

**SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION**

S.F. No. 2321

(SENATE AUTHORS: CARLSON, Dibble and Morrison)

DATE	D-PG	OFFICIAL STATUS
03/01/2023	1198	Introduction and first reading Referred to Transportation
03/23/2023		Comm report: To pass as amended and re-refer to State and Local Government and Veterans

1.1 A bill for an act

1.2 relating to transportation; modifying various provisions on traffic safety, including

1.3 to establish an advisory council, modify certain traffic regulations, and authorize

1.4 a pilot program; requiring legislative reports; appropriating money; amending

1.5 Minnesota Statutes 2022, sections 123B.90, subdivision 2; 169.14, by adding a

1.6 subdivision; 169.18, subdivision 3; 169.222, subdivision 4; 169.475, subdivisions

1.7 2, 3; 299A.01, by adding a subdivision; proposing coding for new law in Minnesota

1.8 Statutes, chapters 4; 123B; 169.

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

1.10 **ARTICLE 1**

1.11 **TRAFFIC SAFETY POLICY**

1.12 Section 1. **4.076 ADVISORY COUNCIL ON TRAFFIC SAFETY.**

1.13 Subdivision 1. **Definition.** For purposes of this section, "advisory council" means the

1.14 Advisory Council on Traffic Safety established in this section.

1.15 Subd. 2. **Establishment.** (a) The Advisory Council on Traffic Safety is established to

1.16 advise, consult with, assist in planning coordination, and make program recommendations

1.17 to the commissioners of public safety, transportation, and health on the development and

1.18 implementation of projects and programs intended to improve traffic safety on all Minnesota

1.19 road systems.

1.20 (b) The advisory council serves as the lead for the state Toward Zero Deaths program.

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

1.22 (1) the chair, which is filled on a two-year rotating basis by a designee from:

1.23 (i) the Office of Traffic Safety in the Department of Public Safety;

- 2.1 (ii) the Office of Traffic Engineering in the Department of Transportation; and
- 2.2 (iii) the Injury and Violence Prevention Section in the Department of Health;
- 2.3 (2) two vice chairs, which must be filled by the two designees who are not currently
- 2.4 servicing as chair of the advisory council under clause (1);
- 2.5 (3) the director of the state Toward Zero Deaths program;
- 2.6 (4) a regional coordinator from the Toward Zero Deaths program;
- 2.7 (5) the chief of the State Patrol or a designee;
- 2.8 (6) the state traffic safety engineer in the Department of Transportation or a designee;
- 2.9 (7) a law enforcement liaison from the Department of Public Safety;
- 2.10 (8) a representative from the Department of Human Services;
- 2.11 (9) a representative from the Department of Education;
- 2.12 (10) a representative from the Council on Disability;
- 2.13 (11) a representative for Tribal governments appointed by the commissioner of public
- 2.14 safety;
- 2.15 (12) a representative from the Center for Transportation Studies at the University of
- 2.16 Minnesota;
- 2.17 (13) a representative from the Minnesota Chiefs of Police Association;
- 2.18 (14) a representative from the Minnesota Sheriffs' Association;
- 2.19 (15) a representative from the Minnesota Safety Council;
- 2.20 (16) a representative from AAA Minnesota;
- 2.21 (17) a representative from the Minnesota Trucking Association;
- 2.22 (18) a representative from the Insurance Federation of Minnesota;
- 2.23 (19) a representative from the Association of Minnesota Counties;
- 2.24 (20) a representative from the League of Minnesota Cities;
- 2.25 (21) the American Bar Association State Judicial Outreach Liaison;
- 2.26 (22) a representative from the City Engineers Association of Minnesota;
- 2.27 (23) a representative from the Minnesota County Engineers Association;
- 2.28 (24) a representative from the Bicycle Alliance of Minnesota;

3.1 (25) an individual representing vulnerable road users, including pedestrians, bicyclists,
3.2 and other operators of a personal conveyance, appointed by the Bicycle Alliance of
3.3 Minnesota;

3.4 (26) a representative from Our Streets Minneapolis; and

3.5 (27) a representative from Minnesota Operation Lifesaver.

3.6 Subd. 4. **Duties.** The advisory council must:

3.7 (1) advise the governor and heads of state departments and agencies on policies, programs,
3.8 and services affecting traffic safety;

3.9 (2) advise the director of the state Toward Zero Deaths program and appropriate
3.10 representatives of state departments on the activities of the Toward Zero Deaths program,
3.11 including but not limited to educating the public about traffic safety;

3.12 (3) encourage state departments and other agencies to conduct needed research in the
3.13 field of traffic safety;

3.14 (4) review recommendations of the subcommittees and working groups; and

3.15 (5) review and comment on all grants dealing with traffic safety and on the development
3.16 and implementation of state and local traffic safety plans.

