

CHAPTER 161

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161.01 MS 1957 [Repealed, 1959 c 500 art 6 s 13]

161.01 DEFINITIONS.

For the purposes of this chapter, the terms defined in section 160.02 shall have the same meanings.

History: 1959 c 500 art 2 s 1

161.02 MS 1957 [Repealed, 1959 c 500 art 6 s 13]

161.02 MS 1974 [Repealed, 1976 c 166 s 119]

161.03 MS 1957 Subdivision 1. [Repealed, 1959 c 500 art 6 s 13]

Subd. 2. MS 1957 [Repealed, 1959 c 500 art 6 s 13]

Subd. 3. MS 1957 [Repealed, 1959 c 500 art 6 s 13]

Subd. 4. MS 1957 [Repealed, 1959 c 500 art 6 s 13]

Subd. 5. MS 1957 [Repealed, 1959 c 500 art 6 s 13]

Subd. 6. MS 1957 [Repealed, 1959 c 500 art 6 s 13]

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Subd. 8. MS 1957 [Repealed, 1959 c 500 art 6 s 13]

Subd. 9. MS 1957 [Repealed, 1959 c 500 art 6 s 13]

Subd. 10. MS 1957 [Repealed, 1959 c 500 art 6 s 13]

Subd. 11. MS 1957 [Repealed, 1959 c 500 art 6 s 13]

Subd. 12. MS 1957 [Repealed, 1959 c 500 art 6 s 13]

Subd. 13. MS 1957 [Repealed, 1959 c 500 art 6 s 13]

Subd. 14. MS 1941 [Repealed, 1945 c 60 s 1; 1959 c 500 art 6 s 13]

Subd. 15. MS 1957 [Repealed, 1959 c 500 art 6 s 13]

Subd. 16. MS 1957 [Repealed, 1959 c 500 art 6 s 13]

Subd. 17. MS 1957 [Repealed, 1959 c 500 art 6 s 13]

Subd. 18. MS 1957 [Repealed, 1959 c 500 art 6 s 13]

Subd. 19. MS 1957 [Repealed, 1959 c 500 art 6 s 13]

Subd. 20. MS 1957 [Repealed, 1959 c 500 art 6 s 13]

Subd. 21. MS 1957 [Renumbered 161.47, subdivision 1]

Subd. 22. MS 1957 [Repealed, 1959 c 500 art 6 s 13]

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Subd. 24. MS 1957 [Repealed, 1959 c 500 art 6 s 13]

Subd. 25. MS 1957 [Repealed, 1959 c 500 art 6 s 13]

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Subd. 27. MS 1957 [Repealed, 1959 c 500 art 6 s 13]

Subd. 28. MS 1957 [Repealed, 1959 c 500 art 6 s 13]

Subd. 29. MS 1957 [Repealed, 1959 c 500 art 6 s 13]

Subd. 30. MS 1957 [Repealed, 1959 c 500 art 6 s 13]

Subd. 31. MS 1957 [Repealed, 1959 c 500 art 6 s 13]

Subd. 32. MS 1957 [Repealed, 1959 c 500 art 6 s 13]

Subd. 33. MS 1957 [Repealed, 1959 c 500 art 6 s 13]

Subd. 34. MS 1957 [Repealed, 1959 c 500 art 6 s 13]

Subd. 35. MS 1957 [Repealed, 1959 c 500 art 6 s 13]

Subd. 36. MS 1957 [Repealed, 1959 c 500 art 6 s 13]

161.03 MS 1974 [Repealed, 1976 c 166 s 119]

161.031-161.035 MS 1957 [Repealed, Ex1959 c 42 s 1]

FUNDS AND ACCOUNTS

161.04 MS 1957 [Repealed, 1959 c 500 art 6 s 13]

161.04 TRUNK HIGHWAY FUND.

Subdivision 1. **Composition.** The trunk highway fund shall consist of 62 percent of the net highway user tax distribution fund as provided in article 14 of the Constitution; the proceeds of the sale of any bonds authorized by article 14 of the constitution; money received from the federal government as aid in the construction and maintenance of trunk highways; and any other money otherwise allotted, appropriated, or legislated therefor.

Subd. 2. **Investment of fund.** Upon the request of the commissioner, moneys in the trunk highway fund shall be invested by the state board of investment in those securities authorized for such purpose in section 11A.21. All interest and profits from such investments shall be credited to the trunk highway fund. The state treasurer shall be the custodian of all securities purchased under the provisions of this section.

Subd. 3. **Trunk highway revolving loan account.** A trunk highway revolving loan account is created in the transportation revolving loan fund under section 446A.085. The commissioner may transfer money from the trunk highway fund to the trunk highway revolving loan account. Money in the account may be used to make loans. Funds in the trunk highway revolving loan account may not be used for any toll facilities project or congestion-pricing project and may be used only for trunk highway purposes and repayments and interest from loans of those funds must be credited to the trunk highway revolving loan account in the transportation revolving loan fund. Money in the trunk highway revolving loan account is annually appropriated to the commissioner and does not lapse. Interest earned from investment of money in this account must be deposited in the trunk highway revolving loan account.

Subd. 4. **Loan for trunk highway project; appropriation.** Loans from the transportation revolving loan fund to the commissioner for trunk highway projects must be deposited in the trunk highway fund. Loan proceeds are appropriated annually to the commissioner and do not lapse. Principal and interest payments on the loan proceeds must be paid from the debt service account and are considered a long-term obligation of the trunk highway fund.

History: 1959 c 500 art 2 s 4; 1963 c 567 s 4; 1965 c 113 s 1; 1967 c 404 s 5; 1976 c 2 s 172; 1980 c 607 art 14 s 46; 1997 c 141 s 1; 1999 c 230 s 5,6

161.041 [Repealed, 1996 c 310 s 1]

161.05 MS 1957 [Repealed, 1959 c 500 art 6 s 13]

161.05 TEMPORARY LOANS.

Subdivision 1. **Loans from other public funds.** For the purpose of providing sufficient money in the trunk highway fund to meet the state's share of highway projects financed in part by federal funds, the state treasurer may borrow from other public funds a sum not exceeding in the aggregate the amount of federal aid allotted to the construction of trunk highways under project appropriation by the federal government. No fund shall be so impaired thereby that all proper demands thereon cannot be met.

Subd. 2. **Interest.** All such loans shall bear interest at the average rate that the state treasurer has realized from the investment of surplus cash.

Subd. 3. **Certificate.** Before the state treasurer shall make any such loan, the commissioner shall file with the commissioner of finance and the state treasurer a certificate showing the amount of disbursements from the trunk highway fund which are to be repaid to the state by the federal government.

Subd. 4. **Federal aid paid to state treasurer.** All funds received from federal aid allotted to the construction, reconstruction, or maintenance of trunk highways shall be paid to the state treasurer and credited to the trunk highway fund.

Subd. 5. **Repayment of money borrowed.** When there is sufficient money in the trunk highway fund, the state treasurer shall transfer therefrom to such other public fund the amount of the loan together with interest thereon.

History: 1959 c 500 art 2 s 5; 1973 c 492 s 14

161.06 MS 1945 [Repealed, 1947 c 391 s 4]

161.06 CONTINGENT FUND.

Subdivision 1. **Amount.** The commissioner of finance and the state treasurer are authorized and directed to make available to the department of transportation out of money in the state treasury appropriated for trunk highway purposes the sum of \$5,000, or such lesser amount as the commissioner may request, to be used by said department as a contingent fund, subject to such rules for its use as may be prescribed by the commissioner of administration.

Subd. 2. **Use.** The commissioner may use the money in the contingent fund for trunk highway purposes in facilitating and expediting the business of the department of transportation, particularly in the handling of garnishments, emergency labor payrolls, expense accounts of employees and in departmental litigation, and all acts of the commissioner heretofore performed in the use of the fund are in all things recognized and confirmed.

History: 1959 c 500 art 2 s 6; 1973 c 492 s 14; 1976 c 166 s 7; 1985 c 248 s 70

161.061 [Repealed, 1959 c 500 art 6 s 13]

161.07 MS 1957 [Repealed, 1959 c 500 art 6 s 13]

161.07 MANNER OF PAYMENTS.

Subdivision 1. **Abstract for payment.** In all cases of payments to be made as herein authorized by the commissioner out of the trunk highway fund, the same shall be made in the following manner. The commissioner shall furnish verified abstracts of the same, prepared in triplicate, one of which shall be delivered to the commissioner of finance, one to the state treasurer, and one to be retained by the commissioner of transportation. The abstract shall contain the name, residence, and the amount due each claimant and designate the contract or purpose for which the payment is made.

Subd. 2. **Payment.** The copy of the abstracts delivered to the commissioner of finance shall be accompanied by the original voucher or vouchers, together with the proof of claim for each item included in such abstracts. If there be sufficient money in the proper fund, the commissioner of finance shall issue a warrant upon the state treasurer for the gross amount shown by such abstract. The state treasurer shall deliver checks to the several persons entitled thereto as shown by such abstracts, and shall preserve in the treasurer's office a record of each check and remittance showing the date of each issue, the name of the payee and any other facts tending to evidence its payment.

History: 1959 c 500 art 2 s 7; 1973 c 492 s 14; 1976 c 166 s 7; 1986 c 444

161.08 MS 1957 [Repealed, 1959 c 500 art 6 s 13]

161.08 BOOKS OF ACCOUNT.

(a) The commissioner shall keep accurate and complete books of account as may be prescribed by the commissioner of finance, the same to show in detail itemized receipts and disbursements of the trunk highway fund. The books of account shall show the following facts, among others:

(1) the expenses of maintaining the transportation department, including the salaries and expenses of the individual members thereof;

(2) the amounts of money expended in each county of the state for the construction of trunk highways, and when, where, and upon what job or portion of road expended so that the cost per mile of such construction can be easily ascertained;

(3) any other money expended by the state in connection with any roads other than trunk highways and when, where, and upon what portion of road so expended; and

(4) the amount of road equipment and materials purchased, and when, where, and from whom purchased, and the price paid for each item.

(b) The original invoices shall form a part of the permanent files and records in the department of transportation and be open to public inspection.

History: 1959 c 500 art 2 s 8; 1963 c 333 s 1; 1973 c 492 s 14; 1976 c 166 s 7; 1999 c 99 s 13

161.081 HIGHWAY USER TAX, DISTRIBUTION, INVESTMENT.

Subdivision 1. **Distribution of five percent.** (a) Pursuant to article 14, section 5, of the constitution, five percent of the net highway user tax distribution fund is set aside, and apportioned to the county state-aid highway fund.

(b) That apportionment is further distributed as follows:

(1) 30.5 percent to the town road account created in section 162.081;

(2) 16 percent to the town bridge account, which is created in the state treasury; and

(3) 53.5 percent to the flexible highway account created in subdivision 3.

Subd. 2. **Investment.** Upon the request of the commissioner, money in the highway user tax distribution fund shall be invested by the state board of investment in those securities authorized for that purpose in section 11A.21. All interest and profits from the investments must be credited to the highway user tax distribution fund. The state treasurer shall be the custodian of all securities purchased under this section.

Subd. 3. **Flexible highway account; turnback accounts.** (a) The flexible highway account is created in the state treasury. Money in the account may be used either for the restoration of former trunk highways that have reverted to counties or to statutory or home rule charter cities or for regular trunk highway purposes.

(b) For purposes of this subdivision, "restoration" means the level of effort required to improve the route that will be turned back to an acceptable condition as determined by agreement made between the commissioner and the county or city before the route is turned back.

(c) The commissioner shall review the need for funds to restore highways that have been or will be turned back and the need for funds for the trunk highway system. The commissioner shall determine, on a biennial basis, the percentage of this flexible account to be used for county turnbacks, for municipal turnbacks, and for regular trunk highway projects. The commissioner shall make this determination only after meeting and holding discussions with committees selected by the statewide associations of both county commissioners and municipal officials.

(d) Money that will be used for the restoration of trunk highways that have reverted or that will revert to cities must be deposited in the municipal turnback account, which is created in the state treasury.

(e) Money that will be used for the restoration of trunk highways that have reverted or that will revert to counties must be deposited in the county turnback account, which is created in the state treasury.

(f) As part of each biennial budget submission to the legislature, the commissioner shall describe how the money in the flexible highway account will be apportioned among the county turnback account, the municipal turnback account, and the trunk highway fund.

(g) Money apportioned from the flexible highway account to the trunk highway fund must be used for state road construction and engineering costs.

History: 1965 c 672 s 1; 1975 c 203 s 22; 1983 c 17 s 1; 1989 c 268 s 1; 1993 c 266 s 15; 1998 c 372 art 2 s 1,2

161.082 COUNTY TURNBACK ACCOUNT, EXPENDITURES.

Subdivision 1. **Rules.** Except as provided in this section and in section 161.081, all money accruing to the county turnback account shall be expended in accordance with rules of the commissioner of transportation in paying a county for the restoration of former trunk highways, or portions thereof, that have reverted to the county in accordance with law, and have become a part of the county state-aid highway system.

