

HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 2214

02/25/2014 Authored by Sawatzky
The bill was read for the first time and referred to the Committee on Transportation Policy

03/13/2014 Adoption of Report: Amended and re-referred to the Committee on Transportation Finance

03/24/2014 By motion, recalled and re-referred to the Committee on Government Operations

03/26/2014 Adoption of Report: Re-referred to the Committee on Transportation Finance

03/28/2014 Adoption of Report: Amended and re-referred to the Committee on Ways and Means

04/08/2014 Adoption of Report: Placed on the General Register
Read Second Time

04/29/2014 Calendar for the Day, Amended
Read Third Time as Amended
Passed by the House as Amended and transmitted to the Senate to include Floor Amendments

1.1 A bill for an act

1.2 relating to transportation; making technical changes to provisions affecting the

1.3 Department of Transportation; clarifying contracting requirements; modifying

1.4 U-turn rules; providing bridge inspection authority in certain instances;

1.5 modifying seasonal load restrictions; modifying Web site requirements to

1.6 advertise for bids; modifying reporting requirements; modifying appropriations;

1.7 amending Minnesota Statutes 2012, sections 16A.124, subdivision 5; 161.32,

1.8 subdivision 5; 162.06, subdivision 1; 162.081, subdivision 4; 162.12, subdivision

1.9 1; 165.03, subdivision 3; 165.12, subdivision 1; 169.19, subdivision 2; 169.781,

1.10 subdivision 10; 169.782, subdivision 4; 169.865, subdivision 2; 169.87,

1.11 subdivision 6; 171.02, subdivision 2; 171.03; 174.37, subdivision 6; 221.031, by

1.12 adding subdivisions; 331A.12; Minnesota Statutes 2013 Supplement, sections

1.13 161.44, subdivision 1a; 169.19, subdivision 1; 174.12, subdivision 2; Laws 2010,

1.14 chapter 189, sections 15, subdivision 12; 26, subdivision 4; Laws 2012, chapter

1.15 287, article 2, sections 1; 3; Laws 2012, First Special Session chapter 1, article 1,

1.16 section 28; Laws 2013, chapter 127, section 67; repealing Minnesota Statutes

1.17 2012, section 161.115, subdivision 240; Minnesota Statutes 2013 Supplement,

1.18 section 221.0314, subdivision 9a.

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

1.20 Section 1. Minnesota Statutes 2012, section 16A.124, subdivision 5, is amended to read:

1.21 Subd. 5. **Payment of interest on late payments required.** (a) A state agency

1.22 shall pay interest to a vendor for undisputed billings when the agency has not paid the

1.23 billing within 30 days following receipt of the invoice, merchandise, or service whichever

1.24 is later. A negotiated contract or agreement between a vendor and a state agency which

1.25 requires an audit by the state agency prior to acceptance and payment of the vendor's

1.26 invoice shall not be considered past due until 30 days after the completion of the audit by

1.27 the state agency. Before any interest payment is made, the vendor must invoice the state

1.28 agency for such interest. For a construction contract utilizing partial payments based on an

1.29 engineer's estimate or a payment application approved by an architect, an invoice includes

2.1 an engineer's estimate or a payment application, as applicable, if made in regular intervals
2.2 that are (1) as specified in the contract, and (2) no less frequent than once per month.

2.3 (b) The rate of interest paid by the agency on undisputed bills not paid within 30
2.4 days shall be 1-1/2 percent per month or any part thereof.

2.5 (c) All interest penalties and collection costs must be paid from the agency's current
2.6 operating budget. No agency may seek to increase its appropriation for the purpose of
2.7 obtaining funds to pay interest penalties or collection costs.

2.8 (d) Any vendor who prevails in a civil action to collect interest penalties from a state
2.9 agency shall be awarded its costs and disbursements, including attorney's fees, incurred
2.10 in bringing the actions.

2.11 (e) No interest penalties may accrue against an agency that delays payment of a bill
2.12 due to a disagreement with the vendor; provided, that the dispute must be settled within 30
2.13 days after the bill became overdue. Upon the resolution of the dispute, the agency must
2.14 pay the vendor accrued interest on all proper invoices for which payment was not received
2.15 within the applicable time limit contained in subdivision 3. No interest penalties accrue
2.16 under this section against an agency for claims made by a contractor under a construction
2.17 contract.

2.18 (f) The minimum monthly interest penalty payment that a state agency shall pay a
2.19 vendor for the unpaid balance for any one overdue bill equal to or in excess of \$100 is
2.20 \$10. For unpaid balances of less than \$100, the state agency shall pay the actual penalty
2.21 due to the vendor.

2.22 Sec. 2. Minnesota Statutes 2012, section 161.32, subdivision 5, is amended to read:

2.23 Subd. 5. **Default by contractor.** In cases where work is being done under contract
2.24 and the commissioner finds that the contractor has failed to comply within ~~60 days~~ the
2.25 period specified in the contract from the date of receipt of a written demand to make
2.26 arrangements, satisfactory to the commissioner, to correct specified delays, neglect, or
2.27 default, within the control of the contractor, the commissioner may negotiate with others,
2.28 with the approval of the defaulting contractor's surety, for the completion of the contract
2.29 according to the terms and provisions of the contract.