3.17 Subd. 5. **Administration.** (a) The Office of Traffic Safety in the Department of Public
3.18 Safety, in cooperation with the Departments of Transportation and Health, must serve as
3.19 the host agency for the advisory council and must manage the administrative and operational
3.20 aspects of the advisory council's activities. The commissioner of public safety must perform
3.21 financial management on behalf of the council.

3.22 (b) The advisory council must meet no less than four times per year, or more frequently
3.23 as determined by the chair, a vice chair, or a majority of the council members.

3.24 (c) The chair must regularly report to the respective commissioners on the activities of
3.25 the advisory council and on the state of traffic safety in Minnesota.

3.26 (d) The terms, compensation, and appointment of members are governed by section
3.27 15.059.

3.28 (e) The advisory council may appoint subcommittees and working groups. Subcommittees
3.29 must consist of council members. Working groups may include nonmembers. Nonmembers
3.30 on working groups must be compensated pursuant to section 15.059, subdivision 3, only
3.31 for expenses incurred for working group activities.

4.1 Sec. 2. Minnesota Statutes 2022, section 123B.90, subdivision 2, is amended to read:

4.2 Subd. 2. **Student training.** (a) Each district must provide public school pupils enrolled
4.3 in kindergarten through grade 10 with age-appropriate school bus safety training, as described
4.4 in this section, of the following concepts:

4.5 (1) transportation by school bus is a privilege and not a right;

4.6 (2) district policies for student conduct and school bus safety;

4.7 (3) appropriate conduct while on the school bus;

4.8 (4) the danger zones surrounding a school bus;

4.9 (5) procedures for safely boarding and leaving a school bus;

4.10 (6) procedures for safe street or road crossing; and

4.11 (7) school bus evacuation.

4.12 (b) Each nonpublic school located within the district must provide all nonpublic school
4.13 pupils enrolled in kindergarten through grade 10 who are transported by school bus at public
4.14 expense and attend school within the district's boundaries with training as required in
4.15 paragraph (a).

4.16 (c) Students enrolled in kindergarten through grade 6 who are transported by school bus
4.17 and are enrolled during the first or second week of school must receive the school bus safety
4.18 training competencies by the end of the third week of school. Students enrolled in grades
4.19 7 through 10 who are transported by school bus and are enrolled during the first or second
4.20 week of school and have not previously received school bus safety training must receive
4.21 the training or receive bus safety instructional materials by the end of the sixth week of
4.22 school. Students taking driver's training instructional classes must receive training in the
4.23 laws and proper procedures when operating a motor vehicle in the vicinity of a school bus
4.24 as required by section 169.446, subdivisions 2 and 3. Students enrolled in kindergarten
4.25 through grade 10 who enroll in a school after the second week of school and are transported
4.26 by school bus and have not received training in their previous school district shall undergo
4.27 school bus safety training or receive bus safety instructional materials within four weeks
4.28 of the first day of attendance. Upon request of the superintendent of schools, the school
4.29 transportation safety director in each district must certify to the superintendent that all
4.30 students transported by school bus within the district have received the school bus safety
4.31 training according to this section. Upon request of the superintendent of the school district
4.32 where the nonpublic school is located, the principal or other chief administrator of each
4.33 nonpublic school must certify to the school transportation safety director of the district in

5.1 which the school is located that the school's students transported by school bus at public
5.2 expense have received training according to this section.

5.3 (d) A district and a nonpublic school with students transported by school bus at public
5.4 expense may provide kindergarten pupils with bus safety training before the first day of
5.5 school.

5.6 ~~(e) A district and a nonpublic school with students transported by school bus at public~~
5.7 ~~expense may also provide student safety education for bicycling and pedestrian safety, for~~
5.8 ~~students enrolled in kindergarten through grade 5.~~

5.9 ~~(f)~~ (e) A district and a nonpublic school with students transported by school bus at public
5.10 expense must make reasonable accommodations for the school bus safety training of pupils
5.11 known to speak English as a second language and pupils with disabilities.

5.12 ~~(g)~~ (f) The district and a nonpublic school with students transported by school bus at
5.13 public expense must provide students enrolled in kindergarten through grade 3 school bus
5.14 safety training twice during the school year.

5.15 ~~(h)~~ (g) A district and a nonpublic school with students transported by school bus at public
5.16 expense must conduct a school bus evacuation drill at least once during the school year.

5.17 **EFFECTIVE DATE.** This section is effective August 1, 2023.

5.18 Sec. 3. **[123B.935] ACTIVE TRANSPORTATION SAFETY TRAINING.**

5.19 Subdivision 1. Training required. (a) Each district must provide public school pupils
5.20 enrolled in kindergarten through grade 3 with age-appropriate active transportation safety
5.21 training. At a minimum, the training must include pedestrian safety, including crossing
5.22 roads.

