

MINNESOTA STATE REGISTER

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Minnesota State Register

Judicial Notice Shall Be Taken of Material Published in the Minnesota State Register

The Minnesota State Register is the official publication of the State of Minnesota's Executive Branch of government, published weekly to fulfill the legislative mandate set forth in Minnesota Statutes, Chapter 14, and Minnesota Rules, Chapter 1400. It contains:

- Proposed Rules
- Adopted Rules
- Exempt Rules
- Expedited Rules
- Withdrawn Rules
- Executive Orders of the Governor
- Appointments
- Proclamations
- Vetoed Rules
- Commissioners' Orders
- Revenue Notices
- Official Notices
- State Grants and Loans
- Contracts for Professional, Technical and Consulting Services
- Non-State Public Bids, Contracts and Grants

Printing Schedule and Submission Deadlines

Vol. 50 Issue Number	Publish Date	Deadline for: all Short Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical- Consulting Contracts, Non-State Bids and Public Contracts	Deadline for LONG, Complicated Rules (contact the editor to negotiate a deadline)
#17	Monday 27 October	Noon Tuesday 21 October	Noon Thursday 16 October
#18	Monday 3 November	Noon Tuesday 28 October	Noon Thursday 23 October
#19	Monday 10 November	Noon Tuesday 4 November	Noon Thursday 30 October
#20	Monday 17 November	Noon Tuesday 11 November	Noon Thursday 6 November

PUBLISHING NOTICES: We need to receive your submission ELECTRONICALLY in Microsoft WORD format. Submit ONE COPY of your notice via e-mail to: sean.plemmons@state.mn.us. State agency submissions must include a "State Register Printing Order" form, and, with contracts, a "Contract Certification" form. Non-State Agencies should submit ELECTRONICALLY in Microsoft WORD, with a letter on your letterhead stationery requesting publication and date to be published. Costs are \$14 per tenth of a page (columns are seven inches wide). One typewritten, double-spaced page = 6/10s of a page in the State Register, or \$84. About 1.5 pages typed, double-spaced, on 8-1/2"x11" paper = one typeset page in the State Register. Contact editor with questions (651) 201-3204, or e-mail: sean.plemmons@state.mn.us.

SUBSCRIPTION SERVICES: E-mail subscriptions are available by contacting the editor at sean.plemmons@state.mn.us. Send address changes to the editor or at the Minnesota State Register, 50 Sherburne Avenue, Suite 309, Saint Paul, MN 55155.

SEE THE Minnesota State Register free at website: <https://mn.gov/admin/government/data-info/register.jsp>

- Minnesota State Register: Online subscription – \$180, includes links, index, special section "CONTRACTS & GRANTS," with Sidebar Table of Contents, Early View after 4:00 pm Friday (instead of waiting for early Monday), and it's sent to you via E-mail.
- Single issues are available electronically via PDF for free.
- "Affidavit of Publication" includes a notarized "Affidavit" and a copy of the issue: \$15.00.

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Minnesota Legislative Information

Senate Public Information Office
(651) 296-0504

State Capitol, Room 231, St. Paul, MN 55155
<https://www.senate.mn/>

Minnesota State Court System

Court Information Office (651) 296-6043
MN Judicial Center, Rm. 135,
25 Rev. Dr. Martin Luther King Jr Blvd., St. Paul, MN 55155
<http://www.mncourts.gov>

House Public Information Services
(651) 296-2146

State Office Building, Room 175
100 Rev. Dr. Martin Luther King Jr Blvd., St. Paul, MN 55155
<https://www.house.leg.state.mn.us/hinfo/hinfo.asp>

Federal Register

Office of the Federal Register (202) 512-1530; or (888) 293-6498
U.S. Government Printing Office – Fax: (202) 512-1262
<https://www.federalregister.gov/>

