



Minnesota Regional Transit  
Board: Records.

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**REGIONAL TRANSIT BOARD**  
Mears Park Centre, 230 East 5th Street  
St. Paul, Minnesota 55101

**MEETING OF THE  
REGIONAL TRANSIT BOARD**

**Mears Park Centre Chambers  
March 16, 1992  
4 p.m.**

**AMENDED AGENDA**

- A. CALL TO ORDER AND ROLL CALL**
- B. APPROVAL OF AGENDA**
- C. APPROVAL OF MINUTES**
  - 1. Policy Committee Meeting, March 2, 1992
  - 2. Regional Transit Board Meeting, March 2, 1992
  - 3. Legislative Committee Meeting, March 2, 1992
- D. CHAIR'S REPORT**
  - 1. Committee Appointments
- E. MEMBERS' REPORTS**
- F. EXECUTIVE DIRECTOR'S REPORT**
- G. REPORT OF THE ADMINISTRATION AND FINANCE COMMITTEE**  
Ruth Franklin, Chair
  - 1. Request for Proposal for Metro Mobility Smart Card Project
  - 2. Roseville Area Circulator Contract Amendment and Extension
  - 3. Recommended Service Plan and Contract Amendment for BE Line Expansion to the Mall of America
  - 4. Concurrence with Metropolitan Council Resolution on Bond Procedures, Resolution No. 92-03
  - 5. Approval of Submission of Applications for Federal Funding
- H. OTHER BUSINESS**
- I. PUBLIC COMMENT**

**Michael J. Ehrlichmann  
Chair**



**REGIONAL TRANSIT BOARD**  
Mears Park Centre, 230 East 5th Street  
St. Paul, Minnesota 55101  
229-2700

**MEETING OF THE  
REGIONAL TRANSIT BOARD**

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**Michael J. Ehrlichmann  
Chair**

REGIONAL TRANSIT BOARD

ROLL CALL AND ATTENDANCE SHEET

DATE: March 16, 1992

BOARD OR COMMITTEE: Board

**Member Name**    **Present**    **Vote**    **Vote**    **Vote**    **Vote**    **Vote**    **Vote**    **Vote**    **Vote**

ISSUE

92-03

Mike Ehrlichmann

✓

Y

Maryann Campo

✓

Y

Doris Caranicas

✓

Y

Sharon Feess

✓

Y

Ruth Franklin

✓

Y

Val M. Higgins

✓

Y

Sandra Hilary

✓

Y

Ruby Hunt

✓

Y

Tom Sather

✓

Y

Don Scheel

✓

Y

Tom Workman

✓

Y

**Visitors**

Enghel

E. Brault + ddv

**Staff**

hb ga dw

mo sh

mo, sm



REGIONAL TRANSIT BOARD  
Mears Park Centre, 230 East 5th Street  
St. Paul, Minnesota 55101  
612/229-2700

Minutes of the Meeting of the  
**POLICY COMMITTEE**  
March 2, 1992

**MEMBERS PRESENT:** Sandra Hilary, Chair; Maryann Campo; Ruby Hunt; Val M. Higgins

**OTHERS PRESENT:** Michael J. Ehrlichmann, RTB Chair; Ruth Franklin; Doris Caranicas Tom Sather, Don Scheel; Tom Workman, Sharon Feess; Greg Korstad, RTB Legal Counsel; Richard Wedell; Dirk deVries, Bonnie Featherstone and Emil Brandt, Metropolitan Council, Frank Boyles, City of Plymouth; Diane Harberts; Beverly Miller, Bob Thompson, Metropolitan Transit Commission; Gregory L. Andrews, Judy Hollander, Howard Blin, Ed Kouneski, Len Simich, Randy Rosvold, Stephanie Eiler, Dave Jacobson, Suzanne Hanson, Mary Fitzgerald, RTB staff

**CALL TO ORDER AND ROLL CALL**

Committee Chair Hilary called the meeting to order at 3:05 p.m. and roll was taken.

**APPROVAL OF AGENDA**

Hunt and Higgins moved approval of the amended agenda. The motion was unanimously approved.

**MARKETING POLICIES TO INCREASE TRANSIT RIDERSHIP**

Hanson reviewed the revised staff report dated February 25, 1992. Hunt and Higgins moved:

That the Policy Committee recommend that the Regional Transit Board endorse the marketing policies to maintain and build ridership in the twin cities metropolitan region.

The motion was unanimously approved.

**CAPITAL FUNDING AND ACQUISITION POLICY FOR OPT-OUT PROGRAMS**

Simich reviewed the revised staff report dated March 2, 1992. Ehrlichmann said this is an attempt to respond to the inequity of the double payment of the Opt-Out communities. Hilary asked, since this is a demonstration project, what happens to the equipment if the project is cancelled. Simich said staff is asking to bond so operational dollars can be used for operations; RTB would pay for the vehicle, which is owned by the Opt-Out community. Ehrlichmann said this recommendation would shift costs from operations to capital.

Higgins expressed concern over receiving this information immediately before the start of the meeting, particularly since it is scheduled to be acted upon by the board when it meets immediately after this meeting. He said a great deal about the issue is unclear, such as the "double payment," and aspects of the other five options. He moved that the issue be held over to give the board members an opportunity to talk with staff, providers, and community representatives. The chair said there is a time restraint.

Andrews said a decision is necessary to authorize seeking additional bonding authority from the Legislature. Hilary said this has ramifications on the rest of the bonding package. There was no second for Higgins' motion. The chair said the committee should take the time to debate the issue at this meeting.

Ehrlichmann said RTB has two property tax levies, operations and all debt service. The Legislature must authorize RTB to sell bonds. Everyone is taxed for those bonds, which are used to buy buses. The Opt-Out communities have a contract for service with a line item for debt service for capital costs of the buses. They get taxed for it and have to count it in their 90 percent limit. They are paying twice for the capital cost because it is also included in their contract with MTC. The communities are asking that that item be removed so they would pay for it only in property taxes. RTB would make up the difference by increasing the capital bonding bill request by \$6.5 million. Hunt said the Opt-Outs have to include those costs as overhead while other parts of the region do not. Everyone should be using the same method.

Franklin said that originally there was a long discussion of whether to use marginal or fully allocated costs. Much of our funding comes from the federal government, which dictates we use the marginal cost formula. The RTB agreed bids should be on a fully allocated cost basis because letting one bidder use fully allocated costs and one use marginal costs is unfair creates an unfair situation. This is an attempt to be fair to all providers in hope that the price of the service will come down and the Opt-Out communities may get more service for their money.

Simich said MTC is including the cost in their proposal. They are using the 20-percent local funds in their bids. In response to her question, Simich said the providers and MTC are aware of the changes to the policy. The changes do not change the scope of the policy but the first draft did not clarify how it was to be financed.

Hunt supported Higgins' statement that when significant policy changes come to the committee, it would be helpful if members received the material before the meetings. At a number of instances at other meetings material was not presented until the beginning of the meeting. Higgins said this policy has long-term implications, it will be on the board's agenda today, and he will not operate under these conditions. He does not know the ramifications of the five options.

Workman said he would like to be a member of this committee. On February 28 it became apparent that the policy is fine, but there is no money to fund it. That caused concern on the part of the Opt-Out communities that they would have to go to the Legislature for their own bonding. Some of the options would create a new situation of the communities purchasing their own fleets. In the interest of fairness and competition, he would like to vote on this today. Andrews said this memorandum is essentially the same as the February 12 version, but as a result of discussions with the communities, it developed that \$6.5 million should be added to the original bonding request of \$110 million to finance this element. It will be identified in their testimony to the Legislature to provide capital for Opt-Out programs. The marginal versus fully

allocated cost questions will be coming before the Policy Committee. The MTC and the Opt-Out communities agree to this proposal.

The chair said this issue has been around for a long time. She will vote "no" today because it is taking apart the system that has served her community very well for a long time.

George Bentley, representing the Opt-Out communities on this issue, said they support this recommendation without qualification. Extensive discussions were had with staff and this is the best solution to dealing with the double payment issue. Regarding Southwest Metro, their 1992 levy amount for capital is \$470,000 in addition to operating costs they have to pay \$250,000 to retire capital in the contract. They are being taxed twice for the same thing. Nothing in this plan would change the way things are being done now. It simply changes the way debt is handled.

Frank Boyles, representing the City of Plymouth and the Plymouth Metrolink, complemented staff on their handling of this very high-priority issue for the communities. The situation has been inequitable for many years and staff has tried to balance the various concerns. There is a question about whether there is some attack on MTC. His system is very happy with MTC and want to ensure the best possible cost to provide more service. This action would level the playing field. These operating funds would become available to implement the "wheel" element of the Vision for Transit.

Hilary said she is concerned concern with these things is what the drivers will be paid. It is a philosophical issue and it will not go away.

Campo moved and Hunt seconded:

That the Policy Committee recommends that the Regional Transit Board approve the following demonstration policy that would take effect with the 1993 contracts. Specifically:

1. That the current bonding authorization request be amended to include an additional 6.5 million dollars. The additional bonding is needed to finance through 1996 the capital cost of contracting, specifically vehicle depreciation costs included in the opt-out's hourly rate contracts.
2. That the capital cost of contracting for opt-out programs be reimbursed from the sale of general obligation bonds issued or to be issued for regional capital transit assets.
3. That capital costs be excluded from the calculation of the 90-percent eligibility limit for replacement service programs. The entire 90-percent property tax funding available to each opt-out program would be eligible for use on service operations as long as the performance meets the required RTB performance standards calculated at the full cost of service.
4. That the RTB must approval all vehicles and equipment to be used for opt-out operations.

The motion was approved (Hilary voted nay).

**FIVE YEAR TRANSIT PLAN**

Blin reviewed the proposed schedule for the plan that was distributed before the meeting. The RTB must hold one public hearing and many meetings will be conducted with other agencies and groups. No action was requested.

**METROPOLITAN TRANSIT COMMISSION 1992 FLEET REPLACEMENT PLAN ANALYSIS**

Blin reviewed the February 18, 1992 staff report. Hunt moved:

That the Policy Committee recommend that the Regional Transit Board direct the Metropolitan Transit Commission to replace its 30-foot bus fleet with 40-foot buses and submit a 1992 capital budget amendment if needed.

The motion was unanimously approved.

**REVIEW OF PLANS FOR MALL OF AMERICA TRANSIT HUB**

Blin reviewed the February 18 staff memorandum. Campo noted that she would not participate in debate or vote. Hunt moved:

That the Policy Committee recommend that the Regional Transit Board approve the plans dated January 31, 1992 for the passenger waiting area at the Mall of America transit hub, subject to the following conditions:

1. That RTB staff approve all signage plans for the transit facility prior to issuance of sign permits by the City of Bloomington.
2. That detailed plans for the transit supervisor's office be submitted to the MTC for approval.
3. That conduit for a radio antenna be provided from the transit supervisor's office to a suitable open area.
4. That, in addition to those already planned, one set of automatic doors allowing access for persons with disabilities be provided on the east side of the passenger waiting area near the bus loading area.
5. That possible future changes, including exterior seating and pedestrian barriers, be evaluated with the RTB after the transit hub is in operation.

The motion was approved (Campo abstained).

**OVERVIEW OF INTERMODAL TRANSPORTATION AND EFFICIENCY ACT**

It was agreed that this item would be held over until another meeting.

OTHER BUSINESS

There being no other business, the meeting was adjourned at 3:55 p.m.

I hereby certify that the foregoing constitutes a true and accurate record of the Regional Transit Board's Policy Committee meeting of March 3, 1992.

Respectfully submitted,

Mary Fitzgerald  
Secretary

Approved this 16th day of March 1992.



REGIONAL TRANSIT BOARD  
Mears Park Centre, 230 East 5th Street  
St. Paul, Minnesota 55101  
612/229-2700

**Minutes of the Meeting of the  
REGIONAL TRANSIT BOARD  
March 2, 1992**

**MEMBERS PRESENT:** Michael J. Ehrlichmann, Chair; Maryann Campo; Doris Caranicas; Sharon Feess; Ruth Franklin; Val M. Higgins; Sandra Hilary; Ruby Hunt, Tom Sather, Don Scheel; Tom Workman

**OTHERS PRESENT:** Greg Korstad, RTB Legal Counsel; Richard Wedell; Dirk deVries, Bonnie Featherstone and Emil Brandt, Metropolitan Council, Frank Boyles, City of Plymouth; Diane Harberts; Beverly Miller, Bob Thompson, Metropolitan Transit Commission; Arnie Entzel, Amalgamated Transit Union; Gregory L. Andrews, Judy Hollander, Howard Blin, Ed Kouneski, Len Simich, Randy Rosvold, Stephanie Eiler, Dave Jacobson, Suzanne Hanson, Mary Fitzgerald, RTB staff

**OATH OF OFFICE - BOARD MEMBER THOMAS SATHER, DISTRICT B**

The chair introduced and administered the Oath of Office to Thomas Sather, Mayor of the City of Arden Hills, who was appointed by the Metropolitan Council on February 13 to fill the vacant position on the board, representing District B.

**CALL TO ORDER AND ROLL CALL**

The chair called the meeting to order at 4:05 p.m. and roll was taken.

**APPROVAL OF AGENDA**

The agenda was amended and distributed prior to the start of the meeting. Caranicas moved and Feess seconded that the amended agenda be approved. The motion carried unanimously.

**APPROVAL OF MINUTES**

Hilary moved and Caranicas seconded approval of the minutes of the Regional Transit Board meeting of February 18, 1992. The motion carried unanimously.

**CHAIR'S REPORT**

Caranicas presented the Driver of the Month award for January to James Reese of Handicabs, Inc. Higgins presented the February award to Tom Cassidy, who is also employed by Handicabs.

The chair reported that he has attended meetings with James Denn, Minnesota Department of Transportation (Mn/DOT) Commissioner, and Mary Anderson, Chair of the Metropolitan Council, in an effort to develop a process for LRT governance that will be agreeable to the counties. The proposal will be presented to the board for approval, possibly within the next two weeks.

In response to Hunt's question, the chair said he, Denn and Anderson are meeting. Denn will take the proposal to Hennepin County and Anderson will present it to Ramsey County. Hunt said the counties have been negotiating with Mn/DOT and have reached agreement and she questioned whether that is still viable. Ehrlichmann said he did not participate in the negotiations, but thinks the Mn/DOT/county discussions are in a negotiation process.

The chair said the RTB presented its policy bill to the Legislature earlier in the day. On March 5 Senator DeCramer expects to get some version of a transportation funding bill out of his committee. Support for transit funding this year is much stronger than in past years.

Kouneski reported on the transit providers' contracts. At this time there are 12 providers under contract. HealthEast has dropped out. In checking with the administrative center a few minutes before the meeting, there had been no complaints from clients about the transfer of HealthEast's riders and standing orders. Late last week National School Bus (NSB) indicated they want to cut back their service area and hours of service. Joe Morley has said NSB is still considering scaling back in certain communities. They are the only provider in 14 communities so staff cannot recommend approval of those actions unless another provider is available. Changes in service require approval of the board and the whole system will be affected if one provider renegotiates the service delivery. Kouneski said all the providers, including Ebenezer, have indicated that they will sign the contracts. A letter from DARTS had been distributed to the members before the meeting.