2.30 Sec. 3. Minnesota Statutes 2013 Supplement, section 161.44, subdivision 1a, is
2.31 amended to read:

2.32 Subd. 1a. **Periodic review.** (a) The commissioner is encouraged to examine all real
2.33 property owned by the state and under the custodial control of the department to decide
2.34 whether any real property may be suitable for sale or some other means of disposal.

3.1 (b) The commissioner may not sell or otherwise dispose of property under this
3.2 subdivision unless:

3.3 (1) an analysis has been performed ~~of that examines~~ suitability of the property, or a
3.4 portion of the property, for bicycle or pedestrian facilities, which must take into account
3.5 (i) any relevant nonmotorized transportation plans, or (ii) in the absence of such plans,
3.6 demographic and development factors affecting the region; and

3.7 (2) the analysis demonstrates that either of the following applies:

3.8 (i) the property is not reasonably suitable for bicycle or pedestrian facilities, and
3.9 ~~(ii) there is not a likelihood of bicycle or pedestrian facility development involving the~~
3.10 property; or

3.11 (ii) the use of the property for bicycle or pedestrian facilities is protected by deed
3.12 restriction, easement, agreement, or other means.

3.13 (c) The commissioner shall report the findings under paragraph (a) to the house
3.14 of representatives and senate committees with jurisdiction over transportation policy
3.15 and finance by March 1 of each odd-numbered year. The report may be submitted
3.16 electronically, ~~and is subject to section 3.195, subdivision 1.~~

3.17 Sec. 4. Minnesota Statutes 2012, section 162.06, subdivision 1, is amended to read:

3.18 Subdivision 1. **Estimate.** (a) By December 15 of each year the commissioner shall
3.19 estimate the amount of money that will be available to the county state-aid highway
3.20 fund during that fiscal year. The amount available must be based on actual receipts ~~from~~
3.21 July 1 through October 31, at the time of the allocation calculation, the unallocated fund
3.22 balance, and the projected receipts for the remainder of the fiscal year. The amount
3.23 available, except for deductions as provided in this section, shall be apportioned by the
3.24 commissioner to the counties as provided in section 162.07.

3.25 (b) For purposes of this section, "amount available" means the amount estimated in
3.26 paragraph (a).

3.27 Sec. 5. Minnesota Statutes 2012, section 162.081, subdivision 4, is amended to read:

3.28 Subd. 4. **Formula for distribution to towns; purposes.** (a) Money apportioned to
3.29 a county from the town road account must be distributed to the treasurer of each town
3.30 within the county, according to a distribution formula adopted by the county board.
3.31 The formula must take into account each town's ~~levy for road and bridge purposes,~~ its
3.32 population and town road mileage, and other factors the county board deems advisable
3.33 in the interests of achieving equity among the towns. Distribution of town road funds
3.34 to each town treasurer must be made by March 1, annually, or within 30 days after

4.1 receipt of payment from the commissioner. Distribution of funds to town treasurers in a
4.2 county which has not adopted a distribution formula under this subdivision must be made
4.3 according to a formula prescribed by the commissioner by rule.

4.4 (b) Money distributed to a town under this subdivision may be expended by the
4.5 town only for the construction, reconstruction, and gravel maintenance of town roads
4.6 within the town.

4.7 Sec. 6. Minnesota Statutes 2012, section 162.12, subdivision 1, is amended to read:

4.8 Subdivision 1. **Estimate of accruals.** By December 15 of each year the
4.9 commissioner shall estimate the amount of money that will be available to the municipal
4.10 state-aid street fund during that fiscal year. The amount available is based on actual
4.11 receipts ~~from July 1 through October 31, at the time of the allocation calculation,~~ the
4.12 unallocated fund balance, and the projected receipts for the remainder of the fiscal year.
4.13 The total available, except for deductions as provided herein, shall be apportioned by the
4.14 commissioner to the cities having a population of 5,000 or more as hereinafter provided.

4.15 Sec. 7. Minnesota Statutes 2012, section 165.03, subdivision 3, is amended to read:

4.16 Subd. 3. **County inventory and inspection records and reports.** The county
4.17 engineer shall maintain a complete inventory record of all bridges as set forth in subdivision
4.18 2, paragraph (b), clause (2), with the inspection reports thereof, and shall certify annually
4.19 to the commissioner, as prescribed by the commissioner, that inspections have been made
4.20 at regular intervals, not to exceed the intervals outlined in subdivision 1a. A report of the
4.21 inspections must be filed annually, on or before February 15 of each year, with the county
4.22 auditor or town clerk, or the governing body of the municipality. The report must ~~contain~~
4.23 recommendations for the correction of or identify any deficiency requiring action, including
4.24 the legal posting of load limits or the need to have a load rating analysis performed, on any
4.25 bridge or structure that is found to be understrength or unsafe. The report may also contain
4.26 other recommendations for improving the safety of understrength or unsafe bridges.

4.27 Sec. 8. Minnesota Statutes 2012, section 165.12, subdivision 1, is amended to read:

4.28 Subdivision 1. **Duty Authority of county when town fails.** (a) Notwithstanding
4.29 any law to the contrary, a county has the following authority regarding town bridges
4.30 within its jurisdictional boundaries.

