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S.F. No. 3944 - Transportation Policy Omnibus (as proposed to be amended by SCS3944A-8 delete-everything amendment)

Author: Senator D. Scott Dibble

Prepared by: Tim Greenfield, Senate Counsel (651/296-3801)
Krista Rohan Boyd, Fiscal Analyst (651/296-7681)

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S.F. 3944, as proposed to be amended by the A-8 delete-everything amendment, is the Senate's transportation policy omnibus.

Article 1 contains a variety of provisions relating to the Department of Transportation (MnDOT).

Section 1 [Route No. 185] amends a statutorily designated trunk highway, subject to an agreement between MnDOT and the governing body of Pine County.

Section 2 [Route No. 186] makes a conforming change for a trunk highway turnback.

Section 3 [Route No. 341] makes a conforming change for a trunk highway turnback to establish a new statutorily designated trunk highway in Sandstone near the Kettle River.

Section 4 [Small targeted group business] increases an optional MnDOT contracting preference from six to 12 percent for certain bids by entities designated as a small targeted group business.

Section 5 [Veteran-owned small business] increases an optional MnDOT contracting preference from six to 12 percent for construction and construction-related services bids by entities designated as a veteran-owned small business.

Section 6 [U-Turn] amends driving rules on U-turns to allow right-hand turns into the farthest lane when making a U-turn at a reduced-conflict (also known as a J-turn) intersection.

Section 7 [Prohibition] strikes a prohibition on stopping or parking that involves an obsolete concept (safety zones).

Section 8 [Exception for separated roadway] revises a definition of “separated roadway” in the statute governing exemptions to when a person is required to stop when approaching or meeting a school bus.

Section 9 [Motorcycle lighting] permits a motorcycle to be equipped with certain white vehicle ground lights under the vehicle, so long as the light bulbs or strips are not visible to other vehicles and aimed to project a steady non-flashing beam of light not bigger than six feet in radius onto the road area and illuminating an area around the vehicle.

Section 10 [Nondivisible load or vehicle] defines a “nondivisible load” and provides for transport of divisible loads in the size, weight, and load statute.

Section 11 [Sewage septic tank trucks] modifies various vehicle weight provisions as they apply to sewage septic tank trucks performing emergency pumping services. Effective June 1, 2024.

Section 12 [Waste collection vehicles] modifies the weight restriction exemption for certain recycling and garbage trucks to include a sewage septic tank truck performing emergency pumping services and designed and used exclusively to haul sewage from septic or holding tanks. Effective June 1, 2024.

Section 13 [Trunk highway performance, resiliency, sustainability] modifies requirements for trunk highway system performance measures.

Section 14 [Eligibility] modify Safe Route to Schools program grant conditions to provide that prior adoption of local regulations requiring safe route to schools infrastructure are not required for a Tribal government or non-infrastructure programming.

Section 15 [Responsibilities] expands MnDOT’s general responsibilities related to passenger rail to include passenger rail promotion.

Section 16 [Powers] expands MnDOT’s powers related to passenger rail to explicitly include promotional and marketing activities.

Section 17 [Intrastate transportation] creates an exemption to the hours-of-service requirements for drivers transporting fuel products defined in the motor fuel tax chapter of law. Applies during a regional emergency declared by either the President of the United States or by the Federal Motor Carrier Safety Administration, when the fuel is transported in a vehicle designed and exclusively used for transporting fuel products, and the fuel transported is included as a covered commodity in the emergency declaration.

Section 18 [Requirements] makes a technical fix after the changes adopted in **article 1, section 19**.

Section 19 [Transportation of specific petroleum products] authorizes a person who is at least 18 years of age to transport the petroleum products in certain containers. Requires drivers who operate a tank truck vehicle with a capacity of less than 3,500 gallons to transport petroleum products must have a valid commercial driver’s license with endorsements for hazardous materials and tank vehicles and be at least 18 years old.

Section 20 [Repealer] repeals obsolete provisions relating to safety zones and language relating to the transportation of specific petroleum products based on changes to **section 19**.

Article 2 amends a variety of provisions relating to the Department of Public Safety and the Division of Driver and Vehicle Services.

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

Section 2 [Accident prevention course] directs rules governing course length requirements for accident prevention courses for persons 55 years of age or older to be a total of four hours.