5.23 (b) Each district must provide public school pupils enrolled in grades 4 through 8 with
5.24 age-appropriate active transportation safety training. At a minimum, the training must
5.25 include:

5.26 (1) pedestrian safety, including crossing roads safely using the searching left, right, left
5.27 for vehicles in traffic technique; and

5.28 (2) bicycle safety, including relevant traffic laws, use and proper fit of protective
5.29 headgear, bicycle parts and safety features, and safe biking techniques.

5.30 (c) A nonpublic school may provide nonpublic school pupils enrolled in kindergarten
5.31 through grade 8 with training as specified in paragraphs (a) and (b).

6.1 Subd. 2. **Deadlines.** (a) Students under subdivision 1, paragraph (a), who are enrolled
6.2 during the first or second week of school and have not previously received active
6.3 transportation safety training specified in that paragraph must receive the safety training by
6.4 the end of the third week of school.

6.5 (b) Students under subdivision 1, paragraph (b), who are enrolled during the first or
6.6 second week of school and have not previously received active transportation safety training
6.7 specified in that paragraph must receive active transportation safety training by the end of
6.8 the sixth week of school.

6.9 (c) Students under subdivision 1, paragraph (a) or (b), who enroll in a school after the
6.10 second week of school and have not received the appropriate active transportation safety
6.11 training in their previous school district must undergo the training or receive active
6.12 transportation safety instructional materials within four weeks of the first day of attendance.

6.13 (d) A district and a nonpublic school may provide kindergarten pupils with active
6.14 transportation safety training before the first day of school.

6.15 Subd. 3. **Instruction.** (a) A district may provide active transportation safety training
6.16 through distance learning.

6.17 (b) A district and a nonpublic school must make reasonable accommodations for the
6.18 active transportation safety training of pupils known to speak English as a second language
6.19 and pupils with disabilities.

6.20 Subd. 4. **Model program.** The commissioner of transportation must maintain a
6.21 comprehensive collection of active transportation safety training materials that meets the
6.22 requirements under this section.

6.23 **EFFECTIVE DATE.** This section is effective August 1, 2023.

6.24 Sec. 4. **[169.065] SAFE ROAD ZONES.**

6.25 Subdivision 1. **Definition.** For purposes of this section, "local official" means the chief
6.26 law enforcement officer of a political subdivision, the lead traffic engineer for the local road
6.27 authority, and the chief elected executive officer of a political subdivision.

6.28 Subd. 2. **Establishment.** (a) The commissioner may designate a safe road zone as
6.29 provided in this section.

6.30 (b) Upon request of a local official, the commissioner, in consultation with the
6.31 commissioner of public safety, must consider designating a segment of a street or highway
6.32 as a safe road zone. In determining the designation of a safe road zone, the commissioner

7.1 must evaluate traffic safety concerns for the street or highway, including but not limited to:
 7.2 excessive speed; safety of pedestrians, bicyclists, or other vulnerable road users; intersection
 7.3 risks; and roadway design.

7.4 Subd. 3. **Implementation.** The commissioner must determine appropriate methods to
 7.5 support the local authority with implementation of safety measures for each safe road zone
 7.6 through education, public awareness, behavior modification, and traffic engineering efforts.
 7.7 Safety measures for a safe road zone may include:

7.8 (1) providing safe road zone signs to the local authority for use in the zone;

7.9 (2) consulting with the local authority on roadway design modifications to improve
 7.10 safety;

7.11 (3) performing statewide safe road zone public awareness and educational outreach;

7.12 (4) providing safe road zone outreach materials to the local authority for distribution to
 7.13 the general public;

7.14 (5) working with the local authority to enhance safety conditions in the zone;

7.15 (6) establishing a speed limit as provided under section 169.14, subdivision 5i; and

7.16 (7) evaluating the impacts of safety measures in the zone on: crashes; injuries and
 7.17 fatalities; property damage; transportation system disruptions; safety for vulnerable roadway
 7.18 users, including pedestrians and bicyclists; and other measures as identified by the
 7.19 commissioner.

7.20 Subd. 4. **Traffic enforcement.** The commissioner of public safety must coordinate with
 7.21 local law enforcement agencies to determine implementation of enhanced traffic enforcement
 7.22 in a safe road zone designated under this section.

7.23 Subd. 5. **Program information.** The commissioner of transportation must maintain
 7.24 information on a website that summarizes safe road zone implementation, including but not
 7.25 limited to identification of requests for and designations of safe road zones, an overview of
 7.26 safety measures and traffic enforcement activity, and a review of annual expenditures.