4.31 (b) When it becomes necessary to reconstruct or repair a bridge on any town road
4.32 in any town or upon any town line in this state, and the bridge is unsafe for travel or has
4.33 been condemned by the proper authorities, and the town or towns charged with the duty of

5.1 maintaining the bridge fail, neglect, or omit to construct, reconstruct, or repair the same or
5.2 provide for the expense or cost of so constructing, reconstructing, or repairing the same, as
5.3 identified in the report provided to the town or towns under section 165.03, subdivision
5.4 3, the county board of the county in which the town or towns are located shall have the
5.5 power and authority to reconstruct and repair the bridge upon giving notice to the town
5.6 board of the town or towns of its intention to do so and fixing a time and place for a
5.7 hearing as to the necessity and advisability of the reconstruction or repair.

5.8 (c) If a load rating analysis is required and has not been performed within 90 days of
5.9 the date the report required in section 165.03, subdivision 3, was delivered to the town,
5.10 the county is authorized to perform the analysis. Before it performs an analysis on a
5.11 town bridge, the county shall notify the town or towns that if the town or towns do not
5.12 perform the analysis within 90 days the county will perform the analysis and bill the
5.13 town or towns for all related expenses. If the town performs the analysis, a copy shall
5.14 be provided to the county engineer. If the county performs the analysis, a copy shall be
5.15 provided to the town clerk.

5.16 (d) If a load rating analysis determines a new or different load posting is required on
5.17 a town bridge, the town or towns charged with the duty of maintaining the bridge shall
5.18 provide the required posting within 30 days. If the town or towns fail to provide the
5.19 required posting, the county is authorized to provide the required posting. Before posting
5.20 a load limit on a town bridge, the county shall notify the town or towns that if the town
5.21 or towns do not provide the posting within 30 days the county will provide the required
5.22 posting and bill the town or towns for all related expenses, unless the town or towns and
5.23 the county agree to post the bridge in less than 30 days and at an agreed-upon cost.

5.24 (e) If a bridge constitutes a critical risk to public safety because its deficiencies, if
5.25 not immediately corrected, could result in collapse or partial collapse, the county engineer
5.26 is authorized to immediately close the bridge. The bridge shall remain closed until the
5.27 necessary steps are taken to remove the threat of collapse or partial collapse, or until a
5.28 subsequent inspection determines the issues resulting in closure are resolved. The county
5.29 may bill the town or towns for all related expenses.

5.30 (f) A county is not liable for a town's or towns' failure to act as required by this
5.31 section or section 165.03.

5.32 Sec. 9. Minnesota Statutes 2013 Supplement, section 169.19, subdivision 1, is
5.33 amended to read:

5.34 Subdivision 1. **Turning at intersection.** The driver of a vehicle intending to turn
5.35 at an intersection shall do so as follows:

6.1 (a) Except as otherwise provided in this paragraph, both the approach for a right turn
6.2 and a right turn shall be made as close as practicable to the right-hand curb or edge of the
6.3 roadway. When necessary to accommodate vehicle configuration, a driver is permitted to
6.4 make a right turn into the farthest lane of a roadway with two or more lanes in the same
6.5 direction in order to make a U-turn at a reduced conflict intersection, if it is safe to do so.

6.6 (b) Approach for a left turn on other than one-way roadways shall be made in that
6.7 portion of the right half of the roadway nearest the centerline thereof, and after entering
6.8 the intersection the left turn shall be made so as to leave the intersection to the right of the
6.9 centerline of the roadway being entered. Whenever practicable the left turn shall be made
6.10 in that portion of the intersection to the left of the center of the intersection.

6.11 (c) Approach for a left turn from a two-way roadway into a one-way roadway shall
6.12 be made in that portion of the right half of the roadway nearest the centerline thereof and
6.13 by passing to the right of such centerline where it enters the intersection.

6.14 (d) A left turn from a one-way roadway into a two-way roadway shall be made
6.15 from the left-hand lane and by passing to the right of the centerline of the roadway being
6.16 entered upon leaving the intersection.

6.17 (e) Where both streets or roadways are one way, both the approach for a left turn and
6.18 a left turn shall be made as close as practicable to the left-hand curb or edge of the roadway.

6.19 (f) Local authorities in their respective jurisdictions may cause markers, buttons, or
6.20 signs to be placed within or adjacent to intersections and thereby require and direct that a
6.21 different course from that specified in this section be traveled by vehicles turning at an
6.22 intersection, and when markers, buttons, or signs are so placed no driver of a vehicle shall
6.23 turn a vehicle at an intersection other than as directed and required by such markers,
6.24 buttons, or signs.

6.25 (g) Whenever it is necessary for the driver of a motor vehicle to cross a bicycle
6.26 lane adjacent to the driver's lane of travel to make a turn, the driver shall first signal the
6.27 movement, then drive the motor vehicle into the bicycle lane prior to making the turn,
6.28 but only after it is safe to do so. The driver shall then make the turn consistent with any
6.29 traffic markers, buttons, or signs, yielding the right-of-way to any vehicles or bicycles
6.30 approaching so close thereto as to constitute an immediate hazard.

