules adopted by the commissioner of public safety for courses offered by a public, private, or commercial school or institute. The commissioner of public safety may waive the road test for any applicant on determining that the applicant possesses a valid license to operate a ~~two-wheeled vehicle~~ motorcycle issued by a jurisdiction that requires a comparable road test for license issuance.

(c) The commissioner of public safety ~~shall~~ must issue a ~~two-wheeled vehicle~~ motorcycle instruction permit to any person over 16 years of age who (1) is in possession of a valid driver's license, (2) is enrolled in an approved ~~two-wheeled vehicle~~ motorcycle driver's safety course, and (3) has passed a written examination for the permit and paid a fee prescribed by the commissioner of public safety. A ~~two-wheeled vehicle~~ motorcycle instruction permit is effective for one year and may be renewed under rules prescribed by the commissioner of public safety.

(d) ~~No~~ A person who is operating by virtue of a ~~two-wheeled vehicle~~ motorcycle instruction permit shall ~~shall~~ must not:

(1) carry any passengers on the streets and highways of this state on the motorcycle while the person is operating the motorcycle;

(2) drive the motorcycle at night; or

(3) drive the motorcycle without wearing protective headgear that complies with standards established by the commissioner of public safety.

(e) Notwithstanding paragraphs (a) to (d), the commissioner of public safety may issue a special motorcycle permit, restricted or qualified as the commissioner of public safety deems proper, to any person demonstrating a need for the permit and unable to qualify for a driver's license.

Sec. 52. **[169.975] OPERATION OF ROADABLE AIRCRAFT.**

Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have the meanings given.

(b) "Aircraft" has the meaning given in section 360.013, subdivision 37.

(c) "Airport" has the meaning given in section 360.013, subdivision 39, and includes a personal-use airport as defined in Minnesota Rules, part 8800.0100, subpart 22a.

(d) "Restricted landing area" has the meaning given in section 360.013, subdivision 57.

(e) "Unlicensed landing area" has the meaning given in Minnesota Rules, part 8800.0100, subpart 32a.

Subd. 2. **Operation.** (a) A roadable aircraft is considered a motor vehicle when in operation, including on a public highway, except when the vehicle is (1) at an airport, (2) on a restricted landing area, (3) on an unlicensed landing area, or (4) in flight. When operating a roadable aircraft as a motor vehicle, an operator must comply with all rules and requirements set forth in this chapter governing the operation and insurance of a motor vehicle.

(b) When in operation at an airport, a restricted landing area, an unlicensed landing area, or in flight, a roadable aircraft is considered an aircraft and the operator must comply with all rules and requirements set forth in chapter 360. An owner of a roadable aircraft registered in Minnesota must comply with all rules and requirements of chapter 360 governing the registration, taxation, and insurance of aircraft.

(c) A roadable aircraft may only take off or land at an airport, unlicensed landing area, or restricted landing area.

Sec. 53. Minnesota Statutes 2022, section 169A.52, subdivision 7, is amended to read:

Subd. 7. **Test refusal; driving privilege lost.** (a) On behalf of the commissioner, a peace officer requiring a test or directing the administration of a chemical test shall serve immediate notice of intention to revoke and of revocation on a person who refuses to permit a test or on a person who submits to a test the results of which indicate an alcohol concentration of 0.08 or more.

(b) On behalf of the commissioner, a peace officer requiring a test or directing the administration of a chemical test of a person driving, operating, or in physical control of a commercial motor vehicle shall serve

immediate notice of intention to disqualify and of disqualification on a person who refuses to permit a test, or on a person who submits to a test the results of which indicate an alcohol concentration of 0.04 or more.

(c) The officer shall:

(1) invalidate the person's driver's license or permit card ~~by clipping the upper corner of the card in such a way that no identifying information including the photo is destroyed, and immediately return the card to the person;~~

(2) issue the person a temporary license effective for only seven days; and

(3) send the notification of this action to the commissioner along with the certificate required by subdivision 3 or 4.

Sec. 54. Minnesota Statutes 2022, section 171.01, subdivision 40, is amended to read:

Subd. 40. **Motorcycle.** "Motorcycle" means every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, ~~including~~. Motorcycle includes motor scooters and bicycles with motor attached, but excluding.

(b) Motorcycle excludes tractors and, motorized bicycles, and roadable aircraft, as defined in section 169.011, subdivision 67a.

Sec. 55. Minnesota Statutes 2022, section 171.01, subdivision 41a, is amended to read:

Subd. 41a. **Noncompliant license; noncompliant identification card.** "Noncompliant license," "noncompliant identification card," or "noncompliant license or identification card," means a driver's license or a Minnesota identification card issued under section 171.019, subdivision 2, paragraph (b). Unless provided otherwise, noncompliant license includes an appropriate instruction permit, provisional license, limited license, and restricted license.

Sec. 56. Minnesota Statutes 2022, section 171.01, is amended by adding a subdivision to read:

Subd. 45c. **REAL ID compliant license; REAL ID compliant identification card.** "REAL ID compliant license," "REAL ID compliant identification card," or "REAL ID compliant license or identification card" means a driver's license or a Minnesota identification card issued under section 171.019, subdivision 2, paragraph (a). Unless provided otherwise, REAL ID compliant license includes an appropriate instruction permit, provisional license, limited license, and restricted license.

Sec. 57. Minnesota Statutes 2022, section 171.01, subdivision 47, is amended to read:

Subd. 47. **State.** "State" means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States, including a United States military base located on foreign soil.

Sec. 58. Minnesota Statutes 2022, section 171.06, subdivision 2a, is amended to read:

Subd. 2a. ~~Two-wheeled vehicle~~ **Motorcycle endorsement fee.** (a) In addition to the appropriate fee under subdivision 2, the fee for a ~~two-wheeled vehicle~~ motorcycle endorsement on a driver's license is:

(1) \$26.50 for an initial endorsement or a duplicate license obtained for the purpose of adding the endorsement; and

(2) \$17 for each license renewal with the endorsement.

(b) The additional fee must be paid into the state treasury and credited as follows:

(1) \$19 of the additional fee under paragraph (a), clause (1), and \$11 of the additional fee under paragraph (a), clause (2), to the motorcycle safety ~~fund~~ account, which is hereby created in the special revenue fund; and

(2) the remainder to the general fund.

(c) All application forms prepared by the commissioner for ~~two-wheeled vehicle~~ motorcycle endorsements must clearly state the amount of the total fee that is dedicated to the motorcycle safety ~~fund~~ account.

Sec. 59. Minnesota Statutes 2023 Supplement, section 171.06, subdivision 3, is amended to read:

Subd. 3. **Contents of application; other information.** (a) An application must:

(1) state the full name, date of birth, sex, and either (i) the residence address of the applicant, or (ii) designated address under section 5B.05;

(2) ~~as may be required by the commissioner, contain a description of the applicant and any other facts pertaining to the applicant, including the applicant's height in feet and inches, weight in pounds, eye color, and sex; the applicant's driving privileges;~~ and the applicant's ability to operate a motor vehicle with safety;

(3) state:

(i) the applicant's Social Security number; or

(ii) if the applicant does not have a Social Security number and is applying for a Minnesota identification card, instruction permit, or class D provisional or driver's license, that the applicant elects not to specify a Social Security number;

(4) contain a notification to the applicant of the availability of a living will/health care directive designation on the license under section 171.07, subdivision 7;

(5) include a method for the applicant to:

(i) request a veteran designation on the license under section 171.07, subdivision 15, and the driving record under section 171.12, subdivision 5a;

(ii) indicate a desire to make an anatomical gift under subdivision 3b, paragraph (e);

(iii) as applicable, designate document retention as provided under section 171.12, subdivision 3c;

(iv) indicate emergency contacts as provided under section 171.12, subdivision 5b;

(v) indicate the applicant's race and ethnicity; and

(vi) indicate caretaker information as provided under section 171.12, subdivision 5c; and

(6) meet the requirements under section 201.161, subdivision 3.

(b) Applications must be accompanied by satisfactory evidence demonstrating:

(1) identity, date of birth, and any legal name change if applicable; and

(2) for ~~driver's~~ drivers' licenses and Minnesota identification cards that meet all requirements of the REAL ID Act:

(i) principal residence address in Minnesota, including application for a change of address, unless the applicant provides a designated address under section 5B.05;

(ii) Social Security number, or related documentation as applicable; and

(iii) lawful status, as defined in Code of Federal Regulations, title 6, section 37.3.

(c) An application for an enhanced driver's license or enhanced identification card must be accompanied by:

(1) satisfactory evidence demonstrating the applicant's full legal name and United States citizenship; and

(2) a photographic identity document.

~~(d) A valid Department of Corrections or Federal Bureau of Prisons identification card containing the applicant's full name, date of birth, and photograph issued to the applicant is an acceptable form of proof of identity in an application for an identification card, instruction permit, or driver's license as a secondary document for purposes of Minnesota Rules, part 7410.0400, and successor rules.~~

~~(e)~~ (d) An application form must not provide for identification of (1) the accompanying documents used by an applicant to demonstrate identity, or (2) except as provided in paragraphs (b) and (c), the applicant's citizenship, immigration status, or lawful presence in the United States. The commissioner and a driver's license agent must not inquire about an applicant's citizenship, immigration status, or lawful presence in the United States, except as provided in paragraphs (b) and (c).

(e) A Minnesota driver's license or identification card must be issued only to an individual who has a residence address in the state at the time of the application. Applications for an enhanced driver's license or enhanced identification card must include proof of residency in accordance with section 171.063, subdivision 6. An individual may only have one residence address where the individual is domiciled at any particular time. The residence address of the individual is presumed to continue until the contrary is shown. The applicant must provide the following information about the residence address: residence number, street name, street type, directional, city or town, state, and zip code.

Sec. 60. Minnesota Statutes 2022, section 171.0605, subdivision 2, is amended to read:

Subd. 2. **Evidence; identity; date of birth.** (a) Only the following is satisfactory evidence of an applicant's identity and date of birth under section 171.06, subdivision 3, paragraph (b):

(1) a driver's license or identification card that:

(i) complies with all requirements of the REAL ID Act;

(ii) is not designated as temporary or limited term; and

(iii) is current or has been expired for five years or less;

(2) a valid, unexpired United States passport, including a passport booklet or passport card, issued by the United States Department of State;

(3) a certified copy of a birth certificate issued by a government bureau of vital statistics or equivalent agency in the applicant's state of birth, which must bear the raised or authorized seal of the issuing government entity;

(4) a consular report of birth abroad, certification of report of birth, or certification of birth abroad, issued by the United States Department of State, Form FS-240, Form DS-1350, or Form FS-545;

(5) a valid, unexpired permanent resident card issued by the United States Department of Homeland Security or the former Immigration and Naturalization Service of the United States Department of Justice, Form I-551. If the Form I-551 validity period has been automatically extended by the United States Department of Homeland Security, it is deemed unexpired, regardless of the expiration date listed;

(6) a foreign passport with an unexpired temporary I-551 stamp or a temporary I-551 printed notation on a machine-readable immigrant visa with a United States Department of Homeland Security admission stamp within the validity period;

(7) a United States Department of Homeland Security Form I-94 or Form I-94A with a photograph and an unexpired temporary I-551 stamp;

(8) a United States Department of State Form DS-232 with a United States Department of Homeland Security admission stamp and validity period;

~~(9)~~ (9) a certificate of naturalization issued by the United States Department of Homeland Security, Form N-550 or Form N-570;

~~(7)~~ (10) a certificate of citizenship issued by the United States Department of Homeland Security, Form N-560 or Form N-561;

~~(8)~~ (11) an unexpired employment authorization document issued by the United States Department of Homeland Security, Form I-766 or Form I-688B. If the Form I-766 validity period has been automatically extended by the United States Department of Homeland Security, it is deemed unexpired, regardless of the expiration date listed;

~~(9)~~ (12) a valid, unexpired passport issued by a foreign country and a valid, unexpired United States visa accompanied by documentation of the applicant's most recent lawful admittance into the United States;

~~(10)~~ (13) a document as designated by the United States Department of Homeland Security under Code of Federal Regulations, title 6, part 37.11 (c)(1)(x);

~~(11)~~ (14) a copy of the applicant's certificate of marriage certified by the issuing government jurisdiction;

~~(12)~~ (15) a certified copy of a court order that specifies the applicant's name change; or

~~(13)~~ (16) a certified copy of a divorce decree or dissolution of marriage that specifies the applicant's name change, issued by a court.

(b) A document under paragraph (a) must be legible and unaltered.