7.27 Sec. 5. Minnesota Statutes 2022, section 169.14, is amended by adding a subdivision to
 7.28 read:

7.29 Subd. 5i. **Speed limits in safe road zone.** (a) Upon request by the local authority, the
 7.30 commissioner may establish a temporary or permanent speed limit in a safe road zone
 7.31 designated under section 169.065, other than the limits provided in subdivision 2, based on
 7.32 an engineering and traffic investigation. In establishing a speed limit, the commissioner

8.1 must coordinate with the commissioner of public safety and local law enforcement agencies
 8.2 on sign deployment and placement.

8.3 (b) The speed limit under this subdivision is effective upon the erection of appropriate
 8.4 signs designating the speed and indicating the beginning and end of the segment on which
 8.5 the speed limit is established. Any speed in excess of the posted limit is unlawful.

8.6 Sec. 6. Minnesota Statutes 2022, section 169.18, subdivision 3, is amended to read:

8.7 Subd. 3. **Passing.** ~~The following rules shall govern the overtaking and passing of vehicles~~
 8.8 ~~proceeding in the same direction, subject to the limitations, exceptions, and special rules~~
 8.9 ~~hereinafter stated:~~

8.10 ~~(1)(a) The driver of a vehicle overtaking another vehicle proceeding in the same direction~~
 8.11 ~~shall must pass to the left thereof of the other vehicle at a safe distance and shall not again~~
 8.12 ~~drive is prohibited from returning to the right side of the roadway until safely clear of the~~
 8.13 ~~overtaken vehicle;~~

8.14 ~~(2)(b) Except when overtaking and passing on the right is permitted, the driver of an~~
 8.15 ~~overtaken vehicle shall must give way to the right in favor of the overtaking vehicle on~~
 8.16 ~~audible warning, and shall must not increase the speed of the overtaken vehicle until~~
 8.17 ~~completely passed by the overtaking vehicle; and.~~

8.18 ~~(3)(c) The operator of a motor vehicle overtaking a bicycle or individual proceeding in~~
 8.19 ~~the same direction on the roadway shall leave or shoulder must:~~

8.20 (1) either:

8.21 (i) maintain a safe clearance distance while passing, ~~but in no case less than~~ which must
 8.22 be at least the greater of three feet clearance, ~~when passing the bicycle or individual or~~
 8.23 one-half the width of the motor vehicle; or

8.24 (ii) completely enter another lane of the roadway while passing; and shall

8.25 (2) maintain clearance until the motor vehicle has safely past passed the overtaken bicycle
 8.26 or individual.

8.27 Sec. 7. Minnesota Statutes 2022, section 169.222, subdivision 4, is amended to read:

8.28 Subd. 4. **Riding rules.** (a) Every person operating a bicycle ~~upon a roadway shall~~ on a
 8.29 road must ride as close as practicable to the right-hand curb or edge of the roadway except
 8.30 under any of the following situations road as the bicycle operator determines is safe. A

9.1 person operating a bicycle is not required to ride as close to the right-hand curb or edge
 9.2 when:

9.3 (1) ~~when~~ overtaking and passing another vehicle proceeding in the same direction;

9.4 (2) ~~when~~ preparing for a left turn at an intersection or into a private road or driveway;

9.5 (3) ~~when~~ reasonably necessary to avoid conditions that make it unsafe to continue along
 9.6 the right-hand curb or edge, including fixed or moving objects, vehicles, pedestrians, animals,
 9.7 surface hazards, or ~~narrow width~~ narrow-width lanes, ~~that make it unsafe to continue along~~
 9.8 ~~the right-hand curb or edge~~; or;

9.9 (4) ~~when~~ operating on the shoulder of a roadway or in a bicycle lane; or

9.10 (5) operating in a right-hand turn lane before entering an intersection.

9.11 (b) If a bicycle is traveling on a shoulder of a roadway, the bicycle ~~shall~~ operator must
 9.12 travel in the same direction as adjacent vehicular traffic.

9.13 (c) Persons riding bicycles upon a roadway or shoulder ~~shall~~ must not ride more than
 9.14 two abreast and ~~shall not impede the normal and reasonable movement of traffic and~~, on a
 9.15 laned roadway, shall ride within a single lane.

9.16 (d) A person operating a bicycle upon a sidewalk, or across a roadway or shoulder on a
 9.17 crosswalk, ~~shall~~ must yield the right-of-way to any pedestrian and ~~shall~~ give an audible
 9.18 signal when necessary before overtaking and passing any pedestrian. ~~No~~ A person shall
 9.19 must not ride a bicycle upon a sidewalk within a business district unless permitted by local
 9.20 authorities. Local authorities may prohibit the operation of bicycles on any sidewalk or
 9.21 crosswalk under their jurisdiction.