Section 3 [Response capabilities] requires notice of a rail incident involving a hazardous material discharge or release of oil be made to the applicable fire department (rather than fire chief) through the local public safety answering point.

Section 4 [Pickup truck] modifies the definition of a “pickup truck” to include trucks with a gross vehicle weight rating of exactly 10,000 pounds in the vehicle registration statute.

Section 5 [Recreational vehicle] modifies the definition of a “recreational vehicle” to include a teardrop trailer in the vehicle registration statute.

Section 6 [Trailer] excludes recreational trailers from displaying a license plate under the license plate requirements for small trailers.

Section 7 [Limitations] prohibit a vendor of motor vehicle registration kiosks from having an ownership interest with a deputy registrar or driver’s license agent or from being appointed as a deputy registrar or driver’s license agent. Effective the day following final enactment.

Section 8 [Veterans service organization special plates] expands eligibility for a veterans service group special plate to include vehicles owned by a congressionally-chartered veterans service organization, such as the American Legion or Veterans of Foreign Wars. Removes prohibition on issuing multiple sets of plates for different vehicles.

Section 9 [Electronic transmission] prohibits vendors of electronic transmission services from having an ownership interest with a deputy registrar or driver’s license agent and prohibits their appointment as a deputy registrar or driver’s license agent.

Section 10 [Foreign passport] allows a valid and unexpired passport issued to the applicant to serve as a primary document for purposes of applying for a vehicle’s title or registration.

Section 11 [Towing prohibited] amends provisions that prohibit a towing authority from towing a motor vehicle by (1) making a technical change referring to license plate tabs (“registration validation stickers”), and (2) removing the authorization to tow a motor vehicle at an expired parking meter if the vehicle has 5 or more unpaid parking tickets.

Section 12 [Notify owner of damaged property] requires a driver to report a vehicle collision to a peace officer if the collision results in property damage on or along a highway, in addition to the required accident report and notification to the affected property owner.

Section 13 [Officer to report accident to commissioner] specifies situations where a collision must be reported by a peace officer to the commissioner of public safety, which includes certain locations, whether a fatality or injury occurred, and the extent of damage caused by the collision.

Section 14 [Suspension of license for failure to report accident] modifies the suspension of a driver's license for failing to report an accident to apply to any driver who willfully fails, refuses, or neglects to make a required report of a traffic accident, rather than any person.

Section 15 [Terminology] amends and narrows the definition of "accident" and defines "disabling damage" in the section of statutes governing crash reporting.

Section 16 [Operation] makes a technical change in the three-wheeled neighborhood electric vehicle operation statute.

Section 17 [Supplemental warning systems] authorizes the use of supplemental warning light systems on Type A, B, C, or D school buses by (1) striking the requirement the system be approved by the commissioner of public safety; and (2) specifying certain requirements for the display, placement, color, activation period, and flashing pattern of the systems.

Section 18 [Definitions] define terms relating to child passenger restraint system requirements, including "booster seat," "child passenger restraint system," "properly restrained," and "secured with a safety belt."

Section 19 [Admissibility] makes a conforming change based on newly-created child passenger restraint system requirements in **article 2, section 20**.

Section 20 [Child passenger restraint systems] requires every driver who is transporting a child or children under the age of 18 in motor vehicles to have the child or children properly restrained according to the vehicle and the manufacturer's instructions. Specifies the requirements based on a child's age or weight.

Section 21 [Violation, petty misdemeanor] makes a conforming change based on the requirements in **article 2, section 20**.

Section 22 [Implements of husbandry] modifies the rule governing the operation or towing of an implement of husbandry to provide the implement of husbandry may be operated or towed to the left of a road's center line, without an escort, if:

- (1) The implement is attempting to avoid an obstacle on the right-hand side of the road;
- (2) The implement crosses the center line for a brief period of time to only avoid the obstacle;
- (3) The implement returns back to the right half of the roadway immediately upon passing the obstacle;
- (4) No other vehicles are approaching from the opposite direction in the immediate vicinity of the implement before it would return to the right-hand side; and
- (5) The operation of the implement does not extend into the left half of the roadway more than necessary.

Section 23 [License endorsement and permit requirements] makes a technical change on the motorcycle (currently “two-wheeled vehicle”) endorsement on drivers’ licenses and instruction permits.