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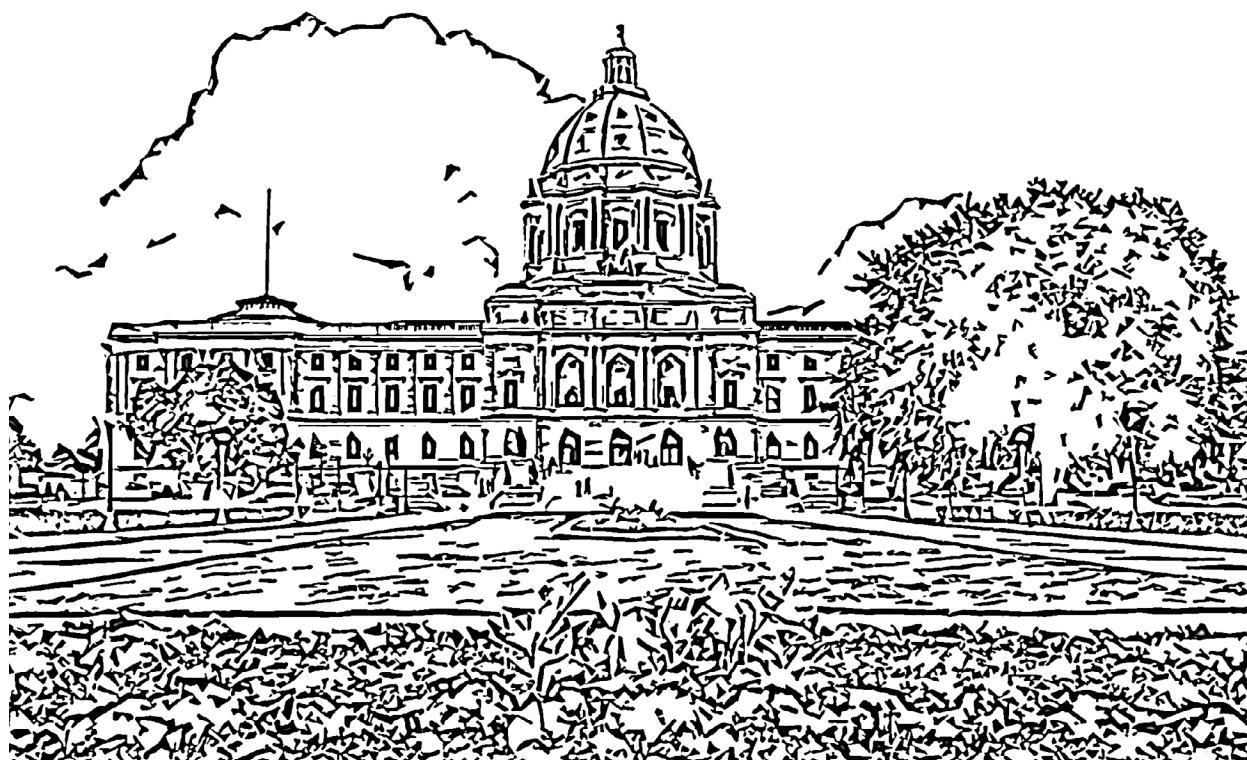
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Front Cover Artwork: *The Rouchleau Mine Pit in Virginia, Minnesota, filled with blue water, is calm in the distance on a fall day.*
Photo by Sean Plemmons



Minnesota Rules: Amendments and Additions

NOTICE: How to Follow State Agency Rulemaking in the State Register

The State Register is the official source, and only complete listing, for all state agency rulemaking in its various stages. State agencies are required to publish notice of their rulemaking action in the State Register. Published every Monday, the State Register makes it easy to follow and participate in the important rulemaking process. Approximately 80 state agencies have the authority to issue rules. Each agency is assigned specific Minnesota Rule chapter numbers. Every odd-numbered year the Minnesota Rules are published. Supplements are published to update this set of rules. Generally speaking, proposed and adopted exempt rules do not appear in this set because of their short-term nature, but are published in the State Register.