9.22 (e) An individual operating a bicycle or other vehicle on a bikeway ~~shall~~ must (1) give
 9.23 an audible signal a safe distance prior to overtaking a bicycle or individual, (2) leave a safe
 9.24 clearance distance when overtaking a bicycle or individual proceeding in the same direction
 9.25 ~~on the bikeway~~, and ~~shall~~ (3) maintain clearance until safely past the overtaken bicycle or
 9.26 individual.

9.27 (g) Notwithstanding section 169.06, subdivision 4, a bicycle operator may cross an
 9.28 intersection proceeding from the leftmost one-third of a dedicated right-hand turn lane
 9.29 without turning right.

10.1 Sec. 8. Minnesota Statutes 2022, section 169.475, subdivision 2, is amended to read:

10.2 Subd. 2. **Prohibition on use; penalty.** (a) Except as provided in subdivision 3, when a
10.3 motor vehicle is in motion or a part of traffic, the person operating the vehicle upon a street
10.4 or highway is prohibited from:

10.5 (1) holding a wireless communications device with one or both hands; or

10.6 (2) using a wireless communications device to:

10.7 ~~(1)~~ (i) initiate, compose, send, retrieve, or read an electronic message;

10.8 ~~(2)~~ (ii) engage in a cellular phone call, including initiating a call, talking or listening,
10.9 and participating in video calling; and

10.10 ~~(3)~~ (iii) access the following types of content stored on the device: video content, audio
10.11 content, images, games, or software applications.

10.12 (b) A person who violates paragraph (a) a second or subsequent time must pay a fine of
10.13 \$275.

10.14 Sec. 9. Minnesota Statutes 2022, section 169.475, subdivision 3, is amended to read:

10.15 Subd. 3. **Exceptions.** (a) The prohibitions in subdivision 2 do not apply if a person uses
10.16 a wireless communications device:

10.17 (1) solely in a voice-activated or hands-free mode to (i) initiate or participate in a cellular
10.18 phone call, provided that the person does not hold the device with one or both hands; or to
10.19 (ii) initiate, compose, send, or listen to an electronic message;

10.20 (2) to view or operate a global positioning system or navigation system in a manner that
10.21 does not require the driver to type while the vehicle is in motion or a part of traffic, provided
10.22 that the person does not hold the device with one or both hands;

10.23 (3) to listen to audio-based content in a manner that does not require the driver to scroll
10.24 or type while the vehicle is in motion or a part of traffic, provided that the person does not
10.25 hold the device with one or both hands;

10.26 (4) to obtain emergency assistance to (i) report a traffic accident, medical emergency,
10.27 or serious traffic hazard, or (ii) prevent a crime about to be committed;

10.28 (5) in the reasonable belief that a person's life or safety is in immediate danger; or

10.29 (6) in an authorized emergency vehicle while in the performance of official duties.

11.1 (b) The exception in paragraph (a), clause (1), does not apply to accessing nonnavigation
 11.2 video content, engaging in video calling, engaging in live-streaming, accessing gaming
 11.3 data, or reading electronic messages.

11.4 Sec. 10. Minnesota Statutes 2022, section 299A.01, is amended by adding a subdivision
 11.5 to read:

11.6 Subd. 8. **Traffic safety report.** Annually by January 2, the commissioner of public
 11.7 safety must submit a traffic safety report to the governor and the chairs and ranking minority
 11.8 members of the legislative committees with jurisdiction over traffic safety and enforcement.
 11.9 In preparing the report, the commissioner must seek advice and comments from the Advisory
 11.10 Council on Traffic Safety under section 4.076. The report must analyze the safety of
 11.11 Minnesota's roads and transportation system, including but not limited to:

11.12 (1) injuries and fatalities that occur on or near a roadway or other transportation system
 11.13 facility;

11.14 (2) factors that caused crashes resulting in injuries and fatalities;

11.15 (3) roadway and system improvements broadly and at specific locations that could reduce
 11.16 injuries and fatalities;

11.17 (4) enforcement and education efforts that could reduce injuries and fatalities;

11.18 (5) other safety improvements or programs to improve the quality of the roadway and
 11.19 transportation use experience; and

11.20 (6) existing resources and resource gaps for roadway and transportation system safety
 11.21 improvements.

11.22 Sec. 11. **SPEED VIOLATIONS DISPOSITION ANALYSIS.**

11.23 The legislative auditor is encouraged to conduct a special review or evaluation of the
 11.24 disposition of traffic citations in recent years, including:

11.25 (1) rates of citations issued compared to rates of citations contested in court and the
 11.26 outcomes of the cases;

11.27 (2) amounts of fines imposed compared to counts and amounts of fine payments; and

11.28 (3) any related analysis of changes in patterns of traffic enforcement from 2017 to 2022.

