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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 4329

02/28/2024 Authored by Sencer-Mura The bill was read for the first time and referred to the Committee on Transportation Finance and Policy

1.1 A bill for an act

1.2 relating to transportation; amending public road use provisions; amending

1.3 Minnesota Statutes 2023 Supplement, section 222.37, subdivision 1.

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

1.5 Section 1. Minnesota Statutes 2023 Supplement, section 222.37, subdivision 1, is amended

1.6 to read:

1.7 Subdivision 1. **Use requirements.** Any water power, telegraph, telephone, pneumatic

1.8 tube, pipeline, community antenna television, cable communications, or electric light, heat,

1.9 or power company; entity that receives a route permit under chapter 216E for a high-voltage

1.10 transmission line necessary to interconnect an electric power generating facility with

1.11 transmission lines or associated facilities of an entity that directly, or through its members

1.12 or agents, provides retail electric service in the state, ~~or~~ fire department; or the Department

1.13 of Agriculture may use public roads for the purpose of constructing, using, operating, and

1.14 maintaining lines, subways, canals, conduits, environmental wells, transmission lines,

1.15 hydrants, or dry hydrants, for their business, ~~but such lines shall be so located as in no way.~~

1.16 The lines must be located so as not to interfere with the safety and convenience of ordinary

1.17 travel along or over the same; and, in the construction and maintenance of such line, subway,

1.18 canal, conduit, environmental wells, transmission lines, hydrants, or dry hydrants, the entity

1.19 ~~shall be~~ is subject to all reasonable regulations imposed by the governing body of any county,

1.20 town or city in which such public road may be. If the governing body does not require the

1.21 entity to obtain a permit, an entity ~~shall~~ must notify the governing body of any county, town,

1.22 or city having jurisdiction over a public road prior to the construction or major repair,

1.23 involving extensive excavation on the road right-of-way, of the entity's equipment along,

2.1 over, or under the public road, unless the governing body waives the notice requirement.

2.2 A waiver of the notice requirement must be renewed on an annual basis. For emergency

2.3 repair, an entity ~~shall~~ must notify the governing body as soon as practical after the repair is

2.4 made. Nothing herein shall be construed to grant to any person any rights for the maintenance

2.5 of a telegraph, telephone, pneumatic tube, community antenna television system, cable

2.6 communications system, or light, heat, power system, electric power generating system,

2.7 high-voltage transmission line, or hydrant system within the corporate limits of any city

2.8 until such person ~~shall have obtained~~ obtains the right to maintain such system within such

2.9 city or for a period beyond that for which the right to operate such system is granted by

2.10 such city.