

A Guide to
Federal and Minnesota State Bicycle and Pedestrian Laws and Regulations

March 28, 2012

Federal and state laws and rules relating to bicycle and pedestrian transportation are provided below. This list is not comprehensive and is in development. Many areas of law, statutes and rules are not covered in this document. For example, Americans with Disabilities Act (ADA) and Section 504 and other federal and state laws and regulations are not completely cited in this document.

This document focuses on multimodal, bicycle and pedestrian transportation laws and regulations and is divided into three sections:

1. Section I: the United States Department of Transportation's summary of bicycle and pedestrian laws
2. Section II: Federal laws and regulations
3. Section III: Minnesota laws, statutes and rules.

Other laws and regulations govern bicycle and pedestrian transportation beyond what is listed here. Laws and regulations that do not specifically call out bicycle, pedestrian, multimodal, or related words that are not listed may be relevant and applicable to bicycle and pedestrian transportation. Minnesota state laws and rules retrieved from the [Minnesota Office of Revisor of Statutes](#). The Minnesota Office of Revisor of Statutes has the most recent and up to date laws and rules and serves as the official source. This document serves only as a guide and more recent citations of laws and regulations may exist.

Section I. Summary of Key Federal Laws on Bicycle and Pedestrian Transportation

The USDOT summarized key statutes and regulations regarding walking and bicycling for State departments of transportation relating to planning, protection of bicycle and pedestrian facilities, project documentation, Americans with Disabilities Act accessibility and funding sources. The text below is copied from: [United States Department of Transportation - Policy Statement on Bicycle and Pedestrian Accommodation Regulations and Recommendations](#).

Planning Requirements

The State and Metropolitan Planning Organization (MPO) planning regulations describe how walking and bicycling are to be accommodated throughout the planning process (e.g., see 23 CFR 450.200, 23 CFR 450.300, 23 U.S.C. 134(h), and 135(d)). Nonmotorists must be allowed to participate in the planning process and transportation agencies are required to integrate walking and bicycling facilities and programs in their transportation plans to ensure the operability of an intermodal transportation system:

- The scope of the metropolitan planning process "will address the following factors...(2) Increase the safety for motorized and non-motorized users; (3) Increase the security of the transportation system for motorized and non-motorized users; (4) Protect and enhance the environment, promote energy conservation, improve the quality of life..." 23 CFR 450.306(a). See 23 CFR 450.206 for similar State requirements.
- Metropolitan transportation plans "...shall, at a minimum, include...existing and proposed transportation facilities (including major roadways, transit, multimodal and intermodal facilities, pedestrian walkways and bicycle facilities, and intermodal connectors that should function as an integrated metropolitan transportation system..." 23 CFR 450.322(f). See 23 CFR 450.216(g) for similar State requirements.
- The plans and transportation improvement programs (TIPs) of all metropolitan areas "shall provide for the development and integrated management and operation of transportation systems and facilities (including accessible pedestrian walkways and bicycle transportation facilities)." 23 U.S.C. 134(c)(2) and 49 U.S.C. 5303(c)(2). 23 CFR 450.324(c) states that the TIP "shall include ...trails projects, pedestrian walkways; and bicycle facilities..."
- 23 CFR 450.316(a) states that "The MPOs shall develop and use a documented participation plan that defines a process for providing...representatives of users of pedestrian walkways and bicycle transportation facilities, and representatives of the disabled, and other interested parties with reasonable opportunities to be involved in the metropolitan planning process." 23 CFR 450.210(a) contains similar language for States. See also 23 U.S.C. 134(i)(5), 135(f)(3), 49 U.S.C. 5303(i)(5), and 5304(f)(3) for additional information about participation by interested parties.

Prohibition of Route Severance

The Secretary has the authority to withhold approval for projects that would negatively impact pedestrians and bicyclists under certain circumstances:

- "The Secretary shall not approve any project or take any regulatory action under this title that will result in the severance of an existing major route or have significant adverse impact on the safety for nonmotorized transportation traffic and light motorcycles, unless such project or regulatory action provides for a reasonable alternate route or such a route exists." 23 U.S.C. 109(m).
- "In any case where a highway bridge deck being replaced or rehabilitated with Federal financial participation is located on a highway on which bicycles are permitted to operate at each end of such bridge, and the Secretary determines that the safe accommodation of bicycles can be provided at reasonable cost as part of such replacement or rehabilitation, then such bridge shall be so replaced or rehabilitated as to provide such safe accommodations." 23 U.S.C. 217(e). Although this statutory requirement only mentions bicycles, DOT encourages States and local governments to apply this same policy to pedestrian facilities as well.
- 23 CFR 652 provides "procedures relating to the provision of pedestrian and bicycle accommodations on Federal-aid projects, and Federal participation in the cost of these accommodations and projects."

Project Documentation

- "In metropolitan planning areas, on an annual basis, no later than 90 calendar days following the end of the program year, the State, public transportation operator(s), and the MPO shall cooperatively develop a listing of projects (including investments in pedestrian walkways and bicycle transportation facilities) for which funds under 23 U.S.C. or 49 U.S.C. Chapter 53 were obligated in the preceding program year." 23 CFR 332(a).

Accessibility for All Pedestrians

- Public rights-of-way and facilities are required to be accessible to persons with disabilities through the following statutes: Section 504 of the Rehabilitation Act of 1973 (Section 504) (29 U.S.C. §794) and Title II of the Americans with Disabilities Act of 1990 (ADA) (42 U.S.C. §§ 12131-12164).
- The DOT Section 504 regulation requires the Federal Highway Administration (FHWA) to monitor the compliance of the self-evaluation and transition plans of Federal-aid recipients (49 CFR §27.11). The FHWA Division offices review pedestrian access compliance with the ADA and Section 504 as part of their routine oversight activities as defined in their stewardship plans.
- FHWA posted its [Clarification of FHWA's Oversight Role in Accessibility](#) to explain how to accommodate accessibility in policy, planning, and projects.

The USDOT summarized laws relating to federal funding allowed for bicycle and pedestrian transportation and related activities in table format: [FHWA and FTA Funds That May be Used for Bicycle and Pedestrian Activities](#) . Many funding programs allow funding for bicycle and pedestrian transportation.

Section II. Federal Laws Relating to Bicycle and Pedestrian Transportation

This is not a comprehensive review or list Federal laws that specifically relate to bicycle and pedestrian transportation. This is in development to provide a resource on requirements when the compilation is complete. Some of these laws are mentioned in the FHWA summaries above.

FHWA Bicycle and Pedestrian Program

Regulations, Policies and Guidance as of September 22, 2011

Date	Document	Hyperlink
CODE OF FEDERAL REGULATIONS		
	23 CFR 652	http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&sid=7f603ec660922dfa65ba82ff44906101&tpl=/ecfrbrowse/Title23/23cfr652_main_02.tpl
DOT POLICY AND GUIDANCE		
March 2010	US DOT Policy Statement on Bicycle and Pedestrian Accommodation Regulations and Recommendations	http://www.dot.gov/affairs/2010/bicycle-ped.html
March 2010	INFORMATION: New US DOT Policy Statement on Bicycle and Pedestrian Accommodation Regulations and Recommendations	http://www.fhwa.dot.gov/environment/bikeped/policy_accom_memo.htm
FHWA POLICY AND GUIDANCE		
February 1999	Guidance and Policies - Bicycle and Pedestrian Provisions of the Federal-aid Program	http://www.fhwa.dot.gov/environment/bikeped/memo.htm
Revised October 2008	FHWA Guidance - Bicycle and Pedestrian Provisions of Federal Transportation Legislation	http://www.fhwa.dot.gov/environment/bikeped/bp-guid.htm
Updated August 2003	FHWA/FTA Bicycle and Pedestrian Transportation Planning Guidance	http://www.fhwa.dot.gov/environment/bikeped/inter.htm
February 2006	FHWA/FTA Memorandum - Flexible Funding for Highways and Transit and Funding for Bicycle & Pedestrian Programs	http://www.fhwa.dot.gov/hep/flexfund.htm
February 2008	Bicycle and Pedestrian Design Guidance	http://www.fhwa.dot.gov/environment/bikeped/guidance.htm
February 2008	Design guidance Accommodating Bicycle and Pedestrian Travel: A Recommended Approach	http://www.fhwa.dot.gov/environment/bikeped/design.htm

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Minnesota Department of Transportation

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Date	Document	Hyperlink
August 2000	Supplementary Design Guidance for Bicycle and Pedestrian Projects	http://www.fhwa.dot.gov/environment/bikeped/supdesgn.htm
Revised February 2011	Shared Use Paths Along or Near Freeways and Bicycles on Freeways	http://www.fhwa.dot.gov/environment/bikeped/freeways.htm

Accessibility

[Americans' with Disabilities Act of 1990](#) The Americans' with Disabilities Act of 1990 (ADA) is a federal civil-rights statute which protects the rights of people with disabilities. This document is available in HTML and PDF.

[Section 504 Rehabilitation Act](#) This fact sheet gives you an overview of your rights under section 504 of the Rehabilitation Act. This document is in PDF format.

[Architectural Barriers Act](#) The Architectural Barriers Act of 1967 requires access to facilities designed, built, altered or leased with Federal funds. This HTML document is a copy of this act. A link to a page listing design standards is included in the first paragraph of the text.

While not a federal law, this information may relate to the above: [Minnesota Human Rights](#) This is a link on the Minnesota Department of Human Rights website concerning Minnesota Statutes Chapter 363A on the Human Rights.

Environmental Justice: From [An Overview of Transportation and Environmental Justice](#)

Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, 1994 directed every Federal agency to make environmental justice part of its mission by identifying and addressing the effects of all programs, policies, and activities on "minority populations and low-income populations." The DOT's environmental justice initiatives accomplish this goal by involving the potentially affected public in developing transportation projects that fit harmoniously within their communities without sacrificing safety or mobility. There are three fundamental environmental justice principles:

- To avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority populations and low-income populations.
- To ensure the full and fair participation by all potentially affected communities in the transportation decision-making process.

- To prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations. See:
http://www.fhwa.dot.gov/environment/environmental_justice/facts/dot_ord.cfm

Environmental Justice is being updated and expanded to have more specifics for modes. From the website:

The Department of Transportation is taking a fresh look at our Environmental Justice policies in order to strengthen the EJ process. This includes working to create new mode-specific tools and guidance for achieving EJ. To the extent possible, DOT will ensure harmonization across the modes. Although there are unique elements in each program, the goal is to avoid any needless obstacles for project developers and communities.

[Section 4\(f\)](#)

Section 4(f) properties include publicly owned public parks, recreation areas, and wildlife or waterfowl refuges, or any publicly or privately owned historic site listed or eligible for listing on the National Register of Historic Places. Use of a Section 4(f) property occurs: (1) when land is permanently incorporated into a transportation facility; or (2) when there is a temporary occupancy of land that is adverse in terms of the statute's preservation purpose; or (3) when there is a constructive use (a project's proximity impacts are so severe that the protected activities, features, or attributes of a property are substantially impaired). The regulation lists various exceptions and limitations applicable to this general definition. See also:
<http://www.environment.fhwa.dot.gov/projdev/4fbikeways.asp>

[Section 6\(f\)](#)

Section 6(f) of the Land and Water Conservation Act requires that the conversion of lands or facilities acquired with Land and Water Conservation Act funds be coordinated with the Department of Interior. Usually replacement in kind is required.

NEPA process: Health Impacts of Transportation

Health impacts due to transportation outputs: <http://www.cdc.gov/healthyplaces/hia.htm> and <http://www.cdc.gov/healthyplaces/NEPA.htm>

<http://www.environment.fhwa.dot.gov/projdev/tdmimpacts.asp>

23 U.S.C. § 130 - Federal-Aid Highways: Railway-highway crossings

The entire cost of construction of projects for the elimination of hazards of railway-highway crossings, may be paid from sums apportioned in accordance with section 104 of this title.

In carrying out projects under this section, a State shall take into account bicycle safety.

23 U.S.C. § 134 -Federal-Aid Highways: Metropolitan transportation planning

- Metropolitan planning organizations (MPO) in cooperation with the State and public transportation operators shall develop long-range transportation plans and transportation improvement programs (TIP) for metropolitan planning areas of the State.
- a MPO shall be designated for each urbanized area with a population of more than 50,000 individuals
- The plans and TIPs for each metropolitan area shall provide for the development and integrated management and operation of transportation systems and facilities (including accessible pedestrian walkways and bicycle transportation facilities)
- The process for developing the plans and TIPs shall provide for consideration of all modes of transportation
- Other requirements stated ...

23 U.S.C. § 135 –Statewide Transportation Planning

- Each State shall develop a statewide transportation plan and a statewide transportation improvement program for all areas of the State
- The statewide transportation plan and the transportation improvement program (TIP) developed for each State shall provide for the development and integrated management and operation of transportation systems and facilities (including accessible pedestrian walkways and bicycle transportation facilities).

23 U.S.C. § 152 Railway safety

Funds may be used for activities including a survey of hazardous locations and for projects on any publicly owned bicycle or pedestrian pathway or trail, or any safety-related traffic calming measure. Improvements to railway-highway crossings "shall take into account bicycle safety." See: <http://www.fhwa.dot.gov/environment/bikeped/bp-broch.htm#policy>

23 U.S.C. § 402 -Highway Safety: Highway safety programs

Each State shall have a highway safety program designed to reduce traffic accidents and deaths, injuries, and property damage. Such programs shall be in accordance with guidelines promulgated by the Secretary. Such guidelines shall seek to improve driver performance and to improve pedestrian performance and bicycle safety.

The Secretary may not approve a State highway safety program which does not provide adequate and reasonable access for the safe and convenient movement of individuals with disabilities.

23 C.F.R. § 450.206 - Statewide Transportation Planning and Programming: Scope of Statewide Transportation Planning Process Each State shall carry out a continuing, cooperative, and comprehensive statewide transportation planning process that provides for consideration and implementation of projects, strategies, and services that will address the following factors

- Increase the safety of the transportation system for motorized and non-motorized users;
- Increase accessibility and mobility of people;
- Protect and enhance the environment, promote energy conservation, improve the quality of life, and promote consistency between transportation improvements and State and local planned growth and economic development patterns;
- Enhance the integration and connectivity of the transportation system, across and between modes throughout the State,
- failure to consider any factor specified in paragraph (a) of this section shall not be reviewable by any court

49 U.S.C. § 5303 - Public Transportation: Metropolitan transportation planning

See: 23 C.F.R. § 450.306

Metropolitan Transportation Planning and Programming: Scope of the metropolitan transportation planning process. The metropolitan transportation planning process shall be continuous, cooperative, and comprehensive, and provide for consideration and implementation of projects, strategies, and services that will address the following factors:

- Increase the safety of the transportation system for motorized and non-motorized users;
- Increase accessibility and mobility of people;
- Protect and enhance the environment, promote energy conservation, improve the quality of life, and promote consistency between transportation improvements and State and local planned growth and economic development patterns;
- Enhance the integration and connectivity of the transportation system, across and between modes throughout the State,
- The metropolitan transportation planning process shall be carried out in coordination with the statewide transportation planning process

49 U.S.C. § 5304 -Public Transportation: Statewide transportation planning

See 23 C.F.R. § 450.206

Each State shall carry out a continuing, cooperative, and comprehensive statewide transportation planning process that provides for consideration and implementation of projects, strategies, and services that will address the following factors

- Increase the safety of the transportation system for motorized and non-motorized users;
- Increase accessibility and mobility of people;
- Protect and enhance the environment, promote energy conservation, improve the quality of life, and promote consistency between transportation improvements and State and local planned growth and economic development patterns;

- Enhance the integration and connectivity of the transportation system, across and between modes throughout the State,
- failure to consider any factor specified in paragraph (a) of this section shall not be reviewable by any court

23 C.F.R. § 450.210 -

Statewide Transportation Planning and Programming: Interested parties, public involvement, and consultation.

- In carrying out the statewide transportation planning process the State shall develop and use a documented public involvement process that provides opportunities for public review and comment at key decision points.
- The State's public involvement process at a minimum shall:

Establish early and continuous public involvement opportunities that provide timely information about transportation issues and decision making processes to citizens, affected public agencies, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, and other interested parties;

Provide for the periodic review of the effectiveness of the public involvement process to ensure that the process provides full and open access to all interested parties and revise the process, as appropriate.

23 C.F.R. § 450.316

Metropolitan Transportation Planning and Programming: Interested parties, participation, and consultation.