12.1 **Sec. 12. SAFETY ENFORCEMENT PILOT PROGRAM.**

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

12.4 (b) "Commissioners" means the commissioner of transportation as the pilot program
12.5 lead, in coordination with the commissioner of public safety.

12.6 (c) "High-risk pedestrian zone" means a segment of street or highway that is designated
12.7 by the commissioners based on a substantial volume of motor vehicle traffic and interactions
12.8 between motor vehicles and pedestrians in or adjacent to the roadway.

12.9 (d) "Pilot program" means the safety enforcement pilot program established in this
12.10 section.

12.11 (e) "Speed safety camera system" means an electronic system of one or more cameras
12.12 or other sensors that is capable of automatically producing recorded images of a motor
12.13 vehicle operated in violation of the speed limit, including related information technology
12.14 for recorded image storage, retrieval, and transmission.

12.15 (f) "Speed safety camera system data" means government data, as defined in Minnesota
12.16 Statutes, section 13.02, subdivision 7, derived from a speed safety camera system under
12.17 this section.

12.18 (g) "Video enforcement" means issuance of a speed citation by a peace officer to the
12.19 operator of a motor vehicle during a traffic stop performed following detection by a speed
12.20 safety camera system that the vehicle was operated in violation of the speed limit, as provided
12.21 under the pilot program.

12.22 (h) "Work zone" has the meaning given in Minnesota Statutes, section 169.011,
12.23 subdivision 95.

12.24 **Subd. 2. Pilot program authority.** The commissioners may implement a safety
12.25 enforcement pilot program that provides for:

12.26 (1) performance of video enforcement in a work zone or high-risk pedestrian zone;

12.27 (2) issuance of mailed warnings for speed safety camera system detection of motor
12.28 vehicles operated in violation of the speed limit in a work zone or high-risk pedestrian zone;
12.29 and

12.30 (3) public education on speed safety cameras and the pilot program.

13.1 Subd. 3. General requirements. (a) The commissioners may perform pilot program
13.2 field operations from the start of the 2023 construction season to the end of the 2025
13.3 construction season.

13.4 (b) The pilot program must include establishment of a speed safety camera system in at
13.5 least two work zones on the trunk highway system, including at least one located in greater
13.6 Minnesota. The pilot program may include establishment of a speed safety camera system
13.7 at additional work zones or high-risk pedestrian zones in cooperation with the appropriate
13.8 road authority and law enforcement agency.

13.9 (c) The pilot program must include:

13.10 (1) training and qualification of licensed peace officers to inspect and calibrate a speed
13.11 safety camera system;

13.12 (2) initial calibration of the speed safety camera system prior to deployment;

13.13 (3) supervision by a licensed peace officer when the speed safety camera system is
13.14 deployed;

13.15 (4) inspection and any necessary calibration of the speed safety camera system on a
13.16 daily basis by a qualified licensed peace officer that ensures, at a minimum:

13.17 (i) accuracy of speed measurement; and

13.18 (ii) reliability in only identifying applicable speed violations;

13.19 (5) placement of conspicuous signs in conformance with Minnesota Statutes, section
13.20 169.06 to notify drivers of the pilot program and that a speed safety camera system is in
13.21 use for the issuance of either a citation or a warning for vehicle operation in violation of
13.22 the speed limit;

13.23 (6) information on a website that, at a minimum, summarizes the pilot program and
13.24 identifies the geographic locations and dates of video enforcement and mailed warnings;
13.25 and

13.26 (7) a limitation that the speed safety camera system must only record the rear license
13.27 plate of a vehicle operated in violation of a speed limit and an area surrounding the vehicle
13.28 to the extent necessary to calculate vehicle speed.

13.29 Subd. 4. Enforcement. (a) Under the pilot program, a licensed peace officer may:

13.30 (1) perform video enforcement; and

14.1 (2) authorize issuance of a mailed warning to the owner or lessee of a motor vehicle that
14.2 a speed safety camera system detects is operated in violation of a speed limit in a work zone
14.3 or high-risk pedestrian zone.

14.4 (b) Prior to issuing a citation or mailed warning under this section, a licensed peace
14.5 officer must:

14.6 (1) inspect and certify the recorded images produced by a speed safety camera system;
14.7 and

14.8 (2) confirm that at least two recorded images identify (i) the motor vehicle at different
14.9 locations, and (ii) the same fixed object in each of the images.

14.10 (c) Use of a speed safety camera system under the pilot program is limited to only within
14.11 a work zone or high-risk pedestrian zone.

14.12 Subd. 5. **Agreements.** The commissioner of transportation may enter into agreements
14.13 with the commissioner of public safety and with a private entity for operations, services, or
14.14 equipment under the pilot program. Payment under a contract to a private entity must not
14.15 be based on the number of violations, citations, or warnings issued, or other similar means.

