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Chapter 104 - Transportation Policy Omnibus (HF 3436 / SF 3944)

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Chapter 104 is the House and Senate’s transportation policy omnibus and contains a variety of provisions relating to the Department of Transportation (MnDOT), the Department of Public Safety (DPS), and the Metropolitan Council. Provisions in **Chapter 104** have an effective date of August 1, 2024, unless otherwise noted.

Section 1 [Advisory Council on Traffic Safety] amends the description of Towards Zero Deaths members and adds two members to the statutorily created Advisory Council on Traffic Safety to include the director of the Emergency Medical Services Regulatory Board (or a successor organization) and a victims advocacy organization representative who must be appointed jointly by the commissioners of public safety and transportation.

Section 2 [Compensation for law enforcement officers] directs Minnesota Management and Budget to consider compensation data from the most recent salary and benefits survey (required under a state statute) in negotiating increases to compensation for law enforcement officers during the collective bargaining process. Expires January 1, 2032, and is effective to contracts entered into on or after final enactment but before the expiration date.

Section 3 [Accident prevention course] directs rules governing course length requirements for accident prevention courses for persons 55 years of age or older to be a total of four hours. Effective July 1, 2024.

Section 4 [Response capabilities] requires notice of a rail incident involving a hazardous material discharge or release of oil be made to the applicable fire department (rather than fire chief) through the local public safety answering point.

Section 5 [Route No. 185] amends a statutorily designated trunk highway, subject to an agreement between MnDOT and the governing body of Pine County.

Section 6 [Route No. 186] makes a conforming change for a trunk highway turnback.

Section 7 [Route No. 341] makes a conforming change for a trunk highway turnback to establish a new statutorily designated trunk highway in Sandstone near the Kettle River.

Section 8 [Mayor Dave Smiglewski Memorial Bridge] designates the bridge on U.S. Highway 212 over the Minnesota River in the city of Granite Falls as the “Mayor Dave Smiglewski Memorial Bridge.”

Section 9 [Small targeted group business] increases an optional MnDOT contracting preference from six to 12 percent for certain bids by entities designated as a small targeted group business.

Section 10 [Veteran-owned small business] increases an optional MnDOT contracting preference from six to 12 percent for construction and construction-related services bids by entities designated as a veteran-owned small business.

Section 11 [Motor vehicle] adds “roadable aircraft” to the definition of motor vehicle in the vehicle registration chapter of law.

Section 12 [Passenger automobile] adds “roadable aircraft” to the definition of a passenger automobile.

Section 13 [Pickup truck] modifies the definition of a “pickup truck” to include trucks with a gross vehicle weight rating of exactly 10,000 pounds in the vehicle registration statute.

Section 14 [Recreational vehicle] modifies the definition of a “recreational vehicle” to include a teardrop trailer in the vehicle registration statute.

Section 15 [Trailer] excludes recreational trailers from displaying a license plate under the license plate requirements for small trailers.

Section 16 [Limitations] prohibit a vendor of motor vehicle registration kiosks from having an ownership interest with a deputy registrar or driver’s license agent or from being appointed as a deputy registrar or driver’s license agent. Effective the day following final enactment.

Section 17 [Plates; design, visibility, periods of issuance] requires a roadable aircraft display a decal instead of a license plate.

Section 18 [Veterans service organization special plates] expands eligibility for a veterans service group special plate to include vehicles owned by a congressionally-chartered veterans service organization, such as the American Legion or Veterans of Foreign Wars. Removes prohibition on issuing multiple sets of plates for different vehicles.

Section 19 [Contributions; account; appropriation] makes a technical clarification to statutory appropriation from an account for the Minnesota professional sports team special plate.

Section 20 [Issuance of plates] changes the existing “motorcycle safety fund” to the “motorcycle safety account” in the special revenue fund.

Section 21 [Roadable aircraft registration] establishes registration requirements for roadable aircraft as a motor vehicle in Minnesota. An owner must comply with all rules and regulations governing the registration for a motor vehicle when registering, titling, insuring, or paying taxes for a roadable aircraft.

Section 22 [Electronic transmission] prohibits vendors of electronic transmission services from having an ownership interest with a deputy registrar or driver’s license agent and prohibits their appointment as a deputy registrar or driver’s license agent.

Section 23 [Lessees; information] authorizes the release of leased motor vehicle information to licensed motor vehicle dealers as part of a vehicle lease or sale.