An agency must first solicit Comments on Planned Rules or Comments on Planned Rule Amendments from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency (Minnesota Statutes §§ 14.101). It does this by publishing a notice in the State Register at least 60 days before publication of a notice to adopt or a notice of hearing, or within 60 days of the effective date of any new statutory grant of required rulemaking.

When rules are first drafted, state agencies publish them as Proposed Rules, along with a notice of hearing, or a notice of intent to adopt rules without a hearing in the case of noncontroversial rules. This notice asks for comment on the rules as proposed. Proposed emergency rules, and withdrawn proposed rules, are also published in the State Register. After proposed rules have gone through the comment period, and have been rewritten into their final form, they again appear in the State Register as Adopted Rules. These final adopted rules are not printed in their entirety, but only the changes made since their publication as Proposed Rules. To see the full rule, as adopted and in effect, a person simply needs two issues of the State Register, the issue the rule appeared in as proposed, and later as adopted.

The State Register features partial and cumulative listings of rules in this section on the following schedule: issues #1-26 inclusive (issue #26 cumulative for issues #1-26); issues #27-52 inclusive (issue #52, cumulative for issues #27-52 or #53 in some years). A subject matter index is updated weekly and is available upon request from the editor. For copies or subscriptions to the State Register, contact the editor at 651-201-3204 or email at sean.plemmons@state.mn.us

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Adopted Rules

A rule becomes effective after the requirements of *Minnesota Statutes* §§ 14.05-14.28 have been met and five working days after the rule is published in the *State Register*, unless a later date is required by statutes or specified in the rule. If an adopted rule is identical to its proposed form as previously published, a notice of adoption and a citation to its previous *State Register* publication will be printed. If an adopted rule differs from its proposed form, language which has been deleted will be printed with strikeouts and new language will be underlined. The rule's previous *State Register* publication will be cited.

KEY: Proposed Rules - Underlining indicates additions to existing rule language. ~~Strikeouts~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material."
Adopted Rules - Underlining indicates additions to proposed rule language. Strikeout indicates deletions from proposed rule language.

Department of Commerce

Adopted Permanent Rules Relating to Virtual-Currency Business Activity Required Disclosures

The rules proposed and published at State Register, Volume 49, Number 31, pages 893-898, January 27, 2025 (49 SR 893), are adopted with the following modifications:

EFFECTIVE DATE. Parts 2675.8500 and 2675.8510 are effective January 1, 2026.

Commissioner's Orders

Various agency commissioners are authorized to issue "commissioner's orders" on specified activities governed by their agency's enabling laws. See the *Minnesota Statutes* governing each agency to determine the specific applicable statutes. Commissioners' orders are approved by assistant attorneys general as to form and execution and published in the *State Register*. These commissioners orders are compiled in the year-end subject matter index for each volume of the *State Register*.

Minnesota Department of Transportation (MnDOT)

Order for Adoption of the 11th Edition of the Minnesota Manual On Uniform Traffic Control Devices – Order No. 101226

The Commissioner of Transportation is required to adopt a manual and specifications for a uniform system of traffic control devices for use upon streets and highways within the state of Minnesota. This system is required to correlate to and, as much as possible, conform to the system currently approved by the American Association of State Highway and Transportation Officials and the Manual on Uniform Traffic Control Devices for Streets and Highways (National MUTCD) published by the Federal Highway Administration. (Minn. Stat. § 169.06, subd. 1; 23 C.F.R. § 655.603).

In fulfillment of this statutory obligation, a multi-agency committee conducted a comprehensive review of the 11th Edition of the National MUTCD, which was adopted by Final Rule on December 19, 2023. As part of this review, Minnesota-specific statutory references, standards, and guidance were incorporated into the 11th Edition of the Minnesota Manual on Uniform Traffic Control Devices (Minnesota MUTCD) where appropriate.