The MPO shall develop and use a documented participation plan that defines a process for providing representatives of users of pedestrian walkways and bicycle transportation facilities with reasonable opportunities to be involved in the metropolitan transportation planning process.

23 C.F.R. § 450.324

Metropolitan Transportation Planning and Programming: Development and content of the transportation improvement program (TIP).

The MPO, in cooperation with the States shall develop a TIP for the metropolitan planning area.

TIP shall include surface transportation projects within the boundaries of the metropolitan planning area proposed for funding under 23 U.S.C. and 49 U.S.C. Chapter 53 (including safety projects included in the State's Strategic Highway Safety Plan; trails projects; pedestrian walkways; and bicycle facilities), the following may (not required) be included:

- Safety projects funded under 23 U.S.C. 402 and 49 U.S.C. 31102;

[23 U.S.C. §217: Bicycle Transportation and Pedestrian Walkways](#)

Federal legislation in Title 23 of the United States Code Section 217 provides the funding mechanisms, planning requirements, and policy tools necessary to create more walkable and bicycle-friendly communities.

(a) Use Of STP And Congestion Mitigation Program Funds.--Subject to project approval by the Secretary, a State may obligate funds apportioned to it under sections 104(b)(2) and 104(b)(3) of this title for construction of pedestrian walkways and bicycle transportation facilities and for carrying out nonconstruction projects related to safe bicycle use.

(b) Use Of National Highway System Funds.--Subject to project approval by the Secretary, a State may obligate funds apportioned to it under section 104(b)(1) of this title for construction of pedestrian walkways and bicycle transportation facilities on land adjacent to any highway on the National Highway System.

(c) Use Of Federal Lands Highway Funds.--Funds authorized for forest highways, forest development roads and trails, public lands development roads and trails, park roads, parkways, Indian reservation roads, and public lands highways shall be available, at the discretion of the department charged with the administration of such funds, for the construction of pedestrian walkways and bicycle transportation facilities.

(d) State Bicycle And Pedestrian Coordinators.--Each State receiving an apportionment under sections 104(b)(2) and 104(b)(3) of this title shall use such amount of the apportionment as may be necessary to fund in the State department of transportation a position of bicycle and pedestrian coordinator for promoting and facilitating the increased use of nonmotorized modes of transportation, including developing facilities for the use of pedestrians and bicyclists and public education, promotional, and safety programs for using such facilities.

(e) Bridges.--In any case where a highway bridge deck being replaced or rehabilitated with Federal financial participation is located on a highway on which bicycles are permitted to operate at each end of such bridge, and the Secretary determines that the safe accommodation of bicycles can be provided at reasonable cost as part of such replacement or rehabilitation, then such bridge shall be so replaced or rehabilitated as to provide such safe accommodations.

(f) Federal Share.--For all purposes of this title, construction of a pedestrian walkway and a bicycle transportation facility shall be deemed to be a highway project and the Federal share payable on account of such construction shall be determined in accordance with section 120(b).

(g) Planning and Design.--

1. In General.--Bicyclists and pedestrians shall be given due consideration in the comprehensive transportation plans developed by each metropolitan planning organization and State in accordance with sections 134 and 135, respectively. Bicycle

transportation facilities and pedestrian walkways shall be considered, where appropriate, in conjunction with all new construction and reconstruction of transportation facilities, except where bicycle and pedestrian use are not permitted.

2. Safety considerations.--Transportation plans and projects shall provide due consideration for safety and contiguous routes for bicyclists and pedestrians. Safety considerations shall include the installation, where appropriate, and maintenance of audible traffic signals and audible signs at street crossings.

(h) Use Of Motorized Vehicles.--Motorized vehicles may not be permitted on trails and pedestrian walkways under this section, except for --

1. maintenance purposes;
2. when snow conditions and State or local regulations permit, snowmobiles;
3. motorized wheelchairs;
4. when State or local regulations permit, electric bicycles;
5. and such other circumstances as the Secretary deems appropriate.

(i) Transportation Purpose.--No bicycle project may be carried out under this section unless the Secretary has determined that such bicycle project will be principally for transportation, rather than recreation, purposes.

(j) Definitions.--In this section, the following definitions apply:

1. Bicycle transportation facility.--The term 'bicycle transportation facility' means a new or improved lane, path, or shoulder for use by bicyclists and a traffic control device, shelter, or parking facility for bicycles.
2. Electric bicycle.--The term 'electric bicycle' means any bicycle or tricycle with a low-powered electric motor weighing under 100 pounds, with a top motor-powered speed not in excess of 20 miles per hour.
3. Pedestrian.--The term 'pedestrian' means any person traveling by foot and any mobility impaired person using a wheelchair.
4. Wheelchair.--The term 'wheelchair' means a mobility aid, usable indoors, and designed for and used by individuals with mobility impairments, whether operated manually or motorized.

23 U.S.C. 103(b) (6) §103. Federal-aid systems [Eligibility for National Highway System Funds]

(b) National Highway System.—

(6) Eligible Projects for NHS.--Subject to approval by the Secretary, funds apportioned to a State under section 104(b)(1) for the National Highway System may be obligated for any of the following: (K) Bicycle transportation and pedestrian walkways in accordance with section 217.

23 U.S.C. 109(m)

(m) Protection of Nonmotorized Transportation Traffic. --The Secretary shall not approve any project or take any regulatory action under this title that will result in the severance of an

existing major route or have significant adverse impact on the safety for nonmotorized transportation traffic and light motorcycles, unless such project or regulatory action provides for a reasonable alternate route or such a route exists.

23 U.S.C. § 133

Surface Transportation Program [Eligibility for Surface Transportation Program Funds]

(b) Eligible Projects.--A State may obligate funds apportioned to it under section 104(b)(3) for the surface transportation program only for the following: (3) Carpool projects, fringe and corridor parking facilities and programs, bicycle transportation and pedestrian walkways in accordance with section 217, and modification of public sidewalks to comply with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).

(8) Transportation enhancement activities.

(c) Location of Projects.--Except as provided in subsection (b)(1), surface transportation program projects (other than those described in subsections (b)(3) and (4)) may not be undertaken on roads functionally classified as local or rural minor collectors, unless such roads are on a Federal-aid highway system on January 1, 1991, and except as approved by the Secretary. {See also: [Exemption for Transportation Enhancement Projects.](#)}

Transportation Enhancement Activities Definition

§101(a) Definitions.--In this title, the following definitions apply:

(35) Transportation enhancement activities.--The term 'transportation enhancement activity' means, with respect to any project or the area to be served by the project, any of the following activities as the activities relate to surface transportation:

- A. Provision of facilities for pedestrians and bicycles.
- B. Provision of safety and educational activities for pedestrians and bicyclists.
- C. Acquisition of scenic easements and scenic or historic sites (including historic battlefields).
- D. Scenic or historic highway programs (including the provision of tourist and welcome center facilities).
- E. Landscaping and other scenic beautification.
- F. Historic preservation.
- G. Rehabilitation and operation of historic transportation buildings, structures, or facilities (including historic railroad facilities and canals).
- H. Preservation of abandoned railway corridors (including the conversion and use of 2 the corridors for pedestrian or bicycle trails).
- I. Inventory, control, and removal of outdoor advertising.
- J. Archaeological planning and research.
- K. Environmental mitigation
 - i. to address water pollution due to highway runoff; or
 - ii. reduce vehicle-caused wildlife mortality while maintaining habitat connectivity.
- L. Establishment of transportation museums.

See <http://www.fhwa.dot.gov/environment/bikeped/bp-guid.htm#bp4> for a complete list of appropriate federal funding sources associated with specific bicycle and pedestrian projects.

SAFETEA-LU, the 2005 federal surface transportation act, includes several provisions for bicycle and pedestrian programs, including the [Safe Routes to School Program](#), the [Non-motorized Transportation Pilot Program](#), and Bicycle and Pedestrian Safety Grants. See [Section VI, SAFETEA-LU summary](#) for more information.

Design Guidance: Accommodating Bicycle and Pedestrian Travel: A Recommended Approach: A US DOT Policy Statement

[Accommodating Bicycle and Pedestrian Travel: A Recommended Approach by the FHWA](#)
<http://www.fhwa.dot.gov/environment/bikeped/bp-broch.htm#policy>

Bicycle and pedestrian ways shall be established in new construction and reconstruction projects unless one or more of three conditions are met: Bicyclists and pedestrians are prohibited by law from using the roadway, where a greater effort may be necessary to accommodate bicyclists and pedestrians elsewhere.

The cost of establishing bikeways or walkways is excessively disproportionate to the need or probable use. Excessively disproportionate is defined as exceeding twenty percent of the cost of the larger transportation project.

Where sparsity of population or other factors indicate an absence of need

Section III. State Laws and Rules for Bicycle and Pedestrian Transportation

Minnesota State laws and rules that relate to bicycle and pedestrian transportation are listed below. This is not a comprehensive review or list of state bicycle and pedestrian statutes and rules. This list is in development to eventually provide a resource on requirements when the compilation is complete.

This list can serve to initiate the identification of the state laws, statutes and rules that may impact and/or govern project development, state, regional or local planning or facility design, maintenance or operations. Other laws, statutes and rules govern bicycle and pedestrian transportation beyond what is listed here. Those laws and rules that do not specifically call out bicycle, pedestrian, multimodal, or related words not listed here may be relevant and applicable to bicycle and pedestrian transportation.

Minnesota State Constitution

PUBLIC HIGHWAY SYSTEM

1. Authority of state; participation of political subdivisions.

The state may construct, improve and maintain public highways, may assist political subdivisions in this work and by law may authorize any political subdivision to aid in highway work within its boundaries.

2. Trunk highway system.

There is hereby created a trunk highway system which shall be constructed, improved and maintained as public highways by the state. The highways shall extend as nearly as possible along the routes number 1 through 70 described in the constitutional amendment adopted November 2, 1920, and the routes described in any act of the legislature which has made or hereafter makes a route a part of the trunk highway system, ... continued.

3. Highway user tax distribution fund.

There is hereby created a highway user tax distribution fund to be used solely for highway purposes as specified in this article. The fund consists of the proceeds of any taxes authorized by sections 9 and 10 of this article.

4. Trunk highway fund.

There is hereby created a trunk highway fund which shall be used solely for the purposes specified in section 2 of this article and the payment of principal and interest of any bonds issued under the authority of section 11 of this article and any bonds issued for trunk highway purposes prior to July 1, 1957. All payments of principal and interest on bonds issued shall be a first charge on money coming into this fund during the year in which the principal or interest is payable.

5. Taxation of motor vehicles.

The legislature by law may tax motor vehicles using the public streets and highways on a more onerous basis than other personal property. Any such tax on motor vehicles shall be in lieu of all other taxes thereon, except wheelage taxes imposed by political subdivisions solely for highway purposes. The legislature may impose this tax on motor vehicles of companies paying taxes under the gross earnings system of taxation notwithstanding that earnings from the vehicles may be included in the earnings on which gross earnings taxes are computed. The proceeds of the tax shall be paid into the highway user tax distribution fund. The law may exempt from taxation any motor vehicle owned by a nonresident of the state properly licensed in another state and transiently or temporarily using the streets and highways of the state.

6. Taxation of motor fuel.

The legislature may levy an excise tax on any means or substance used for propelling vehicles on the public highways of this state or on the business of selling it. The proceeds of the tax shall be paid into the highway user tax distribution fund.

(ARTICLE XIV, Minnesota State Constitution)

DECLARATION OF STATE ENVIRONMENTAL POLICY.

1. Policy.

The legislature, recognizing the profound impact of human activity on the interrelations of all components of the natural environment, particularly the profound influences of population growth, high density urbanization, industrial expansion, resources exploitation, and new and expanding technological advances and recognizing further the critical importance of restoring and maintaining environmental quality to the overall welfare and development of human beings, declares that it is the continuing policy of the state government, in cooperation with federal and local governments, and other concerned public and private organizations, to use all practicable means and measures, including financial and technical assistance, in a manner calculated to foster and promote the general welfare, to create and maintain conditions under which human beings and nature can exist in productive harmony, and fulfill the social, economic, and other requirements of present and future generations of the state's people.

2. State responsibilities.

In order to carry out the policy set forth in Laws 1973, chapter 412, it is the continuing responsibility of the state government to use all practicable means, consistent with other essential considerations of state policy, to improve and coordinate state plans, functions, programs and resources to the end that the state may:

- (1) fulfill the responsibilities of each generation as trustee of the environment for succeeding generations;
- (2) assure for all people of the state safe, healthful, productive, and aesthetically and culturally pleasing surroundings;
- (3) discourage ecologically unsound aspects of population, economic and technological growth, and develop and implement a policy such that growth occurs only in an environmentally acceptable manner;
- (4) preserve important historic, cultural, and natural aspects of our national heritage, and maintain, wherever practicable, an environment that supports diversity, and variety of individual choice;
- (5) encourage, through education, a better understanding of natural resources management principles that will develop attitudes and styles of living that minimize environmental degradation;
- (6) develop and implement land use and environmental policies, plans, and standards for the state as a whole and for major regions thereof through a coordinated program of planning and land use control;
- (7) define, designate, and protect environmentally sensitive areas;
- (8) establish and maintain statewide environmental information systems sufficient to gauge environmental conditions;
- (9) practice thrift in the use of energy and maximize the use of energy efficient systems for the utilization of energy, and minimize the environmental impact from energy production and use;
- (10) preserve important existing natural habitats of rare and endangered species of plants, wildlife, and fish, and provide for the wise use of our remaining areas of natural habitation, including necessary protective measures where appropriate;
- (11) reduce wasteful practices which generate solid wastes;
- (12) minimize wasteful and unnecessary depletion of nonrenewable resources;
- (13) conserve natural resources and minimize environmental impact by encouraging extension of product lifetime, by reducing the number of unnecessary and wasteful materials practices, and by recycling materials to conserve both materials and energy;
- (14) improve management of renewable resources in a manner compatible with environmental protection;
- (15) provide for reclamation of mined lands and assure that any mining is accomplished in a manner compatible with environmental protection;

(16) reduce the deleterious impact on air and water quality from all sources, including the deleterious environmental impact due to operation of vehicles with internal combustion engines in urbanized areas;

(17) minimize noise, particularly in urban areas;

(18) prohibit, where appropriate, flood plain development in urban and rural areas; and

(19) encourage advanced waste treatment in abating water pollution.

(Minn. Stat. § 116D.02)

ACTION BY STATE AGENCIES.

1. Requirement.

The legislature authorizes and directs that, to the fullest extent practicable the policies, rules and public laws of the state shall be interpreted and administered in accordance with the policies set forth in sections [116D.01](#) to [116D.06](#).

2. Duties.

All departments and agencies of the state government shall:

(1) on a continuous basis, seek to strengthen relationships between state, regional, local and federal-state environmental planning, development and management programs;

(2) utilize a systematic, interdisciplinary approach that will insure the integrated use of the natural and social sciences and the environmental arts in planning and in decision making which may have an impact on the environment; as an aid in accomplishing this purpose there shall be established advisory councils or other forums for consultation with persons in appropriate fields of specialization so as to ensure that the latest and most authoritative findings will be considered in administrative and regulatory decision making as quickly and as amply as possible;

(3) identify and develop methods and procedures that will ensure that environmental amenities and values, whether quantified or not, will be given at least equal consideration in decision making along with economic and technical considerations;

(4) study, develop, and describe appropriate alternatives to recommended courses of action in any proposal which involves unresolved conflicts concerning alternative uses of available resources;

(5) recognize the worldwide and long range character of environmental problems and, where consistent with the policy of the state, lend appropriate support to initiatives, resolutions, and programs designed to maximize interstate, national and international cooperation in anticipating and preventing a decline in the quality of the world environment;

(6) make available to the federal government, counties, municipalities, institutions and individuals, information useful in restoring, maintaining, and enhancing the quality of the environment, and in meeting the policies of the state as set forth in Laws 1973, chapter 412;

(7) initiate the gathering and utilization of ecological information in the planning and development of resource oriented projects; and

(8) undertake, contract for or fund such research as is needed in order to determine and clarify effects by known or suspected pollutants which may be detrimental to human health or to the environment, as well as to evaluate the feasibility, safety and environmental effects of various methods of dealing with pollutants.

(Minn. Stat. § 116D.03)

GENERAL POWERS OF COMMISSIONER.