6.31 Sec. 10. Minnesota Statutes 2012, section 169.19, subdivision 2, is amended to read:

6.32 Subd. 2. **U-turn.** No vehicle shall be turned so as to proceed in the opposite
6.33 direction upon any curve, or upon the approach to or near the crest of a grade, where
6.34 such the vehicle cannot be seen by the driver of any other vehicle approaching from
6.35 either direction within 1,000 feet, nor shall the driver of a vehicle turn the vehicle so as to

7.1 proceed in the opposite direction unless the movement can be made safely and without
7.2 interfering with other traffic. When necessary to accommodate vehicle configuration on a
7.3 roadway with two or more lanes in the same direction, a driver may turn the vehicle into
7.4 the farthest lane and temporarily use the shoulder to make a U-turn.

7.5 Sec. 11. Minnesota Statutes 2012, section 169.781, subdivision 10, is amended to read:

7.6 Subd. 10. **Exemption Exemptions.** (a) This section does not apply to a vehicle
7.7 operated by a motor carrier of passengers, as defined in section 221.012, subdivision 26,
7.8 if the vehicle has been inspected under section 221.0252, subdivision 3, paragraph (a),
7.9 clause (2), within the previous 12 months.

7.10 (b) This section does not apply to a covered farm vehicle, as defined in Code of
7.11 Federal Regulations, title 49, section 390.5, that is not carrying hazardous materials of
7.12 a type or quantity that requires the vehicle to be placarded in accordance with Code of
7.13 Federal Regulations, title 49, section 172.504.

7.14 Sec. 12. Minnesota Statutes 2012, section 169.782, subdivision 4, is amended to read:

7.15 Subd. 4. **Exceptions.** (a) With the exception of subdivision 2, paragraph (a), clause
7.16 (2), this section does not apply to a commercial motor vehicle that is a farm truck that may
7.17 be operated by a person not holding a commercial driver's license.

7.18 (b) This section does not apply to a commercial motor vehicle held for resale by a
7.19 motor vehicle dealer licensed under section 168.27.

7.20 (c) This section does not apply to a covered farm vehicle as defined in Code of
7.21 Federal Regulations, title 49, section 390.5, that is not carrying hazardous materials of
7.22 a type or quantity that requires the vehicle to be placarded in accordance with Code of
7.23 Federal Regulations, title 49, section 172.504.

7.24 Sec. 13. Minnesota Statutes 2012, section 169.865, subdivision 2, is amended to read:

7.25 Subd. 2. **Seven-axle vehicles.** (a) A road authority may issue an annual permit
7.26 authorizing a vehicle or combination of vehicles with a total of seven or more axles to
7.27 haul raw or unprocessed agricultural products and be operated with a gross vehicle weight
7.28 of up to:

7.29 (1) 97,000 pounds; and

7.30 (2) 99,000 pounds during the period set by the commissioner under section 169.826,
7.31 subdivision 1.

7.32 (b) Drivers of vehicles operating under this subdivision must comply with driver
7.33 qualification requirements adopted under section 221.0314, subdivisions 2 to 5, and Code

8.1 of Federal Regulations, title 49, parts 40 and 382, unless exempt under section 221.031,
8.2 subdivision 2c.

8.3 (c) The fee for a permit issued under this subdivision is \$500.

8.4 Sec. 14. Minnesota Statutes 2012, section 169.87, subdivision 6, is amended to read:

8.5 Subd. 6. **Recycling and garbage vehicles.** (a) Except as provided in paragraph (b),
8.6 weight restrictions imposed under subdivisions 1 and 2 do not apply to a vehicle that
8.7 does not exceed 20,000 pounds per single axle and is designed and used exclusively for
8.8 recycling, while engaged in recycling in a political subdivision that mandates curbside
8.9 recycling pickup.

8.10 (b) Weight restrictions imposed under subdivisions 1 and 2 do not apply to: (1) a
8.11 vehicle that does not exceed 14,000 pounds per single axle and is used exclusively for
8.12 recycling as described in paragraph (a), ~~or~~; (2) a vehicle that does not exceed 14,000
8.13 pounds per single axle and is designed and used exclusively for collecting mixed
8.14 municipal solid waste, as defined in section 115A.03, subdivision 21, while engaged
8.15 in such collection; or (3) a portable toilet service vehicle that does not exceed 26,000
8.16 pounds per single axle and is designed and used exclusively for collecting liquid waste,
8.17 while engaged in such collection.

8.18 (c) Notwithstanding section 169.80, subdivision 1, a violation of weight restrictions
8.19 imposed under subdivisions 1 and 2 by a vehicle designed and used exclusively for
8.20 recycling while engaged in recycling in a political subdivision that mandates curbside
8.21 recycling pickup while engaged in such collection, ~~or~~ by a vehicle that is designed and
8.22 used exclusively for collecting mixed municipal solid waste as defined in section 115A.03,
8.23 subdivision 21, while engaged in such collection, or by a portable toilet service vehicle
8.24 that is designed and used exclusively for collecting liquid waste, while engaged in such
8.25 collection, is not subject to criminal penalties but is subject to a civil penalty for excess
8.26 weight under section 169.871.

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

8.28 Sec. 15. Minnesota Statutes 2012, section 171.02, subdivision 2, is amended to read:

8.29 Subd. 2. **Driver's license classifications, endorsements, exemptions.** (a) Drivers'
8.30 licenses are classified according to the types of vehicles that may be driven by the holder
8.31 of each type or class of license. The commissioner may, as appropriate, subdivide the
8.32 classes listed in this subdivision and issue licenses classified accordingly.