Pursuant to Minnesota Statutes, section 169.06, subd. 1, the Commissioner of Transportation hereby orders the adoption of the 11th Edition of the Minnesota MUTCD on January 18, 2026. Effective January 18, 2026, all new or

Commissioner's Orders

reconstructed traffic control devices must comply with the 11th Edition of the Minnesota MUTCD.

This Order supersedes Commissioner's Order No. 92452, dated December 15, 2011, which adopted and prescribed the 2011 Minnesota MUTCD, along with the following Commissioner's Orders that subsequently revised the 2011 manual:

1. 93167 dated July 12, 2012;
2. 93799 dated July 8, 2013;
3. 94040 dated December 11, 2013;
4. 94687 dated February 10, 2015; 94687 revised April 1, 2015;
5. 97233 dated January 30, 2018;
6. 97267 dated February 21, 2018;
7. 98253 dated December 4, 2019;
8. 98764 dated September 8, 2020;
9. 99562 dated February 16, 2022;
10. 99911 dated December 19, 2022;
11. 100159 dated June 12, 2023;
12. 100439 dated January 22, 2024; and
13. 100704 dated August 1, 2024.

Signed at Saint Paul, Minnesota, this 13th day of October 2025.

Nancy Daubenberger
Commissioner of Transportation

Official Notices

Pursuant to *Minnesota Statutes* §§ 14.101, an agency must first solicit comments from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, and within 60 days of the effective date of any new statutory grant of required rulemaking.

The *State Register* also publishes other official notices of state agencies and non-state agencies, including notices of meetings and matters of public interest.

Executive Council, State Board of Investment and the Land Exchange Board

Official Meeting Notice

The Executive Council, State Board of Investment and the Land Exchange Board will meet on Tuesday, October 21, 2025 at 10:00 a.m. via interactive technology.

Notice, including any instructions for public access to the meeting, will be posted at the SBI office and on the SBI Website at <https://msbi.us/board-meetings>. For more information, the State Board of Investment can be reached at minn.sbi@state.mn.us.

Investment Advisory Council (IAC) Official Meeting Notice

The Investment Advisory Council (IAC) of the Minnesota State Board of Investment will meet on Monday, October 20, 2025 at 3:00 p.m. The meeting will be held in Room 230 of the Minnesota Judicial Center, 25 Rev. Dr. Martin Luther King Jr. Blvd. St. Paul, Minnesota.

Some members of the Investment Advisory Council may participate in the meeting electronically. If an IAC Member calls in, in accordance with Minnesota Statutes, section 13D.015, subd. 4, the IAC shall, to the extent practical, allow a person to monitor the meeting electronically from a remote location.

Minnesota Sentencing Guidelines Commission Notice of Public Hearing to Consider Amendments to the Sentencing Guidelines and Commentary Related to the Commission's 2023–2025 Comprehensive Review of the Sentencing Guidelines

The Minnesota Sentencing Guidelines Commission will hold a public hearing on Thursday, November 20, 2025, at 2:00 p.m., in the Minnesota Senate Building, Room 1100, 95 University Ave. W., Saint Paul, MN 55155. Remote participation will be optional. The public hearing is being held to consider proposed modifications to the 2025 Minnesota Sentencing Guidelines and Commentary resulting from the Commission's comprehensive review. By a unanimous vote, the Commission preliminarily adopted the following proposed modifications at its meeting on October 9, 2025. In brief, the nature and effect of these proposed modifications are as follows:

- A. **Changes to criminal history score calculation.** As a result of its comprehensive review of the Sentencing Guidelines, the Commission proposes changes to each of the four components of the criminal history score: prior felonies; custody status at the time of the offense; prior misdemeanors and gross misdemeanors; and prior juvenile adjudications.
 1. **Reduce decay period for prior felonies.** The Commission proposes to reduce the felony decay period from fifteen to ten years. This proposal amends Guidelines 2.B.1.c (felony decay factor) and Comment 2.B.113.
 2. **Convert custody status at the time of the offense to a durational modifier.** The Commission proposes to convert custody status from a component of the criminal history score to a durational modifier. Under the proposal, the defendant will receive the same or similar durational consequence for being on custody status at the time of the offense—indeed, for some with very high criminal history scores sentenced for serious offenses, the recommended duration will be greater than the duration now recommended. There will be no dispositional consequence, however: The prison/stayed sentence recommendation will not change due to custody status. The proposal excludes custody status arising from misdemeanors, gross misdemeanors, and low-level felonies, and implicitly includes qualifying custody status arising from stay-of-adjudication probation. This proposal deletes Guidelines 2.B.2 (custody status at the time of the offense) and associated commentary; renumbers Guidelines 2.C.2 as 2.C.1.c, with conforming changes to cross-references throughout the Guidelines; adds new Guidelines 2.C.2 (custody status at the time of the offense); and amends Guidelines 2.B, 2.G.12 (attempt or conspiracy to commit first-degree murder), 4.A (Sentencing Guidelines grid), 4.B (sex offender grid), and 4.C (drug offender grid).
 3. **Prior misdemeanors and gross misdemeanors.**
 - a. **Reduce decay period.** The Commission proposes to reduce the misdemeanor and gross misdemeanor decay period to seven years. This proposal amends Guidelines 2.B.3.e (decay factor) and Comment 2.B.306.

Official Notices

- b. **Repeal two special rules for prior DWI and shorten, simplify, and merge Guidelines 2.B.6.** The Commission proposes to repeal two special rules pertaining to prior misdemeanor and gross misdemeanor DWI: The special two-unit, no-limit DWI rule; and the special rule for counting prior misdemeanor DWIs in the criminal history of a felony DWI. Guidelines 2.B.6 (felony enhancement due to prior misdemeanor or gross misdemeanor convictions) is proposed to be shortened, simplified, and merged with Guidelines 2.B.3 (prior gross misdemeanors and misdemeanors). This proposal amends Guidelines 2.B.3.a and 2.B.3.f; deletes Guidelines 2.B.3.g and Comment 2.B.304; moves Guidelines 2.B.6.a, with amendments, and Comment 2.B.601, with amendments, to be under Guidelines 2.B.3; and deletes the remainder of Guidelines 2.B.6, with associated commentary.
4. **Eliminate prior juvenile adjudications.** The Commission proposes to eliminate juvenile points from the criminal history score. Convictions resulting from extended-jurisdiction juvenile (EJJ) or adult-certification proceedings will continue to count among the adult felony points. This proposal deletes Guidelines 2.B.4 (prior juvenile adjudications) and associated commentary; and amends Guidelines 2.B and 2.B.5.e, and Comment 2.B.308.
- B. **Changes to offense severity.** As a result of its comprehensive review of the Sentencing Guidelines, the Commission proposes to increase the severity level (SL) assigned to several offenses; to replace one sentencing modifier with an increased SL ranking; and to decrease the SL assigned to one offense. Each proposal amends Guidelines 5.A (offense severity reference table) and 5.B (severity level by statutory citation); other amendments are as stated.
1. **Increase ranking from SL 6 to SL 7:** Assault 2nd Degree (Dangerous Weapon, Substantial Bodily Harm). This proposal amends Guidelines 4.A (Sentencing Guidelines grid).
 2. **Increase ranking from SL 5 to SL 6:** Criminal Vehicular Operation (Great Bodily Harm; Gross Negligence or While Impaired). This proposal amends Appendix 3 (presumptive sentence durations that exceed the statutory maximum sentence reference table).
 3. **Increase ranking from SL 4 to SL 5:**
 - a. Assault 3rd Degree (Substantial Bodily Harm). This proposal amends Guidelines 4.A.
 - b. Domestic Assault by Strangulation. This proposal amends Appendix 3.
 4. **Increase ranking from SL 1 to SL 3:** Assault 4th Degree. This proposal amends Guidelines 4.A and Appendix 3.
 5. **Replace a sentencing modifier with an increased ranking (from SL 8 to SL 9):** Criminal Vehicular Homicide (Qualified Prior Conviction). This proposal deletes Guidelines 2.G.11 (convictions for attempts, conspiracies, and other sentence modifiers).
 6. **Reduce ranking from SL 9 to SL 8:** Assault 1st Degree (Great Bodily Harm). This proposal amends Guidelines 4.A and Appendix 3.
- C. **Other changes.** In addition to changes to criminal history score calculation and offense severity, the Commission, as a result of its comprehensive review of the Sentencing Guidelines, also proposes to make the following changes.
1. **Clarifying the Guidelines' purpose and principles.** The Commission proposes to make several changes to its statement of purpose and principles. The changes include defining what is meant by "public safety"; an explanation of proportionate sentence severity; and a discussion of the purpose of the criminal history score. This proposal amends Guidelines 1.A (statement of purpose and principles).
 2. **Clarifying the burden of proving out-of-state offenses.** The Commission proposes to clarify that the burden to prove whether or how to count out-of-state offenses in criminal history is the prosecutor's,