Caranicas said the staff is working on a Request for Proposal for providers that may deal with some of those problems.

#### EXECUTIVE DIRECTOR'S REPORT

Andrews said there will be a dedication of the Rosedale Hub on March 12 at 11:30 a.m. Staff is discussing developing a tour of these facilities in the Metro Area since a number of them are now on line.

#### REPORT OF THE POLICY COMMITTEE

Hilary reported on the actions taken at the Policy Committee meeting held immediately prior to this meeting. She moved and Campo seconded approval of the following recommendations:

#### Marketing Policies to Increase Transit Ridership

That the Regional Transit Board endorse the marketing policies to maintain and build ridership in the twin cities metropolitan region.

**Capital Funding and Acquisition Policy for Opt-Out Programs**

Campo moved and Hunt seconded:

That the Regional Transit Board approve the following demonstration policy that would take effect with the 1993 contracts. Specifically:

1. That the current bonding authorization request be amended to include an additional 6.5 million dollars. The additional bonding is needed to finance through 1996 the capital cost of contracting, specifically vehicle depreciation costs included in the opt-out's hourly rate contracts.
2. That the capital cost of contracting for opt-out programs be reimbursed from the sale of general obligation bonds issued or to be issued for regional capital transit assets.
3. That capital costs be excluded from the calculation of the 90-percent eligibility limit for replacement service programs. The entire 90-percent property tax funding available to each opt-out program would be eligible for use on service operations as long as the performance meets the required RTB performance standards calculated at the full cost of service.
4. That the RTB must approval all vehicles and equipment to be used for opt-out operations.

**Metropolitan Transit Commission 1992 Fleet Replacement Plan Analysis**

That the Regional Transit Board direct the Metropolitan Transit Commission to replace its 30-foot bus fleet with 40-foot buses and submit a 1992 capital budget amendment if needed.

**Review of Plans for Mall of America Transit Hub**

That the Regional Transit Board approve the plans dated January 31, 1992 for the passenger waiting area at the Mall of America transit hub, subject to the following conditions:

1. That RTB staff approve all signage plans for the transit facility prior to issuance of sign permits by the City of Bloomington.
2. That detailed plans for the transit supervisor's office be submitted to the MTC for approval.
3. That conduit for a radio antenna be provided from the transit supervisor's office to a suitable open area.
4. That, in addition to those already planned, one set of automatic doors allowing access for persons with disabilities be provided on the east side of the passenger waiting area near the bus loading area.

5. That possible future changes, including exterior seating and pedestrian barriers, be evaluated with the RTB after the transit hub is in operation.

The above motions were unanimously approved.

**OTHER BUSINESS**

There being no other business, Campo moved and Caranicas seconded that the meeting be adjourned. The motion was unanimously approved and the meeting was adjourned at 4:25 p.m.

I hereby certify that the foregoing constitutes a true and accurate record of the Regional Transit Board's meeting of March 3, 1992.

Respectfully submitted,

Mary Fitzgerald  
Secretary

Approved this 16th day of March 1992.



REGIONAL TRANSIT BOARD  
Mears Park Centre, 230 East 5th Street  
St. Paul, Minnesota 55101  
612/229-2700

**Minutes of the Meeting of the  
LEGISLATIVE COMMITTEE  
March 2, 1992**

**MEMBERS PRESENT:** Tom Workman, Chair; Maryann Campo; Doris Caranicas; Michael J. Ehrlichmann; Sharon Feess; Ruth Franklin; Val M. Higgins; Sandra Hilary; Ruby Hunt, Tom Sather, Don Scheel

**OTHERS PRESENT:** Greg Korstad, RTB Legal Counsel; Richard Wedell; Dirk deVries, Bonnie Featherstone and Emil Brandt, Metropolitan Council, Frank Boyles, City of Plymouth; Diane Harberts; Beverly Miller, Bob Thompson, Metropolitan Transit Commission; Gregory L. Andrews, Sherry Munyon, Judy Hollander, Howard Blin, Ed Kouneski, Len Simich, Randy Rosvold, Stephanie Eiler, Dave Jacobson, Suzanne Hanson, Mary Fitzgerald, RTB staff

**CALL TO ORDER AND ROLL CALL**

Chair Workman called the meeting to order at 4:30 p.m. and roll was taken.

**STATUS OF REGIONAL TRANSIT BOARD LEGISLATIVE INITIATIVES**

Munyon reviewed the memorandum, dated February 28, that was distributed before the meeting. At legislative meetings held today amendments were made in the enforcement provisions for High Occupancy Vehicle (HOV) lane usage. The new provisions call for a civil penalty for violations detected by camera because legislators did not want violations to become an issue on driving records. Another change was to the penalty on public and private employers in the Traffic Congestion Reduction Act.

On March 5 there will be a hearing on a piece of legislation not previously brought to the board. Senator Frank introduced a bill to include the Transportation Accessibility Advisory Committee in state statute (S.F. 1770).

The Regional Transit Board has two bonding requests before the Legislature, but they probably will not have a hearing for two weeks.

The Transportation Alliance funding package, which deals with a 5-percent gas tax, Motor Vehicle Excise Tax (MVET) and the constitutional dedication of MVET, had a hearing in the Senate Transportation Committee. The 4 and 1/2-percent sales tax increase on gas was amended today to make it an extension of the 6 and 1/2-percent tax and is being considered as a package. Senator Langseth has stated that a 6 and 1/2-percent sales tax and a 5-percent gas tax is unacceptable.

Scheel said the metro counties will work to defeat the increase in the gas tax and he believes the MVET transfer formula is unfair. Hunt said she attended the hearing where

Senator Langseth made a good point that, historically, gas taxes have been raised in difficult times. He used that as an argument on why it would be appropriate now. Ehrlichmann urged members to attend the hearings and speak with individual representatives. Munyon said she will notify members when possible of the hearing schedules. In a funding discussion with the senate committee chairs, they made it clear that there will be no highway funding without transit funding.

Workman asked Munyon to share her perceptions of the outcome of these efforts. She said she cannot predict which funding mechanism will be successful, but in general the prospects are optimistic for transit. She doubts a constitutional transit dedication will pass this year. There is no House companion for the MVET transfer and gas tax increase yet. The Governor made no commitment to not veto this kind of mechanism this year and there seems to be interest in taking a serious look at a possible gas tax increase.

In response to Campo's question on a dedication of MVET bill, Munyon said it will be heard this week in the Senate and voted upon. There are other funding mechanisms that may surface as the session progresses.

Caranicas asked what the impact has been of federal money becoming available if state funds are available. Munyon said Mn/DOT has said they can wait for up to two years before action on additional state funding is necessary.

There was discussion on Senator Flynn's proposal to redefine the word "highway" to include transit and the bill introduced by Senator Cohen raising the tort liability limits for claims against the MTC, which arose from a case two years ago when an MTC bus was involved in a pedestrian death. The senator's constituent complained about his family's inability to be adequately compensated for the death. The limit would be raised from the current \$200,000 to \$600,000 only if the claim is against MTC. Scheel said he has reservations about raising this limit because it will be followed by higher limits for counties. Higgins said there would appear to be a constitutional question in making an exception for one kind of "wrongful death."

There being no other business, Hilary moved and Hunt seconded that the meeting be adjourned. The motion was unanimously approved and the meeting adjourned at 4:53 p.m.

I hereby certify that the foregoing constitutes a true and accurate record of the Regional Transit Board's Legislative Committee meeting of March 2, 1992.

Respectfully submitted,

Mary Fitzgerald  
Secretary

Approved this 16th day of March 1992.

Handout 2/12

Shifting transit planning and administration responsibilities from a **single purpose** agency such as the RTB to a **multiple-purpose** agency such as the Metropolitan Council could diminish the role of transit in the metropolitan area. The Council is responsible for land use, sewers, waste management, parks, airports, housing, etc.).

1. Broad and time consuming responsibilities. A key consideration is the amount of time an organization has to devote to transit planning and administration. The RTB currently administers a range of transit programs.

- Regular Route
  - Reviews \$100+ million annual MTC budget.
  - Contracts and oversees five opt-out programs totaling \$6+ million.
  - Contracts with and monitors other regular route providers (North Suburban, Valley Transit, Roseville Circulator).
  - Through performance standards, monitors performance of all regular routes.
  - Sets fare policy and approves fare changes.
- Contracts with 18 community-based providers with subsidy of over \$2 million.
- Implement Metro Mobility program.
  - 1.5 million annual trips.
  - \$14 million annual subsidy.
- Responsible for directing regional rideshare and travel demand management programs.

**Last January, there were 11 days** in which board members were required to attend board and committee meetings, public hearings, community meetings, etc.

2. Community Involvement. RTB currently keeps close contact with transit customers and providers through a variety of forums, which include:

- Provider Advisory Committee
- Transit Accessibility Advisory Committee
- Rideshare Advisory Committee
- Transit Marketing Committee
- Local Official Advisory Committee
- Joint LRT Advisory Committee
- Annual Conference

All of this helps the RTB to develop consensus on transit issues.

3. Current Structure is Working.

- An improved relationship between the RTB and Metropolitan Council over the past year or two.
  - Council has provided a thorough review of the RTB's Implementation Plan (Five-Year Transit Plan).
  - RTB and Council and Mn/DOT have worked together very closely on the Regional Transit Facilities Plan/Vision for Transit.
  - Working with Met Council and Mn/DOT to implement ISTEA.



**REGIONAL TRANSIT BOARD**  
Mears Park Centre, 230 East 5th Street  
St. Paul, Minnesota 55101  
229-2700

DATE: March 10, 1992  
TO: Members of the Regional Transit Board  
FROM: Michael J. Ehrlichmann, Chair  
SUBJECT: Committee Appointments

Since Richard Wedell's departure created a vacancy on the Policy Committee, I am recommending the following appointments:

**RECOMMENDATION:**

That the Regional Transit Board appoint Tom Workman to the Policy Committee, and

That the Regional Transit Board appoint Tom Sather to the Administration and Finance Committee.

These appointments are effective immediately.

MJE/mff



REGIONAL TRANSIT BOARD  
Mears Park Centre, 230 East 5th Street  
St. Paul, Minnesota 55101  
229-2700

## REPORT OF THE ADMINISTRATION AND FINANCE COMMITTEE

At its meeting of March 9, 1992, the committee approved the following recommendations:

### Request for Proposal for Metro Mobility Smart Card Project

That the Regional Transit Board approve issuance of a request for proposal for the Metro Mobility Smart Card Project.

### Roseville Area Circulator Contract Amendment and Extension

That the Regional Transit Board authorize its executive director to amend the Roseville Area Circulator contract (Contract No. 91-03/11/-01) increasing the total by \$1,066,948 to an amount not to exceed \$2,070,948 and extend the contract term for an additional two years to March 14, 1995.

### Recommended Service Plan and Contract Amendment for BE Line Expansion to the Mall of America

That the Regional Transit Board approve the BE Line service expansion to the Mall of America and authorize its executive director to amend the BE Line contract (Contract No. 91/08/19-09) by \$441,410 to an amount not to exceed \$859,147.

### Concurrence with Metropolitan Council Resolution on Bond Procedures, Resolution No. 92-03

That the Regional Transit concurs in and agrees to be bound by Metropolitan Council Resolution 92-5, adopted by the council on February 13, 1992.

**Approval of Submission of Applications for Federal Funding**

That the Regional Transit Board:

1. Approve submittal of the following projects for federal funding:

	<u>Agency Project</u>	<u>Federal Funds</u>
a.	RTB Rideshare	\$572,000
b.	RTB TDM Projects	\$120,000
c.	MTC Coon Rapids Park and Ride Lot	\$640,000
d.	MTC Bus Stop Lighting	\$120,000
e.	MTC Bus Shelters	\$1,120,000
f.	MTC Downtown St. Paul Transit Hub	\$800,000
g.	MTC Bus Stop Signage	\$1,200,000

2. Approve an amendment to the 1992 Transportation Improvement Program for the projects listed above.

3. Approve an amendment to the 1992 MTC Capital Budget for Projects c through g listed above.

**Ruth Franklin  
Chair**

3/10/92  
mff



**REGIONAL TRANSIT BOARD**  
Mears Park Centre, 230 East 5th Street  
St. Paul, Minnesota 55101  
229-2700

**RESOLUTION OF COINCURRENCE WITH  
METROPOLITAN COUNCIL RESOLUTION NO. 92-5**

**Resolution No. 92-03**

**WHEREAS,** there have been changes in Internal Revenue Service Regulations concerning the proceeds from General Obligation bonds, the Regional Transit Board recognizes the new rules;

**NOW, THEREFORE, BE IT RESOLVED:**

**THAT** the Regional Transit Board hereby concurs in and agrees to be bound by the Metropolitan Council Resolution 92-5, adopted by the Metropolitan Council on February 13, 1992.

Adopted this 16th day of March 1992.

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Michael J. Ehrlichmann  
Chair

-----  
Mary Fitzgerald  
Secretary

RESOLUTION NO. 92- 5

RESOLUTION ESTABLISHING PROCEDURES  
RELATING TO COMPLIANCE WITH REIMBURSEMENT BOND  
REGULATIONS UNDER THE INTERNAL REVENUE CODE

BE IT RESOLVED by the Metropolitan Council (Minneapolis-St. Paul Area), State of Minnesota (the "Council"), as follows:

1. Recitals.

(a) The Internal Revenue Service has issued Treasury Regulations Section 1.103-18 (the "Regulations") dealing with reimbursement bond proceeds, which would include those proceeds of the Council's bonds to be used to reimburse the Regional Transit Board (the "Board") for any expenditure for facilities and other capital improvements ("project costs") paid by the Board prior to the time of the issuance of those bonds.

(b) The Regulations generally require that the Board make a prior declaration of its official intent to reimburse itself for such prior expenditures out of the proceeds of subsequently issued taxable or tax exempt borrowings of the Council or the Board, that such declaration generally be made prior to the time the expenditure is actually paid, that the bonding occur and the reimbursement allocation be made from the proceeds of such bonds within one year of the later of (i) payment of the expenditure or (ii) the date the project is placed in service, and that the expenditure be a capital expenditure or a cost of issuing bonds in connection therewith.

(c) The Council desires to comply with requirements of the Regulations and to establish certain procedures relating thereto.

(d) The Council's bond counsel has advised the Council and Board that the Regulations do not apply, and hence the provisions of this Resolution are intended to have no application to, payments of Board's project costs first made by the Board out of the proceeds of bonds issued prior to the date of such payments.

2. Official Intent Declaration. The Regulations, in the situations in which they apply, require the Board to have made an official declaration of its reasonable intent (hereinafter referred to as the "Official Intent Declaration" or the "Declaration") on behalf of the Council and the Board to

reimburse the Board for previously paid project expenditures out of the proceeds of subsequently issued taxable or tax exempt bonds or other borrowings of the Council or Board. The Chair of the Board is hereby authorized to make the Official Intent Declarations or to delegate from time to time that responsibility to other appropriate Board employees. Each Declaration shall comply with the requirements of the Regulations, including without limitation the following:

(a) Each Declaration shall be made prior to the time the Board pays the applicable project cost and shall state that the Board intends to reimburse itself for the expenditure out of the proceeds of a "taxable or tax exempt" bond issuance, debt, or similar borrowing of the Council. Each Declaration may be made substantially in the form of the Exhibit A which is attached to and made a part of this Resolution.