Sec. 61. Minnesota Statutes 2023 Supplement, section 171.0605, subdivision 5, is amended to read:

Subd. 5. **Evidence; residence in Minnesota.** (a) Submission of two forms of documentation from the following is satisfactory evidence of an applicant's principal residence address in Minnesota under section 171.06, subdivision 3, paragraph (b):

- (1) a home utility services bill issued no more than 12 months before the application;
- (2) a home utility services hook-up work order issued no more than 12 months before the application;
- (3) United States bank or financial information issued no more than 12 months before the application, with account numbers redacted, including:
 - (i) a bank account statement;
 - (ii) a credit card or debit card statement;
 - (iii) a brokerage account statement;
 - (iv) a money market account statement;
 - (v) a Health Savings Account statement; or
 - (vi) a retirement account statement;
- (4) a certified transcript from a United States high school, if issued no more than 180 days before the application;
- (5) a certified transcript from a Minnesota college or university, if issued no more than 180 days before the application;
- (6) a student summary report from a United States high school signed by a school principal or designated authority and issued no more than 180 days before the application;
- (7) an employment pay stub issued no more than 12 months before the application that lists the employer's name and address;
- (8) a Minnesota unemployment insurance benefit statement issued no more than 12 months before the application;
- (9) a statement from an assisted living facility licensed under chapter 144G, nursing home licensed under chapter 144A, or a boarding care facility licensed under sections 144.50 to 144.56, that was issued no more than 12 months before the application;
- (10) a current policy or card for health, automobile, homeowner's, or renter's insurance;
- (11) a federal or state income tax return for the most recent tax filing year;
- (12) a Minnesota property tax statement for the current or prior calendar year or a proposed Minnesota property tax notice for the current year that shows the applicant's principal residential address both on the mailing portion and the portion stating what property is being taxed;
- (13) a Minnesota vehicle certificate of title;
- (14) a filed property deed or title for current residence;

(15) a Supplemental Security Income award statement issued no more than 12 months before the application;

(16) mortgage documents for the applicant's principal residence;

(17) a residential lease agreement for the applicant's principal residence issued no more than 12 months before the application;

(18) an affidavit of residence for an applicant whose principal residence is a group home, communal living arrangement, cooperative, or a religious order issued no more than 90 days before the application;

(19) an assisted living or nursing home statement issued no more than 90 days before the application;

(20) a valid driver's license, including an instruction permit, issued under this chapter;

(21) a valid Minnesota identification card;

(22) an unexpired Minnesota professional license;

(23) an unexpired Selective Service card;

(24) military orders that are still in effect at the time of application;

(25) a cellular phone bill issued no more than 12 months before the application; or

(26) a valid license issued pursuant to the game and fish laws.

(b) In lieu of one of the two documents required by paragraph (a), an applicant under the age of 18 may use a parent or guardian's proof of principal residence as provided in this paragraph. The parent or guardian of the applicant must provide a document listed under paragraph (a) that includes the parent or guardian's name and the same address as the address on the document provided by the applicant. The parent or guardian must also certify that the applicant is the child of the parent or guardian and lives at that address.

(c) A document under paragraph (a) must include the applicant's name and principal residence address in Minnesota.

(d) For purposes of this ~~section subdivision~~, Internet service and cable service are utilities ~~under this section and Minnesota Rules, part 7410.0410, subpart 4a.~~

Sec. 62. Minnesota Statutes 2022, section 171.0605, subdivision 6, is amended to read:

Subd. 6. **Exceptions process.** (a) The commissioner may grant a variance from the requirements of this section as provided under Minnesota Rules, part 7410.0600, or successor rules, for evidence of:

(1) identity or date of birth under subdivision 2;

(2) lawful status under subdivision 3, only for demonstration of United States citizenship; and

~~(3) Social Security number under subdivision 4; and~~

~~(4)~~ (3) residence in Minnesota under subdivision 5.

(b) The commissioner must not grant a variance for an applicant having a lawful temporary admission period.

Sec. 63. **[171.062] EVIDENCE OF IDENTITY; NONCOMPLIANT CREDENTIALS.**

Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have the meanings given.

(b) "Court" includes a foreign court of competent jurisdiction.

(c) "Foreign" means a jurisdiction that is not, and is not within, the United States, the Commonwealth of the Northern Mariana Islands, the Commonwealth of Puerto Rico, Guam, the United States Virgin Islands, or a territory of the United States.

Subd. 2. **Evidence of identity.** For a noncompliant license or identification card, an applicant must submit:

(1) a Minnesota driver's license or identification card that is current or has been expired:

(i) for five years or less with a color photograph or electronically produced or digitized image; or

(ii) for one year or less without a color photograph or electronically produced or digitized image; or

(2) if the applicant cannot present a credential under clause (1), either:

(i) one primary document under subdivision 4 and one secondary document under subdivision 5; or

(ii) two primary documents under subdivision 4.

Subd. 3. **General requirements.** (a) A document submitted under this section must include the applicant's name and must be:

(1) issued to or provided for the applicant;

(2) legible and unaltered;

(3) an original or a copy certified by the issuing agency or by a court; and

(4) accompanied by a certified translation or an affidavit of translation into English, if the document is not in English.

(b) If the applicant's current legal name is different from the name on a document submitted under subdivision 4 or 5, the applicant must submit:

(1) a certified copy of a court order that specifies the applicant's name change;

(2) a certified copy of the applicant's certificate of marriage;

(3) a certified copy of a divorce decree or dissolution of marriage that specifies the applicant's name change, issued by a court; or

(4) similar documentation of a lawful change of name, as determined by the commissioner.

(c) A form issued by a federal agency that is specified under this section includes any subsequent form or version.

(d) The commissioner must establish a process to grant a waiver from the requirements under this section.

(e) The same document must not be submitted as both a primary document and a secondary document.

Subd. 4. **Primary documents.** (a) For purposes of a noncompliant driver's license or identification card, a primary document includes:

(1) a copy of the applicant's record of birth, or an original certificate of birth that is in the files of the applicable bureau or board under item (iii) and can be readily viewed by the official accepting the application, certified by the issuing state that:

(i) is not issued by a hospital and is not a baptismal certificate;

(ii) bears the raised or authorized seal of the issuing government jurisdiction or a protective equivalent; and

(iii) is issued by:

(A) a government bureau of vital statistics or community health board;

(B) the United States Department of State as a Record of Birth Abroad, Form FS-545 or Form DS-1350; or

(C) a United States embassy as a Consular Report of Birth Abroad, Form FS-240;

(2) a certified copy of an adoption certificate with the applicant's full name and date of birth from a United States court of competent jurisdiction that bears the raised court seal or other court certification;

(3) an unexpired identification card issued to the applicant by the United States Department of Defense for active duty, reserve, or retired military personnel, Form DD-2 or Common Access Card;

(4) a valid, unexpired passport issued to the applicant by the United States Department of State;

(5) a Canadian birth certificate or Canadian naturalization certificate;

(6) one of the following documents issued by the United States Department of Justice or the United States Department of Homeland Security or any subsequent form or version of the documents:

(i) Certificate of Naturalization, Form N-550, Form N-570, or Form N-578;

(ii) Certificate of Citizenship, Form N-560, Form N-561, or Form N-645;

(iii) United States Citizen Identification card, Form I-179 or Form I-197;

(iv) valid, unexpired Permanent Resident or Resident Alien card, Form I-551 or Form I-151;

(v) Northern Mariana card, Form I-873, with "Northern Mariana" imprinted instead of "Resident Alien";

(vi) American Indian card, Form I-872, with "American Indian" imprinted instead of "Resident Alien";

(vii) unexpired employment authorization document with a photograph, Form I-688, Form I-688A, Form I-688B, or Form I-766; or

(viii) unexpired Re-entry Permit/Refugee Travel Document, Form I-571;

(7) an unexpired passport or a consular identification document that bears a photograph of the applicant;

(8) a certified birth certificate issued by a foreign jurisdiction; and

(9) a certified adoption certificate issued by a foreign jurisdiction that includes the applicant's name and date of birth.

(b) A document submitted under this subdivision must contain security features that make the document as impervious to alteration as is reasonably practicable in its design and quality of material and technology.

(c) Submission of more than one primary document is not required under this subdivision.

Subd. 5. Secondary documents. (a) For purposes of a noncompliant driver's license or identification card, a secondary document includes:

(1) a second primary document listed under subdivision 4, paragraph (a);

(2) a driver's license, identification card, or permit, with a photograph or digitized image, issued by a United States state other than Minnesota or a foreign jurisdiction and that is current or has expired no more than five years before the application;

(3) a certified copy of a court order or judgment from a United States or Canadian court of competent jurisdiction containing the applicant's full name and date of birth and bearing the raised court seal or other court certification;

(4) a current United States or Canadian government jurisdiction employee photo identification card;

(5) a certified copy of a record of birth issued by a government jurisdiction other than one in the United States, the District of Columbia, Guam, Puerto Rico, or the United States Virgin Islands;

(6) a current identification card or document issued to the applicant by the United States Department of Defense, described as:

(i) DD Form 1173 series, for dependents of active duty personnel; or

(ii) DD Form 214, Certificate of Release or Discharge from Active Duty;

(7) a copy of a marriage certificate certified by the issuing government jurisdiction or the original certificate only if it is in the files of the issuing jurisdiction and can be readily viewed by the official accepting the application;

(8) an unexpired permit to carry a firearm or concealed weapon bearing a color photo of the applicant issued by a chief of police in an organized, full-time United States police department or by a United States county sheriff;

(9) a current pilot's license issued by the United States Department of Transportation, Federal Aviation Administration;

(10) a copy of a transcript containing the applicant's full legal name and date of birth certified by the issuing secondary or postsecondary school;

(11) a United States nonmetal Social Security card or a Canadian social insurance card;

(12) a current secondary school student identification card with the student's name, a photograph or electronically produced image of the student, and the student's date of birth or unique student identification number;

(13) a notice of action on or proof of submission of a completed Application for Asylum and for Withholding of Removal issued by the United States Department of Homeland Security, Form I-589;

(14) a Certificate of Eligibility for Nonimmigrant Student Status issued by the United States Department of Homeland Security, Form I-20;

(15) a Certificate of Eligibility for Exchange Visitor (J-1) Status issued by the United States Department of State, Form DS-2019;

(16) a Deferred Action for Childhood Arrival approval notice issued by the United States Department of Homeland Security;

(17) an employment authorization document issued by the United States Department of Homeland Security, Form I-688, Form I-688A, Form I-688B, or Form I-766;

(18) a document issued by the Internal Revenue Service with an individual taxpayer identification number;

(19) a Social Security card;

(20) a Supplemental Security Income award statement;

(21) a Selective Service card;

(22) military orders that are still in effect at the time of the application with a copy of a DD Form 2058 State of Legal Residence Certificate;

(23) a Minnesota unemployment insurance benefit statement;

(24) a valid identification card for health benefits or an assistance or social services program;

(25) a Minnesota vehicle certificate of title;

(26) mortgage documents for the applicant's residence;

(27) a filed property deed or title for the applicant's residence;

(28) a Minnesota property tax statement or a proposed Minnesota property tax notice;

(29) a certified copy of a divorce decree or dissolution of marriage issued by a court that specifies the applicant's name or name change;

(30) a valid Department of Corrections or Federal Bureau of Prisons identification card containing the applicant's full name, date of birth, and photograph; and

(31) any of the following documents issued by a foreign jurisdiction:

(i) a driver's license that is current or has been expired for no more than five years before the application;

(ii) a high school, college, or university student identification card with a certified transcript from the school;

(iii) an official high school, college, or university transcript that includes the applicant's date of birth and a photograph of the applicant at the age the record was issued;

(iv) a federal electoral card that contains the applicant's photograph issued on or after January 1, 1991;

(v) a certified copy of the applicant's certificate of marriage; and

(vi) a certified copy of a court order or judgment from a court of competent jurisdiction that contains the applicant's name and date of birth.

(b) Submission of more than one secondary document is not required under this subdivision.

Subd. 6. **Verification.** The department must be able to verify with the issuing jurisdiction the issuance and authenticity of the primary or secondary documents submitted under this section. Verification is required if:

(1) the document provided by the applicant is inconsistent with the department record;

(2) the document provided by the applicant appears to be altered or fraudulent; or

(3) there is reason to believe the applicant is not who the applicant claims to be.

Sec. 64. [171.063] EVIDENCE OF IDENTITY FOR ENHANCED CREDENTIALS.

Subdivision 1. **Date of birth.** As satisfactory evidence of date of birth, an applicant for an enhanced driver's license or an enhanced identification card must present one of the following documents:

(1) original or certified copy of a United States or United States territory birth certificate that bears the raised or authorized seal of the issuing jurisdiction or a protective equivalent;

(2) United States Department of State Consular Report of Birth Abroad, Form FS-240, Form DS-1350, or Form FS-545;

(3) valid, unexpired United States passport or United States passport card;

(4) Certificate of Naturalization, Form N-550 or Form N-570;

(5) Certificate of Citizenship, Form N-560 or Form N-561;

(6) American Indian card, Form I-872, or Minnesota tribal identification card that meets the requirements of section 171.072; or

(7) United States military photo identification card issued to active duty, reserve, or retired military personnel.

Subd. 2. **Full legal name.** As satisfactory evidence of full legal name, an applicant for an enhanced driver's license or enhanced identification card must present one of the following documents that was not also presented for proof of photographic identity under subdivision 4:

(1) original or certified copy of a United States or United States territory birth certificate that bears the raised or authorized seal of the issuing jurisdiction or a protective equivalent;

(2) United States Department of State Consular Report of Birth Abroad, Form FS-240, Form DS-1350, or Form FS-545;

(3) valid, unexpired United States passport or United States passport card;

(4) Certificate of Naturalization, Form N-550 or Form N-570;

(5) Certificate of Citizenship, Form N-560 or Form N-561;

(6) American Indian card, Form I-872, or Minnesota tribal identification card that meets the requirements of section 171.072;

(7) United States military photo identification card issued to active duty, reserve, or retired military personnel;

(8) federal or Minnesota income tax form W-2;

(9) federal or Minnesota income tax form SSA-1099;

(10) non-SSA federal or Minnesota income tax form 1099;

(11) United States high school identification card with a certified transcript from the same school if issued no more than 180 days before the application;

(12) United States college or university identification card with a certified transcript from the same college or university if issued no more than 180 days before the application;

(13) Minnesota unemployment insurance benefit statement issued no more than 90 days before the application;

(14) life, health, automobile, homeowner's, or renter's insurance policy that is issued no more than 90 days before the application. The commissioner must not accept a proof of insurance card;

(15) federal or state income tax return or statement for the most recent tax filing year;

(16) Minnesota property tax statement for the current year that reflects the applicant's principal residential address both on the mailing portion and the portion stating what property is being taxed;

(17) Minnesota vehicle certificate of title if issued no more than 12 months before the application;

(18) filed property deed or title for the applicant's current residence if issued no more than 12 months before the application;

(19) Supplemental Security Income award statement that is issued no more than 12 months before the application;

(20) valid Minnesota driver's license, valid Minnesota identification card, or valid permit;

(21) unexpired Minnesota professional license;

(22) unexpired Selective Service card;

(23) military orders that are still in effect at the time of the application;

(24) copy of the applicant's certificate of marriage certified by the issuing government jurisdiction;

(25) certified copy of a court order specifying a name change; or

(26) certified copy of a divorce decree or dissolution of marriage granted to the applicant that specifies a name change requested from a court of competent jurisdiction.

