

This Document can be made available in alternative formats upon request

State of Minnesota

HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. 2173

03/06/2017 Authored by Loonan and Runbeck The bill was read for the first time and referred to the Committee on Transportation and Regional Governance Policy

1.1 A bill for an act
1.2 relating to transportation; establishing a legislative commission to carry out and
1.3 report on reverse commuting transit studies.

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

1.5 Section 1. LEGISLATIVE COMMISSION ON REVERSE COMMUTING.

1.6 Subdivision 1. Commission establishment; constitution and members. (a) A legislative
1.7 commission named the Transit Alternatives Commission is established. The commission
1.8 must implement the provisions of this section and may govern other transit studies authorized
1.9 by law.

1.10 (b) The commission consists of the following members:

1.11 (1) three state representatives appointed by the speaker of the house, at least one each
1.12 from the majority and minority caucuses, and three state senators appointed by the senate
1.13 Subcommittee on Committees of the Committee on Rules and Administration, at least one
1.14 each from the majority and minority caucuses. There must be a total of three legislators
1.15 from each party, and at least one legislator must be from greater Minnesota;

1.16 (2) 11 metropolitan area public members, with a minimum of one from each of the
1.17 metropolitan counties and a maximum of three elected officials; and

1.18 (3) two nonmetropolitan area public members, only one of which may be a local elected
1.19 official.

1.20 (c) All public members must be appointed by an up-or-down majority vote of the
1.21 legislative appointing authorities appointed under paragraph (b), clause (1), on the entirety
1.22 of a list of 13 nominees compiled by them. Appointments under this paragraph must be

2.1 made as provided under Minnesota Statutes, section 15.0897. The legislative appointing
2.2 authorities are encouraged to propose nominees for the 13 public members so that diverse
2.3 interests, experience, and expertise, including with local and regional government, are
2.4 represented. At least one metropolitan area member must be transit-dependent at the time
2.5 of the member's appointment and primarily rely on public transit and other nonautomotive
2.6 means of transportation, including but not limited to a bike, scooter, or Segway. At least
2.7 one metropolitan area member must be disabled at the time of the member's appointment,
2.8 and familiar with the challenges disabled people face when using transit and transportation.
2.9 At least one metropolitan area member must regularly commute by bicycle. The
2.10 transit-dependent member may also satisfy the bicycle commuter requirement. Preference
2.11 must be given to individuals so that at least one metropolitan area public member is a regular
2.12 commuter to downtown Minneapolis or downtown St. Paul from one of the opt-out transit
2.13 service providers. Appointments must be made as soon as practicable after the effective
2.14 date of this section.

2.15 (d) The legislative appointing authorities must each designate a legislative appointee to
2.16 serve as co-chair of the commission. The presiding chair for each commission meeting must
2.17 alternate between the two co-chairs.

2.18 (e) Meetings of the commission and all task committees are subject to Minnesota Statutes,
2.19 chapter 13D. The Legislative Coordinating Commission must provide administrative support
2.20 to the commission, including posting meeting notices of the commission and all
2.21 subcommittees on the legislative Web site. Legislative staff, the Department of
2.22 Transportation, the Metropolitan Council, Metro Transit, Metro Mobility, the Department
2.23 of Employment and Economic Development, and other state agencies must promptly provide
2.24 staff assistance when requested by the commission. The Legislative Coordinating
2.25 Commission may accept gifts and grants as provided under Minnesota Statutes, section
2.26 3.303, to support the work of the commission. Gifts and grants may supplement but do not
2.27 substitute for money appropriated by the legislature under subdivision 4.

2.28 (f) The commission may form task committees, and must designate a chair or co-chairs
2.29 for each task committee. Task committees may form subcommittees, which may be
2.30 organized, scoped, and chaired as necessary to achieve the subcommittee's purpose.

2.31 Subd. 2. **Commission duties; consultation.** (a) The commission and task subcommittees
2.32 must conduct meetings and hearings and solicit written comments to gather information
2.33 and analysis.