Subd. 2. **Turnback exceptions.** By reason of insufficient funds in the county turnback account to adequately repair and restore the former trunk highways or portions thereof that have already reverted to counties, the commissioner of transportation, after May 26, 1971, shall not revert to the counties any additional trunk highways or portions thereof until there are adequate funds in such account to repair and restore such reverted highways to reasonable standards, unless such reversion is necessary due to the constitutional limitations on the mileage of the trunk highway system.

Subd. 2a. **Town bridges and culverts; town road account.** (a) Money in the town bridge account must be expended on town road bridge structures that are ten feet or more in length and on town road culverts that replace existing town road bridges. In addition, if the present bridge structure is less than ten feet in length but a hydrological survey indicates that the replacement bridge structure or culvert must be ten feet or more in length, then the bridge or culvert is eligible for replacement funds.

(b) In addition, if a culvert that replaces a deficient bridge is in a county comprehensive water plan approved by the board of water and soil resources and the department of natural resources, the costs of the culvert and roadway grading other than surfacing are eligible for replacement funds up to the cost of constructing a replacement bridge.

(c) The expenditures on a bridge structure or culvert may be paid from the county turnback account and may be for 100 percent of the cost of the replacement structure or culvert or for 100 percent of the cost of rehabilitating the existing structure.

(d) The town bridge account may be used to pay the costs to abandon an existing bridge that is deficient and in need of replacement, but where no replacement will be made. It may also be used to pay the costs to construct a road or street to facilitate the abandonment of an existing bridge determined by the commissioner to be deficient, if the commissioner determines that construction of the road or street is more cost efficient than replacing the existing bridge.

(e) When bridge approach construction work exceeds \$10,000 in costs, or when the county engineer determines that the cost of the replacement culverts alone will not exceed \$20,000, or engineering costs exceed \$10,000, the town shall be eligible for financial assistance from the town bridge account. Financial assistance shall be requested by resolution of the county board and shall be limited to:

(1) 100 percent of the cost of the bridge approach work that is in excess of \$10,000;

(2) 100 percent of the cost of the replacement culverts when the cost does not exceed \$20,000 and the town board agrees to be responsible for all the other costs, which may include costs for structural removal, installation, and permitting. The replacement structure design and costs shall be approved and certified by the county engineer, but need not be subsequently approved by the department of transportation; or

(3) 100 percent of all related engineering costs that exceed \$10,000, or in the case of towns with a net tax capacity of less than \$200,000, 100 percent of the engineering costs.

(f) Money in the town road account must be distributed as provided in section 162.081.

Subd. 3. Transfers to turnback account. (a) Whenever a county submits plans for a project to be funded from the county turnback account and the commissioner determines that the project would be approved for funding except for insufficient money in the county turnback account, the commissioner may transfer from the unencumbered balance of the construction account in the county state-aid highway fund an amount sufficient to pay the costs of the project.

(b) The commissioner may make a transfer under paragraph (a) only if the commissioner determines that the transfer would not reduce the unencumbered balance of the construction account in the county state-aid highway fund to less than \$50,000,000.

(c) Not later than ten years after any transfer under paragraph (a), the commissioner shall transfer from the county turnback account to the construction account in the county state-aid highway fund an amount sufficient to repay the amount transferred under paragraph (a).

History: 1965 c 672 s 2; 1967 c 187 s 1; 1971 c 528 s 1; 1975 c 203 s 23; 1976 c 166 s 7; 1978 c 686 s 2; 1983 c 17 s 2; 1984 c 412 s 2; 1985 c 248 s 70; 1989 c 268 s 2; 1991 c 351 s 1; 1993 c 128 s 2; 1994 c 553 s 2; 1997 c 159 art 2 s 6; 1998 c 372 art 2 s 3,4; 1Sp2001 c 8 art 2 s 14

161.083 MUNICIPAL TURNBACK ACCOUNT, EXPENDITURE.

Except as hereinafter provided, all money accruing to the municipal turnback account shall be expended in accordance with rules of the commissioner of transportation in paying a municipality having a population of 5,000 or more for the reconstruction and improvement of former trunk highways, or portions thereof, that have reverted to such municipality in accordance with law, and have become a part of the municipal state-aid street system.

History: 1965 c 672 s 3; 1967 c 187 s 2; 1976 c 166 s 7; 1985 c 248 s 70

161.084 SURPLUS FUNDS IN TURNBACK ACCOUNTS.

On determining at any time that there are surplus funds in either the county or municipal turnback account that are not needed for the purposes specified herein, the commissioner shall notify the commissioner of finance in writing of such determination, and such surplus funds, in the amount specified by the commissioner, shall be transferred to the county state-aid highway fund, or the municipal state-aid street fund, as the case may be, and apportioned as provided by law.

History: 1965 c 672 s 4; 1973 c 492 s 14; 1986 c 444

161.085 APPROPRIATION FROM TURNBACK ACCOUNTS.

Moneys in the county turnback account and the municipal turnback account are hereby appropriated annually to the commissioner of transportation for the purposes of carrying out the terms of sections 161.081 to 161.084.

History: 1965 c 672 s 5; 1976 c 166 s 7; 1996 c 455 art 3 s 4

161.086 [Repealed, 1996 c 310 s 1; 1996 c 455 art 3 s 34]

DUTIES AND POWERS

161.09 MS 1957 [Repealed, 1959 c 500 art 6 s 13]

161.09 DEPARTMENT ORDERS, FILES AND RECORDS.

Subdivision 1. Custodian. The official acts and determinations of the commissioner shall be denominated orders. The commissioner shall be the custodian of and shall preserve such orders and the records and files of the transportation department and its

predecessor departments. Subject to reasonable rules, the orders, records, and files shall be open to public inspection.

Subd. 2. **Copies as evidence.** Copies of the orders, records, and files, certified by the commissioner as true copies, shall be received in evidence in any court in this state with the same force and effect as the originals.

History: 1959 c 500 art 2 s 9; 1978 c 674 s 18; 1985 c 248 s 70

161.095 TRAVEL EXPENSE FOR JOB APPLICANTS.

Notwithstanding any law to the contrary, the state of Minnesota, department of transportation, may pay the necessary moving and travel expenses including the necessary travel expenses to and from interviews arranged by the department of transportation, incurred by job applicants for technical positions recruited by the department of transportation.

History: 1959 c 379 s 1,2; 1976 c 166 s 7

161.10 MS 1957 [Repealed, 1959 c 500 art 6 s 13]

161.10 INVESTIGATIONS, RECOMMENDATIONS, REPORTS.

When practicable the commissioner shall investigate and determine the location of road material in the state, ascertain the most approved methods of construction and improvement of roads, investigate the most approved laws in relation to roads in other states and hold public meetings throughout the state when deemed advisable. On or before November 15 on each even-numbered year the commissioner shall make a printed report to the governor stating the condition, management, and financial transactions of the transportation department, including a statement of the expense incurred in maintaining such department; the number of miles of roads built or improved during the preceding two fiscal years and their cost; the general character and location of material suitable for road construction; the general character and needs of the roads of the state; the name, location, size, and description of each state trail, state water access site, and state rest area established by the commissioner since the last report; and recommend such legislation as the commissioner deems advisable.

History: 1959 c 500 art 2 s 10; 1969 c 540 s 8; 1975 c 353 s 40; 1986 c 444; 1997 c 7 art 2 s 23

161.11 MS 1957 [Repealed, 1959 c 500 art 6 s 13]

161.11 COMPENSATION INSURANCE.

Subdivision 1. **Commissioner may purchase.** The commissioner may procure on the open market a policy of insurance covering the payment of benefits accruing under the Workers' Compensation Act to employees of the department of transportation engaged in work on highways other than trunk highways pursuant to any agreements made for such work by the commissioner with any political subdivision or agency of the state.

Subd. 2. **Payment of premium and reimbursement.** The commissioner may pay the premiums for any said policy of insurance out of the trunk highway fund. The political subdivision or agency of the state for whom work is performed by employees of the department of transportation pursuant to any agreement therefor made with the commissioner shall pay to the trunk highway fund that portion of the premium for said policy of insurance directly attributable to the work performed for it.

History: 1959 c 500 art 2 s 11; 1975 c 359 s 23; 1976 c 166 s 7

TRUNK HIGHWAYS

161.114 CONSTITUTIONAL TRUNK HIGHWAYS.

Subdivision 1. **Designation.** The trunk highway routes, numbered 1 through 70, as described in the constitutional amendment adopted November 2, 1920, are designated as the constitutional routes of the trunk highway system.

Subd. 2. **Descriptions.** The constitutional routes are described as follows:

Route No. 1. Beginning at a point on the boundary line between the states of Minnesota and Iowa, southeasterly at Albert Lea and thence extending in a northwesterly direction to a point in Albert Lea and thence extending in a northerly direction to a point and on the southerly limits of the city of St. Paul and then beginning at a point on the northerly limits of the city of St. Paul and thence extending in a northerly direction to a point on the westerly limits of the city of Duluth and then beginning at a point on the northerly limits of the city of Duluth and thence extending in a northeasterly direction to a point on the boundary line between the state of Minnesota and the province of Ontario, affording Albert Lea, Owatonna, Faribault, Northfield, Farmington, St. Paul, White Bear, Forest Lake, Wyoming, Rush City, Pine City, Hinckley, Sandstone, Moose Lake, Carlton, Duluth, Two Harbors, Grand Marais and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 2. Beginning at a point on Route No. 1 on the westerly limits of the city of Duluth and thence extending in a southwesterly direction along said Route No. 1 to a point on said route at Carlton and thence extending in a westerly direction to a point on the east bank of the Red River of the North at Moorhead, affording Duluth, Carlton, McGregor, Aitkin, Brainerd, Motley, Staples, Wadena, Detroit, Moorhead, and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 3. Beginning at a point on the boundary line between the states of Minnesota and Wisconsin, westerly of La Crosse, Wisconsin, and thence extending in a northwesterly direction to a point on the easterly limits of the city of St. Paul and then beginning at a point on the westerly limits of the city of Minneapolis and thence extending in a northwesterly direction to a point on the east bank of the Red River of the North at Breckenridge, affording La Crescent, Winona, Kellogg, Wabasha, Lake City, Red Wing, Hastings, St. Paul, Minneapolis, Osseo, Champlin, Anoka, Elk River, Big Lake, St. Cloud, Albany, Sauk Centre, Alexandria, Elbow Lake, Fergus Falls, Breckenridge and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 4. Beginning at a point on the boundary line between the states of Minnesota and Iowa, southwesterly of Jackson and thence extending in a northerly direction to a point on Route No. 3, southeasterly of Sauk Centre and thence extending in a northwesterly direction along said Route No. 3 to a point on said route at Sauk Centre and thence extending in a northerly direction to a point at International Falls, affording Jackson, Windom, Sanborn, Redwood Falls, Morton, Olivia, Willmar, Paynesville, Sauk Centre, Long Prairie, Wadena, Park Rapids, Itasca State Park, Bemidji, International Falls and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 5. Beginning at a point on the boundary line between the states of Minnesota and Iowa, southerly of Blue Earth and thence extending in a northeasterly direction to a point on the southerly limits of the city of Minneapolis and then beginning at a point on the northerly limits of the city of Minneapolis and thence extending in a northerly direction to a point in Swan River on Route No. 8, hereinafter described, affording Blue Earth, Winnebago, Mankato, St. Peter, Le Sueur, Jordan, Shakopee, Minneapolis, Cambridge, Mora, McGregor, Swan River and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 6. Beginning at a point on the boundary line between the states of Minnesota and Iowa, southerly of Ash Creek, and thence extending in a northerly direction to a point on the boundary line between the state of Minnesota and the province of Manitoba, near St. Vincent, affording Luverne, Pipestone, Lake Benton, Ivanhoe, Canby, Madison, Bellingham, Odessa, Ortonville, Graceville, Dumont, Wheaton, Breckenridge, Moorhead, Kragnes, Georgetown, Perley, Hendrum, Ada, Crook-

ston, Warren, Donaldson, Hallock and intervening and adjacent communities a reasonable means of communication; each with the other and other places within the state.