(b) Each Declaration shall specifically contain the following statement: "This Declaration is a declaration of official intent under Treasury Regulations Section 1.103-18."

(c) A copy of each Declaration shall be immediately filed with the Council, and each Declaration shall and is hereby declared to be made and filed in the publicly available official books, records, or proceedings of the Council and the Board, which shall be reasonably available for public inspection at the main administrative office of the Council and of the Board, respectively, during normal business hours of the Council or Board, as the case may be, on every business day within 30 days after the making of the Declaration and shall remain so available until the date of issuance of the reimbursement bonds.

(d) Each Declaration shall, at a minimum, contain a general functional description of the property, project, or program for which the expenditure to be reimbursed is paid (for example, "regional transit facilities and related improvements" or other specific, identifiable project of the Board) or, in the alternative, shall identify the particular fund or account of the Board from which the expenditure to be reimbursed is paid, including a description of the general functional purpose of that fund or account (for example, "rapid transit facilities capital improvement fund").

(d) Each Declaration shall also contain a statement of the maximum principal amount of debt expected to be issued for the subject project.

(e) Care shall be taken so that the Board, or its authorized representatives under this Resolution, not make Declarations on behalf of the Council and Board in cases where the Board does not reasonably expect that reimbursement bonds will ultimately be issued to provide long-term financing for the subject project costs (subject to unavailability of any other outside permanent sources of financing expected to be used to finance the project), and the Council and Board officials are hereby authorized to consult with bond counsel to the Council concerning the requirements of the Regulations in general and their application in particular circumstances. It is the Council's intention that Declarations not be made (i) when available funds of the Board or Council have been or are reasonably expected to be dedicated or otherwise reserved to fund on a long-term basis the particular expenditures involved or (ii) when it is not reasonably expected that reimbursement bonding will occur (subject, however, to unavailability of any other outside source of permanent financing (e.g. federal or state grants) expected to be used to finance the project).

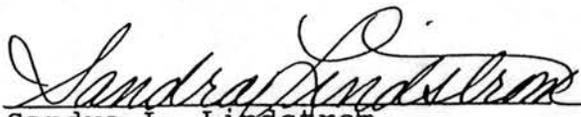
(f) This Council shall be advised from time to time on the desirability and timing of the issuance of reimbursement bonds relating to project expenditures for which the Board has made Official Intent Declarations, including recommendations on the timing of the issuance of such bonds so that the "reimbursement allocation" described in the Regulations and in paragraph 3 below can be made within the one year time limits prescribed in the Regulations.

(g) This Resolution shall supplement and amend all prior determinations and policies adopted by the Council and Board in regard to complying with the Regulations, and in the event of any inconsistency between the terms provided in this Resolution and said prior determinations or policies, the provisions of this Resolution shall govern.

3. Reimbursement Allocations. The designated officials shall also be responsible for making the "reimbursement allocations" described in the Regulations, being generally the transfer of the appropriate amount of reimbursement bond proceeds to reimburse the source of temporary financing from available funds used by the Board or Council to make payment of the prior expenditure. Each allocation shall be evidenced by an entry on the official books of the Board and the Council maintained for such reimbursement bonds, shall specifically identify the actual prior expenditure being reimbursed, and shall be effective to relieve the bond proceeds involved from any restriction under the bond resolution or other relevant legal documents for those bonds and under any applicable state statute which would apply to the unspent proceeds of such bond issue.

Approved by the Metropolitan Council this 13th day of  
February, 1992.

  
\_\_\_\_\_  
Mary E. Anderson  
Chair

  
\_\_\_\_\_  
Sandra L. Lindstrom  
Secretary

handout

1

A bill for an act

2 proposing an amendment to the Minnesota Constitution,  
3 article XIV; dedicating and allocating motor vehicle  
4 excise tax proceeds to highway and transit purposes;  
5 providing for resolution of local disapproval of  
6 certain county state-aid highway actions; providing  
7 that part of county state-aid highway fund be  
8 apportioned on basis of lane-miles; changing  
9 composition of county state-aid screening board;  
10 increasing municipal state-aid system mileage;  
11 revising the basis for determining population;  
12 changing composition of municipal screening board;  
13 amending the definition of highway and defining  
14 highway purpose; giving priority to certain  
15 metropolitan highway projects; requiring a statewide  
16 transit plan and system; creating Minnesota mobility  
17 trust fund and surface transportation fund; increasing  
18 gasoline tax; making technical changes; amending  
19 Minnesota Statutes 1990, sections 160.02, subdivision  
20 7, and by adding a subdivision; 162.02, subdivisions 8  
21 and 10, and by adding a subdivision; 162.07,  
22 subdivisions 1, 5, and 6; 162.09, subdivisions 1 and  
23 4; 162.13, subdivision 3; 162.155; 174.03, by adding a  
24 subdivision; 174.23, by adding a subdivision; 174.32,  
25 subdivision 2; and 296.02, subdivision 1b; Minnesota  
26 Statutes 1991 Supplement, section 16A.711, subdivision  
27 3; proposing coding for new law in Minnesota Statutes,  
28 chapters 161; 174; and 297B; repealing Minnesota  
29 Statutes 1991 Supplement, sections 161.041; and  
30 297B.09.

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

32

## ARTICLE 1

33

Section 1. [CONSTITUTIONAL AMENDMENT PROPOSED.]

34

An amendment to the Minnesota Constitution is proposed to

35

the people. If the amendment is adopted, article XIV, section

36

12, will read:

37

Sec. 12. The Minnesota mobility trust fund is created.

38

The proceeds of the tax levied on the purchase price of any

1 motor vehicle purchased or acquired, either in or outside of the  
 2 state of Minnesota, that is required to be registered under the  
 3 laws of this state must be credited to the Minnesota mobility  
 4 trust fund and apportioned to the surface transportation fund  
 5 and the transit assistance fund according to the following  
 6 schedule:

7 (1) for the fiscal biennium ending June 30, 1995, 40  
 8 percent to the Minnesota mobility trust fund for apportionment  
 9 as follows: 60 percent to the surface transportation fund and  
 10 40 percent to the transit assistance fund;

11 (2) for the fiscal biennium ending June 30, 1997, 70  
 12 percent to the Minnesota mobility trust fund for apportionment  
 13 as follows: 75 percent to the surface transportation fund and  
 14 25 percent to the transit assistance fund; and

15 (3) after June 30, 1997, 100 percent to the Minnesota  
 16 mobility trust fund for apportionment as follows: not less than  
 17 25 percent to the transit assistance fund and the remainder to  
 18 the surface transportation fund.

19 Sec. 2. [SUBMISSION TO VOTERS.]

20 The proposed amendment must be submitted to the people at  
 21 the 1992 general election. The question submitted shall be:

22 "Shall the Minnesota Constitution be amended to dedicate  
 23 proceeds of the <sup>"EXISTING"</sup> motor vehicle excise tax, over a five-year  
 24 period, to the Minnesota mobility trust fund with at least 25  
 25 percent apportioned to the transit assistance fund and the  
 26 remainder apportioned to the surface transportation fund?

27 Yes .....

28 No ....."

29 Election procedures shall be as provided by law.

30 Sec. 3. Minnesota Statutes 1991 Supplement, section  
 31 16A.711, subdivision 3, is amended to read:

32 Subd. 3. [ESTIMATES; REDUCTION OF PAYMENTS.] (a) At the  
 33 beginning of each fiscal year the commissioner, in consultation  
 34 with the commissioner of revenue, shall estimate for the fiscal  
 35 year:

36 (1) the amount of revenues to be deposited in the trust

1 fund under sections section 297A.44 and-297B-09 and other law;  
2 and

3 (2) the payments authorized by law to be made out of the  
4 trust.

5 If the estimated payments exceed the estimated receipts of  
6 the trust fund, the appropriations from the trust to each  
7 program are proportionately reduced, unless otherwise provided  
8 by law.

9 If the estimated receipts of the trust fund exceed the  
10 estimated payments by \$1,000,000 or more, the appropriation from  
11 the trust fund to each intergovernmental aid program is  
12 increased proportionately. The aid paid to each local  
13 government under the program is increased proportionately unless  
14 otherwise provided by law.

15 (b) If as a result of changes in economic conditions or if  
16 information becomes available that indicates changes either in  
17 receipts or payments from the trust fund, the commissioner may  
18 at other times estimate the amount of receipts or payments and  
19 reduce or restore the appropriations under paragraph (a).

20 Sec. 4. Minnesota Statutes 1990, section 160.02,  
21 subdivision 7, is amended to read:

22 Subd. 7. [ROAD OR HIGHWAY.] "Road" or "highway" is a  
23 corridor designed primarily for the efficient transportation of  
24 people and goods and includes, unless otherwise specified, the  
25 ~~several~~ kinds of highways as defined in this section, including  
26 roads designated as minimum-maintenance roads, and also  
27 cartways, together with all bridges or other structures thereon  
28 which form a part of the same.

29 Sec. 5. Minnesota Statutes 1990, section 160.02, is  
30 amended by adding a subdivision to read:

31 Subd. 16. [CITY.] Notwithstanding section 410.015, "city"  
32 includes both statutory and home rule charter cities.

33 Sec. 6. [161.087] [HIGHWAY PURPOSES.]

34 (a) Revenues derived from the taxes imposed under chapters  
35 168 and 296 and deposited in the highway user tax distribution  
36 fund may be used for highway projects, including public transit  
~~fund~~

1 projects in highway corridors, that are designed to:

2 (1) maximize federal matching funds available under the  
3 federal Intermodal Surface Transportation Efficiency Act of  
4 1991;

5 (2) contribute to attaining the congestion mitigation and  
6 ambient air quality standards of the federal Clean Air Act;

7 (3) relieve congestion and expedite travel;

8 (4) conserve energy; and

9 (5) reduce highway damage and other costs of highway use.

10 The uses in clauses (1) to (5) are deemed to be for highway  
11 purposes.

12 (b) "Public transit" means transit facilities available to  
13 the general public and includes the real property, equipment,  
14 and improvements used, constructed, operated, or maintained to  
15 provide transit facilities.

16 Sec. 7. Minnesota Statutes 1990, section 162.02,  
17 subdivision 8, is amended to read:

18 Subd. 8. [APPROVAL BY CITY.] No portion of the county  
19 state-aid highway system lying within the corporate limits of  
20 any city shall be constructed, reconstructed, or improved nor  
21 the grade thereof changed ~~without the prior approval of the~~  
22 ~~plans by the governing body of such city and the approval shall~~  
23 ~~be in the manner and form required by the commissioner unless (1)~~  
24 the action has been approved by the city council of the city in  
25 which the portion lies, in the manner and form prescribed by the  
26 commissioner, or (2) the action has been authorized by the  
27 commissioner as provided in subdivision 8a.

28 Sec. 8. Minnesota Statutes 1990, section 162.02, is  
29 amended by adding a subdivision to read:

30 Subd. 8a. [REVIEW COMMITTEE.] (a) If a county proposes to  
31 abandon, change, revoke, construct, reconstruct, improve, or  
32 change the grade of a portion of a county state-aid highway  
33 lying within a city, and the city has refused to approve the  
34 action as provided in subdivision 8 or 10, the county may refer  
35 the dispute to the commissioner for resolution. A county may  
36 not refer a dispute for resolution under this section until one

1 year from the date the action was submitted to the city council  
2 for approval. On receiving a request for dispute resolution,  
3 the commissioner shall establish a review committee consisting  
4 of the following five members:

5 (1) one county commissioner and one county engineer, both  
6 appointed by the commissioner from the membership of the county  
7 state-aid advisory committee established in subdivision 2;

8 (2) one city council member and one city engineer, both  
9 appointed by the commissioner from the membership of the  
10 municipal state-aid rules advisory committee established in  
11 section 162.09, subdivision 2; and

12 (3) the department of transportation state-aid engineer or  
13 the state-aid engineer's designee.

14 (b) Within 30 days of its establishment and after notice to  
15 the affected city and county and to the commissioner, the review  
16 committee shall hold at least one public hearing on the disputed  
17 action. At the completion of its hearings, the review committee  
18 shall make a recommendation to the commissioner. Within ten  
19 days of receiving the review committee's recommendation, the  
20 commissioner shall issue an order (1) authorizing the action,  
21 (2) authorizing the action as modified by the commissioner, or  
22 (3) refusing to authorize the action. A county may not proceed  
23 with an action referred to the commissioner under this  
24 subdivision except in accordance with the commissioner's order.

25 Sec. 9. Minnesota Statutes 1990, section 162.02,  
26 subdivision 10, is amended to read:

27 Subd. 10. [ABANDONMENT OR REVOCATION.] County state-aid  
28 highways may be abandoned, changed, or revoked by joint action  
29 of the county board and the commissioner. If a county state-aid  
30 highway is established or located within the limits of a city,  
31 it shall not be abandoned, changed, or revoked without the  
32 concurrence of the governing body of such city; provided,  
33 that ~~any-county-state-aid-highway-established-or-located-within~~  
34 ~~a-city-may-be-abandoned, or revoked without concurrence if the~~  
35 ~~city-refuses-or-neglects-for-a-period-of-one-year-after~~  
36 ~~submital-to-approve-plans-for-the-construction-of-such-highway~~

1 ~~which plans conform to the construction standards provided in~~  
2 ~~the commissioner's rules~~ a county may refer a city's refusal to  
3 approve of an abandonment, change, or revocation to the  
4 commissioner for resolution as provided in subdivision 8a.

5 Sec. 10. Minnesota Statutes 1990, section 162.07,  
6 subdivision 1, is amended to read:

7 Subdivision 1. [FORMULA.] After deducting for  
8 administrative costs and for the disaster account and research  
9 account and state park roads as heretofore provided, the  
10 remainder of the total sum provided for in section 162.06,  
11 subdivision 1, shall be identified as the apportionment sum and  
12 shall be apportioned by the commissioner to the several counties  
13 on the basis of the needs of the counties as determined in  
14 accordance with the following formula:

15 (1) An amount equal to ten percent of the apportionment sum  
16 shall be apportioned equally among the 87 counties.

17 (2) An amount equal to ten percent of the apportionment sum  
18 shall be apportioned among the several counties so that each  
19 county shall receive of such amount the percentage that its  
20 motor vehicle registration for the calendar year preceding the  
21 one last past, determined by residence of registrants, bears to  
22 the total statewide motor vehicle registration.

23 (3) An amount equal to 30 percent of the apportionment sum  
24 shall be apportioned among the several counties so that each  
25 county shall receive of such amount the percentage that its  
26 total ~~miles~~ existing lane-miles of approved county state-aid  
27 highways bears to the total ~~miles~~ existing lane-miles of  
28 approved statewide county state-aid highways.

29 (4) An amount equal to 50 percent of the apportionment sum  
30 shall be apportioned among the several counties so that each  
31 county shall receive of such amount the percentage that its  
32 money needs bears to the sum of the money needs of all of the  
33 individual counties; provided, that the percentage of such  
34 amount that each county is to receive shall be adjusted so that  
35 each county shall receive in 1958 a total apportionment at least  
36 ten percent greater than its total 1956 apportionments from the

1 state road and bridge fund; and provided further that those  
2 counties whose money needs are thus adjusted shall never receive  
3 a percentage of the apportionment sum less than the percentage  
4 that such county received in 1958.

