

**7819.3100 RELOCATION OF EXISTING FACILITIES.**

Subpart 1. **Requirement.** A right-of-way user shall promptly and at its own expense, with due regard for seasonal working conditions, permanently remove and relocate its facilities in the right-of-way when it is necessary to prevent interference, and not merely for convenience of the local government unit, in connection with: (1) a present or future local government use of the right-of-way for a public project; (2) the public health or safety; or (3) the safety and convenience of travel over the right-of-way.

Subp. 2. **Exception.** Notwithstanding subpart 1, a right-of-way user is not required to remove or relocate its facilities from a right-of-way that has been vacated in favor of a nongovernmental entity unless and until the reasonable costs to do so are first paid to the right-of-way user.

**Statutory Authority:** *MS s 237.163*

**History:** *23 SR 2004*

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