3.1 (b) The commission must proactively reach out to all interested parties, including but
 3.2 not limited to:

3.3 (1) transit-dependent individuals and organizations that work with or represent
 3.4 transit-dependent individuals;

3.5 (2) likely employers of reverse commuters;

3.6 (3) disabled individuals, who may or may not be transit-dependent, and organizations
 3.7 that work with or represent disabled individuals;

3.8 (4) individuals who use the transit services of Metro Transit, Metro Mobility, and the
 3.9 opt-out providers;

3.10 (5) local elected officials and staff of metropolitan area cities, counties, and towns,
 3.11 including board members of boards governing or advising the opt-out providers;

3.12 (6) commissioners and staff of the Department of Transportation, the Metropolitan
 3.13 Council, Metro Transit, Metro Mobility, the Department of Employment and Economic
 3.14 Development, and opt-out transit providers;

3.15 (7) other state agencies that coordinate transit planning and services, or issue permits to
 3.16 other entities of government, including the Metropolitan Council;

3.17 (8) academics and recognized community experts with expertise and interest in transit;

3.18 (9) former commissioners and senior management of the Department of Transportation,
 3.19 and former chairs, former members, and former senior management of the Metropolitan
 3.20 Council;

3.21 (10) other former state or regional officials with experience and interest in transit;

3.22 (11) representatives of private service providers, including but not limited to taxi
 3.23 companies, Uber, and Lyft;

3.24 (12) manufacturers of cars and buses, and companies that are considering entry into that
 3.25 market; and

3.26 (13) corporate and private foundations that may be potential ongoing funding resources.

3.27 Subd. 3. **Commission compensation and expenses.** (a) Legislative members of the
 3.28 commission may be compensated as provided by the respective bodies of the legislature.
 3.29 Public members of the commission must receive \$50 for each commission or committee
 3.30 meeting, and must be reimbursed for expenses as provided in Minnesota Statutes, section
 3.31 15.0575, subdivision 3. With the prior approval of the commission, public members of the

4.1 commission, academics, recognized community experts, licensed engineers and architects,
4.2 and interns pursuing undergraduate or graduate degrees in relevant academic disciplines,
4.3 including but not limited to urban and transportation planning, engineering, and architecture,
4.4 may be compensated for work performed for the commission or for a subcommittee on an
4.5 independent contractor basis only, billed directly and personally, or through a corporate
4.6 entity, at a contract rate not to exceed \$25 per hour or \$15 per hour for interns. Reasonable
4.7 and agreed-to expenses, including mileage, must be paid in addition to hourly compensation.

4.8 (b) Interns may be employed directly by the commission or may be employed by a
4.9 corporate entity doing contract work for the commission, with the intern's pay billed to the
4.10 commission on a 100 percent pass-through basis. All interns must sign an agreement to
4.11 assign and convey all intellectual property resulting from work for the commission to the
4.12 intern's employer. Work to complete patent and other applications must be compensated at
4.13 \$15 per hour. Interns must agree to be available for a reasonable number of hours through
4.14 June 30, 2019, to promptly complete patent and other applications. Interns may also receive
4.15 academic credit for work performed on behalf of the commission.

4.16 (c) The commission may hire one person on a contract basis at a rate not to exceed \$25
4.17 per hour plus reasonable and agreed-to expenses, and not to exceed an average of 20 hours
4.18 per week, to administratively manage all services provided to the commission, with particular
4.19 attention to the services of paid interns.

4.20 (d) The commission may lease office space, or alternatively may contract with an
4.21 organization in the business of providing collaborative work spaces, to provide a work
4.22 environment convenient for the needs and schedules of interns, who may be transit-dependent.