8.33 (b) Except as provided in paragraph (c), clauses (1) and (2), and subdivision 2a, no
8.34 class of license is valid to operate a motorcycle, school bus, tank vehicle, double-trailer

9.1 or triple-trailer combination, vehicle transporting hazardous materials, or bus, unless
9.2 so endorsed. There are four general classes of licenses as described in paragraphs (c)
9.3 through (f).

9.4 (c) Class D drivers' licenses are valid for:

9.5 (1) operating all farm trucks if the farm truck is:

9.6 (i) controlled and operated by a farmer, including operation by an immediate family
9.7 member or an employee of the farmer;

9.8 (ii) used to transport agricultural products, farm machinery, or farm supplies,
9.9 including hazardous materials, to or from a farm;

9.10 (iii) not used in the operations of a common or contract motor carrier as governed by
9.11 Code of Federal Regulations, title 49, part 365; and

9.12 (iv) used within 150 miles of the farm;

9.13 (2) notwithstanding paragraph (b), operating an authorized emergency vehicle, as
9.14 defined in section 169.011, subdivision 3, whether or not in excess of 26,000 pounds
9.15 gross vehicle weight;

9.16 (3) operating a recreational vehicle as defined in section 168.002, subdivision 27,
9.17 that is operated for personal use;

9.18 (4) operating all single-unit vehicles except vehicles with a gross vehicle weight of
9.19 more than 26,000 pounds, vehicles designed to carry more than 15 passengers including
9.20 the driver, and vehicles that carry hazardous materials;

9.21 (5) notwithstanding paragraph (d), operating a type A school bus or a multifunction
9.22 school activity bus without a school bus endorsement if the requirements of subdivision 2a
9.23 are satisfied, as determined by the commissioner;

9.24 (6) operating any vehicle or combination of vehicles when operated by a licensed
9.25 peace officer while on duty; ~~and~~

9.26 (7) towing vehicles if:

9.27 (i) the towed vehicles have a gross vehicle weight of 10,000 pounds or less; or

9.28 (ii) the towed vehicles have a gross vehicle weight of more than 10,000 pounds and
9.29 the combination of vehicles has a gross vehicle weight of 26,000 pounds or less; and

9.30 (8) operating a covered farm vehicle as defined in Code of Federal Regulations,
9.31 title 49, section 390.5, that is not carrying hazardous materials of a type or quantity that
9.32 requires the vehicle to be placarded in accordance with Code of Federal Regulations,
9.33 title 49, section 172.504.

9.34 (d) Class C drivers' licenses are valid for:

9.35 (1) operating class D motor vehicles;

10.1 (2) with a hazardous materials endorsement, operating class D vehicles to transport
10.2 hazardous materials;

10.3 (3) with a passenger endorsement, operating buses; and

10.4 (4) with a passenger endorsement and school bus endorsement, operating school
10.5 buses.

10.6 (e) Class B drivers' licenses are valid for:

10.7 (1) operating all class C motor vehicles, class D motor vehicles, and all other
10.8 single-unit motor vehicles including, with a passenger endorsement, buses; and

10.9 (2) towing only vehicles with a gross vehicle weight of 10,000 pounds or less.

10.10 (f) Class A drivers' licenses are valid for operating any vehicle or combination of
10.11 vehicles.

10.12 Sec. 16. Minnesota Statutes 2012, section 171.03, is amended to read:

10.13 **171.03 PERSONS EXEMPT.**

10.14 The following persons are exempt from license hereunder:

10.15 (a) A person in the employ or service of the United States federal government is
10.16 exempt while driving or operating a motor vehicle owned by or leased to the United
10.17 States federal government.

10.18 (b) A person in the employ or service of the United States federal government is
10.19 exempt from the requirement to possess a valid class A, class B, or class C commercial
10.20 driver's license while driving or operating for military purposes a commercial motor
10.21 vehicle for the United States federal government if the person is:

10.22 (1) on active duty in the U. S. Coast Guard;

10.23 (2) on active duty in a branch of the U. S. armed forces, which includes the Army,
10.24 Air Force, Navy, and Marine Corps;

10.25 (3) a member of a reserve component of the U. S. armed forces; or

10.26 (4) on active duty in the Army National Guard or Air National Guard, which
10.27 includes (i) a member on full-time National Guard duty, (ii) a member undergoing
10.28 part-time National Guard training, and (iii) a National Guard military technician, who is a
10.29 civilian required to wear a military uniform.

10.30 The exemption provided under this paragraph does not apply to a U. S. armed forces
10.31 reserve technician.

10.32 (c) A person operating a covered farm vehicle as defined in Code of Federal
10.33 Regulations, title 49, section 390.05, that is not carrying hazardous materials of a type
10.34 or quantity that requires the vehicle to be placarded in accordance with Code of Federal

11.1 Regulations, title 49, section 172.504, is exempt from the requirement to possess a valid
11.2 class A, class B, or class C commercial driver's license.

11.3 ~~(e)~~ (d) Any person while driving or operating any farm tractor or implement of
11.4 husbandry temporarily on a highway is exempt. For purposes of this section, an all-terrain
11.5 vehicle, as defined in section 84.92, subdivision 8, an off-highway motorcycle, as defined
11.6 in section 84.787, subdivision 7, and an off-road vehicle, as defined in section 84.797,
11.7 subdivision 7, are not implements of husbandry.

