

**Senate Counsel, Research,  
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# Senate

State of Minnesota

## **S.F. No. 737 – Bradley Waage Memorial Bridge**

**Author:** Senator Carrie Ruud

**Prepared by:** Amy Vennewitz, Fiscal Analyst (651/296-7681) *AMV*  
Bonnie Berezovsky, Senate Counsel (651/296-9191)

**Date:** February 24, 2005

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This bill designates the bridge that is part of Trunk Highway 6, where it crosses over Lake Roosevelt near the town of Outing in Cass County, as the "Bradley Waage Memorial Bridge." The commissioner of transportation must adopt a suitable marking design that includes the words "Bradley Waage Memorial Bridge" and "aka Brainerd Brad" to mark the bridge. The bill is subject to section 161.139, which requires nonstate sources to be used to pay for all costs related to designing, erecting and maintaining the signing.

Senator Ruud introduced--

S.F. No. 735: Referred to the Committee on Transportation.

A bill for an act

relating to highways; designating the "Bradley Waage Memorial Bridge"; amending Minnesota Statutes 2004, section 161.14, by adding a subdivision.

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

Section 1. Minnesota Statutes 2004, section 161.14, is amended by adding a subdivision to read:

Subd. 51. [BRADLEY WAAGE "BRAINERD BRAD" MEMORIAL BRIDGE.]

The bridge that is part of marked Trunk Highway 6 where it

crosses over the narrows of Lake Roosevelt in or near the town

of Outing in Cass County is named and designated "Bradley Waage

Memorial Bridge." The commissioner of transportation shall

adopt a suitable marking design that includes the words "Bradley

Waage Memorial Bridge" and "aka 'Brainerd Brad'" to mark this

bridge and shall erect the appropriate signs, subject to section

161.139.

# *35W BRT STUDY OVERVIEW*

for the

Minnesota Senate Transportation  
Committee

February 24, 2005



*Lakeville, Burnsville, Bloomington, Richfield and Minneapolis*



# Introductions

- Thomas O'Keefe, PE  
Mn/DOT Project Manager for BRT Study
- Mark Ryan, AICP  
URS Project Manager for BRT Study



*Lakeville, Burnsville, Bloomington, Richfield and Minneapolis*



# Project Overview

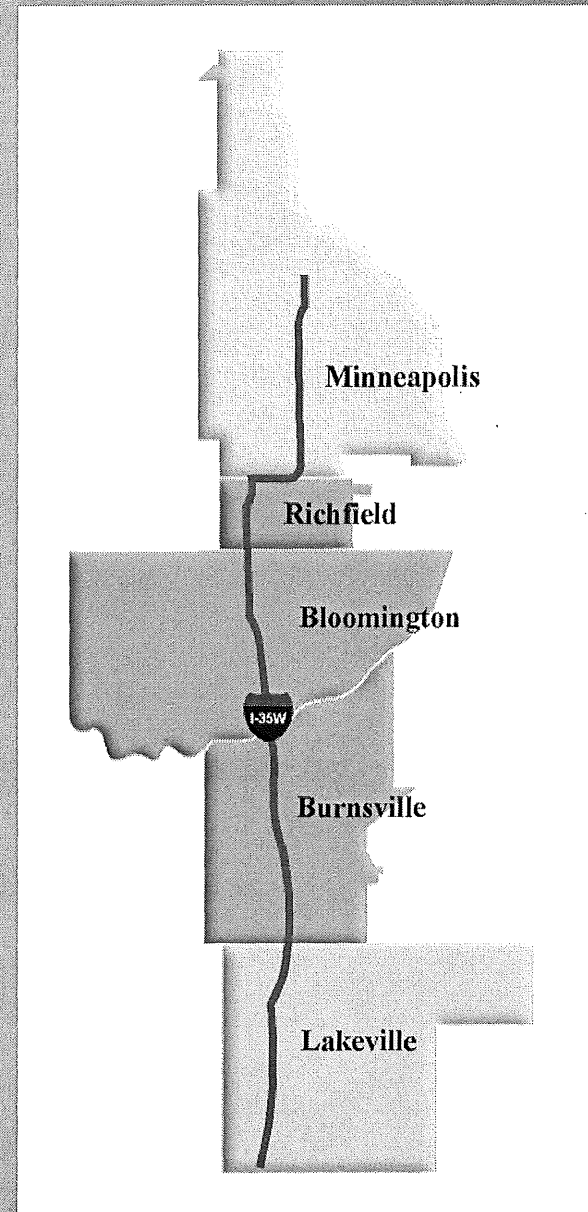


*Lakeville, Burnsville, Bloomington, Richfield and Minneapolis*



# Project Overview

- 35W Corridor
  - Lakeville to Downtown Minneapolis
  - Heavily Traveled Corridor
  - Growing Interest in BRT and Improving Transit in the Corridor



# Bus Rapid Transit Service (BRT)

- What is it?
  - Frequent and Quick Bus Service
  - Buses Operate on Roadways Designed to Provide Advantage to Traveling by Car
    - Exclusive Bus Lanes
    - Lanes Shared with High Occupancy Vehicles (HOV's)

# Bus Rapid Transit Service (BRT)

- What is it?
  - Advanced Transit Amenities
    - Comfortable / Attractive Bus Stations
    - Off-Board Ticketing
    - Themed / Branded Buses
    - Real-Time Information for Passengers



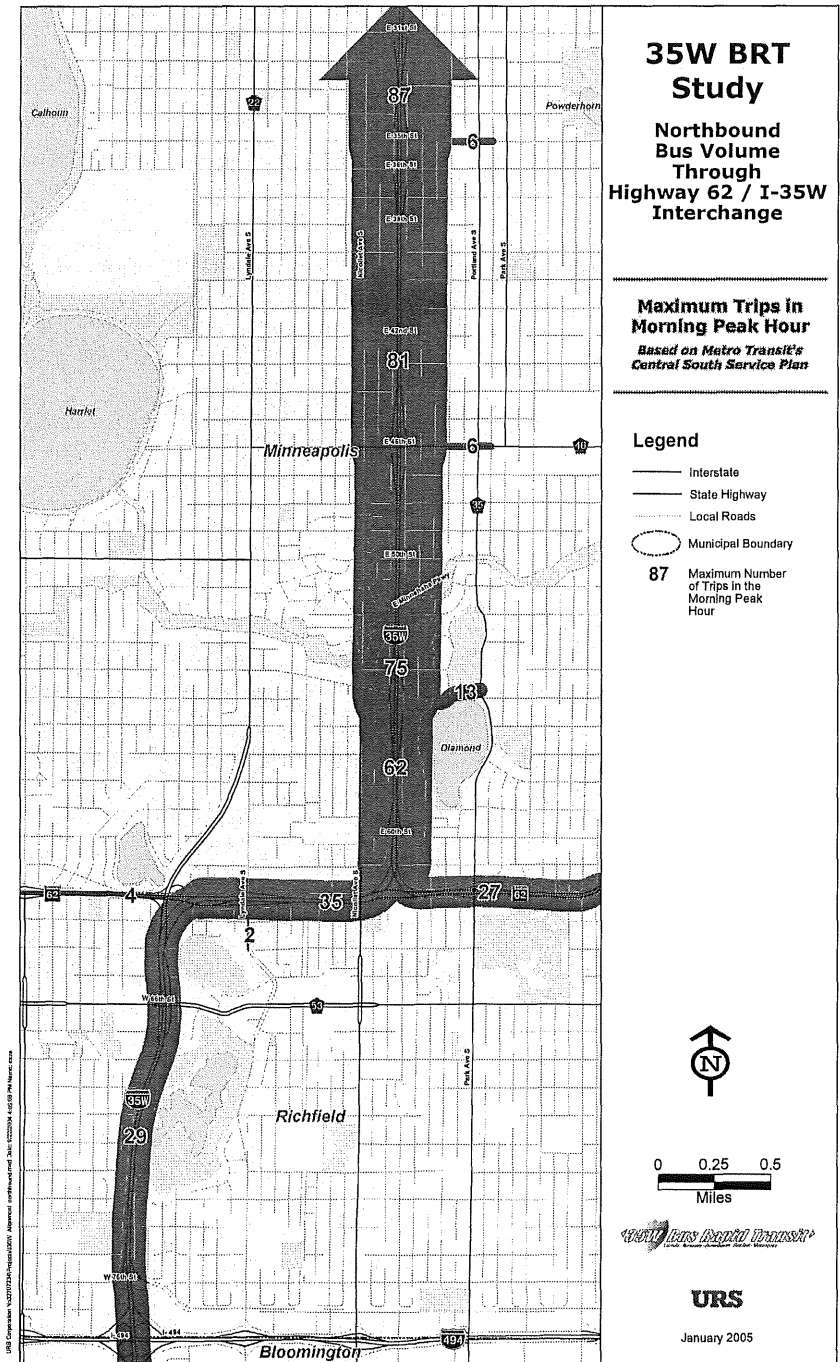
# Bus Rapid Transit Service (BRT)

- Range of BRT Features in Twin Cities
  - Bus Shoulder Lanes
  - UM Transitway
  - Signal Priority
  - Ramp Meter Bypass
  - Metro Transit's AVL System

