

CHAPTER 219

RAILROADS

219.074	Grade crossing changes.	219.35	Crossings and drains.
219.165	Safety rules at private railroad grade crossings.	219.384	Removal of dangerous obstructions.
		219.402	Adequate crossing protection.

219.074 GRADE CROSSING CHANGES.

[For text of subds 1 and 2, see M.S.1990]

Subd. 3. **Crossing inventory.** By December 31, 1993, the commissioner shall complete an inventory of all public and private grade crossings in the state and shall annually revise the inventory to reflect grade crossing changes made under this section.

History: 1991 c 298 art 2 s 5

219.165 SAFETY RULES AT PRIVATE RAILROAD GRADE CROSSINGS.

By December 31, 1992, the commissioner shall adopt rules establishing minimum safety standards at all private railroad grade crossings in the state.

History: 1991 c 298 art 2 s 6

219.35 CROSSINGS AND DRAINS.

Persons owning lands abutting upon a railroad may construct, at their own expense, crossings under, over, or across the railroad and drains under and across the railroad at places and in ways that do not obstruct or impair the use of the railroad. Before constructing them, the owner of the land shall serve on the nearest station agent of the company a notice, stating in detail the work which the landowner desires to perform, and the company may construct that work; but the crossings and drains may not be opened for the use of the landowner until the landowner pays the reasonable cost of construction. These crossings and drains must be maintained and kept in repair by the railroad company; however, the railroad may require reimbursement from the abutting landowners of its reasonable and accountable maintenance and repair costs when maintenance and repair are initiated by the landowner and agreed to in advance by the railroad company. The railroad company shall ensure, allow, and not prohibit reasonable egress and ingress under, over, and across a crossing except as may be required for maintenance of the crossing or for normal operation of the railroad.

History: 1991 c 83 s 1

219.384 REMOVAL OF DANGEROUS OBSTRUCTIONS.

Subdivision 1. **Removal ordered.** If a railroad company, road authority, or abutting property owner fails to control the growth of trees or vegetation or the placement of structures or other obstructions on its right-of-way or property so as to interfere with the safety of the public traveling on a public or private grade crossing, the local governing body of the town or municipality where the grade crossing is located may, by notice, require the obstruction to be removed as necessary to provide an adequate view of oncoming trains at the crossings. The commissioner shall adopt rules establishing minimum standards for visibility at public and private grade crossings.

Subd. 2. **Penalty.** A railroad company, road authority, or property owner that fails to comply with this section within 30 days after being notified in writing is subject to a fine of \$50 for each day that the condition is uncorrected. This penalty may be recovered in the manner provided in section 219.97, subdivision 5.

History: 1991 c 298 art 2 s 7

219.402 ADEQUATE CROSSING PROTECTION.

Crossing warning devices or improvements installed or maintained under this chapter as approved by the board or the commissioner, whether by order or otherwise, are adequate and appropriate warning for the crossing.

History: *1991 c 298 art 2 s 8*