11.8 ~~(d)~~ (e) A nonresident who is at least 15 years of age and who has in immediate
11.9 possession a valid driver's license issued to the nonresident in the home state or country
11.10 may operate a motor vehicle in this state only as a driver.

11.11 ~~(e)~~ (f) A nonresident who has in immediate possession a valid commercial driver's
11.12 license issued by a state or jurisdiction in accordance with the standards of Code of
11.13 Federal Regulations, title 49, part 383, and who is operating in Minnesota the class of
11.14 commercial motor vehicle authorized by the issuing state or jurisdiction is exempt.

11.15 ~~(f)~~ (g) Any nonresident who is at least 18 years of age, whose home state or country
11.16 does not require the licensing of drivers may operate a motor vehicle as a driver, but only for
11.17 a period of not more than 90 days in any calendar year, if the motor vehicle so operated is
11.18 duly registered for the current calendar year in the home state or country of the nonresident.

11.19 ~~(g)~~ (h) Any person who becomes a resident of the state of Minnesota and who has
11.20 in possession a valid driver's license issued to the person under and pursuant to the laws
11.21 of some other state or jurisdiction or by military authorities of the United States may
11.22 operate a motor vehicle as a driver, but only for a period of not more than 60 days after
11.23 becoming a resident of this state, without being required to have a Minnesota driver's
11.24 license as provided in this chapter.

11.25 ~~(h)~~ (i) Any person who becomes a resident of the state of Minnesota and who has in
11.26 possession a valid commercial driver's license issued by another state or jurisdiction in
11.27 accordance with the standards of Code of Federal Regulations, title 49, part 383, is exempt
11.28 for not more than 30 days after becoming a resident of this state.

11.29 ~~(i)~~ (j) Any person operating a snowmobile, as defined in section 84.81, is exempt.

11.30 ~~(j)~~ (k) A railroad operator, as defined in section 169.035, subdivision 4, paragraph
11.31 (a), is exempt while operating a railroad locomotive or train, or on-track equipment while
11.32 being operated upon rails. This exemption includes operation while crossing a street or
11.33 highway, whether public or private.

11.34 Sec. 17. Minnesota Statutes 2013 Supplement, section 174.12, subdivision 2, is
11.35 amended to read:

12.1 Subd. 2. **Transportation economic development accounts.** (a) A transportation
12.2 economic development account is established in the special revenue fund under the
12.3 budgetary jurisdiction of the legislative committees having jurisdiction over transportation
12.4 finance. Money in the account may be expended only as appropriated by law. The account
12.5 may not contain money transferred or otherwise provided from the trunk highway fund.

12.6 (b) A transportation economic development account is established in the trunk
12.7 highway fund. The account consists of funds donated, allotted, transferred, or otherwise
12.8 provided to the account. Money in the account may be used only for trunk highway
12.9 purposes. All funds in the account ~~available prior to August 1, 2013,~~ are available until
12.10 expended.

12.11 Sec. 18. Minnesota Statutes 2012, section 174.37, subdivision 6, is amended to read:

12.12 Subd. 6. **Expiration.** Notwithstanding section 15.059, subdivision 5, the committee
12.13 expires June 30, ~~2014~~ 2018.

12.14 Sec. 19. Minnesota Statutes 2012, section 221.031, is amended by adding a subdivision
12.15 to read:

12.16 Subd. 2c. **Exemptions for covered farm vehicles.** (a) For the purposes of
12.17 this subdivision, "covered farm vehicle" has the meaning given in Code of Federal
12.18 Regulations, title 49, section 390.5.

12.19 (b) A covered farm vehicle that is not carrying hazardous materials of a type or
12.20 quantity that requires the vehicle to be placarded in accordance with Code of Federal
12.21 Regulations, title 49, section 172.504, including the operator of the vehicle, is exempt
12.22 from the federal regulations incorporated by reference in:

12.23 (1) section 221.0314, subdivision 2, that consist of Code of Federal Regulations,
12.24 title 49, parts 391.41 to 391.45, for physical qualifications and examinations;

12.25 (2) section 221.0314, subdivision 9, for hours of service; and

12.26 (3) section 221.0314, subdivision 10, for inspection, repair, and maintenance.

12.27 Sec. 20. Minnesota Statutes 2012, section 221.031, is amended by adding a subdivision
12.28 to read:

12.29 Subd. 2d. **Hours of service exemptions.** The federal regulations incorporated in
12.30 section 221.0314, subdivision 9, for maximum driving and on-duty time, do not apply to
12.31 drivers engaged in intrastate transportation within a 150-air-mile radius from the source of
12.32 the commodities or from the retail or wholesale distribution point of the farm supplies for:

- 13.1 (1) agricultural commodities or farm supplies for agricultural purposes from March
- 13.2 15 to December 15 of each year; or
- 13.3 (2) sugar beets from September 1 to May 15 of each year.

13.4 Sec. 21. Minnesota Statutes 2012, section 331A.12, is amended to read:

13.5 **331A.12 WEB SITE ADVERTISEMENT FOR TRANSPORTATION**
 13.6 **PROJECT BIDS.**

13.7 Subdivision 1. **Definitions.** (a) The terms defined in this subdivision and section
13.8 331A.01 apply to this section.