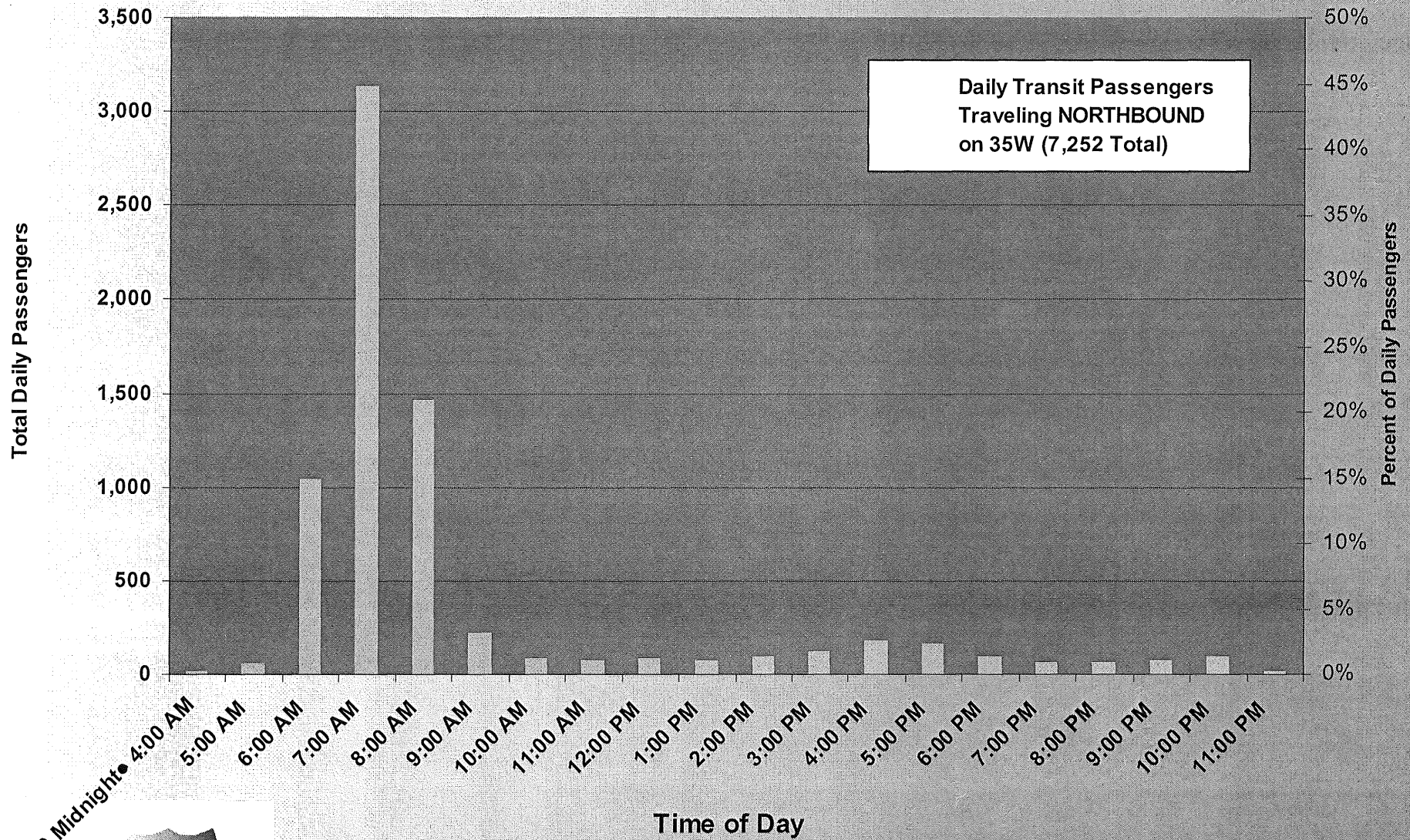


*University of Minnesota Transitway*

- Peak Bus Volume
  - Northbound Buses Converge at Highway 62, then Head North



**Table 1. Distribution by Hour of Transit Passengers Traveling NORTHBOUND on I-35W**



Source: Metro Transit's Central South Study: October 2001 Ridership

*Lakeville, Burnsville, Bloomington, Richfield and Minneapolis*



# Population and Employment Growth

- By Year 2030
  - Employment in Downtown Minneapolis Grows by 50,000
  - Employment Along the I-494 Corridor Grows by 10,000
  - Significant Population Growth South of River
    - Over 10,000 in Lakeville
    - High Population Densities in Northern Lakeville

# Study Process

- Technical Advisory Committee

City of Minneapolis

FHWA

Dakota County

Metro Transit

Hennepin County

Metropolitan Council

Scott County

Minnesota Valley Transit Authority

Mn/DOT



*Lakeville, Burnsville, Bloomington, Richfield and Minneapolis*



# Study Process

- Guiding Principles for Study
  - Allow Buses to Operate at Posted Speeds
  - Maximize Freeway Capacity
  - Minimize Impacts on Right-of-Way
  - Make Transit a Competitive Choice with Autos
  - Utilized Existing Resources to Greatest Extent Possible



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**URS**

# Key Findings

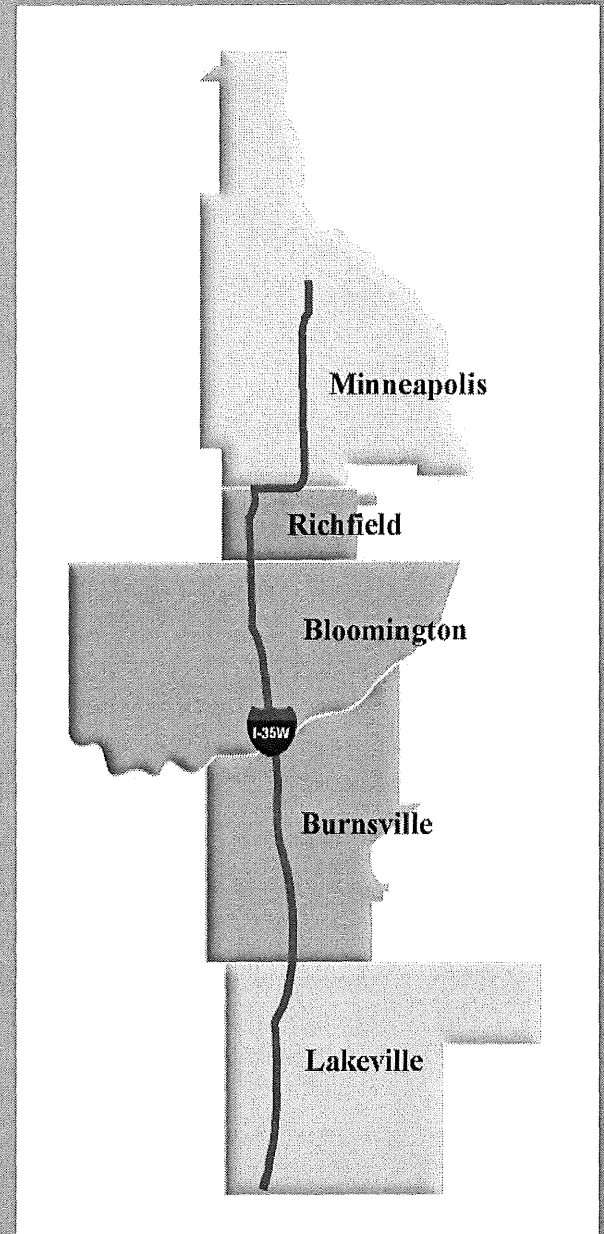


*Lakeville, Burnsville, Bloomington, Richfield and Minneapolis*

**URS**

# Key Findings

- Transit is Well Established
  - 87 Buses in Peak Hour
  - 15,000 Passengers per Day
  - Over 2,100 Park and Ride Spaces
  - Three Regional Transit Providers



*Lakeville, Burnsville, Bloomington, Richfield and Minneapolis*





# Key Findings

- Buses Able to Operate at Posted Speeds
  - Today: Buses Limited to 35 MPH on Shoulders or with Mainline Traffic
  - 16 to 25 Minute Daily Travel Time Savings Expected



*Lakeville, Burnsville, Bloomington, Richfield and Minneapolis*



# Key Findings

- Significant Growth in Employment and Population
  - Downtown Minneapolis Employment Growth
  - Population Growth South of the River
  - Strong Travel Demand
  - Limited Freeway Expansion Opportunities

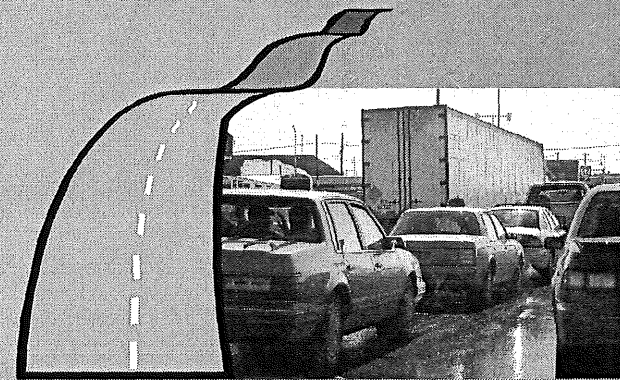
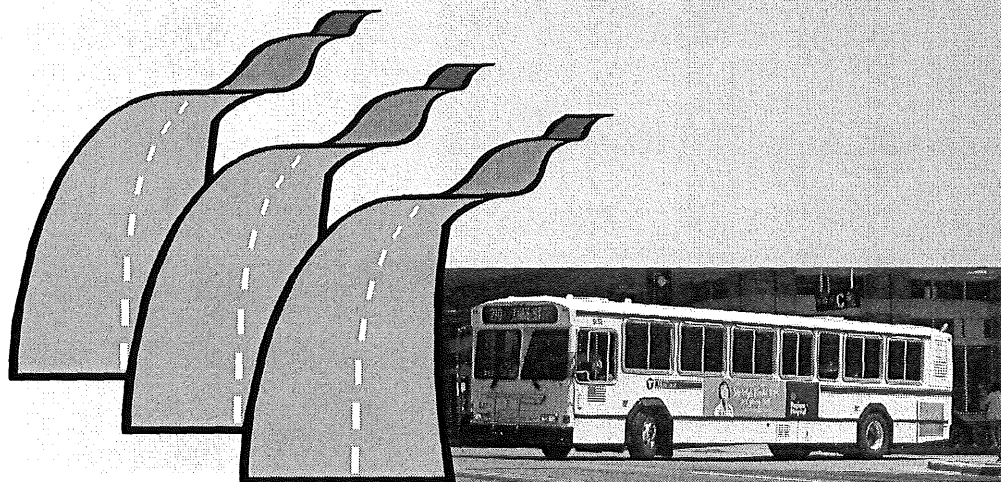
# Key Findings

- Strong Ridership Forecasts

<b>Daily Linked Passenger Trips</b>			
<b>Service Type</b>	<b>Year 2004 Existing</b>	<b>Year 2030 Forecast</b>	<b>Change from '04</b>
Express & Station-to-Station	14,500	43,000	297%
Local Service	47,000	82,000	174%
<b>Totals</b>	<b>61,500</b>	<b>125,000</b>	<b>203%</b>

# Key Findings

- More People Served Without Adding Lanes
  - BRT Passengers in One Hour Equivalent to Over Three General Purpose Lanes



# Key Findings

- Planned Highway Projects Provide Great Opportunity to Incorporate BRT Infrastructure
  - Highway 62 & 35W Interchange
  - Improvements North of 42<sup>nd</sup> Street
  - I-494 & 35W Interchange



