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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 1343

1.1 A bill for an act

1.2 relating to metropolitan government; public transit; prohibiting unauthorized use

1.3 of bus rapid transit fixed guideways; clarifying Metropolitan Transit Police

1.4 jurisdiction over bus rapid transit guideways; imposing penalties; making a technical

1.5 change; amending Minnesota Statutes 2020, sections 473.4057, subdivision 7;

1.6 473.407, subdivision 1; proposing coding for new law in Minnesota Statutes,

1.7 chapter 169.

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

1.9 Section 1. **[169.307] UNAUTHORIZED USE OF FIXED GUIDEWAYS FOR BUS**

1.10 **RAPID TRANSIT.**

1.11 Subdivision 1. Unauthorized use of fixed guideways for bus rapid transit. (a) A fixed

1.12 guideway for bus rapid transit located in the metropolitan area, as defined in section 473.121,

1.13 subdivision 2, may only be used by:

1.14 (1) the Metropolitan Council and its agents, employees, contractors, and utilities when

1.15 carrying out duties imposed by law or contract; and

1.16 (2) an authorized emergency vehicle, as defined in section 169.011, subdivision 3, when

1.17 operated by an individual engaged in the lawful performance of official duties.

1.18 All other uses, including pedestrian and bicycle use, are prohibited.

1.19 (b) For purposes of this section, "fixed guideway for bus rapid transit" means a separate

1.20 fixed guideway reserved exclusively for bus rapid transit.

1.21 Subd. 2. Petty misdemeanor. Any person who violates this section is guilty of a petty

1.22 misdemeanor and subject to the provisions of sections 169.89, subdivisions 1, 2, and 4; and

2.1 169.891; and any other provision of chapter 169 applicable to the commission of a petty
 2.2 misdemeanor traffic offense.

2.3 Subd. 3. **Enforcement.** Every sheriff, police officer, or other peace officer shall have
 2.4 authority to enforce the provisions of this section and shall have authority to arrest and
 2.5 prosecute offenders for violations of this section. A peace officer may issue a citation in
 2.6 lieu of arrest to an individual if the peace officer has probable cause to believe that the
 2.7 individual violated this section.

2.8 Sec. 2. Minnesota Statutes 2020, section 473.4057, subdivision 7, is amended to read:

2.9 Subd. 7. **Expenditure of funds and exercise of powers.** In carrying out its
 2.10 responsibilities under this section and notwithstanding any other law to the contrary, the
 2.11 council may expend funds and exercise, both inside and outside the metropolitan area, those
 2.12 powers in this chapter that are necessary or convenient for those purposes. The jurisdiction
 2.13 of the Metropolitan Transit Police under section ~~473.405~~ 473.407 extends to offenses relating
 2.14 to the operation, property, facilities, equipment, employees, and passengers of any commuter
 2.15 rail facilities and services that are subject to this section.

2.16 Sec. 3. Minnesota Statutes 2020, section 473.407, subdivision 1, is amended to read:

2.17 Subdivision 1. **Authorization.** The council may appoint peace officers, as defined in
 2.18 section 626.84, subdivision 1, paragraph (c), and establish a law enforcement agency, as
 2.19 defined in section 626.84, subdivision 1, paragraph (f), known as the Metropolitan Transit
 2.20 Police, to police its transit property and routes, to carry out investigations, and to make
 2.21 arrests under sections 629.30 and 629.34. The jurisdiction of the law enforcement agency
 2.22 is limited to offenses relating to council transit property, equipment, employees, and
 2.23 passengers. The jurisdiction of the Metropolitan Transit Police shall include traffic lanes
 2.24 designed for bus or transit use, freeway or expressway shoulders in the seven-county
 2.25 metropolitan area used by authorized transit buses and Metro Mobility buses under section
 2.26 169.306, ~~and high-occupancy vehicle lanes used by transit buses,~~ and fixed guideways for
 2.27 bus rapid transit. Upon request from, or under an agreement with, any law enforcement
 2.28 agency and subject to the availability of its personnel and other resources, the Metropolitan
 2.29 Transit Police may exercise general law enforcement agency authority to assist any law
 2.30 enforcement agency in implementing or carrying out law enforcement activities, programs,
 2.31 or initiatives. If the commissioner of transportation contracts with the Metropolitan Council
 2.32 for operation of commuter rail facilities under section 174.90, the jurisdiction of the
 2.33 Metropolitan Transit Police extends to offenses relating to the operation, property, facilities,

3.1 equipment, employees, and passengers of the commuter rail facilities located in and outside
3.2 of the metropolitan area.

3.3 Sec. 4. **APPLICATION.**

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