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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 1980

03/17/2015 Authored by Petersburg and Anderson, P.,
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 transportation; adding a condition for approval of drainage permits;
1.3 amending Minnesota Statutes 2014, section 160.20, subdivision 4.

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

1.5 Section 1. Minnesota Statutes 2014, section 160.20, subdivision 4, is amended to read:

1.6 Subd. 4. **Conditions.** (a) A road authority may accept applications for permits for
1.7 installation of drain tile along or across the right-of-way under its jurisdiction. The road
1.8 authority may adopt reasonable rules for the installations and may require a bond before
1.9 granting a permit. Permits for installation along a highway right-of-way must ensure that
1.10 the length of the installation is restricted to the minimum necessary to achieve the desired
1.11 agricultural benefits. A permit must not allow open trenches to be left on the right-of-way
1.12 after installation of the drain tile is completed. A road authority that grants a permit for
1.13 tile drain installation is not responsible for damage to that installation resulting from the
1.14 action of the authority or any other permittee utilizing the right-of-way.

1.15 (b) If a permit application seeks to discharge drainage directly into a highway
1.16 right-of-way and the drainage will be subsequently discharged on land owned by a person
1.17 not applying for the permit, the applicant must receive and submit to the local authority
1.18 written permission for the discharge from the affected person before the local authority
1.19 may approve the permit.

1.20 ~~(b)~~ (c) A person who installs drain tile along or across a highway right-of-way
1.21 without obtaining a permit as provided in this section is guilty of a misdemeanor.

1.22 ~~(e)~~ (d) The commissioner shall take no action under this section which will result in
1.23 the loss of federal aid for highway construction in the state.

2.1 ~~(d)~~ (e) For the purpose of this section, "highway" means any highway as defined
2.2 in section 160.02 which is located outside the corporate limits of a home rule charter or
2.3 statutory city.