*Lakeville, Burnsville, Bloomington, Richfield and Minneapolis*

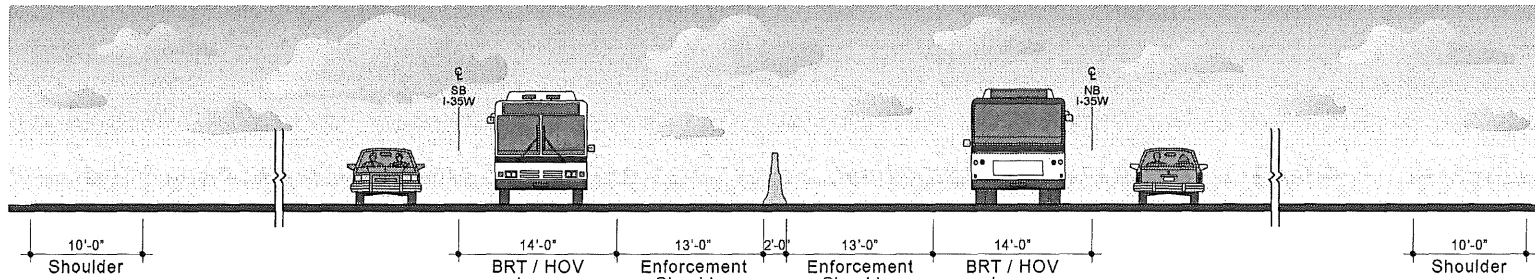


# Service Recommendations



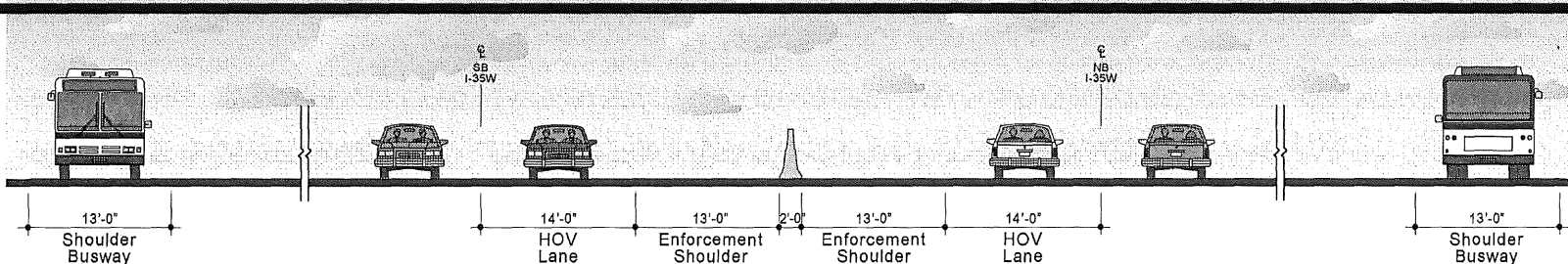
*Lakeville, Burnsville, Bloomington, Richfield and Minneapolis*



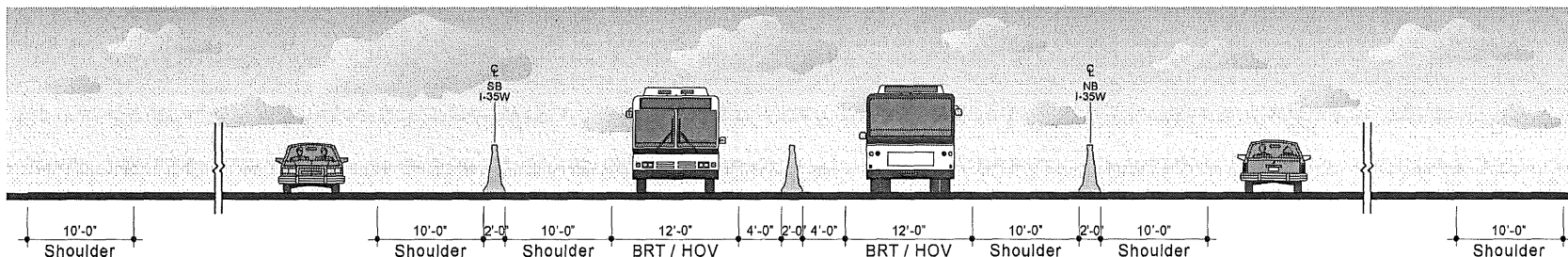


Option 1:  
14' Barrier-Free Lane

# Recommended Configuration



Option 2:  
Shoulder-Running BRT



Option 3:  
Barrier-Separated Lane

Figure 21  
**I-35W BRT Corridor Study**  
BRT Typical Sections

January 2005



*City of Minneapolis*

**URS**



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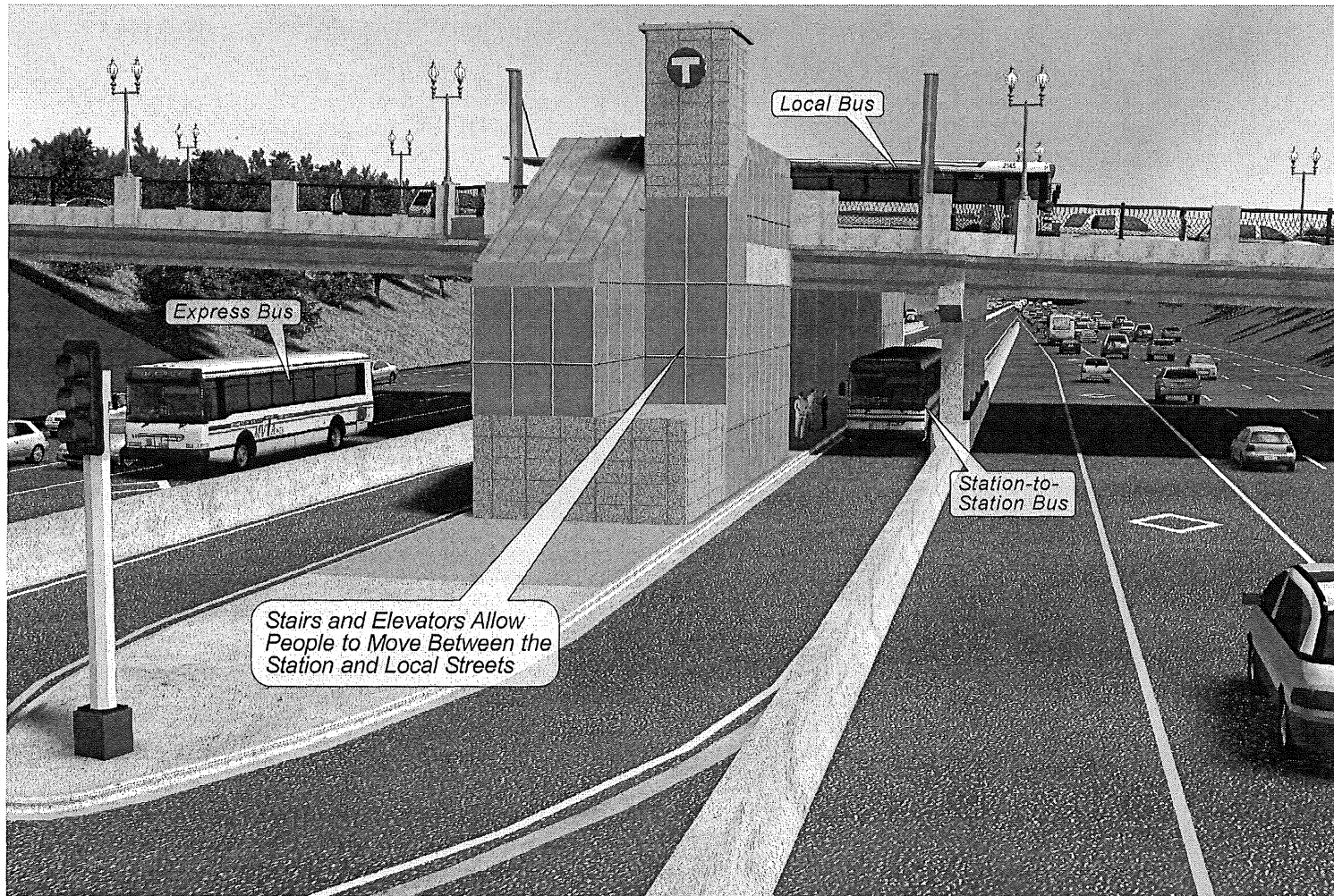


Figure 31  
**I-35W BRT Corridor Study**  
 Station Simulation

January 2005

*“BRT Buses Require Treatments”*  
**URS**



# Potential BRT Operations on 35W

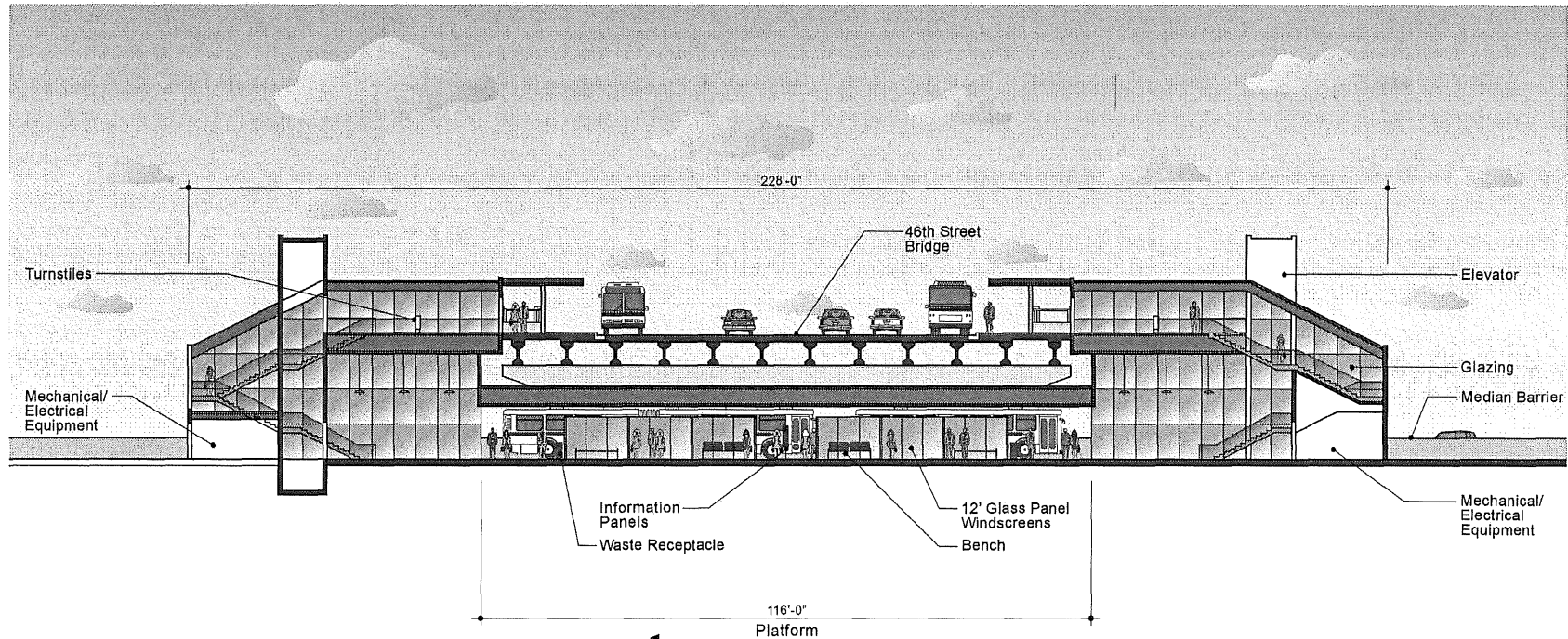


**URS**  
**35W**  
*Bus Rapid Transit Study*

*Lakeville, Burnsville, Bloomington, Richfield and Minneapolis*

**URS**

# Recommended On-Line Stations



Lake Street \* 46<sup>th</sup> Street \* I-494 Vicinity

*Other Potential Sites: 38<sup>th</sup> Street, 66<sup>th</sup> Street & 98<sup>th</sup> Street*