14.16 Subd. 6. **Consultation.** In design, implementation, data collection, and evaluation of
14.17 the pilot program, the commissioners must consult with representatives from the State Patrol,
14.18 the Minnesota Safety Council, the highway construction industry, organized labor,
14.19 transportation researchers, and other interested stakeholders.

14.20 Subd. 7. **Data practices; general requirements.** (a) All data collected by a speed safety
14.21 camera system are private data on individuals as defined in Minnesota Statutes, section
14.22 13.02, subdivision 12, or nonpublic data as defined in Minnesota Statutes, section 13.02,
14.23 subdivision 9, unless the data are public under Minnesota Statutes, section 13.82, subdivision
14.24 2, 3, or 6, or are active criminal investigative data under Minnesota Statutes, section 13.82,
14.25 subdivision 7.

14.26 (b) Speed safety camera system data may only be used for speed enforcement and crash
14.27 investigations in work zones and high-risk pedestrian zones.

14.28 (c) A contract with a private entity under subdivision 5 must comply with Minnesota
14.29 Statutes, section 13.05, subdivisions 6 and 11. The private entity may use the data gathered
14.30 only for purposes of the pilot program and must not share or disseminate the data with an
14.31 entity other than the commissioners, except pursuant to a court order. Nothing in this
14.32 subdivision prevents a private entity from sharing or disseminating summary data, as defined
14.33 in Minnesota Statutes, section 13.02, subdivision 19, about the pilot program.

15.1 Subd. 8. **Data practices; destruction of data.** (a) Notwithstanding Minnesota Statutes,
15.2 section 138.17, and except as otherwise provided in this subdivision, speed safety camera
15.3 system data must be destroyed within five days of the date of collection unless: (1) as a
15.4 result of collection of the data a citation is issued for a violation of a speed limit; or (2) the
15.5 data are active investigative data under Minnesota Statutes, section 13.82, subdivision 7.

15.6 (b) Upon written request from an individual who is the subject of a pending criminal
15.7 charge or complaint, along with the case or complaint number and a statement that the data
15.8 may be used as exculpatory evidence, data otherwise subject to destruction under paragraph
15.9 (a) must be preserved by the law enforcement agency until the criminal charge or complaint
15.10 is resolved or dismissed.

15.11 (c) Upon written request from a program participant under Minnesota Statutes, chapter
15.12 5B, speed safety camera system data related to the program participant must be destroyed
15.13 at the time of collection or upon receipt of the request, whichever occurs later, unless the
15.14 data are active criminal investigative data under Minnesota Statutes, section 13.82,
15.15 subdivision 7. The existence of a request submitted under this paragraph is private data on
15.16 individuals as defined in Minnesota Statutes, section 13.02, subdivision 12.

15.17 (d) Speed safety camera system data that are inactive criminal investigative data are
15.18 subject to destruction according to the retention schedule for the data established under
15.19 Minnesota Statutes, section 138.17, provided that the retention schedule must require that
15.20 the data be destroyed within three years of the resolution of a citation issued under the pilot
15.21 program.

15.22 Subd. 9. **Recording certain violations.** The requirements in Minnesota Statutes, section
15.23 171.12, subdivision 6, apply to a citation under the pilot program.

15.24 Subd. 10. **Evaluation.** (a) The commissioners must arrange an independent evaluation
15.25 of the pilot program. The evaluation must be performed by a nonprofit transportation research
15.26 entity from outside the transportation and public safety departments. At a minimum, the
15.27 evaluation must provide an analysis of the effectiveness of speed safety camera systems in
15.28 supporting construction worker safety and pedestrian safety and in reducing traffic crashes,
15.29 injuries, and fatalities.

15.30 (b) By February 1 in each of 2024 and 2025, the commissioners must submit a progress
15.31 update on the evaluation, and by February 1, 2026, the commissioners must submit a final
15.32 copy of the evaluation, to the members and staff of the legislative committees with
15.33 jurisdiction over transportation policy and finance. For purposes of this paragraph, "staff"
15.34 means those employees who are identified in any of the following roles for the legislative

16.1 committees: committee administrator, committee legislative assistant, caucus research, fiscal
 16.2 analysis, counsel, or nonpartisan research.

16.3 Subd. 11. **Expiration.** The pilot program under this section expires on February 1, 2026.

16.4 Sec. 13. **LEGISLATIVE REPORT; SPEED SAFETY CAMERAS.**

16.5 (a) By February 1, 2026, the commissioner of public safety must submit a report to the
 16.6 chairs and ranking minority members of the legislative committees with jurisdiction over
 16.7 transportation policy and finance that identifies a process and associated policies for issuance
 16.8 of a mailed citation to the owner or lessee of a motor vehicle that a speed safety camera
 16.9 system detects is operated in violation of a speed limit. The commissioner must convene a
 16.10 task force to assist in the development of the report.