Route No. 7. Beginning at a point on Route No. 3 at Winona and thence extending in a westerly direction to a point on the boundary line between the states of Minnesota and South Dakota, westerly of Lake Benton, affording Winona, St. Charles, Rochester, Kasson, Dodge Center, Claremont, Owatonna, Waseca, Mankato, St. Peter, New Ulm, Springfield, Tracy, Lake Benton and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 8. Beginning at a point on the westerly limits of the city of Duluth and thence extending in a northwesterly direction to a point on Route No. 6 near Crookston and thence extending in a westerly and northerly direction along said Route No. 6 to a point on said route northerly of Crookston and thence extending in a northwesterly direction to a point on the east bank of the Red River of the North at East Grand Forks, affording Duluth, Floodwood, Swan River, Grand Rapids, Cass Lake, Bemidji, Bagley, Erskine, Crookston, East Grand Forks and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 9. Beginning at a point on Route No. 3 at La Crescent and thence extending in a westerly direction to a point on the boundary line between the states of Minnesota and South Dakota southwesterly of Beaver Creek, affording La Crescent, Hokah, Houston, Rushford, Lanesboro, Preston, Fountain, Spring Valley, Austin, Albert Lea, Blue Earth, Fairmont, Jackson, Worthington, Luverne and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 10. Beginning at a point on the westerly limits of the city of Minneapolis and thence extending in a northwesterly direction to a point on Route No. 6 at or near Wheaton, affording Minneapolis, Montrose, Cokato, Litchfield, Willmar, Benson, Morris, Herman, Wheaton and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 11. Beginning at a point on Route No. 8 at the westerly limits of the city of Duluth and thence extending in a northwesterly and northerly direction to a point on Route No. 4 at International Falls and thence extending in a southwesterly direction along said Route No. 4 to a point on said route southwesterly of International Falls and thence extending in a westerly direction to a point on Route No. 6 at Donaldson, affording Duluth, Eveleth, Virginia, Cook, Orr, Cussons, International Falls, Baudette, Warroad, Roseau, Greenbush, Donaldson and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 12. Beginning at a point on the west bank of the St. Croix River near Hudson, Wisconsin and thence extending in a westerly direction to a point on the easterly limits of the city of St. Paul and then beginning at a point on the westerly limits of the city of Minneapolis and thence extending in a westerly direction to a point on Route No. 6 at Madison, affording St. Paul, Minneapolis, Hopkins, Norwood, Glencoe, Olivia, Granite Falls, Montevideo, Dawson, Madison and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 13. Beginning at a point on Route No. 9 at Albert Lea and thence extending in a northerly direction to a point on Route No. 5 at Jordan affording Albert Lea, Waseca, Waterville, Montgomery, New Prague, Jordan and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 14. Beginning at a point on Route No. 6 at Ivanhoe and thence extending in an easterly direction to a point on Route No. 4 at Redwood Falls and thence extending in an easterly direction along said Route No. 4 to a point on said

route at Morton and thence extending in an easterly direction to a point on Route No. 22, hereinafter described, at Gaylord affording Ivanhoe, Marshall, Redwood Falls, Morton, Winthrop, Gaylord and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 15. Beginning at a point on the boundary line between the states of Minnesota and Iowa southerly of Fairmont and thence extending in a northerly direction to a point on Route No. 14 at Winthrop, affording Fairmont, Madelia, New Ulm, Winthrop and intervening and adjacent communities a reasonable means of communication each with the other and other places within the state.

Route No. 16. Beginning at a point on Route No. 5 southwesterly of Mankato and thence extending westerly to a point on Route No. 15 at Madelia and thence extending in a southerly direction along said Route No. 15 to a point on said route southerly of Madelia and thence extending in a westerly direction to a point on Route No. 4 northerly of Windom and thence extending in a southerly direction along said Route No. 4 to a point on said route at Windom and thence extending in a westerly direction to a point at Fulda and thence extending in a southerly direction to a point on Route No. 9 at Worthington, affording Mankato, Madelia, St. James, Windom, Fulda, Worthington and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 17. Beginning at a point on Route No. 16 at Fulda and thence extending in a northerly direction to a point on Route No. 12 at Granite Falls, affording Fulda, Slayton, Garvin, Marshall, Granite Falls and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 18. Beginning at a point on Route No. 3 at Elk River and thence extending in a northerly direction to a point on Route No. 2 easterly of Brainerd, affording Elk River, Princeton, Milaca, Onamia and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 19. Beginning at a point on Route No. 2 at Brainerd and thence extending in a northwesterly direction to a point on Route No. 8 at Cass Lake, affording Brainerd, Pine River, Walker, Cass Lake and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 20. Beginning at a point on the boundary line between the states of Minnesota and Iowa near Canton and thence extending in a northwesterly direction to a point on Route No. 9 at or near Preston and thence extending in a northwesterly direction along said Route No. 9 to a point on said route at Fountain and thence extending in a northwesterly direction to a point on Route No. 3 in the town of Douglas, Dakota county (T. 113, R. 17 W.) affording Canton, Harmony, Preston, Fountain, Chatfield, Oronoco, Pine Island, Zumbrota, Cannon Falls and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 21. Beginning at a point on Route No. 20 at Zumbrota and thence extending in a westerly direction to a point on Route No. 5 at St. Peter, affording Zumbrota, Kenyon, Faribault, Le Sueur Center, Cleveland, St. Peter and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 22. Beginning at a point on Route No. 5 at St. Peter and thence extending in a northwesterly direction to a point on Route No. 4 at Paynesville, affording St. Peter, Gaylord, Glencoe, Hutchinson, Litchfield, Paynesville and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 23. Beginning at a point on Route No. 4 at Paynesville and thence extending in a northeasterly direction through the village of Richmond, Coldspring, Rockville and Waite Park to a point on Route No. 3 westerly of St. Cloud, and thence

extending in a northeasterly direction to a point on Route No. 5 southerly of Mora, and thence extending in a northerly direction along said Route No. 5 to a point on said route at Mora, and thence extending in an easterly direction to a point on Route No. 1 southerly of Hinckley, affording Paynesville, St. Cloud, Foley, Milaca, Ogilvie, Mora and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 24. Beginning at a point on Route No. 10 at Litchfield and thence extending in a northeasterly direction to a point on Route No. 3 at St. Cloud, affording Litchfield, St. Cloud and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 25. Beginning at a point on Route No. 5 at or near Belle Plaine and thence extending in a northerly direction to a point on Route No. 3 at Big Lake, affording Belle Plaine, Norwood, Watertown, Montrose, Buffalo, Monticello, Big Lake and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 26. Beginning at a point on Route No. 10 at Benson and thence extending in a westerly direction to a point on Route No. 6 near Ortonville, affording Benson, Ortonville and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 27. Beginning at a point on Route No. 3 at St. Cloud and thence extending in a northerly direction to a point on Route No. 2 at Brainerd, affording St. Cloud, Sauk Rapids, Royalton, Little Falls, Brainerd and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 28. Beginning at a point on Route No. 27 at Little Falls and thence extending in a southwesterly direction to a point on the boundary line between the states of Minnesota and South Dakota at Browns Valley, affording Little Falls, Sauk Centre, Glenwood, Starbuck, Morris, Graceville, Browns Valley and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 29. Beginning at a point on Route No. 28 at Glenwood and thence extending in a northerly direction to a point on Route No. 2 westerly of Wadena affording Glenwood, Alexandria, Parkers Prairie, Deer Creek and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 30. Beginning at a point on Route No. 3 at Fergus Falls, and thence extending in a northerly direction to a point on Route No. 8 at Erskine, affording Fergus Falls, Pelican Rapids, Detroit, Mahnommen, Erskine and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 31. Beginning at a point on Route No. 6 at Ada, and thence extending in an easterly direction to a point on Route No. 30 near Mahnommen, affording Ada, Mahnommen and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 32. Beginning at a point on Route No. 8 easterly of Crookston and thence extending in a northerly direction to a point on Route No. 11 at Greenbush, affording Red Lake Falls, Thief River Falls, Middle River, Greenbush and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 33. Beginning at a point on Route No. 32 at Thief River Falls and thence extending in a northwesterly direction to a point on Route No. 6 at Warren, affording Thief River Falls, Warren and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 34. Beginning at a point on Route No. 2 at Detroit and thence extending in a northeasterly direction to a point on Route No. 8 westerly of Grand

Rapids, affording Detroit, Park Rapids, Walker, Remer, Grand Rapids and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 35. Beginning at a point on Route No. 18 near Mille Lacs Lake and thence extending in a northerly direction to a point at Grand Rapids and thence extending in a northeasterly direction to a point at Ely, affording Aitkin, Grand Rapids, Hibbing, Chisholm, Buhl, Mountain Iron, Virginia, Gilbert, McKinley, Biwabik, Aurora, Tower, and Ely and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 36. Beginning at a point on Route No. 3 at Fergus Falls and thence extending in an easterly direction to a point on Route No. 29 easterly of Henning, affording Fergus Falls, Henning and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 37. Beginning at a point on Route No. 27 at Little Falls and thence extending in a northwesterly direction to a point on Route No. 2 at Motley, affording Little Falls, Motley and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 38. Beginning at a point on Route No. 12 at Montevideo and thence extending in a northerly direction to a point on Route No. 28 at Starbuck, affording Montevideo, Benson, Starbuck and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 39. Beginning at a point on Route No. 7 at Mankato and thence extending in a southeasterly direction to a point on Route No. 9 westerly of Albert Lea, affording Mankato, Mapleton, Minnesota Lake, Wells and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 40. Beginning at a point on the boundary line between the states of Minnesota and Iowa at Lyle and thence extending in a northwesterly direction to a point on Route No. 7 at Owatonna, affording Lyle, Austin, Blooming Prairie, Owatonna and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 41. Beginning at a point on Route No. 40 at or near Blooming Prairie and thence extending in an easterly direction to a point on Route No. 56, hereinafter described, near Hayfield, affording Blooming Prairie, Hayfield and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 42. Beginning at a point on Route No. 7 easterly of Rochester and thence extending (1) in a northeasterly direction to a point on Route No. 3 at Kellogg, affording Rochester, Elgin, Plainview, Kellogg and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state and (2) in a southerly direction to a point on Route No. 391.

Route No. 43. Beginning at a point on Route No. 9 at Rushford and thence extending in a northeasterly direction to a point on Route No. 3 at Winona, affording Rushford, Winona and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 44. Beginning at a point on Route No. 9 at Hokah and thence extending in a southwesterly direction to a point on Route No. 20 near Canton, affording Hokah, Caledonia, Canton and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 45. Beginning at a point on the west bank of the St. Croix River at Stillwater and thence extending in a southwesterly direction to a point on the easterly limits of the city of St. Paul, affording Stillwater, Lake Elmo, St. Paul and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 46. Beginning at a point on the west bank of the St. Croix River at Taylors Falls and thence extending in a southwesterly direction to a point on Route No. 1 near Wyoming, affording Taylors Falls, Center City, Wyoming and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 47. Beginning at a point on Route No. 17 at Slayton and thence extending in a westerly direction to a point on Route No. 6 at Pipestone, affording Slayton, Pipestone and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 48. Beginning at a point on Route No. 17 westerly of Granite Falls and thence extending in a westerly direction to a point on Route No. 6 at Canby, affording Granite Falls, Clarkfield, Canby and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 49. Beginning at a point on Route No. 12 easterly of Montevideo and thence extending in a northeasterly direction to a point on Route No. 4 southerly of Willmar, affording Montevideo, Clara City, Willmar and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 50. Beginning at a point on Route No. 20 at Cannon Falls and thence extending in a northwesterly direction to a point on the southerly limits of the city of Minneapolis, affording Cannon Falls, Farmington, Minneapolis and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 51. Beginning at a point on Route No. 5 at Shakopee and thence extending in a northerly direction to a point on Route No. 12 northerly of Shakopee, affording a connection between said Route No. 5 and said Route No. 12.

Route No. 52. Beginning at a point on Route No. 5 south of the city of Minneapolis and thence extending in a northeasterly direction to a point on the westerly limits of the United States Military reservation at Fort Snelling, affording St. Paul and adjacent communities a reasonable communication with said Route No. 5.

Route No. 53. Beginning at a point on Route No. 3 at Hastings and thence extending in a northwesterly direction to a point on the southerly limits of the city of South St. Paul, affording Hastings, South St. Paul and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 54. Beginning at a point on Route No. 3 at Elbow Lake and thence extending in a southwesterly direction to a point on Route No. 10 at Herman, affording Elbow Lake, Herman and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 55. Beginning at a point on Route No. 2 northwesterly of Carlton and thence extending in a northerly direction to a point in Cloquet, affording Carlton, Cloquet and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 56. Beginning at a point on Route No. 9 easterly of Austin and thence extending in a northerly direction to a point on Route No. 21 at or near Kenyon, affording Brownsdale, Hayfield, Dodge Center, West Concord, Kenyon and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 57. Beginning at a point in Mantorville and extending in a southerly direction to a point on Route No. 7 southerly of Mantorville, affording Mantorville a reasonable means of communication with said Route No. 7.

