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State of Minnesota  
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. **1871**

03/16/2015 Authored by Theis and Howe

The bill was read for the first time and referred to the Committee on Transportation Policy and Finance

1.1 A bill for an act  
1.2 relating to natural resources; restricting roadside mowing on state lands; providing  
1.3 civil penalties; proposing coding for new law in Minnesota Statutes, chapter 84.

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

1.5 Section 1. **[84.974] ROADSIDE MOWING; STATE LANDS.**

1.6 Subdivision 1. **Definitions.** For purposes of this section:

1.7 (1) "highway" has the meaning given under section 160.02, subdivision 26; and

1.8 (2) "state land manager" means a state department or agency of government of the  
1.9 state under chapter 15 that owns or controls land adjacent to a highway right-of-way.

1.10 Subd. 2. **Mowing restrictions.** (a) To provide enhanced roadside habitat for nesting  
1.11 birds and other small wildlife, a state land manager may not mow or till, or authorize  
1.12 another to mow or till, the right-of-way of a highway located adjacent to land owned or  
1.13 controlled by the state land manager except as allowed in this section.

1.14 (b) A person may mow or till the right-of-way of a highway located adjacent to land  
1.15 owned or controlled by a state land manager only after obtaining written permission from  
1.16 the state land manager and only as allowed in this section.

1.17 (c) On any highway, the first eight feet away from the road surface, or shoulder  
1.18 if one exists, may be mowed at any time.

1.19 (d) An entire right-of-way may be mowed from August 1 to August 30. From August  
1.20 31 to the following July 31, the entire right-of-way may be mowed only if necessary for  
1.21 safety reasons, but may not be mowed to a height of less than 12 inches.

1.22 (e) A right-of-way may be mowed as necessary to maintain sight distance for safety.

2.1           (f) A state land manager may mow, burn, or till a right-of-way to prepare the  
2.2 right-of-way for establishment of permanent vegetative cover or for prairie vegetation  
2.3 management.

2.4           (g) When feasible, state land managers are encouraged to use low-maintenance,  
2.5 native vegetation that reduces the need to mow, provides wildlife habitat, and maintains  
2.6 public safety.

2.7           Subd. 3. **Penalty; enforcement.** Violation of subdivision 2, paragraph (b), is a petty  
2.8 misdemeanor. Subdivision 2, paragraph (b), must be enforced by conservation officers or  
2.9 by designated employees under section 84.0835.