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Minnesota Department of Transportation

Transportation Building395 John Ireland Boulevard
Saint Paul, Minnesota 55155-1899

November 30, 2007

Governor Tim Pawlenty
130 State Capitol
75 Rev. Dr. Martin Luther King Jr. Blvd.
St. Paul, Minnesota 55155-1606

Senator Murphy, Chair Senate Transportation and Budget and Policy Division 325 State Capitol 75 Rev. Dr. Martin Luther King Jr. Blvd. St. Paul, Minnesota 55155-1606

Senator Rest, Chair Senate State and Local Govt. Operations and Oversight 205 State Capitol 75 Rev. Dr. Martin Luther King Jr. Blvd. St. Paul, Minnesota 55155-1606

Senator Dibble, Chair Senate Transportation Subdivision on Transit 111 State Capitol 75 Rev. Dr. Martin Luther King Jr. Blvd. St. Paul, Minnesota 55155-1206 Representative Lieder, Chair House Transportation Finance Committee 423 State Office Building 100 Rev. Dr. Martin Luther King Jr. Blvd. St. Paul, Minnesota 55155-1206

Representative Pelowski, Chair House Govt. Operations, Reform, Technology and Elections Committee 491 State Office Building 100 Rev. Dr. Martin Luther King Jr. Blvd. St. Paul, Minnesota 55155-1206

Mr. Greg Hubinger, Director Legislative Coordinating Commission 72 State Office Building 100 Rev. Dr. Martin Luther King Jr. Blvd. St. Paul, Minnesota 55155-1206

Ms. Michele Timmons, Revisor Office of the Revisor of Statutes 700 State Office Building 100 Rev. Dr. Martin Luther King Jr. Blvd. St. Paul, Minnesota 55155-1206

Subject:

Annual Report on Obsolete, Unnecessary or Duplicative Rules as Required by Minnesota Statutes, Section 14.05, Subdivision 5

Dear Governor Pawlenty, Senators, Representatives, Revisor Timmons and Legislative Coordinating Commission Director:

Minnesota Statutes, section 14.05, subdivision 5, directs the agency to report to you by December 1 of each year whether any of its rules are obsolete, unnecessary, or duplicative of other state or federal statutes or rules.

The Department of Transportation has previously identified the following rules as obsolete, unnecessary, or duplicative of other state or federal statutes or rules:

Chapter 8810, Trunk Highway System

8810.9000, Definitions, subps. 1 and 7. Bridge Inspection and Inventory definitions in part 8810.9000, subps. 1 and 7 contain obsolete bridge inspection manual references that will be addressed through rulemaking or legislation.

Chapter 8895, Port Development Assistance

8895.0700 State Participation, Limitations, subp. 1. State participation, limitations. Subpart 1 provides that the state's share of project costs must not exceed 50% of the nonfederal share of the eligible costs to be incurred by the applicant for the project. However, since the rules were adopted there has been a change in the enabling legislation that has changed the maximum limit for the state's share under this provision from 50% to 80%. (See Minn. Stat. § 457A.03) The department will update subpart 1 to be consistent with the statute through rulemaking or legislation.

The department will update the above rules in a future rulemaking or through legislation. The agency has reviewed its rules and found no additional rules that have become obsolete, unnecessary or duplicative over the course of the last year. The department will continue to update its existing rule chapters as needed.

If you have any questions regarding this report, please contact me at 651/366-3066.

Sincerely,

Laura Nehl-Trueman,

Mn/DOT Rules Coordinator

cc: Lisa Freese, Deputy Commissioner

Haur Dell-Trus

Betsy Parker, Office of Government Relations

Richard Lambert, Office of Freight and Commercial Vehicle Operations

Dan Dorgan, Office of Bridges

Debra Ledvina, Office of Risk Management