1. Provisions of Constitution.

The commissioner shall carry out the provisions of article 14, section 2, of the Constitution of the state of Minnesota.

2. Property acquisition; agreements and contracts.

(a) The commissioner is authorized:

(1) to acquire by purchase, gift, or by eminent domain proceedings as provided by law, in fee or such lesser estate as the commissioner deems necessary, all lands and properties necessary in preserving future trunk highway corridors or in laying out, constructing, maintaining, and improving the trunk highway system including recreational vehicle lanes; to locate, construct, reconstruct, improve, and maintain the trunk highway system; to purchase all road material, machinery, tools, and supplies necessary for the construction, maintenance, and improvement thereof; to construct necessary buildings, or rent or acquire by purchase, gift, or condemnation, grounds, and buildings necessary for the storing and housing of such material, machinery, tools, and supplies or necessary for office space for employees or for providing for driver's license examinations; to maintain, repair, or remodel such buildings as may be necessary;

(2) to acquire by purchase, gift, or condemnation, replacement sites for historically significant buildings or structures and to relocate these buildings or structures onto those sites, reconstructing and maintaining them until disposed of through public sale to the highest responsible bidder;

(3) to make agreements with any county for the relocation or reestablishment, by the county, of section, quarter section, or meander corners originally established by the United States, when such relocation or reestablishment is necessary in order to write

land acquisition descriptions or by reason of the construction, reconstruction, improvement, or maintenance of a trunk highway;

(4) to contract on an equitable basis with railroad companies for the installation and reinstallation of safety devices at trunk highway-railroad grade crossings, and for the construction, reconstruction, and maintenance of bridges and approaches existing or necessary for the separation of grades at railroad and trunk highway intersections; and

(5) in carrying out duties, to let all necessary contracts in the manner prescribed by law.

(b) The commissioner may make agreements with and cooperate with any governmental authority for the purpose of effectuating the provisions of this chapter.

3. Trunk highway fund appropriations.

The commissioner may expend trunk highway funds only for trunk highway purposes. Payment of expenses related to Bureau of Criminal Apprehension laboratory, Explore Minnesota Tourism kiosks, Minnesota Safety Council, tort claims, driver education programs, Emergency Medical Services Board, Mississippi River Parkway Commission, and personnel costs incurred on behalf of the Governor's Office do not further a highway purpose and do not aid in the construction, improvement, or maintenance of the highway system.

(Minn. Stat. § 161.20)

STATE TRAILS.

1. Acquisition.

(a) The commissioner of natural resources shall establish, develop, maintain, and operate the trails designated in this section. Each trail shall have the purposes assigned to it in this section. The commissioner of natural resources may acquire lands by gift or purchase, in fee or easement, for the trail and facilities related to the trail.

(b) Notwithstanding the offering to public entities, public sale, and related notice and publication requirements of sections [94.09](#) to [94.165](#), the commissioner of natural resources, in the name of the state, may sell surplus lands not needed for trail purposes at private sale to adjoining property owners and leaseholders. The conveyance must be by quitclaim in a form approved by the attorney general for a consideration not less than the appraised value.

(Minn. Stat. § 85.015)

BICYCLE TRAIL PROGRAM.

The commissioner of natural resources shall establish a program for the development of bicycle trails utilizing the state trails authorized by section [85.015](#), other state parks and

recreation land, and state forests. "Bicycle trail," as used in this section, has the meaning given in section [169.011](#). The program shall be coordinated with the local park trail grant program established by the commissioner pursuant to section [85.019](#), with the bikeway program established by the commissioner of transportation pursuant to section [160.265](#), and with existing and proposed local bikeways. In the metropolitan area as defined in section [473.121](#), the program shall be developed in accordance with plans and priorities established by the Metropolitan Council. The commissioner shall provide technical assistance to local units of government in planning and developing bicycle trails in local parks. The bicycle trail program shall, as a minimum, describe the location, design, construction, maintenance, and land acquisition needs of each component trail and shall give due consideration to the model standards for the establishment of recreational vehicle lanes promulgated by the commissioner of transportation pursuant to section [160.262](#). The program shall be developed after consultation with the state trail council and regional and local units of government and bicyclist organizations.

(Minn. Stat. § 85.016)

RECREATIONAL VEHICLE LANES.

1. Model standards.

The legislature determines that it is in the interests of the public health, safety and welfare, to provide for the addition of bicycle and recreational vehicle lanes to proposed and existing public highways. The commissioner of transportation shall adopt, in the manner provided in chapter 14, model standards for the establishment of recreational vehicle lanes on and along proposed and existing public highways. The model standards shall include but not be limited to the following: (a) criteria for desirability of a lane in any given location, (b) provision for maintenance of the lanes, and (c) the placement of the lanes in relation to roads. The model standards shall govern state trunk highways.

2. Local regulations; approval for state funding.

Each county and municipality including towns having statutory city powers may adopt the model standards to govern highways under its jurisdiction and may adapt them to local circumstances. Such local regulations shall be submitted to the commissioner of transportation who shall approve them within 60 days after receipt upon finding that they meet the minimum standards established pursuant to this section. Approved local regulations shall qualify the submitting unit of government for state or state-approved funding of recreational vehicle lane projects undertaken pursuant to such regulations.

3. Cooperation among agencies and governments.

The following departments and agencies shall cooperate in providing information and advice for amendments to the model standards by the commissioner of transportation: the Departments of Agriculture, Transportation, Natural Resources, Commerce, and

Employment and Economic Development, and the Board of Water and Soil Resources. The commissioner may cooperate with and enter into agreements with the United States government, any department of the state of Minnesota, any unit of local government and any public or private corporation in order to effect the purposes of this section.

4. Design-build bridges for nonmotorized vehicles.

For streets and highways, the commissioner shall allow for the acceptance of performance-specification bids, made by the lowest responsible bidder, for constructing design-build bridges for bicycle paths, bicycle trails, and pedestrian facilities that are:

- (1) designed and used primarily for nonmotorized transportation, but may allow for motorized wheelchairs, golf carts, necessary maintenance vehicles and, when otherwise permitted by law, rule, or ordinance, snowmobiles; and
- (2) located apart from any road or highway or protected by barriers, provided that a design-built bridge may cross over and above a road or highway.

5. Best-value alternative.

As an alternative to the procurement method described in subdivision 4, the commissioner may allow for the award of design-build contracts for the projects described in subdivision 4 to the vendor or contractor offering the best value under a request for proposals as described in section [16C.28, subdivision 1](#), paragraph (a), clause (2), and paragraph (c).

(Minn. Stat. § 160.262)

BICYCLE LANES AND WAYS.

1. Powers of political subdivisions.
2. The governing body of any political subdivision may by ordinance or resolution:
 - (1) designate any roadway or shoulder or portion thereof under its jurisdiction as a bicycle lane or bicycle route;
 - (2) designate any sidewalk or portion thereof under its jurisdiction as a bicycle path provided that the designation does not destroy a pedestrian way or pedestrian access;
 - (3) develop and designate bicycle paths;
 - (4) designate as bikeways all bicycle lanes, bicycle routes, and bicycle paths.
3. Designation.
 - (a) A governing body designating a bikeway under this section may:

(1) designate the type and character of vehicles or other modes of travel which may be operated on a bikeway, provided that the operation of such vehicle or other mode of travel is not inconsistent with the safe use and enjoyment of the bikeway by bicycle traffic;

(2) establish priority of right-of-way on the bicycle lane or bicycle path and otherwise regulate the use of bikeways as it deems necessary; and

(3) paint lines or construct curbs or establish other physical separations to exclude the use of the bikeways by vehicles other than those specifically permitted to operate thereon.

(b) The designating governing body may, after public hearing, prohibit through traffic on any highway or portion thereof designated as a bicycle lane or bicycle route, except that through traffic may not be prohibited on a trunk highway. The designating governing body shall erect and maintain official signs giving notice of the regulations and priorities established under this subdivision and shall mark all bikeways with appropriate signs. Marking and signing of bikeways by the designating governing body shall be in conformance with the Minnesota Manual on Uniform Traffic Control Devices.

4. Speed on street with bicycle lane.

Notwithstanding section [169.14, subdivision 5](#), the governing body of any political subdivision, by resolution or ordinance and without an engineering or traffic investigation, may designate a safe speed for any street or highway under its authority upon which it has established a bicycle lane; provided that such safe speed shall not be lower than 25 miles per hour. The ordinance or resolution designating a safe speed is effective when appropriate signs designating the speed are erected along the street or highway, as provided by the governing body.

(Minn. Stat. § 160.263)

REPLACING BIKEWAYS AND PEDESTRIAN WAYS.

Whenever an existing bikeway, pedestrian way, or roadway used by bicycles or pedestrians or the sole access to such is destroyed by any new, reconstructed, or relocated federal, state, or local highway, the road authority responsible shall replace the destroyed facility or access with a comparable facility or access. Replacement is not required where it would be contrary to public safety or when sparsity of population, other available ways or other factors indicate an absence of need for such facility or access.

(Minn. Stat. § 160.264)

BIKEWAY PROGRAM

1. State bikeways.

The commissioner of transportation shall establish a program for the development of bikeways primarily on existing road rights-of-way. The program shall include a system of bikeways to be established, developed, maintained, and operated by the commissioner of transportation and a system of state grants for the development of local bikeways primarily on existing road rights-of-way. The program shall be coordinated with the local park trail grant program pursuant to section [85.019](#), with the bicycle trail program established by the commissioner of natural resources pursuant to section [85.016](#), with the development of the statewide transportation plan pursuant to section [174.03](#), and with existing and proposed local bikeways. In the metropolitan area as defined in section [473.121](#), the program shall be developed in accordance with plans and priorities established by the Metropolitan Council. The program shall be developed after consultation with the State Trail Council, local units of government, and bicyclist organizations. The program shall be administered in accordance with the provisions of sections [160.262](#) to [160.264](#) and standards promulgated pursuant thereto. The commissioner shall compile and maintain a current registry of bikeways in the state and shall publish and distribute the information contained in the registry in a form and manner suitable to assist persons wishing to use the bikeways. The Metropolitan Council, the commissioner of natural resources, the commissioner of employment and economic development, the Minnesota Historical Society, and local units of government shall cooperate with and assist the commissioner of transportation in preparing the registry. The commissioner shall have all powers necessary and convenient to establish the program pursuant to this section including but not limited to the authority to adopt rules pursuant to chapter 14.

2. Local bikeway grants.

The commissioner shall provide technical assistance to local units of government in planning and developing bikeways. The commissioner shall make grants to units of government as defined in section [85.019, subdivision 1](#), for the betterment of public land and improvements needed for local bikeways. In making grants the commissioner shall consider, among other factors, the number of bicycles in the localities. A grant shall not exceed 75 percent of the costs of the betterment of the bikeway. To be eligible for a grant, a unit of government must provide at least 25 percent of the costs of the betterment of the bikeway.

(Minn. Stat. § 160.265)

COUNTY STATE-AID HIGHWAY SYSTEM

(Minn. Stat. § 160.02)

MUNICIPAL STATE-AID STREET SYSTEM

(Minn. Stat. § 160.09)

BICYCLE PATHS.

The county board may in the interests of public safety expend road and bridge funds for the construction and maintenance of bicycle paths on road rights-of-way under county jurisdiction.

(Minn. Stat. § 163.035)

POWERS OF ROAD AUTHORITIES.

The road authorities may construct, reconstruct, improve, and maintain bridges whenever they deem bridges to be necessary. Any new or reconstructed bridge may have a separate lane in at least one direction, and may have a lane in both directions, eight feet in width for recreational use. The same may be true for each underpass.

(Minn. Stat. § 165.02)

MINNESOTA TRUNK HIGHWAY BONDS.

1.Trunk highway purposes.

For the purpose of providing money for trunk highway purposes, when authorized by law and requested by the commissioner of transportation, the commissioner of management and budget shall issue and sell bonds of the state of Minnesota, for the prompt payment of which, with the interest thereon, the full faith, credit, and taxing powers of the state are hereby irrevocably pledged. "Trunk highway purposes" shall include recreational vehicle usage and lanes. Such bonds shall be known as Minnesota trunk highway bonds. The proceeds thereof shall be credited to the trunk highway fund, except that accrued interest and any premium received upon sale of such bonds shall be credited to the state bond fund.

(Minn. Stat. § 167.50)

TRUNK HIGHWAY BRIDGE IMPROVEMENT PROGRAM

1. All bridge projects funded under this section in fiscal year 2012 or later must include bicycle and pedestrian accommodations if both sides of the bridge are located in a city or the bridge links a pedestrian way, shared-use path, trail, or scenic bikeway.

Bicycle and pedestrian accommodations would not be required if:

- (1) a comprehensive assessment demonstrates that there is an absence of need for bicycle and pedestrian accommodations for the life of the bridge; or
- (2) there is a reasonable alternative bicycle and pedestrian crossing within one-quarter mile of the bridge project.

All bicycle and pedestrian accommodations should enable a connection to any existing bicycle and pedestrian infrastructure in close proximity to the bridge. All pedestrian facilities must meet or exceed federal accessibility requirements as outlined in Title II of the Americans with Disabilities Act, codified in United States Code, title 42, chapter 126, subchapter II, and Section 504 of the Rehabilitation Act of 1973, codified in United States Code, title 29, section 794.

(e) The commissioner shall establish criteria for determining the priority of bridge projects within each tier, and must include safety considerations as a criterion.

(Minn. Stat. § [165.14](#))

CONTROLLED-ACCESS RULES AND PENALTIES

1. Entrance and exit; crossover; use regulations; signs; rules.

(a) No person shall drive a vehicle onto or from any controlled-access highway except at such entrances and exits as are established by public authority.

(b) When special crossovers between the main roadways of a controlled-access highway are provided for emergency vehicles or maintenance equipment and such crossovers are signed to prohibit "U" turns, it shall be unlawful for any vehicle, except an emergency vehicle, maintenance equipment, or construction equipment including contractor's and state-owned equipment when operating within a marked construction zone, to use such crossover. Vehicles owned and operated by elderly and needy persons under contract with the commissioner of transportation pursuant to section [160.282](#) for maintenance services on highway rest stop and tourist centers outside the seven-county metropolitan area as defined in section [473.121](#), may also use these crossovers while those persons are proceeding to or from work in the rest area or tourist center if authorized by the commissioner, and the vehicle carries on its roof a distinctive flag designed and issued by the commissioner. For the purposes of this clause "emergency vehicle" includes a tow truck or towing vehicle if it is on the way to the location of an accident or a disabled vehicle.

(c) The commissioner of transportation may by order, and any public authority may by ordinance, with respect to any controlled-access highway under their jurisdictions prohibit or regulate the use of any such highway by pedestrians, bicycles, or other

nonmotorized traffic, or by motorized bicycles, or by any class or kind of traffic which is found to be incompatible with the normal and safe flow of traffic.

(d) The commissioner of transportation or the public authority adopting any such prohibitory rules shall erect and maintain official signs on the controlled-access highway on which such rules are applicable and when so erected no person shall disobey the restrictions stated on such signs.

2. Backing.

Except for a driver of an authorized emergency vehicle in the course of performing duties, no driver of a vehicle shall back the same upon the roadway or shoulder of any controlled-access highway.

3. Petty misdemeanor.

Any person violating the provisions of this section or any order or ordinance promulgated or enacted by the commissioner of transportation or a public authority pursuant thereto is guilty of a petty misdemeanor.

(Minn. Stat. § [169.305](#))

DEFINITIONS.

1. Bicycle.

"Bicycle" means every device propelled solely by human power upon which any person may ride, having two tandem wheels except scooters and similar devices and including any device generally recognized as a bicycle though equipped with two front or rear wheels.

2. Bicycle lane.

"Bicycle lane" means a portion of a roadway or shoulder designed for exclusive or preferential use by persons using bicycles. Bicycle lanes are to be distinguished from the portion of the roadway or shoulder used for motor vehicle traffic by physical barrier, striping, marking, or other similar device.

3. Bicycle path.

"Bicycle path" means a bicycle facility designed for exclusive or preferential use by persons using bicycles and constructed or developed separately from the roadway or shoulder.

4. Bicycle route.

The term "bicycle route" means a roadway or shoulder signed to encourage bicycle use.

5. Bicycle trail.

"Bicycle trail" means a bicycle route or bicycle path developed by the commissioner of natural resources under section [85.016](#).

6. Bikeway.

"Bikeway" means a bicycle lane, bicycle path, or bicycle route, regardless of whether it is designed for the exclusive use of bicycles or is to be shared with other transportation modes.