Route No. 58. Beginning at a point on Route No. 20 at Zumbrota and thence extending in a northeasterly direction to a point on Route No. 3 at Red Wing, affording Zumbrota, Red Wing and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 59. Beginning at a point on the boundary line between the states of Minnesota and Iowa southerly of Spring Valley and thence extending in a northerly direction to a point on No. 3 at Lake City, affording Spring Valley, Stewartville, Rochester, Zumbrota Falls, Lake City and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 60. Beginning at a point on Route No. 1 at Faribault and thence extending in a southwesterly direction to a point on Route No. 7 at or near Madison Lake, affording Faribault, Morristown, Waterville, Madison Lake and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 61. Beginning at a point on Route No. 8 at Deer River and thence extending in a northerly direction to a point on Route No. 4 at or near Big Falls, affording Deer River, Big Falls and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 62. Beginning at a point on Route No. 3 at Anoka and thence extending in a southeasterly direction to a point on the northerly limits of the city of St. Paul, affording Anoka, St. Paul and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 63. Beginning at a point on Route No. 1 southerly of Forest Lake and thence extending in a southwesterly direction to a point on the northerly and easterly limits of the city of Minneapolis, affording a reasonable means of communication between Route No. 1 and Minneapolis.

Route No. 64. Beginning at a point on Route No. 30 northerly of Fergus Falls and thence extending in a northerly and westerly direction to a point on Route No. 6 southerly of Moorhead, affording Fergus Falls, Rothsay, Barnesville, Moorhead and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 65. Beginning at a point on Route No. 8 at Bagley, and thence extending in a northerly and westerly direction to a point on Route No. 32 southerly of Red Lake Falls, affording Bagley, Clearbrook, Gonvick, Gully, Brooks, Terrebonne and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 66. Beginning at a point on Route No. 12 at Montevideo and thence extending in a northwesterly direction to a point on Route No. 26 northerly of Appleton affording Montevideo, Appleton and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 67. Beginning at a point on Route No. 14 southerly of Echo and thence extending in a northerly and westerly direction to a point on Route No. 17 at or near Granite Falls, affording Echo, Granite Falls and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 68. Beginning at a point on Route No. 14 at Marshall and thence extending in a northwesterly direction to a point on Route No. 6 near Canby, affording Marshall, Minneota, Canby and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 69. Beginning at a point on Route No. 25 at Buffalo and thence extending in a northwesterly direction to a point on Route No. 22 southeasterly of Paynesville, affording Buffalo, Maple Lake, Annandale, Eden Valley, Paynesville and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 70. Beginning at a point on Route No. 7 westerly of New Ulm and thence extending in a northerly direction to a point on Route No. 12 at or near the village of Hector, affording Fort Ridgely, Fairfax, Hector and intervening and adjacent

communities a reasonable means of communication, each with the other and other places within the state.

History: 1969 c 11 s 1,2; 2001 c 213 s 2

161.115 ADDITIONAL TRUNK HIGHWAYS.

Subdivision 1. **Legislative routes confirmed.** The following routes hereby and heretofore added to the trunk highway system by the legislature under the provisions of Article 14, of the Constitution adopted November 2, 1920, and as the same are herein amended, are hereby confirmed.

Subd. 2. **Route No. 71.** Beginning at a point on Route No. 27 in Little Falls, thence extending in a northeasterly direction to a point on Route No. 1, at or near Moose Lake; affording Little Falls, Onamia, Isle, McGrath, and Moose Lake a reasonable means of communication each with the other and other places within the state.

Subd. 3. **Route No. 72.** Beginning at a point on Route No. 4, southerly of Bemidji and thence extending in a northerly direction to a point on Route No. 11, easterly of Baudette; affording Bemidji, Waskish, Baudette, and intervening and adjacent communities a reasonable means of communication each with the other and other places within the state.

Subd. 4. **Route No. 73.** Beginning at a point on Route No. 20, at or near Zumbrota, thence extending in an easterly direction to a point on Route No. 3; affording Zumbrota, Mazeppa, Zumbro Falls, and Wabasha a reasonable means of communication each with the other and other places within the state.

Subd. 5. **Route No. 74.** Beginning at a point on Route No. 3, at or near Weaver, thence extending in a southwesterly direction to a point at or near Chatfield; affording Weaver, St. Charles, and Chatfield, a reasonable means of communication each with the other and other places within the state.

Subd. 6. **Route No. 75.** Beginning at a point on Route No. 3 in Winona, thence extending in a northeasterly direction to a point on the line between the states of Minnesota and Wisconsin.

Subd. 7. **Route No. 76.** Beginning at a point on Route No. 43, at or near Wilson, thence extending in a southeasterly direction to a point on the line between the states of Minnesota and Iowa; affording Wilson, Houston, and Caledonia a reasonable means of communication each with the other and other places within the state.

Subd. 8. **Route No. 77.** Beginning at a point on Route No. 43 at or near Rushford, thence extending in a westerly direction to a point on Route No. 56 at or near Hayfield; affording Rushford, Chatfield, Stewartville, and Hayfield a reasonable means of communication each with the other and other places within the state.

Subd. 9. **Route No. 78.** Beginning at a point on Route No. 9 at or near Rushford, thence extending in a southerly direction to a point on Route No. 44 at or near Mabel.

Subd. 10. **Route No. 79.** Beginning at a point on Route No. 20 at or near Harmony, thence extending in a southerly direction to the line between the states of Minnesota and Iowa.

Subd. 11. **Route No. 80.** Beginning at a point on Route No. 9 southerly of Wykoff, thence extending in an easterly direction to a point on Route No. 20 at or near Preston.

Subd. 12. **Route No. 81.** Beginning at a point on Route No. 9 easterly of Austin, thence extending in a southeasterly direction to a point on Route No. 59 easterly of LeRoy.

Subd. 13. **Route No. 82.** Beginning at a point on Route No. 40 at or near Blooming Prairie, thence extending in a westerly direction to a point on Route No. 15; affording Blooming Prairie, Ellendale, Mapleton, and St. James a reasonable means of communication each with the other and other places within the state.

Subd. 14. **Route No. 83.** Beginning at a point on Route No. 5 westerly of Mankato, thence extending in a northwesterly direction to a point on Route No. 15 southerly of New Ulm.

Subd. 15. **Route No. 84.** Beginning at a point on Route No. 7 at or near Sleepy Eye, thence extending in a southerly direction to the line between the states of Minnesota and Iowa; affording Sleepy Eye, St. James, and Sherburne a reasonable means of communication each with the other and other places within the state.

Subd. 16. **Route No. 85.** Beginning at a point on Route No. 16 at or near Windom, thence extending in a southwesterly direction to a point on the line between the states of Minnesota and Iowa at or near Bigelow; affording Windom, Worthington, and Bigelow a reasonable means of communication each with the other and other places within the state.

Subd. 17. **Route No. 86.** Beginning at a point on the line between the states of Minnesota and Iowa southerly of Lakefield, thence extending northerly through Lakefield to a point on Route No. 85 as herein established westerly of Windom.

Subd. 18. **Route No. 87.** Beginning at a point on Route No. 9 southerly of Wells, thence extending in a southerly direction through Kiester to a point on the line between the states of Minnesota and Iowa.

Subd. 19. **Route No. 88.** Beginning at a point on the line between the states of Minnesota and South Dakota, and on Route No. 9, thence extending in a northeasterly direction to a point on Route No. 12 at or near Montevideo; affording Jasper, Pipestone, Marshall, and Montevideo a reasonable means of communication each with the other and other places within the state.

Subd. 20. **Route No. 89.** Beginning at a point on Route No. 6 at or near Pipestone, thence extending in a westerly direction to a point on the line between the states of Minnesota and South Dakota.

Subd. 21. **Route No. 90.** Beginning at a point on Route No. 6 at or near Ivanhoe, thence extending in a westerly direction to a point on the line between the states of Minnesota and South Dakota.

Subd. 22. **Route No. 91.** Beginning at a point on the line between the states of Minnesota and Iowa southerly of Adrian, thence extending in a northerly direction to a point on Route No. 88 as herein established at or near Russell; affording Adrian, Lake Wilson, and Russell a reasonable means of communication each with the other and other places within the state.

Subd. 23. **Route No. 92.** Beginning at a point on Route No. 17 westerly of Currie, thence extending in an easterly direction to a point on Route No. 84; affording Currie and Jeffers a reasonable means of communication each with the other and other places within the state.

Subd. 24. **Route No. 93.** Beginning at a point on Route No. 4 at or near Redwood Falls, thence extending in a southeasterly direction to a point on Route No. 70 at or near Sleepy Eye.

Subd. 25. **Route No. 94.** Beginning at a point on Route No. 3, northerly of Hastings, thence extending in a southeasterly direction to a point on the line between the states of Minnesota and Wisconsin.

Subd. 26. **Route No. 95.** Beginning at a point on Route No. 94 as herein established at or near Point Douglas, thence extending in a northerly direction through Bayport and Stillwater to a point on Route No. 46 at or near Taylors Falls.

Subd. 27. **Route No. 96.** Beginning at a point on Route No. 95 as herein established at or near Stillwater, thence extending in a westerly direction to a point on Route No. 63 at or near New Brighton.

Subd. 28. **Route No. 97.** Beginning at a point on Route No. 1 at or near Forest Lake, thence extending in an easterly direction to a point on Route No. 95 as herein established.

Subd. 29. **Route No. 98.** Beginning at a point on Route No. 390 westerly of Forest Lake, thence extending in a northeasterly direction to a point on Route No. 1 at or near the junction of Route No. 1 and Route No. 98, thence extending in a northeasterly direction to a point on Route No. 46.

Subd. 30. **Route No. 99.** Beginning at a point on Route No. 21 east of Le Center, thence extending in an easterly direction to a point on Route No. 21 near General Shields Lake.

Subd. 31. **Route No. 100.** Beginning at a point on Route No. 22 at or near Gaylord, thence extending in an easterly direction to a point on Route No. 3 westerly of Red Wing; affording Gaylord, Henderson, New Prague, Northfield, Cannon Falls and Red Wing a reasonable means of communication each with the other and other places within the state.

Subd. 32. **Route No. 101.** Beginning at a point on Route No. 1 at or near Faribault, thence extending in a northerly direction to a point on Route No. 50.

Subd. 33. **Route No. 102.** Beginning at the terminus of Route No. 1 on the southerly limits of the city of St. Paul, thence extending in a northerly direction through the city of St. Paul to the point of beginning of Route No. 1 on the northerly limits of the city of St. Paul.

Subd. 34. **Route No. 103.** Beginning at the terminus of Route No. 1 on the westerly limits of the city of Duluth, thence extending in a northeasterly direction to the point of beginning of Route No. 1 on the northerly limits of the city of Duluth.

Subd. 35. **Route No. 104.** Beginning at the terminus of Route No. 3 on the easterly limits of the city of St. Paul, thence extending in a northwesterly direction through the cities of St. Paul and Minneapolis to the point of beginning of Route No. 3 on the westerly limits of the city of Minneapolis.

Subd. 36. **Route No. 105.** Beginning at Washington Avenue in the city of Minneapolis, thence extending in a northeasterly direction through Minneapolis to a point at the beginning of Route No. 5 on the northerly limits of the city of Minneapolis.

Subd. 37. **Route No. 106.** Beginning at a point on Route No. 8 in the westerly limits of the city of Duluth, thence extending in a southeasterly direction through Duluth to a point at the water's edge of St. Louis Bay and there terminating.

Subd. 38. **Route No. 107.** Beginning at the terminus of Route No. 10 on the westerly limits of the city of Minneapolis, thence extending in an easterly direction to a point at or near Washington Avenue in the city of Minneapolis.

Subd. 39. **Route No. 108.** Beginning at the terminus of Route No. 12 of the easterly limits of the city of St. Paul; thence extending in a westerly direction through the city of St. Paul to a point on the easterly limits of Hennepin county.

Subd. 40. **Route No. 109.** Beginning at the terminus of Route No. 45 on the easterly limits of the city of St. Paul, thence extending into St. Paul in a southwesterly direction to connect with Route No. 102 as herein established.

Subd. 41. **Route No. 110.** Beginning at the terminus of Route No. 50 on the southerly limits of the city of Minneapolis, thence extending through Minneapolis and northerly to a point on Route No. 2 at or near Aitkin; affording Minneapolis, Anoka, Ogilvie, Isle, and Aitkin a reasonable means of communication each with the other and other places within the state.

Subd. 42. **Route No. 111.** Beginning at the terminus of Route No. 52 on the westerly limits of the United States Military Reservation at Fort Snelling, thence extending in a northeasterly direction through the military reservation into the city of St. Paul to connect with Route No. 102 as herein established.

Subd. 43. **Route No. 112.** Beginning at the terminus of Route No. 53 on the southerly limits of the city of South St. Paul, thence extending through South St. Paul into the city of St. Paul to connect with Route No. 102 as herein established.

Subd. 44. **Route No. 113.** Beginning at a point on the northerly limits of the city of St. Paul, thence extending in a southeasterly direction into St. Paul to connect with Route No. 104 as herein established.