4.23 (e) With the prior approval of the commission, the Department of Transportation, the
4.24 Metropolitan Council, Metro Transit, Metro Mobility, opt-out suburban transit providers,
4.25 other state agencies, and other units of government may be compensated for services provided
4.26 by their staff on a marginal cost basis. Any service provided by a salaried staff person is
4.27 not eligible for compensation unless (1) an extraordinary amount of time is required, and
4.28 (2) the commission's total spending for the extraordinary amounts of time does not exceed
4.29 \$50,000.

4.30 (f) After final reports are issued, members of the commission must be available to testify
4.31 before the legislature during the 2018 regular session. Testifying commission members
4.32 must be compensated \$50 per hearing, plus expenses.

4.33 Subd. 4. **Reverse commuting study.** (a) The commission must develop a study under
4.34 this subdivision to provide a plan for a major expansion of reverse commuting bus routes,

5.1 with a goal of providing service from at least 400 individual reverse commute bus runs for
5.2 each morning rush hour and at least 400 individual reverse commute bus runs for each
5.3 afternoon rush hour. Each reverse commute route must have at least two morning and at
5.4 least two afternoon individual bus runs.

5.5 (b) Reverse commute routes must run from (1) the current downtown Minneapolis
5.6 commuter routes running on Marquette and Second Avenue between Washington Avenue
5.7 and 12th Street, and (2) one or two hub locations in St. Paul, including at least one downtown
5.8 hub, to major employer sites and employer clusters within and near the I-494/I-694 beltway.
5.9 To the maximum extent practical, each reverse commute route must use a bus that provides
5.10 regular commuter service to downtown Minneapolis or downtown St. Paul. The reverse
5.11 commuting route must return the bus to a location from which a regular commuter run is
5.12 completed. Each reverse commuting run must proceed at freeway speed to a drop-off run
5.13 of up to approximately two miles, provide up to six stops with door-to-door service for
5.14 major employment sites or stops central to an employer cluster, and then return to the origin
5.15 of a regular commuter run currently operated by Metro Transit or an opt-out service. To
5.16 optimize service for both demand load and timing, service may be provided by Metro
5.17 Mobility vehicles, Uber, and taxis. Any use of Metro Mobility capacity must not result in
5.18 a reduction of its overall service level. In addition to the reverse commuting runs described
5.19 in this subdivision, frequent and demand-driven bus service must be provided directly on
5.20 a nonstop basis between the Minneapolis reverse commuting routes and the St. Paul hubs.

5.21 (c) The study under this section must include:

5.22 (1) an analysis identifying the approximate size and geographic parameters of the reverse
5.23 commuting labor pool, based on currently available data and categorizing the available
5.24 labor pool using the following levels of educational achievement as a metric: (i) a high
5.25 school diploma; (ii) a two-year degree; (iii) a four-year degree; and (iv) a
5.26 postgraduate/professional degree;

5.27 (2) an analysis and identification, relying on both phone and e-mail survey
5.28 communication, and currently available statistical data, of up to 1,200 preferred major
5.29 employer sites or employer clusters, ranked based on estimates of average annual vacancies.
5.30 The survey communication must obtain from each employer an estimate of: (i) the current
5.31 total number of people employed at the site; (ii) the average annual turnover; and (iii) the
5.32 number of positions that require a high school education, a two-year degree, a four-year
5.33 degree, or a postgraduate/professional degree. An estimate of the average number of annual
5.34 vacancies must be calculated based on the estimates in items (i) and (ii). Reasonable statistical

6.1 methods must also be devised for each identified employer cluster to estimate the average
6.2 number of annual vacancies using currently available data; and

6.3 (3) a plan to establish and maintain ongoing program marketing and support activities
6.4 for potential reverse commuting employees, including but not limited to:

6.5 (i) a plan to periodically contact all major employers on reverse commuting routes, and
6.6 all employers associated with employer clusters served by a reverse commuting route, to:
6.7 (A) promote the reverse commuting program; (B) solicit feedback, dialogue, and suggestions
6.8 for improvement; and (C) ensure all vacancies are posted online at a designated reverse
6.9 commuting employment hub;