7. Crosswalk.

"Crosswalk" means (1) that portion of a roadway ordinarily included with the prolongation or connection of the lateral lines of sidewalks at intersections; (2) any portion of a roadway distinctly indicated for pedestrian crossing by lines or other markings on the surface.

8. Pedestrian.

"Pedestrian" means any person afoot or in a wheelchair.

9. Shoulder.

"Shoulder" means that part of a highway which is contiguous to the regularly traveled portion of the highway and is on the same level as the highway. The shoulder may be pavement, gravel, or earth.

10. Sidewalk.

"Sidewalk" means that portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines intended for the use of pedestrians.

11. Street or highway.

"Street or highway" means the entire width between boundary lines of any way or place when any part thereof is open to the use of the public, as a matter of right, for the purposes of vehicular traffic.

12. Traffic.

"Traffic" means pedestrians, ridden or herded animals, vehicles, streetcars, and other conveyances, either singly or together, while using any highway for purposes of travel.

13. Vehicle.

"Vehicle" means every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, excepting devices used exclusively upon stationary rails or tracks.

(Minn. Stat. § 169.011)

PEDESTRIAN.

1. Obey traffic-control signals.

Pedestrians shall be subject to traffic-control signals at intersections as heretofore declared in this chapter, but at all other places pedestrians shall be accorded the privileges and shall be subject to the restrictions stated in this section and section [169.22](#).

2. Rights in absence of signal.

(a) Where traffic-control signals are not in place or in operation, the driver of a vehicle shall stop to yield the right-of-way to a pedestrian crossing the roadway within a marked crosswalk or at an intersection with no marked crosswalk. The driver must remain stopped until the pedestrian has passed the lane in which the vehicle is stopped. No pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible for the driver to yield. This provision shall not apply under the conditions as otherwise provided in this subdivision.

(b) When any vehicle is stopped at a marked crosswalk or at an intersection with no marked crosswalk to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass the stopped vehicle.

(c) It is unlawful for any person to drive a motor vehicle through a column of school children crossing a street or highway or past a member of a school safety patrol or adult crossing guard, while the member of the school safety patrol or adult crossing guard is directing the movement of children across a street or highway and while the school safety patrol member or adult crossing guard is holding an official signal in the stop position. A peace officer may arrest the driver of a motor vehicle if the peace officer has probable cause to believe that the driver has operated the vehicle in violation of this paragraph within the past four hours.

(d) A person who violates this subdivision is guilty of a misdemeanor. A person who violates this subdivision a second or subsequent time within one year of a previous conviction under this subdivision is guilty of a gross misdemeanor.

3. Crossing between intersections.

(a) Every pedestrian crossing a roadway at any point other than within a marked crosswalk or at an intersection with no marked crosswalk shall yield the right-of-way to all vehicles upon the roadway.

(b) Any pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right-of-way to all vehicles upon the roadway.

(c) Between adjacent intersections at which traffic-control signals are in operation pedestrians shall not cross at any place except in a marked crosswalk.

(d) Notwithstanding the other provisions of this section every driver of a vehicle shall (1) exercise due care to avoid colliding with any bicycle or pedestrian upon any roadway and

(2) give an audible signal when necessary and exercise proper precaution upon observing any child or any obviously confused or incapacitated person upon a roadway.

4. Use right half of crosswalk.

Pedestrians shall move when practicable upon the right half of crosswalks.

5. Walk on left side of roadway.

Pedestrians when walking or moving in a wheelchair along a roadway shall, when practicable, walk or move on the left side of the roadway or its shoulder giving way to oncoming traffic. Where sidewalks are provided and are accessible and usable it shall be unlawful for any pedestrian to walk or move in a wheelchair along and upon an adjacent roadway.

6. Driver education curriculum.

The class D curriculum, in addition to driver education classroom curriculum prescribed in rules of statutes for class D motor vehicles, must include instruction on the duties of a driver when encountering a bicycle, other nonmotorized vehicles, or a pedestrian.

(Minn. Stat. § 169.21)

OPERATION OF BICYCLE.

1. Traffic laws apply.

Every person operating a bicycle shall have all of the rights and duties applicable to the driver of any other vehicle by this chapter, except in respect to those provisions in this chapter relating expressly to bicycles and in respect to those provisions of this chapter which by their nature cannot reasonably be applied to bicycles.

2. Manner and number riding.

No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped, except (1) on a baby seat attached to the bicycle, provided that the baby seat is equipped with a harness to hold the child securely in the seat and that protection is provided against the child's feet hitting the spokes of the wheel or (2) in a seat attached to the bicycle operator.

3. Clinging to vehicle.

Persons riding upon any bicycle, coaster, roller skates, toboggan, sled, skateboard, or toy vehicle shall not attach the same or themselves to any street car or vehicle upon a roadway.

4. Riding on roadway or shoulder.

(a) Every person operating a bicycle upon a roadway shall ride as close as practicable to the right-hand curb or edge of the roadway except under any of the following situations:

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

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

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

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

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

(d) A person operating a bicycle upon a sidewalk, or across a roadway or shoulder on a crosswalk, shall yield the right-of-way to any pedestrian and shall give an audible signal when necessary before overtaking and passing any pedestrian. No person shall ride a bicycle upon a sidewalk within a business district unless permitted by local authorities. Local authorities may prohibit the operation of bicycles on any sidewalk or crosswalk under their jurisdiction.

(e) An individual operating a bicycle or other vehicle on a bikeway shall leave a safe distance when overtaking a bicycle or individual proceeding in the same direction on the bikeway, and shall maintain clearance until safely past the overtaken bicycle or individual.

(f) A person lawfully operating a bicycle on a sidewalk, or across a roadway or shoulder on a crosswalk, shall have all the rights and duties applicable to a pedestrian under the same circumstances.

5. Carrying articles.

No person operating a bicycle shall carry any package, bundle, or article which prevents the driver from keeping at least one hand upon the handle bars or from properly operating the brakes of the bicycle.

6. Bicycle equipment.

(a) No person shall operate a bicycle at nighttime unless the bicycle or its operator is equipped with a lamp which shall emit a white light visible from a distance of at least 500 feet to the front and with a red reflector of a type approved by the Department of Public

Safety which is visible from all distances from 100 feet to 600 feet to the rear when directly in front of lawful lower beams of headlamps on a motor vehicle. No person may operate a bicycle at any time when there is not sufficient light to render persons and vehicles on the highway clearly discernible at a distance of 500 feet ahead unless the bicycle or its operator is equipped with reflective surfaces that shall be visible during the hours of darkness from 600 feet when viewed in front of lawful lower beams of headlamps on a motor vehicle. The reflective surfaces shall include reflective materials on each side of each pedal to indicate their presence from the front or the rear and with a minimum of 20 square inches of reflective material on each side of the bicycle or its operator. Any bicycle equipped with side reflectors as required by regulations for new bicycles prescribed by the United States Consumer Product Safety Commission shall be considered to meet the requirements for side reflectorization contained in this subdivision. A bicycle may be equipped with a rear lamp that emits a red flashing signal.

(b) No person shall operate a bicycle unless it is equipped with a brake which will enable the operator to make the braked wheels skid on dry, level, clean pavement.

(c) No person shall operate upon a highway any bicycle equipped with handlebars so raised that the operator must elevate the hands above the level of the shoulders in order to grasp the normal steering grip area.

(d) No person shall operate upon a highway any bicycle which is of such a size as to prevent the operator from stopping the bicycle, supporting it with at least one foot on the highway surface and restarting in a safe manner.

7. Sale with reflectors and other equipment.

No person shall sell or offer for sale any new bicycle unless it is equipped with reflectors and other equipment as required by subdivision 6, clauses (a) and (b) and by the regulations for new bicycles prescribed by the United States Consumer Product Safety Commission.

8. Turning, lane change.

An arm signal to turn right or left shall be given continuously during the last 100 feet traveled by the bicycle before turning, unless the arm is needed to control the bicycle, and shall be given while the bicycle is stopped waiting to turn.

9. Bicycle parking.

(a) A person may park a bicycle on a sidewalk unless prohibited or restricted by local authorities. A bicycle parked on a sidewalk shall not impede the normal and reasonable movement of pedestrian or other traffic.

(b) A bicycle may be parked on a roadway at any location where parking is allowed if it is parked in such a manner that it does not obstruct the movement of a legally parked motor vehicle.

10. Bicycle events.

(a) Bicycle events, parades, contests, or racing on a highway shall not be unlawful when approved by state or local authorities having jurisdiction over that highway. Approval shall be granted only under conditions which assure reasonable safety for all participants, spectators and other highway users, and which prevent unreasonable interference with traffic flow which would seriously inconvenience other highway users.

(b) By agreement with the approving authority, participants in an approved bicycle highway event may be exempted from compliance with any traffic laws otherwise applicable thereto, provided that traffic control is adequate to assure the safety of all highway users.

11. Peace officer operating bicycle.

The provisions of this section governing operation of bicycles do not apply to bicycles operated by peace officers while performing their duties.

(Minn. Stat. § 169.222)

MOTORIZED BICYCLE.

1. Safety equipment; parking. Except as otherwise provided in this section, section [169.974](#) relating to motorcycles is applicable to motorized bicycles, except that:

(1) protective headgear includes headgear that meets the American National Standard for Protective Headgear for Bicyclists, ANSI Z90.4-1984, approved by the American National Standards Institute, Inc.;

(2) a motorized bicycle equipped with a headlight and taillight meeting the requirements of lighting for motorcycles may be operated during nighttime hours;

(3) except as provided in clause (5), protective headgear is not required for operators 18 years of age or older;

(4) the provisions of section [169.222](#) governing the parking of bicycles apply to motorized bicycles;

(5) the operator of an electric-assisted bicycle must wear properly fitted and fastened headgear that meets the American National Standard for Protective Headgear for Bicyclists, ANSI Z90.4-

1984, approved by the American National Standards Institute, Inc., when operating the electric-assisted bicycle on a street or highway; and

(6) eye protection devices are not required for operators of electric-assisted bicycles.

2. License or permit.

(a) A motorized bicycle may be operated under either a driver's license or a motorized bicycle permit issued under section [171.02, subdivision 3](#).

(b) A person under the age of 16 operating a motorized bicycle under a motorized bicycle permit is subject to the restrictions imposed by section [169.974, subdivision 2](#), on operation of a motorcycle under a two-wheel instruction permit, except that:

(1) a parent or guardian of an operator under the age of 16 may also ride on the motorized bicycle as a passenger or operator if the motorized bicycle is equipped with a seat and footrests for a second passenger;

(2) a motorized bicycle equipped with a headlight and taillight meeting the requirements of lighting for motorcycles may be operated during nighttime hours;

(3) protective headgear includes headgear described in subdivision 1; and

(4) protective headgear is required only until the operator reaches the age of 18 years.

3. Sidewalk and passenger prohibitions.

No person shall operate a motorized bicycle upon a sidewalk at any time, except when such operation is necessary for the most direct access to a roadway from a driveway, alley or building. No person shall operate a motorized bicycle that is carrying any person other than the operator, except as allowed under subdivision 2.

4. Headlight requirement.

The provisions of section [169.974, subdivision 5](#), paragraph (i), apply to motorized bicycles that are equipped with headlights. After June 1, 1987, a new motorized bicycle sold or offered for sale in Minnesota must be equipped with a headlight.

5. Other operation requirements and prohibitions.

(a) A person operating a motorized bicycle on a roadway shall ride as close as practicable to the right-hand curb or edge of the roadway except in one of the following situations:

- (1) when overtaking and passing another vehicle proceeding in the same direction;
- (2) when preparing for a left turn at an intersection or into a private road or driveway; or
- (3) when reasonably necessary to avoid conditions, including fixed or moving objects, vehicles, pedestrians, animals, surface hazards, or narrow width lanes, that make it unsafe to continue along the right-hand curb or edge.

(b) Persons operating motorized bicycles on a roadway may not ride more than two abreast and may not impede the normal and reasonable movement of traffic. On a laned roadway, a person operating a motorized bicycle shall ride within a single lane.

(c) This section does not permit the operation of a motorized bicycle on a bicycle path or bicycle lane that is reserved for the exclusive use of nonmotorized traffic.

(d) Subject to the provisions of section [160.263, subdivision 3](#), a person may operate an electric-assisted bicycle on a bicycle lane. A person may operate an electric-assisted bicycle on the shoulder of a roadway if the electric-assisted bicycle is traveling in the same direction as the adjacent vehicular traffic.

(Minn. Stat. § 169.223)

CREATION; POLICY. DEPARTMENT OF TRANSPORTATION

1. Department created.

In order to provide an integrated transportation system of aeronautics, highways, motor carriers, ports, public transit, railroads, and pipelines, and including facilities for walking and bicycling, a Department of Transportation is created. The department is the principal agency of the state for development, implementation, administration, consolidation, and coordination of state transportation policies, plans, and programs.

2. Transportation goals.

The goals of the state transportation system are as follows:

- (1) to minimize fatalities and injuries for transportation users throughout the state;
- (2) to provide multimodal and intermodal transportation facilities and services to increase access for all persons and businesses and to ensure economic well-being and quality of life without undue burden placed on any community;
- (3) to provide a reasonable travel time for commuters;
- (4) to enhance economic development and provide for the economical, efficient, and safe movement of goods to and from markets by rail, highway, and waterway;

- (5) to encourage tourism by providing appropriate transportation to Minnesota facilities designed to attract tourists and to enhance the appeal, through transportation investments, of tourist destinations across the state;
- (6) to provide transit services to all counties in the state to meet the needs of transit users;
- (7) to promote accountability through systematic management of system performance and productivity through the utilization of technological advancements;
- (8) to maximize the long-term benefits received for each state transportation investment;
- (9) to provide for and prioritize funding of transportation investments that ensures that the state's transportation infrastructure is maintained in a state of good repair;
- (10) to ensure that the planning and implementation of all modes of transportation are consistent with the environmental and energy goals of the state;
- (11) to promote and increase the use of high-occupancy vehicles and low-emission vehicles;
- (12) to provide an air transportation system sufficient to encourage economic growth and allow all regions of the state the ability to participate in the global economy;
- (13) to increase use of transit as a percentage of all trips statewide by giving highest priority to the transportation modes with the greatest people-moving capacity and lowest long-term economic and environmental cost;
- (14) to promote and increase bicycling and walking as a percentage of all trips as energy-efficient, nonpolluting, and healthy forms of transportation;
- (15) to reduce greenhouse gas emissions from the state's transportation sector; and
- (16) to accomplish these goals with minimal impact on the environment.

(Minn. Stat. § 174.01)

COMPLETE STREETS.

1. Definition.

"Complete streets" is the planning, scoping, design, implementation, operation, and maintenance of roads in order to reasonably address the safety and accessibility needs of users of all ages and abilities. Complete streets considers the needs of motorists, pedestrians, transit users and vehicles, bicyclists, and commercial and emergency vehicles moving along and across roads, intersections, and crossings in a manner that is sensitive to the local context and recognizes that the needs vary in urban, suburban, and rural settings.

2. Implementation.

The commissioner shall implement a complete streets policy after consultation with stakeholders, state and regional agencies, local governments, and road authorities. The commissioner, after such consultation, shall address relevant protocols, guidance, standards, requirements, and training, and shall integrate related principles of context-sensitive solutions.

3. Report.

Beginning in 2011, the commissioner shall report on the implementation of the complete streets policy in the agency's biennial budget submission under section 174.02.

4. Local road authorities.

Local road authorities are encouraged, but not required, to create and adopt complete streets policies for their roads that reflect local context and goals. Nothing in this section may be construed to prohibit a local road authority from adopting a complete streets policy that incorporates or exceeds statutory complete streets principles.

5. Variances from engineering standards.

(a) When evaluating a request for a variance from the engineering standards for state-aid projects under chapter 162 in which the variance request is related to complete streets, the commissioner shall consider the latest edition of:

(1) A Policy on Geometric Design of Highways and Streets, from the American Association of State Highway and Transportation Officials; and

(2) for projects in urban areas, the Context Sensitive Solutions in Designing Major Urban Thoroughfares for Walkable Communities, from the Institute of Transportation Engineers.

(b) If the commissioner denies a variance request related to complete streets, the commissioner shall provide written reasons for the denial to the political subdivision that submitted the request.

(Minn. Stat. § 174.75)

DUTIES OF COMMISSIONER.

