

**8820.0200 DEFINITIONS.**

Subpart 1. **Scope.** For purposes of this chapter the following terms have the meanings given them in this part.

Subp. 2. **AASHTO.** "AASHTO" means the American Association of State Highway and Transportation Officials, 444 North Capitol Street Northwest, Suite 249, Washington, D.C. 20001.

Subp. 3. **ADT.** "ADT" means average daily traffic, which is computed by dividing the total number of vehicles traveling over a segment of roadway in one year by 365.

Subp. 4. **Advance.** "Advance" means the authorized expenditure of future funds from any funds available for use on an approved state-aid project. Advanced funds will be repaid to the appropriate account from subsequent apportionments.

Subp. 5. **Agency agreement.** "Agency agreement" means an agreement between a city, county, or other governmental unit and the commissioner by which the city, county, or other governmental unit may appoint the commissioner as the agent, with respect to federally funded projects, to accept and receive federal funds made available for projects and to let contracts or provide oversight to city, county, or other governmental unit contracts, in accordance with law for the construction or improvement of local streets or roads or other construction projects.

Subp. 6. **Bicycle lane.** "Bicycle lane" has the meaning given it in Minnesota Statutes, section 169.011, subdivision 5.

Subp. 7. **Bridge.** "Bridge" has the meaning given it in part 8810.8000, subpart 2.

Subp. 8. **Bridge rehabilitation.** "Bridge rehabilitation" means (1) the partial reconstruction of an existing bridge to meet current design criteria and construction standards or (2) a project that fixes the deterioration in the structure or improves the geometrics or load-carrying capacity, but may not necessarily provide improvement to meet new design standards.

Subp. 9. **City.** "City" means a statutory or home rule charter city.

Subp. 10. **City engineer.** "City engineer" means a licensed professional engineer employed as the city engineer or the director of public works, city engineer of each urban municipality.

Subp. 11. **City of the first class.** "City of the first class" has the meaning given it in Minnesota Statutes, section 410.01.

Subp. 12. **City streets.** "City streets" are those streets under the jurisdiction of an urban municipality, and do not include county highways or trunk highways within the urban municipality.

Subp. 13. **Clear zone.** "Clear zone" is the distance measured from the edge of the outside through-traffic lane, which must be free of fixed objects and meet or exceed the minimum in-slope dimensions indicated in the design charts of this chapter.

Subp. 14. **Commissioner.** "Commissioner" means the commissioner of the Minnesota Department of Transportation, or a designated representative.

Subp. 15. **County highway engineer.** "County highway engineer" means a licensed professional engineer employed as the county highway engineer, county engineer, or the director of public works, county engineer of each county.

Subp. 16. **County-municipal account.** "County-municipal account" means a separate record of that portion of the county state-aid highway funds allocated for expenditure on county state-aid highways within cities having less than 5,000 population.

Subp. 17. **Disaster account.** "Disaster account" means an account provided by law for use in aiding a county or urban municipality that has suffered a serious damage to its county state-aid highway system or municipal state-aid street system from fire, flood, tornado, or other uncontrollable forces of such proportion that the cost of repairs to that county state-aid highway system or municipal state-aid street system is beyond the normal resources of the county or urban municipality.

Subp. 18. **Disaster board.** "Disaster board" means a board, appointed in accordance with law, to investigate and report its findings and recommendations to the commissioner as to a county's or urban municipality's claim of a disaster or unforeseen event affecting its county state-aid highway or municipal state-aid street system and resulting in a financial hardship.

Subp. 19. **District state-aid engineer.** "District state-aid engineer" means a registered engineer employed as the district state-aid engineer of the Minnesota Department of Transportation, or a designated representative.

Subp. 20. **Force account agreement.** "Force account agreement" means an agreement between the Minnesota Department of Transportation and an urban municipality or county for the urban municipality or county to do state-aid funded construction projects with local forces, and for the urban municipality or county to be reimbursed, based on agreed unit prices.

Subp. 21. **Functional classification plan.** "Functional classification plan" means a plan by which highways and streets are grouped into classes according to the character of service they are intended to provide.

Subp. 22. **Level of service.** "Level of service" has the meaning given in the Highway Capacity Manual, Special Report 209, as revised and published by the Transportation Research Board of the National Research Council, Washington, D.C. The definition is

incorporated by reference, is not subject to frequent change, and is located at the Minnesota State Law Library, 25 Rev. Dr. Martin Luther King Jr. Blvd., St. Paul, Minnesota 55155.

Subp. 23. **Local forces.** "Local forces" means railroad forces when working on a railroad crossing, utility forces when conducting utility work eligible under a force account agreement, the employees of a local unit of government, or contract forces for contracts not advertised for bids in accordance with Minnesota Statutes, section 471.345, needed to perform a specific project for reasons of expertise or necessary expediency.

Subp. 24. **Local highway or street department.** "Local highway or street department" means the highway or appropriate department of each county and each urban municipality.

Subp. 25. **Local road research board.** "Local road research board" means a board appointed in accordance with part 8820.3200 to recommend specific research projects to the commissioner.