Figure 23

**I-35/46th Street BRT Station Site \***

Platform Level: Open Air with Windscreens

January 2005



*Metrolink Bus Rapid Transit*

\*Prepared as part of Metro Transit Project, Spring 2004

**URS**

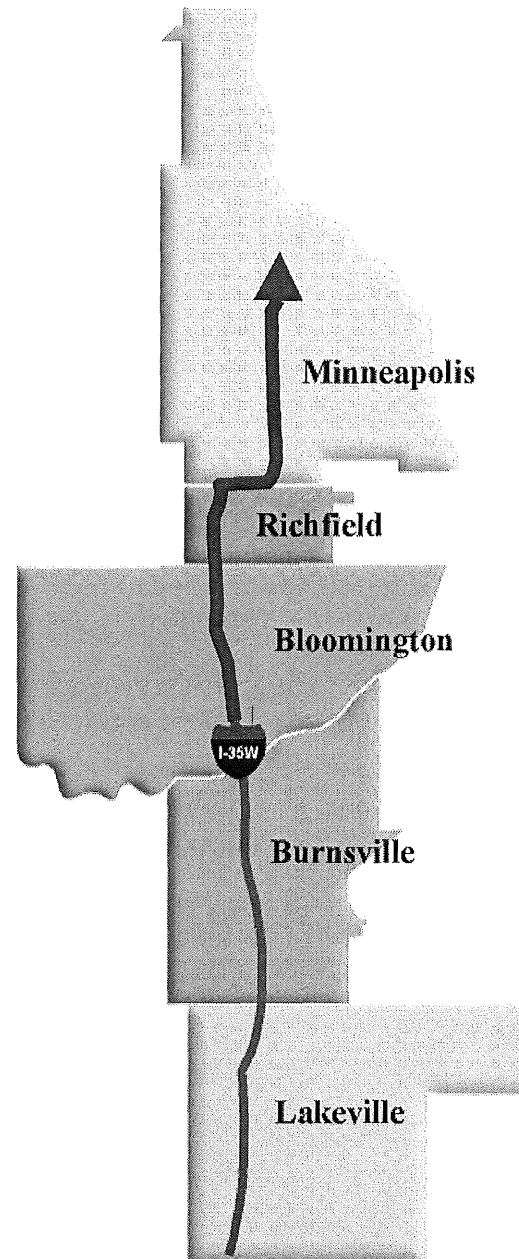


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# Service Recommendations

- Complete Shared BRT / HOV Lane to Downtown Minneapolis



# Service Recommendations

- Utilize Existing Regional Bus Fleet

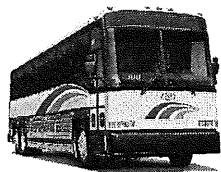
*Regional Fleet*



*60' Standard Articulated Bus*



*40' Standard Transit Bus*

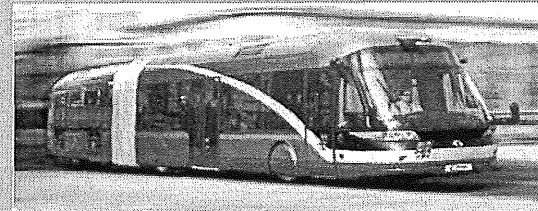


*Motor Coach*



*Neighborhood Shuttle*

*Specialized BRT Vehicles*



*Civis by Irisbus*

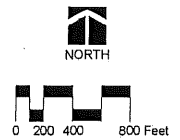


*NABI - 60 BRT*



Figure 29  
 I-35W BRT  
 Corridor Study  
**Bus Circulation  
 and Access**  
 January 2005

**Legend:**  
 ↔ Bus Routes  
 ○ Existing Traffic Signal



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# Implementation Strategy



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# Implementation Strategy

- Work Closely with Planned Highway Projects for BRT Infrastructure
  - Phase I
    - Highway 62 & I-35W Interchange
  - Phase II
    - Improvements to I-35W North of 42<sup>nd</sup> Street
    - I-494 & I-35W Interchange
- Increased Service Levels as Demand Warrants

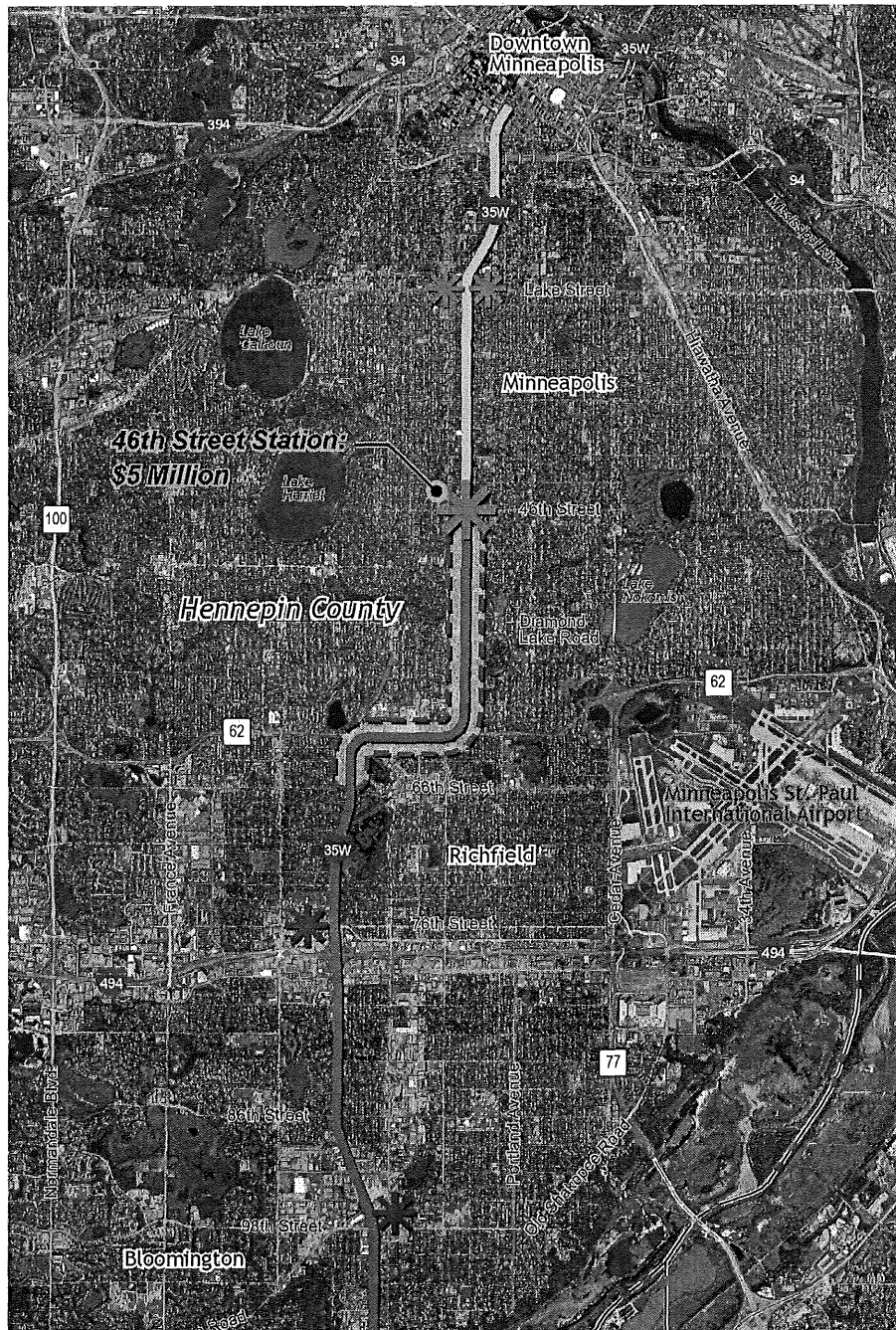









Figure 36

I-35W BRT  
Corridor Study

**Phase I  
BRT System  
and Associated  
Costs**

*Northern Half*

Legend:

-  Center-Running Shared Bus/HOV Lanes
-  Buses Operating on Shoulders (where available)
-  Center Transit Station
-  Lake Street Side Stations
-  Existing Park-and-Ride Sites
-  New Park-and-Ride Site
-  Highway 62 / 35W Interchange Project

\* All Costs are Expressed in Year 2004 Dollars












I-35W BRT  
Corridor Study

**Phase I  
BRT System  
and Associated  
Costs**

*Southern Half*

Legend:

-  Center-Running Shared Bus/HOV Lanes
-  Buses Operating on Shoulders (where available)
-  Center Transit Station
-  Lake Street Side Stations
-  Existing Park-and-Ride Sites
-  New Park-and-Ride Site
-  Highway 62 / 35W Interchange Project

\* All Costs are Expressed in Year 2004 Dollars









Figure 37

I-35W BRT  
Corridor Study

**Phase II  
BRT System  
and Associated  
Costs**

*Northern Half*

Legend:

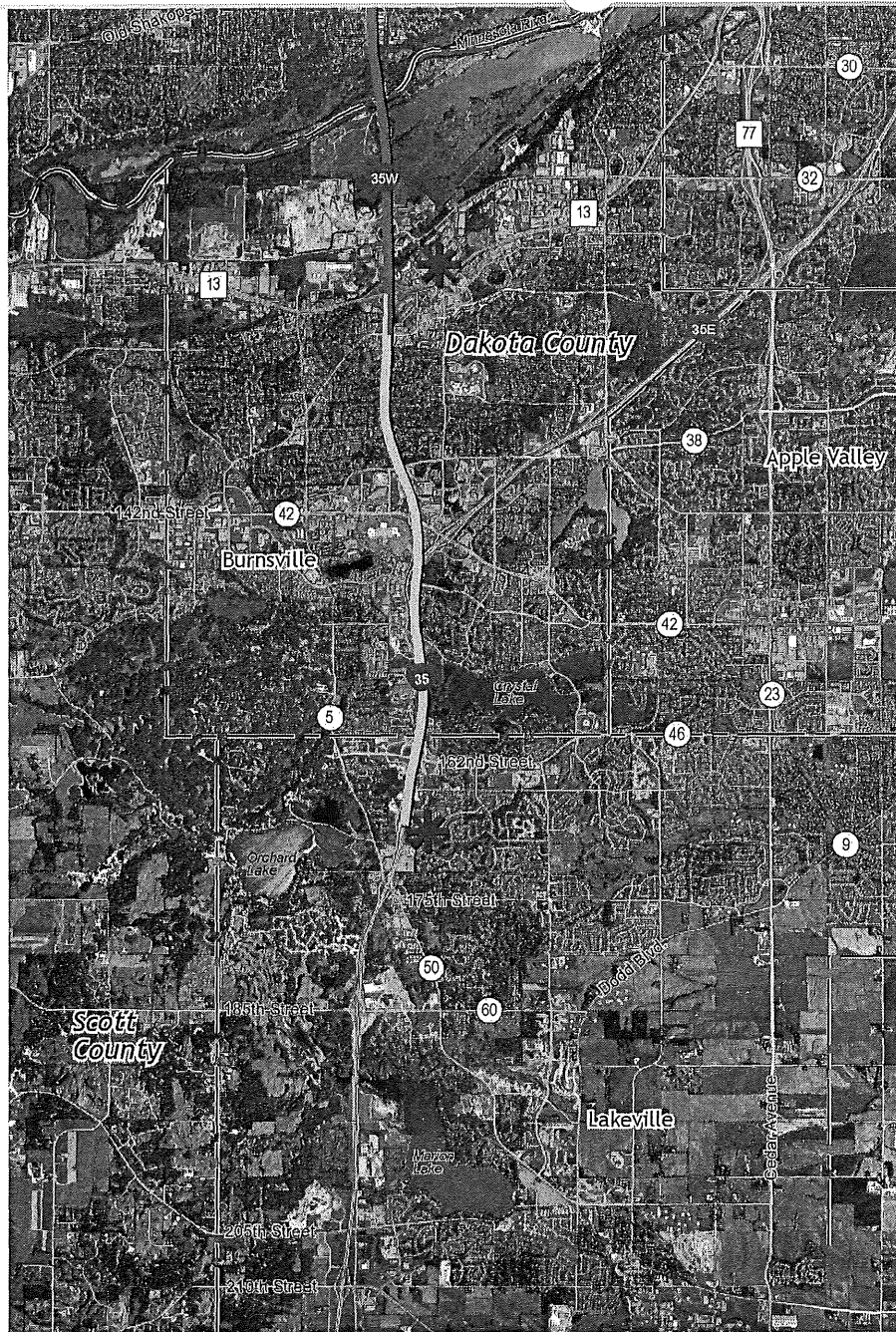
-  Center-Running Shared Bus/HOV Lanes
-  Buses Operating on Shoulders (where available)
-  Center Transit Station
-  Park-and-Ride Sites
-  35W Improvement Project
-  494 Improvement Project

Anticipated 35W BRT Ridership Demand:  
30,000 Passengers per Day

Estimated Annual Subsidy:  
\$23 million

61 Additional Buses:  
(over Phase I)  
\$18 million

\* All Costs are Expressed in  
Year 2004 Dollars









## I-35W BRT Corridor Study

### Phase II BRT System and Associated Costs

#### *Southern Half*

**Legend:**

-  Center-Running Shared Bus/HOV Lanes
-  Buses Operating on Shoulders (where available)
-  Center Transit Station
-  Park-and-Ride Sites
-  35W Improvement Project
-  494 Improvement Project

**Anticipated 35W BRT Ridership Demand:**  
30,000 Passengers per Day

**Estimated Annual Subsidy:**  
\$23 million

**61 Additional Buses:**  
(over Phase I)  
\$18 million

\* All Costs are Expressed in  
Year 2004 Dollars

# Implementation Strategy

- Long-Term Vision
  - 43,000 Daily Riders / 126 Additional Buses (*over today*)
  - Shared BRT/HOV Lane – Lakeville to Downtown Mpls.
  - On-Line Stations at Lake Street, 46<sup>th</sup> Street & I-494
  - \$33 Million Annual Operating Subsidy
  - Potential Additional Costs
    - Parking Structure at Lakeville North Site
    - Interchange Improvements at Co. Rd. 50 & I-35
    - Pedestrian Connection at Lakeville North
    - Additional Park and Ride Sites
    - Additional On-Line Stations (98<sup>th</sup>, 66<sup>th</sup> & 38<sup>th</sup>)
    - Improved Transit Facilities in Downtown Minneapolis



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# Challenges & Benefits



*Lakeville, Burnsville, Bloomington, Richfield and Minneapolis*



# Challenges

- Enforcement & Management of Shared BRT / HOV Lane
- Ability of Downtown Minneapolis to Handle Additional Bus Traffic
- Locating an On-Line Station to Serve I-494
- Funding & Operations to Lakeville
- Overall Capital and Operating Funding

# Benefits

- 16 – 25 Minute Daily Travel Time Savings
- Increased Transit Ridership
- Increased Mobility
- Expanded Freeway Capacity
- Fewer Vehicle Emissions



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# QUESTIONS



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**Senate**

State of Minnesota

## **S.F. No. 1191 – Prohibiting Cell Phone Usage by Teen Drivers**

**Author:** Senator Sean Nienow

**Prepared by:** Amy Vennewitz, Fiscal Analyst (651/296-7681) <sup>AMV</sup>  
Bonnie Berezovsky, Senate Counsel (651/296-9191)

**Date:** February 24, 2005

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**Subdivision 1** prohibits the holder of a provisional license from operating a motor vehicle while communicating over or operating a wireless telephone, regardless of whether the phone may be held hands free.

**Subdivision 2** specifies that this provision does not apply to an operator of an authorized emergency vehicle or a passenger of a motor vehicle.

**Subdivision 3** allows a person in violation of this provision to assert an affirmative defense that the cell phone was used for the sole purpose of obtaining emergency assistance or that a crime was about to be committed in the person's proximity.

**Subdivision 4** specifies that a person convicted of a violation is guilty of a petty misdemeanor. For a first offense the court must impose a minimum fine of \$150. For a second offense, the court must impose a minimum fine of \$300 and suspend the violator's driver's license for a minimum of 90 days. For a third and subsequent offense, the court must sentence the violator to a minimum fine of \$300 and suspend the driver's license for a period of one year or until the violator reaches the age of 18, whichever occurs first.



TABLE 1.06

LICENSED VS. CRASH-INVOLVED DRIVERS BY AGE, 2002

Age Group	Percentage of All Licensed Drivers	Percentage of Drivers in			
		Fatal Crashes	Injury Crashes	Property Damage Crashes	All Crashes
14 & Younger	0.0%	0.0%	0.1%	0.1%	0.1%
15	0.8	0.7	0.3	0.2	0.2
16	1.5	3.9	3.8	3.6	3.7
17	1.7	3.3	4.3	4.0	4.1
18	1.8	2.8	4.2	3.8	3.9
19	1.8	3.3	3.6	3.5	3.5
20	1.9	2.0	3.4	3.2	3.3
Total Under 21	9.4%	15.9%	19.8%	18.5%	18.9%
15 - 19	7.5%	13.9%	16.2%	15.2%	15.5%
20 - 24	9.4	11.4	15.0	14.6	14.7
25 - 29	8.5	9.0	10.1	10.0	10.1
30 - 34	9.2	9.6	9.6	9.2	9.4
35 - 39	9.8	9.0	9.3	9.0	9.1
40 - 44	10.9	10.6	9.3	9.0	9.1
45 - 49	10.1	7.5	7.7	7.4	7.5
50 - 54	8.7	7.6	6.3	6.0	6.1
55 - 59	6.7	4.5	4.3	4.2	4.2
60 - 64	5.1	4.4	2.8	2.8	2.8
65 - 69	4.0	2.7	2.1	2.0	2.0
70 - 74	3.5	2.2	1.7	1.7	1.7
75 - 79	3.0	2.1	1.6	1.4	1.4
80 - 84	2.1	2.5	1.1	1.0	1.0
85 & Older	1.5	2.6	0.6	0.6	0.6
Age Not Stated	0.0	0.3	2.2	6.0	4.8
Total Percent	100.0%	100.0%	100.0%	100.0%	100.0%
Total Number	3,757,493				

See Figure 1.02 on page 12 for a graphic depiction of crash-involved drivers compared to licensed drivers by age group.

**Senate Counsel, Research,  
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# Senate

State of Minnesota

## **S.F. No. 243 – Imposing Petty Misdemeanor Penalty for Certain Hit-and-Run Offenses**

**Author:** Senator Dave Kleis

**Prepared by:** Amy Vennewitz, Fiscal Analyst (651/296-7681) *AmV*  
Bonnie Berezovsky, Senate Counsel (651/296-9191)

**Date:** February 24, 2005

---

This bill provides that the owner, or lessee, of a motor vehicle operated in violation of the requirements of section 169.09, subdivisions 1 through 7 and 10, is guilty of a petty misdemeanor. The subdivision requirements are as follows:

- Subdivision 1 – driver required to stop for an accident with a person;
- Subdivision 2 – driver required to stop for an accident to property;
- Subdivision 3 – driver required to give information upon involvement in an accident;
- Subdivision 4 – driver required to notify owner upon collision with an unattended vehicle;
- Subdivision 5 – driver required to notify owner of damaged property;
- Subdivision 6 – driver required to notify police of personal injury;
- Subdivision 7 – driver required to report an accident to the commissioner of public safety;
- Subdivision 10 – driver required to use the accident report form approved by the department of public safety.

The owner or lessee may not be fined for the petty misdemeanor if another person is convicted of the violation or the vehicle was stolen at the time of the violation. The petty misdemeanor violation does not apply to a lessor of a motor vehicle if the lessor keeps a record of the name and address of the lessee. The bill specifies that the petty misdemeanor violation does not constitute grounds for revocation or suspension of the owner's or lessee's driver's license.

Senator Kleis introduced--

S.F. No. 243: Referred to the Committee on Transportation.

1 A bill for an act

2 relating to traffic regulations; imposing petty  
3 misdemeanor penalty for certain motor vehicle  
4 hit-and-run offenses; amending Minnesota Statutes  
5 2004, section 169.09, by adding a subdivision.

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

7 Section 1. Minnesota Statutes 2002, section 169.09, is  
8 amended by adding a subdivision to read:

9 Subd. 14a. [VIOLATION; PENALTY FOR OWNER OR LESSEE.] (a)

10 If a motor vehicle is operated in violation of subdivision 1, 2,  
11 3, 4, 5, 6, 7, or 10, the owner of the vehicle, or for a leased  
12 motor vehicle the lessee of the vehicle, is guilty of a petty  
13 misdemeanor.

14 (b) The owner or lessee may not be fined under paragraph  
15 (a) if (1) another person is convicted for that violation or (2)  
16 the motor vehicle was stolen at the time of the violation.

17 (c) Paragraph (a) does not apply to a lessor of a motor  
18 vehicle if the lessor keeps a record of the name and address of  
19 the lessee.

20 (d) Paragraph (a) does not prohibit or limit the  
21 prosecution of a motor vehicle operator for violating  
22 subdivision 1, 2, 3, 4, 5, 6, 7, or 10.