1. Statewide transportation plan; priorities; schedule of expenditures.

In order to best meet the present and future transportation needs of the public, to insure a strong state economy, to make most efficient use of public and private funds, to lessen adverse environmental impacts of the transportation sector, and to promote the more efficient use of energy and other resources for transportation purposes, the commissioner shall:

(1) three months after notification that the department is ready to commence operations and prior to the drafting of the statewide transportation plan, hold public hearings as may be appropriate solely for the purpose of receiving suggestions for future transportation alternatives and priorities for the state. The Metropolitan Council, regional development commissions, and port authorities shall appear at the hearings and submit information concerning transportation-related planning undertaken and accomplished by these agencies. Other political subdivisions may appear and submit such information at the hearings. These hearings shall be completed no later than six months from the date of the commissioner's notification;

(2) develop, adopt, revise, and monitor a statewide transportation plan, taking into account the suggestions and information submitted at the public hearings held pursuant to clause (1). The plan shall incorporate all modes of transportation including bicycle commutation and recreation and provide for the interconnection and coordination of different modes of transportation. The commissioner shall evaluate all transportation programs and facilities proposed for inclusion in the plan in terms of economic costs and benefits, safety aspects, impact on present and planned land uses, environmental effects, energy efficiency, national transportation policies and priorities, and availability of federal and other financial assistance;

(3) based upon the statewide transportation plan, develop statewide transportation priorities and schedule authorized public capital improvements and other authorized public transportation expenditures pursuant to the priorities. As permitted by the federal Surface Transportation Program and subject to available funding, the commissioner shall give serious consideration to prioritizing for funding those trunk highway projects in the metropolitan area, as defined in section [473.121, subdivision 2](#), that are consistent with policies included in the Metropolitan Council's metropolitan development guide, transportation policy plan, and regional development framework, and that have been awarded funding through the federal Surface Transportation Program. In responding to an unforeseen, catastrophic event affecting the state transportation system, the commissioner may, upon written notification to the chairs of the senate and house of representatives committees with jurisdiction over transportation policy and finance, prioritize projects without regard to availability of federal funding; and

(4) complete the plan and priorities required by this subdivision no later than July 1, 1978. Upon completion of the plan and priorities, the commissioner shall prepare and periodically revise, as necessary, the schedule of authorized public transportation expenditures. The plan, priorities, and schedule are exempt from the provisions of the Administrative Procedure Act.

2. Revision of statewide multimodal transportation plan.

(a) The commissioner shall revise the statewide multimodal transportation plan by January 15, 2013, and by January 15 of every four years thereafter. Before final adoption of a revised plan, the commissioner shall hold a hearing to receive public comment on the preliminary draft of the revised plan.

(b) Each revised statewide multimodal transportation plan must:

- (1) incorporate the goals of the state transportation system in section [174.01](#);
- (2) establish objectives, policies, and strategies for achieving those goals; and
- (3) identify performance targets for measuring progress and achievement of transportation system goals, objectives, or policies.

3. Statewide highway 20-year capital investment plan.

By January 15, 2013, and in conjunction with each future revision of the statewide multimodal transportation plan, the commissioner shall prepare a 20-year statewide highway capital investment plan that:

- (1) incorporates performance measures and targets for assessing progress and achievement of the state's transportation goals, objectives, and policies identified in this chapter for the state trunk highway system, and those goals, objectives, and policies established in the statewide multimodal transportation plan. Performance targets must be based on objectively verifiable measures, and address, at a minimum, preservation and maintenance of the structural condition of state highway bridges and pavements, safety, and mobility;
- (2) summarizes trends and impacts for each performance target over the past five years;
- (3) summarizes the amount and analyzes the impact of the department's capital investments and priorities over the past five years on each performance target, including a comparison of prior plan projected costs with actual costs;
- (4) identifies the investments required to meet the established performance targets over the next 20-year period;
- (5) projects available state and federal funding over the 20-year period, including any unique, competitive, time-limited, or focused funding opportunities;
- (6) identifies strategies to ensure the most efficient use of existing transportation infrastructure, and to maximize the performance benefits of projected available funding;
- (7) establishes investment priorities for projected funding, including a schedule of major projects or improvement programs for the 20-year period together with projected costs and impact on performance targets; and
- (8) identifies those performance targets identified under clause (1) not expected to meet the target outcome over the 20-year period together with alternative strategies that could be implemented to meet the targets.

4. Implementation of plan.

After the adoption and each revision of the statewide transportation plan, the commissioner shall take no action inconsistent with the revised plan.

5. Relationship with national and local plans.

The statewide plan shall recognize established national transportation policies. The plan shall include matters of local or regional concern if this inclusion is needed to insure a comprehensive, statewide perspective on transportation policies and priorities. The commissioner shall recognize and attempt to accommodate the local or regional transportation plans. However, the statewide plan shall supersede a local or regional plan to the extent inconsistent on a matter which the commissioner demonstrates is of statewide concern. A political subdivision may challenge the commissioner's

determination that a portion of a local or regional plan is superseded by the statewide plan. The subdivision shall institute the challenge by filing a petition with the commissioner within 30 days after being notified by the commissioner that the local or regional plan is superseded. The challenge shall be resolved by the commissioner as a contested case pursuant to chapter 14.

6. Other duties.

The commissioner shall:

- (1) construct and maintain transportation facilities as authorized by law;
- (2) cooperate with, and may provide technical and financial assistance to, the Metropolitan Council and regional development commissions in the regional transportation planning process, in accordance with mutually acceptable terms and conditions;
- (3) cooperate with, and may provide planning and technical assistance upon the request of, any political subdivision or other governmental agency in accordance with mutually accepted terms and conditions, except as otherwise restricted by law; and
- (4) develop, revise, and monitor a statewide rail transportation plan as part of the statewide transportation planning process, including a study and evaluation of alternative methods for insuring adequate and economical transportation of agricultural commodities, supplies, and other goods to and from rural areas of the state. The plan shall include an analysis of rail lines in the state for the purpose of determining (i) eligibility of rail lines for assistance under federal and state rail assistance programs, (ii) eligibility of rail lines for inclusion in the state rail bank, and (iii) the actions required by the state to insure the continuation of rail service that meets essential state needs and objectives.

7. Regional transportation planning.

The Metropolitan Council, pursuant to section [473.146](#), and the regional development commissions shall develop regional long-range transportation policy plans in cooperation with the commissioner and local units of government. Upon promulgation of the statewide transportation plan, and periodically as necessary thereafter, each regional policy plan shall be reviewed and amended, if necessary, by the appropriate regional agency to insure that the regional policy plan is not in conflict with the statewide transportation plan.

8. Social, economic, and environmental effects.

The commissioner shall consider the social, economic, and environmental effects resulting from existing and proposed transportation facilities and shall make continuing efforts to mitigate any adverse effects. The commissioner shall utilize a systematic, interdisciplinary approach which shall insure the integrated use of the natural, social, and

physical sciences and the environmental design arts in plans and decisions which may affect the environment.

9. Economic analysis of nonhighway alternatives.

If the commissioner considers congestion pricing, tolls, mileage pricing, or public-private partnerships in order to meet the transportation needs of commuters in the department's metropolitan district between 2001 and 2020, the commissioner shall, in cooperation with the Metropolitan Council and the regional railroad authorities in the district, compare the economics of these financing methods with the economics of nonhighway alternatives for moving commuters. The commissioner shall analyze the economics as they relate to both individuals and to the transportation system.

10. Energy conservation.

The commissioner, in cooperation with the commissioner of commerce through the state energy office, shall evaluate all modes of transportation in terms of their levels of energy consumption. The commissioner of commerce shall provide the commissioner with projections of the future availability of energy resources for transportation. The commissioner shall use the results of this evaluation and the projections to evaluate alternative programs and facilities to be included in the statewide plan and to otherwise promote the more efficient use of energy resources for transportation purposes.

11. Forecast of revenues and expenditures.

In cooperation with the Department of Management and Budget and as required by section [16A.103](#), the commissioner shall prepare in February and November of each year a forecast of highway user tax distribution fund and trunk highway fund revenues and expenditures. The forecast must include an analysis of economic information and the potential impact on highway user fund revenues, historical growth rate information, and other variables affecting revenue assumptions and forecasted future growth rates. The forecast must include an analysis of trunk highway bonding and the necessary debt service payments, and assumptions regarding federal transportation funds. The commissioner shall review the forecast information with the chairs of the senate and house of representatives committees with jurisdiction over finance, ways and means, and transportation finance and with legislative fiscal staff no later than one week following the release of the forecast and shall inform the chairs and staff of changes made from previous forecasts.

12. Highway construction training; report.

(a) The commissioner of transportation shall utilize the maximum feasible amount of all federal funds available to this state under United States Code, title 23, section 140, paragraph (b), to develop, conduct, and administer highway construction training, including skill improvement programs.

(b) The commissioner of transportation must report by February 1 of each odd-numbered year to the house of representatives and senate committees having jurisdiction over transportation policy and finance concerning the commissioner's compliance with paragraph (a). The report must, with respect to each of the two previous calendar years:

- (1) describe the highway construction training and skill improvement programs the commissioner has conducted and administered;
- (2) analyze the results of the commissioner's training programs;
- (3) state the amount of federal funds available to this state under United States Code, title 23, section 140, paragraph (b); and
- (4) identify the amount spent by the commissioner in conducting and administering the programs.

(Minn. Stat. § 174.03)

GENERAL POWERS AND DUTIES.

1. Research; evaluation.

The commissioner shall conduct research and shall study, analyze, and evaluate concepts, techniques, programs, and projects to accomplish the purposes of sections [174.21](#) to [174.27](#), including traffic operations improvements, preferential treatment and other encouragement of transit and paratransit services and high-occupancy vehicles, improvements in the management and operation of regular route transit services, special provision for pedestrians and bicycles, management and control of parking, changes in work schedules, and reduction of vehicle use in congested and residential areas. The commissioner shall examine and evaluate such concepts, techniques, programs, and projects now or previously employed or proposed in this state and elsewhere. The commissioner or an independent third party under contract to the commissioner shall monitor and evaluate the management and operation of public transit systems, services, and projects receiving financial or professional and technical assistance under sections [174.21](#) to [174.27](#) or other state programs to determine the manner in which and the extent to which such systems, services, and projects contribute or may contribute to the purposes of sections [174.21](#) to [174.27](#). The commissioner shall develop and promote proposals and projects to accomplish the purposes of sections [174.21](#) to [174.27](#) and shall actively solicit such proposals from municipalities, counties, legislatively established transit commissions and authorities, regional development commissions, and potential vendors. In conducting such activities the commissioner shall make the greatest possible use of already available research and information. The commissioner shall use the

information developed under sections [174.21](#) to [174.27](#) in developing or revising the state transportation plan.

(Minn. Stat. § 174.23)

MINNESOTA COUNCIL ON TRANSPORTATION ACCESS.

1. Council established.

A Minnesota Council on Transportation Access is established to study, evaluate, oversee, and make recommendations to improve the coordination, availability, accessibility, efficiency, cost-effectiveness, and safety of transportation services provided to the transit public. "Transit public" means those persons who utilize public transit and those who, because of mental or physical disability, income status, or age are unable to transport themselves and are dependent upon others for transportation services.

2. Duties of council.

In order to accomplish the purposes in subdivision 1, the council, following consultation with the legislative committees or divisions with jurisdiction over transportation policy and budget, or with appropriate legislative transportation subcommittees, shall adopt a biennial work plan that must incorporate the following activities:

(1) compile information on existing transportation alternatives for the transit public, and serve as a clearinghouse for information on services, funding sources, innovations, and coordination efforts;

(2) identify best practices and strategies that have been successful in Minnesota and in other states for coordination of local, regional, state, and federal funding and services;

(3) recommend statewide objectives for providing public transportation services for the transit public;

(4) identify barriers prohibiting coordination and accessibility of public transportation services and aggressively pursue the elimination of those barriers;

(5) recommend policies and procedures for coordinating local, regional, state, and federal funding and services for the transit public;

(6) identify stakeholders in providing services for the transit public, and seek input from them concerning barriers and appropriate strategies;

(7) recommend guidelines for developing transportation coordination plans throughout the state;

- (8) encourage all state agencies participating in the council to purchase trips within the coordinated system;
- (9) facilitate the creation and operation of transportation brokerages to match riders to the appropriate service, promote shared dispatching, compile and disseminate information on transportation options, and promote regional communication;
- (10) encourage volunteer driver programs and recommend legislation to address liability and insurance issues;
- (11) recommend minimum performance standards for delivery of services;
- (12) identify methods to eliminate fraud and abuse in special transportation services;
- (13) develop a standard method for addressing liability insurance requirements for transportation services purchased, provided, or coordinated;
- (14) design and develop a contracting template for providing coordinated transportation services;
- (15) recommend an interagency uniform contracting and billing and accounting system for providing coordinated transportation services;
- (16) encourage the design and development of training programs for coordinated transportation services;
- (17) encourage the use of public school transportation vehicles for the transit public;
- (18) develop an allocation methodology that equitably distributes transportation funds to compensate units of government and all entities that provide coordinated transportation services;
- (19) identify policies and necessary legislation to facilitate vehicle sharing; and
- (20) advocate aggressively for eliminating barriers to coordination, implementing coordination strategies, enacting necessary legislation, and appropriating resources to achieve the council's objectives.

3. Coordination with legislative committees.

The council shall coordinate its meeting schedule and activities pursuant to its work plan, to the extent practicable, with legislative committees and divisions with jurisdiction over transportation budget and policy, or with appropriate subcommittees. The chair of the council shall act as a liaison with the chairs and ranking minority members of the legislative transportation committees, divisions, and appropriate subcommittees in carrying out these duties.

4. Membership.

(a) The council is composed of the following 13 members:

- (1) one representative from the Office of the Governor;
- (2) one representative from the Council on Disability;
- (3) one representative from the Minnesota Public Transit Association;
- (4) the commissioner of transportation or a designee;
- (5) the commissioner of human services or a designee;
- (6) the commissioner of health or a designee;
- (7) the chair of the Metropolitan Council or a designee;
- (8) the commissioner of education or a designee;
- (9) the commissioner of veterans affairs or a designee;
- (10) one representative from the Board on Aging;
- (11) the commissioner of employment and economic development or a designee;
- (12) the commissioner of commerce or a designee; and
- (13) the commissioner of management and budget or a designee.

(b) All appointments required by paragraph (a) must be completed by August 1, 2010.

(c) The commissioner of transportation or a designee shall convene the first meeting of the council within two weeks after the members have been appointed to the council. The members shall elect a chair from their membership at the first meeting.

(d) The Department of Transportation and the Department of Human Services shall provide necessary staff support for the council.

5. Report.

By January 15 of each year, beginning in 2012, the council shall report its findings, recommendations, and activities to the governor's office and to the chairs and ranking minority members of the legislative committees with jurisdiction over transportation, health, and human services, and to the legislature as provided under section [3.195](#).

6.Reimbursement.

Members of the council shall receive reimbursement of expenses from the commissioner of transportation as provided in section [15.059](#), subdivision 3.

7.Transfer of appropriation.

The amount appropriated to the Metropolitan Council in Laws 2009, chapter 36, article 1, section 4, subdivision 2, for the administrative expenses of the Minnesota Council on Transportation Access, and for other costs relating to the preparation of required reports, including the costs of hiring a consultant, is transferred to the Department of Transportation for the same purposes.

8.Expiration.

This section expires June 30, 2014.

(Minn. Stat. § 174.285)

ADVISORY COMMITTEE ON NONMOTORIZED TRANSPORTATION.

1. Purpose.

(a) The commissioner of transportation shall establish an advisory committee on nonmotorized transportation. The committee shall make recommendations to the commissioner on items related to nonmotorized transportation, including safety, education, and development programs. The committee shall review and analyze issues and needs relating to operating nonmotorized transportation on public rights-of-way, and identify solutions and goals for addressing identified issues and needs.

(b) For purposes of this section, "nonmotorized transportation" includes bicycling, pedestrian activities, and other forms of nonmotorized transportation.

2. Members.

The advisory committee must consist of the following members:

(a) The commissioner of transportation shall appoint up to 18 public members, as follows: one member from each of the department's seven greater Minnesota districts; four members from the department's metropolitan district; and no more than seven members at large. Each of the members at large must represent nonmotorized interests or organizations.

