

SENATE
STATE OF MINNESOTA
NINETIETH SESSION

S.F. No. 1853

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DATE	D-PG	OFFICIAL STATUS
03/06/2017	1078	Introduction and first reading Referred to Transportation Finance and Policy

1.1 A bill for an act
 1.2 relating to transportation; providing for appeal process for denial or revocation of
 1.3 driveway permit by commissioner of transportation; amending Minnesota Statutes
 1.4 2016, section 160.18, by adding a subdivision.

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

1.6 Section 1. Minnesota Statutes 2016, section 160.18, is amended by adding a subdivision
 1.7 to read:

1.8 Subd. 4. **Trunk highway appeal process.** (a) Notwithstanding chapter 14 and section
 1.9 14.386, the commissioner must establish a concise, expedited process that allows an owner
 1.10 or occupant of a property abutting a trunk highway to appeal a denial or revocation of an
 1.11 access permit. The owner or occupant must initiate an appeal no later than 30 days after the
 1.12 date the commissioner issues written notice of the denial or revocation of an access permit.
 1.13 The process must provide the owner or occupant and Department of Transportation staff
 1.14 the opportunity to present information supporting each party's respective position. The
 1.15 hearing must be conducted by an administrative law judge assigned by the chief
 1.16 administrative law judge. The administrative law judge must maintain a transcript of the
 1.17 hearing and keep a record of all documents and data submitted at the hearing. Within 30
 1.18 days of the hearing's conclusion, the administrative law judge must transmit to the
 1.19 commissioner the record of the proceedings, along with a report and recommendation based
 1.20 on the record made in the informal hearing. The commissioner must make a written decision
 1.21 regarding the access permit.

1.22 (b) Section 15.99 does not apply to appeals under this subdivision.