5 Sec. 11. Minnesota Statutes 1990, section 162.07,  
6 subdivision 5, is amended to read:

7 Subd. 5. [SCREENING BOARD.] On or before September 1 of  
8 each year the county engineer of each county shall forward to  
9 the commissioner, on forms prepared by the commissioner, all  
10 information relating to the mileage in lane-miles of the county  
11 state-aid highway system in the county, and the money needs of  
12 the county that the commissioner deems necessary in order to  
13 apportion the county state-aid highway fund in accordance with  
14 the formula heretofore set forth. Upon receipt of the  
15 information the commissioner shall appoint a board consisting of  
16 ~~nine-county-engineers;--The-board-shall-be-so-selected-that-each~~  
17 one county engineer appointed-shall-be-from-a-different from  
18 each state highway construction district and one county engineer  
19 as a permanent representative from each urban county, as defined  
20 in section 162.07, subdivision 4. No county engineer appointed  
21 to represent a state highway construction district shall be  
22 appointed so as to serve consecutively for more than two years.  
23 The board shall investigate and review the information submitted  
24 by each county and shall on or before the first day of November  
25 of each year submit its findings and recommendations in writing  
26 as to each county's lane mileage and money needs to the  
27 commissioner on a form prepared by the commissioner. Final  
28 determination of the lane mileage of each system and the money  
29 needs of each county shall be made by the commissioner.

30 Sec. 12. Minnesota Statutes 1990, section 162.07,  
31 subdivision 6, is amended to read:

32 Subd. 6. [ESTIMATES TO BE MADE IF INFORMATION NOT  
33 PROVIDED.] In the event that any county shall fail to submit the  
34 information provided for herein, the commissioner shall estimate  
35 the lane mileage and the money needs of the county. The  
36 estimate shall be used in determining the apportionment

1 formula. The commissioner may withhold payment of the amount  
2 apportioned to the county until the information is submitted.

3 Sec. 13. Minnesota Statutes 1990, section 162.09,  
4 subdivision 1, is amended to read:

5 Subdivision 1. [CREATION.] There is created a municipal  
6 state-aid street system within cities having a population of  
7 5,000 or more. The extent of the municipal state-aid street  
8 system shall not exceed ~~2,500~~ 3,000 miles, plus the mileage of  
9 all trunk highways reverted or turned back to the jurisdiction  
10 of cities pursuant to law on and after July 1, 1965. The system  
11 shall be established, located, constructed, reconstructed,  
12 improved, and maintained as public highways within such cities  
13 under rules, not inconsistent with this section, made and  
14 promulgated by the commissioner as hereinafter provided.

15 Sec. 14. Minnesota Statutes 1990, section 162.09,  
16 subdivision 4, is amended to read:

17 Subd. 4. [~~FEDERAL-CENSUS-TO-BE-CONCLUSIVE~~ POPULATION  
18 DETERMINATION.] (a) In determining whether any city has a  
19 population of 5,000 or more, the ~~last-federal-census~~ population  
20 established by the most recent federal census, by a special  
21 census conducted under contract with the United States Bureau of  
22 the Census, by a population estimate made by the metropolitan  
23 council, or by a population estimate of the state demographer  
24 made pursuant to section 4A.02, whichever is the most recent as  
25 to the stated date of the count or estimate for the preceding  
26 calendar year, shall be conclusive.

27 (b) A city that has previously been classified as having a  
28 population of 5,000 or more for the purposes of chapter 162 and  
29 whose population decreases by less than 15 percent from the  
30 census figure that last qualified the city for inclusion shall  
31 ~~receive-the-following-percentages-of-its-1981-apportionment-for~~  
32 ~~the-years-indicated---1982,--66-percent-and-1983,~~ for the two  
33 years following the last year the city qualified for inclusion,  
34 receive the following percentages of its last apportionment: in  
35 the first year, 66 percent and in the second year, 33 percent.  
36 Thereafter the city shall not receive any apportionment from the

1 municipal state-aid street fund unless its population is  
2 determined to be 5,000 or over by a ~~federal~~ census in paragraph  
3 (a). ~~The governing body of the city may contract with the~~  
4 ~~United States Bureau of the Census to take one special census~~  
5 ~~before January 17, 1986.~~ A certified copy of the results of the  
6 census shall be filed with the appropriate state authorities by  
7 the city. The result of the census shall be the population of  
8 the city for the purposes of any law providing that population  
9 is a required qualification for distribution of highway aids  
10 under chapter 162. ~~The special census shall remain in effect~~  
11 ~~until the 1990 federal census is completed and filed.~~ ~~The~~  
12 ~~expense of taking the special census shall be paid by the city.~~

13 (c) If an entire area not heretofore incorporated as a city  
14 is incorporated as such during the interval between federal  
15 censuses, its population shall be determined by its  
16 incorporation census. The incorporation census shall be  
17 determinative of the population of the city only until the next  
18 ~~federal~~ census.

19 Sec. 15. Minnesota Statutes 1990, section 162.13,  
20 subdivision 3, is amended to read:

21 Subd. 3. [SCREENING COMMITTEE.] On or before September 1  
22 of each year, the engineer of each city having a population of  
23 5,000 or more shall forward to the commissioner on forms  
24 prepared by the commissioner, all information relating to the  
25 money needs of the city that the commissioner deems necessary in  
26 order to apportion the municipal state-aid street fund in  
27 accordance with the apportionment formula heretofore set forth.  
28 Upon receipt of the information the commissioner shall appoint a  
29 board of city engineers. The board shall be composed of two  
30 engineers from the state highway construction district in the  
31 metropolitan area, as defined in section 473.121, subdivision 2,  
32 one engineer from each state highway construction  
33 district outside the metropolitan area, and in addition thereto,  
34 one engineer from each city of the first class. The board shall  
35 investigate and review the information submitted by each city.  
36 On or before November 1 of each year, the board shall submit its

1 findings and recommendations in writing as to each city's money  
2 needs to the commissioner on a form prepared by the  
3 commissioner. Final determination of the money needs of each  
4 city shall be made by the commissioner. In the event that any  
5 city shall fail to submit the information provided for herein,  
6 the commissioner shall estimate the money needs of the city.  
7 The estimate shall be used in solving the apportionment  
8 formula. The commissioner may withhold payment of the amount  
9 apportioned to the city until the information is submitted.

10 Sec. 16. Minnesota Statutes 1990, section 162.155, is  
11 amended to read:

12 162.155 [RULES.]

13 The commissioner shall adopt rules, ~~no later than January~~  
14 ~~17-1980~~, in accordance with ~~sections 15-041 to 15-052~~, chapter  
15 14 setting forth the criteria to be considered by the  
16 commissioner in evaluating requests for variances under sections  
17 162.02, subdivision 3a and 162.09, subdivision 3a. The rules  
18 shall include, but are not limited to, economic, engineering and  
19 safety guidelines. ~~The engineering standards adopted pursuant~~  
20 ~~to section 162-077, subdivision 2, or 162-137, subdivision 2,~~  
21 ~~shall be adopted pursuant to the requirements of chapter 15 by~~  
22 ~~July 17-1980.~~

23 Sec. 17. Minnesota Statutes 1990, section 174.03, is  
24 amended by adding a subdivision to read:

25 Subd. 9. [METROPOLITAN PROJECT PRIORITY.] The commissioner  
26 and the metropolitan planning organization established by  
27 section 473.123, shall give priority to projects in highway  
28 corridors in the metropolitan area defined in section 473.121,  
29 subdivision 2, that are for the highway purposes under section  
30 6, and that maximize the following goals of the state  
31 transportation system: a reasonable travel time for commuters;  
32 increased high-occupancy vehicle use; and increased public  
33 transit use in the urban areas by giving highest priority to the  
34 transportation modes projected to move the greatest number of  
35 people.

36 Sec. 18. Minnesota Statutes 1990, section 174.23, is

1 amended by adding a subdivision to read:

2       Subd. 9. [STATE TRANSIT SYSTEM AND PLAN.] By January 1,  
3 1996, the commissioner shall provide a comprehensive,  
4 coordinated public transit system serving every county of the  
5 state. By January 1, 1993, the commissioner shall submit a plan  
6 to the legislature to implement coordinated statewide public  
7 transit service.

8       Sec. 19. Minnesota Statutes 1990, section 174.32,  
9 subdivision 2, is amended to read:

10       Subd. 2. [TRANSIT ASSISTANCE FUND; DISTRIBUTION.] (a) The  
11 transit assistance fund receives money ~~distributed under section~~  
12 297B-09 from the Minnesota mobility trust fund as provided in  
13 the Minnesota Constitution, article 14, section 12. Eighty  
14 percent of the receipts of the fund must be placed into a  
15 metropolitan account for distribution to recipients located in  
16 the metropolitan area and 20 percent into a separate account for  
17 distribution to recipients located outside of the metropolitan  
18 area. Except as otherwise provided in this subdivision, the  
19 regional transit board created by section 473.373 is responsible  
20 for distributing assistance from the metropolitan account, and  
21 the commissioner is responsible for distributing assistance from  
22 the other account. Money placed in the metropolitan account is  
23 available for distribution to regional railroad authorities  
24 established under chapter 398A in the metropolitan area, by the  
25 commissioner of transportation as provided in paragraph (b).

26       (b) The commissioner shall request applications from all  
27 eligible regional railroad authorities. The commissioner shall  
28 establish a reasonable deadline for submittal of applications.  
29 The commissioner may not distribute more than 60 percent of the  
30 available funds to a single recipient. Before distributing  
31 money to any regional railroad authority, the commissioner shall  
32 submit the applications to the regional transit board for  
33 approval. The commissioner may distribute funds only with the  
34 approval of the board. Before approving any application for  
35 funds for construction, the board shall report to the  
36 legislature on the use and planned distribution of construction

1 funds.

2 Sec. 20. [174.60] [MINNESOTA MOBILITY TRUST FUND.]

3 Subdivision 1. [COMPOSITION.] The Minnesota mobility trust  
4 fund shall consist of the proceeds of the motor vehicle excise  
5 tax as provided in the Minnesota Constitution, article 14,  
6 section 12; money received from the federal government or any  
7 other public or private source; and any other money otherwise  
8 allotted, appropriated, or legislated to the fund.

9 Subd. 2. [INVESTMENT OF THE MINNESOTA MOBILITY TRUST  
10 FUND.] Upon the request of the commissioner, money in the  
11 Minnesota mobility trust fund shall be invested by the state  
12 board of investment in those securities authorized for that  
13 purpose in section 11A.21. All interest and profits from the  
14 investments shall be credited to the Minnesota mobility trust  
15 fund. The state treasurer shall be the custodian of all  
16 securities purchased under this section.

17 Sec. 21. [174.65] [SURFACE TRANSPORTATION FUND.]

18 Subdivision 1. [ESTABLISHMENT.] The surface transportation  
19 fund is created in the state treasury consisting of money from  
20 the Minnesota mobility trust fund as provided in the Minnesota  
21 Constitution, article 14, section 12.

22 Subd. 2. [USES OF FUND.] Money in the surface  
23 transportation fund may be expended by appropriation for:

24 (1) activities of the commissioner of public safety  
25 relating to (i) driver licensing, (ii) motor vehicle  
26 registration and licensing, (iii) the accident reporting system,  
27 and (iv) the state patrol;

28 (2) activities of the commissioner of transportation  
29 relating to oversize and overweight permits, including the cost  
30 of necessary highway maintenance and preservation related to  
31 granting those permits;

32 (3) activities of the commissioner of transportation  
33 related to junkyard screening and control of outdoor advertising  
34 devices;

35 (4) activities of the transportation regulation board  
36 related to motor carrier regulation;

1       (5) repayment of money borrowed for new buildings, and  
2 improvements to existing buildings, of the department of  
3 transportation;

4       (6) railroad grade crossing protection studies, grade  
5 crossing inventories, and grade crossing public education;

6       (7) activities of the transportation study board;

7       (8) improvements and maintenance of trunk highways;

8       (9) improvements and maintenance of county state-aid  
9 highways;

10       (10) improvements and maintenance of municipal state-aid  
11 streets;

12       (11) construction and reconstruction of key bridges on the  
13 state transportation system;

14       (12) programs to improve highway safety;

15       (13) planning and engineering design for transit services  
16 and facilities;

17       (14) capital assistance to purchase or refurbish transit  
18 vehicles, and other capital expenditures necessary to transit  
19 service; and

20       (15) other assistance for public transit services that  
21 further the purposes of section 174.21.

22       Subd. 3. [DISTRIBUTION.] The amount remaining in the  
23 surface transportation fund after the legislature has made  
24 appropriations for the purposes in subdivision 2, clauses (1) to  
25 (7), must be allocated on the basis of the population of each  
26 state highway construction district, as determined by the last  
27 federal decennial census. Of the money allocated within a  
28 district, 38 percent shall be available for eligible projects  
29 proposed by counties and cities having a population greater than  
30 5,000 in the district.

31       Sec. 22. Minnesota Statutes 1990, section 296.02,  
32 subdivision 1b, is amended to read:

33       Subd. 1b. [RATES IMPOSED.] The gasoline excise tax is  
34 imposed at the following rate:

35       For the period on and after May 1, 1988 ~~1992~~, gasoline is  
36 taxed at the rate of 20 25 cents per gallon.

1       Sec. 23. [297B.095] [ALLOCATION OF REVENUE.]

2       Subdivision 1. [GENERAL FUND AND MINNESOTA MOBILITY TRUST  
3 FUND SHARE.] Money collected and received under this chapter  
4 must be deposited in the state treasury and credited to the  
5 general fund or to the Minnesota mobility trust fund as provided  
6 in this section. Money credited to the Minnesota mobility trust  
7 fund must be transferred from the Minnesota mobility trust fund  
8 on July 15 and February 15 of each fiscal year. The  
9 commissioner of finance must make each transfer based upon the  
10 actual receipts of the preceding six calendar months and include  
11 the interest earned during that six-month period. The  
12 commissioner of finance may establish a quarterly or other  
13 schedule providing for more frequent payments to the transit  
14 assistance fund if the commissioner determines it is necessary  
15 or desirable to provide for the cash flow needs of the  
16 recipients of money from the transit assistance fund.

17       Subd. 2. [DISTRIBUTION.] (a) Forty percent of the money  
18 collected and received under this chapter after June 30, 1993,  
19 and before July 1, 1995, must be credited to the Minnesota  
20 mobility trust fund and transferred to the surface  
21 transportation fund and transit assistance for apportionment as  
22 follows: 60 percent must be transferred to the surface  
23 transportation fund and 40 percent must be transferred to the  
24 transit assistance fund.

25       (b) Seventy percent of the money collected and received  
26 under this chapter after June 30, 1995, and before July 1, 1997,  
27 must be credited to the Minnesota mobility trust fund and  
28 transferred to the surface transportation fund and the transit  
29 assistance fund for apportionment as follows: 75 percent must  
30 be transferred to the surface transportation fund for the same  
31 purposes as other money in that fund and 25 percent must be  
32 transferred to the transit assistance fund.

33       (c) One hundred percent of the money collected and received  
34 under this chapter after July 1, 1997, must be credited to the  
35 Minnesota mobility trust fund for apportionment as follows: at  
36 least 25 percent must be transferred to the transit assistance

1 fund and the remainder to the surface transportation fund.