(b) The commissioners of each of the following state agencies shall appoint an employee of the agency to serve as a member: administration, education, health, natural resources, public safety, transportation, and pollution control. The chair of the Metropolitan Council shall appoint an employee of the council to serve as a member. The director of Explore Minnesota Tourism shall appoint an employee of the agency to serve as a member. The division administrator of the Federal Highway Administration may appoint an employee of the agency to serve as a member.

(c) Members of the committee shall serve four-year terms.

(Minn. Stat. § 174.37)

BLIND OR DEAF PEDESTRIANS; CIVIL LIABILITY.

The driver of a vehicle approaching a totally or partially blind pedestrian who is carrying a cane predominantly white or metallic in color, with or without a red tip, or using a service dog, or totally or partially deaf person with a service dog identified with a burnt orange collar or leash, shall bring such vehicle to a stop and give the right-of-way at any intersection of any street, avenue, alley, or other public highway to such blind or deaf pedestrian.

(Minn. Stat. § 256C.03)

POWERS OF CERTAIN METROPOLITAN AREA TOWNS.

1. Towns described.

A town that has platted portions where 1,200 or more people reside or a town that has a platted area within 20 miles of the city hall of a city of the first class having over 200,000 population shall have the powers enumerated in this section. Its town board may adopt, amend, or repeal ordinances and rules for the purposes enumerated.

2. Certain other towns.

A town with a population of 1,000 or more that does not qualify under subdivision 1, shall have the enumerated powers upon an affirmative vote of its electors at the annual town meeting. The population must be established by the most recent federal decennial census, special census as provided in section [368.015](#), or population estimate by the state demographer made according to section [4A.02](#), whichever has the latest stated date of count or estimate.

3. Buildings.

The town board may construct or acquire structures needed for town purposes, and control, protect, and insure public buildings, property, and records.

4. Streets; sewers; sidewalks; public grounds.

The town board may:

- (1) lay out, open, change, widen or extend streets, alleys, parks, squares, and other public ways and grounds and grade, pave, repair, control, and maintain them;
- (2) establish and maintain drains, canals, and sewers;
- (3) alter, widen or straighten watercourses; and
- (4) lay, repair, or otherwise improve or discontinue sidewalks, paths and crosswalks.

It may by ordinance regulate the use of streets and other public grounds to prevent encumbrances or obstructions, and require the owners or occupants of buildings and the owners of vacant lots to remove snow, ice, dirt, or rubbish from the adjacent sidewalks. In default of compliance it may remove the encumbrances, obstructions, or substances and assess the cost against the property as a special assessment.

5. Parks; trees.

The town board may provide for, and by ordinance regulate, the setting out and protection of trees, shrubs, and flowers in the town or upon its property.

6. Cemeteries.

The town board may acquire by purchase, gift, devise, condemnation or otherwise, hold and manage cemetery grounds, enclose, lay out and ornament them and sell and convey lots in them. It may by ordinance regulate cemeteries and the disposal of dead bodies.

7. Waterworks.

The town board may provide and by ordinance regulate the use of wells, cisterns, reservoirs, waterworks and other means of water supply.

8. Tourist camps; parking facilities.

The town board may acquire, improve and operate, and by ordinance regulate tourist camps and automobile parking facilities.

9. Hospitals.

The town board may provide hospitals. The town board of a town operating a municipal hospital may by ordinance establish a hospital board with powers and duties to manage and operate the hospital that the town board confers on it. The town board may, by vote of all its members, abolish the hospital board. The hospital board shall consist of five members, each appointed by the town board for a term of five years. Terms of the first members shall be arranged so that the term of one member expires each year. A vacancy shall be filled for the unexpired term. A member may be removed by the town board for cause after a hearing.

10. Fire prevention.

The town board may establish a fire department, appoint its officers and members and prescribe their duties, and provide fire apparatus. It may adopt ordinances to prevent, control or extinguish fires.

11. Naming and numbering streets.

The town board may by ordinance name or rename town streets and public places and number or renumber its lots and blocks, or part of them. It may make and record a consolidated plat of the town.

12. Transient commerce.

The town board may by ordinance restrain or license and regulate auctioneers, transient merchants and dealers, hawkers, peddlers, solicitors, and canvassers.

13. Taxis, haulers, car renters.

The town board may by ordinance license and regulate baggage wagons, dray drivers, taxicabs, and automobile rental agencies and liveries. At a minimum, an ordinance to license or regulate taxicabs or small vehicle passenger service must provide for driver qualifications, insurance, vehicle safety, and periodic vehicle inspections.

14. Animals.

The town board may by ordinance regulate the keeping of animals, restrain their running at large, authorize their impounding and sale or summary destruction, establish pounds, and license and regulate riding academies.

15. Health.

(a) The town board may by ordinance:

- (1) prohibit or regulate slaughterhouses;
- (2) prevent the bringing, depositing, or leaving within the town of any unwholesome substance or deposit of solid waste within the town not otherwise authorized by law;
- (3) require the owners or occupants of lands to remove unwholesome substances or the unauthorized deposit of solid waste and, if not removed, provide for their removal at the expense of the owner or occupant, which expense shall be a lien upon the property and may be collected as a special assessment;
- (4) provide for or regulate the disposal of sewage, garbage, and other refuse; and
- (5) provide for the cleaning of, and removal of obstructions from waters in the town and prevent their obstruction or pollution.

(b) The town board may establish a board of health under section [145A.07, subdivision 2](#), with all the powers of a board of health under the general laws.

16. Nuisances.

The town board may by ordinance define nuisances and provide for their prevention or abatement.

17. Amusements.

The town board may by ordinance:

- (1) prevent or license and regulate the exhibition of circuses, theatrical performances, amusements, or shows of any kind, and the keeping of billiard tables and bowling alleys;
- (2) prohibit gambling and gambling devices; and
- (3) license, regulate or prohibit devices commonly used for gambling purposes.

18. Regulation of buildings.

The town board may by ordinance regulate the construction of buildings.

19. General welfare.

The town board may provide for the government and good order of the town, the suppression of vice and immorality, the prevention of crime, the protection of public and private property, the benefit of residence, trade, and commerce, and the promotion of health, safety, order, convenience, and the general welfare by ordinances consistent with the Constitution and laws of the United States and this state as it deems expedient.

20. Departments; boards.

The town board may create departments and advisory boards and appoint town officers, employees, and agents as deemed necessary for the proper management and operation of town affairs. It may prescribe the duties and compensation of all officers, appointive and elective, employees, and agents, if not otherwise prescribed by law. It may require any officer or employee to furnish a bond conditioned for the faithful exercise of duties

and the proper application of, and payment upon demand of, all money officially received by the officer or employee. Unless otherwise prescribed by law, it shall fix the amount of the bonds. The bonds furnished by the clerk and treasurer shall be corporate surety bonds. It may provide for the payment from town funds of the premium on the official bond of any town officer or employee. It may, except as otherwise provided, remove any appointive officer or employee when in its judgment the public welfare will be promoted by the removal. This provision does not modify the laws relating to veterans preference or to members of a town police or fire civil service commission or public utilities commission.

21. Enactment of ordinances.

Every ordinance shall be enacted by a majority vote of all the members of the town board unless a larger number is required by law. It shall be signed by the chair of the town board, attested by the clerk and published once in a qualified newspaper having general circulation within the town. If the town board determines that publication of the title and a summary of an ordinance would clearly inform the public of the intent and effect of the ordinance, the town board may by a two-thirds vote of its members, or a four-fifths vote in a town having a five-member board, direct that only the title of the ordinance and a summary be published with notice that a printed copy of the ordinance is available for inspection by any person during regular office hours of the town clerk and at any other location which the town board designates. A copy of the entire text of the ordinance shall be posted in the community library, if there is one, or if not, in any other public location which the town board designates. Before the publication of the title and summary the town board shall approve the text of the summary and determine that it clearly informs the public of the intent and effect of the ordinance. Publishing the title and summary shall fulfill all legal publication requirements as completely as if the entire ordinance is published. The text of the summary shall be published in a body type no smaller than eight-point type. Proof of the publication shall be attached to and filed with the ordinance. Every ordinance shall be recorded in the ordinance book within 20 days after publication of the ordinance or its title and summary. All ordinances shall be suitably entitled and shall be substantially in the style: "The Town Board of Supervisors of ordains:".

22. Penalties.

The town board may declare that the violation of any ordinance is a penal offense and prescribe penalties for it. No penalty shall exceed that provided by law for a misdemeanor, but the costs of prosecution may be added.

23. Financing purchase of certain equipment.

The town board may issue certificates of indebtedness within debt limits to purchase fire or police equipment or ambulance equipment or street construction or maintenance equipment. The certificates shall be payable in not more than five years and be issued on

terms and in the manner as the board may determine. If the amount of the certificates to be issued to finance a purchase exceeds 0.24177 percent of the market value of the town, excluding money and credits, they shall not be issued for at least ten days after publication in the official newspaper of a town board resolution determining to issue them. If before the end of that time, a petition asking for an election on the proposition signed by voters equal to ten percent of the number of voters at the last regular town election is filed with the clerk, the certificates shall not be issued until the proposition of their issuance has been approved by a majority of the votes cast on the question at a regular or special election. A tax levy shall be made for the payment of the principal and interest on the certificates as in the case of bonds.

24. Parks; parkways; recreational facilities.

A town may establish, improve, ornament, maintain and manage parks, parkways, and recreational facilities and by ordinance protect and regulate their use.

25. Vacation of streets.

The town board may by resolution vacate all or part of any street, alley, public grounds or public way on its own motion or on petition of a majority of the owners of land abutting the street, alley, public grounds, public way, or part to be vacated. When there has been no petition, the resolution may be adopted only by a vote of four-fifths of all members of the board of supervisors. No such vacation shall be made unless it appears in the interest of the public to do so after a hearing preceded by two weeks' published and posted notice. The board shall cause written notice of the hearing to be mailed to each property owner affected by the proposed vacation at least ten days before the hearing. The notice must contain, at minimum, a copy of the petition or proposed resolution as well as the time, place, and date of the hearing. In addition, if the street, alley, public grounds, public way, or any part of it, terminates at or abuts upon any public water, no vacation shall be made unless written notice of the petition or proposed resolution is served by certified mail upon the commissioner of natural resources at least 30 days before the hearing on the matter. The notice to the commissioner of natural resources is for notification purposes only and does not create a right of intervention by the commissioner. After a resolution of vacation is adopted, the clerk shall prepare a notice of completion of the proceedings which shall contain the name of the town, an identification of the vacation, a statement of the time of completion thereof and a description of the real estate and lands affected. The notice shall be presented to the county auditor who shall enter it in the transfer records and note upon the instrument, over the auditor's official signature, the words "entered in the transfer record." The notice shall then be filed with the county recorder. Failure to file the notice shall not invalidate the vacation proceedings.

26. Fines and penalties.

All fines, forfeitures, and penalties recovered for violation of a statute or ordinance to which the town is entitled by law shall be paid into the town treasury. Every court or officer receiving money for a violation, shall return it under oath in accordance with law, and be entitled to duplicate receipts for the amounts paid. One of the receipts shall be filed with the town clerk.

27. Power of eminent domain.

A town that has special powers under this section may acquire private property within or without its limits by eminent domain for any purpose for which it is authorized by law to take or hold property by purchase or gift. It may also acquire by eminent domain a right-of-way for sewerage or drainage purposes and an outlet for sewerage or drainage within or without its limits. The procedure shall be that prescribed by chapter 117.

28. Savings clause.

This section shall not be construed to repeal or rescind the powers of any town provided by other law.

29. Notice to auditor, secretary of state; filing.

The town clerk of each town exercising special powers under this section shall so notify in writing the county auditor of the county in which the town is located and the secretary of state. The written notice shall be filed by the county auditor and the secretary of state as a public record.

30. Continuing authority to exercise powers.

If a town exercises a power under this section it may continue to exercise the power notwithstanding any later change in population.

(Minn. Stat. § 368.01)

METHOD OF IMPROVEMENTS; ASSESSMENTS.

1. Resolutions.

The city council and park commissioners may, by concurrent resolution, or by separate resolution when acting separately, specify the method of improving any street, pedestrian mall, park, or parkway under this chapter, including grading, drainage, planting, street lighting, paving, curbing, building gutters and sidewalks, installing sewer and water mains where necessary in the case of parks, and installing necessary structures and apparatus for playgrounds and general park uses.

2. Definition; pedestrian mall improvement.

"Pedestrian mall improvement" means an improvement designed and to be used primarily for the movement, safety, convenience, and enjoyment of pedestrians, whether or not a part of a street is set apart for roadway for emergency vehicles, transit vehicles, or private vehicles. A "pedestrian mall improvement" may provide and include space for seating, cafe tables, shelters, trees, flower plantings, sculptures, newsstands, telephone booths, traffic signs, kiosks, fire hydrants, street lighting, ornamental signs, ornamental lights, trash receptacles, display cases, marquees, awnings, canopies, overhead radiant heating fixtures, underground radiant heating pipes and devices, walls, bollards and chains, and similar fixtures, equipment, facilities, and appurtenances which, in the judgment of the council, will enhance the movement, safety, convenience, and enjoyment of pedestrians and benefit the city and adjoining properties. Sidewalks on pedestrian malls may be constructed of concrete, bricks, asphalt tiles, blocks, granite sets or other materials and combinations of materials the council approves.

3. Council's powers.

The council may narrow a roadway to be maintained in connection with a pedestrian mall, may have street vaults reconstructed or removed, may construct crosswalks at any point within a block and at the ends of blocks, and may design the roadway to curve and meander within the limits of the street regardless of the uniformity of width of the street or curve or absence of curve in the centerline of the street to enhance the usefulness and appearance of a pedestrian mall.

(Minn. Stat. § 430.07)

SIDEWALK IMPROVEMENT DISTRICTS; COSTS SPLIT BY BENEFIT.

1. Authorized.

Any municipality may, by ordinance, establish sidewalk improvement districts within a municipality, and have authority to defray all or part of the total costs of sidewalk construction and repair by district benefits and apportioning the district's cost to all of the parcels located in the district on a direct or indirect benefit basis.

2. For safety.

The governing body of any municipality may establish sidewalk districts on the basis that all areas within each district have safe pedestrian walkways to and from schools and school bus stops, public transportation facilities, and other services to the neighborhood and community.

3. Uniformity; wide sidewalks; indirect benefit.

The total costs of sidewalk district improvements may be apportioned and assessed to all parcels or tracts of land located in the established assessment district on a uniform basis as to each classification of real estate. Where sidewalk widths are wider than the

standard width of the district, the additional costs may be assessed as a direct benefit to the abutting property. An indirect district benefit assessment may involve all parcels or tracts of land located in the assessment district without regard to location of sidewalks, as it is deemed that all parcels or tracts of land within the assessment district benefit equally.

4. Up to five years.

The governing body may assess the costs on all district sidewalk improvements up to a maximum of five years on equal annual installments, plus interest on the unpaid balance.

(Minn. Stat. § 435.44)

PURPOSE.

The legislature finds that there is a need for new development in areas of a city that are already built up in order to provide employment opportunities, to improve the tax base, and to improve the general economy of the state. Therefore, cities are authorized to develop a program for improving a district of the city to provide impetus for commercial development; to increase employment; to protect pedestrians from vehicle traffic and inclement weather; to provide the necessary linkage between peripheral parking facilities and places of employment and shopping; to provide off-street parking to serve the shoppers and employees of the district; to provide open space relief within the district; and to provide other facilities as are outlined in the development program adopted by the governing body. The legislature declares that the actions required to assist the implementation of these development programs are a public purpose and that the execution and financing of these programs are a public purpose.

(Minn. Stat. § 469.124)

MAINTENANCE AND OPERATION.

Maintenance and operation of the pedestrian systems, special lighting systems, parking structures, and other public improvements constructed under provisions of sections [469.124](#) to [469.134](#) shall be under the supervision of the administrator as designated in section [469.131](#). The cost of maintenance and operation of the nonrevenue facilities together with the excess costs of operation and maintenance of revenue producing facilities, if any, shall be charged against the development district in which it is located. The amount of assessment against each property within the district shall be in proportion to the benefit to the several properties within the district. By July 1 of each year the administrator of the development district shall submit to the governing body of the city the maintenance and operating budget for the following year, and the pro rata share of

the budget to be charged to each property in the district. The governing body of the city shall certify the assessments to the county auditor for collection. The governing body shall levy these assessments in accordance with the procedures established in section [429.061](#).