13.9 (b) "Web site" means a specific, addressable location provided on a server connected
13.10 to the Internet and hosting World Wide Web pages and other files that are generally
13.11 accessible on the Internet all or most of the day.

13.12 Subd. 2. **Designation.** At the meeting of the governing body of ~~the local public~~
 13.13 ~~corporation~~ a political subdivision at which the governing body ~~must designate~~ designates
 13.14 its official newspaper for the year, the governing body may designate in the same manner
 13.15 publication of transportation projects on the ~~local public corporation's~~ political subdivision's
 13.16 Web site. Publication on the Web site may be used in place of or in addition to any other
 13.17 required form of publication. Each year after designating publication on the Web site for
 13.18 transportation projects, the ~~local public corporation~~ political subdivision must publish in a
 13.19 qualified newspaper in the jurisdiction and on the Web site, notice that the ~~local public~~
 13.20 ~~corporation~~ political subdivision will publish any advertisements for bids on its Web site.

13.21 Subd. 3. **Form, time for publication same.** A ~~local public corporation~~ political
 13.22 subdivision that publishes on its Web site under this section must post the information in
 13.23 substantially the same format and for the same period of time as required for publication
 13.24 in an official newspaper or other print publication.

13.25 Subd. 4. **Record retention.** A ~~local public corporation~~ political subdivision that
 13.26 publishes notice on its Web site under this section must ensure that a permanent record of
 13.27 publication is maintained in a form accessible by the public.

13.28 Sec. 22. Laws 2010, chapter 189, section 15, subdivision 12, is amended to read:

13.29 Subd. 12. **Rochester Maintenance Facility** 26,430,000
 13.30 24,937,000

13.31 This appropriation is from the bond proceeds
13.32 account in the trunk highway fund.

14.1 To prepare a site for and design, construct,
14.2 furnish, and equip a new maintenance facility
14.3 in Rochester.

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

14.5 Sec. 23. Laws 2010, chapter 189, section 26, subdivision 4, is amended to read:

14.6 Subd. 4. **Trunk highway fund bond proceeds account.** To provide the money
14.7 appropriated in this act from the bond proceeds account in the trunk highway fund, the
14.8 commissioner of management and budget shall sell and issue bonds of the state in an
14.9 amount up to ~~\$32,945,000~~ \$31,452,000 in the manner, upon the terms, and with the effect
14.10 prescribed by Minnesota Statutes, sections 167.50 to 167.52, and by the Minnesota
14.11 Constitution, article XIV, section 11, at the times and in the amounts requested by the
14.12 commissioner of transportation. The proceeds of the bonds, except accrued interest and
14.13 any premium received from the sale of the bonds, must be credited to the bond proceeds
14.14 account in the trunk highway fund.

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

14.16 Sec. 24. Laws 2012, chapter 287, article 2, section 1, is amended to read:

14.17 Section 1. **ROCHESTER MAINTENANCE FACILITY.**

14.18 ~~\$16,100,000~~ \$17,593,000 is appropriated to the commissioner of transportation
14.19 to design, construct, furnish, and equip the maintenance facility in Rochester and
14.20 corresponding remodeling of the existing district headquarters building. This appropriation
14.21 is from the bond proceeds account in the trunk highway fund.

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

14.23 Sec. 25. Laws 2012, chapter 287, article 2, section 3, is amended to read:

14.24 Sec. 3. **TRUNK HIGHWAY FUND BOND PROCEEDS ACCOUNT.**

14.25 To provide the money appropriated in this article from the bond proceeds account in
14.26 the trunk highway fund, the commissioner of management and budget shall sell and issue
14.27 bonds of the state in an amount up to ~~\$16,120,000~~ \$17,613,000 in the manner, upon the
14.28 terms, and with the effect prescribed by Minnesota Statutes, sections 167.50 to 167.52,
14.29 and by the Minnesota Constitution, article XIV, section 11, at the times and in the amounts
14.30 requested by the commissioner of transportation. The proceeds of the bonds, except
14.31 accrued interest and any premium received from the sale of the bonds, must be credited
14.32 to the bond proceeds account in the trunk highway fund.

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

15.2 Sec. 26. Laws 2012, First Special Session chapter 1, article 1, section 28, is amended
15.3 to read:

15.4 Sec. 28. **TRANSFERS, REDUCTIONS, CANCELLATIONS, AND BOND**
15.5 **SALE AUTHORIZATIONS REDUCED.**

15.6 (a) The remaining balance of the appropriation in Laws 2010, Second Special
15.7 Session chapter 1, article 1, section 7, for the economic development and housing
15.8 challenge program, estimated to be \$450,000, is transferred to the general fund.

15.9 (b) The appropriation in Laws 2010, Second Special Session chapter 1, article 1,
15.10 section 5, for Minnesota investment fund grants pursuant to Minnesota Statutes, section
15.11 12A.07, is reduced by \$1,358,000.

15.12 (c) The appropriation in Laws 2010, Second Special Session chapter 1, article 1,
15.13 section 12, subdivision 2, for disaster enrollment impact aid pursuant to Minnesota
15.14 Statutes, section 12A.06, is reduced by \$30,000.