2 Sec. 24. [INSTRUCTION TO REVISOR.]

3 The revisor of statutes is directed to change the  
4 references to "section 297B.09" and "section 297B.09,  
5 subdivision 1," in Minnesota Statutes, sections 168.27,  
6 subdivision 16, 174.32, subdivision 2, 297B.031, and 297B.035,  
7 subdivision 2, to "section 297B.095."

8 Sec. 25. [NONSEVERABILITY.]

9 Sections 6 and 22 are not severable. If any provision of  
10 section 6 or 22 is held invalid, sections 6 and 22 are without  
11 effect.

12 Sec. 26. [REPEALER.]

13 Minnesota Statutes 1991 Supplement, sections 161.041 and  
14 297B.09, are repealed.

15 Sec. 27. [EFFECTIVE DATE.]

16 Sections 3, 19 to 21, 23, 24, and 26 are effective on the  
17 date the constitutional amendment proposed in section 1 is  
18 adopted by the people of Minnesota. Section 22 is effective May  
19 1, 1992.

20 ARTICLE 2

21 Section 1. [ISSUANCE OF STATE TRANSPORTATION BONDS.]

22 On the request of the commissioner of transportation, the  
23 commissioner of finance shall issue and sell Minnesota state  
24 transportation bonds for the purposes provided in Minnesota  
25 Statutes, section 174.51, subdivision 1, in the aggregate  
26 principal amount of \$60,000,000 in the manner and on the  
27 conditions prescribed in Minnesota Statutes, section 174.51, and  
28 in article XI of the Minnesota Constitution. The proceeds of  
29 the bonds, except as provided in Minnesota Statutes, section  
30 174.51, subdivision 5, must be deposited in the Minnesota state  
31 transportation fund for expenditure in accordance with section 2  
32 and with Minnesota Statutes, section 174.50.

33 Sec. 2. [APPROPRIATION AND DISTRIBUTION OF PROCEEDS.]

34 Subdivision 1. [APPROPRIATION.] \$60,000,000, or as much of  
35 that sum as the commissioner of transportation determines is  
36 needed, is appropriated from the Minnesota state transportation

1 fund to the commissioner of transportation. The commissioner  
2 shall spend this sum as grants to political subdivisions for the  
3 construction and reconstruction of key bridges on the state  
4 transportation system. This appropriation is available until  
5 spent.

6 Subd. 2. [ALLOCATION.] The commissioner shall not spend  
7 more than \$30,000,000 of this appropriation in any fiscal year.  
8 Total grants in any fiscal year may not exceed the following  
9 limits:

10 (1) to counties, \$16,100,000;

11 (2) to cities, \$6,500,000; and

12 (3) to towns, \$7,400,000.

13 Subd. 3. [USES.] Political subdivisions may use grants  
14 made under this section for purposes of construction and  
15 reconstruction of bridges, including:

16 (1) matching federal-aid grants for the construction or  
17 reconstruction of key bridges;

18 (2) paying the costs of abandoning an existing bridge that  
19 is deficient and in need of replacement, but where no  
20 replacement will be made;

21 (3) paying the costs of constructing a road or street that  
22 would facilitate the abandonment of an existing bridge  
23 determined by the commissioner to be deficient, if the  
24 commissioner determines that construction of the road or street  
25 is more cost-efficient than the replacement of the existing  
26 bridge; and

27 (4) paying the costs of preliminary engineering and  
28 environmental studies authorized under Minnesota Statutes,  
29 section 174.50, subdivision 6a.

30 ARTICLE 3

31 Section 1. [ISSUANCE OF STATE TRANSPORTATION BONDS.]

32 On the request of the commissioner of transportation, the  
33 commissioner of finance shall issue and sell Minnesota state  
34 transportation bonds for the purposes provided in Minnesota  
35 Statutes, section 174.51, subdivision 1, in the aggregate  
36 principal amount of \$37,553,000 in the manner and on the

1 conditions prescribed in Minnesota Statutes, section 174.51, and  
2 in article XI of the Minnesota Constitution. The proceeds of  
3 the bonds, except as provided in Minnesota Statutes, section  
4 174.51, subdivision 5, must be deposited in the Minnesota state  
5 transportation fund for expenditure in accordance with section 2  
6 and with Minnesota Statutes, section 174.50.

7 Sec. 2. [APPROPRIATION AND DISTRIBUTION OF PROCEEDS.]

8 Subdivision 1. [APPROPRIATION.] \$37,553,000, or as much of  
9 that sum as the commissioner of transportation determines is  
10 needed, is appropriated from the Minnesota state transportation  
11 fund to the commissioner of transportation. The commissioner  
12 shall spend this sum to take advantage of federal aid  
13 appropriated for special projects in the federal Intermodal  
14 Surface Transportation Efficiency Act of 1991 and the Fiscal  
15 Year 1992 Department of Transportation and Related Agencies  
16 Act. This appropriation is available until spent.

17 Subd. 2. [ALLOCATION.] The commissioner shall allocate  
18 this appropriation as follows:

19 (1) for construction and reconstruction of Forest highway  
20 11 connecting Aurora-Hoyt Lakes and Silver Bay, \$3,701,000;

21 (2) 77th Street reconstruction project, Richfield,  
22 \$6,600,000;

23 (3) Mankato south route improvements, Mankato, \$2,500,000;

24 (4) trunk highway 37 and Hughes road, \$125,000;

25 (5) Nicollet county state-aid highway 41 for roadway  
26 stabilization and rockfall control, North Mankato, \$750,000;

27 (6) Bloomington ferry bridge replacement, Shakopee,  
28 \$23,690,000; and

29 (7) University of Minnesota Humphrey Institute, \$188,000.

Jan 3/14

H. F. 1531, the delete-everything amendment S.F.

**SUBJECT:** Metropolitan Council

**AUTHORS:** Carruthers, I. Anderson

**COMMITTEE:** Local Government and Metropolitan Affairs

**ANALYST:** Deborah A. Dyson, 296-8291 **DATE:** March 6, 1992

**ARTICLE 1  
BUDGET REVIEW**

This article relates to the Metropolitan Council's authority to review the budgets of the metropolitan agencies and other administrative issues.

**Section 1. Financial Report.** Focuses the biennial consolidated financial report on capital expenditures and debt. Amends section 473.1623, subdivision 3.

**Sec. 2. Administrative Coordination.** Requires the financial reporting and management advisory committee (chairs of the Council, MWCC, RTB, MTC, MAC, and MSFC) to develop a joint or uniform and coordinated exercise of powers for appropriate administrative functions and report to the legislature annually on the committee's findings, recommendations, and the implementation of the recommendations. Amends section 473.1623, subdivision 5.

**Sec. 3. Personnel and Ethical Practices; Communication.** Requires the Council and metropolitan agencies to report to the legislature on agency compensation practices and human rights and affirmative action policies in addition to the existing reporting requirements. Removes the requirement to report on meetings and communications with local officials. Amends section 473.1623, subdivision 6.

**Sec. 4. Budget Review.** Defines "metropolitan agency" to include the Metropolitan Mosquito Control Commission for the purposes of section 473.163.

**Sec. 5. Procedure; Approval of Council.** Requires the agencies to submit their budgets to the Council. The Council must review and comment on the agencies' operating budgets and review and approve or disapprove the agencies' capital budgets. The Council must file the budgets adopted by the agencies' along with the Council's review and comment on the budgets with the Senate Majority Leader, the Speaker of the House, the chairs of the House and Senate Tax Committees, the Chair of the Senate Metropolitan Affairs Committee, and the Chair of the House Local Government and Metropolitan Affairs Committee by January 1 of each year. This section indicates what the Council's review and comment must include at a minimum. Amends section 473.163, subdivision 2.

**Sec. 6. MAC Budget.** Strikes a reference to the Council's duty to review the MAC's capital projects budget under section 473.621, subdivision 6, which limits the review to projects over \$5 million (\$2 million at airports other than the International Airport). Amends section 473.181, subdivision 5.

**Sec. 7. RTB Budget.** This section is a technical amendment to section 473.38, subdivision 1, the RTB's budget requirements, which requires the RTB to meet the requirements in section 473.163, amended in section 5 of the bill.

**Sec. 8. MWCC Contracts.** Raises the threshold amount for contracts subject to the section's bidding procedures from \$15,000 to \$25,000. Amends section 473.523.

**Sec. 9. MAC Budget.** Requires the MAC to comply with section 473.163. Amends section 473.661, by adding a subdivision.

**Sec. 10. Mosquito Control Commission Contracts.** Raises the threshold amount for contracts subject to the section's bidding procedures from \$5,000 to \$25,000. Amends section 473.705.

**Sec. 11. Metropolitan Mosquito Control Commission Budget.** Requires the Mosquito Control Commission to comply with section 473.163. Amends section 473.711, subdivision 2.

The Metropolitan Waste Control Commission, in section 473.535, and the Metropolitan Sports Facilities Commission, in section 473.595, subdivision 3, are currently subject to the requirements in section 473.163. The Metropolitan Transit Commission's budget remains subject to the review and approval of the RTB under section 473.435, subdivision 1, and the Parks and Open Space Commission's budget is part of the Council's budget.

**Sec. 12. Coordinated Personnel Policies and Services.** Creates a task force of the chairs of the Council, the MTC, the RTB, the MWCC, the MAC, and the MSFC, to develop uniform personnel policies and a plan for a unified personnel office. The task force must complete its work and report to the legislature by January 15, 1993.

**Sec. 13. Repealer.** Repeals section 473.1623, subdivision 4, which requires the financial and management advisory committee (chairs of the Council, MAC, MSFC, MWCC, RTB, and MTC) to develop uniform or consistent budget and financial reporting standards, formats and procedures, and to report to the legislature from time to time on its progress or on legislation needed to accomplish this requirement. Repeals section 473.621, subdivisions 6 and 7, which limit Council review of MAC capital projects to those over \$5 million (\$2 million at airports other than the International Airport).

**Sec. 14. Application.** Article 1 applies in the metropolitan area.

## ARTICLE 2 PLANNING

This article relates to the Council's planning authority.

**Sections 1, 3 and 4. Zoning and Planning.** Strikes the provisions that give zoning ordinances precedence over comprehensive plans, and inserts the requirement that zoning ordinances and subdivision regulations implement the purpose, objectives, and policies of plans. Timing of implementation of plans is up to the local governing body. In the metropolitan area, these provisions do not limit the applicability of the requirement that an official control (e.g., zoning ordinance) must be amended, if necessary, within nine months of a plan amendment so as not to conflict with the amended plan. Amends section 462.357, subdivision 2, and sections 473.858, subdivision 1, and 473.865, subdivision 1.

**Sec. 2. Council Review of Plans.** Requires the Council to establish criteria by January 1, 1994 for determining when a plan will have a substantial impact on or substantially depart from metropolitan system plans. The criteria may not be limited to the effect on a facility's capacity. Amends section 473.175.

**Sec. 5. Application.** This article applies in the metropolitan area.

## ARTICLE 3 APPOINTMENTS

This article requires legislators from Council districts in which appointments will be made to hold public meetings on the applicants, and limits the number of persons on the Council or a metropolitan agency supporting one political party.

**Section 1. Council Appointments.** Requires legislators from affected Council districts to hold public meetings on applicants for appointment to the Council. At least one member of the nominating committee must attend each public meeting and the committee must submit to the governor a summary of the public meetings along with the committee's recommendation. Requires applicants for Council appointments to indicate on the application a political party preference or lack thereof, and provides that no more than 10 members, excluding the chair, may support the same political party. Amends section 473.123, subdivision 3.

**Sec. 2. Agency Appointments.** Requires applicants for metropolitan agency appointments to indicate on the application a political party preference or lack thereof. No more than one-half plus one of the persons appointed to a metropolitan agency who serve at the same time, excluding the chair of an agency, may support the same political party, amending section 473.141, subdivision 2. Appointments to the Parks and Open Space Commission and the Waste Control Commission are governed by this section under their current enabling laws. See sections 473.303, subdivision 2, and 473.503.

**Sec. 3. MPOSC Appointments.** Applies the limitation in section 2 to the Parks and Open Space Commission.

**Sec. 4. RTB Appointments.** Applies the limitation in section 2 to the RTB.

**Sec. 5. MTC Appointments.** Applies the limitation in section 2 to the MTC.

**Sec. 6. Metropolitan Sports Facilities Commission.** Applies the limitation in section 2 to the MSFC.

**Sec. 7. MAC.** Applies the limitation in section 2 to the MAC.

**Sec. 8. Application.** Sections 1 to 7, relating to limitations on appointments, apply to appointments made after January 1, 1994 and shall not be construed to require the removal of a council or agency member, but shall be implemented as vacancies occur. This article applies in the metropolitan area.

**H. F.** 2219, the delete-everything amendment **S.F.** 1993

**SUBJECT** Regional Transit Board Omnibus Transit Bill

**AUTHORS:** A. Johnson, Kalis, Carruthers

**COMMITTEE:** Transportation

**ANALYST:** Deborah A. Dyson, 296-8291 **DATE:** March 10, 1992

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**Article 1**  
**Traffic Congestion Reduction Act**

**Section 1. High-Occupancy Vehicle.** Defines "high-occupancy vehicle" as a passenger vehicle or a truck with two or more occupants clearly visible at 50 feet, and buses, MTC vans, taxis, authorized emergency vehicles, and motorcycles.

**Sec. 2. High-Occupancy Vehicle Roadways.** Permits a road authority to designate a portion of a road for the exclusive use of high-occupancy vehicles.

Sections 3 to 6 related to tax benefits for alternative means of commuting.

**Sec. 3. Commuter Transportation Benefits.** Defines "commuter transportation benefits" in section 290.01 as the amount paid or incurred during the taxable year by an employer for providing employees alternatives to commuting to and from work in motor vehicles occupied by one person.<sup>1</sup> The benefits include, but are not limited to, parking for carpools, transit passes, bicycles, other equipment, and management strategies that reduce individual commuting.

**Sec. 4. Subtractions from Federal Taxable Income.** In calculating state taxable income, individuals, estates, and trusts may subtract from federal taxable income the value of commuter transportation benefits received by an employee, to the extent included in federal taxable income, not to exceed \$60 per month. This section covers employees' deductions and also deductions for individuals, trusts and estates who are employers.

**Sec. 5. Subtractions from Corporations' Federal Taxable Income.** In calculating state taxable income, corporations may subtract from federal taxable income the amount paid or incurred for

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<sup>1</sup>"Employer" is as defined in section 290.92, subdivision 1, clause (4), which includes individuals, fiduciaries, estates, trusts, partnerships, and corporations transacting business in or deriving income from sources within the state of Minnesota for whom an individual performs or performed any service, of whatever nature, as the employee of such person, and the federal government, state government and political subdivisions.

"Employee" is as defined in section 290.92, subdivision 1, clause (3), and includes an employee that is a Minnesota resident performing services in or out of Minnesota and an employee that is a nonresident performing services in Minnesota. "Employee" includes an officer of a corporation, an officer, employee, or elected official of the United States, a state, or any political subdivision, or the District of Columbia, or any agency or instrumentality of any one of these.

commuter transportation benefits provided to employees, to the extent included in federal taxable income.

