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State of Minnesota
HOUSE OF REPRESENTATIVES

**EIGHTY-SIXTH
SESSION**

HOUSE FILE No. 3075

February 18, 2010

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The bill was read for the first time and referred to the Transportation and Transit Policy and Oversight Division

1.1 A bill for an act
1.2 relating to transportation; establishing requirements governing relinquishing land
1.3 owned by the Department of Transportation; proposing coding for new law in
1.4 Minnesota Statutes, chapter 161.

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

1.6 Section 1. [161.438] RELINQUISHMENT OF LAND FOR ROADWAY ACCESS.

1.7 Subdivision 1. Relinquishment requirements. (a) Except as provided in
1.8 subdivision 2, the commissioner shall relinquish and quitclaim, convey and quitclaim, or
1.9 provide for an easement of, any land owned by the state for trunk highway purposes if:

1.10 (1) the land is located outside of regular right-of-way limits of a trunk highway;

1.11 (2) a road authority, including the governing body of a statutory or home rule charter
1.12 city, submits a request, in a form established by the commissioner, for relinquishment of
1.13 the land; and

1.14 (3) the request under clause (2) is for planned construction of a new driveway, street,
1.15 or highway to establish access between (i) a roadway that is under the jurisdiction of the
1.16 road authority and (ii) one or more parcels of land located within the jurisdiction of the
1.17 road authority, whether privately or publicly owned.

1.18 (b) The relinquishment, conveyance, or easement must be as provided in this chapter.

1.19 (c) The commissioner may not impose a fee or other costs on a road authority
1.20 making a request under this subdivision.

1.21 Subd. 2. Exception. The commissioner may only deny a request under subdivision
1.22 1 upon identification of at least three cases or studies of comparable traffic engineering
1.23 situations that document a measurable and consequential increase in safety hazards due
1.24 to establishment of a new driveway, street, or highway.