not the probation officer's. This proposal amends Guidelines 2.B.5.a (convictions from jurisdictions other than Minnesota; in general) and comments 2.B.501 and 2.B.502.

3. **Displaying ranges in shaded cells and revising example offenses.** The Commission proposes to display the full range in all grid cells. The Commission also proposes to revise the example offenses on the grids to be more representative of the offenses sentenced at that severity level. This proposal amends Guidelines 2.C.1.b (presumptive duration); 4.A (Sentencing Guidelines grid); 4.B (sex offender grid); 4.C (drug offender grid).
4. **True first offender departure factor.** The Commission proposes an addition to the nonexclusive list of mitigating factors that judges may use when articulating substantial and compelling reasons for departing from the Sentencing Guidelines' presumptive sentence. This proposal adds new Guidelines 2.D.3.a(10) (factors that may be used as reasons for departure).

A complete copy of these proposed amendments will be posted on the Commission's web site at <https://mn.gov/sentencing-guidelines> from October 20 through November 25, 2025. Information on how to attend the public hearing, both in-person and remotely, is also posted on the same web site. The Commission will hold the record open for five calendar days after the public hearing to accept written comment. Instructions on how to submit written materials are posted on the Commission's web site. Written materials must be received no later than November 25, 2025.

After the written comment period ends, the proposed modifications are subject to final action by the Commission at its meeting on Thursday, December 18, 2025, with meeting details to be posted on the Commission's web site. If adopted, the proposed modifications will be submitted to the Legislature by January 15, 2026. Unless the Legislature by law provides otherwise, such modifications will take effect August 1, 2026, and will apply as provided in Guidelines 3.G.

For more information, please refer to the Commission's web site at <https://mn.gov/sentencing-guidelines> or call the Commission's office at (651) 296-0144.

State Grants & Loans

In addition to requests by state agencies for technical/professional services (published in the State Contracts Section), the *State Register* also publishes notices about grants and loans available through any agency or branch of state government. Although some grant and loan programs specifically require printing in a statewide publication such as the *State Register*, there is no requirement for publication in the *State Register* itself. Agencies are encouraged to publish grant and loan notices, and to provide financial estimates as well as sufficient time for interested parties to respond.

SEE ALSO: Office of Grants Management (OGM) at: <https://mn.gov/admin/citizen/grants/>

Department of Employment and Economic Development (DEED) Notice of Grant Opportunity

NOTICE IS HEREBY GIVEN that the Minnesota Department of Employment and Economic Development (DEED) places notice of any available grant opportunities online at <https://mn.gov/deed/about/contracts/open-rfp.jsp>

Minnesota Department of Human Services Notice of Grant Opportunities

NOTICE IS HEREBY GIVEN that the Minnesota Department of Human Services (DHS) places notice of any available grant opportunities on the DHS Grant Requests for Proposals website: *Open grants, RFPs and RFIs*.