Subd. 3. **Social Security number.** As satisfactory evidence of Social Security number, an applicant for an enhanced driver's license or an enhanced identification card must present the applicant's original Social Security card or one of the following:

- (1) federal or Minnesota income tax form W-2;
- (2) federal or Minnesota income tax form SSA-1099;
- (3) non-SSA federal or Minnesota income tax form 1099; or

(4) United States employment computer-printed pay stub containing the applicant's name, address, and full Social Security number.

Subd. 4. **Photographic identity.** As satisfactory evidence of photographic identity, an applicant for an enhanced driver's license or an enhanced identification card must present one of the following documents:

- (1) valid Minnesota driver's license, identification card, or permit;
- (2) valid driver's license, identification card, or permit issued by another United States state, including the District of Columbia and any United States territory;
- (3) United States military identification card issued to active duty, reserve, or retired military personnel;
- (4) United States military dependent identification card;
- (5) valid, unexpired United States passport or United States passport card;
- (6) American Indian card, Form I-872, or Minnesota tribal identification card that meets the requirements under section 171.072;
- (7) valid city, county, state, or federal employee identification card;
- (8) United States high school identification card with a certified transcript from the same school, both issued no more than 180 days before the application;
- (9) United States college or university identification card with a certified transcript from the same college or university, both issued no more than 180 days before the application; or
- (10) veterans universal access identification card.

Subd. 5. **United States citizenship.** As satisfactory evidence of United States citizenship, an applicant for an enhanced driver's license or enhanced identification card must present one of the following documents:

- (1) original or certified copy of a United States or United States territory birth certificate that bears the raised or authorized seal of the issuing jurisdiction or a protective equivalent;
- (2) United States Department of State Consular Report of Birth Abroad, Form FS-240, Form DS-1350, or Form FS-545;
- (3) valid, unexpired United States passport or United States passport card;
- (4) Certificate of Naturalization, Form N-550 or Form N-570; or
- (5) Certificate of Citizenship, Form N-560 or Form N-561.

Subd. 6. **Residency.** (a) As satisfactory evidence of residency, an applicant for an enhanced driver's license or enhanced identification card must present two different forms of the following documents that list the applicant's name and address:

(1) United States home utility services bill that is issued no more than 90 days before the application. The commissioner must not accept a United States home utility bill if two unrelated people are listed on the bill;

(2) United States home utility services hook-up work order that is issued no more than 90 days before the application. The commissioner must not accept a United States home utility services hook-up work order if two unrelated people are listed on the work order;

(3) United States financial information with account numbers redacted that is issued no more than 90 days before the application, including a:

(i) bank account statement;

(ii) canceled check; or

(iii) credit card statement;

(4) United States high school identification card with a certified transcript from the same school if issued no more than 180 days before the application;

(5) United States college or university identification card with a certified transcript from the same college or university if issued no more than 180 days before the application;

(6) United States employment pay stub that lists the employer's name, address, and telephone number that is issued no more than 90 days before the application;

(7) Minnesota unemployment insurance benefit statement issued no more than 90 days before the application;

(8) assisted living or nursing home statement that is issued no more than 90 days before the application;

(9) life, health, automobile, homeowner's, or renter's insurance policy that is issued no more than 90 days before the application. The commissioner must not accept a proof of insurance card;

(10) federal or state income tax return or statement for the most recent tax filing year;

(11) Minnesota property tax statement for the current year that reflects the applicant's principal residential address both on the mailing portion and the portion stating what property is being taxed;

(12) Minnesota vehicle certificate of title if issued no more than 12 months before the application;

(13) filed property deed or title for the applicant's current residence if issued no more than 12 months before the application;

(14) Supplemental Security Income award statement that is issued no more than 12 months before the application;

(15) mortgage documents for the applicant's principal residence;

(16) residential lease agreement for the applicant's principal residence that is issued no more than 12 months before the application;

(17) valid Minnesota driver's license, identification card, or permit;

(18) unexpired Minnesota professional license;

(19) unexpired Selective Service card; or

(20) military orders that are still in effect at the time of the application with a copy of a DD Form 2058 State of Legal Residence Certificate.

(b) For purposes of this subdivision, Internet service and cable service are utilities.

(c) The commissioner must verify with the United States Postal Service the address information provided under this subdivision.

Subd. 7. **Verification.** The department must be able to verify with the issuing jurisdiction the issuance and authenticity of the documents submitted under this section. Verification is required if:

(1) the document provided by the applicant is inconsistent with the department record;

(2) the document provided by the applicant appears to be altered or fraudulent; or

(3) there is reason to believe the applicant is not who the applicant claims to be.

Sec. 65. **[171.069] TRANSLATIONS.**

For any document submitted to the commissioner under this chapter in a language other than English:

(1) the document must be accompanied by a translation of that document into the English language;

(2) the translation must be sworn to by the translator as being a true and accurate translation;

(3) the translator must not be related by blood or marriage to the applicant; and

(4) the translator must be:

(i) accredited by the American Translators Association;

(ii) certified by a court of competent jurisdiction;

(iii) approved by an embassy or consulate of the United States or diplomatic or consular official of a foreign country assigned or accredited to the United States;

(iv) affiliated with or approved by the United States Citizenship and Immigration Services or a government jurisdiction within the United States;

(v) an attorney licensed to practice in the United States or affiliated with that attorney;

(vi) a vendor listed to provide translation services for the state of Minnesota; or

(vii) a qualified individual who certifies the individual is competent to translate the document into English.

Sec. 66. Minnesota Statutes 2023 Supplement, section 171.07, subdivision 15, is amended to read:

Subd. 15. **Veteran designation.** (a) At the request of an eligible applicant and on payment of the required fee, the department ~~shall~~ must issue, renew, or reissue to the applicant a driver's license or Minnesota identification card bearing a graphic or written designation of:

(1) Veteran; or

(2) Veteran 100% T&P.

(b) At the time of the initial application for the designation provided under this subdivision, the applicant must:

(1) be one of the following:

(i) a veteran, as defined in section 197.447; or

(ii) a retired or honorably discharged member of the National Guard or a reserve component of the United States armed forces;

(2) provide a certified copy of the applicant's discharge papers that confirms an honorable or general discharge under honorable conditions status, or a military retiree identification card, veteran identification card, or veteran health identification card; and

(3) if the applicant is seeking the disability designation under paragraph (a), clause (2), provide satisfactory evidence of a 100 percent total and permanent service-connected disability as determined by the United States Department of Veterans Affairs.

Sec. 67. Minnesota Statutes 2022, section 171.072, is amended to read:

171.072 TRIBAL IDENTIFICATION CARD.

(a) If a Minnesota identification card is deemed an acceptable form of identification in Minnesota Statutes or Rules, a tribal identification card is also an acceptable form of identification. A tribal identification card is a primary document for purposes of ~~Minnesota Rules, part 7410.0400, and successor rules,~~ section 171.062 when an applicant applies for a noncompliant license or identification card.

(b) For purposes of this section, "tribal identification card" means an unexpired identification card issued by a ~~Minnesota~~ tribal government of a tribe recognized by the Bureau of Indian Affairs, United States Department of the Interior, that contains the legal name, date of birth, signature, and picture of the enrolled tribal member.

(c) The tribal identification card must contain security features that make it as impervious to alteration as is reasonably practicable in its design and quality of material and technology. The security features must use materials that are not readily available to the general public. The tribal identification card must not be susceptible to reproduction by photocopying or simulation and must be highly resistant to data or photograph substitution and other tampering.

(d) The requirements of this section do not apply: (1) except as provided in paragraph (a), to an application for a driver's license or Minnesota identification card under this chapter; or (2) to tribal identification cards used to prove an individual's residence for purposes of section 201.061, subdivision 3.

Sec. 68. Minnesota Statutes 2023 Supplement, section 171.12, subdivision 5c, is amended to read:

Subd. 5c. **Caretaker information.** (a) Upon request by an applicant for a driver's license, instruction permit, or Minnesota identification card under section 171.06, subdivision 3, the commissioner must maintain electronic records of names and contact information for ~~up to three~~ individuals receiving exclusive care from the applicant. The request must be made on a form prescribed by the commissioner. The commissioner must make the form available on the department's website. The form must include a notice as described in section 13.04, subdivision 2.

(b) A person who has provided caretaker information under this subdivision may change, add, or delete the information at any time. Notwithstanding sections 171.06, subdivision 2; and 171.061, the commissioner or a driver's license agent must not charge a fee for a transaction described in this paragraph.

(c) Caretaker data are classified as private data on individuals, as defined in section 13.02, subdivision 12, except that the commissioner may share caretaker information with law enforcement agencies to notify the cared-for individuals regarding an emergency.

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

Sec. 69. Minnesota Statutes 2023 Supplement, section 171.12, subdivision 7b, is amended to read:

Subd. 7b. **Data privacy; noncompliant license or identification card.** (a) With respect to noncompliant licenses or identification cards, the commissioner is prohibited from:

(1) electronically disseminating outside the state data that is not disseminated as of May 19, 2017; or

(2) utilizing any electronic validation or verification system accessible from or maintained outside the state that is not in use as of May 19, 2017.

(b) The limitations in paragraph (a) do not apply to the extent necessary to:

(1) maintain compliance with the driver's license compact under section 171.50 and applicable federal law governing commercial driver's licenses; ~~and~~

(2) perform identity verification as part of an application for a replacement Social Security card issued by the Social Security Administration; and

(3) perform identity verification for a program participant in the Transportation Security Administration's Registered Traveler program who has voluntarily provided their Minnesota driver's license or identification card to confirm their identity to a private entity operating under the Registered Traveler program.

(c) For purposes of paragraph (b), clause (3), the information provided for identity verification is limited to name, date of birth, the license or identification card's identification number, issuance date, expiration date, and credential security features which does not include facial recognition.

~~(d)~~ (d) For purposes of this subdivision, "outside the state" includes federal agencies, states other than Minnesota, organizations operating under agreement among the states, and private entities.

~~(e)~~ (e) Prior to disclosing to a data requester, other than the data subject, any data on individuals relating to a noncompliant driver's license or identification card, the commissioner or a driver's license agent must require the data requester to certify that the data requester must not use the data for civil immigration enforcement purposes or disclose the data to a state or federal government entity that primarily enforces immigration law or to any employee or agent of any such government entity. A data requester who violates the certification required in this paragraph may be liable in a civil action brought under section 13.08, may be subject to criminal penalties under section 13.09, may have subsequent requests for noncompliant driver's license or identification card data be denied by the commissioner, and may lose access to the driver records subscription service under section 168.327. A certification form used by the commissioner or a driver's license agent under this paragraph must include information about penalties that apply for violations.

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

Sec. 70. Minnesota Statutes 2023 Supplement, section 171.12, subdivision 11, is amended to read:

Subd. 11. **Certain data on noncompliant license or identification card; department and agents.** (a) For purposes of this section, "immigration status data" means data on individuals who have applied for or been issued a noncompliant driver's license or identification card and that indicate or otherwise have the effect of identifying (1) whether the individual has demonstrated United States citizenship, or (2) whether the individual has demonstrated lawful presence in the United States. Immigration status data include but are not limited to any documents specified under section ~~171.06, subdivision 9, 10, or 11~~ 171.062; immigration status data contained in those documents; or the applicant's submission of the documents.

(b) Immigration status data are classified as private data on individuals, as defined in section 13.02, subdivision 12. Notwithstanding any law to the contrary, the commissioner or a driver's license agent must not share or disseminate immigration status data except to or within the division of the department that administers driver licensing and to the secretary of state for purposes of improving the accuracy of voter registration records under subdivision 7a.

(c) As authorized or required by state or federal law, the commissioner or a driver's license agent may share or disseminate data on individuals who have applied for or been issued a noncompliant driver's license or identification card that are not immigration status data to a government entity, as defined in section 13.02, subdivision 7a, or to a federal government entity that does not enforce immigration law, provided that the receiving entity must not use the data for civil immigration enforcement purposes or further disclose the data to a state or federal government entity that primarily enforces immigration law or to any employee or agent of any such government entity.

(d) Notwithstanding any law to the contrary, the commissioner or a driver's license agent must not share or disseminate any data on individuals who have applied for or been issued a noncompliant driver's license or identification card to any federal government entity that primarily enforces immigration law, except pursuant to a valid search warrant or court order issued by a state or federal judge.

(e) Violation of this subdivision by the commissioner, a driver's license agent, a government entity, or an employee or agent thereof constitutes a violation of the Minnesota Government Data Practices Act and may be subject to penalties and remedies applicable under that chapter.

Sec. 71. Minnesota Statutes 2023 Supplement, section 171.13, subdivision 1a, is amended to read:

Subd. 1a. **Waiver when license issued by another jurisdiction.** (a) If the commissioner determines that an applicant for a driver's license is 21 years of age or older and possesses a valid driver's license issued by another state or jurisdiction that requires a comparable examination to obtain a driver's license, the commissioner must waive the requirements that the applicant pass a knowledge examination and demonstrate ability to exercise ordinary and reasonable control in the operation of a motor vehicle.