**Sec. 6. Employers' Commuter Transportation Tax Credit.** An employer may take as a credit 10% of the amount paid or incurred for commuter transportation benefits, not to exceed \$60 per month per employee benefitted.

Section 7 to 11 relate to the Regional Transit Board's commuter trip reduction plan.

**Sec. 7. Definitions.** Defines affected employer, average daily vehicle occupancy rate, commuter trip reduction zone, commuter trip reduction plan, employer, single-occupancy vehicle, and work location.

**Sec. 8. Commuter Trip Reduction Program.**

**Subdivision 1. Establishment.** A commuter trip reduction program is established to reduce single-occupant vehicle commuting on metropolitan highways. The program must conform to the metropolitan council's transportation policy plan. The board is required to consult with the department of transportation, the metropolitan council, metropolitan transit commission, and local governments in the metropolitan area.

**Subd. 2. Data Collection and Analysis; Strategy.** The RTB must collect and analyze data on metropolitan commuting patterns and develop a traffic congestion reduction strategy that is based on reducing single-occupancy vehicle commuting.

**Subd. 3. Commuter Trip Reduction Zones.** The RTB must designate "commuter trip reduction zones." The RTB must set average vehicle occupancy rate goals for each zone, and review and revise designation of zones and goals every two years.

**Sec. 9. Requirements For Affected Employers.**

**Subdivision 1. Notice; Registration.** The RTB must notify all employers in the zones of the commuter trip reduction program. Affected employers (those with 100 or more employees) must register with the RTB.

**Subd. 2. Survey.** The RTB must send affected employers a survey form and information on the requirements of this section.

**Subd. 3. Commuter Trip Reduction Plan.** An affected employer must develop and submit to the RTB a commuter trip reduction plan that includes the survey results, current trip reduction strategies used, and the planned strategies that are intended to achieve at that work location the average vehicle occupancy rate for the zone within five years.

**Subd. 4. Consolidated Plan.** An affected employer may participate with other employers in developing a plan.

**Subd. 5. Plan Review.** The RTB must return a plan for revision if it will not meet the employer's goal. The employer must revise and resubmit the plan.



## Milwaukee County Transit System

1942 NORTH 17TH STREET • MILWAUKEE, WISCONSIN • 53205  
414 344-4550

March 4, 1992

Michael Ehrlichmann, Chairman  
Regional Transit Board  
230 East 5th Street  
St. Paul, MN 55101

Dear Ehrlichmann:

Milwaukee and several adjoining counties are currently involved with the State of Wisconsin and our local M.P.O. in conducting a study of whether or not a Regional Transportation Authority should be established.

The Governor has appointed an 11 member group to study the possible implementation of an Authority. This group is looking at a wide variety of options and working groups. I am somewhat familiar with your organization, and it obviously appears to be working well.

It would be most helpful to me if you would be willing to share some information with me regarding your Authority. If possible, I would like a copy of your Charter, any enabling information, Table of Organization, and possibly your views on the pros/cons of your organizational structure. What might you have done differently, etc..

Milwaukee and its surrounding counties certainly do not have to "re-invent the wheel". Sound working systems such as your's exist. It would be very helpful, and we would be most appreciative, if you would share your story with us! We will be more than happy to reimburse you for any postage or printing costs involved.

Thank you in advance for any assistance you may offer.

Sincerely,

Thomas P. Kujawa  
Managing Director

TPK/jf

HONOLULU PUBLIC TRANSIT AUTHORITY  
**CITY AND COUNTY OF HONOLULU**

HONOLULU MUNICIPAL BUILDING  
650 SOUTH KING STREET  
HONOLULU, HAWAII 96813



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MAYOR

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JAMES L. O'SULLIVAN  
EXECUTIVE DIRECTOR

March 6, 1992

Mr. Michael J. Ehrlichmann  
Chairman, Advisory Board  
Regional Transit Board  
Mears Park Centre, Suite 700  
230 East 5th Street  
St. Paul, Minnesota 55101

Dear Mr. Ehrlichmann:

I read with great interest the article on page 3 of the March 2, 1992 PASSENGER TRANSPORT entitled, "Twin Cities 5-Year 'Vision' Aimed at Increasing Ridership".

I recently assumed the newly created position of Executive Director of the Honolulu Public Transit Authority. In this capacity, I am charged with developing a "vision" for the future of transit here in Honolulu. Therefore, I would like to obtain a copy of your "Vision for Transit - Capital and Service Improvements 1992-1996" plan.

If there is any cost, please let me know. I can be reached at (808) 523-4138. Thank you.

Sincerely,

A handwritten signature in cursive script that reads "James L. O'Sullivan". The signature is written in dark ink and is positioned above the typed name and title.

JAMES L. O'SULLIVAN  
Executive Director

## REGIONAL TRANSIT BOARD

Mears Park Centre  
230 East Fifth Street, St. Paul, Minnesota 55101  
612/292-8789

DATE: March 16, 1992  
TO: Regional Transit Board Members  
Senior Management Staff  
FROM: Sherry Munyon, Deputy Chair  
SUBJECT: Legislative Hearings

### Tuesday, March 17

House Metro Affairs - 12:30 p.m. - Room 200  
Agenda: RTB Policy bill

Legislative Audit Committee - 12:00 noon - Room 300  
Agenda: Report on Regional Transit Planning

### Wednesday, March 18

House Transportation - 12:30 p.m. - Room 10  
Agenda: Vision Bonding bill

### Thursday, March 19

Senate Metro Affairs - 10:00 a.m. - Room 15  
Agenda: LRT Bonding bill  
Met Council LRT Governance bill

**Subd. 6. Compliance.** If an affected employer fails to submit the registration, survey, or plan consistent with this section, the RTB must notify the affected employer who must then consult with the RTB on actions needed to comply. The RTB may bring an action for injunctive relief.

**Sec. 10. Public Education.** The RTB, in cooperation with the metropolitan council, the MTC and commissioner of transportation, must develop a program to educate the public on the benefits of reducing single-occupancy vehicle commuting.

**Sec. 11. Initial Deadline.** The RTB must complete the initial collection and analysis of data required by section 8, subdivision 2, and make the initial designation of commuter trip reduction zones and trip reduction goals, by July 1, 1993. The RTB must begin the periodic review and revision of zones and goals in 1996.

**Sec. 12. Application.** Sections 7 to 11 apply in the metropolitan area counties.

## Article 2 Miscellaneous

**Section 1. Turning at Intersection.** No one may make a right turn at an intersection in front of a transit bus that is stopped to load or unload passengers.

**Sec. 2. Transit Signs with Disabled-Accessible Symbol.** Parking would be prohibited at a transit stop used by a disabled-accessible bus, if the stop is marked by a sign that bears the international access symbol. The violation would be the same as illegally parking in a disabled parking space (fine \$100-\$200).

**Sec. 3. Energy Emergency and Allocation Priorities.** Under current law, the commissioner of public service's emergency conservation and allocation plan must give priority to individuals, institutions, agriculture, and businesses that demonstrate they have engaged in energy-saving measures. This section adds public transit to those with priority.

**Sec. 4. HOV Lane Enforcement Demonstration Project.** The commissioners of transportation and public safety shall conduct a demonstration project using electronic technology to enforce HOV lane restrictions and submit to the legislature by January 1, 1994 a report evaluating the project. An owner or lessee of a vehicle operated in violation of HOV lane restrictions may not be convicted if another person is convicted for the violation, or if the vehicle was stolen at the time of the violation. (A lessor is not an owner under this section if the lessor keeps a record of the lessee's name and address.) No tapes may be retained after the demonstration project ends unless needed for legal purposes.

1 A bill for an act

2 relating to transportation; providing tax incentives  
3 for the use of alternative means of commuting;  
4 directing the regional transit board to establish a  
5 program to reduce traffic congestion; prohibiting  
6 right turns in front of buses; providing public  
7 transit operations priority in the event of an energy  
8 supply emergency; establishing a demonstration  
9 enforcement project for high occupancy vehicle lane  
10 use; amending Minnesota Statutes 1990, sections  
11 169.01, by adding a subdivision; 169.19, subdivision  
12 1; 216C.15, subdivision 1; and 290.01, subdivision  
13 19b, and by adding a subdivision; Minnesota Statutes  
14 1991 Supplement, sections 169.346, subdivision 1; and  
15 290.01, subdivision 19d; proposing coding for new law  
16 in Minnesota Statutes, chapters 169; 290; and 473.

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

18 ARTICLE 1

19 TRAFFIC CONGESTION REDUCTION ACT

20 Section 1. Minnesota Statutes 1990, section 169.01, is  
21 amended by adding a subdivision to read:

22 Subd. 77. [HIGH-OCCUPANCY VEHICLE.] "High-occupancy  
23 vehicle" means a passenger vehicle with two or more occupants  
24 clearly visible from a distance of at least 50 feet, a truck  
25 with a gross vehicle weight rating of 12,000 pounds or less with  
26 two or more occupants clearly visible from a distance of at  
27 least 50 feet, and the following, regardless of the number of  
28 occupants: buses, vans displaying the marking of the  
29 metropolitan transit commission, clearly marked and licensed  
30 taxicabs, authorized emergency vehicles, and motorcycles.

31 Sec. 2. [169.055] [HIGH-OCCUPANCY VEHICLE ROADWAYS.]

1     Subdivision 1. Road authorities may designate portions of  
2 roadways for the exclusive use of high-occupancy vehicles.  
3 Designated portions must be indicated by signs or distinctive  
4 pavement markings. No vehicle except those defined in section 1  
5 may be operated on a roadway designated for use by  
6 high-occupancy vehicles.

7     Subd. 2. The owner, or in the case of a leased vehicle,  
8 the lessee of a motor vehicle, operated in violation of this  
9 section, is liable for a civil penalty of up to \$100. The owner  
10 or lessee is not liable for the civil penalty if the vehicle was  
11 stolen, or if another person is convicted of a violation of this  
12 subdivision for the same violation.

13     Sec. 3. Minnesota Statutes 1990, section 290.01, is  
14 amended by adding a subdivision to read:

15     Subd. 4b. [COMMUTER TRANSPORTATION BENEFITS.] "Commuter  
16 transportation benefits" means the amount paid or incurred  
17 during the taxable year by an employer as defined in section  
18 290.92, subdivision 1, paragraph (4), for providing employees as  
19 defined in section 290.92, subdivision 1, paragraph (3),  
20 alternatives to commuting to and from work in motor vehicles  
21 occupied by one person. Those benefits include, but are not  
22 limited to, transit passes, parking at park-and-ride lots,  
23 parking for carpools, employer-sponsored rideshare and vanpool  
24 programs, bicycles and bicycle safety equipment, equipment that  
25 permits an employee to limit commuting by working at home, and  
26 the additional amount paid or incurred due to the use of  
27 flextime, staggered work hours, or other management techniques  
28 that reduce single-occupancy vehicle commuting by employees.

29     Sec. 4. Minnesota Statutes 1990, section 290.01,  
30 subdivision 19b, is amended to read:

31     Subd. 19b. [SUBTRACTIONS FROM FEDERAL TAXABLE INCOME.] For  
32 individuals, estates, and trusts, there shall be subtracted from  
33 federal taxable income:

34     (1) interest income on obligations of any authority,  
35 commission, or instrumentality of the United States to the  
36 extent includable in taxable income for federal income tax

1 purposes but exempt from state income tax under the laws of the  
2 United States;

3 (2) if included in federal taxable income, the amount of  
4 any overpayment of income tax to Minnesota or to any other  
5 state, for any previous taxable year, whether the amount is  
6 received as a refund or as a credit to another taxable year's  
7 income tax liability;

8 (3) the amount paid to others not to exceed \$650 for each  
9 dependent in grades kindergarten to 6 and \$1,000 for each  
10 dependent in grades 7 to 12, for tuition, textbooks, and  
11 transportation of each dependent in attending an elementary or  
12 secondary school situated in Minnesota, North Dakota, South  
13 Dakota, Iowa, or Wisconsin, wherein a resident of this state may  
14 legally fulfill the state's compulsory attendance laws, which is  
15 not operated for profit, and which adheres to the provisions of  
16 the Civil Rights Act of 1964 and chapter 363. As used in this  
17 clause, "textbooks" includes books and other instructional  
18 materials and equipment used in elementary and secondary schools  
19 in teaching only those subjects legally and commonly taught in  
20 public elementary and secondary schools in this state.

21 "Textbooks" does not include instructional books and materials  
22 used in the teaching of religious tenets, doctrines, or worship,  
23 the purpose of which is to instill such tenets, doctrines, or  
24 worship, nor does it include books or materials for, or  
25 transportation to, extracurricular activities including sporting  
26 events, musical or dramatic events, speech activities, driver's  
27 education, or similar programs. In order to qualify for the  
28 subtraction under this clause the taxpayer must elect to itemize  
29 deductions under section 63(e) of the Internal Revenue Code;

30 (4) to the extent included in federal taxable income,  
31 distributions from a qualified governmental pension plan, an  
32 individual retirement account, simplified employee pension, or  
33 qualified plan covering a self-employed person that represent a  
34 return of contributions that were included in Minnesota gross  
35 income in the taxable year for which the contributions were made  
36 but were deducted or were not included in the computation of

1 federal adjusted gross income. The distribution shall be  
2 allocated first to return of contributions until the  
3 contributions included in Minnesota gross income have been  
4 exhausted. This subtraction applies only to contributions made  
5 in a taxable year prior to 1985;

6 (5) income as provided under section 290.0802;

7 (6) the amount of unrecovered accelerated cost recovery  
8 system deductions allowed under subdivision 19g; and

9 (7) to the extent included in federal adjusted gross  
10 income, income realized on disposition of property exempt from  
11 tax under section 290.491; and

12 (8) the value of commuter transportation benefits received  
13 by an employee to the extent included in federal taxable income,  
14 in an amount not to exceed \$60 per month.

