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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH
SESSION

HOUSE FILE No. **2390**

March 29, 2007

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The bill was read for the first time and referred to the Transportation Finance Division

1.1 A bill for an act
1.2 relating to transportation; permitting statewide use of freeway shoulders by
1.3 transit and metro mobility buses; allowing limited use of bus stops by motor
1.4 carriers of passengers; amending Minnesota Statutes 2006, sections 169.306;
1.5 473.411, by adding a subdivision.

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

1.7 Section 1. Minnesota Statutes 2006, section 169.306, is amended to read:

1.8 **169.306 USE OF FREEWAY SHOULDERS BY BUSES.**

1.9 (a) The commissioner of transportation may permit the use by transit buses and
1.10 metro mobility buses of a shoulder of a freeway or expressway, as defined in section
1.11 160.02, ~~in the seven-county metropolitan area.~~

1.12 (b) If the commissioner permits the use of a freeway or expressway shoulder by
1.13 transit buses, the commissioner shall also permit the use on that shoulder of a bus with a
1.14 seating capacity of 40 passengers or more operated by a motor carrier of passengers, as
1.15 defined in section 221.011, subdivision 48, while operating in intrastate commerce.

1.16 (c) Buses authorized to use the shoulder under this section may be operated on the
1.17 shoulder only when main line traffic speeds are less than 35 miles per hour. Drivers of
1.18 buses being operated on the shoulder may not exceed the speed of main line traffic by
1.19 more than 15 miles per hour and may never exceed 35 miles per hour. Drivers of buses
1.20 being operated on the shoulder must yield to merging, entering, and exiting traffic and
1.21 must yield to other vehicles on the shoulder. Buses operated on the shoulder must be
1.22 registered with the Department of Transportation.

2.1 (d) For the purposes of this section, the term "metro mobility bus" means a motor
2.2 vehicle of not less than 20 feet in length engaged in providing special transportation
2.3 services under section 473.386 that is:

2.4 (1) operated by the Metropolitan Council, or operated by a public or private entity
2.5 receiving financial assistance from the Metropolitan Council; and

2.6 (2) authorized by the council to use freeway or expressway shoulders.

2.7 Sec. 2. Minnesota Statutes 2006, section 473.411, is amended by adding a subdivision
2.8 to read:

2.9 Subd. 6. Use of bus stops. (a) The council shall take all necessary steps to permit
2.10 an eligible provider to use bus stops and bus shelters that the council uses in providing
2.11 regular route transit service, unless use by those vehicles unreasonably interferes with the
2.12 safety and reliability of the council's transit operations. This subdivision applies only to
2.13 vehicles that:

2.14 (1) provide transit service originating outside the metropolitan area as defined in
2.15 section 473.121, subdivision 2;

2.16 (2) while inbound to the metropolitan area, do not pick up passengers within the
2.17 metropolitan area; and

2.18 (3) while outbound from the metropolitan area, do not drop off passengers within the
2.19 metropolitan area.

2.20 (b) For purposes of this section, "eligible provider" means a provider of transit by a
2.21 motor carrier of passengers registered under section 221.0252 and operated:

2.22 (1) primarily to provide regular route transit, as defined in section 174.22,
2.23 subdivision 8;

2.24 (2) to provide service to an urban area having a population of at least 50,000; and

2.25 (3) without financial operating assistance from the state or any political subdivision
2.26 of the state.