(Minn. Stat. § 469.130)

RAMPS AT CROSSWALKS.

1. At new installations.

Every city shall install ramps at crosswalks, in both business and residential areas, when making new installations of sidewalks and curbs or gutters, or improving or replacing existing sidewalks and curbs or gutters, so as to make the transition from street to sidewalk easily negotiable for disabled persons in wheelchairs and for other persons who may have difficulty in making the required step up or down from curb level to street level.

2. Design specifications.

All such ramps shall be constructed or installed in accordance with design specifications therefor prepared by the Department of Transportation. The Department of Transportation shall make available to such municipalities design standards for such ramps.

(Minn. Stat. § 471.464)

POLICY PLANS FOR METROPOLITAN AGENCIES.

1. Requirement.

The council shall adopt a long-range comprehensive policy plan for transportation and wastewater treatment. The plans must substantially conform to all policy statements, purposes, goals, standards, and maps in the development guide developed and adopted by the council under this chapter. Each policy plan must include, to the extent appropriate to the functions, services, and systems covered, the following:

(1) forecasts of changes in the general levels and distribution of population, households, employment, land uses, and other relevant matters, for the metropolitan area and appropriate subareas;

(2) a statement of issues, problems, needs, and opportunities with respect to the functions, services, and systems covered;

- (3) a statement of the council's goals, objectives, and priorities with respect to the functions, services, and systems covered, addressing areas and populations to be served, the levels, distribution, and staging of services; a general description of the facility systems required to support the services; the estimated cost of improvements required to achieve the council's goals for the regional systems, including an analysis of what portion of the funding for each improvement is proposed to come from the state, Metropolitan Council levies, and cities, counties, and towns in the metropolitan area, respectively, and other similar matters;
- (4) a statement of policies to effectuate the council's goals, objectives, and priorities;
- (5) a statement of the fiscal implications of the council's plan, including a statement of:
 - (i) the resources available under existing fiscal policy;
 - (ii) the adequacy of resources under existing fiscal policy and any shortfalls and unattended needs;
 - (iii) additional resources, if any, that are or may be required to effectuate the council's goals, objectives, and priorities; and
 - (iv) any changes in existing fiscal policy, on regional revenues and intergovernmental aids respectively, that are expected or that the council has recommended or may recommend;
- (6) a statement of the relationship of the policy plan to other policy plans and chapters of the Metropolitan Development Guide;
- (7) a statement of the relationships to local comprehensive plans prepared under sections [473.851](#) to [473.871](#); and
- (8) additional general information as may be necessary to develop the policy plan or as may be required by the laws relating to the metropolitan agency and function covered by the policy plan.

2. Development guide: transportation.

The transportation chapter must include policies relating to all transportation forms and be designed to promote the legislative determinations, policies, and goals set forth in section [473.371](#). In addition to the requirements of subdivision 1 regarding the contents of the policy plan, the nontransit element of the transportation chapter must include the following:

- (1) a statement of the needs and problems of the metropolitan area with respect to the functions covered, including the present and prospective demand for and constraints on access to regional business concentrations and other major activity centers and the constraints on and acceptable levels of development and vehicular trip generation at such centers;
- (2) the objectives of and the policies to be forwarded by the policy plan;
- (3) a general description of the physical facilities and services to be developed;
- (4) a statement as to the general location of physical facilities and service areas;

(5) a general statement of timing and priorities in the development of those physical facilities and service areas;

(6) a detailed statement, updated every two years, of timing and priorities for improvements and expenditures needed on the metropolitan highway system;

(7) a general statement on the level of public expenditure appropriate to the facilities; and

(8) a long-range assessment of air transportation trends and factors that may affect airport development in the metropolitan area and policies and strategies that will ensure a comprehensive, coordinated, and timely investigation and evaluation of alternatives for airport development.

The council shall develop the nontransit element in consultation with the transportation advisory board and the Metropolitan Airports Commission and cities having an airport located within or adjacent to its corporate boundaries. The council shall also take into consideration the airport development and operations plans and activities of the commission. The council shall transmit the results to the state Department of Transportation.

3. Transportation planning.

(a) The Metropolitan Council is the designated planning agency for any long-range comprehensive transportation planning required by section 134 of the Federal Highway Act of 1962, Section 4 of Urban Mass Transportation Act of 1964 and Section 112 of Federal Aid Highway Act of 1973 and other federal transportation laws. The council shall assure administration and coordination of transportation planning with appropriate state, regional and other agencies, counties, and municipalities.

(b) The council shall establish an advisory body consisting of citizens and representatives of municipalities, counties, and state agencies in fulfillment of the planning responsibilities of the council. The membership of the advisory body must consist of:

(1) the commissioner of transportation or the commissioner's designee;

(2) the commissioner of the Pollution Control Agency or the commissioner's designee;

(3) one member of the Metropolitan Airports Commission appointed by the commission;

(4) one person appointed by the council to represent nonmotorized transportation;

(5) one person appointed by the commissioner of transportation to represent the freight transportation industry;

(6) two persons appointed by the council to represent public transit;

(7) ten elected officials of cities within the metropolitan area, including one representative from each first-class city, appointed by the association of metropolitan municipalities;

(8) one member of the county board of each county in the seven-county metropolitan area, appointed by the respective county boards;

(9) eight citizens appointed by the council, one from each council precinct; and

(10) one member of the council, appointed by the council.

The council shall appoint a chair from among the members of the advisory body.

(Minn. Stat. § 473.146)

REVIEW AND COMMENT FOR SCHOOL DISTRICT CONSTRUCTION.

1. Consultation.

A school district shall consult with the commissioner of education before developing any plans and specifications to construct, remodel, or improve the building or site of an educational facility for which the estimated cost exceeds \$500,000. This consultation shall occur before a referendum for bonds, solicitation for bids, or use of capital expenditure facilities revenue according to section [126C.10, subdivision 14](#), clause (2). The commissioner may require the district to participate in a management assistance plan before conducting a review and comment on the project.

2. Project.

The construction, remodeling, or improvement of a building or site of an educational facility at an estimated cost exceeding \$100,000 is a project under section [177.42, subdivision 2](#).

[See Note.] NOTE: Subdivision 2 was held unconstitutional because its enactment violated the single subject and title requirements of the Minnesota Constitution in *Associated Builders and Contractors v. Ventura*, 610 N.W.2d 293 (Minn. 2000).

3. Information required.

A school board proposing to construct a facility described in subdivision 8 shall submit to the commissioner a proposal containing information including at least the following:

(1) the geographic area and population to be served, preschool through grade 12 student enrollments for the past five years, and student enrollment projections for the next five years;

(2) a list of existing facilities by year constructed, their uses, and an assessment of the extent to which alternate facilities are available within the school district boundaries and in adjacent school districts;

(3) a list of the specific deficiencies of the facility that demonstrate the need for a new or renovated facility to be provided, and a list of the specific benefits that the new or renovated facility will provide to the students, teachers, and community users served by the facility;

- (4) the relationship of the project to any priorities established by the school district, educational cooperatives that provide support services, or other public bodies in the service area;
- (5) a description of the pedestrian, bicycle, and transit connections between the school and nearby residential areas that make it easier for children, teachers, and parents to get to the school by walking, bicycling, and taking transit;
- (6) a specification of how the project maximizes the opportunity for cooperative use of existing park, recreation, and other public facilities and whether and how the project will increase collaboration with other governmental or nonprofit entities;
- (7) a description of the project, including the specification of site and outdoor space acreage and square footage allocations for classrooms, laboratories, and support spaces; estimated expenditures for the major portions of the project; and the dates the project will begin and be completed;
- (8) a specification of the source of financing the project; the scheduled date for a bond issue or school board action; a schedule of payments, including debt service equalization aid; and the effect of a bond issue on local property taxes by the property class and valuation;
- (9) an analysis of how the proposed new or remodeled facility will affect school district operational or administrative staffing costs, and how the district's operating budget will cover any increased operational or administrative staffing costs;
- (10) a description of the consultation with local or state transportation officials on multimodal school site access and safety issues, and the ways that the project will address those issues;
- (11) a description of how indoor air quality issues have been considered and a certification that the architects and engineers designing the facility will have professional liability insurance;
- (12) as required under section [123B.72](#), for buildings coming into service after July 1, 2002, a certification that the plans and designs for the extensively renovated or new facility's heating, ventilation, and air conditioning systems will meet or exceed code standards; will provide for the monitoring of outdoor airflow and total airflow of ventilation systems; and will provide an indoor air quality filtration system that meets ASHRAE standard 52.1;
- (13) a specification of any desegregation requirements that cannot be met by any other reasonable means;
- (14) a specification of how the facility will utilize environmentally sustainable school facility design concepts;
- (15) a description of how the architects and engineers have considered the American National Standards Institute Acoustical Performance Criteria, Design Requirements and Guidelines for Schools of the maximum background noise level and reverberation times; and

(16) any existing information from the relevant local unit of government about the cumulative costs to provide infrastructure to serve the school, such as utilities, sewer, roads, and sidewalks.

(Minn. Stat. § 123B.71)

Minnesota Administrative Rules: Trunk Highway System, Minnesota Department of Transportation

INTERSTATE HIGHWAY EXCLUSIONS.

Pursuant to the Laws of Minnesota 1959, chapter 439, and after due consideration for safety and convenience of public travel on the main roadways, entrance and exit ramps to same on the national system of interstate and defense highways in Minnesota, it is hereby ordered that the use of such main roadways and ramps by pedestrians, bicycles, or other nonmotorized traffic, or by any person operating any such vehicle, is hereby prohibited.

(Minn. R. Part 8810.0050)

DEFINITIONS.

1.Scope.

For purposes of these rules and the implementation thereof, the following terms shall have the meanings here given them.

2. Average bicycle traffic volume.

"Average bicycle traffic volume" means the amount of bicycle traffic passing a given point on an average daily basis computed over 180 days during the months of April through September.

3. Average daily traffic.

"Average daily traffic" means the total volume of traffic during a specified but arbitrary time period given in whole days (24 hours), greater than one day, but less than one year, divided by the number of days in the time period; abbreviated ADT.

4. Bicycle.

"Bicycle" means a device propelled by human power upon which a person or persons may ride, having two tandem wheels either of which is over 16 inches in diameter, and including any device generally recognized as a bicycle though equipped with two front or rear wheels.

5. Bicycle lane.

"Bicycle lane" means a portion of a roadway designed for preferential use by persons using bicycles. Bicycle lanes may be designed with or without physical barriers to separate or channel bicycle traffic from motor vehicles or pedestrian traffic.

6. Bicycle lane with barrier.

"Bicycle lane with barrier" means a portion of a roadway which has been designated for preferential or exclusive use by bicycles, separated from but a part of that portion of the roadway designed for motor vehicle traffic by a physical barrier such as a curb or a guardrail.

7. Bicycle lane without barrier.

"Bicycle lane without barrier" means a portion of a roadway which has been designated for preferential use by bicycles through pavement markings or other traffic control measures.

8. Bicycle path.

"Bicycle path" means a bicycle facility designed for exclusive use by persons using bicycles and constructed or developed separately from the roadway.

9. Bicycle route.

"Bicycle route" means a roadway signed to encourage bicycle use when no preferential lane is provided. Signing shall be in accordance with the Minnesota Manual of Uniform Traffic Control Devices. Such signing also indicates that safety precautions must be taken by all forms of traffic.

10. Clearway.

"Clearway" is a clear recovery area extending 30 feet outward from the edge of the outside through lane of the roadway where all physical obstacles to out-of-control motor vehicles are eliminated.

11. Controlled access highway.

"Controlled access highway" means every highway, street, or roadway in respect to which the right of access of the owners or occupants of abutting lands and other persons has been acquired and to which the owners or occupants of abutting lands and other persons have no legal right of access to or from the same except at such points only and in such manner as may be determined by the public authority having jurisdiction over such highway, street, or roadway.

12. Department.

Unless stated otherwise, "department" means the Department of Transportation of this state. Regardless of the department referred to, however, it is to be considered as acting directly or through its duly authorized officers and agents.

13. Driver.

"Driver" means every person who drives or is in actual physical control of a vehicle, or other device upon which a person or property may be transported.

14. Intersection.

"Intersection" means the area embraced within the prolongation or connection of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of two highways which join one another, at, or approximately at, right angles, or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict. Where a highway includes two roadways 30 feet or more apart, then every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as a separate intersection. In the event such intersecting highway also includes two roadways 30 feet or more apart, then every crossing of two roadways of such highways shall be regarded as a separate intersection.

15. One-way roadway.

"One-way roadway" means a street or roadway designated and signposted for one-way traffic and on which all vehicles are required to move in one indicated direction.

16. Pedestrian walkway; sidewalk.

"Pedestrian walkway" means that portion of the street or highway between curb lines, or the lateral lines of a roadway, and the adjacent property lines intended for the use of pedestrians. An alternate term that may be used is "sidewalk," as defined in Minnesota Statutes, chapter 169. For purposes of these rules a pedestrian walkway may be construed to be a bicycle or recreational vehicle lane but is controlled as to the forms of traffic it may carry other than pedestrians.

17. Recreational vehicle.

"Recreational vehicle" means a special purpose mobile and motive equipment or device not qualifying under the provisions of Minnesota Statutes, chapter 168 for the purposes of taxation in the state of Minnesota, and includes but is not limited to all terrain vehicles (ATV) and snowmobiles.

18. Recreational vehicle lane.

"Recreational vehicle lane" means that portion of a street or highway or road or way outside of the roadway, improved, designed, or ordinarily used for recreational vehicular

travel by the public and placed and maintained by state or local authorities in their respective jurisdictions.

19. Roadway. "Roadway" means that portion of a highway improved, designed, or ordinarily used for motor vehicular travel. In the event a highway includes two or more separate roadways the term "roadway" as used herein shall refer to any such roadway separately but not to all such roadways collectively.

20. Rural section. "Rural section" is a highway design that has wide rights-of-way, open ditches for drainage, and a clearway of 30 feet from the edge of the outside lane.

21. Shoulder. "Shoulder" means that part of the roadway which is contiguous to the regularly traveled portion of the roadway and is on the same level as the roadway. The shoulder may be pavement, gravel, or earth.

22. Sidewalk. "Sidewalk" means that portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines intended for the use of pedestrians.

23. Street or highway. "Street or highway" means the entire width between the boundary lines of any way or place when any part thereof is open to the use of the public, as a matter of right, for the purposes of vehicular traffic.

24. Through highway. "Through highway" means every highway or portion thereof at the entrances to which vehicular traffic from intersecting highways is required by law to stop before entering or crossing the same and when stop signs are erected.

25. Urban district. "Urban district" means the territory contiguous to and including any street which is built up with structures devoted to business, industry, or dwelling houses situated at intervals of less than 100 feet for a distance of a quarter of a mile or more.

26. Urban section. "Urban section" means a roadway design used in urban districts where the right-of-way width is restricted. Because of the restricted right-of-way, there is not enough room for ditches, thus necessitating curbs and gutters.

27. Vehicle. "Vehicle" means a bicycle or recreational vehicle.

(Minn. R. Part 8810.6000)

TRUNK HIGHWAY: PURPOSE AND SCOPE.

1. Purpose.

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The purpose of parts [8810.6000](#) to [8810.7000](#) is to carry out the mandate of the legislature and to effectuate that mandate as set forth in Minnesota Statutes, section [160.262](#), as amended by Laws of Minnesota 1973, chapter 620, section 1, with reference to the establishment of model standards for bicycle and recreational vehicle lanes on and along proposed and existing public roadways and governing state trunk highways.

2.Scope.

The scope of parts [8810.6000](#) to [8810.7000](#) is intended to be confined within the framework of and consistent with Minnesota Statutes, section [160.262](#), and responsive to United States Code, title 23, section 217, as amended by Public Law numbers 93 to 410, the Federal Aid Highway Act of 1973 (bicycle transportation and pedestrian walkways).

(Minn. R. Part 8810.6100)

TRUNK HIGHWAY. BICYCLE AND RECREATIONAL VEHICLE LANES. CRITERIA FOR DESIRABILITY OF LANES.