Section 24 [Foreign passport] allows a valid and unexpired passport issued to the applicant to serve as a primary document for purposes of applying for a vehicle’s title or registration. Effective the day following final enactment.

Section 25 [Towing prohibited] amends provisions that prohibit a towing authority from towing a motor vehicle by (1) making a technical change referring to license plate tabs (“registration validation stickers”), and (2) removing the authorization to tow a motor vehicle at an expired parking meter if the vehicle has 5 or more unpaid parking tickets.

Section 26 [Autocycle] clarifies that a roadable aircraft is not an autocycle.

Section 27 [Motorcycle] clarifies that a roadable aircraft is not a motorcycle.

Section 28 [Nondivisible load or vehicle] defines a “nondivisible load” or “nondivisible vehicle” in the chapter of statutes on traffic regulations.

Section 29 [Roadable aircraft] adds the definition of a roadable aircraft in the traffic regulations chapter of statutes.

Section 30 [Notify owner of damaged property] requires a driver to report a vehicle collision to a peace officer if the collision results in property damage on or along a highway, in addition to the required accident report and notification to the affected property owner.

Section 31 [Officer to report accident to commissioner] specifies situations where a collision must be reported by a peace officer to the commissioner of public safety, which includes certain locations, whether a fatality or injury occurred, and the extent of damage caused by the collision.

Section 32 [Suspension of license for failure to report accident] modifies the suspension of a driver’s license for failing to report an accident to apply to any driver who willfully fails, refuses, or neglects to make a required report of a traffic accident, rather than any person.

Section 33 [Terminology] amends and narrows the definition of “accident” and defines “disabling damage” in the section of statutes governing crash reporting.

Section 34 [U-Turn] amends driving rules on U-turns to allow right-hand turns into the farthest lane when making a U-turn at a reduced-conflict (also known as a J-turn) intersection.

Section 35 [Operation] makes a technical change in the three-wheeled neighborhood electric vehicle operation statute.

Section 36 [Prohibition] strikes a prohibition on stopping or parking that involves an obsolete concept (safety zones).

Section 37 [Exception for separated roadway] revises a definition of “separated roadway” in the statute governing exemptions to when a person is required to stop when approaching or meeting a school bus.

Section 38 [Supplemental warning systems] authorizes the use of supplemental warning light systems on Type A, B, C, or D school buses by (1) striking the requirement the system be approved by the commissioner of public safety; and (2) specifying certain requirements for the display, placement, color, activation period, and flashing pattern of the systems.

Section 39 [Motorcycle lighting] permits a motorcycle to be equipped with certain white vehicle ground lights under the vehicle, so long as the light bulbs or strips are not visible to other vehicles and aimed to project a steady non-flashing beam of light not bigger than six feet in radius onto the road area and illuminating an area around the vehicle.

Section 40 [Definitions] define terms relating to child passenger restraint system requirements, including “booster seat,” “child passenger restraint system,” “properly restrained,” and “secured with a safety belt.”

Section 41 [Admissibility] makes a conforming change based on newly-created child passenger restraint system requirements in **section 42**.

Section 42 [Child passenger restraint systems] requires every driver who is transporting a child or children under the age of 18 in motor vehicles to have the child or children properly restrained according to the vehicle and the manufacturer’s instructions. Specifies the requirements based on a child’s age or weight.

Section 43 [Violation, petty misdemeanor] makes a conforming change based on the requirements in section **42**.

Section 44 [Appropriation; special account] makes a technical change to the child passenger restraint and education account in the special revenue fund.

Section 45 [Roadable aircraft] exempts roadable aircraft from the requirement to display a license plate.

Section 46 [Divisible load] clarifies that divisible loads must be transported in (1) a manner that does not exceed size and weight limits, or (2) under a special permit.

Section 47 [Driving rules] modifies when an implement of husbandry can be operated on the left side of the road, under specified conditions.

Section 48 [Sewage septic tank trucks] modifies various vehicle weight provisions as they apply to sewage septic tank trucks performing emergency pumping services. Effective June 1, 2024.

Section 49 [Special sugar beet hauling permit] authorizes a road authority to issue a special hauling permit for vehicles transporting sugar beets on certain roads. May only operate on specified roads in East Grand Forks, Minnesota, near the North Dakota border. Permits must be issued before July 1, 2027. Establishes a fee for permits of \$300.

Section 50 [Waste collection vehicles] modifies the weight restriction exemption for certain recycling and garbage trucks to include a sewage septic tank truck performing emergency pumping services and designed and used exclusively to haul sewage from septic or holding tanks. Effective June 1, 2024.