16.11 (b) At a minimum, the report must include consideration and analysis of:

16.12 (1) results from the pilot program under section 12, including but not limited to the
 16.13 evaluation under subdivision 10 of that section;

16.14 (2) methods to identify the owner, operator, and any lessee of the motor vehicle;

16.15 (3) compliance with federal enforcement requirements related to holders of a commercial
 16.16 driver's license;

16.17 (4) authority of individuals who are not peace officers to issue citations;

16.18 (5) data practices, including but not limited to concerns related to data privacy;

16.19 (6) due process, an appeals process, and the judicial system;

16.20 (7) technology options, constraints, and factors;

16.21 (8) other legal issues; and

16.22 (9) recommendations regarding implementation, including but not limited to any
 16.23 legislative proposal and information on implementation costs.

16.24 **ARTICLE 2**

16.25 **APPROPRIATIONS**

16.26 Section 1. **APPROPRIATION; ADVISORY COUNCIL ON TRAFFIC SAFETY.**

16.27 \$..... in fiscal year 2024 and \$..... in fiscal year 2025 are appropriated from the general
 16.28 fund to the commissioner of public safety for activities of the Advisory Council on Traffic
 16.29 Safety under Minnesota Statutes, section 4.076, including grants. Of this amount, the

17.1 commissioner may expend no more than \$..... in each year on advisory council
 17.2 administrative costs.

17.3 **Sec. 2. APPROPRIATIONS; SAFE ROAD ZONES.**

17.4 (a) \$1,750,000 in fiscal year 2024 is appropriated from the general fund to the
 17.5 commissioner of transportation for safe road zones under Minnesota Statutes, section
 17.6 169.065. Of this amount, \$750,000 is for development and delivery of public awareness
 17.7 and education campaigns about safe road zones. This is a onetime appropriation.

17.8 (b) \$1,000,000 in fiscal year 2024 is appropriated from the general fund to the
 17.9 commissioner of public safety for grants to local units of government to perform additional
 17.10 traffic safety enforcement activities in safe road zones under Minnesota Statutes, section
 17.11 169.065. In allocating funds, the commissioner must account for other sources of funding
 17.12 for increased traffic enforcement. This is a onetime appropriation.

17.13 **Sec. 3. APPROPRIATION; WORK ZONE AND HIGH-RISK PEDESTRIAN ZONE**
 17.14 **SAFETY.**

17.15 \$..... in fiscal year 2024 is appropriated from the general fund to the commissioner of
 17.16 transportation for the work zone safety pilot program under article 1, section 12. This
 17.17 appropriation is available for pilot program implementation, including but not limited to
 17.18 enforcement activities, contracts with private entities, interagency agreements, public
 17.19 education, and the pilot program evaluation. This is a onetime appropriation and is available
 17.20 until June 30, 2026.

17.21 **Sec. 4. APPROPRIATION; ENHANCED TRAFFIC SAFETY ENFORCEMENT.**

17.22 (a) \$..... in fiscal year 2024 and \$..... in fiscal year 2025 are appropriated from the
 17.23 general fund to the commissioner of public safety for grants to local units of government
 17.24 to increase traffic safety enforcement activities. This appropriation is available for training,
 17.25 equipment, overtime, and related costs for peace officers to perform duties that are
 17.26 specifically related to traffic management and traffic safety.

17.27 (b) This appropriation is for the purposes of local match for formula and discretionary
 17.28 grant programs enacted in the federal Infrastructure Investment and Jobs Act (IIJA), Public
 17.29 Law 117-58.

18.1 **Sec. 5. APPROPRIATIONS; RURAL HIGH-RISK ROADWAYS.**

18.2 (a) \$..... in fiscal year 2024 and \$..... in fiscal year 2025 are appropriated from the
18.3 general fund to the commissioner of public safety for grants to law enforcement agencies
18.4 to undertake targeted speed reduction efforts on rural high-risk roadways.

18.5 (b) \$..... in fiscal year 2024 and \$..... in fiscal year 2025 are appropriated from the
18.6 general fund to the commissioner of transportation for roadway design and related
18.7 improvements that reduce speeds on rural high-risk roadways and eliminate intersection
18.8 interactions on rural high-risk roadways.

18.9 (c) In identifying rural high-risk roadways under this section, the commissioners of
18.10 transportation and public safety must examine available crash information and consult with
18.11 Toward Zero Deaths program representatives and local traffic safety partners.

18.12 (d) The appropriations in this section are for the purposes of local match for formula
18.13 and discretionary grant programs enacted in the federal Infrastructure Investment and Jobs
18.14 Act (IIJA), Public Law 117-58.