1. Design and construction.

The Department of Transportation will have sole jurisdiction to establish bicycle or recreational vehicle lanes on the right-of-way of any state trunk highway. The Department of Transportation will be responsible for all designs and construction on all lane facility projects within the right-of-way of any state trunk highway. Any such services performed for other state agencies or local governmental units will be done on a reimbursable basis. The Department of Transportation may provide services for the development of lane facilities for other agencies and local units of government upon request and upon such terms as may be mutually agreed upon. The Department of Transportation will consider building bicycle or recreational vehicle lane facilities during the construction, reconstruction, or improvement of any trunk highway or permit the establishment of such facilities within state trunk highway right-of-way when:

A. a proposed highway project destroys an existing lane of demonstrated or potential use and no desirable alternative is available to the user; or

B. there is no pedestrian or nonmotorized access along or across an existing or proposed grade separated or through trunk highway or intersection in an urban area (example: access to the four quadrants created by two intersecting freeways); or

C. there are fringe development areas not meeting the urban district definition along trunk highways that have no nonmotorized access (example: residential or commercial development along trunk highways on the outskirts of town); or

D. the facility is part of a comprehensive trail planning process on a local, regional, or statewide basis, and the facility must materially benefit the safety of the traveling public; such as, the elimination of a potential safety hazard caused by anticipated bicycle or recreational vehicle traffic on or near the roadways of a trunk highway (example: heavy bicycle travel along a trunk highway between a town and an outlying school);

E. the highway right-of-way can safely accommodate the facility;

F. there is sufficient projected bicycle or recreational vehicle traffic;

G. the facility cannot be safely and feasibly constructed and utilized outside of the right-of-way (example: no suitable network of adjacent residential streets or existing parallel facilities exist);

H. the facility use does not conflict with existing utilities located on highway right-of-way or adjacent land use;

I. the facility provides commuter transportation; or connects existing or proposed facilities; or connects areas or points of natural, scientific, cultural, historical, educational, or economic interest;

J. multiuse facilities do not conflict with each other or use during more than one season is feasible.

2. Traffic volume criteria.

Based upon part [8810.9910](#), the department will consider the establishment of bicycle or recreational vehicle lanes by use and type in accordance with the traffic volumes and other limitations shown. Exceptions to these traffic volume criteria may be made if good cause can be shown and upon approval of the commissioner of transportation.

As motor vehicle traffic volumes increase the form that a bicycle or recreational vehicle lane may take and traffic control measures (or other physical safety precautions built into the facility) will also increase in physical design and safety standards.

3. Bicycle traffic.

The provisions of Minnesota Statutes, section [169.222](#) shall apply for all persons driving or operating a bicycle upon a roadway. The provisions of Minnesota Statutes, sections [169.09](#) to [169.13](#) shall also apply in substance and effect insofar as applicable and consistent with reference to bicycle lanes on trunk highways.

4. Bicycle recreational vehicle traffic.

The provisions of Minnesota Statutes, sections [169.09](#) to [169.13](#) shall also apply in substance and effect insofar as applicable and consistent with reference to drivers or operators of bicycle or recreational vehicles on controlled access trunk highways. Minnesota Statutes, sections [169.13](#) and [169.18](#) shall also apply.

Statute Authority: MS s [160.262](#)

(Minn. R. Part 8810.6300)

TRUNK HIGHWAY SYSTEM: BICYCLE AND VEHICLE LANES: MAINTENANCE CRITERIA.

The responsibility for maintaining bicycle and recreational vehicle lanes within the limits of trunk highway rights-of-way shall be the responsibility of the department of transportation when the facility is located immediately adjacent to the roadway (highway shoulder); or the responsibility of the appropriate local or other governmental unit when the facility is separate from the roadway.

Normal maintenance activities shall be provided for the maintenance of lanes established within trunk highway rights-of-way. These activities shall include, when applicable, but not be limited to: maintenance of drainage; debris removal; sweeping of lane surfaces; mowing and brush removal; surface maintenance; surface grading; snowplowing, when applicable; painting of stripes and stencils.

(Minn. R. Part 8810.6400)

TRUNK HIGHWAY SYSTEM: PLACEMENT OF BICYCLE OR RECREATIONAL VEHICLE LANES.

Bicycle or recreational vehicle lanes built subsequent to the date of adoption of these rules will be placed outside of a 30-foot (9.1 meters) clearway when located within the right-of-way of any state trunk highway with fully controlled access. Exceptions may be made at structure locations including but not limited to bridges.

Bicycle facilities built within the right-of-way of any state trunk highway shall be classified as a route; lane, no barrier; lane with barrier or path as defined in part [8810.6000](#), subparts 5 to 8. Desirable configurations are indicated in: part [8810.9911](#) for lane, no barrier; part [8810.9912](#) for lane with barrier; and part [8810.9913](#) for path (design for new facilities).

(Minn. R. Part 8810.6500)

TRUNK HIGHWAY SYSTEM BICYCLE OR RECREATIONAL VEHICLE MINIMUM DESIGN STANDARDS.

1. Minimum criteria.

The following standards are minimum criteria which may not be reduced to lesser values and constitute the lowest design limits. The values are not to be used as general design standards, but should generally be exceeded.

2. Vertical clearance.

The vertical clearance between an overhead obstruction and the surface of bicycle or recreational vehicle lanes shall be not less than ten feet (three meters).

3. Lane width.

Bicycle facilities shall have a minimum surfaced width of four feet (1.2 meters) for one-way and six feet (1.8 meters) for two-way travel.

4. Design speed.

The design speed for bicycle facilities shall not be less than ten mph. For downgrades, design speeds may be in the range of 25 mph or greater.

5. Sight distance.

The sight distance to any hazard or potential hazard for a bicycle facility shall be a minimum of 50 feet (15.2 meters).

6. Grades.

Bikeway grades should not exceed five percent except for short distances.

7. Radius of curvature.

The minimum radius of curvature for bikeways is figured by the formula: $R = 1.25 V + 1.5$

R = radius of curvature in feet

V = velocity in miles per hour.

(Minn. R. Part 8810.6600)

BICYCLE OR RECREATIONAL VEHICLE ON HIGHWAY.

No provision within these rules shall be deemed to be in conflict with the provisions of Minnesota law with respect to the operations on trunk highway right-of-way of any form of bicycle or recreational vehicle now or hereafter defined. Particular reference is made to Minnesota Statutes, sections [84.81](#) to [84.87](#) in this regard.

(Minn. R. Part 8810.6700)

PUBLIC USE OF TRUNK HIGHWAYS.

No prohibition is intended or implied within these rules as to the rights of the public to use, occupy, traverse, or travel the trunk highways of the state of Minnesota except where such prohibition is established by law or other promulgated rule not a part of these rules.

(Minn. R. Part 8810.6800)

PRIVATE ROADWAYS.

Nothing in these rules shall be construed to prevent the owner of real property used by the public for purposes of bicycle or recreational vehicular travel by permission of the owner and not as a matter of right, from prohibiting such use, or from requiring other or different or additional conditions than those specified in these rules, or otherwise regulating such use as may seem best to such owner.

(Minn. R. Part 8810.6900)

GRADE RAILROAD CROSSINGS.

In the event a proposed bicycle or recreational vehicle lane intersects at grade the right-of-way and tracks of a railroad, the approval of the Minnesota Transportation Department with respect to the public safety aspects of the crossing shall be first secured.

(Minn. R. Part 8810.7000)

TRAFFIC CRITERIA: BICYCLE, RECREATIONAL VEHICLE LANE

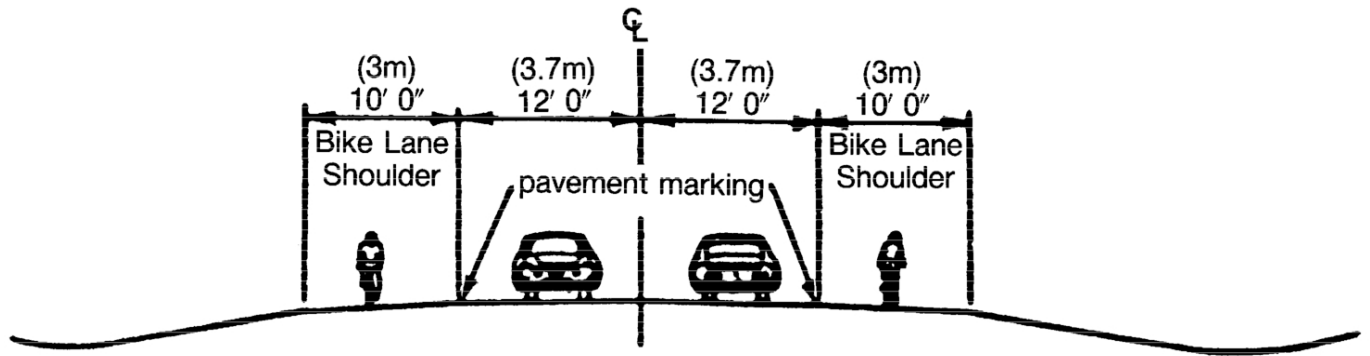
Table 1: TRAFFIC CRITERIA TO ESTABLISH A BICYCLE OR RECREATION VEHICLE LANE

CLASS OF FACILITY AND TRAFFIC LIMITS		BICYCLIST USE						PEDESTRIAN USE & RECREATIONAL VEHICLE USE		
		ROAD DESIGN LIMITATIONS	ROUTE (1)	LANE NO BARRIER (1)	LANE WITH BARRIER (2)	PATH (2)	ROAD DESIGN LIMITATIONS	SPECIAL WALKWAY	FACILITY FOR RECREATIONAL VEHICLE	
TWO LANE	AVERAGE DAILY TRAFFIC VOLUME (A.D.T.)	(R) ≤ 2,000 (U) ≤ 4,000	≤ 2,000 ≤ 4,000	≤ 2,000 ≤ 4,000	X ≥ 4,000	≥ 3,000 ≥ 6,000	(R) ≤ 3,000 (U) ≥ 6,000	N/A N/A	N/A N/A	
	NO CONTROL OF ACCESS	(R) ≤ 100 (U) ≤ 100	≤ 200 ≤ 200	≤ 200 ≤ 200	X ≥ 200	≥ 200 ≥ 200	(R) ≥ 200 (U) ≥ 200	X O	O X	
MULTIPLE LANE	AVERAGE DAILY TRAFFIC VOLUME (A.D.T.)	(R) X (U) ≤ 8,000	≤ 14,000 ≤ 20,000	≤ 14,000 ≤ 20,000	X ≥ 20,000	≥ 14,000 ≥ 20,000	(R) ≤ 14,000 (U) ≥ 20,000	N/A N/A	N/A N/A	
	NO OR PARTIAL CONTROL OF ACCESS	(R) X (U) ≤ 100	≤ 200 ≤ 200	≤ 200 ≤ 200	X ≥ 200	≥ 200 ≥ 200	(R) ≥ 200 (U) ≥ 200	X O	O X	
MULTIPLE LANE FULLY CONTROLLED ACCESS	AVERAGE DAILY TRAFFIC VOLUME (A.D.T.)	(R) X (U) X	X X	X X	X X	≥ 14,000 ≥ 20,000	(R) ≤ 14,000 (U) ≥ 20,000	N/A N/A	N/A N/A	
	BICYCLE (A.D.T.)	(R) X (U) X	X X	X X	X X	≥ 200 ≥ 200	(R) ≥ 200 (U) ≥ 200	X O	O X	

X - NOT PERMITTED
 (R) Rural Section
 (U) Urban Section
 O - NON CONFLICTING USE
 N/A Not Applicable
 (1) Maximum ADT for Bicycle and Lane no Barrier
 (2) Minimum ADT for Bicyclist of Lane with Barrier or Path.

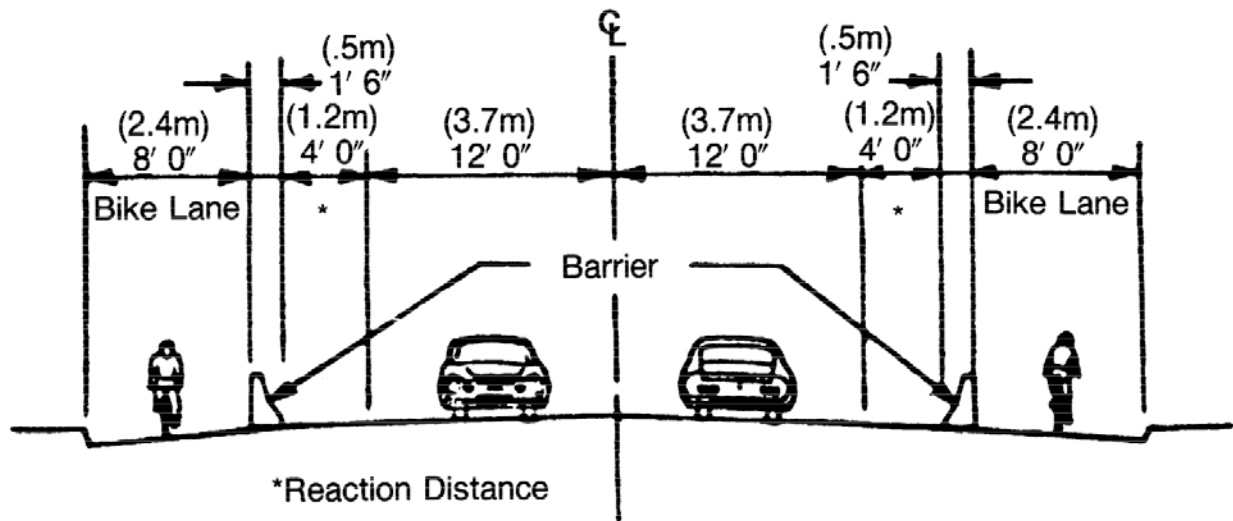
(Minn. R. Part 8810.9910)

BIKE LANE WITH NO BARRIER



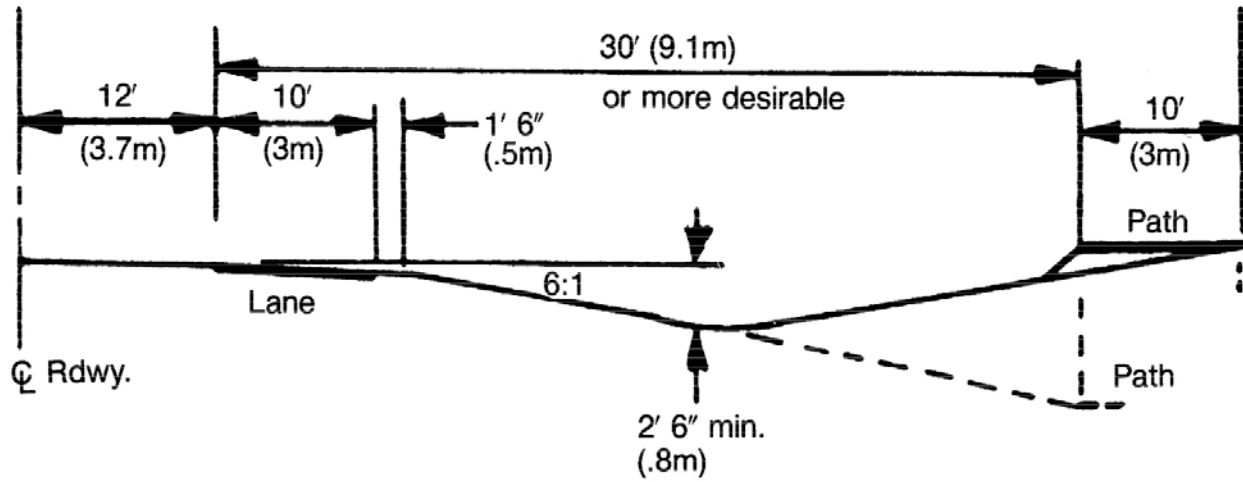
(Minn. R. Part 8810.9911)

BIKE LANE WITH BARRIER



(Minn. R. Part 8810.9912)

DESIRABLE BIKE PATH DESIGN



(Minn. R. Part 8810.9913)

Minnesota Administrative Rules: Local State-Aid Standards, Minnesota Department of Transportation

[Minn. R. 8820, Local State-Aid Route Standards, Financing](#)

Minnesota Administrative Rules: Wild, Scenic and Recreational Rivers, Minnesota Department of Natural Resources

INTERAGENCY RECOMMENDATIONS.

1. Other governmental units.

C. It is recommended that the Minnesota Department of Transportation, in cooperation with the Department of Natural Resources, Governor's Trail Advisory Committee, counties, municipalities, and other agencies and groups, conduct a study to determine an appropriate route for a bicycle route paralleling the Mississippi River from the Twin Cities to Saint Cloud.

(Minn. R. Part 6105.0880)