Subp. 26. **Natural preservation route.** "Natural preservation route" means an existing or proposed roadway that has been designated as a natural preservation route by the commissioner upon petition by a county board and that possesses sensitive or unique scenic, environmental, pastoral, or historical characteristics. Examples may include, but are not limited to, roads along lakes, rivers, wetlands, or floodplains or through forests or hilly, rocky, or bluff terrain.

Subp. 27. **Needs report.** "Needs report" means a report of the estimated construction cost required to improve a state-aid system to standards adequate for future traffic on a uniform basis.

Subp. 28. **Paved shoulder.** "Paved shoulder" means a part of a highway which is contiguous to the regularly traveled portion of the highway and is on the same level as the highway.

Subp. 29. **Project development costs.** "Project development costs" are any costs (1) incurred before a contract is awarded and (2) attributable to the development of a project on a designated state-aid route. These costs include, but are not limited to, costs for preparation of environmental documentation, special studies or reports, historical or archaeological reviews, project design, costs of obtaining permits, and public involvement, but does not include costs for acquiring right-of-way.

Subp. 30. **Reconditioning.** "Reconditioning" includes resurfacing, replacement, or rehabilitation of the pavement structure to extend the life of the roadway and effectively address critical safety and operations needs through minor improvements to the existing facility. Reconditioning projects generally utilize the existing horizontal and vertical alignment, may entail minor widening or geometric improvement, and normally require little or no additional right-of-way. Reconditioning may include changes in vertical or

horizontal alignment involving no more than 20 percent of the length of the project. Reconditioning may include curb replacement along no more than 20 percent of the length of the project, not including curb replacement for purposes of the Americans with Disabilities Act of 1990, United States Code, title 42, section 12101 et seq. Work does not normally extend beyond the existing ditch bottom.

Subp. 31. **Reconstruction.** "Reconstruction" means (1) the replacement of an existing roadway on a similar alignment or (2) the replacement of an existing bridge with a completely new bridge.

Subp. 32. **Screening board.** "Screening board" means the county screening board or municipal screening board appointed in accordance with law and authorized to recommend to the commissioner the size and money needs for each of their state-aid systems.

Subp. 33. **Shared lane.** "Shared lane" means any roadway or travel lane upon which a separate bicycle lane is not designated and which bicycles may legally use, whether or not such facility is specifically designated as a bikeway or bicycle route.

Subp. 34. **Shared use path.** "Shared use path" means a bikeway that is physically separated from a roadway or shoulder by the use of an open space buffer or physical barrier. A shared use path can also be used by a variety of nonmotorized users such as pedestrians, joggers, skaters, and wheelchair users.

Subp. 35. **Special resurfacing project.** "Special resurfacing project" means a bituminous or concrete resurfacing or concrete joint repair project that has been funded at least partially with money from the county or municipal state-aid account, and for which a needs adjustment has been made.

Subp. 36. **State-aid engineer.** "State-aid engineer" means a registered engineer employed as the state-aid engineer of the Minnesota Department of Transportation, or a designated representative.

Subp. 37. **Suburban.** "Suburban" means an area both in a subdivided area or an area in a detailed development process, and where physical restraints are present that prevent reasonable application of the rural design standards.

Subp. 38. **Town allotment.** "Town allotment" means the county apportionment of county state-aid highway funds for use in constructing and maintaining town roads.

Subp. 39. **Town bridge account.** "Town bridge account" means the apportionment of county state-aid turnback funds for use in the construction or reconstruction of bridges on town roads.

Subp. 40. **Town bridge need.** "Town bridge need" means the estimated construction cost required to improve or replace a town bridge to conform to standards adequate for future traffic on a uniform basis.

Subp. 41. **Town road.** "Town road" means a road that is maintained by a town or any other local unit of government acting as a town and open to the traveling public a minimum of eight months of the year as certified by the county highway engineer.

Subp. 42. **Town road account.** "Town road account" means the apportionment of county state-aid turnback funds for use in the construction, reconstruction, or gravel maintenance of town roads.

Subp. 43. **Turnback account.** "Turnback account" means the account provided by law for payment to the county or urban municipality for the approved repair and restoration or reconstruction and improvement of those former trunk highways that have reverted to county or urban municipal jurisdiction and have become part of the state-aid system.

Subp. 44. **Urban municipality.** "Urban municipality" means a city having 5,000 or more population, determined in accordance with the provisions of law.

Subp. 45. **Variance committee.** "Variance committee" means a committee appointed in accordance with part 8820.3400 to investigate and make recommendations to the commissioner on requests for variances from this chapter.

Subp. 46. **Wide outside lane.** "Wide outside lane" means outside lanes which accommodate bicycles and motorists in the same lane with a lane width of 14 to 16 feet. For accommodating bicyclists, the wide outside lane dimension shall be to the face of curb.

**Statutory Authority:** *MS s 14.386; 14.389; 161.082; 161.083; 162.02; 162.021; 162.09; 162.155; L 1983 c 17*

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