

**Subject** State-aid design standards

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## Overview

This bill modifies requirements that govern road design standards and design variances for county state-aid highways and municipal state-aid streets. The changes include:

- authorizing counties and cities to use road design standards and engineering guidance from various identified sources instead of the design standards established by the Minnesota Department of Transportation (MnDOT);
- limiting the situations when variances from the state-aid design standards are necessary; and
- codifying the state-aid design variance request and review process that includes creation of an advisory committee for each variance request, with an accompanying repeal of existing administrative rules on variances.

## Summary

Section	Description
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1	<b>Local design control. (CSAH)</b>
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Authorizes counties and other political subdivisions to adopt road design standards for county state-aid highway projects that can be used instead of state-aid standards established in administrative rules. Sets limitations and identifies permitted design standards and guidance documents.

2	<b>Variances from rules and engineering standards. (CSAH)</b>
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Modifies design standards variance process for county state-aid highway projects, including to (1) exempt a design from necessitating a variance in various circumstances (such as a design that complies with an alternative design standard being authorized in the bill), (2) require variance request evaluation using statutory criteria being established, (3) require notice to the legislature on variance denials, and (4) provide for indemnification.

Section	Description
3	<p><b>Variance format. (CSAH)</b></p> <p>Establishes county state-aid highway project variance request procedures and identifies topics to address in a request.</p>
4	<p><b>Local design control. (MSAS)</b></p> <p>Authorizes cities and other political subdivisions to adopt road design standards for municipal state-aid street projects that can be used instead of state-aid standards established in administrative rules. Sets limitations and identifies permitted design standards and guidance documents.</p>
5	<p><b>Variations from rules and engineering standards. (MSAS)</b></p> <p>Modifies road design standards variance process for municipal state-aid street projects, including to (1) exempt a design from necessitating a variance in various circumstances (such as a design that complies with an alternative design standard being authorized in the bill), (2) require variance request evaluation using statutory criteria being established, (3) require notice to the legislature on variance denials, and (4) provide for indemnification.</p>
6	<p><b>Variance format. (MSAS)</b></p> <p>Establishes municipal state-aid street project variance request procedures and identifies topics to address in a request.</p>
7	<p><b>[Adds § 162.095] Advisory committee on design variances.</b></p> <p>Creates an advisory committee to review and make recommendations to MnDOT on state-aid project design variance requests.</p> <p><b>Subd. 1. Establishment.</b> Establishes the advisory committee on design variances.</p> <p><b>Subd. 2. Membership; legislators.</b> Specifies advisory committee membership, including legislators, local engineers, other local officials, and representatives from MnDOT. Sets appointment limitations and requirements.</p> <p><b>Subd. 3. Operating procedure; open meeting law.</b> Provides for administrative procedures. Explicitly makes the advisory committee subject to the Minnesota Open Meeting Law.</p> <p><b>Subd. 4. Factors considered.</b> Specifies criteria and considerations for the advisory committee to evaluate variance requests. Limits recommendations to deny a variance.</p> <p><b>Subd. 5. Recommendation.</b> Directs the advisory committee to provide a recommendation to MnDOT on variance request approval or denial.</p>

Section	Description
	<p><b>Subd. 6. Administration.</b> Directs MnDOT to provide administrative support to the advisory committee.</p> <p><b>Subd. 7. Legislative report.</b> Requires a report to the legislation every other year on advisory committee activity. Specifies report contents.</p>
8	<p><b>Rulemaking.</b> Eliminates rulemaking authority for MnDOT on design standard variances (which is substantially replaced by changes made in the bill).</p>
9	<p><b>Repealer.</b> Repeals administrative rules on variance requests and review (which are substantially replaced by changes made in the bill).</p>



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