Subd. 45. **Route No. 114.** [Discontinued and removed]

Subd. 46. **Route No. 115.** Beginning at a point on Route No. 112 as herein established in St. Paul thence extending in a southerly direction to a point on Route No. 1 southerly of Wescott.

Subd. 47. **Route No. 116.** Beginning at a point on Route No. 104 as herein established in the city of Minneapolis, thence extending in a southeasterly direction to a point on Route No. 53, thence extending in a southerly direction to a point on Route No. 21 at or near Kenyon; affording Minneapolis, Mendota, Hampton, and Kenyon a reasonable means of communication each with the other and other places within the state.

Subd. 48. **Route No. 117.** Beginning at a point on Route No. 100 as herein established easterly of New Prague, thence extending in a northeasterly direction, thence extending in a northerly direction to a point on Route No. 393.

Subd. 49. **Route No. 118.** Beginning at a point on Route No. 45 southwesterly of Stillwater, thence extending in a westerly direction to a point on Route No. 394 in Roseville.

Subd. 50. **Route No. 119.** Beginning at a point on Route No. 49 at or near Clara City, thence extending in an easterly direction to a point on Route No. 12 at or near Excelsior; affording Clara City, Hutchinson, and Excelsior a reasonable means of communication each with the other and other places within the state.

Subd. 51. **Route No. 120.** Route No. 120 is hereby discontinued and abolished.

Subd. 52. **Route No. 121.** Beginning at a point on Route No. 22 at or near Gaylord, thence extending in a northeasterly direction to a point on Route No. 5; affording Gaylord, Norwood, and Victoria a reasonable means of communication each with the other and other places within the state.

Subd. 53. **Route No. 122.** Beginning at a point on Route No. 5 in Mankato, thence extending in a northwesterly direction through Nicollet to a point on Route No. 22, southerly of Gaylord.

Subd. 54. **Route No. 123.** Beginning at a point on Route No. 5 at or near Le Sueur, thence extending in a southeasterly direction to a point on Route No. 21.

Subd. 55. **Route No. 124.** Beginning at a point on Route No. 39 at or near Wells, thence extending in a southeasterly direction to a point on Route No. 391 at or near Alden.

Subd. 56. **Route No. 125.** Beginning at a point on Route No. 111 as herein established north of the Mississippi River, thence extending in a northerly direction to a point on Route No. 63.

Subd. 57. [Repealed, 1998 c 403 s 28]

Subd. 58. **Route No. 127.** [Discontinued and removed]

Subd. 59. **Route No. 128.** Beginning at the present terminus of Route No. 57 in Mantorville, thence extending in a northerly direction through Wanamingo to a point on Route No. 20.

Subd. 60. **Route No. 129.** [Discontinued and removed]

Subd. 61. **Route No. 130.** Beginning at a point on Route No. 3 northwesterly of Minneapolis, thence extending in a southerly direction to a point on Route No. 52.

Subd. 62. **Route No. 131.** Beginning at a point on Route No. 37 at or near Randall, thence extending in an easterly direction to a point on Route No. 27.

Subd. 63. **Route No. 132.** Beginning at a point on Route No. 27 at or near St. Cloud, thence extending in an easterly direction to a point on Route No. 46 at Taylors Falls; affording St. Cloud, Princeton, Cambridge, and Taylors Falls a reasonable means of communication each with the other and other places within the state.

Subd. 64. **Route No. 133.** Beginning at a point on Route No. 5 northerly of Braham, thence extending in an easterly direction to a point on the line between the states of Minnesota and Wisconsin.

Subd. 65. **Route No. 134.** Beginning at a point on Route No. 5 southerly of Grasston, thence extending in a northerly direction to a point on Route No. 23.

Subd. 66. **Route No. 135.** Beginning at a point on Route No. 28 westerly of Little Falls, thence extending in a westerly and southwesterly direction to point on Route No. 3 at Osakis, thence extending in a general southerly direction to a point on Route No. 392; affording Little Falls, Long Prairie, and Osakis a reasonable means of communication each with the other and other places within the state.

Subd. 67. **Route No. 136.** Beginning at a point on Route No. 8 northwesterly of Bemidji, thence extending in a northwesterly direction to a point on Route No. 11 at or near Roseau.

Subd. 68. **Route No. 137.** Beginning at a point on Route No. 18 northwesterly of Garrison, thence extending in a northerly direction to a point on Route No. 34 at or near Remer; affording Garrison, Deerwood, Crosby, and Remer a reasonable means of communication each with the other and other places within the state.

Subd. 69. **Route No. 138.** Beginning at a point on Route No. 19 northerly of Walker, thence extending in a northwesterly direction to a point on Route No. 4.

Subd. 70. **Route No. 139.** Beginning at a point on Route No. 19 at or near Pine River, thence extending in a northeasterly direction to a point on Route No. 34.

Subd. 71. **Route No. 140.** Beginning at a point on Route No. 11 at or near Baudette, thence extending in a northerly direction to Lake of the Woods.

Subd. 72. **Route No. 141.** Beginning at a point on Route No. 28 at or near Sauk Centre, thence extending in a southerly direction to a point on Route No. 4.

Subd. 73. **Route No. 142.** Beginning at a point on Route No. 4 at or near Paynesville, thence extending in a northwesterly direction to a point on the line between the states of Minnesota and North Dakota; affording Paynesville, Glenwood, and Elbow Lake a reasonable means of communication each with the other and other places within the state.

Subd. 74. **Route No. 143.** Beginning at a point on Route No. 10 westerly of Pennock, thence extending in a northerly direction to a point at or near Terrace; thence continuing in a northerly direction to a point on Route No. 142 as herein established.

Subd. 75. **Route No. 144.** Beginning at a point on Route No. 6 at or near Madison, thence extending in a northeasterly and northerly direction to a point on Route No. 142 as herein established at or near Barrett; affording Madison, Appleton, Morris, and Barrett a reasonable means of communication each with the other and other places within the state.

Subd. 76. **Route No. 145.** Beginning at a point on Route No. 10 at or near Willmar, thence extending in a westerly direction to a point on Route No. 144 as herein established.

Subd. 77. **Route No. 146.** Beginning at a point on Route No. 49, thence extending in a southerly direction through Maynard to a point on Route No. 12.

Subd. 78. **Route No. 147.** Beginning at a point on Route No. 66 at or near Appleton, thence extending in a northwesterly direction to a point on Route No. 6.

Subd. 79. **Route No. 148.** Beginning at a point on Route No. 6 at or near Ortonville, thence extending in a northwesterly direction to a point on Route No. 28.

Subd. 80. **Route No. 149.** Beginning at a point on Route No. 148 as herein established at Ortonville, thence extending in a westerly direction to a point on the line between the states of Minnesota and South Dakota.

Subd. 81. **Route No. 150.** Beginning at a point on Route No. 12 at or near Hector, thence extending in a northerly direction to a point on Route No. 4 at or near Paynesville; affording Hector, Grove City, and Paynesville a reasonable means of communication each with the other and other places within the state.

Subd. 82. **Route No. 151.** Beginning at a point on Route No. 24 southerly of Kimball, thence extending in a southerly direction to a point on Route No. 14 at or near Winthrop; affording Kimball, Hutchinson, and Winthrop a reasonable means of communication each with the other and other places within the state.

Subd. 83. **Route No. 152.** Beginning at a point on Route No. 10 at or near Herman, thence extending in a northwesterly direction to a point on Route No. 3 southerly of Breckenridge.

Subd. 84. **Route No. 153.** [Discontinued and removed]

Subd. 85. **Route No. 154.** Beginning at a point on Route No. 6 at or near Canby, thence extending in a westerly direction to a point on the line between the states of Minnesota and South Dakota.

Subd. 86. **Route No. 155.** Beginning at a point on Route No. 12 southerly of Madison, thence extending in a westerly direction to a point on the line between the states of Minnesota and South Dakota.

Subd. 87. **Route No. 156.** Beginning at a point on Route No. 105 in the city of Minneapolis and extending in a northerly and westerly direction to a point on Route No. 62 at or near the city of Coon Rapids.

Subd. 88. **Route No. 157.** Beginning at a point on Route No. 35 on the north side of Mille Lacs Lake, thence extending in an easterly direction to a point on Route No. 110 as herein established.

Subd. 89. **Route No. 158.** Beginning at a point on Route No. 11 at International Falls, thence extending in an easterly direction to Black Bay.

Subd. 90. **Route No. 159.** Beginning at a point on Route No. 5 at or near Swan River, thence extending in a northerly direction to a point on Route No. 4 at or near Little Fork; affording Swan River, Nashwauk, and Little Fork a reasonable means of communication each with the other and other places within the state.

Subd. 91. **Route No. 160.** Beginning at a point on Route No. 35 at or near Tower, thence extending in a westerly direction to a point on Route No. 136 as herein established southerly of Red Lake.

Subd. 92. **Route No. 161.** Beginning at a point on Route No. 58 in Red Wing, thence extending in a northerly direction to a point on the line between the states of Minnesota and Wisconsin.

Subd. 93. **Route No. 162.** Beginning at a point on Route No. 34 at or near Remer, thence extending in an easterly direction to a point on Route No. 8.

Subd. 94. **Route No. 163.** Beginning at a point on Route No. 1 at or near Moose Lake, thence extending in a northerly direction to a point on Route No. 11 southerly of Orr; affording Moose Lake, Cromwell, Floodwood, Hibbing, Chisholm, and Orr a reasonable means of communication each with the other and other places within the state.

Subd. 95. **Route No. 164.** Beginning at a point on Route No. 1, thence extending in a northerly direction through Cloquet to a point on Route No. 11.

Subd. 96. **Route No. 165.** Beginning at a point on Route No. 8 westerly of Deer River, thence extending in a northwesterly direction to a point on Route No. 4.

Subd. 97. **Route No. 166.** Beginning at a point on Route No. 35 at Ely, thence extending in a southeasterly direction to a point on Route No. 1.

Subd. 98. **Route No. 167.** Beginning at a point on Route No. 11 northerly of Virginia, thence extending in a northeasterly direction to a point on Route No. 160 as herein established westerly of Tower.

Subd. 99. **Route No. 168.** Beginning at a point on Route No. 4 near Itasca State Park, thence in a northwesterly direction to a point on Route No. 31 at Mahnomen.

Subd. 100. **Route No. 169.** Beginning at a point on Route No. 8 at or near Bagley, thence extending in a southerly direction to a point on Route No. 168 as herein established.

Subd. 101. **Route No. 170.** Beginning at a point on Route No. 32 at or near Thief River Falls, thence extending in an easterly direction to a point on Route No. 136 as herein established.

Subd. 102. **Route No. 171.** Beginning at a point on Route No. 6 near St. Vincent, thence extending in a westerly direction to a point on the line between the states of Minnesota and North Dakota.

Subd. 103. **Route No. 172.** Beginning at a point on Route No. 6 at or near Donaldson, thence extending in a westerly direction to a point on the line between the states of Minnesota and North Dakota.

Subd. 104. **Route No. 173.** Beginning at a point on Route No. 6 at or near Warren, thence extending in a westerly direction to a point on the line between the states of Minnesota and North Dakota.

Subd. 105. **Route No. 174.** Beginning at a point on Route No. 8 at or near Erskine, thence extending in a northwesterly direction to a point on the boundary line between United States and Canada northerly of Lancaster.

Any portion of Route No. 174 northerly or westerly of Lancaster heretofore established as a trunk highway shall continue as a trunk highway until the commissioner of transportation shall pursuant to the authority in this section contained definitely locate Route No. 174 hereunder northerly of Lancaster. Upon the final and definite location of Route No. 174 hereunder northerly of Lancaster then any portion of Route No. 174 northerly or westerly of Lancaster heretofore established as a part of Route No. 174 and not included in any new designation hereunder shall revert to the county or subdivision thereof originally charged with the care thereof but where such road or any portion thereof so ceasing to be a trunk highway had its origin as a state trunk highway it shall become a county road unless the same lies within the corporate limits of any city in which event it shall become a street of such city.

Subd. 106. **Route No. 175.** Beginning at a point on Route No. 8 at or near Crookston, thence extending in a southerly direction to a point on Route No. 6 northerly of Hendrum.

Subd. 107. **Route No. 176.** Beginning at a point on Route No. 175 as herein established at or near Halstad, thence extending in a westerly direction to a point on the line between the states of Minnesota and North Dakota.

Subd. 108. **Route No. 177.** Beginning at a point on Route No. 32 southerly of Red Lake Falls, thence extending in a southerly direction to point on Route No. 182.

Subd. 109. **Route No. 178.** Beginning at a point on Route No. 6 near Crookston, thence extending in a southeasterly direction to a point on Route No. 177 as herein established at or near Fertile.