15 Sec. 5. Minnesota Statutes 1991 Supplement, section  
16 290.01, subdivision 19d, is amended to read:

17 Subd. 19d. [CORPORATIONS; MODIFICATIONS DECREASING FEDERAL  
18 TAXABLE INCOME.] For corporations, there shall be subtracted  
19 from federal taxable income after the increases provided in  
20 subdivision 19c:

21 (1) the amount of foreign dividend gross-up added to gross  
22 income for federal income tax purposes under section 78 of the  
23 Internal Revenue Code;

24 (2) the amount of salary expense not allowed for federal  
25 income tax purposes due to claiming the federal jobs credit  
26 under section 51 of the Internal Revenue Code;

27 (3) any dividend (not including any distribution in  
28 liquidation) paid within the taxable year by a national or state  
29 bank to the United States, or to any instrumentality of the  
30 United States exempt from federal income taxes, on the preferred  
31 stock of the bank owned by the United States or the  
32 instrumentality;

33 (4) amounts disallowed for intangible drilling costs due to  
34 differences between this chapter and the Internal Revenue Code  
35 in taxable years beginning before January 1, 1987, as follows:

36 (i) to the extent the disallowed costs are represented by

1 physical property, an amount equal to the allowance for  
2 depreciation under Minnesota Statutes 1986, section 290.09,  
3 subdivision 7, subject to the modifications contained in  
4 subdivision 19e; and

5 (ii) to the extent the disallowed costs are not represented  
6 by physical property, an amount equal to the allowance for cost  
7 depletion under Minnesota Statutes 1986, section 290.09,  
8 subdivision 8;

9 (5) the deduction for capital losses pursuant to sections  
10 1211 and 1212 of the Internal Revenue Code, except that:

11 (i) for capital losses incurred in taxable years beginning  
12 after December 31, 1986, capital loss carrybacks shall not be  
13 allowed;

14 (ii) for capital losses incurred in taxable years beginning  
15 after December 31, 1986, a capital loss carryover to each of the  
16 15 taxable years succeeding the loss year shall be allowed;

17 (iii) for capital losses incurred in taxable years  
18 beginning before January 1, 1987, a capital loss carryback to  
19 each of the three taxable years preceding the loss year, subject  
20 to the provisions of Minnesota Statutes 1986, section 290.16,  
21 shall be allowed; and

22 (iv) for capital losses incurred in taxable years beginning  
23 before January 1, 1987, a capital loss carryover to each of the  
24 five taxable years succeeding the loss year to the extent such  
25 loss was not used in a prior taxable year and subject to the  
26 provisions of Minnesota Statutes 1986, section 290.16, shall be  
27 allowed;

28 (6) an amount for interest and expenses relating to income  
29 not taxable for federal income tax purposes, if (i) the income  
30 is taxable under this chapter and (ii) the interest and expenses  
31 were disallowed as deductions under the provisions of section  
32 171(a)(2), 265 or 291 of the Internal Revenue Code in computing  
33 federal taxable income;

34 (7) in the case of mines, oil and gas wells, other natural  
35 deposits, and timber for which percentage depletion was  
36 disallowed pursuant to subdivision 19c, clause (11), a

1 reasonable allowance for depletion based on actual cost. In the  
2 case of leases the deduction must be apportioned between the  
3 lessor and lessee in accordance with rules prescribed by the  
4 commissioner. In the case of property held in trust, the  
5 allowable deduction must be apportioned between the income  
6 beneficiaries and the trustee in accordance with the pertinent  
7 provisions of the trust, or if there is no provision in the  
8 instrument, on the basis of the trust's income allocable to  
9 each;

10 (8) for certified pollution control facilities placed in  
11 service in a taxable year beginning before December 31, 1986,  
12 and for which amortization deductions were elected under section  
13 169 of the Internal Revenue Code of 1954, as amended through  
14 December 31, 1985, an amount equal to the allowance for  
15 depreciation under Minnesota Statutes 1986, section 290.09,  
16 subdivision 7;

17 (9) the amount included in federal taxable income  
18 attributable to the credits provided in Minnesota Statutes 1986,  
19 section 273.1314, subdivision 9, or Minnesota Statutes, section  
20 469.171, subdivision 6;

21 (10) amounts included in federal taxable income that are  
22 due to refunds of income, excise, or franchise taxes based on  
23 net income or related minimum taxes paid by the corporation to  
24 Minnesota, another state, a political subdivision of another  
25 state, the District of Columbia, or a foreign country or  
26 possession of the United States to the extent that the taxes  
27 were added to federal taxable income under section 290.01,  
28 subdivision 19c, clause (1), in a prior taxable year;

29 (11) the following percentage of royalties, fees, or other  
30 like income accrued or received from a foreign operating  
31 corporation or a foreign corporation which is part of the same  
32 unitary business as the receiving corporation:

33	Taxable Year	
34	Beginning After .....	Percentage
35	December 31, 1988 .....	50 percent
36	December 31, 1990 .....	80 percent;

1 (12) income or gains from the business of mining as defined  
2 in section 290.05, subdivision 1, clause (a), that are not  
3 subject to Minnesota franchise tax;

4 (13) the amount of handicap access expenditures in the  
5 taxable year which are not allowed to be deducted or capitalized  
6 under section 44(d)(7) of the Internal Revenue Code of 1986; and

7 (14) the amount of qualified research expenses not allowed  
8 for federal income tax purposes under section 280C(c) of the  
9 Internal Revenue Code, but only to the extent that the amount  
10 exceeds the amount of the credit allowed under section 290.068;  
11 and

12 (15) the amount paid or incurred for commuter  
13 transportation benefits provided to employees to the extent  
14 included in federal taxable income.

15 Sec. 6. [290.061] [EMPLOYER'S COMMUTER TRANSPORTATION TAX  
16 CREDIT.]

17 An employer, as defined in section 290.92, subdivision 1,  
18 paragraph (4), may take as a credit against taxes due under  
19 section 290.06 in a taxable year an amount equal to ten percent  
20 of the amount paid or incurred for commuter transportation  
21 benefits, not to exceed \$60 multiplied by the number of  
22 benefited employees.

23 Sec. 7. [473.4031] [DEFINITIONS.]

24 Subdivision 1. [SCOPE.] For the purposes of sections 7 to  
25 10, the following terms have the meanings given them.

26 Subd. 2. [AFFECTED EMPLOYER.] "Affected employer" means an  
27 employer of 100 or more employees at any work location within a  
28 commuter trip reduction zone.

29 Subd. 3. [AVERAGE DAILY VEHICLE OCCUPANCY RATE.] "Average  
30 daily vehicle occupancy rate" means the average number of  
31 persons occupying vehicles registered as passenger automobiles  
32 within an area surveyed.

33 Subd. 4. [COMMUTER TRIP REDUCTION PLAN OR PLAN.] "Commuter  
34 trip reduction plan" or "plan" means the plan required by  
35 section 9, subdivision 3.

36 Subd. 5. [COMMUTER TRIP REDUCTION ZONE.] "Commuter trip

1 reduction zone" means a geographic area designated by the  
2 regional transit board under section 8, subdivision 3.

3 Subd. 6. [EMPLOYER.] "Employer" has the meaning given it  
4 in section 290.92, subdivision 1, paragraph (4), except that  
5 employer excludes the federal government.

6 Subd. 7. [SINGLE-OCCUPANCY VEHICLE.] "Single-occupancy  
7 vehicle" means a motor vehicle occupied by one person and that  
8 is registered as a passenger automobile.

9 Subd. 8. [WORK LOCATION OR LOCATION.] "Work location" or  
10 "location" means an area, building, grouping of buildings, or  
11 set of contiguous buildings where employees of a single employer  
12 work.

13 Sec. 8. [473.4032] [COMMUTER TRIP REDUCTION PROGRAM.]

14 Subdivision 1. [ESTABLISHMENT.] The regional transit board  
15 shall establish a commuter trip reduction program to reduce  
16 commuting by single-occupant vehicle on the metropolitan  
17 highways. The board shall consult with the commissioner of  
18 transportation, the metropolitan council, the metropolitan  
19 transit commission, and local units of government in the  
20 metropolitan area in establishing the program.

21 The program must be consistent with the council's  
22 transportation policy plan.

23 Subd. 2. [DATA COLLECTION AND ANALYSIS; STRATEGY.] The  
24 regional transit board shall collect and analyze data on  
25 metropolitan commuting patterns, including origin-destination  
26 data, traffic congestion, employment and population densities,  
27 pollution levels, level of available transit services, parking  
28 availability, access to high-occupancy vehicles, and other  
29 factors that may affect the rate of commuting by  
30 single-occupancy vehicle.

31 The board shall develop a traffic congestion reduction  
32 strategy for the metropolitan area that includes maximum use of  
33 public transit, priority for multiple-occupancy vehicles,  
34 improved traffic system management, implementation of plans by  
35 affected employers, and other measures that increase the vehicle  
36 occupancy rate.

1        Subd. 3. [COMMUTER TRIP REDUCTION ZONES.] The board shall  
2 designate commuter trip reduction zones within the metropolitan  
3 area. The board shall determine the average vehicle occupancy  
4 rate in each zone and set rate goals for vehicle occupancy for  
5 each zone.

6        Every two years, the board shall review and revise as  
7 necessary its designation of zones and goals.

8        Sec. 9. [473.4033] [REQUIREMENTS FOR AFFECTED EMPLOYERS.]

9        Subdivision 1. [NOTICE; REGISTRATION.] Within 120 days  
10 after designating or revising the designation of commuter trip  
11 reduction zones and vehicle occupancy rate goals under section  
12 8, subdivision 3, the regional transit board shall notify, by  
13 mail and by publication in newspapers of general circulation,  
14 employers with work locations in the zones of the requirements  
15 of this section. Within 60 days after receipt of the notice, or  
16 publication of the general newspaper notice, whichever is later,  
17 an affected employer shall submit the following information to  
18 the board:

19        (1) the name and address of the employer;

20        (2) the name and address of a designated contact person at  
21 the work location; and

22        (3) the address of each work location employing 100 or more  
23 persons within a commuter trip reduction zone and the number of  
24 employees at each location.

25        Subd. 2. [SURVEY.] The board shall send affected employers  
26 a survey form on the commuting patterns of the employees at each  
27 work location and information on the requirements of this  
28 section.

29        Subd. 3. [COMMUTER TRIP REDUCTION PLAN.] Within 180 days  
30 after receipt of the survey form, an affected employer shall  
31 submit to the board the completed survey and a commuter trip  
32 reduction plan. The plan must include the following:

33        (1) a summary of the survey results, including a  
34 description of the modes of travel used by employees commuting  
35 to work, and the current average vehicle occupancy at each work  
36 location;

1       (2) a list of commuter trip reduction strategies currently  
2 used by the employer;

3       (3) a list and description of commuter trip reduction  
4 strategies to achieve at that location the average vehicle  
5 occupancy rate goal for the zone within five years; and

6       (4) the name and title of the person preparing the plan.

7       Subd. 4. [CONSOLIDATED PLAN.] An affected employer may  
8 comply with this section by participating in a consolidated plan  
9 with other employers in the surrounding area.

10       Subd. 5. [PLAN REVIEW.] The board shall return a plan  
11 within 180 days if the plan will not meet the employer's average  
12 vehicle occupancy rate goal. The employer shall revise and  
13 resubmit the plan within 90 days after receipt of the notice  
14 that the plan is inadequate.

15       Subd. 6. [COMPLIANCE.] If an affected employer fails to  
16 submit a completed registration form, survey, or commuter trip  
17 reduction plan consistent with the requirements of this section,  
18 the board shall notify the affected employer. The affected  
19 employer shall consult with the board within 15 days after  
20 receipt of the notice as to the actions needed to comply. The  
21 board may bring an action to enjoin compliance.

22       Sec. 10. [473.4034] [PUBLIC EDUCATION.]

23       The regional transit board, in cooperation with the  
24 commissioner of transportation, the metropolitan council, and  
25 the metropolitan transit commission, shall develop a program to  
26 educate the public on the benefits of reducing the number of  
27 single-occupancy commuter trips.

28       Sec. 11. [INITIAL DEADLINES.]

29       The regional transit board shall initially take the actions  
30 required by section 8 according to the following schedule:

31       (1) the initial collection and analysis of data required by  
32 section 8, subdivision 2, must be done by July 1, 1993;

33       (2) the initial designation of commuter trip reduction  
34 zones and setting of vehicle occupancy rate goals required by  
35 section 8, subdivision 3, must be done by July 1, 1993; and

36       (3) notwithstanding section 8, subdivision 3, the periodic

1 review and revision of zones and goals must begin in 1996.

2 Sec. 12. [APPLICATION.]

3 Sections 7 to 11 apply in the counties of Anoka, Carver,  
4 Dakota, Hennepin, Ramsey, Scott, and Washington.

5 ARTICLE 2

6 MISCELLANEOUS

7 Section 1. Minnesota Statutes 1990, section 169.19,  
8 subdivision 1, is amended to read:

9 Subdivision 1. [TURNING AT INTERSECTION.] The driver of a  
10 vehicle intending to turn at an intersection shall do so as  
11 follows:

12 †1) (a) Both the approach for a right turn and a right turn  
13 shall be made as close as practicable to the right-hand curb or  
14 edge of the roadway.

15 †2) (b) Approach for a left turn on other than one-way  
16 roadways shall be made in that portion of the right half of the  
17 roadway nearest the center line thereof, and after entering the  
18 intersection the left turn shall be made so as to leave the  
19 intersection to the right of the center line of the roadway  
20 being entered. Whenever practicable the left turn shall be made  
21 in that portion of the intersection to the left of the center of  
22 the intersection.

23 †3) (c) Approach for a left turn from a two-way roadway  
24 into a one-way roadway shall be made in that portion of the  
25 right half of the roadway nearest the center line thereof and by  
26 passing to the right of such center line where it enters the  
27 intersection.

28 †4) (d) A left turn from a one-way roadway into a two-way  
29 roadway shall be made from the left hand lane and by passing to  
30 the right of the center line of the roadway being entered upon  
31 leaving the intersection.

32 †5) (e) Where both streets or roadways are one way, both  
33 the approach for a left turn and a left turn shall be made as  
34 close as practicable to the left-hand curb or edge of the  
35 roadway.

36 †6) (f) Local authorities in their respective jurisdictions

1 may cause markers, buttons, or signs to be placed within or  
2 adjacent to intersections and thereby require and direct that a  
3 different course from that specified in this section be traveled  
4 by vehicles turning at an intersection, and when markers,  
5 buttons, or signs are so placed no driver of a vehicle shall  
6 turn a vehicle at an intersection other than as directed and  
7 required by such markers, buttons, or signs.

8 ~~(7)~~ (g) Whenever it is necessary for the driver of a motor  
9 vehicle to cross a bicycle lane adjacent to the driver's lane of  
10 travel to make a turn, the driver shall drive the motor vehicle  
11 into the bicycle lane prior to making the turn, and shall make  
12 the turn, yielding the right-of-way to any vehicles approaching  
13 so close thereto as to constitute an immediate hazard.

14 (h) No person shall make a right turn of a vehicle at an  
15 intersection in front of a transit bus that is stopped to load  
16 or unload passengers.

17 Sec. 2. Minnesota Statutes 1991 Supplement, section  
18 169.346, subdivision 1, is amended to read:

19 Subdivision 1. [PARKING CRITERIA.] A person shall not:

20 (1) park a motor vehicle in or obstruct access to a parking  
21 space designated and reserved for the physically disabled, on  
22 either private or public property;

23 (2) park a motor vehicle in or obstruct access to an area  
24 designated by a local governmental unit as a transfer zone for  
25 disabled persons; or

26 (3) exercise the parking privilege provided in section  
27 169.345, unless:

28 (i) that person is a physically disabled person as defined  
29 in section 169.345, subdivision 2, or the person is transporting  
30 or parking a vehicle for a physically disabled person; and

31 (ii) the vehicle visibly displays one of the following: a  
32 license plate issued under section 168.021, a certificate issued  
33 under section 169.345, or an equivalent certificate, insignia,  
34 or license plate issued by another state, a foreign country, or  
35 one of its political subdivisions; or

36 (4) park a motor vehicle in an area used as a regular route

1 (3) needs of individuals and, institutions, and public  
2 transit are adjusted to insure the health and welfare of the  
3 young, old and infirm;

4 (b) insure maintenance of reasonable job safety conditions  
5 and avoid environmental sacrifices;

6 (c) establish programs, controls, standards, priorities or  
7 quotas for the allocation, conservation and consumption of  
8 energy resources; and for the suspension and modification of  
9 existing standards and the establishment of new standards  
10 affecting or affected by the use of energy resources, including  
11 those related to the type and composition of energy sources, and  
12 to the hours and days during which public buildings, commercial  
13 and industrial establishments, and other energy consuming  
14 facilities may or are required to remain open;

15 (d) establish programs to control the use, sale or  
16 distribution of commodities, materials, goods or services;

17 (e) establish regional programs and agreements for the  
18 purpose of coordinating the energy resources, programs and  
19 actions of the state with those of the federal government, of  
20 local governments, and of other states and localities; and

21 (f) determine at what level of an energy supply emergency  
22 situation the pollution control agency shall be requested to ask  
23 the governor to petition the president for a temporary emergency  
24 suspension of air quality standards as required by the Clean Air  
25 Act, United States Code, title 42, section 7410f; and

26 (g) establish procedures for fair and equitable review of  
27 complaints and requests for special exemptions regarding  
28 emergency conservation measures or allocations.