Section 51 [License endorsement and permit requirements] makes a technical change on the motorcycle (currently “two-wheeled vehicle”) endorsement on drivers’ licenses and instruction permits.

Section 52 [Operation of roadable aircraft] establishes operation requirements for roadable aircraft as both a vehicle and an aircraft.

Subdivision 1 defines terms, including “aircraft,” “airport,” “restricted landing area,” and “unlicensed landing area.”

Subdivision 2 provides that a roadable aircraft is considered an airplane when in the air, at an airport, an unlicensed landing area, or on a restricted landing area but is a motor vehicle when in operation everywhere else (including public roadways). Requires an owner of a roadable aircraft comply with all flight rules when acting as an airplane (at airports, landing areas, and in flight). Limits roadable aircraft to taking off and landing at an airport, unlicensed landing area, or restricted landing area.

Section 53 [Test refusal; loss of driving privileges] strikes the requirement that a peace officer invalidating a driver’s license or instruction permit card be accomplished by clipping the upper corner of the card.

Section 54 [Motorcycle] establishes that a roadable aircraft is not a motorcycle in the chapter of statutes on driver licensing, meaning an operator does not require a motorcycle endorsement when operating a roadable aircraft as a vehicle.

Section 55 [Noncompliant license; noncompliant identification card] clarifies reference to a noncompliant license or identification card includes various types of licenses and cards in a definition section.

Section 56 [REAL ID compliant license; REAL ID compliant identification card] defines REAL ID compliant license or identification card in the chapter of statutes on driver licensing.

Section 57 [State] amends the definition of “state” in the driver’s license statute to include a U.S. military base on foreign soil.

Section 58 [Motorcycle endorsement] makes a conforming change to use the term “motorcycle” rather than “two-wheeled vehicle” and a technical change to the motorcycle safety account.

Section 59 [Contents of application] specifies individual characteristics that must be included in a driver’s license application including the applicant’s height, weight, eye color, and sex, and makes technical changes.

Section 60 [Evidence; identity; date of birth] amends the list of accepted documents that may be shown to demonstrate identity and date of birth in an application for a REAL ID-compliant driver’s license or identification card.

Section 61 [Evidence; residence in Minnesota] makes technical and conforming changes to the statute governing proof of residence in Minnesota.

Section 62 [Exceptions process] makes a technical change by striking a reference to a social security number requirement that is repealed in **section 110**.

Section 63 [Evidence of identity; noncompliant credentials] codifies documentation requirements to show identity for a non-compliant driver’s license or identification card. The requirements include (1) requiring a Minnesota credential or various identification documents; (2) specification of what documents are accepted; (3) set translation and document condition requirements; and (4) verification requirements.

Section 64 [Evidence of identity; enhanced credentials] codifies documentation requirements to show identity in application for an enhanced driver’s license or identification card, including to specify lists of documents that are accepted to show date of birth, full legal name, Social Security number, photographic identity, citizenship, and residency.

Section 65 [Translations] establishes requirements for the translation of documents submitted for purposes of drivers’ licenses or identification cards.

Section 66 [Veteran designation] allows an honorably discharged member of the National Guard to receive a Veteran designation on their Minnesota driver's license or identification card.

Section 67 [Tribal identification card] makes technical changes to a Tribal identification card.

Section 68 [Caretaker information] eliminates the limit on the number of individuals who can be identified as recipients of care by a driver's license or identification card holder.

Section 69 [Data privacy; noncompliant license or identification card] authorizes the Department of Public Safety to conduct identity verification of certain specified information on behalf of the Transportation Security Administration for participants enrolled in the TSA's Registration Program, also known as CLEAR.

Section 70 [Certain data on noncompliant licenses or identification card] makes a conforming change.

Section 71 [Waiver when licensed issued by another jurisdiction] makes a conforming change to use the term "motorcycle" rather than "two-wheeled vehicle."

Section 72 [Motorcycle endorsement examination fee] makes a conforming change to use the term "motorcycle" rather than "two-wheeled vehicle."

Section 73 [Exam scheduling reporting] requires the Department of Public Safety to submit a biannual report to the legislature on road test scheduling and pass rates. The report must include provide the department's performance measures for scheduling availability and road test passage rates, and if identified performance measures were not met in the reporting period, additional information about delays and applicant travel must be provided.