Subd. 110. **Route No. 179.** Beginning at a point on Route No. 6 at or near Ada, thence extending in a southerly direction to a point on Route No. 64 at or near Barnesville.

Subd. 111. **Route No. 180.** Beginning at a point on Route No. 392 southwest or west of Ashby, thence extending in a general northerly or northeasterly direction to a point on Route No. 153 as herein established at or near Ashby, thence extending in a northeasterly direction to a point on Route No. 181 as herein established at or near Ottertail.

Subd. 112. **Route No. 181.** Beginning at a point on Route No. 36 at or near Henning, thence extending in a northwesterly direction to a point on Route No. 2 at or near Perham.

Subd. 113. **Route No. 182.** Beginning at a point on Route No. 30 at or near Lake Lizzie, thence extending in a westerly direction to a point on Route No. 64 at or near Barnesville.

Subd. 114. **Route No. 183.** Beginning at a point on Route No. 36 east of Henning, thence extending in an easterly direction to a point on Route No. 2 at or near Staples.

Subd. 115. **Route No. 184.** Beginning at a point on Route No. 29 at or near Deer Creek, thence extending in a northerly direction to a point on Route No. 2.

Subd. 116. **Route No. 185.** Beginning at a point on Route No. 1 at Sandstone, thence extending in a northeasterly direction to a point on Route No. 103 as herein established in Duluth.

Subd. 117. **Route No. 186.** Beginning at a point on Route No. 110 as herein established, thence extending in an easterly direction to a point on Route No. 185 as herein established at or near Askov; affording Isle, Finlayson, and Askov, a reasonable means of communication each with the other and other places within the state.

Subd. 118. **Route No. 187.** Beginning at a point on Route No. 18 at or near Elk River, thence extending in a southerly direction to a point on Route No. 117 as herein established.

Subd. 119. **Route No. 188.** Beginning at a point on Route No. 69 at Buffalo, thence extending in an easterly direction to a point on Route No. 110 as herein established.

Subd. 120. **Route No. 189.** Beginning at a point on Route No. 5 southerly of Mora, thence extending in a southerly direction to a point on Route No. 132 as herein established.

Subd. 121. **Route No. 190.** Beginning at a point on Route No. 6 at or near Wheaton, thence extending in a southwesterly direction to a point on Route No. 28 at or near Browns Valley.

Subd. 122. **Route No. 191.** Beginning at a point on Route No. 190 as herein established southwesterly of Wheaton, thence extending in a westerly direction to a point on the line between the states of Minnesota and South Dakota.

Subd. 123. **Route No. 192.** Beginning at a point on Route No. 1 at or near Hinckley, thence extending in an easterly direction to the line between the states of Minnesota and Wisconsin.

Subd. 124. **Route No. 193.** Beginning at a point on Route No. 2 at or near Motley, thence extending in a northerly direction to a point on Route No. 34 westerly of Walker.

Subd. 125. **Route No. 194.** Beginning at a point on Route No. 117 as herein established at or near Mendota, thence extending in a northeasterly direction to a point on Route No. 102 as herein established.

Subd. 126. **Route No. 195.** Beginning at a point on Route No. 1 at or near Albert Lea, thence extending in a southwesterly direction to a point on the line between the states of Minnesota and Iowa.

Subd. 127. **Route No. 196.** Beginning at a point on Route No. 8 at or near Grand Rapids, thence extending in a northerly direction to a point on Route No. 160 as herein established; affording Grand Rapids and Big Fork a reasonable means of communication each with the other and other places within the state.

Subd. 128. **Route No. 197.** Beginning at a point on Route No. 4 southerly of Park Rapids, thence extending in an easterly direction to a point on Route No. 139 as herein established easterly of Backus.

Subd. 129. **Route No. 198.** Beginning at a point on Route No. 9 at or near LaCrescent, thence extending in a southerly direction to a point on the line between the states of Minnesota and Iowa.

Subd. 130. **Route No. 199.** Beginning at a point on Route No. 9 at or near Austin, thence extending in a southwesterly direction to a point on the line between the states of Minnesota and Iowa.

Subd. 131. **Route No. 200.** Beginning at a point on Route No. 4 at or near Itasca State Park, thence extending in a westerly direction to a point on Route No. 30 at or near Waubun.

Subd. 132. **Route No. 201.** Beginning at a point on Route No. 82, as herein established, near Waldorf, thence extending in a northwesterly direction to a point on Route No. 39 at or near Mankato.

Subd. 133. **Route No. 202.** Beginning at a point on Route No. 11 at or near Eveleth, thence extending in a northeasterly direction to a point on Route No. 35 at Gilbert.

Subd. 134. **Route No. 203.** Beginning at a point on Route No. 11 westerly of Duluth, thence extending in a southeasterly direction through Proctor and Duluth to the water's edge of St. Louis Bay, and there terminating.

Subd. 135. **Route No. 204.** Beginning at a point on Route No. 11, westerly of Duluth, thence extending in a southeasterly direction to a point on Route No. 103, as herein established in Duluth.

Subd. 136. **Route No. 205.** Beginning at a point on Route No. 54, easterly of Herman, thence extending in an easterly direction to a point on Route No. 29, at or near Alexandria.

Subd. 137. **Route No. 206.** Beginning at a point on Route No. 30, at or near Pelican Rapids, thence extending in an easterly direction to a point on Route No. 181, as herein established, southerly of Perham.

Subd. 138. **Route No. 207.** Beginning at a point on Route No. 2, at or near Frazee, thence extending in an easterly direction to a point on Route No. 4 at or near Menahga.

Subd. 139. **Route No. 208.** Beginning at a point on Route No. 28 at or near Starbuck, thence extending in a northerly direction to a point on Route No. 3 at or near Garfield.

Subd. 140. **Route No. 209.** Beginning at a point on Route No. 3 at or near Becker, thence extending in a northerly direction to a point on Route No. 18, at or near Brainerd; affording Becker, Foley, Gilman, Pierz and Brainerd, a reasonable means of communication each with the other and other places within the state.

Subd. 141. **Route No. 210.** Beginning at a point on Route No. 10 at or near Benson, thence extending in an easterly direction to a point on Route No. 4 at or near New London.

Subd. 142. **Route No. 211.** Beginning at a point on Route No. 64 at or near Barnesville, thence extending in a southwesterly direction to a point on Route No. 3 at or near Breckenridge.

Subd. 143. **Route No. 212.** Beginning at a point on Route No. 3 at or near Robbinsdale, thence extending in a northeasterly and easterly direction to a point on Route No. 62 easterly of New Brighton, affording necessary and reasonable means of communication to industrial areas engaged in the manufacture of essential war materials, and bringing into the Trunk Highway System an important route a portion of which has been heretofore improved with federal aid, and all which has been approved for surveys and plans with federal funds by the Public Roads Administration.

Subd. 144. **Route No. 213.** Beginning at a point on Route No. 185 in Duluth, thence extending in an easterly direction to a point on the line between the states of Minnesota and Wisconsin.

Subd. 145. **Route No. 214.** Beginning at a point on Constitutional Route No. 3, now known as Trunk Highway No. 61 in the City of Wabasha, Minnesota, thence northerly to a point on the line between the states of Minnesota and Wisconsin.

Subd. 146. **Route No. 215.** Beginning at a point on Route No. 1, at or near Carlton; thence extending in an easterly direction to a point on Route No. 185.

Subd. 147. **Route No. 216.** Beginning at a point on Route No. 35, at or near Hibbing; thence extending in an easterly direction to a point on Route No. 11 southerly of Eveleth.

Subd. 148. **Route No. 217.** Beginning at a point on Route No. 159, at or near Littlefork; thence extending in an easterly direction to a point on Route No. 11.

Subd. 149. **Route No. 218.** Beginning at a point on Route No. 11, westerly of Roseau; thence extending in a westerly direction thence in a general northerly direction to reach the international boundary near Pinecreek.

Subd. 150. **Route No. 219.** Beginning at a point on Route No. 170 easterly of Thief River Falls; thence extending in a general northerly direction to a point on Route No. 136 westerly of Grygla.

Subd. 151. **Route No. 220.** Beginning at a point on Route No. 175 at or near Climax; thence extending in a general northwesterly direction to a point on Route No. 8 at or near East Grand Forks; thence continuing in a general northerly direction to a point on Route No. 173 westerly of Warren; thence continuing in a general northerly direction to a point on Route No. 172 westerly of Donaldson.

Subd. 152. **Route No. 221.** Beginning at a point on Route No. 166 in Ely; thence extending in a general northeasterly direction to a point north of the center of Section 20, Township 63 North, Range 11 West.

Subd. 153. **Route No. 222.** Beginning at a point in or adjacent to Oklee; thence extending in a general southerly direction to a point on Route No. 65.

Subd. 154. **Route No. 223.** Beginning at a point in or adjacent to Leonard; thence extending in a westerly direction to a point on Route No. 65.

Subd. 155. **Route No. 224.** Beginning at a point in Section 23, Township 142 North, Range 41 West; thence extending in a general westerly direction to a point on Route No. 30.

Subd. 156. **Route No. 225.** Beginning at a point in Section 5, Township 140 North, Range 37 West; thence extending in a general southerly direction to a point on Route No. 34.

Subd. 157. **Route No. 226.** Beginning at a point in Section 10, Township 140 North, Range 34 West; thence extending in a general southerly direction to a point on Route No. 34.

Subd. 158. **Route No. 227.** Beginning at a point in or adjacent to Nimrod; thence extending in a westerly direction to a point on Route No. 4.

Subd. 159. **Route No. 228.** Beginning at a point in or adjacent to Vergas; thence extending in a general easterly direction to a point on Route No. 2.

Subd. 160. **Route No. 229.** Beginning at a point on Route No. 64 southerly of Barnesville; thence extending in a general easterly direction to a point on Route No. 30, at or near Pelican Rapids.

Subd. 161. **Route No. 230.** Beginning at a point on Route No. 6, at or near Moorhead; thence extending in a general westerly direction to a point on the boundary between the states of Minnesota and North Dakota.

Subd. 162. **Route No. 231.** [Discontinued and removed]

Subd. 163. [Repealed, 1996 c 456 s 24]

Subd. 164. [Repealed, 2001 c 213 s 29]

Subd. 165. **Route No. 234.** Beginning at a point on Route No. 138 westerly of Laporte; thence extending in a general southerly direction to a point on Route No. 34, at or near Akeley.

Subd. 166. **Route No. 235.** Beginning at a point in or adjacent to Urbank; thence extending in a general easterly direction to a point on Route No. 29.

Subd. 167. **Route No. 236.** [Discontinued and removed]

Subd. 168. **Route No. 237.** Beginning at a point in or adjacent to New Munich; thence extending in a general northerly direction to a point on Route No. 3.

Subd. 169. **Route No. 238.** Beginning at a point on Route No. 3 westerly of Albany; thence extending in a general northerly direction to a point at or near Upsala; thence continuing in a northerly direction to a point on Route No. 28 westerly of Little Falls.

Subd. 170. **Route No. 239.** Beginning at a point on Route No. 27, at or near Sauk Rapids; thence extending in a general southwestwardly direction crossing the Mississippi River; thence continuing in a general southerly direction to a point on Route No. 3 at or near St. Cloud.

Subd. 171. **Route No. 240.** Beginning at a point on Route No. 69, at or near Annandale; thence extending in a general northerly direction to a point on Route No. 3.

Subd. 172. **Route No. 241.** Beginning at a point in or adjacent to St. Michael; then extending in a general easterly direction to a point on Route No. 392.

Subd. 173. **Route No. 242.** Beginning at a point on Route No. 3 at or near Anoka, thence extending in a general easterly direction to a point on Route No. 5.

Subd. 174. **Route No. 243.** Beginning at a point on Route No. 95 southerly of Route No. 46; thence extending in a general southeasterly direction to a point on the boundary between the states of Minnesota and Wisconsin.

Subd. 175. [Repealed, 2001 c 213 s 29]

Subd. 176. **Route No. 245.** Beginning at a point at or near the junction of Route No. 3 and Route No. 20; thence extending in a general westerly direction to a point on Route No. 50.

Subd. 177. **Route No. 246.** Beginning at a point in or adjacent to Nerstrand; thence extending in a general northerly direction to a point westerly of Dennison; thence continuing in a general northwesterly direction to a point on Route No. 1 at or near Northfield.

Subd. 178. **Route No. 247.** Beginning at a point on Route No. 59 southerly of Zumbro Falls; thence extending in a general easterly direction to a point on Route No. 42 at or near Plainview.

Subd. 179. **Route No. 248.** Beginning at a point in or adjacent to Altura; thence extending in a general easterly direction to a point in or adjacent to Rollingstone; thence continuing in a general easterly direction to a point on Route No. 3.

Subd. 180. **Route No. 249.** [Discontinued and removed]

Subd. 181. **Route No. 250.** Beginning at a point on Route No. 9, at or near Lanesboro; thence extending in a general northerly direction to a point on Route No. 77.