State Contracts

Informal Solicitations: Informal solicitations for professional/technical (consultant) contracts valued at over \$5,000 through \$50,000, may either be published in the *State Register* or posted on the Department of Administration, Office of State Procurement (OSP) Website. Interested vendors are encouraged to monitor the P/T Contract Section of the OSP Website at <https://mn.gov/admin/osp> for informal solicitation announcements.

Formal Solicitations: Department of Administration procedures require that formal solicitations (announcements for contracts with an estimated value over \$50,000) for professional/technical contracts must be published in the *State Register*. Certain quasi-state agency and Minnesota State College and University institutions are exempt from these requirements.

Requirements: There are no statutes or rules requiring contracts to be advertised for any specific length of time, but the Office of State Procurement strongly recommends meeting the following requirements: \$0 - \$5000 does not need to be advertised; \$5,000 - \$25,000 should be advertised in the *State Register* for a period of at least seven calendar days; \$25,000 - \$50,000 should be advertised in the *State Register* for a period of at least 14 calendar days; and anything above \$50,000 should be advertised in the *State Register* for a minimum of at least 21 calendar days.

Contact the Office of State Procurement at: (651) 296-2600

Minnesota State Colleges and Universities (Minnesota State) Notice of Bid and Contracting Opportunities

Minnesota State advertises contract opportunities for goods and services on its Vendor and Supplier Opportunities website (<https://www.minnstate.edu/vendors/index.html>). New notices may be added daily and will remain posted for the duration specified in each individual notice. For questions or to report any issues viewing the information on the website, please email Minnesota State at Sourcing@MinnState.edu.

Department of Public Safety Driver and Vehicle Services Division Notice of Request for Submissions for 2026 Ignition Interlock Device Program Certification Process

The Driver and Vehicle Services (DVS) division of the Department of Public Safety (DPS) is requesting submissions from qualified ignition interlock device (IID) manufacturers for the purpose of certification in the Minnesota Ignition Interlock Device Program beginning January 1, 2026, and ending December 31, 2026.

All requirements and information and submission delivery instructions are included in a certification packet which is available from:

Barbara Flaherty
Department of Public Safety; Driver and Vehicle Services
445 Minnesota Street, Suite 177
St. Paul, MN 55101
Telephone: 651-201-7810
Email: Barbara.Flaherty@state.mn.us

Deadline for submission of the required documents is 2:30 p.m. Central Time on Friday, November 21, 2025.

This Request for Submissions does not obligate the State or the Department of Public Safety to certify any ignition interlock device manufacturer; and the State and DPS each reserves the right to cancel this Request. All expenses incurred in responding to this notice are solely the responsibility of the responder.

Minnesota Department of Transportation (MnDOT)

Engineering Services Division

Notices Regarding Professional/Technical (P/T) Contracting

P/T Contracting Opportunities: MnDOT is now placing additional public notices for P/T contract opportunities on the MnDOT's Consultant Services website. New public notices may be added to the website on a daily basis and be available for the time period as indicated within the public notice.

Taxpayers' Transportation Accountability Act (TTAA) Notices: MnDOT is posting notices as required by the TTAA on the MnDOT Consultant Services website.

MnDOT's Prequalification Program: MnDOT maintains a Pre-Qualification Program in order to streamline the process of contracting for highway related P/T services. Program information, application requirements, application forms and contact information can be found on MnDOT's Consultant Services website. Applications may be submitted at any time for this Program.

MnDOT Consultant Services website: www.dot.state.mn.us/consult

If you have any questions regarding this notice, or are having problems viewing the information on the Consultant Services website, please call the Consultant Services Help Line at 651-366-4611, Monday – Friday, 9:00am – 4:00pm.



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