23 (e) A violation under paragraph (a) does not constitute  
24 grounds for revocation or suspension of the owner's or lessee's  
25 driver's license.

1 Sec. 2. [EFFECTIVE DATE.]

2 Section 1 is effective August 1, 2005, and applies to

3 offenses committed on or after that date.

**Senate Counsel, Research,  
and Fiscal Analysis**

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# Senate

State of Minnesota

## **S.F. No. 233 – Requiring Certain Applicants for Driver’s License to Pass Examinations**

**Author:** Senator Dave Kleis

**Prepared by:** Amy Vennewitz, Fiscal Analyst (651/296-7681) *Amv*  
Bonnie Berezovsky, Senate Counsel (651/296-9191)

**Date:** February 24, 2005

---

This bill allows the department of public safety to issue a driver’s license renewal when:

- (1) an applicant has passed a screening of the applicant’s eyesight since the last previous license renewal or issuance;
- (2) an applicant has passed a written examination after having received a warning letter or attending a preliminary hearing as a habitual violator, within the meaning of rules adopted by the commissioner; and
- (3) an applicant has passed a road examination after being found at fault in two or more crashes, or had driving privileges suspended as a habitual violator, within the meaning of rules adopted by the commissioner.

The commissioner is allowed to adopt rules to administer this section.

Senators Kleis, Robling, Larson, Murphy and Kubly introduced--  
S.F. No. 233: Referred to the Committee on Transportation.

1

A bill for an act

2 relating to drivers' licenses; requiring certain  
3 applicants for license renewal to pass examinations;  
4 making clarifying changes; amending Minnesota Statutes  
5 2004, section 171.13, subdivision 2.

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

7 Section 1. Minnesota Statutes 2004, section 171.13,  
8 subdivision 2, is amended to read:

9 Subd. 2. [EXAMINATION UPON RENEWAL.] (a) The department  
10 shall issue a driver's license upon renewal:

11 (1) when the applicant has passed an examination consisting  
12 of a screening of the applicant's eyesight since the last  
13 previous license renewal or issuance; and

14 (2) if applicable, when an applicant has passed a written  
15 examination since the last previous license renewal or issuance  
16 and after receiving a warning letter or attending a preliminary  
17 hearing as a habitual violator, within the meaning of rules  
18 adopted by the commissioner; and

19 (3) if applicable, when an applicant has passed a road  
20 examination since the last previous license renewal or issuance  
21 and after being found at fault in two or more crashes or had  
22 driving privileges suspended as a habitual violator, within the  
23 meaning of rules adopted by the commissioner.

24 (b) A screening of eyesight required by this subdivision  
25 does not constitute the practice of optometry as defined in



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# Senate

State of Minnesota

## **S.F. No. 1226 - Graduated Drivers' Licensing**

**Author:** Senator Steve Murphy

**Prepared by:** Bonnie Berezovsky, Senate Counsel (651/296-9191) *fb*  
Amy Vennewitz, Fiscal Analyst (651/296-7681)

**Date:** February 24, 2005

---

**Section 1** adds two restrictions to a provisional license holder's (under 18 years of age) driving privileges. A provisional license holder cannot drive with more than one passenger, except family members, and cannot drive between the hours of midnight and 5:00 a.m.

BB/AV:rer





## Clubs of Minnesota

### Graduated Driver's Licensing – AAA FAVORS ADDITIONAL PROVISIONS

- Graduated Driver's Licensing (GDL) systems are designed to teach novice (teen) drivers how to drive incrementally by controlling their progression toward full, unrestricted driving. The system ensures that new drivers accumulate behind-the-wheel experience in low-risk settings.
- Minnesota's Graduated Driver's License law became effective on January 1, 1999. Our multi-tiered program provides additional parent/legal guardian involvement (30 hours of guided behind-the-wheel practice) and emphasizes the importance of a good driving record (no moving violations).
  - Minnesota's current three-step program to full licensure includes:
    1. Instructional permit – at least 15 years old, 30 hours classroom instruction, may drive under the supervision of a certified driving instructor, parent/guardian or other licensed driver age 21 or older; everyone under age 18 must wear seat belt or child passenger restraint system.
    2. Provisional license – at least 16 years old, completed driver education, have held permit for six months with no moving violation convictions or alcohol/controlled substance violations; everyone under age 18 must wear seat belt or child passenger restraint system.
    3. Full license – at least 18 years old or must have held provisional license for at least 12 months with no convictions for alcohol/controlled substance or crash-related moving violations.
- As proposed in S.F. No. 1226 (bills for an act relating to driver's licenses; modifying requirements for operating motor vehicle by holder of provisional license; amending Minnesota Statutes 2004, section 171.055, subdivision 2), AAA recommends passenger and nighttime restrictions in our Minnesota GDL law. These additional provisions read, "A provisional license holder may not operate a motor vehicle (1) with more than one passenger, except family members; or (2) between the hours of midnight and 5:00 a.m." Other states, notably Wisconsin, have these additional provisions and have had significantly greater reductions in novice driver crashes and injuries than has Minnesota.
- Current research shows that:
    1. Crash rates for young, novice drivers are very high but is twice as high with peer passengers than without. With two or more passengers, the fatal crash risk is five times as high as driving alone.
    2. The severity of nighttime crashes is significantly greater than daytime crashes.
    3. Alcohol related crashes among youthful drivers are comparatively low (in Minnesota, about the same as the 60-65 age group). Crashes are typically caused by inexperience and inattention.
  - In 2002, drivers age 15-19 accounted for 7.5% of all Minnesota drivers, yet accounted for 21% of fatal crashes, 20% of injury crashes and 19% of property damage crashes.
  - In 2003, drivers age 15-19 accounted for 7.5% of all Minnesota drivers, yet accounted for 20% of fatal crashes (injury and property damage data is not available).

Using the experience of other states as an example, Minnesota should be able to reduce the annual death and severe injury rate by 15-30% by enacting these additional requirements to full licensure. We should be able to save the lives of five to eight, 16- and 17-year olds per year and reduce the severe injuries of 36 to 72, 16- and 17-year olds per year.

**Senate Counsel, Research,  
and Fiscal Analysis**

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JO ANNE ZOFF SELLNER  
DIRECTOR

# Senate

State of Minnesota

## **S.F. No. 1070 - Seat Belt Violation as a Primary Offense**

**Author:** Senator Steve Murphy

**Prepared by:** Bonnie Berezovsky, Senate Counsel (651/296-9191) *BB*  
Amy Vennewitz, Fiscal Analyst (651/296-7681)

**Date:** February 24, 2005

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**Section 1** changes the seat belt law in the following ways:

- Applies the requirement of wearing a seat belt to all passengers;
- Increases the fine for seat belt violations from \$25 to \$50; and
- Allows primary enforcement of the seat belt law.

**Sections 2 and 3** make conforming changes to the sections of law pertaining to drivers with instruction permits and drivers with provisional licenses, respectively.

BB/AV:rer



1 ~~citation-for-a-violation-of-this-section-unless-the-officer~~  
2 ~~lawfully-stopped-or-detained-the-driver-of-the-motor-vehicle-for~~  
3 ~~a-moving-violation-other-than-a-violation-involving-motor~~  
4 ~~vehicle-equipment.~~ The Department of Public Safety shall not  
5 record a violation of this subdivision on a person's driving  
6 record.

7 Sec. 2. Minnesota Statutes 2004, section 171.05,  
8 subdivision 2b, is amended to read:

9 Subd. 2b. [INSTRUCTION PERMIT USE BY PERSON UNDER AGE 18.]

10 (a) This subdivision applies to persons who have applied for and  
11 received an instruction permit under subdivision 2.

12 (b) The permit holder may, with the permit in possession,  
13 operate a motor vehicle, but must be accompanied by and be under  
14 the supervision of a certified driver education instructor, the  
15 permit holder's parent or guardian, or another licensed driver  
16 age 21 or older. The supervisor must occupy the seat beside the  
17 permit holder.

18 (c) The permit holder may operate a motor vehicle only when  
19 every occupant under the age of ~~18~~ 15 has a seat belt or child  
20 passenger restraint system properly fastened according to  
21 sections 169.685 and 169.686. A person who violates this  
22 paragraph is subject to a fine of \$~~25~~ \$50. ~~A-peace-officer-may~~  
23 ~~not-issue-a-citation-for-a-violation-of-this-paragraph-unless~~  
24 ~~the-officer-lawfully-stopped-or-detained-the-driver-of-the-motor~~  
25 ~~vehicle-for-a-moving-violation-as-defined-in-section-171-04,~~  
26 ~~subdivision-1~~ A passenger who is at least 15 years of age is  
27 subject to the requirements and penalty of section 169.686. The  
28 commissioner shall not record a violation of this paragraph on a  
29 person's driving record.

30 (d) The permit holder must maintain a driving record free  
31 of convictions for moving violations, as defined in section  
32 171.04, subdivision 1, and free of convictions for violation of  
33 section 169A.20, 169A.33, 169A.35, or sections 169A.50 to  
34 169A.53. If the permit holder drives a motor vehicle in  
35 violation of the law, the commissioner shall suspend, cancel, or  
36 revoke the permit in accordance with the statutory section

1 violated.

2 Sec. 3. Minnesota Statutes 2004, section 171.055,  
3 subdivision 2, is amended to read:

4 Subd. 2. [USE OF PROVISIONAL LICENSE.] (a) A provisional  
5 license holder may operate a motor vehicle only when every  
6 occupant under the age of ~~18~~ 15 has a seat belt or child  
7 passenger restraint system properly fastened according to  
8 sections 169.685 and 169.686. A person who violates this  
9 paragraph is subject to a fine of \$25 \$50. ~~A peace officer may~~  
10 ~~not issue a citation for a violation of this paragraph unless~~  
11 ~~the officer lawfully stopped or detained the driver of the motor~~  
12 ~~vehicle for a moving violation as defined in section 171.04.~~ A  
13 passenger who is at least 15 years of age is subject to the  
14 requirements and penalty of section 169.686. The commissioner  
15 shall not record a violation of this paragraph on a person's  
16 driving record.

17 (b) If the holder of a provisional license during the  
18 period of provisional licensing incurs (1) a conviction for a  
19 violation of section 169A.20, 169A.33, 169A.35, or sections  
20 169A.50 to 169A.53, (2) a conviction for a crash-related moving  
21 violation as defined in section 171.04, or (3) more than one  
22 conviction for a moving violation that is not crash related, the  
23 person may not be issued a driver's license until 12 consecutive  
24 months have expired since the date of the conviction or until  
25 the person reaches the age of 18 years, whichever occurs first.