15.15 (d) The appropriation in Laws 2010, Second Special Session chapter 1, article
15.16 1, section 12, subdivision 3, for disaster relief facilities grants pursuant to Minnesota
15.17 Statutes, section 12A.06, is reduced by \$392,000.

15.18 (e) The appropriation in Laws 2010, Second Special Session chapter 1, article 1,
15.19 section 12, subdivision 4, for disaster relief operating grants pursuant to Minnesota
15.20 Statutes, section 12A.06, is reduced by \$2,000.

15.21 (f) The appropriation in Laws 2010, Second Special Session chapter 1, article 1,
15.22 section 12, subdivision 5, for pupil transportation aid pursuant to Minnesota Statutes,
15.23 section 12A.06, is reduced by \$5,000.

15.24 (g) The appropriation in Laws 2010, Second Special Session chapter 1, article 2,
15.25 section 5, subdivision 3, for pupil transportation aid pursuant to Minnesota Statutes,
15.26 section 12A.06, is reduced by \$271,000.

15.27 (h) The appropriation in Laws 2010, Second Special Session chapter 1, article 1,
15.28 section 13, for public health activities pursuant to Minnesota Statutes, section 12A.08,
15.29 is reduced by \$103,000.

15.30 (i) ~~\$1,428,000~~ \$534,000 of the appropriation in Laws 2007, First Special Session
15.31 chapter 2, article 1, section 4, subdivision 3, for reconstruction and repair of trunk
15.32 highways and trunk highway bridges is canceled. The bond sale authorization in Laws
15.33 2007, First Special Session chapter 2, article 1, section 15, subdivision 2, is reduced
15.34 by ~~\$1,428,000~~ \$534,000.

16.1 (j) \$5,680,000 of the appropriation in Laws 2007, First Special Session chapter 2,
16.2 article 1, section 4, subdivision 4, as amended by Laws 2008, chapter 289, section 2, for
16.3 grants to local governments for capital costs related to rehabilitation and replacement of
16.4 local roads and bridges damaged or destroyed by flooding pursuant to Minnesota Statutes,
16.5 section 174.50, is canceled. The bond sale authorization in Laws 2007, First Special
16.6 Session chapter 2, article 1, section 15, subdivision 3, is reduced by \$5,680,000.

16.7 (k) \$2,133,000 of the appropriation in Laws 2010, Second Special Session chapter 1,
16.8 article 1, section 4, subdivision 3, for local road and bridge rehabilitation and replacement
16.9 pursuant to Minnesota Statutes, section 12A.16, subdivision 3, is canceled. The bond
16.10 sale authorization in Laws 2010, Second Special Session chapter 1, article 1, section 17,
16.11 subdivision 2, is reduced by \$2,133,000.

16.12 (l) The appropriation in Laws 2010, Second Special Session chapter 1, article 1,
16.13 section 4, subdivision 2, for state road infrastructure operations and maintenance pursuant
16.14 to Minnesota Statutes, section 12A.16, subdivision 1, is reduced by \$819,000.

16.15 Sec. 27. Laws 2013, chapter 127, section 67, is amended to read:

16.16 Sec. 67. **LEGISLATIVE ROUTE NO. 256 REMOVED.**

16.17 (a) Minnesota Statutes, section 161.115, subdivision 187, is repealed effective the
16.18 day after the commissioner of transportation receives a copy of the agreement between
16.19 the commissioner and the governing body of Blue Earth County and a copy of the
16.20 agreement between the commissioner and the governing body of the city of Mankato to
16.21 transfer jurisdiction of Legislative Route No. 256 and notifies the revisor of statutes
16.22 under paragraph (b).

16.23 (b) The revisor of statutes shall delete the route identified in paragraph (a) from
16.24 Minnesota Statutes when the commissioner of transportation sends notice to the revisor
16.25 electronically or in writing that the conditions required to transfer the route have been
16.26 satisfied.

16.27 Sec. 28. **REPEALER.**

16.28 (a) Minnesota Statutes 2012, section 161.115, subdivision 240, is repealed.

16.29 (b) Minnesota Statutes 2013 Supplement, section 221.0314, subdivision 9a, is
16.30 repealed.

APPENDIX
Repealed Minnesota Statutes: H2214-3

161.115 ADDITIONAL TRUNK HIGHWAYS.

Subd. 240. **Route No. 309.** Beginning at a point on Route No. 18 at or near Brainerd, thence extending in a general northwesterly direction to a point at or in the grounds of the Brainerd State School and Hospital, thence extending in a general southerly direction to a point on Route No. 18 at or near Brainerd.

221.0314 FEDERAL SAFETY REGULATIONS; ADOPTION.

Subd. 9a. **Hours of service exemptions.** The federal regulations incorporated in subdivision 9 for maximum driving and on-duty time do not apply to drivers engaged in the interstate or intrastate transportation of:

(1) agricultural commodities or farm supplies for agricultural purposes in Minnesota during the planting and harvesting seasons from March 15 to December 15 of each year; or

(2) sugar beets during the harvesting season for sugar beets from September 1 to May 15 of each year;

if the transportation is limited to an area within a 150-air-mile radius from the source of the commodities or from the retail or wholesale distribution point of the farm supplies.