(b) If the commissioner determines that an applicant for a ~~two-wheeled vehicle~~ motorcycle endorsement is 21 years of age or older and possesses a valid driver's license with a ~~two-wheeled vehicle~~ motorcycle endorsement issued by another state or jurisdiction that requires a comparable examination to obtain an endorsement, the commissioner must waive the requirements with respect to the endorsement that the applicant pass a knowledge examination and demonstrate the ability to exercise ordinary and reasonable control in the operation of a motor vehicle.

(c) For purposes of this subdivision, "jurisdiction" includes, but is not limited to, both the active and reserve components of any branch or unit of the United States armed forces, and "valid driver's license" includes any driver's license that is recognized by that branch or unit as currently being valid, or as having

been valid at the time of the applicant's separation or discharge from the military within a period of time deemed reasonable and fair by the commissioner, up to and including one year past the date of the applicant's separation or discharge.

Sec. 72. Minnesota Statutes 2022, section 171.13, subdivision 6, is amended to read:

Subd. 6. ~~Two-wheeled vehicle~~ **Motorcycle endorsement examination fee.** A person applying for an initial ~~two-wheeled vehicle~~ motorcycle endorsement on a driver's license ~~shall~~ must pay at the place of examination a \$2.50 examination fee, an endorsement fee as prescribed in section 171.06, subdivision 2a, and the appropriate driver's license fee as prescribed in section 171.06, subdivision 2.

Sec. 73. Minnesota Statutes 2022, section 171.13, is amended by adding a subdivision to read:

Subd. 10. **Exam scheduling reporting.** (a) For purposes of this subdivision, the following terms have the meanings given:

(1) "delay" or "delayed" means a road test examination under this section between 15 and 30 days after an eligible applicant's request for a road test; and

(2) "reporting period" means a calendar year or a fiscal year as identified for each report under paragraph (b).

(b) By March 1 and September 1 of each year, the commissioner must submit a report on road test examination scheduling to the chairs and ranking minority members of the legislative committees with jurisdiction over transportation policy and finance. The report due by September 1 must include information for the most recently ended fiscal year. The report due by March 1 must include information for the most recently ended calendar year.

(c) At a minimum, the report must:

(1) identify each performance measure or metric established by the commissioner related to scheduling availability and passage of road tests;

(2) for the reporting period, identify the results for the performance measures or metrics under clause (1); and

(3) for the reporting period, identify the rate at which applicants are able to obtain an appointment for a road test in the time period provided under subdivision 1, paragraph (d), compared to the number of individuals who experienced a delay in booking a road test appointment.

(d) For the reporting period, if a goal is not met in a performance measure or metric under paragraph (c), clause (1), or if the requirements specified under subdivision 1, paragraph (d), are not fully met, the report must also:

(1) include the number of administered road tests for Class D and commercial drivers' licenses per month for the previous five fiscal years;

(2) provide information about factors that impact road test examination appointment availability, including information on staffing and the use of overtime at exam stations, budgetary resources, the number of potential applicants seeking a road test, and any other analysis based on the department's experience necessary to identify and project what may cause delays in the next five fiscal years;

(3) analyze the rate and frequency of which an applicant was administered a road test for either a Class D or commercial driver's license at an exam station outside the applicant's county or exam station region to identify the rate at which an applicant must travel to obtain a road test appointment;

(4) for the analysis required in clause (3), provide a breakout by county and exam station region; and

(5) conduct the analysis required in clauses (3) and (4) for retakes of Class D or commercial driver's license road tests.

Sec. 74. Minnesota Statutes 2022, section 171.30, subdivision 2a, is amended to read:

Subd. 2a. **Other waiting periods.** Notwithstanding subdivision 2, a limited license ~~shall~~ must not be issued for a period of:

(1) 15 days, to a person whose license or privilege has been revoked or suspended for a first violation of section 169A.20, sections 169A.50 to 169A.53, section 171.177, or a statute or ordinance from another state in conformity with either of those sections; or

(2) one year, to a person whose license or privilege has been revoked or suspended for:

(i) committing manslaughter resulting from the operation of a motor vehicle, ~~committing criminal vehicular homicide or injury under section 609.2112, subdivision 1, clause (1), (2), item (ii), (5), (6), (7), or (8), committing criminal vehicular homicide under section 609.2112, subdivision 1, clause (2), item (i) or (iii), (3), or (4), or violating a statute or ordinance from another state in conformity with either of those offenses;~~ or

(ii) committing criminal vehicular operation under section:

(A) 609.2113, subdivision 1, 2, or 3; or

(B) 609.2114, subdivision 2.

Sec. 75. Minnesota Statutes 2022, section 171.30, subdivision 5, is amended to read:

Subd. 5. **Exception; criminal vehicular ~~operation~~ homicide.** Notwithstanding subdivision 1, the commissioner may not issue a limited license to a person whose driver's license has been suspended or revoked due to:

(1) a violation of under section:

(i) 609.2112, subdivision 1, ~~clause (2), item (i) or (iii), (3), or (4), resulting in bodily harm, substantial bodily harm, or great bodily harm~~ paragraph (a);

(ii) 609.2114, subdivision 1, paragraph (a); or

(iii) 169.13, subdivision 1, that contributed to causing death to another; or

(2) a statute or ordinance from another state in conformity with the offenses under clause (1).

Sec. 76. Minnesota Statutes 2022, section 171.335, subdivision 3, is amended to read:

Subd. 3. **Appropriation.** (a) All funds in the motorcycle safety ~~fund~~ account created ~~by~~ under section 171.06, subdivision 2a, are ~~hereby~~ annually appropriated to the commissioner of public safety to carry out the purposes of subdivisions 1 and 2.

(b) Of the money appropriated under paragraph (a):

(1) not more than five percent shall be expended to defray the administrative costs of carrying out the purposes of subdivisions 1 and 2; and

(2) not more than 65 percent shall be expended for the combined purpose of training and coordinating the activities of motorcycle safety instructors and making reimbursements to schools and other approved organizations.

EFFECTIVE DATE. This section is effective July 1, 2024.

Sec. 77. Minnesota Statutes 2023 Supplement, section 171.395, subdivision 1, is amended to read:

Subdivision 1. **Authorization.** A licensed or approved driver education program that provides both classroom and behind-the-wheel instruction may offer teleconference driver education as provided in this section. For purposes of this section, the driver education program must offer both classroom and behind-the-wheel instruction. ~~If a program partners or contracts with a second program to provide any portion of classroom or behind-the-wheel instruction, the first program is not eligible to offer teleconference driver education instruction.~~

Sec. 78. Minnesota Statutes 2023 Supplement, section 171.396, is amended to read:

171.396 ONLINE DRIVER EDUCATION PROGRAM.

(a) A licensed or approved driver education program may offer online driver education as provided in this section. The online driver education program must satisfy the requirements for classroom driver education as provided in section 171.0701, subdivision 1, and Minnesota Rules, chapter 7411. In addition, an online driver education program must:

(1) include a means for the student to measure performance outcomes;

(2) use a pool of rotating quiz questions;

(3) incorporate accountability features to ensure the identity of the student while engaged in the course of online study;

(4) measure the amount of time that the student spends in the course;

(5) provide technical support to customers that is available 24 hours per day, seven days per week;

(6) require a licensed Minnesota driver education instructor to monitor each student's progress and be available to answer questions in a timely manner, provided that the instructor is not required to monitor progress or answer questions in real time;

(7) store course content and student data on a secure server that is protected against data breaches and is regularly backed up;

(8) incorporate preventive measures in place to protect against the access of private information;

(9) include the ability to update course content uniformly throughout the state; and

(10) provide online interactive supplemental parental curriculum consistent with section 171.0701, subdivision 1a.

(b) Except as required by this section, the commissioner is prohibited from imposing requirements on online driver education programs that are not equally applicable to classroom driver education programs.

Sec. 79. Minnesota Statutes 2022, section 174.03, subdivision 12, is amended to read:

Subd. 12. **Trunk highway performance, resiliency, and sustainability.** (a) The commissioner must implement performance measures and ~~annual~~ targets for the trunk highway system in order to construct resilient infrastructure, enhance the project selection for all transportation modes, improve economic security, and achieve the state transportation goals established in section 174.01.

(b) At a minimum, the transportation planning process must include:

(1) an inventory of transportation assets, including but not limited to bridge, pavement, geotechnical, pedestrian, bicycle, and transit asset categories;

(2) ~~lag (resulting), and where practicable lead (predictive),~~ establishment of statewide performance measures and ~~annual~~ targets, reporting of performance measure results, and where possible, performance forecasts that are:

(i) statewide and, where data allow, district-specific;

(ii) for assets in each asset category specified in clause (1) ~~for a period of up to 60 years~~; and

(iii) identified in collaboration with the public;

(3) gap identification and an explanation of the difference between performance targets and current status; and

(4) life cycle assessment and corridor risk assessment as part of asset management programs in each district of the department.

(c) At a minimum, the ten-year capital highway investment plan in each district of the department must:

(1) be based on expected funding during the plan period and, to the extent feasible, maximize long-term benefits;

(2) estimate the funding necessary to make optimal life cycle investments;

~~(2)~~ (3) identify investments within each of the asset categories specified in paragraph (b), clause (1), that are funded through the trunk highway capital program;

~~(3)~~ (4) recommend identify specific trunk highway segments programmed to be removed from the trunk highway system; and

~~(4)~~ (5) deliver annual progress toward achieving the state transportation goals established in section 174.01.

(d) Annually by December 15, the commissioner must report trunk highway performance measures and ~~annual~~ targets and identify gaps, including information detailing the department's progress on achieving the

state transportation goals, to the chairs and ranking minority members of the legislative committees having jurisdiction over transportation policy and finance. The report must be signed by the ~~department's chief engineer~~ commissioner.

Sec. 80. Minnesota Statutes 2023 Supplement, section 174.38, subdivision 3, is amended to read:

Subd. 3. **Active transportation accounts.** (a) An active transportation account is established in the special revenue fund. The account consists of funds provided by law and any other money donated, allotted, transferred, or otherwise provided to the account. Money in the account is annually appropriated to the commissioner and must be expended only on projects that receive financial assistance under this section.

(b) An active transportation account is established in the bond proceeds fund. The account consists of state bond proceeds appropriated to the commissioner. Money in the account may only be expended on bond-eligible costs of a project receiving financial assistance as provided under this section. Money in the account may only be expended on a project that is publicly owned.

~~(c) An active transportation account is established in the general fund. The account consists of money as provided by law and any other money donated, allotted, transferred, or otherwise provided to the account. Money in the account may only be expended on a project receiving financial assistance as provided under this section.~~

EFFECTIVE DATE. This section is effective July 1, 2024.

Sec. 81. Minnesota Statutes 2023 Supplement, section 174.40, subdivision 4a, is amended to read:

Subd. 4a. **Eligibility.** A statutory or home rule charter city, county, town, or federally recognized Indian Tribe is eligible to receive funding under this section. A statutory or home rule charter city, county, or town is eligible to receive funding for infrastructure projects under this section only if it has adopted subdivision regulations that require safe routes to school infrastructure in developments authorized on or after June 1, 2016.

Sec. 82. **[174.595] TRANSPORTATION FACILITIES CAPITAL PROGRAM.**

Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have the meanings given.

(b) "Capital building asset" includes but is not limited to district headquarters buildings, truck stations, salt storage or other unheated storage buildings, deicing and anti-icing facilities, fuel dispensing facilities, highway rest areas, and vehicle weigh and inspection stations.

(c) "Commissioner" means the commissioner of transportation.

(d) "Department" means the Department of Transportation.

(e) "Program" means the transportation facilities capital program established in this section.

Subd. 2. **Program established.** The commissioner must establish a transportation facilities capital program in conformance with this section to provide for capital building asset projects related to buildings and other capital facilities of the department.

Subd. 3. **Transportation facilities capital accounts.** (a) A transportation facilities capital account is established in the trunk highway fund. The account consists of money appropriated from the trunk highway

fund for the purposes of the program and any other money donated, allotted, transferred, or otherwise provided to the account by law.

(b) A transportation facilities capital subaccount is established in the bond proceeds account in the trunk highway fund. The subaccount consists of trunk highway bond proceeds appropriated to the commissioner for the purposes of the program. Money in the subaccount may only be expended on trunk highway purposes, including the purposes specified in this section.

Subd. 4. **Implementation standards.** The commissioner must establish a process to implement the program that includes allocation of funding based on review of eligible projects as provided under subdivision 5 and prioritization as provided under subdivision 6. The process must be in conformance with trunk highway fund uses for the purposes of constructing, improving, and maintaining the trunk highway system in the state pursuant to Minnesota Constitution, article XIV.

Subd. 5. **Eligible expenditures.** A project is eligible under this section only if the project:

(1) involves the construction, improvement, or maintenance of a capital building asset that is part of the trunk highway system;

(2) accomplishes at least one of the following:

(i) supports the programmatic mission of the department;

(ii) extends the useful life of existing buildings; or

(iii) renovates or constructs facilities to meet the department's current and future operational needs; and

(3) complies with the sustainable building guidelines provided in section 16B.325.

Subd. 6. **Prioritization.** In prioritizing funding allocation among projects under the program, the commissioner must consider:

(1) whether a project ensures the effective and efficient condition and operation of the facility;

(2) the urgency in ensuring the safe use of existing buildings;

(3) the project's total life-cycle cost;

(4) additional criteria for priorities otherwise specified in law that apply to a category listed in the act making an appropriation for the program; and

(5) any other criteria the commissioner deems necessary.