Subd. 182. **Route No. 251.** Beginning at a point on Route No. 1, at or near Clarks Grove; thence extending in a general easterly direction to a point on Route No. 40.

Subd. 183. **Route No. 252.** Beginning at a point on Route No. 9 westerly of Austin; thence extending northeasterly to a point on Route No. 40 northerly of the south line of Section 34, Township 103 North, Range 18 West, Mower County, Minnesota; thence extending southeasterly to a point on Route No. 9 in or near Austin; thence extending easterly along Route No. 9 to a point in or near Austin and thence southerly and westerly to a point on Route No. 40 in or near Austin.

Subd. 184. **Route No. 253.** Beginning at a point in or adjacent to Bricelyn, thence extending in a general northerly direction to a point on Route No. 391.

Subd. 185. **Route No. 254.** Beginning at a point on Route No. 391 easterly of Blue Earth, thence extending in a general southerly direction to a point in or adjacent to Frost.

Subd. 186. **Route No. 255.** Beginning at a point on Route No. 5, at or near Winnebago; thence extending in a general easterly direction to a point on Route No. 39, at or near Wells.

Subd. 187. **Route No. 256.** Beginning at a point in or adjacent to Good Thunder; thence extending in a general northerly direction to a point on Route No. 5 in Mankato; thence continuing in a general northerly direction to a point on Route No. 122, in or adjacent to North Mankato; thence continuing in a general northeasterly direction to a point on Route No. 5 in Mankato.

Subd. 188. **Route No. 257.** Beginning at a point in or adjacent to Hanska; thence extending in an easterly direction to a point on Route No. 15.

Subd. 189. **Route No. 258.** Beginning at a point in or adjacent to Comfrey; thence extending in a general northerly direction to a point on Route No. 7.

Subd. 190. **Route No. 259.** Beginning at a point on Statutory Route No. 100, at or near Henderson; thence extending in a general southeasterly direction to a point on Statutory Route No. 123, at or near Le Sueur.

Subd. 191. **Route No. 260.** Beginning at a point on Route No. 5 southwesterly of Shakopee, thence extending in a northerly direction to a point on proposed Route No.

12, thence extending in a northeasterly direction to a point on Route No. 5 at or near Edina.

Subd. 192. [Repealed, 1996 c 456 s 24]

Subd. 193. **Route No. 262.** Beginning at a point in or adjacent to Granada; thence extending in a southerly direction to a point on Route No. 9 easterly of Fairmont.

Subd. 194. **Route No. 263.** Beginning at a point in or adjacent to Ceylon; thence extending in a general northerly direction to a point on Route No. 391 westerly of Fairmont.

Subd. 195. **Route No. 264.** Beginning at a point in or adjacent to Round Lake; thence extending in a general northerly direction to a point on Route No. 391 easterly of Worthington.

Subd. 196. **Route No. 265.** Beginning at a point on Route No. 85 northeasterly of Bigelow; thence extending in a southerly direction to a point on the boundary between the states of Minnesota and Iowa.

Subd. 197. **Route No. 266.** Beginning at a point in or adjacent to Wilmont; thence extending in a southeasterly direction to a point on Route No. 9, at or near Worthington.

Subd. 198. **Route No. 267.** Beginning at a point in or adjacent to Iona; thence extending in a general northerly direction to a point on Route No. 17, at or near Slayton.

Subd. 199. **Route No. 268.** Beginning at a point at or adjacent to Edgerton; thence extending in a general westerly direction to a point on Route No. 6.

Subd. 200. **Route No. 269.** Beginning at a point on Route No. 88, at or southerly of Jasper; thence extending in a westerly direction to a point on the boundary between the states of Minnesota and South Dakota.

Subd. 201. **Route No. 270.** Beginning at a point in or adjacent to Hills; thence extending in a general easterly direction to a point on Route No. 6.

Subd. 202. **Route No. 271.** Beginning at a point on the boundary between the states of Minnesota and South Dakota near the northwest corner of Section 30, Township 113 North, Range 46 West; thence extending in an easterly and southerly direction to a point in or adjacent to Hendricks; thence continuing in a southerly direction to a point on Route No. 90.

Subd. 203. **Route No. 272.** Beginning at a point on Route No. 14 northerly of Milroy; thence extending in a southerly and easterly direction to a point on Route No. 4 south of Redwood Falls; thence continuing in an easterly direction to a point on Route No. 93, in or adjacent to Morgan.

Subd. 204. **Route No. 273.** Beginning at a point in or adjacent to Belview; thence extending in a southerly direction to a point on Route No. 14.

Subd. 205. **Route No. 274.** Beginning at a point in or adjacent to Wood Lake; thence extending in a general northerly direction to a point on Route No. 67.

Subd. 206. **Route No. 275.** Beginning at a point in or adjacent to Boyd; thence extending in a general northerly direction to a point on Route No. 12.

Subd. 207. **Route No. 276.** Beginning at a point on the boundary line between the states of Minnesota and South Dakota westerly of Marietta, thence extending in an easterly direction to a point in or adjacent to Marietta, thence extending in a general easterly direction to a point on Route No. 6.

Subd. 208. **Route No. 277.** Beginning at a point on Route No. 49 northerly of Maynard; thence extending in a northerly direction to a point on Route No. 145.

Subd. 209. **Route No. 278.** [Discontinued and removed]

Subd. 210. **Route No. 279.** Beginning at a point on Route No. 384 in Minneapolis, thence extending in a general southerly direction across the Minnesota River to a point at 138th Street in Apple Valley.

Subd 211 **Route No. 280.** Beginning at a point on St Anthony Avenue in St Paul, thence extending in a general northerly direction to a point on Route No 63, at or near New Brighton

Subd 212 **Route No. 281.** Beginning at a point on Route No 203 in Duluth, at or near its westerly junction with Route No 103, thence extending in a northeasterly direction through Duluth to a point on Route No 103 in the northeasterly portion of Duluth

Subd 213 **Route No. 282.** Beginning at a point on Route No 5, at or near Jordan, thence extending in a general northeasterly direction to a point on Route No 117 westerly of Spring Lake

Subd 214 **Route No. 283.** Beginning at a point on Route No 30, at or near Waubun, thence extending in a general westerly direction to a point on Route No 177

Subd 215 **Route No. 284.** Beginning at a point on Route No 121, at or near Waconia, thence extending in a southerly direction to a point on Route No 12

Subd 216 **Route No. 285.** [Discontinued and removed]

Subd 217 **Route No. 286.** Beginning at a point on Route No 196, at or near Marcell, thence extending in a westerly direction to a point on Route No 61

Subd 218 **Route No. 287.** Beginning at a point on Route No 28, at or near Grey Eagle, thence extending in a general northwesterly direction to a point on Route No 4

Subd 219 **Route No. 288.** Beginning at a point on Route No 242 in the city of Anoka, thence extending in a general northerly direction to a point at or in the grounds of the Anoka Metro Regional Treatment Center

Subd 220 **Route No. 289.** Beginning at a point on Route No 1 at or near Moose Lake, thence extending in a general southeasterly direction to a point at or in the grounds of the Moose Lake Regional Treatment Center

Subd 221 **Route No. 290.** Beginning at a point on Route No 19 south of Walker, thence extending in a general southwesterly direction to a point at or in the grounds of the Minnesota State Sanitarium

Subd 222 **Route No. 291.** Beginning at a point on Route No 3, at or near the intersection of Vermillion and 18th Streets in the City of Hastings, thence extending in an easterly direction to a point at or in the grounds of the Hastings State Hospital, thence extending in a general northeasterly direction to a point on present County State Aid Highway No 54, situated in the northwest one quarter of the northwest one quarter of Section 35, Township 115 North, Range 17 West, in the City of Hastings

Subd 223 **Route No. 292.** Beginning at a point on Route No 3 in Red Wing, thence extending in a general southerly and easterly direction through the grounds of the Minnesota State Training School for Boys to a point on Route No 3 in Red Wing

Subd 224 **Route No. 293.** Beginning at a point on Route No 132 in Cambridge, thence extending in a general southerly direction through the grounds of the Cambridge State School and Hospital to a point on old Route No 5

Subd 225 **Route No. 294.** Beginning at the intersection of business route No 71 (old trunk highway No 71) and Civic Center Road (formerly 15th Avenue NE) in Willmar, at or near the South Line of Government Lot 1, Section 2, Township 119 North, Range 35 West, thence extending in a general easterly, northerly, and northwesterly direction into and through the grounds of the Willmar Regional Treatment Center to the intersection with old trunk highway No 71 about 400 feet northerly of the South Line of Government Lot 1, Section 1, Township 119 North, Range 35 West

Subd 226 **Route No. 295.** Beginning at a point on Route No 7 in the City of St Peter, thence extending in a general southwesterly direction to a point at or in the grounds of the St Peter Regional Treatment Center

Subd 227 **Route No. 296.** [Discontinued and removed]

Subd 228 **Route No. 297.** Beginning at a point at or near the intersection of West Fir Avenue and North Oak Street in Fergus Falls, thence in a general northwesterly direction into and through the grounds of the Fergus Falls Regional Treatment Center,

thence in a general southeasterly direction to a point at or near the intersection of West Fir Avenue and North Union Avenue in Fergus Falls

Subd 229 **Route No. 298.** Beginning at a point on Route No 21 in the City of Faribault, thence extending in a southerly and easterly direction through the grounds of the Minnesota state academy for the blind, the Faribault regional treatment center, and the Minnesota correctional facility - Faribault

Subd 230 **Route No. 299.** Beginning at a point on Route No 21 in the City of Faribault, thence extending in a general northerly direction to a point at or in the grounds of the Minnesota state academy for the deaf

Subd 231 [Repealed, 1996 c 456 s 24]

Subd 232 **Route No. 301.** Beginning at a point on Route No 3, thence extending in a general westerly direction to the main entrance of the Minnesota State Reformatory for Men

Subd 233 **Route No. 302.** Beginning at a point on Route No 4 in the City of Sauk Centre, thence extending in a general northerly direction to a point at or in the grounds of the Minnesota State Home for Girls

Subd 234 **Route No. 303.** Discontinued and removed from TH system See Laws 1973, Chapter 249

Subd 235 **Route No. 304.** Beginning at a point on Route No 38 at or near Montevideo, thence extending in an easterly direction to connect with Route No 49 easterly of Montevideo

Subd 236 [Repealed, 2001 c 213 s 29]

Subd 237 **Route No. 306.** Beginning at a point on Route No 35 at or near Gilbert, thence extending in a general northeasterly direction to a point on Route No 35 at or near Biwabik

Subd 238 **Route No. 307.** Beginning at a point on Constitutional Route No 8 at or near East Grand Forks, thence extending in a general westerly direction to a point on the boundary between the states of North Dakota and Minnesota

Subd 239 **Route No. 308.** Beginning at a point on Constitutional Route No 11 westerly of Fox, thence running in a general northerly direction to a point on Statutory Route No 218 at or near Ross

Subd 240 **Route No. 309.** Beginning at a point on Route No 18 at or near Brainerd, thence extending in a general northwesterly direction to a point at or in the grounds of the Brainerd State School and Hospital, thence extending in a general southerly direction to a point on Route No 18 at or near Brainerd

Subd 241 **Route No. 310.** Beginning at a point on Route No 11 at or near Roseau, thence extending in a northerly direction to a point on the boundary line between the State of Minnesota and the Province of Manitoba, Canada

Subd 242 **Route No 311.** Beginning at a point on Route No 289 at or near the entrance to the Moose Lake State Hospital, thence extending in an easterly direction to a point on Route No 390

Subd 243 **Route No. 312.** [Discontinued and removed]

Subd 244 **Route No. 313.** Beginning at a point on Route No 11 at or near Warroad, thence extending in a northerly direction to a point on the boundary between the State of Minnesota and the Province of Manitoba, Canada

Subd 245 **Route No. 314.** Beginning at a point on Route No 110 southerly of St Francis, thence extending in a general easterly direction to a point on Route No 5, thence extending in a general easterly direction to a point on Route No 1 at or near Forest Lake, provided, however, that such route shall not be established, constructed or marked until receipt by the adjutant general of Minnesota of the authority from the proper federal agency to proceed with the acquisition of land for the construction of the proposed Bethel airport affording Bethel Airport a reasonable means of communication with other places within the state

Subd 246 **Route No. 315.** Beginning at a point on Route No 158 in International Falls, thence extending in a general northerly direction to the boundary line between the State of Minnesota and the Province of Ontario, Canada

Subd 247 **Route No. 316.** Beginning at a point on Route No 3 at or near Hastings, thence extending in a southeasterly direction to a point on Route No 3 at or near Red Wing

Subd 248 **Route No. 317.** Beginning at a point on Route No 220 westerly of Stephen in Marshall County, thence extending in a westerly direction to the boundary line between the state of Minnesota and the state of North Dakota

