

1.1 Senator moves to amend the delete-everything amendment (SCS2082A-2)
1.2 to S.F. No. 2082 as follows:

1.3 Page 45, after line 2, insert:

1.4 "Sec. 5. Minnesota Statutes 2024, section 160.165, is amended to read:

1.5 **160.165 MITIGATING TRANSPORTATION PROJECT IMPACTS ON**
1.6 **BUSINESS.**

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

1.9 (b) "Business impairment" has the meaning given in section 160.167, subdivision 1.

1.10 ~~(1)~~ (c) "Project" means construction work to maintain, construct, reconstruct, or improve
1.11 a street or highway or for a rail transit project;

1.12 ~~(2)~~ (d) "Substantial business impacts" means business impairment ~~of road access, parking,~~
1.13 ~~or visibility for one or more business establishments~~ as a result of a project, for a ~~minimum~~
1.14 period of at least one month; ~~and~~.

1.15 ~~(3)~~ (e) "Transportation authority" means the commissioner, as to trunk highways; the
1.16 county board, as to county state-aid highways and county highways; the town board, as to
1.17 town roads; statutory or home rule charter cities, as to city streets; the Metropolitan Council,
1.18 for rail transit projects located entirely within the metropolitan area as defined in section
1.19 473.121, subdivision 2; and the commissioner, for all other rail transit projects.

1.20 Subd. 2. **Business liaison.** (a) Before beginning construction work on a project, a
1.21 transportation authority ~~shall~~ must identify whether the project is anticipated to include
1.22 substantial business impacts. For such projects, the transportation authority ~~shall~~ must
1.23 designate an individual to serve as business liaison between the transportation authority and
1.24 affected businesses.

1.25 (b) The business liaison ~~shall~~ must consult with affected businesses before and during
1.26 construction to investigate and recommend means of mitigating project impacts to businesses.
1.27 The mitigation considered must include signage. The business liaison ~~shall~~ must provide
1.28 information to the identified businesses before and during construction, concerning project
1.29 duration and timetables, lane and road closures, detours, access impacts, customer parking
1.30 impacts, visibility, noise, dust, vibration, and public participation opportunities.

1.31 (c) The business liaison must inform affected businesses about potential opportunities
1.32 for small business technical and financial assistance, including those available through the

Department of Employment and Economic Development, the Small Business Administration, and area community development financial institutions. When requested, the business liaison must assist affected businesses to access and apply for appropriate assistance programs.

Subd. 4. **Construction communication plan.** (a) A transportation authority must implement a construction communication plan for each project in which a business liaison is required under subdivision 2. The transportation authority must develop the plan in consultation with the business liaison during project development.

(b) At a minimum, the communication plan must include:

(1) identification of methods to distribute project information;

(2) procedures to distribute construction-related notices to affected businesses, tenants, and other property owners;

(3) development of information on the project, including but not limited to the information specified under subdivision 2, paragraph (b); small business and technical assistance opportunities under subdivision 3, paragraph (c); and, as appropriate, potential financial assistance under the local business construction impacts assistance program under section 160.167; and

(4) a schedule and milestones for issuance of project updates, including but not limited to immediately prior to commencement of construction work and following any change in the scheduled date of substantial completion of the project.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to projects in which construction first commences on or after November 1, 2025.

Sec. 6. [160.167] LOCAL BUSINESS CONSTRUCTION IMPACTS ASSISTANCE PROGRAM.

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

(b) "Business entity" includes but is not limited to an individual, partnership, corporation, joint venture, association, or cooperative.

(c) "Business impairment" means impairment to a business establishment or nonprofit organization of at least one of the following:

(1) access to a retail location from:

(i) a project that is on a road that abuts the location and includes partial or full closure of the road within 1,000 feet of the location; or

(ii) more than one simultaneous project on a road that abuts the location in which a portion of each project (A) is within two miles of the location, and (B) includes partial or full closure of the road; or

(2) visibility of the primary identifying signage or entrance.

(d) "Covered project" means a project to maintain, construct, reconstruct, or improve a trunk highway within a statutory or home rule charter city, a county state-aid highway, a municipal state-aid street, transitway, or a combination.

(e) "Extensive business impacts" means business impairment as a result of a covered project for a period of at least 60 days.

(f) "Program" means the local business construction impacts assistance program established in this section.

(g) "Transportation authority" means either:

(1) the commissioner of transportation for a trunk highway within a statutory or home rule charter city, a county state-aid highway, a municipal state-aid street, or a combination; or

(2) the Metropolitan Council for a transitway located entirely within the metropolitan area as defined in section 473.121, subdivision 2.

Subd. 2. **Program established.** The commissioner must establish a program for financial assistance to eligible entities adversely impacted by street, highway, or transitway construction activity on covered projects.

Subd. 3. **Administration.** The commissioner must establish program requirements, including application procedures that minimize applicant burdens, eligibility criteria for recipients, qualifications for determining business impairment, program allocation amounts from project costs, the distribution amount and formula used to determine the distribution amount, and procedures for distribution of financial assistance. The commissioner must implement the program to provide financial assistance payments in a timely manner that are, to the extent practicable, before or during the time period of the extensive business impacts.

EFFECTIVE DATE. This section is effective the day following final enactment, and applies to projects in which construction first commences on or after October 1, 2025."

- 4.1 Renumber the sections in sequence and correct the internal references
- 4.2 Amend the title accordingly