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

Sec. 83. Minnesota Statutes 2022, section 174.632, subdivision 2, is amended to read:

Subd. 2. **Responsibilities.** (a) The planning, design, development, construction, operation, and maintenance of passenger rail track, facilities, and services are governmental functions, serve a public purpose, and are a matter of public necessity.

(b) The commissioner is responsible for all aspects of planning, designing, developing, constructing, equipping, operating, promoting, and maintaining passenger rail, including system planning, alternatives

analysis, environmental studies, preliminary engineering, final design, construction, negotiating with railroads, and developing financial and operating plans.

(c) The commissioner may enter into a memorandum of understanding or agreement with a public or private entity, including Amtrak, a regional railroad authority, a joint powers board, and a railroad, to carry out these activities.

Sec. 84. Minnesota Statutes 2022, section 174.636, subdivision 1, is amended to read:

Subdivision 1. **Powers.** The commissioner has all powers necessary to carry out the duties specified in section 174.632. In the exercise of those powers, the commissioner may:

(1) acquire by purchase, gift, or by eminent domain proceedings as provided by law, all land and property necessary to preserve future passenger rail corridors or to construct, maintain, and improve passenger rail corridors;

(2) conduct and engage in promotional and marketing research, campaigns, outreach, and other activities to increase awareness, education, and ridership of passenger rail in Minnesota;

~~(3)~~ (3) let all necessary contracts as provided by law; and

~~(4)~~ (4) make agreements with and cooperate with any public or private entity, including Amtrak, to carry out statutory duties related to passenger rail.

Sec. 85. Minnesota Statutes 2022, section 216D.01, is amended by adding a subdivision to read:

Subd. 7a. **Locate.** "Locate" means an operator's markings of an underground facility.

Sec. 86. Minnesota Statutes 2022, section 216D.01, is amended by adding a subdivision to read:

Subd. 7b. **Locate period.** "Locate period" means:

(1) the period among the following that ends farthest from now:

(i) the 48-hour period beginning at 12:01 a.m. on the day after a locate request is submitted to the notification center, excluding any Saturday, Sunday, or holiday; or

(ii) the period between the date of submission of a locate request to the notification center and the identified date and time of excavation; or

(2) if applicable, and notwithstanding clause (1), a period of time that is mutually agreed to between the excavator and operator, as specified in written documentation provided to the notification center.

Sec. 87. Minnesota Statutes 2022, section 216D.01, is amended by adding a subdivision to read:

Subd. 8a. **On-site meet.** "On-site meet" means meeting at the site of a proposed excavation requested at the time of notice by the excavator with all affected underground facility operators to further clarify the precise geographic location of excavation, schedule the locating, propose future contacts, and share other information concerning the excavation and facilities.

Sec. 88. Minnesota Statutes 2022, section 216D.01, subdivision 12, is amended to read:

Subd. 12. **Utility quality level.** "Utility quality level" means a professional opinion about the quality and reliability of utility information. There are four levels of utility quality information, ranging from the most precise and reliable, level A, to the least precise and reliable, level D. The utility quality level must be determined in accordance with guidelines established by the Construction Institute of the American Society of Civil Engineers in the document CI/ASCE 38-02 entitled "Standard Guidelines for the Collection and Depiction of Existing Subsurface Utility Data. Standard Guideline for Investigating and Documenting Existing Utilities," ASCE/UESI/CI 38-22, or in a successor document.

Sec. 89. Minnesota Statutes 2022, section 216D.03, is amended by adding a subdivision to read:

Subd. 5. **Performance reporting.** (a) Each operator must submit a report to the Office of Pipeline Safety on a quarterly basis, using a form or database entry designated by the Office of Pipeline Safety. The report must contain the following information:

- (1) the total number of notifications and the number of notifications, itemized by type;
- (2) for each notification type, the percentage of notifications marked by the start time on the notice; and
- (3) the number of utility damages, itemized by the cause of the damages.

(b) Except for a pipeline operator that is subject to chapter 299F or 299J, an operator with fewer than 5,000 notifications received during the previous calendar year is exempt from the reporting requirement under paragraph (a).

(c) The data collected under this subdivision may not be used to initiate an enforcement action by the Office of Pipeline Safety.

(d) The commissioner must annually publish a report on the data collected under this subdivision and make the report available on the Office of Pipeline Safety website.

Sec. 90. Minnesota Statutes 2022, section 216D.04, is amended to read:

216D.04 EXCAVATION; LAND SURVEY.

Subdivision 1. **Notice required; contents.** (a) Except in an emergency, an excavator ~~shall~~ must and a land surveyor may contact the notification center and provide notice at least 48 hours, excluding the day of notification, Saturdays, Sundays, and holidays and not more than 14 calendar days before beginning any excavation or boundary survey. An excavation or boundary survey begins, for purposes of this requirement, the first time excavation or a boundary survey occurs in an area that was not previously identified by the excavator or land surveyor in the notice.

(b) The notice may be oral or written, and must contain the following information:

- (1) the name of the individual providing the notice;
- (2) the precise location of the proposed area of excavation or survey;
- (3) the name, address, and telephone number of the individual or individual's company;
- (4) the field telephone number, if one is available;
- (5) the type and extent of the activity;

- (6) whether or not the discharge of explosives is anticipated;
- (7) the date and time when the excavation or survey is to commence; and
- (8) the estimated duration of the activity.

Subd. 1a. **Plans for excavation.** (a) Any person, prior to soliciting bids or entering into a contract for excavation, ~~shall~~ must provide a proposed notice to the notification center to obtain from the affected operators of underground facilities the type, size, and general location of underground facilities. Affected operators ~~shall~~ must provide the information within 15 working days. An operator who provides information to a person who is not a unit of government may indicate any portions of the information which are proprietary and may require the person to provide appropriate confidentiality protection. The information obtained from affected operators must be submitted on the final drawing used for the bid or contract and must depict the utility quality level of that information. This information must be updated not more than 90 days before completion of the final drawing used for the bid or contract.

(b) This subdivision does not apply to bids and contracts for:

- (1) routine maintenance of underground facilities or installation, maintenance, or repair of service lines;
- (2) excavation for operators of underground facilities performed on a unit of work or similar basis; or
- (3) excavation for home construction and projects by home owners.

(c) A person required by this section to show existing underground facilities on its drawings ~~shall~~ must conduct one or more preliminary design meetings during the design phase to communicate the project design and project scope and timeline and to coordinate utility relocation. Affected facility operators ~~shall~~ must attend these meetings ~~or make other arrangements to provide information~~. Project owners must provide project start dates, duration information, and scope of work.

(d) A person required by this section to show existing underground facilities on its drawings ~~shall~~ must conduct one or more preconstruction meetings to communicate the project design and project scope and timeline and to coordinate utility relocation. Affected facility operators and contractors ~~shall~~ must attend these meetings ~~or make other arrangements to provide information~~.

(e) This subdivision does not affect the obligation to provide a notice of excavation as required under subdivision 1.

Subd. 1b. **On-site meet.** (a) An on-site meet may be requested for any excavation at the discretion of the excavator. The meet request must include the entire geographic area of the proposed excavation and the specific location of the meet.

(b) Unless otherwise agreed to between an excavator and operator, an on-site meet is required for:

- (1) an excavation notice that involves excavation of one mile or more in length; or
- (2) any combination of notices provided for adjacent geographic sections that, when combined, meet or exceed the minimum excavation length under clause (1).

(c) The excavator must provide a precise geographic area of the proposed excavation and use markings as specified under section 216D.05, clause (2).

(d) An affected operator must (1) attend the on-site meet at the proposed date and time, or (2) contact the excavator before the meet and (i) reschedule the meet for a mutually agreed date and time, or (ii) reach

an agreement with the excavator that a meet is not required. At the meet, the operator and the excavator must reach an agreement on any subsequent planned meets or further communication.

(e) The on-site meet date and time must occur at least 48 hours after the notice, excluding Saturdays, Sundays, and holidays. The excavation start time must be at least 48 hours after the proposed meet date and time specified on the notice, excluding Saturdays, Sundays, and holidays.

(f) The excavator and the operator must submit documentation of each on-site meet to the notification center, in the manner specified by the notification center. The documentation must include:

- (1) the date and time of the meet;
- (2) the names, company affiliations, and contact information of the attendees of each meet;
- (3) a diagram, sketch, or description of the precise excavation locations, dates, and times; and
- (4) the agreed schedule of any future on-site meets or communications.

Subd. 2. **Duties of notification center; regarding notice.** The notification center ~~shall~~ must assign an inquiry identification number to each notice and retain a record of all notices received for at least six years. The center ~~shall~~ must immediately transmit the information contained in a notice to every operator that has an underground facility in the area of the proposed excavation or boundary survey.

Subd. 3. **Locating underground facility; operator.** (a) Prior to the ~~excavation start time on the notice conclusion of the locate period,~~ an operator ~~shall~~ must locate and mark or otherwise provide the approximate horizontal location of the underground facilities of the operator and provide readily available information regarding the operator's abandoned and out-of-service underground facilities as shown on maps, drawings, diagrams, or other records used in the operator's normal course of business, without cost to the excavator. The excavator ~~shall~~ must determine the precise location of the underground facility, without damage, before excavating within two feet of the marked location of the underground facility.

(b) Within 96 hours or the time specified in the notice, whichever is later, after receiving a notice for boundary survey from the notification center, excluding Saturdays, Sundays, and holidays, unless otherwise agreed to between the land surveyor and operator, an operator ~~shall~~ must locate and mark or otherwise provide the approximate horizontal location of the underground facilities of the operator, without cost to the land surveyor.

(c) For the purpose of this section, the approximate horizontal location of the underground facilities is a strip of land two feet on either side of the underground facilities.

(d) Markers used to designate the approximate horizontal location of underground facilities ~~must~~ are subject to the following requirements:

(1) markers must be a combination of paint markings and at least one of the following: (i) a flag or flags, (ii) a stake or stakes, or (iii) a whisker or whiskers;

(2) all markers under clause (1) must follow the current color code standard used by the American Public Works Association;

(3) markers must be located within a plus or minus two-foot tolerance; and

(4) the name of the operator must be indicated on each flag, stake, or whisker.

If the surface being marked is hard, markers without flags, stakes, or whiskers may be used but must comply with the color code standard and tolerance requirement under clauses (2) and (3).

(e) If the operator cannot complete marking of the excavation or boundary survey area before the excavation or boundary survey start time stated in the notice, the operator ~~shall~~ must promptly contact the excavator or land surveyor.

(f) ~~After December 31, 1998,~~ Operators ~~shall~~ must maintain maps, drawings, diagrams, or other records of any underground facility abandoned or out-of-service after December 31, 1998.

(g) An operator or other person providing information pursuant to this subdivision is not responsible to any person, for any costs, claims, or damages for information provided in good faith regarding abandoned, out-of-service, or private or customer-owned underground facilities.

(h) An operator must use geospatial location information or an equivalent technology to develop as-built drawings of newly installed or newly abandoned facilities if exposed in the excavation area. The requirements under this paragraph apply (1) on or after January 1, 2026, or (2) on or after January 1, 2027, for an operator that provided services to fewer than 10,000 customers in calendar year 2025.

Subd. 4. **Locating underground facility; excavator or land surveyor.** (a) The excavator or land surveyor ~~shall~~ must determine the precise location of the underground facility, without damage, before excavating within two feet on either side of the marked location of the underground facility.

(b) Activities in the proposed area of excavation or boundary survey must take place before the expiration date and time on the notification. If the excavator or land surveyor cancels the excavation or boundary survey, the excavator or land surveyor ~~shall~~ must cancel the notice through the notification center.

(c) The notice is valid for 14 calendar days from the start time stated on the notice. If the activity will continue after the expiration time, then the person responsible for the activity ~~shall~~ must serve an additional notice at least 48 hours, excluding Saturdays, Sundays, and holidays, before the expiration time of the original notice, unless the excavator makes arrangements with the operators affected to periodically verify or refresh the marks, in which case the notice is valid for six months from the start time stated on the notice.

(d) The excavator is responsible for reasonably protecting and preserving the marks until no longer required for proper and safe excavation near the underground facility. If the excavator has reason to believe the marks are obliterated, obscured, missing, or incorrect, the excavator ~~shall~~ must notify the facility operator or notification center in order to have an operator verify or refresh the marks.

Sec. 91. Minnesota Statutes 2022, section 216D.05, is amended to read:

216D.05 PRECAUTIONS TO AVOID DAMAGE.

(a) An excavator ~~shall~~ must:

(1) plan the excavation to avoid damage to and minimize interference with underground facilities in and near the construction area;

(2) ~~use white markings for proposed excavations except where it can be shown that it is not practical,~~ use (i) white markings or black markings in wintery conditions, or (ii) electronic marking as provided in paragraph (b);

(3) maintain a clearance between an underground facility and the cutting edge or point of any mechanized equipment, considering the known limit of control of the cutting edge or point to avoid damage to the facility;

(4) provide support for underground facilities in and near the construction area, including during backfill operations, to protect the facilities; and

(5) conduct the excavation in a careful and prudent manner.

(b) An excavator may use electronic marking under paragraph (a), clause (2), if:

(1) the marking provides at least as much proposed excavation information as equivalent physical markings; and

(2) electronic marking used prior to January 1, 2026, is accompanied by equivalent physical markings as provided under paragraph (a), clause (2).

(c) Following submission of electronic marking, an operator may require the excavator to use physical markings.

Sec. 92. **[219.455] DEFINITIONS.**

(a) For purposes of sections 219.45 to 219.53, the following terms have the meanings given.

(b) "Depot company" means a company formed to construct and operate a passenger station on behalf of a railroad or rail carrier.