Section 74 [Other waiting periods] adds criminal vehicular homicide, criminal vehicle operation that results in death to an unborn child, or criminal vehicular operation that results in great bodily harm or harm to an unborn child to list of offenses requiring a one-year waiting period for a limited driver's license where alcohol consumption is not involved in the underlying offense.

Section 75 [Exception; criminal vehicular operation] provides that a person may never receive a limited license after being convicted of criminal vehicular operation that results in substantial bodily harm, bodily harm, or harm to an unborn child when the underlying cause of the offense involves alcohol consumption.

Section 76 [Appropriation] makes a technical change to the existing "motorcycle safety fund" to the "motorcycle safety account" in the special revenue fund.

Section 77 [Teleconference driver's education] makes a technical change to the statute governing teleconference driver's education.

Section 78 [Online driver education] makes a technical change to the statute governing online driver's education.

Section 79 [Trunk highway performance, resiliency, sustainability] modifies requirements for trunk highway system performance measures.

Section 80 [Active transportation accounts] makes a technical change to the active transportation account to exclusively establish the account in the special revenue fund. Effective July 1, 2024.

Section 81 [Eligibility] modify Safe Route to Schools program grant conditions to provide that prior adoption of local regulations requiring safe route to schools infrastructure are not required for a Tribal government or non-infrastructure programming.

Section 82 [Transportation facilities capital program] establishes a program on capital projects for MnDOT agency buildings and facilities, including to create program accounts, set project eligibility, and identify prioritization considerations. Requires new capital projects fall under state sustainable building guidelines.

Section 83 [Responsibilities] expands MnDOT's general responsibilities related to passenger rail to include passenger rail promotion.

Section 84 [Powers] expands MnDOT's powers related to passenger rail to explicitly include promotional and marketing activities.

Section 85 [Locate] defines “locate” in the chapter of statutes governing the excavation notice system, to describe the surface markings for underground lines and utilities.

Section 86 [Locate period] defines “locate period” in the excavation notice system chapter of statutes and provides a specified time period when referring to a request to locate or the time period specified in an agreement between the excavator and operator under certain requirements.

Section 87 [On-site meet] defines “on-site meet” in the excavation notice system chapter of statutes to describe an in-person meeting at the site of a proposed excavation.

Section 88 [Utility quality level] amends definition of “utility quality level” in the chapter of statutes governing the excavation notice system, to reference the latest technical guidance document on quality of utility information and provide for reference to documents as revised.

Section 89 [Performance reporting] requires owners or operators of underground lines and facilities to provide quarterly reports to the Office of Pipeline Safety. Specifies report contents. Exempts some underground facility owners and operators.

Section 90 [Excavation; land survey] modifies requirements on excavation and land survey notices to underground facility owners and operators, including to amend the timeline on markings, provide for on-site meets, revise marker requirements, and set mandates on use of geospatial information technology.

Section 91 [Precautions to avoid damage] modifies proposed excavation marking types and methods for excavators to set conditions for electronic marking.

Section 92 [Definitions] provides definitions of terms in the carrier clearance sections of statute. Defined terms include “depot company,” “passenger service,” “railway company,” “terminal,” “yard,” and “yard track.”

Section 93 [Structure] clarifies yards and terminals of both depot companies and passenger service companies are exempt from Chapter 219’s requirements that any structure located near a railroad has certain minimum overhead and lateral clearances.

Section 94 [Intrastate transportation] creates an exemption to the hours-of-service requirements for drivers transporting fuel products defined in the motor fuel tax chapter of law.

Section 95 [Requirements] makes a technical fix after the changes adopted in **section 96**.

Section 96 [Transportation of specific petroleum products] authorizes a person who is at least 18 years of age to transport the petroleum products in certain containers. Requires drivers who operate a tank truck vehicle with a capacity of less than 3,500 gallons 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 old.

Section 97 [Roadable aircraft] adds the definition of a roadable aircraft in the aeronautics chapter of statutes.

Section 98 [Local Roads; 2023 session law] broadens permissible uses of fiscal year 2024-2025 appropriations for local transportation disaster support, to allow aid for roadway damage in some circumstances where it is ineligible under other disaster programs.

Section 99 [Modifications; Dakota County project] adds “planning” to the allowable uses of a FY 24 one-time general fund appropriation to MnDOT for a box culvert underpass project along US Highway 52 and County State Aid Highway 66 in Vermillion Township. Makes technical corrections.

