

8830.5810 PROGRAM CRITERIA.

Subpart 1. **Eligibility.** An abandoned rail line or right-of-way is eligible for acquisition and preservation in the state rail bank if it meets the requirements of Minnesota Statutes, section 222.63, subdivision 2b.

Subp. 2. **Criteria.** The commissioner will consider the following criteria in determining whether an abandoned rail line or right-of-way will be acquired:

- A. the availability of program funds;
- B. the probability of the rail line being utilized for the purpose identified;
- C. the likelihood that an alternative rail line right-of-way could not be reestablished in the future;
- D. the likelihood that no other entity will acquire the rail line for an appropriate use; and
- E. the adequacy of the title and the costs to cure defects in the title.

Subp. 3. [Repealed, 23 SR 524]

Subp. 4. [Repealed, 23 SR 524]

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

History: *23 SR 524*

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