(c) "Passenger service" means both intercity rail passenger service and commuter rail passenger service.

(d) "Railway company" means a company incorporated or licensed to operate a railroad track or train, and includes a company that loads, unloads, or transloads products.

(e) "Terminal" means a facility or station where:

(1) trains stop to load, unload, or transfer passengers, freight, or both;

(2) formation, dispatch, reception and temporary stabling, and marshalling of rolling stock occurs; or

(3) trains are serviced, maintained, or repaired.

(f) "Yard" means a system of tracks within defined limits provided for making up trains, storing cars, and other purposes.

(g) "Yard track" means a system of tracks within defined limits used for:

(1) the making up or breaking up of trains;

(2) the storing of cars; and

(3) other related purposes over which movements not authorized by timetable or by train order may be made subject to prescribed signals, rules, or other special instructions.

Sidings used exclusively as passing track and main line track within yard limits do not constitute yard track.

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

Sec. 93. Minnesota Statutes 2022, section 219.46, subdivision 1, is amended to read:

Subdivision 1. **Structure.** (a) On and after April 16, 1913, it is unlawful for a common carrier or any other person, on a standard gauge road on its line or a standard gauge sidetrack, for use in any traffic mentioned in section 219.45:

(1) to erect or reconstruct and maintain an adjoining warehouse, coal chute, stock pen, pole, mail crane, standpipe, hog drencher, or any permanent or fixed structure or obstruction within eight feet of the centerline of the track or sidetrack;

(2) in excavating, to allow an adjoining embankment of earth or natural rock to remain within eight feet of the centerline of the track or sidetrack; or

(3) to erect or reconstruct overhead wires, bridges, viaducts or other obstructions passing over or above its tracks at a height less than 21 feet, measured from the top of the track rail.

(b) If after May 1, 1943, overhead structures or platforms or structures designed only to be used in the loading or unloading of cars are rebuilt or remodeled, then these overhead structures must be built with an overhead clearance of not less than 22 feet from the top of the rail. These structures or platforms must be built with a side clearance of not less than 8-1/2 feet from the centerline of the track unless by order the commissioner may provide otherwise.

(c) Sections 219.45 to 219.53 do not apply to yards and terminals of: (1) depot companies, or (2) railway companies used only for passenger service. If personal injury is sustained by an employee of a depot company or railway company used only for passenger service, by reason of noncompliance with sections 219.45 to 219.53, that employee, or in case of the employee's death, the personal representative, has the rights, privileges, and immunities enumerated in section 219.53.

(d) On and after May 1, 1943, it is unlawful for a common carrier or any other person, on a standard gauge road on its line or a standard gauge sidetrack or spur, for use in any traffic mentioned in section 219.45:

(1) to erect or construct and maintain an adjoining warehouse, coal chute, stock pen, pole, mail crane, standpipe, hog drencher, or any permanent or fixed structure or obstruction within 8-1/2 feet of the centerline of the track;

(2) in excavating, to allow an adjoining embankment of earth or natural rock to remain within 8-1/2 feet of the centerline of the track or sidetrack; or

(3) to erect or construct overhead wires, bridges, viaducts, or other obstructions passing over or above its tracks at a height less than 22 feet, measured from the top of the track rail.

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

Sec. 94. Minnesota Statutes 2023 Supplement, section 221.0269, subdivision 4, is amended to read:

Subd. 4. **Intrastate transportation; heating fuel products.** (a) If a regional emergency has been declared by the President of the United States or by the Federal Motor Carrier Safety Administration pursuant to United States Code, title 49, section 390.23(a), ~~and the declaration includes heating fuel as a covered commodity,~~ the federal regulations incorporated into section 221.0314, subdivision 9, for hours of service do not apply to drivers engaged in intrastate transportation of heating fuel products when the driver is:

(1) driving a vehicle designed and exclusively used to transport fuel products; and

(2) carrying only fuel products as defined in section 296A.01.

(b) The relief provided by paragraph (a) only applies when the fuel product being transported is included in the emergency declaration as a covered commodity.

(c) Notwithstanding the relief provided in paragraph (a), a driver may not exceed a total of 14 hours combined on-duty and driving time after coming on duty following at least ten consecutive hours off-duty.

(e) (d) If a driver is operating under the relief provided by paragraph (a), and the declaration is in effect for more than 30 calendar days, the driver must take a 34-hour restart before the driver has been on duty for 30 consecutive days.

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

Sec. 95. Minnesota Statutes 2022, section 221.033, subdivision 1, is amended to read:

Subdivision 1. **Requirements.** Except as provided in ~~subdivisions 2 to 2d~~ this section, no person may transport or offer or accept for transportation within the state of Minnesota a hazardous material, hazardous substance, or hazardous waste except in compliance with United States Code, title 49, sections 5101 to 5126 and the provisions of Code of Federal Regulations, title 49, parts 171 to 199, which are incorporated by reference. Those provisions apply to transportation in intrastate commerce to the same extent they apply to transportation in interstate commerce.

Sec. 96. Minnesota Statutes 2022, section 221.033, is amended by adding a subdivision to read:

Subd. 2e. **Transportation of specific petroleum products; driver requirements.** (a) This subdivision applies to intrastate commerce.

(b) A driver who operates a motorized tank truck vehicle with a capacity of less than 3,500 gallons that is used to transport petroleum products must have a valid commercial driver's license with endorsements for hazardous materials and tank vehicles and be at least 18 years of age.

(c) A driver who operates a vehicle that is used to transport liquefied petroleum gases in nonbulk or bulk packaging as defined in Code of Federal Regulations, title 49, section 171.8, including the transportation of consumer storage tanks in compliance with Code of Federal Regulations, title 49, section 173.315(j), must have a valid commercial driver's license with a hazardous materials endorsement and be at least 18 years of age.

(d) A driver who operates a vehicle under paragraph (c) must also have a tank vehicle endorsement if the aggregate capacity of the bulk packaging being transported is 1,000 gallons or more.

(e) Nonbulk or bulk packaging transported under paragraph (c) must have an aggregate capacity of less than 3,500 gallons.

Sec. 97. Minnesota Statutes 2022, section 360.013, is amended by adding a subdivision to read:

Subd. 57c. **Roadable aircraft.** "Roadable aircraft" has the meaning given in section 169.011, subdivision 67a.

Sec. 98. Laws 2023, chapter 68, article 1, section 2, subdivision 4, is amended to read:

Subd. 4. Local Roads

(a) County State-Aid Highways	917,782,000	991,615,000
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This appropriation is from the county state-aid highway fund under Minnesota Statutes, sections 161.081, 174.49, and 297A.815, subdivision 3, and chapter 162, and is available until June 30, 2033.

If the commissioner of transportation determines that a balance remains in the county state-aid highway fund following the appropriations and transfers made in this paragraph and that the appropriations made are insufficient for advancing county state-aid highway projects, an amount necessary to advance the projects, not to exceed the balance in the county state-aid highway fund, is appropriated in each year to the commissioner. Within two weeks of a determination under this contingent appropriation, the commissioner of transportation must notify the commissioner of management and budget and the chairs, ranking minority members, and staff of the legislative committees with jurisdiction over transportation finance concerning funds appropriated. The governor must identify in the next budget submission to the legislature under Minnesota Statutes, section 16A.11, any amount that is appropriated under this paragraph.

(b) Municipal State-Aid Streets	236,360,000	251,748,000
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This appropriation is from the municipal state-aid street fund under Minnesota Statutes, chapter 162, and is available until June 30, 2033.

If the commissioner of transportation determines that a balance remains in the municipal state-aid street fund following the appropriations and transfers made in this paragraph and that the appropriations made are insufficient for advancing municipal state-aid street projects, an amount necessary to advance the projects, not to exceed the balance in the municipal state-aid street fund, is appropriated in each year to the commissioner. Within two weeks of a determination under this contingent appropriation, the commissioner of transportation must notify the commissioner of management and budget and the chairs, ranking minority members, and staff of the legislative

committees with jurisdiction over transportation finance concerning funds appropriated. The governor must identify in the next budget submission to the legislature under Minnesota Statutes, section 16A.11, any amount that is appropriated under this paragraph.

(c) Other Local Roads

(1) Local Bridges	18,013,000	-0-
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This appropriation is from the general fund to replace or rehabilitate local deficient bridges under Minnesota Statutes, section 174.50. This is a onetime appropriation and is available until June 30, 2027.

(2) Local Road Improvement	18,013,000	-0-
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This appropriation is from the general fund for construction and reconstruction of local roads under Minnesota Statutes, section 174.52. This is a onetime appropriation and is available until June 30, 2027.

(3) Local Transportation Disaster Support	4,300,000	1,000,000
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This appropriation is from the general fund to provide:

(i) a cost-share for federal assistance from the Federal Highway Administration for the emergency relief program under United States Code, title 23, section 125-; and

(ii) assistance for roadway damage on the state-aid or federal-aid system associated with state or federally declared disasters ineligible for assistance from existing state and federal disaster programs.

Of the appropriation in fiscal year 2024, \$3,300,000 is onetime and is available until June 30, 2027.

(4) Metropolitan Counties	20,000,000	-0-
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This appropriation is from the general fund for distribution to metropolitan counties as provided under Minnesota Statutes, section 174.49, subdivision 5, for use in conformance with the requirements under Minnesota Statutes, section 174.49, subdivision 6.

Sec. 99. Laws 2023, chapter 68, article 1, section 17, subdivision 7, is amended to read:

Subd. 7. **U.S. Highway 52 box culvert underpass; Dakota County.** \$2,000,000 in fiscal year 2024 is appropriated from the general fund to the commissioner of transportation for preliminary and final design, planning, engineering, environmental analysis, acquisition of permanent easements and rights-of-way, and construction of a box culvert underpass at or an alternative option near marked U.S. Highway 52 and Dakota County Road 6 State-Aid Highway 66 near the Hmong American Farmers Association in the township of Vermillion. This is a onetime appropriation and is available until June 30, 2027.

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

Sec. 100. Laws 2023, chapter 68, article 1, section 17, subdivision 18, is amended to read:

Subd. 18. **Town roads.** (a) \$7,000,000 in fiscal year 2024 is appropriated from the general fund to the commissioner of transportation for a grant to a township with a population greater than 10,000 according to the last two federal decennial censuses. This appropriation is for the purposes specified in Minnesota Statutes, section 162.081, subdivision 4 construction, reconstruction, and gravel maintenance of town roads within the town.

(b) Notwithstanding internal Department of Transportation guidelines, policies, or documents relating to grant management, the commissioner must disburse the appropriation under this subdivision directly to a township meeting the criteria in paragraph (a), and may do so without complying with Minnesota laws and policies regarding grant management, including but not limited to the requirement to have an agreement.

(c) Notwithstanding Minnesota Statutes, section 16B.98, subdivision 14, the commissioner must not use any amount of this appropriation for administrative costs.

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

Sec. 101. Laws 2023, chapter 68, article 2, section 2, subdivision 3, is amended to read:

Subd. 3. Transportation Facilities Capital Improvements

87,440,000

~~This appropriation is for capital improvements to Department of Transportation facilities. The improvements must: (1) support the programmatic mission of the department; (2) extend the useful life of existing buildings; or (3) renovate or construct facilities to meet the department's current and future operational needs the transportation facilities capital program under Minnesota Statutes, section 174.595.~~

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

Sec. 102. Laws 2023, chapter 68, article 2, section 2, subdivision 4, is amended to read:

Subd. 4. Trunk Highway 65; Anoka County

68,750,000

This appropriation is for ~~one or more grants to the city of Blaine, Anoka County, or both~~ for the predesign, right-of-way acquisition, design, engineering, and construction of intersection improvements along Trunk Highway 65 at 99th Avenue Northeast; 105th Avenue Northeast; Anoka County State-Aid Highway 12; 109th Avenue Northeast; 117th Avenue Northeast; and the associated frontage roads and backage roads within the trunk highway system.

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

Sec. 103. Laws 2023, chapter 68, article 2, section 2, subdivision 5, is amended to read:

Subd. 5. U.S. Highway 10; Coon Rapids 30,000,000

This appropriation is for ~~a grant to Anoka County~~ for preliminary engineering, environmental analysis, final design, right-of-way acquisition, construction, and construction administration of a third travel lane in each direction of marked U.S. Highway 10 from east of the interchange with Hanson Boulevard to Round Lake Boulevard in the city of Coon Rapids.

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

Sec. 104. Laws 2023, chapter 68, article 2, section 2, subdivision 7, is amended to read:

Subd. 7. U.S. Highway 169 Interchange; Scott County 4,200,000

This appropriation is for ~~a grant to Scott County~~ to design and construct trunk highway improvements associated with an interchange at U.S. Highway 169, marked Trunk Highway 282, and Scott County State-Aid Highway 9 in the city of Jordan, including accommodations for bicycles and pedestrians and for bridge and road construction.

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

Sec. 105. Laws 2023, chapter 68, article 2, section 2, subdivision 9, is amended to read:

Subd. 9. U.S. Highway 8; Chisago County 42,000,000

This appropriation is for ~~a grant to Chisago County~~ for predesign, design, engineering, and reconstruction of marked U.S. Highway 8 from Karmel Avenue in Chisago City to marked Interstate Highway 35, including pedestrian and bike trails along and crossings

of this segment of marked U.S. Highway 8. The reconstruction project may include expanding segments of marked U.S. Highway 8 to four lanes, constructing or reconstructing frontage roads and backage roads, and realigning local roads to consolidate, remove, and relocate access onto and off of U.S. Highway 8. This appropriation is for the portion of the project that is eligible for use of proceeds of trunk highway bonds. ~~This appropriation is not available until the commissioner of management and budget determines that sufficient resources have been committed from nonstate sources to complete the project.~~

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

Sec. 106. **REPORT; CITY SPEED LIMIT ANALYSIS STUDY REQUIRED.**

(a) The commissioner of transportation must conduct a comprehensive study to assess speed limits in cities that adopted speed limits on city streets under the provisions provided in Minnesota Statutes, section 169.14, subdivision 5h, since the provision's enactment. The commissioner must conduct the assessment on all cities that have instituted speed limit changes to determine whether the cities are setting the appropriate speed limit for the roadway based on engineering principles, safety considerations, and traffic flow.