# Upgrading the Belt Law to Standard Universal Enforcement

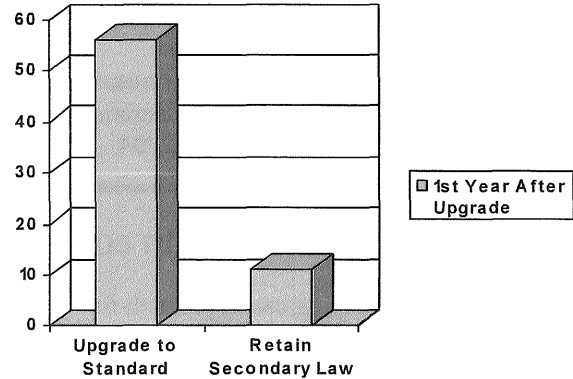
Anticipated Results of Law Upgrade • 2005 Legislative Session

**Upgrading the seat belt law to standard enforcement is the most effective and cost-efficient means of saving lives on our roadways.**

Anticipated results from upgrading to standard universal enforcement are as follows:

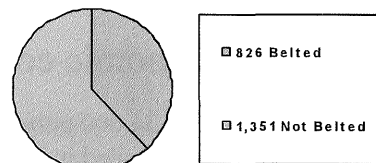
- **Seat belt use.** On average, similar states have experienced an 11 percentage point increase in belt use. Minnesota would increase from 82 to 93 percent belt use.
- **Lives saved.** Each percentage point increase in belt use translates into roughly 5 lives saved and 100 injuries prevented annually. Minnesota would save 55 lives and prevent 1,000 injuries.
- **Societal cost savings.** Estimated cost savings would be \$113.6 million annually, which include: lost wages, lost tax revenues, legal fees, insurance administration, medical bills, and more. (*National Highway Traffic Safety Administration*)
- **Specific cost savings.** If belt use increased closer to 100%, the state of Minnesota would save \$2.4 million annually by reducing the state share of the Traumatic Brain Injury (TBI) Medical Waiver. (This does not include acute care costs or other Medicaid/ Medicare alternatives such as CADI waivers.) Note: costs of surviving a traumatic brain injury can run from a few hundred thousand dollars to 12 million dollars over the course of a lifetime. (*Brain Injury Association of Minnesota*)

**Raising Belt Use = Additional Lives Saved**  
The graph estimates lives saved after enacting a seat belt law upgrade versus retaining the secondary law.



*Without upgrading the belt law, Minnesota may only see a one to two percentage point increase in belt use each year. Millions of dollars are spent annually by government on education and enforcement efforts to achieve these small increases in additional lives saved.*

## Occupant Fatalities by Restraint Use, 1998-2002



*From 1998-2002, Minnesotans who did not buckle up made up roughly 22% of the total population but accounted for 62% of occupant fatalities. Half of the unbelted fatalities, or 675 people, would have survived had they been restrained.*



# Upgrading the Belt Law to Standard Universal Enforcement

## Anticipated Results of Law Upgrade: Supporting Facts • 2005 Legislative Session

**Wearing a seat belt reduces the risk of death and severe injury in a crash, on average, by more than 50 percent.** USDOT, National Highway Traffic Safety Administration, (NHTSA)

**“From a safety perspective, converting from secondary to primary enforcement is a straightforward way to save significant numbers of lives, with no discernible downside.”** Insurance Institute for Highway Safety, December 2004

### Why is belt use a public health concern?

- Crashes are the leading cause of death for Minnesotans ages 4 through 33 years. (*Center for Disease Control*) Each year, the majority of those killed are unrestrained. (*MN Dept. of Public Safety*)
- Crashes are the leading cause of traumatic brain injury (TBI). Victims of TBI require some of the most costly acute and long-term care in the state. Sixty-two percent of TBI/crash victims did not use seatbelts or child restraints. (*Brain Injury Association*)
- From 1998-2002, crashes killed more teens age 15 to 17 than the next four leading causes of death combined. On average, 75% of those teens were not restrained. (*MN Dept. of Public Safety*)
- More children die in crashes than from all childhood diseases combined. (*Center for Disease Control*).

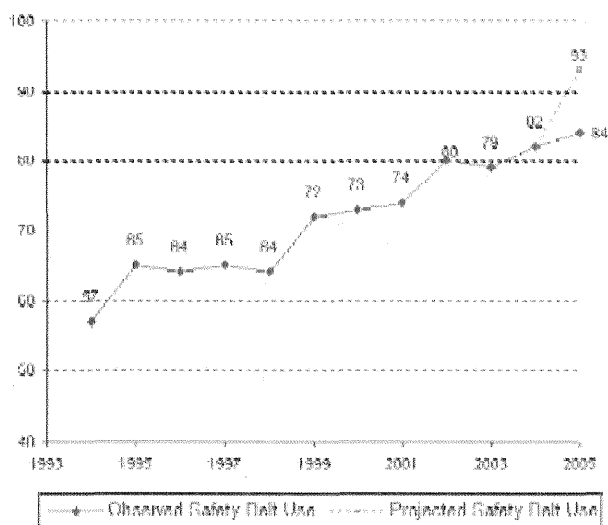
### Why is belt use an economic concern?

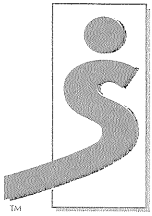
- Between 1998 and 2002, 34,000 unbelted vehicle occupants were injured or killed in Minnesota crashes. The estimated cost to society from those injuries was \$1.9 billion; so 13% of total crash costs are for medical treatment. (*Based on National Safety Council cost estimates*)
- Traffic crashes are the leading cause of workplace fatalities. (*MN Dept. of Labor and Industry*)
- Crash victims who are not wearing seat belts have medical bills that are 50% higher than those victims who wore a belt. Society bears 74% of those costs through increased insurance premiums, taxes and health care and insurance costs. (*NHTSA*)

### Why upgrade the belt law?


- It is the most efficient and cost effective means to increase seat belt use. (NHTSA)
- Upgrading the law can be accomplished at no cost to the government or the public.
- Motorists who perceive a risk of being stopped by police for not complying with the law are more likely to wear seat belts.
- Similar states have experienced an 11 percentage point increase in belt use after upgrading to standard enforcement. Belt use in Minnesota would increase from 82 to 93%. (NHTSA)
- Each percentage point increase in belt use translates into roughly 5 lives saved and 100 injuries prevented annually. Minnesota would save 55 lives and prevent 1,000 injuries. (NHTSA)
- The American Academy of Pediatrics' study shows when a driver buckles up, children in the vehicle are restrained 87 percent of the time. However, when a driver chooses not to buckle up, children are buckled in only 24 percent of the time. To get kids buckled up, parents must buckle up.

Anticipated Increase in Minnesota Belt Use With Upgraded Law





# MINNESOTA SAFETY COUNCIL

 Chapter of the National Safety Council

*Making Minnesota A Safer Place to Live*

(E)

February 24, 2005

Memo to: Minnesota Senate Transportation Policy and Budget Division Committee

Subject: S. F. 1070 Universal Standard Seat Belt Enforcement

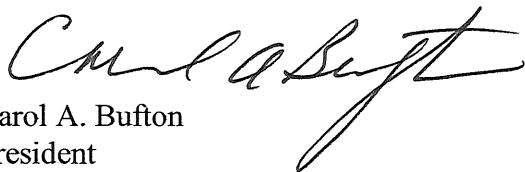
The Minnesota Safety Council Board of Directors strongly urges you to take the lead in upgrading our state's seat belt use law to require every person in the vehicle in every seating position to buckle up, and to allow law enforcement officers to enforce that law.

The facts are absolutely clear: When people in motor vehicles wear seat belts, their risk of being seriously injured or killed decreases dramatically. In states which have a primary enforcement seat belt use law, seat belt use rises and stays high.

In addition, it is also clear that there is an economic benefit. When people who are buckled up are in a crash, their chances of sustaining an injury are reduced. If injured, their injuries are usually far less severe than if they had not buckled up. They require less medical care and are less likely to become disabled and dependent on government services such as medical assistance, family assistance, transportation assistance, etc.

We urge you to vote yes on S. F. 1070, which upgrades Minnesota's seat belt law to universal standard enforcement. Make it the law in Minnesota that everybody in a motor vehicle buckles up every time they're in the vehicle no matter where they're sitting. And - make it a primary enforcement law. Let officers enforce the seat belt use law just as they do any other traffic law. A universal standard enforcement seat belt law will save lives, it will prevent injuries, it will save dollars. We're asking you to do your part to make that the law in Minnesota.

Sincerely,



Carol A. Bufton  
President



## Clubs of Minnesota

---

### **AAA Minneapolis**

**Steve Frank, President & CEO**

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### **AAA Minnesota-Iowa**

**Jeff Ogden, President & COO**

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AAA Minnesota/Iowa

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February 23, 2005

### **Supports S.F. 1070**

The AAA Clubs of Minnesota, with more than 600,000 Minnesota members, **support S.F. 1070**, which will make seat belt violations a primary offense in all seating positions regardless of age and will increase the fine amount for infringement. This form of standard (or “universal”) enforcement makes sense – for safety, for economics and for Minnesota.

AAA recommends the proper use of safety belts by all motorists and passengers at all times. AAA supports legislation and/or regulatory provisions that mandate the use of safety belts and approved child restraint systems by all motor vehicle occupants, including enforcement of the safety belt use requirements as a primary rather than secondary traffic offense.

We encourage your support of S.F. 1070.



*Minnesota's Trucking Industry...  
So Much Depends on Us*

February 24, 2005

RE: Support for Strengthening Minnesota's Traffic Safety Laws

Dear Senator:

On behalf of the members of the Minnesota Trucking Association, I ask that you support three of the traffic safety initiatives before you today: **S.F. 1070**, a bill to provide universal standard enforcement of Minnesota's seat belt law; **S.F. 1063**, to increase penalties for excessive speeding, and **S.F. 1173**, to end the practice of masking speeding violations.

Every year, hundreds of lives are lost on Minnesota's roads, many of which could have been prevented if the victims had been wearing their seat belts. Data show that since 1986, increased seat belt use has corresponded with a 42% decline in the number of traffic crash fatalities and serious injuries. While 80% of the population is now wearing their seat belts, having 20% of the population at risk of serious injury or death is too many, especially when we have a proven means of prevention. Universal standard enforcement of Minnesota's seat belt law, which includes making non-use a primary offense, will increase our compliance rate, saving more lives.

The other problem our professional truck drivers are encountering on the roads is the blatant disregard for current traffic safety laws. The trend seems to be that more motorists are driving as fast as they can until they come up upon other vehicles. Our lack of resources for visible and constant enforcement only seems to exacerbate the problem. Increasing the penalties for the most dangerous speeders and reporting all acts of speeding on the driving record will provide the consequences to get people to rethink their unsafe driving behaviors and send the message that speeding will not be tolerated.