6.10 (ii) a plan to coordinate with job placement entities, including but not limited to the
6.11 Department of Employment and Economic Development, employment and recruiting
6.12 agencies, municipal and county governments, institutions that provide education or health
6.13 care, and major job fairs;

6.14 (iii) a plan to promote the reverse commuting program to potential employees and
6.15 additional stakeholders through a variety of sources, including but not limited to local
6.16 publications; newspapers; radio and television including mass market, local and public
6.17 access; e-mail; and social media;

6.18 (iv) a plan to communicate and work with additional stakeholders, including but not
6.19 limited to government and nonprofit providers of social services, especially in communities
6.20 with high concentrations of low-income and minority residents; and

6.21 (v) a plan to solicit and accept voluntary financial support and contributions from the
6.22 general public, businesses served by the system, and grants from governmental entities, and
6.23 corporate and private charitable foundations. Marketing activities of the reverse commuting
6.24 program must include public relations activity designed to maximize goodwill for
6.25 organizations and entities providing financial support;

6.26 (4) a plan for an alternative series of statistical metrics to enable the operation of reverse
6.27 commuting activity to be separated from other bus service activity and to ensure that reverse
6.28 commuting service does not artificially or negatively distort other reporting metrics on
6.29 service levels and quality;

6.30 (5) a final report with a complete schedule of preliminary reverse commuting routes to
6.31 the locations described in paragraph (c), clause (2);

6.32 (6) an estimate of the marginal cost to implement the reverse commuting system, with
6.33 the expectation that commuter buses are, to the maximum extent possible, scheduled for

7.1 reverse commuting runs so that the vehicles are providing service in both directions during
7.2 rush hour. Additional drivers may be needed to accommodate required break times when
7.3 scheduled routes are running in both directions. The study must identify, to the maximum
7.4 extent possible, any additional costs that must be incurred in consequence of establishing
7.5 and operating the program;

7.6 (7) a management and operational plan to implement reverse commuting that fully
7.7 addresses all the requirements of this subdivision; and

7.8 (8) interim recommendations regarding immediate implementation of additional reverse
7.9 commuting routes, especially for areas of unusually high demand, including but not limited
7.10 to the new Amazon warehouse in Shakopee.

7.11 (d) The final report may recommend phased implementation, with benchmarks to assess
7.12 the impact of the first phase before proceeding to full implementation. The final report may
7.13 also provide preliminary information regarding how a reverse commuting hub could be
7.14 established near the Minneapolis Convention Center, how reverse commuting and the
7.15 Minneapolis Convention Center could be incorporated as an extension of Metro Transit's
7.16 blue and green lines to the Minneapolis Convention Center that serves as an alternative to
7.17 building the proposed Southwest Corridor and Bottineau light rail lines, and how reverse
7.18 commuting might be further integrated with Metro Mobility and other emerging bus-based
7.19 and automated driving elements of a 21st century Twin Cities transit system.

7.20 Subd. 5. **Reports; minority reports.** Final reports on the study described under
7.21 subdivision 4 must be completed no later than February 1, 2018. The reports must be
7.22 published online in an electronic format on the state legislative Web sites for both the house
7.23 of representatives and the senate. If a commission member believes identifies substantive
7.24 and unresolvable disagreements on one or more major issues, a minority report may be
7.25 prepared and published. Reports, including minority reports, may include drafts of
7.26 recommended legislation.

7.27 Subd. 6. **Appropriation.** \$250,000 in fiscal year is appropriated from the general
7.28 fund to the Legislative Coordinating Commission to pay the commission's costs. Any unspent
7.29 money remaining after the reports under this section are completed cancels to the general
7.30 fund.

7.31 Subd. 7. **Expiration.** The commission expires June 30, 2019, but this date may be
7.32 extended if other law designates the Transit Alternatives Commission as the governing
7.33 commission for separate studies, which may be conducted concurrently with or subsequent
7.34 to the study provided for by this act.