Section 24 [Test refusal; loss of driving privileges] strikes the requirement that a peace officer invalidating a driver’s license or instruction permit card be accomplished by clipping the upper corner of the card.

Section 25 [Noncompliant license; noncompliant identification card] clarifies reference to a noncompliant license or identification card includes various types of licenses and cards in a definition section.

Section 26 [REAL ID compliant license; REAL ID compliant identification card] defines REAL ID compliant license or identification card in the chapter of statutes on driver licensing.

Section 27 [State] amends the definition of “state” in the driver’s license statute to include a U.S. military base on foreign soil.

Section 28 [Motorcycle endorsement] makes a conforming change to use the term “motorcycle” rather than “two-wheeled vehicle.”

Section 29 [Contents of application] specifies individual characteristics that must be included in a driver’s license application including the applicant’s height, weight, eye color, and sex, and makes technical changes. Strikes paragraph (d) which is reproduced in **article 2, section 32**. Paragraph (e) sets requirements on residence address in drivers’ license and identification card applications.

Section 30 [Evidence; identity; date of birth] amends the list of accepted documents that may be shown to demonstrate identity and date of birth in an application for a REAL ID-compliant driver’s license or identification card.

Section 31 [Evidence; residence in Minnesota] makes technical and conforming changes to the statute governing proof of residence in Minnesota.

Section 32 [Evidence of identity; noncompliant credentials] codifies documentation requirements to show identity for a non-compliant driver’s license or identification card. The requirements include (1) requiring a Minnesota credential or various identification documents; (2) specification of what documents are accepted; (3) set translation and document condition requirements; and (4) verification requirements.

Section 33 [Evidence of identity; enhanced credentials] codifies documentation requirements to show identity in application for an enhanced driver’s license or identification card, including to specify lists of documents that are accepted to show date of birth, full legal name, Social Security number, photographic identity, citizenship, and residency.

Section 34 [Translations] establishes requirements for the translation of documents submitted for purposes of drivers’ licenses or identification cards.

Section 35 [Veteran designation] allows an honorably discharged member of the National Guard to receive a Veteran designation on their Minnesota driver’s license or identification card.

Section 36 [Tribal identification card] makes technical changes to a Tribal identification card.

Section 37 [Certain data on noncompliant licenses or identification card] makes a conforming change.

Section 38 [Waiver when licensed issued by another jurisdiction] makes a conforming change to use the term “motorcycle” rather than “two-wheeled vehicle.”

Section 39 [Motorcycle endorsement examination fee] makes a conforming change to use the term “motorcycle” rather than “two-wheeled vehicle.”

Section 40 [Other waiting periods] adds criminal vehicular homicide, criminal vehicle operation that results in death to an unborn child, or criminal vehicular operation that results in great bodily harm or harm to an unborn child to list of offenses requiring a one-year waiting period for a limited driver's license where alcohol consumption is not involved in the underlying offense.

Section 41 [Exception; criminal vehicular operation] provides that a person may never receive a limited license after being convicted of criminal vehicular operation that results in substantial bodily harm, bodily harm, or harm to an unborn child when the underlying cause of the offense involves alcohol consumption.

Section 42 [Teleconference driver's education] makes a technical change to the statute governing teleconference driver's education.

Section 43 [Online driver education] makes a technical change to the statute governing online driver's education.

Section 44 [Full-service provider] authorizes a driver's license agent appointed before January 1, 2024, to apply to become a full-service provider at the agent's current location under specified criteria.

Section 45 [Repealer] repeals certain provisions, including:

- specification of the types of documents that can be submitted as evidence of Social Security number in application for a REAL ID compliant driver's license or identification card
- provisions on documents that can be submitted in an application for a driver's license or identification card, which is substantially reproduced in **article 2, sections 30-33**.
- The rule governing commercial vehicle testing programs offered by post-secondary institutions, which in effect deletes the requirement that the training offered consists of at least 180 hours of training.
- The eight-hour course length requirement for accident prevention courses offered to persons above the age of 55, which is amended in **article 2, section 2**.

Article 3 amends requirements and the administration of transit assistance in greater Minnesota.

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

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

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

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

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

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

Section 7 [Financial assistance; application, approval] strikes a requirement that MnDOT implement public transit program procedures through administrative rule. This provision is related to the repealer in **article 3, section 13**. Removes a provision on transit grant application review.

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

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

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

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

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

Section 16 [Repealer] repeals:

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