29 Sec. 4. [HOV LANE ENFORCEMENT DEMONSTRATION PROJECT.]

30 (a) Beginning ....., the commissioners of transportation  
31 and public safety shall jointly conduct a demonstration project  
32 using electronic technology to enforce regulations restricting  
33 the use of high-occupancy vehicle lanes. The commissioners  
34 shall submit a report evaluating the project to the legislature  
35 by January 1, 1994.

36 (b) If a motor vehicle is operated in violation of

1 transit stopping point where (i) a transit vehicle that is  
2 accessible to the physically disabled regularly stops, and (ii)  
3 the operator of the regular route transit has erected a sign  
4 that bears the international symbol of access in white on blue.  
5 A sign erected under this clause that bears the access symbol  
6 may display other information relating to the regular route  
7 transit service. For purposes of this clause, an area used as a  
8 regular route transit stopping point consists of the 80 feet  
9 immediately in front of the sign described in this clause.

10 Sec. 3. Minnesota Statutes 1990, section 216C.15,  
11 subdivision 1, is amended to read:

12 Subdivision 1. [PLAN PROGRAMS, PRIORITIES, AND CONTROLS.]  
13 The commissioner shall maintain an emergency conservation and  
14 allocation plan. The plan shall provide a variety of strategies  
15 and staged conservation measures to reduce energy use and in the  
16 event of an energy supply emergency, shall establish guidelines  
17 and criteria for allocation of fuels to priority users. The  
18 plan shall contain alternative conservation actions and  
19 allocation plans to reasonably meet various foreseeable shortage  
20 circumstances and allow a choice of appropriate responses. The  
21 plan shall be consistent with requirements of federal emergency  
22 energy conservation and allocation laws and regulations, shall  
23 be based on reasonable energy savings or transfers from scarce  
24 energy resources and shall:

25 (a) give priority to individuals, institutions, agriculture  
26 and, businesses, and public transit under contract with the  
27 commissioner of transportation or the regional transit board  
28 which demonstrate they have engaged in energy-saving measures  
29 and shall include provisions to insure that:

30 (1) immediate allocations to individuals, institutions,  
31 agriculture and, businesses, and public transit be based on  
32 needs at energy conservation levels;

33 (2) successive allocations to individuals, institutions,  
34 agriculture and, businesses, and public transit be based on  
35 needs after implementation of required action to increase energy  
36 conservation; and

1 restrictions on use of high-occupancy vehicle lanes, the owner  
2 or lessee of the motor vehicle may not be convicted for the  
3 violation if:

4 (1) another person is convicted for that violation; or

5 (2) the motor vehicle was stolen at the time of the  
6 violation.

7 For purposes of this section, a lessor of a motor vehicle who  
8 keeps a record of the name and address of the lessee is not  
9 considered the owner.

10 No tapes may be retained after the demonstration project  
11 ends unless needed for legal purposes.

1                                   A bill for an act

2           relating to metropolitan government; authorizing the  
3           acquisition and betterment of transit facilities and  
4           equipment and providing financing for their cost;  
5           amending Minnesota Statutes 1990, section 473.39.

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

7           Section 1. Minnesota Statutes 1990, section 473.39, is  
8 amended to read:

9           473.39 [BORROWING MONEY.]

10          Subdivision 1. [GENERAL AUTHORITY.] The council, if  
11 requested by vote of at least two-thirds of all of the members  
12 of the transit board, may issue general obligation bonds subject  
13 to the volume ~~limitation~~ limitations in ~~subdivision-1a~~ this  
14 section to provide funds to the board for expenditure to  
15 implement the board's approved implementation plan and may issue  
16 general obligation bonds not subject to the ~~volume-limitation~~  
17 ~~set-forth-in-subdivision-1a~~ limitations for the refunding of  
18 outstanding bonds or certificates of indebtedness of the  
19 council, the board or the commission, and judgments against the  
20 board or the commission. The council may not unreasonably  
21 withhold the issuance of obligations for an implementation plan  
22 that has been approved by the council. The council may not  
23 issue obligations pursuant to this subdivision, other than  
24 refunding bonds, in excess of the amount specifically authorized  
25 by law. Except as otherwise provided in sections 473.371 to

1 473.449, the council shall provide for the issuance, sale, and  
2 security of the bonds in the manner provided in chapter 475, and  
3 has the same powers and duties as a municipality issuing bonds  
4 under that law, except that no election is required and the net  
5 debt limitations in chapter 475 do not apply to the bonds. The  
6 obligations are not a debt of the state or any municipality or  
7 political subdivision within the meaning of any debt limitation  
8 or requirement pertaining to those entities. Neither the state,  
9 nor any municipality or political subdivision except the council  
10 and board, nor any member or officer or employee of the board or  
11 council, is liable on the obligations. The obligations may be  
12 secured by taxes levied without limitation of rate or amount  
13 upon all taxable property in the transit taxing district and  
14 transit area as provided in section 473.446, subdivision 1,  
15 clause (c). The council shall certify to the transit board  
16 before October 1 of each year the amounts necessary to provide  
17 full and timely payment of the obligations. As part of its levy  
18 made under section 473.446, subdivision 1, clause (c), the board  
19 shall levy the amounts certified by the council and transfer the  
20 proceeds to the council for payment of the obligations. The  
21 taxes must be levied, certified, and collected in accordance  
22 with the terms and conditions of the indebtedness.

23 Subd. 1a. [OBLIGATIONS.] (a) After August 1, 1989, the  
24 council may issue certificates of indebtedness, bonds, or other  
25 obligations under this section in an amount not exceeding  
26 \$26,000,000 for financial assistance to the commission, as  
27 prescribed in the implementation and capital plans of the board  
28 and the capital program of the commission.

29 (b) After August 1, 1989, the council may issue  
30 certificates of indebtedness, bonds, or other obligations under  
31 this section in an amount not exceeding \$4,700,000 for other  
32 capital expenditures as prescribed in the implementation and  
33 capital plans of the board.

34 (c) The board shall require, as a condition of financial  
35 assistance to the commission, that the commission make  
36 facilities it constructs, acquires, or improves for I-394 with

1 funds provided under this section available to all transit  
2 providers on a nondiscriminatory basis, as the board defines  
3 these terms.

4 (d) The limitation contained in this subdivision does not  
5 apply to refunding bonds issued by the council.

6 Subd. 1b. [OBLIGATIONS; 1993-1996.] The council may also  
7 issue certificates of indebtedness, bonds, or other obligations  
8 under this section in an amount not exceeding \$116,500,000, of  
9 which \$87,400,000 may be used by the commission for fleet  
10 replacement, facilities, and capital equipment, and \$29,100,000  
11 may be used by the board for transit hubs, park-and-ride lots,  
12 community-based transit vehicles and replacement service program  
13 vehicles, and intelligent vehicle highway systems projects, and  
14 related costs including the cost of issuance and sale of the  
15 obligations. The council may issue \$32,000,000 of the total  
16 amount authorized under this subdivision during fiscal biennium  
17 ending 1993, \$63,000,000 during fiscal biennium ending 1995, and  
18 \$21,500,000 in fiscal year 1996.

19 Subd. 2. [LEGAL INVESTMENTS.] Certificates of  
20 indebtedness, bonds, or other obligations issued by the council  
21 to which tax levies have been pledged pursuant to section  
22 473.446, are proper for investment of any funds by a bank,  
23 savings bank, savings and loan association, credit union, trust  
24 company, insurance company, or public or municipal corporation,  
25 and may be pledged by any bank, savings bank, savings and loan  
26 association, credit union, or trust company as security for the  
27 deposit of public money.

28 Sec. 2. [APPLICATION.]

29 This act applies in the counties of Anoka, Carver, Dakota,  
30 Hennepin, Ramsey, Scott, and Washington.

1 A bill for an act

2 relating to metropolitan government; permitting the  
3 metropolitan council to issue bonds for development of  
4 light rail transit; amending Minnesota Statutes 1990,  
5 section 473.39.

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

7 Section 1. Minnesota Statutes 1990, section 473.39, is  
8 amended to read:

9 473.39 [BORROWING MONEY.]

10 Subdivision 1. [GENERAL AUTHORITY.] The council, if  
11 requested by vote of at least two-thirds of all of the members  
12 of the transit board, may issue general obligation bonds subject  
13 to the volume ~~limitation~~ limitations in ~~subdivision-1a~~ this  
14 section to provide funds to the board for expenditure to  
15 implement the board's approved implementation plan and may issue  
16 general obligation bonds not subject to the ~~volume-limitation~~  
17 ~~set-forth-in-subdivision-1a~~ limitations for the refunding of  
18 outstanding bonds or certificates of indebtedness of the  
19 council, the board or the commission, and judgments against the  
20 board or the commission. The council may not unreasonably  
21 withhold the issuance of obligations for an implementation plan  
22 that has been approved by the council. The council may not  
23 issue obligations pursuant to this subdivision, other than  
24 refunding bonds, in excess of the amount specifically authorized  
25 by law. Except as otherwise provided in sections 473.371 to

1 473.449, the council shall provide for the issuance, sale, and  
2 security of the bonds in the manner provided in chapter 475, and  
3 has the same powers and duties as a municipality issuing bonds  
4 under that law, except that no election is required and the net  
5 debt limitations in chapter 475 do not apply to the bonds. The  
6 obligations are not a debt of the state or any municipality or  
7 political subdivision within the meaning of any debt limitation  
8 or requirement pertaining to those entities. Neither the state,  
9 nor any municipality or political subdivision except the council  
10 and board, nor any member or officer or employee of the board or  
11 council, is liable on the obligations. The obligations may be  
12 secured by taxes levied without limitation of rate or amount  
13 upon all taxable property in the transit taxing district and  
14 transit area as provided in section 473.446, subdivision 1,  
15 clause (c). The council shall certify to the transit board  
16 before October 1 of each year the amounts necessary to provide  
17 full and timely payment of the obligations. As part of its levy  
18 made under section 473.446, subdivision 1, clause (c), the board  
19 shall levy the amounts certified by the council and transfer the  
20 proceeds to the council for payment of the obligations. The  
21 taxes must be levied, certified, and collected in accordance  
22 with the terms and conditions of the indebtedness.

23 Subd. 1a. [OBLIGATIONS.] (a) After August 1, 1989, the  
24 council may issue certificates of indebtedness, bonds, or other  
25 obligations under this section in an amount not exceeding  
26 \$26,000,000 for financial assistance to the commission, as  
27 prescribed in the implementation and capital plans of the board  
28 and the capital program of the commission.

29 (b) After August 1, 1989, the council may issue  
30 certificates of indebtedness, bonds, or other obligations under  
31 this section in an amount not exceeding \$4,700,000 for other  
32 capital expenditures as prescribed in the implementation and  
33 capital plans of the board.

34 (c) The board shall require, as a condition of financial  
35 assistance to the commission, that the commission make  
36 facilities it constructs, acquires, or improves for I-394 with

1 funds provided under this section available to all transit  
2 providers on a nondiscriminatory basis, as the board defines  
3 these terms.

4 (d) The limitation contained in this subdivision does not  
5 apply to refunding bonds issued by the council.

6 Subd. 1b. [LIGHT RAIL TRANSIT.] The council may issue  
7 certificates of indebtedness, bonds, or other obligations under  
8 this section in an amount not exceeding \$92,000,000 to match  
9 federal money equal to 80 percent of the cost for development of  
10 light rail transit in the central corridor between downtown  
11 Saint Paul, the University of Minnesota, Minneapolis campus, and  
12 downtown Minneapolis, including costs of acquisition and  
13 improvement of right-of-way and capital equipment, and related  
14 costs including the cost of issuance and sale of the obligations.

15 Subd. 2. [LEGAL INVESTMENTS.] Certificates of  
16 indebtedness, bonds, or other obligations issued by the council  
17 to which tax levies have been pledged pursuant to section  
18 473.446, are proper for investment of any funds by a bank,  
19 savings bank, savings and loan association, credit union, trust  
20 company, insurance company, or public or municipal corporation,  
21 and may be pledged by any bank, savings bank, savings and loan  
22 association, credit union, or trust company as security for the  
23 deposit of public money.

24 Sec. 2. [APPLICATION.]

25 This act applies in the counties of Anoka, Carver, Dakota,  
26 Hennepin, Ramsey, Scott, and Washington.

4/16/92

RTB ADVISORY COMMITTEE AND BOARD LIAISONS

LOAC Committee

Meets: 2nd Wednesday of every other month (April next)  
Chair: Joan Campbell (for now)  
Board Liaison: Ehrlichmann, Chair

Marketing Committee

Meets: Call of the chair, usually 2nd or 3rd Thurs. of the month  
Chair: Dick Wedell  
Board Liaison: Maryann Campo, Tom Workman

Legislative Committee

Meets: Call of the chair  
Chair: Tom Workman; Doris Caranicas, Vice Chair

Transportation Accessibility Advisory Committee

Meets: 2nd Wednesday at 9:30 a.m.  
Chair: Morgan Grant  
Board Liaison: Val Higgins and Doris Caranicas

Rideshare Advisory Committee

Meets: 3rd Thursday at 8:00 a.m.  
Chair: Dean Lund  
Board Liaison: Tom Sather

Providers Advisory Committee

Meets: Bi-monthly  
Chair: Glenn Olson  
Board Liaison: Val Higgins

Bicycle Advisory Committee

Meets: Scheduled to begin May 1  
Chair:  
Board Liaison: Maryann Campo

**Audit Advisory Committee**

**Meets:** Quarterly  
**Chair:** Michael J. Ehrlichmann  
**Board Liaison:** Ruth Franklin and Don Scheel

**Transportation Advisory Board**

**Meets:** 3rd Wednesday  
**Chair:** Sally Evert  
**Board Liaison:** Ruth Franklin

**Metropolitan Council Systems Committee**

**Meets:** 1st & 3rd Tuesday  
**Chair:** Dirk deVries  
**Board Liaison:** Don Scheel

**Metropolitan Transit Commission**

**Meets:** Every Tuesday at 4:30 p.m.  
**Chair:** Todd Paulson  
**Board Liaison:** Sharon Feess and Ruby Hunt

**Policy Committee**

**Meets:** 4th Monday of every month  
**Chair:** Sandra Hilary  
**Members:** Ruby Hunt  
Maryann Campo  
Val Higgins  
Tom Workman

**Administration & Finance Committee**

**Meets:** 2nd Monday of every month  
**Chair:** Ruth Franklin  
**Members:** Don Scheel  
Tom Sather  
Doris Caranicas  
Sharon Feess