(b) The study required under this section must include:

(1) an evaluation of roadway design and characteristics;

(2) an analysis of traffic volume and patterns;

(3) an examination of crash data and safety records;

(4) a review of existing speed studies and surveys;

(5) any discrepancies between established speed limits and engineering recommendations; and

(6) recommendations for upward adjustments to city speed limits necessary to align with engineering principles and enhance roadway safety and design.

(c) By March 15, 2025, the commissioner of transportation must submit the results of the comprehensive study to the chairs and ranking minority members of the legislative committees with jurisdiction over transportation policy and finance. The report must identify affected cities and recommend upward adjustments based on observations in the report.

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

Sec. 107. **TRAFFIC ENGINEERING STUDIES AND INVESTIGATIONS.**

(a) Notwithstanding the requirements of the Minnesota Manual on Uniform Traffic Control Devices established by the commissioner of transportation under Minnesota Statutes, section 169.06, subdivision 2, by July 1, 2024, the commissioner must implement section 2B.21 of the Manual on Uniform Traffic Control Devices for Streets and Highways, 11th Edition, as incorporated by the United States Department of

Transportation, pertaining to traffic engineering studies and investigations for establishing or reevaluating speed limits within speed zones.

(b) This section expires upon adoption of relevant revisions to the Minnesota Manual on Uniform Traffic Control Devices that pertain to traffic engineering studies and investigations for speed zones. The commissioner must notify the revisor of statutes, whether electronically or in writing, of the expiration.

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

Sec. 108. **FULL-SERVICE PROVIDER.**

(a) For purposes of this section, the following terms have the meanings given:

(1) "commissioner" means the commissioner of public safety; and

(2) "full-service provider" has the meaning given in Minnesota Statutes, section 168.002, subdivision 12a.

(b) A driver's license agent under Minnesota Statutes, section 171.061, who was appointed before January 1, 2024, and is recognized by the commissioner as a limited licensing agent under Minnesota Rules, part 7404.0340, may apply to the commissioner to become a full-service provider at the agent's current office location. A driver's license agent must submit an application on or before June 1, 2025. By June 30, 2025, an applicant under this section must satisfactorily complete any additional staff training required by the commissioner to offer expanded services as a full-service provider.

(c) The commissioner may appoint an applicant who meets the requirements under this section as a full-service provider.

(d) Minnesota Rules, chapter 7404, applies to an appointment under this section, except that this section applies notwithstanding Minnesota Rules, parts 7404.0300, subparts 4, 5, and 6; 7404.0305, subpart 1, item B; 7404.0345, item D; 7404.0350; 7404.0360, subpart 2; and 7404.0400, subpart 4, item B.

Sec. 109. **MINNESOTA STATE FAIR TRANSPORTATION PLANNING.**

(a) By August 1, 2024, the board of managers of the State Agricultural Society, in consultation with the Metropolitan Council, must develop a multimodal Minnesota State Fair transportation plan for implementation at the 2024 Minnesota State Fair and must submit a copy of the plan to the chairs and ranking minority members of the legislative committees with jurisdiction over agriculture and transportation policy and finance.

(b) At a minimum, the plan must:

(1) determine methods to reduce motor vehicle traffic, congestion, and parking in the area of the Minnesota State Fairgrounds;

(2) identify improvements to the transportation experience for attendees at the Minnesota State Fair;

(3) expand bicycle access and secure storage, including at park-and-ride locations;

(4) improve support for ride hailing and transportation network companies; and

(5) specify public distribution of information on transportation options and services.

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

Sec. 110. **REPEALER.**

(a) Minnesota Statutes 2022, sections 169.011, subdivision 70; 169.25; 171.0605, subdivision 4; 216D.06, subdivision 3; and 221.033, subdivision 2c, are repealed.

(b) Minnesota Statutes 2023 Supplement, section 171.06, subdivisions 9, 10, and 11, are repealed.

(c) Minnesota Rules, part 7410.6180, is repealed.

(d) Minnesota Rules, part 7411.7600, subpart 3, is repealed.

EFFECTIVE DATE. Paragraph (d) is effective July 1, 2024.

ARTICLE 2

GREATER MINNESOTA TRANSIT

Section 1. Minnesota Statutes 2022, section 174.22, is amended by adding a subdivision to read:

Subd. 1a. **Complementary paratransit service (ADA).** "Complementary paratransit service (ADA)" means public transportation service provided on a regular basis where fixed route public transit service exists and is designed exclusively or primarily to serve individuals who are elderly or disabled and unable to use regular means of public transportation.

Sec. 2. Minnesota Statutes 2022, section 174.22, subdivision 2b, is amended to read:

Subd. 2b. **Elderly and disabled service.** "Elderly and disabled service" means transportation service provided on a regular basis in small urbanized or large urbanized areas and designed exclusively or primarily to serve individuals who are elderly or disabled and unable to use regular means of public transportation.

Sec. 3. Minnesota Statutes 2022, section 174.22, is amended by adding a subdivision to read:

Subd. 3a. **Large urbanized area service.** "Large urbanized area service" means a public transportation service operated in areas located outside the metropolitan area with a population greater than 200,000 that is designated by the United States Census Bureau. Large urbanized area service does not include complementary paratransit service (ADA), as defined in subdivision 1a.

Sec. 4. Minnesota Statutes 2022, section 174.22, subdivision 7, is amended to read:

Subd. 7. **Public transit or transit transportation.** "~~Public transit~~" or "~~transit~~" means ~~general or specific transportation service provided to the public on a regular and continuing basis.~~ "~~Public transit~~" or "~~transit~~" includes ~~paratransit and regular route transit.~~ "~~Public transportation~~" means regular, continuing shared-ride surface transportation services that are open to the general public or open to a segment of the general public defined by age, disability, or low income. Public transportation does not include:

(1) intercity passenger rail transportation provided by the entity described in United States Code, title 49, section 243, or a successor entity;

(2) intercity bus service;

(3) charter bus service;

(4) school bus service;

(5) sightseeing service;

(6) courtesy shuttle service for patrons of one or more specific establishments; or

(7) intraterminal or intrafacility shuttle services.

Sec. 5. Minnesota Statutes 2022, section 174.22, subdivision 12, is amended to read:

Subd. 12. **Rural area service.** "Rural area service" means a public transportation service primarily operated in an area having population centers of less than 2,500 persons rural areas that have not been designated in the most recent decennial census as an urbanized area by the United States Census Bureau.

Sec. 6. Minnesota Statutes 2022, section 174.22, subdivision 14, is amended to read:

Subd. 14. **Small urban urbanized area service.** "Small ~~urban~~ urbanized area service" means a public transportation service operating in an area with a population between 2,500 and 50,000 operated in areas located outside the metropolitan area with a population of at least 50,000 but less than 200,000 that is designated by the United States Census Bureau. Small urbanized area service does not include complementary paratransit service (ADA), as defined in subdivision 1a.

Sec. 7. Minnesota Statutes 2022, section 174.23, subdivision 2, is amended to read:

Subd. 2. **Financial assistance; application, approval.** (a) The commissioner ~~shall~~ must seek out and select eligible recipients of financial assistance under sections 174.21 to 174.27.

(b) The commissioner ~~shall~~ must establish ~~by rule the~~ procedures and standards for review and approval of applications for financial assistance submitted to the commissioner pursuant to sections 174.21 to 174.27. Any applicant ~~shall~~ must provide to the commissioner any financial or other information required by the commissioner to carry out the commissioner's duties. The commissioner may require local contributions from applicants as a condition for receiving financial assistance.

~~(c) Before the commissioner approves any grant, the application for the grant may be reviewed by the appropriate regional development commission only for consistency with regional transportation plans and development guides. If an applicant proposes a project within the jurisdiction of a transit authority or commission or a transit system assisted or operated by a city or county, the application shall also be reviewed by that commission, authority, or political subdivision for consistency with its transit programs, policies, and plans.~~

Sec. 8. Minnesota Statutes 2022, section 174.24, subdivision 1a, is amended to read:

Subd. 1a. **Greater Minnesota transit investment plan.** (a) The commissioner ~~shall~~ must develop a greater Minnesota transit investment plan that contains a goal of meeting at least 80 percent of total transit service needs in greater Minnesota by July 1, 2015, and meeting at least 90 percent of total transit service needs in greater Minnesota by July 1, 2025.

(b) The plan must include, but is not limited to, the following:

(1) an analysis of ridership and total transit service needs throughout greater Minnesota;

(2) a calculation of the level and type of service required to meet total transit service needs, for the transit system classifications as provided under subdivision 3b, paragraph (c), of large urbanized area, small urbanized area, rural area, and elderly and disabled service, and complementary paratransit service (ADA);

(3) an analysis of costs and revenue options;

(4) a plan to reduce total transit service needs as specified in this subdivision; and

(5) identification of the operating and capital costs necessary to meet 100 percent of the greater Minnesota transit targeted and projected bus service hours, as identified in the greater Minnesota transit plan, for 2010, 2015, 2020, 2025, and 2030.

(c) The plan must specifically address special transportation service ridership and needs. The plan must also provide that recipients of operating assistance under this section provide fixed route public transit service without charge for disabled veterans in accordance with subdivision 7.

Sec. 9. Minnesota Statutes 2022, section 174.24, subdivision 3b, is amended to read:

Subd. 3b. **Operating assistance; recipient classifications.** ~~(a) The commissioner shall determine the total operating cost of any public transit system receiving or applying for assistance in accordance with generally accepted accounting principles. To be eligible for financial assistance, an applicant or recipient shall provide to the commissioner all financial records and other information and shall permit any inspection reasonably necessary to determine total operating cost and correspondingly the amount of assistance that may be paid to the applicant or recipient. Where more than one county or municipality contributes assistance to the operation of a public transit system, the commissioner shall identify one as lead agency for the purpose of receiving money under this section.~~

~~(b)~~ (a) Prior to distributing operating assistance to eligible recipients for any contract period, the commissioner ~~shall~~ must place all recipients into one of the following classifications: large urbanized area service, small urbanized area service, rural area service, and elderly and disabled service, and complementary paratransit service (ADA).

~~(c)~~ (b) The commissioner ~~shall~~ must distribute ~~funds~~ the operating assistance amount under this section so that the percentage of ~~total contracted operating cost from local sources~~ paid by any recipient from local sources will not exceed the following percentage for that recipient's classification, except as provided in this subdivision. ~~The percentages must be:~~

(1) for urbanized area service and small urban area service, 20 percent;

(2) for rural area service, 15 percent; and

(3) for elderly and disabled service and complementary paratransit service (ADA), 15 percent.

~~Except as provided in a United States Department of Transportation program allowing or requiring a lower percentage to be paid from local sources, the remainder of the recipient's total contracted operating cost will be paid from state sources of funds less any assistance received by the recipient from the United States Department of Transportation.~~

~~(d)~~ (c) For purposes of this subdivision, "local sources" means all local sources of funds and includes all operating revenue, tax levies, and contributions from public funds, ~~except that the commissioner may exclude from the total assistance contract revenues derived from operations the cost of which is excluded from the computation of total operating cost.~~

(~~e~~) (d) If a recipient informs the commissioner in writing after the establishment of these percentages but prior to the distribution of financial assistance for any year that paying its designated percentage of ~~total operating cost~~ the operating assistance amount from local sources will cause undue hardship, the commissioner may reduce the percentage to be paid from local sources by the recipient and increase the percentage to be paid from local sources by one or more other recipients inside or outside the classification. However, the commissioner may not reduce or increase any recipient's percentage under this paragraph for more than two years successively. If for any year the funds appropriated to the commissioner to carry out the purposes of this section are insufficient to allow the commissioner to pay the state share of ~~total operating cost~~ the operating assistance amount as provided in this paragraph, the commissioner ~~shall~~ must reduce the state share in each classification to the extent necessary.

Sec. 10. Minnesota Statutes 2022, section 174.24, subdivision 3c, is amended to read:

Subd. 3c. **Nonoperating assistance.** The commissioner ~~shall~~ must determine the total cost of any planning and engineering design, capital assistance, other capital expenditures, and other assistance for public transit services that furthers the purposes of section 174.21 for any public transit system receiving or applying for the assistance in accordance with generally accepted accounting principles. The percentage of local sources paid by any recipient must not exceed 20 percent of the awarded amount. To be eligible for non-operating-cost financial assistance, an applicant or recipient ~~shall~~ must provide to the commissioner all financial records and other information and ~~shall~~ must permit any inspection reasonably necessary to determine total cost and the amount of assistance that may be paid to the applicant or recipient. When more than one county or municipality contributes assistance to the operation of a public transit system, the commissioner ~~shall~~ must identify one as a lead agency for the purpose of receiving money under this section. The commissioner has the sole discretion to determine the amount of state funds distributed to any recipient for non-operating-cost assistance.

Sec. 11. Minnesota Statutes 2022, section 174.247, is amended to read:

174.247 ANNUAL TRANSIT REPORT.

(a) By February 15 annually, the commissioner ~~shall~~ must submit a report to the legislature on transit services outside the metropolitan area. ~~The Metropolitan Council and~~ Any public transit system receiving assistance under section 174.24 ~~shall~~ must provide assistance in creating the report, as requested by the commissioner.