Section 100 [Modification; Township Appropriation] modifies a one-time FY 24 general fund appropriation to MnDOT for a grant to a metropolitan township, exempting the grant from internal MnDOT grant management guidelines and policies. Directs MnDOT to directly disburse the appropriation to the township and not retain any administrative costs.

Section 101 [Modification; Facilities Capital Investments] amends a prior one-time FY 24 appropriation from the trunk highway fund to MnDOT for capital improvements of MnDOT facilities, in order to reference the newly created transportation capital facilities program.

Section 102 [Modification; Anoka County project] modifies a one-time FY 24 trunk highway fund appropriation to MnDOT for a road project on Trunk Highway 65, removing the use of the funds as a grant to Blaine or Anoka County.

Section 103 [Modification; Coon Rapids project] modifies a one-time FY 24 trunk highway fund appropriation to MnDOT for a road project on US Highway 10, removing the use of the funds as a grant to Anoka County.

Section 104 [Modification; Scott County project] modifies a one-time FY 24 trunk highway fund appropriation to MnDOT for a road project on US Highway 169, removing the use of the funds as a grant to Scott County.

Section 105 [Modification; Chisago County project] modifies a one-time FY 24 trunk highway fund appropriation to MnDOT for a road project on US Highway 8, removing the use of the funds as a grant to Chisago County.

Section 106 [City speed limit analysis study] requires MnDOT to conduct a study to evaluate speed limits in cities that have implemented speed limit changes under Minnesota Statutes, section 169.14, subdivision 5h. Study must assess whether these cities have set appropriate speed limits based on engineering principles, safety factors, and traffic flow.

Section 107 [Traffic engineering studies and investigations] requires MnDOT to incorporate the latest version of the federal manual on traffic control devices for purposes of performing traffic engineering studies and setting or adjusting speed limits.

Section 108 [Full-service provider] authorizes a driver's license agent appointed before January 1, 2024, to apply to become a full-service provider at the agent's current location under specified criteria.

Section 109 [Minnesota State Fair Transportation Planning] directs the State Agricultural Society to develop and implement a multimodal transportation plan for the 2024 Minnesota State Fair. Specifies plan elements. Effective the day after enactment.

Section 110 [Repealer] repeals a variety of provisions:

- Specification of the types of documents that can be submitted as evidence of Social Security number in application for a REAL ID compliant driver's license or identification card
- Provisions on documents that can be submitted in an application for a driver's license or identification card, which is substantially reproduced in **sections 59-60 and 62-63**.
- The rule governing commercial vehicle testing programs offered by post-secondary institutions, which in effect deletes the requirement that the training offered consists of at least 180 hours of training.
- The rule requiring a course length of eight hours for accident prevention courses offered to persons above the age of 55.
- Obsolete provisions relating to safety zones and
- Language relating to the transportation of specific petroleum products.

Article 2 amends requirements and the administration of transit assistance in greater Minnesota.

Section 1 [Complementary paratransit services (ADA)] provides a definition of “complementary paratransit service (ADA)”

Section 2 [Elderly and disabled service] makes a minor conforming change.

Section 3 [Large urbanized area service] defines “large urbanized area service.”

Section 4 [Public transportation] revises the term and definition for “public transportation” to exclude certain forms of transportation.

Section 5 [Rural area service] amends the definition for “small urbanized area service.”

Section 6 [Small urbanized area service] amends the definition for “small urbanized area service” to modify the population range.

Section 7 [Financial assistance; application, approval] strikes a requirement that MnDOT implement public transit program procedures through administrative rule. This provision is related to the repealer in **article 2, section 13**. Removes a provision on transit grant application review.

Section 8 [Greater Minnesota transit investment plan] modifies calculation of service needs performed in greater Minnesota transit investment plan to include complementary paratransit service.

Section 9 [Operating assistance; recipient classifications] amends provisions pertaining to financial assistance under the public transportation programs.

Section 10 [Nonoperating assistance] limits the local contribution for design and capital assistance under the public transit participation program to 20 percent of the awarded amount of assistance.

Section 11 [Annual transit report] modifies legislative reporting requirements for greater Minnesota transit and requires an annual (rather than biennial) analysis of transit system needs and expenses.

Sections 12 to 15 update cross references and provide direction to the revisor of statutes on modifying terms elsewhere in state statutes.

Section 16 [Repealer] repeals:

- definitions of obsolete or replaced transit-related terms,
- direction to adopt administrative rules for MnDOT transit assistance, and
- administrative rules that govern MnDOT administration of transit assistance.