Minnesota's roads and highways serve as the workplace for our state's professional drivers. Help us make it safer for them, and the rest of the motoring public, by supporting these three bills: **S.F. 1070**, **S.F. 1063**, and **S.F. 1173**.

Thank you for your consideration.

Sincerely,

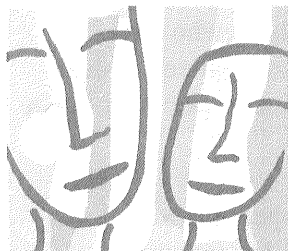
Amber L. Backhaus  
Director of Public Affairs



Affiliate

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Date: February 22, 2005

To: Minnesota Senate Transportation Committee

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612-378-2742  
800-669-6442  
Fax: 612-378-2789  
www.braininjurymn.org  
Email: info@braininjurymn.org

The Brain Injury Association of Minnesota wholeheartedly supports the proposed legislation for the universal standard seatbelt enforcement (SF 1070). The Brain Injury Association represents the more than 94,000 Minnesotans who have a disability as a result of traumatic brain injury.

Picture if you will the realization that you have reached your 1 million dollar life time maximum on your health insurance policy within the first year following your traumatic brain injury. Now picture that the simple act of buckling your seatbelt could have prevented or reduced the severity of your injury.

Traumatic brain injury impacts the lives of 15,000 Minnesotans each year.

- Each year more than 3,500 Minnesotans are hospitalized due to TBI.
- The annual incidence rate of TBI is higher than Breast Cancer, Multiple Sclerosis, Spinal Cord Injury and HIV/AIDS combined.
- In addition to the over 3,500 non-fatal TBI hospitalizations each year in Minnesota, another 10,000 individuals with TBI are treated only in the emergency room. Each year about 1,500 TBI survivors will experience the onset of long-term disability and over 1,000 will die.
- In Minnesota, 32 percent of TBIs are caused by motor vehicle crashes.

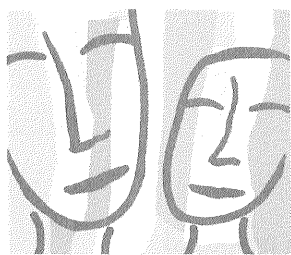
The economic consequences of brain injury are enormous.

- The cost of traumatic brain injury in the United States is estimated to be \$48.3 billion annually. (approximately \$1 billion annually in MN) (Congressional Brain Injury Task Force) The annual cost of acute care and rehabilitation in the United States for new cases of TBI is estimated at \$9 to \$10 billion. ( \$200 mil in MN)
- Approximately 1 in 4 adults with TBI is unable to return to work one year after injury.

In Minnesota less than 20% of the population does not use their seatbelt.

Of those Minnesotans hospitalized with a traumatic brain injury and/or spinal cord injury, where belt usage was known, only 38% used their seatbelt/child restraint, leaving 62% who did not use their seatbelt/child restraint *Traumatic Brain and Spinal Cord Injury in Minnesota 1993-1997, Minnesota Department of Health, Injury and Violence Prevention*

That means in Minnesota, less than 20% of drivers (those not wearing belts) make up 62% of the traumatic brain injury and/or spinal cord injuries sustained in motor vehicle crashes, some of the most costly acute and long term care patients in the state.



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Email: [info@braininjurymn.org](mailto:info@braininjurymn.org)

If seatbelt usage was universal, and the injury rate was consistent with those who have previously wore seatbelts, it would reduce the number of Minnesotans hospitalized with a traumatic brain injury and/or spinal cord injury by an average of **434 injuries per year (11%)**.

Passing this legislation would make a significant dent in the acute care spending and reduce long term care costs in Minnesota. It is a well known fact that if drivers are not securely fastened in their seats, they may lose control of their vehicle by being thrown away from the steering wheel and breaks. As a result, this turns the vehicle into a lethal weapon to other drivers on the road. In many cases of head on collisions and roll over crashes, individuals without seatbelts are projectiles themselves, and become lethal weapons to others on the road. Those who choose to not take personal responsibility for their actions by buckling up place not only themselves at risk, but also risk the well being of those who have taken personal responsibility in the immediate area of a crash.

To illustrate the importance of what I am saying, let me share Holly's story with you. The summer of 1999, Holly had just graduated from high school, and the whole world was unfolding before her. A professional dancer and honor student, she had countless options. She was faithful about wearing her seatbelt, but those around her didn't always follow the same rules. That summer day in 1999, her passenger chose not to wear his seatbelt. When a semi hit the car Holly was driving, her passenger flew into her. The impact of the blow resulted in Holly sustaining a brain injury and a life-long disability.

Universal standard enforcement of Minnesota's seatbelt law is an opportunity to reduce acute and long term care expenses. These suggestions do not require budget approval, could save hundreds of needless hospitalizations, save thousands of emergency room visits, save millions in acute care expenses, not to mention the lives it will save.

In closing I recognize that you are faced with an incredible challenge and I want to be sure that in this dark economic environment these small shining examples of cost-effective injury prevention are not lost. You have the opportunity to make the 2005 legislative session the Safety Session and improve the lives of Minnesotans while reducing health care cost.

Sincerely

Thomas C. Gode  
Executive Director



**MMA**  
Minnesota Medical Association

①

*Physicians working for a healthy Minnesota*

---

February 24, 2005

Members of the Senate Transportation Committee:

On behalf of the over 10,000 physician, resident and medical student members of the Minnesota Medical Association, I would like to express strong support for S.F. 1070. The MMA has long standing policy supporting making failure to wear a seat belt a primary offence for the simple reason that upgrading our seat belt law will increase seat belt use and save lives.

Physicians are all too familiar with the fatalities and serious injuries that are associated with motor vehicle accidents. According to the National Highway Traffic Safety Administration, wearing a seat belt reduces the risk of death and severe injury in a crash, on average, by more than 50 percent. Passing this legislation is one of the most efficient and cost effective ways to increase seat belt use in Minnesota.

Wearing a seat belt is good preventive medicine and a primary enforcement law is good public policy. We urge you to support S.F. 1070.

Sincerely,

Michael Gonzalez-Campoy, M.D.  
President, Minnesota Medical Association

5



American Physical Therapy Association

MINNESOTA CHAPTER

February 23, 2005

To: Members, Senate Transportation Policy and Budget Committee

The Minnesota Chapter of the American Physical Therapy Association supports Senate File 1070, which will upgrade Minnesota's seat belt law to universal standard enforcement.

Our organization represents over 1500 physical therapists, PT assistants and PT students in Minnesota. We help to rehabilitate people after motor vehicle crashes. We treat people with whiplash, strains, sprains and fractures, traumatic brain injuries, spinal cord injuries and amputations as a result of motor vehicle accidents.

Most of the people we see return to their previous level of function, but it is not easy for them and it does not come without pain. Motor vehicle accidents cause pain and suffering, but the people we see who have not worn their seat belts have more pain and more suffering. After a crash, people work hard to return to their normal activity level. They may have a slight limp. It may take them a bit longer to get going in the morning. And we may see them years later for chronic pain, arthritis, and postural changes all related to not wearing their seat belt in that motor vehicle accident.

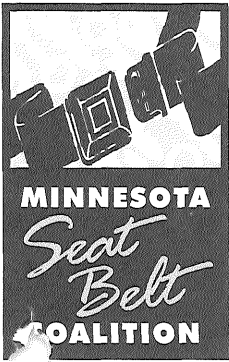
Our members know first hand how much more devastating the injuries are when people choose not to wear their seat belts or when adults in a car have chosen not to buckle up their children. And we see the enormous economic impact, particularly on health care costs. Those injuries and those costs can be prevented or significantly reduced.

That's what SF 1070 is about—prevention. It is about being proactive so that we prevent loss of life, severe injury, pain and suffering, and needless health care expense. Strengthening Minnesota's seat belt law to universal standard enforcement can do all of those things, and won't cost our state a dime. We urge you to pass SF 1070 and to work to make universal standard seat belt enforcement a law in Minnesota.

*Judy A. Hawley, PT*

Judy A. Hawley, PT  
Executive Director, MN APTA





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## Minnesota Seat Belt Coalition

AAA Minneapolis  
AAA Minnesota/Iowa  
African American Family Services  
American Physical Therapy Association,  
MN Chapter  
Anoka County Sheriff's Office  
Big Fork Ambulance Service  
Blue Cross Blue Shield of Minnesota  
Brain Injury Association of Minnesota  
Buckle Up for Meghan  
CenterPoint Energy  
Century High School, Rochester  
Crow Wing County Passenger Safety  
Coalition  
Dakota County Attorney's Office  
Dakota County Public Health Dept.  
Double Impact  
Douglas County Safe Communities  
FedEx  
Fond du Lac Reservation  
Glacial Ridge Hospital  
Goodhue County Public Health  
Grant County Health Center  
Hennepin County Community Health  
Department  
Hennepin County Medical Center  
Indian Health Services, U. S.  
Department of the Interior  
Insurance Federation of Minnesota  
Lester Prairie Police Department  
McDavitt Volunteer Fire Department  
Medina Police Department  
Minnesota Academy of Physician Assistants  
Minnesota Ambulance Association  
Minnesota Chiefs of Police Association  
Minnesota County Engineers Assn.  
Minnesota Department of Health  
Minnesota Department of Public Safety  
Office of Traffic Safety  
Minnesota Emergency Nurses Association  
Minnesota Highway Safety Center, St.  
Cloud State University  
Minnesota Institute of Public Health  
Minnesota Medical Association  
Minnesota Network of Employers for Traffic  
Safety

Minnesota Operation Lifesaver  
Minnesota Rural Health Association  
Minnesota SAFE KIDS Coalition  
Minnesota Safety Council  
Minnesota Sheriffs' Association  
Minnesota State Fire Chiefs Association  
Minnesota State Fire Department Assn.  
Minnesota State Patrol  
Minnesota Trucking Association  
Minnesotans for Safe Driving  
Montgomery Police Department  
Mothers Against Drunk Driving-Minnesota  
Mower County C.A.R.E. Council for a Safe  
Community  
New Hope Police Department  
Newport Police Department  
Nobles-Rock Public Health  
North Memorial Medical Center  
Transportation  
Northwest Metro Human Services  
Council  
Northwest Metro SAFE KIDS  
Coalition  
Progressive Insurance  
Rice County Nursing  
Rice County Sheriff's Office  
Rochester Fire Department  
Safe Communities Coalition of  
Chisholm/Hibbing  
Safe Communities Wright County  
Southeastern Minnesota Emergency  
Medical Services  
St. Charles Police Department  
St. Cloud Hospital  
St. Cloud Police Department  
St. Mary's Hospital/Mayo Clinic Emergency  
Services  
Scott County Public Health  
State Farm Insurance Company  
Stillwater High School SADD  
Treasure Island Resort & Casino  
Urban Mass Media Group  
Winona County  
Winona Police Department  
Winthrop Police Department