

8830.3000 STRUCTURE AND TRACK CLEARANCES; VARIANCES.

Legal clearances adjacent to, over, and between railroad tracks and clearance exceptions and variances are defined in Minnesota Statutes, sections 219.45 to 219.53, and are depicted in part 8830.9951.

The commissioner may approve permanent clearance variances in accordance with Minnesota Statutes, section 219.47, subdivision 1.

The commissioner may grant temporary clearance variances under Minnesota Statutes, section 219.47, subdivision 2, for encroachments during construction. An application for a temporary variance may be submitted to the commissioner by either the rail carrier or the road authority.

Statutory Authority: *MS s 218.041; 218.071; 219.073; 219.165; 219.17; 219.384; 222.50; 222.58; 222.63*

History: *17 SR 1279; 23 SR 524*

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