(b) The report must include, at a minimum, the following:

- (1) a descriptive overview of public transit in Minnesota;
- (2) a descriptive summary of funding sources and assistance programs;
- (3) a summary of each public transit system receiving assistance under section 174.24;
- (4) data that identifies use of volunteers in providing transit service;
- (5) financial data that identifies for each public transit system and for each transit system classification under section 174.24, subdivision 3b:
 - (i) the operating and capital costs;
 - (ii) each of the funding sources used to provide financial assistance; and

(iii) for federal funds, the amount from each specific federal program under which funding is provided;

(6) a summary of the differences in program implementation requirements and aid recipient eligibility between federal aid and state sources of funds; and

(7) ~~in each odd-numbered year,~~ an analysis of public transit system needs and operating expenditures on an annual basis, which must include a methodology for identifying monetary needs, and calculations of:

(i) the total monetary needs for all public transit systems, for the year of the report and the ensuing five years;

(ii) the total expenditures from local sources for each transit system classification;

(iii) the comprehensive transit assistance percentage for each transit system classification, which equals (A) the expenditures identified under item (ii), for a transit system classification, divided by (B) the amounts identified under subitem (A), plus the sum of state sources of funds plus federal funds provided to all transit systems in that classification; and

(iv) the amount of surplus or insufficient funds available for paying capital and operating costs to fully implement the greater Minnesota transit investment plan under section 174.24, subdivision 1a.

Sec. 12. Minnesota Statutes 2023 Supplement, section 256B.0625, subdivision 17, is amended to read:

Subd. 17. **Transportation costs.** (a) "Nonemergency medical transportation service" means motor vehicle transportation provided by a public or private person that serves Minnesota health care program beneficiaries who do not require emergency ambulance service, as defined in section 144E.001, subdivision 3, to obtain covered medical services.

(b) For purposes of this subdivision, "rural urban commuting area" or "RUCA" means a census-tract based classification system under which a geographical area is determined to be urban, rural, or super rural.

(c) Medical assistance covers medical transportation costs incurred solely for obtaining emergency medical care or transportation costs incurred by eligible persons in obtaining emergency or nonemergency medical care when paid directly to an ambulance company, nonemergency medical transportation company, or other recognized providers of transportation services. Medical transportation must be provided by:

(1) nonemergency medical transportation providers who meet the requirements of this subdivision;

(2) ambulances, as defined in section 144E.001, subdivision 2;

(3) taxicabs that meet the requirements of this subdivision;

(4) public transit, within the meaning of "public transportation" as defined in section 174.22, subdivision 7; or

(5) not-for-hire vehicles, including volunteer drivers, as defined in section 65B.472, subdivision 1, paragraph (h).

(d) Medical assistance covers nonemergency medical transportation provided by nonemergency medical transportation providers enrolled in the Minnesota health care programs. All nonemergency medical transportation providers must comply with the operating standards for special transportation service as defined in sections 174.29 to 174.30 and Minnesota Rules, chapter 8840, and all drivers must be individually enrolled with the commissioner and reported on the claim as the individual who provided the service. All

nonemergency medical transportation providers shall bill for nonemergency medical transportation services in accordance with Minnesota health care programs criteria. Publicly operated transit systems, volunteers, and not-for-hire vehicles are exempt from the requirements outlined in this paragraph.

(e) An organization may be terminated, denied, or suspended from enrollment if:

(1) the provider has not initiated background studies on the individuals specified in section 174.30, subdivision 10, paragraph (a), clauses (1) to (3); or

(2) the provider has initiated background studies on the individuals specified in section 174.30, subdivision 10, paragraph (a), clauses (1) to (3), and:

(i) the commissioner has sent the provider a notice that the individual has been disqualified under section 245C.14; and

(ii) the individual has not received a disqualification set-aside specific to the special transportation services provider under sections 245C.22 and 245C.23.

(f) The administrative agency of nonemergency medical transportation must:

(1) adhere to the policies defined by the commissioner;

(2) pay nonemergency medical transportation providers for services provided to Minnesota health care programs beneficiaries to obtain covered medical services;

(3) provide data monthly to the commissioner on appeals, complaints, no-shows, canceled trips, and number of trips by mode; and

(4) by July 1, 2016, in accordance with subdivision 18e, utilize a web-based single administrative structure assessment tool that meets the technical requirements established by the commissioner, reconciles trip information with claims being submitted by providers, and ensures prompt payment for nonemergency medical transportation services.

(g) Until the commissioner implements the single administrative structure and delivery system under subdivision 18e, clients shall obtain their level-of-service certificate from the commissioner or an entity approved by the commissioner that does not dispatch rides for clients using modes of transportation under paragraph (l), clauses (4), (5), (6), and (7).

(h) The commissioner may use an order by the recipient's attending physician, advanced practice registered nurse, physician assistant, or a medical or mental health professional to certify that the recipient requires nonemergency medical transportation services. Nonemergency medical transportation providers shall perform driver-assisted services for eligible individuals, when appropriate. Driver-assisted service includes passenger pickup at and return to the individual's residence or place of business, assistance with admittance of the individual to the medical facility, and assistance in passenger securement or in securing of wheelchairs, child seats, or stretchers in the vehicle.

(i) Nonemergency medical transportation providers must take clients to the health care provider using the most direct route, and must not exceed 30 miles for a trip to a primary care provider or 60 miles for a trip to a specialty care provider, unless the client receives authorization from the local agency.

(j) Nonemergency medical transportation providers may not bill for separate base rates for the continuation of a trip beyond the original destination. Nonemergency medical transportation providers must maintain trip logs, which include pickup and drop-off times, signed by the medical provider or client, whichever is deemed

most appropriate, attesting to mileage traveled to obtain covered medical services. Clients requesting client mileage reimbursement must sign the trip log attesting mileage traveled to obtain covered medical services.

(k) The administrative agency shall use the level of service process established by the commissioner to determine the client's most appropriate mode of transportation. If public transit or a certified transportation provider is not available to provide the appropriate service mode for the client, the client may receive a onetime service upgrade.

(l) The covered modes of transportation are:

(1) client reimbursement, which includes client mileage reimbursement provided to clients who have their own transportation, or to family or an acquaintance who provides transportation to the client;

(2) volunteer transport, which includes transportation by volunteers using their own vehicle;

(3) unassisted transport, which includes transportation provided to a client by a taxicab or public transit. If a taxicab or public transit is not available, the client can receive transportation from another nonemergency medical transportation provider;

(4) assisted transport, which includes transport provided to clients who require assistance by a nonemergency medical transportation provider;

(5) lift-equipped/ramp transport, which includes transport provided to a client who is dependent on a device and requires a nonemergency medical transportation provider with a vehicle containing a lift or ramp;

(6) protected transport, which includes transport provided to a client who has received a prescreening that has deemed other forms of transportation inappropriate and who requires a provider: (i) with a protected vehicle that is not an ambulance or police car and has safety locks, a video recorder, and a transparent thermoplastic partition between the passenger and the vehicle driver; and (ii) who is certified as a protected transport provider; and

(7) stretcher transport, which includes transport for a client in a prone or supine position and requires a nonemergency medical transportation provider with a vehicle that can transport a client in a prone or supine position.

(m) The local agency shall be the single administrative agency and shall administer and reimburse for modes defined in paragraph (l) according to paragraphs (p) and (q) when the commissioner has developed, made available, and funded the web-based single administrative structure, assessment tool, and level of need assessment under subdivision 18e. The local agency's financial obligation is limited to funds provided by the state or federal government.

(n) The commissioner shall:

(1) verify that the mode and use of nonemergency medical transportation is appropriate;

(2) verify that the client is going to an approved medical appointment; and

(3) investigate all complaints and appeals.

(o) The administrative agency shall pay for the services provided in this subdivision and seek reimbursement from the commissioner, if appropriate. As vendors of medical care, local agencies are subject to the provisions in section 256B.041, the sanctions and monetary recovery actions in section 256B.064, and Minnesota Rules, parts 9505.2160 to 9505.2245.

(p) Payments for nonemergency medical transportation must be paid based on the client's assessed mode under paragraph (k), not the type of vehicle used to provide the service. The medical assistance reimbursement rates for nonemergency medical transportation services that are payable by or on behalf of the commissioner for nonemergency medical transportation services are:

- (1) \$0.22 per mile for client reimbursement;
- (2) up to 100 percent of the Internal Revenue Service business deduction rate for volunteer transport;
- (3) equivalent to the standard fare for unassisted transport when provided by public transit, and \$12.10 for the base rate and \$1.43 per mile when provided by a nonemergency medical transportation provider;
- (4) \$14.30 for the base rate and \$1.43 per mile for assisted transport;
- (5) \$19.80 for the base rate and \$1.70 per mile for lift-equipped/ramp transport;
- (6) \$75 for the base rate and \$2.40 per mile for protected transport; and
- (7) \$60 for the base rate and \$2.40 per mile for stretcher transport, and \$9 per trip for an additional attendant if deemed medically necessary.

(q) The base rate for nonemergency medical transportation services in areas defined under RUCA to be super rural is equal to 111.3 percent of the respective base rate in paragraph (p), clauses (1) to (7). The mileage rate for nonemergency medical transportation services in areas defined under RUCA to be rural or super rural areas is:

- (1) for a trip equal to 17 miles or less, equal to 125 percent of the respective mileage rate in paragraph (p), clauses (1) to (7); and
- (2) for a trip between 18 and 50 miles, equal to 112.5 percent of the respective mileage rate in paragraph (p), clauses (1) to (7).

(r) For purposes of reimbursement rates for nonemergency medical transportation services under paragraphs (p) and (q), the zip code of the recipient's place of residence shall determine whether the urban, rural, or super rural reimbursement rate applies.

(s) The commissioner, when determining reimbursement rates for nonemergency medical transportation under paragraphs (p) and (q), shall exempt all modes of transportation listed under paragraph (l) from Minnesota Rules, part 9505.0445, item R, subitem (2).

(t) Effective for the first day of each calendar quarter in which the price of gasoline as posted publicly by the United States Energy Information Administration exceeds \$3.00 per gallon, the commissioner shall adjust the rate paid per mile in paragraph (p) by one percent up or down for every increase or decrease of ten cents for the price of gasoline. The increase or decrease must be calculated using a base gasoline price of \$3.00. The percentage increase or decrease must be calculated using the average of the most recently available price of all grades of gasoline for Minnesota as posted publicly by the United States Energy Information Administration.

Sec. 13. Minnesota Statutes 2022, section 473.121, subdivision 19, is amended to read:

Subd. 19. **Public transit or transit.** "Public transit" or "transit" has the meaning given to "public transportation" in section 174.22, subdivision 7.

Sec. 14. Minnesota Statutes 2023 Supplement, section 609.855, subdivision 7, is amended to read:

Subd. 7. **Definitions.** (a) The definitions in this subdivision apply in this section.

(b) "Public transit" or "transit" has the meaning given to "public transportation" in section 174.22, subdivision 7.

(c) "Public transit vehicle" or "transit vehicle" means any vehicle used for the purpose of providing public transit, whether or not the vehicle is owned or operated by a public entity.

(d) "Public transit facilities" or "transit facilities" means any vehicles, equipment, property, structures, stations, improvements, plants, parking or other facilities, or rights that are owned, leased, held, or used for the purpose of providing public transit, whether or not the facility is owned or operated by a public entity.

(e) "Fare medium" means a ticket, smart card, pass, coupon, token, transfer, or other medium sold or distributed by a public transit provider, or its authorized agents, for use in gaining entry to or use of the public transit facilities or vehicles of the provider.

(f) "Proof of fare payment" means a fare medium valid for the place or time at, or the manner in, which it is used. If using a reduced-fare medium, proof of fare payment also includes proper identification demonstrating a person's eligibility for the reduced fare. If using a fare medium issued solely for the use of a particular individual, proof of fare payment also includes an identification document bearing a photographic likeness of the individual and demonstrating that the individual is the person to whom the fare medium is issued.

(g) "Authorized transit representative" means the person authorized by the transit provider to operate the transit vehicle, a peace officer, a transit official under section 473.4075, subdivision 1, or any other person designated by the transit provider as an authorized transit representative under this section.

Sec. 15. **REVISOR INSTRUCTION.**

(a) The revisor of statutes must renumber the subdivisions in Minnesota Statutes, section 174.22, in alphabetical order and correct any cross-reference changes that result.

(b) The revisor of statutes must change the term "public transit" to "public transportation" wherever the term appears in Minnesota Statutes, sections 174.21 to 174.27.

(c) Except as otherwise provided in this article, the revisor of statutes must change the term "public transit" to "public transportation" wherever the term appears in Minnesota Statutes in conjunction with a specific reference to Minnesota Statutes, section 174.22, subdivision 7.

Sec. 16. **REPEALER.**

(a) Minnesota Statutes 2022, sections 174.22, subdivisions 5 and 15; and 174.23, subdivision 7, are repealed.

(b) Minnesota Rules, parts 8835.0110, subparts 1, 1a, 6, 7, 10, 11a, 12a, 12b, 13a, 14a, 15, 15a, 16, 17, 18, and 19; 8835.0210; 8835.0220; 8835.0230; 8835.0240; 8835.0250; 8835.0260; 8835.0265; 8835.0270; 8835.0275; 8835.0280; 8835.0290; 8835.0310; 8835.0320; 8835.0330, subparts 1, 3, and 4; and 8835.0350, subparts 1, 3, 4, and 5, are repealed.

Presented to the governor May 14, 2024

Signed by the governor May 15, 2024, 9:46 a.m.