Subd 249 **Route No. 318.** Discontinued and removed from TH system See Laws 1974, Chapter 151

Subd 250 **Route No. 319.** Beginning at a point on Route No 6 in the city of Ortonville, thence in a general northwesterly direction to a point on Route No 148 in Ortonville

Subd 251 **Route No. 320.** Beginning at a point on Route No 116, easterly of Nerstrand, thence extending in a general westerly direction to a point on Route No 246 in or adjacent to Nerstrand

Subd 252 **Route No. 321.** Beginning at a point on Route No 22 in Eden Valley, thence extending in a general northerly direction, so as to run easterly of Horse Shoe Lake, to a point on Route No 23 in Richmond

Subd 253 [Repealed, 2001 c 213 s 29]

Subd 254 **Route No. 323.** Beginning at a point on Route No 298 at or near the intersection of Route No 298 and Barron Road, thence extending westerly, southerly and northeasterly to a point on Route No 298

Subd 255 **Route 324A.** Beginning at a point on Route No 6 in Hallock, thence extending in a general westerly direction following generally the location of present County State-Aid Highway No 3 to a point on the boundary line between the state of Minnesota and the state of North Dakota

Subd 256 **Route No. 325.** Beginning at a point on Constitutional Route No 11 in Baudette, thence extending in a northerly and northeasterly direction to the boundary line between the state of Minnesota and the Province of Ontario, Canada

Subd 257 [Repealed, 1996 c 456 s 24]

Subd 258 **Route No. 327.** [Discontinued and removed]

Subd 259 **Route No. 328.** Beginning at a point on Route No 6 in Hallock, thence extending in a general easterly direction to a point on Route No 174, northerly of Lake Bronson

Subd 260 **Route No. 329.** Beginning at a point on Route No 144 in or near Morris, thence extending in an easterly direction into and through the grounds of the West Central School and Experiment Station of the University of Minnesota and terminating at the east boundary thereof

Subd 261 **Route No. 330.** Beginning at a point on Route No 7 westerly of Lamberton, thence extending into and through the grounds of the Southwest Experiment Station of the University of Minnesota, thence back to a point on Route No 7

Subd 262 [Repealed, 1996 c 455 art 3 s 34]

Subd 263 **Route No. 332.** Beginning at a point on Koochiching County State-Aid Highway No 102 at its intersection with Constitutional Route No 4 and Constitutional Route No 11, southwesterly of International Falls, thence extending in a general easterly direction generally along the present route of said State-Aid Highway No 102 to its junction with Constitutional Route No 11 southeasterly of International Falls, thence extending in a general northerly direction generally along the present route of County State-Aid Highway No 114, a distance of approximately 2 1/2 miles, thence continuing in a general northerly direction to legislative Route No 158 east of International Falls

Subd 264 **Route No. 333.** Beginning at a point on Route 392 in Hennepin county, thence extending in a generally easterly direction to a point on Route 394 in Anoka or Ramsey county

Subd 265 **Route No. 334** Beginning at a point on Route No 116 at or near Inver Grove Heights, thence extending in a general northerly direction to a point on Route No 102 at or near St Paul

Subd 266 **Route No. 335.** Beginning at a point on Route No 7 near St Peter, thence extending in a southerly direction to a point at or in the grounds of the St Peter Regional Treatment Center

Subd 267 **Route No. 336.** Beginning at a point on Route No 2 at or near Dilworth, thence extending in a general southerly direction following generally the location of present County State-Aid Highway No 11 to a point on Route No 392

Subd 268 **Route No. 337.** From a point on Route No 2 in the city of Brainerd thence extending southwesterly to its intersection with new, marked trunk highway 371 as signed on May 30, 2001

History: 1957 c 19 s 3, 1957 c 287 s 3, 1957 c 943 s 46, 1959 c 381 s 1-3, 1959 c 426 s 1, Ex1959 c 43 s 1, 1961 c 431 s 1, 1961 c 451 s 1, 1961 c 498 s 1, 1963 c 884 s 15, 1965 c 207 s 1,2, 1967 c 421 s 1, Ex1967 c 12 s 1,2, 1971 c 488 s 1, 1971 c 492 s 1-3, 1971 c 635 s 1, 1971 c 639 s 1, 1971 c 858 s 1,2, Ex1971 c 48 s 21, 1973 c 123 art 5 s 7, 1973 c 249 s 1, 1974 c 123 s 1, 1974 c 151 s 1, 1974 c 265 s 2, 1974 c 287 s 1, 1974 c 386 s 1, 1975 c 214 s 1, 1976 c 2 s 172, 1976 c 62 s 1, 1976 c 166 s 7, 1977 c 80 s 1,3, 1978 c 472 s 1,2, 1980 c 533 s 3-5, 1981 c 209 s 2, 1982 c 617 s 2,3, 1986 c 454 s 5 subd 3, 1987 c 384 art 1 s 49,55, 1988 c 565 s 2-4, 1989 c 169 s 1, 1990 c 384 s 1 subd 3, 1991 c 339 s 10,11, 1992 c 396 s 1, 1993 c 289 s 2 subd 3, 1994 c 408 s 1, 1998 c 403 s 10,11, 1999 c 230 s 7, 2001 c 213 s 3-5

161.117 TRUNK HIGHWAYS, ADDITIONAL ROUTES

Subdivision 1 **New routes added.** There may be added by order of the commissioner of transportation to the trunk highway system new routes described as follows

Subd 2 **Route No. 380.** Beginning at a point on Route No 390 at its intersection with Shepard Road in the city of St Paul, thence extending in a northeasterly direction generally following along the course of Shepard Road to a point on Route No 112, thence extending in a northeasterly direction to a point on Route No 392 easterly of the downtown area of St Paul, providing a connector route between Route No 390 and Route Nos 112 and 392,

Subd 3 **Route No. 382.** Beginning at a point on Route No 390 at its junction with Route No 111, thence extending in a general northerly direction, within the corridor of the right-of-way already acquired on May 31, 1975, for Route No 390, to a point on Short Line Road, thence extending in a northeasterly direction within said corridor of right-of-way to the intersection of Pleasant Avenue and Kellogg Boulevard in the city of St Paul

Subd 4 **Route No. 383.** Beginning at a point on Route No 393 in the city of Bloomington and continuing in a northerly direction above the present alignment of Hennepin county state-aid highway No 18 to its intersection with Route No 3 in or near the city of Brooklyn Park

Subd 5 **Route No. 384.** Beginning at a point on Route No 393 in the city of Eden Prairie and continuing in an easterly direction along the present alignment of Hennepin county state-aid highway No 62 to its intersection with Route No 116

Subd 6 [Repealed, 1996 c 456 s 24]

History: 1975 c 203 s 19, 1976 c 166 s 7, 1978 c 740 s 1, 1986 c 452 s 29

161.12 MS 1957 [Repealed, 1959 c 500 art 6 s 13]

161.12 ADDITIONAL ROUTES ADDED; FEDERAL AID.

Subdivision 1. **Interstate system.** To take advantage of federal aid made available by the United States to the state of Minnesota for highway purposes, the following trunk highway routes are added to the trunk highway system which routes form a part of the national system of interstate and defense highways and may be referred to as the interstate system.

Subd. 2. **Route No. 390.** Beginning at a point on the boundary between the states of Minnesota and Iowa, southerly of Albert Lea; thence extending in a general northeasterly direction to a point in Duluth on the boundary between the states of Minnesota and Wisconsin. Route No. 390 shall not include any portion of trunk highway marked No. 3 from trunk highway marked No. 110 in Dakota county to East Seventh Street in the city of St. Paul.

Subd. 3. **Route No. 391.** Beginning at a point on the boundary between the states of Minnesota and South Dakota, westerly of Luverne; thence extending in a general easterly direction to a point on the boundary between the states of Minnesota and Wisconsin, near La Crescent.

Subd. 4. **Route No. 392.** Beginning at a point on the boundary between the states of Minnesota and North Dakota in or near Moorhead; thence extending in a general southeasterly direction through the city of Minneapolis; thence in a general easterly direction through the city of St. Paul to a point on the boundary between the states of Minnesota and Wisconsin in or near Lakeland.

Subd. 5. **Route No. 393.** Beginning at a point on Route No. 392, easterly of the city of St. Paul; thence in a general southerly and westerly direction through the city of South St. Paul; thence in a general westerly direction to a point in Eden Prairie Township, Hennepin County; thence in a general northerly direction to a point in the city of Maple Grove, Hennepin County; thence in a general easterly direction to a point on Route 390; thence in a general easterly, southeasterly and southerly direction to the point of beginning on Route No. 392, easterly of St. Paul.

Subd. 6. **Route No. 394.** Beginning at a point on Route No. 390, southerly of the Minnesota River; thence extending in a general northerly and northeasterly direction through the city of Minneapolis; thence continuing in a northeasterly direction to a point on Route No. 390, near Forest Lake and there terminating.

Subd. 7. **Route No. 395.** Beginning at a point on Route No. 390 at or near the intersection of Superior Street and Nineteenth Avenue West in the city of Duluth, thence extending in a northeasterly direction to a point on Route No. 103 at or near the intersection of Superior Street and Tenth Avenue East in the city of Duluth.

Subd. 8. **Route No. 396.** Beginning at a point approximately on the intersection of Legislative Route No. 103, also known as Trunk Highway 61 and London Road, and 10th Avenue East in Duluth; thence extending in a general northeasterly direction and approximately parallel to Legislative Route No. 103 to a point approximately on the intersection of Legislative Route No. 103 and 26th Avenue East in Duluth.

History: 1959 c 500 art 2 s 12; 1961 c 473 s 1; 1973 c 123 art 5 s 7; 1975 c 203 s 18; 1978 c 740 s 2; 1982 c 628 s 1; 1984 c 477 s 1

161.121 [Repealed, 1959 c 500 art 6 s 13]

161.122 RESTRICTIONS ON MARKED TRUNK HIGHWAY NO. 51.

The location, designation, marking and numbering of Legislative Route No. 125, marked trunk highway No. 51, as that route is established, located, designated, marked and traveled southerly of University Avenue within the city of St. Paul, shall not be changed by the commissioner of transportation.

Nothing in this section shall be construed to restrict the study of options under consideration regarding the completion of Interstate 35E.

History: 1981 c 345 s 1

161.123 [Repealed, 1995 c 265 art 1 s 3]

161.1231 PARKING FACILITIES FOR I-394.

Subdivision 1. Authority to construct. Notwithstanding any other law, the commissioner may acquire land by purchase, gift, or eminent domain for parking facilities described in this section and may construct, operate, repair, and maintain parking facilities primarily to serve vehicles traveling the route in the interstate highway system described generally as Legislative Routes Nos. 10 and 107 between I-494 and the Hawthorne interchange in the city of Minneapolis, also known as I-394. Other vehicles may use the parking facilities when space is available.

Subd. 2. Rules and procedures. The commissioner shall adopt rules and establish procedures for the operation and use of the parking facilities. The rules are exempt from the requirements of chapter 14. A copy of the rules that regulate use of the facilities by drivers must be posted in each parking facility. The rules must:

(1) establish incentives, which must include preferential parking locations, to encourage drivers of vehicles that travel I-394 and that are occupied by two or more persons to use the facilities;

(2) define peak travel hours and provide that during peak travel hours single-occupant vehicles be charged a surcharge to bring the parking fee for those vehicles to approximately the same level as parking fees charged in the private parking ramps located in Minneapolis;

(3) provide preferential parking locations for vehicles licensed and operated under section 168.021;

(4) establish application, permit, and use requirements; and

(5) provide for removal and impoundment of vehicles and assessment of a service fee on vehicles parked in violation of this section and the rules adopted under it.

Subd. 3. Federal aid. The commissioner may cooperate with the federal government or any agency of the federal government and may comply with the law of the United States and regulations adopted under those laws so that federal money available for construction of parking ramps described in the Surface Transportation Assistance Act of 1982, section 127, may be obtained.

Subd. 4. Agreements; leases. (a) The commissioner may make agreements with or may lease the parking facilities to the city of Minneapolis or to a private party. The agreement or lease may allow the city of Minneapolis or private party to operate the facilities according to the commissioner's rules and procedures and to collect the fees established by the commissioner. The commissioner shall require a private operator to obtain liability insurance in an amount prescribed by the commissioner to insure the operator and the state against all claims occurring because of the existence of the agreement or lease. The agreement may provide for reasonable compensation.

(b) The commissioner may negotiate the agreement or lease without requiring competitive bids. The terms of an agreement or lease must be approved by the federal agency that grants money for the construction of the facilities.

Subd. 5. Fees. The commissioner shall establish and collect fees for use of the parking facilities. The fees must be established and adjusted in compliance with United States Code, title 23, section 137, and are not subject to chapter 14, including section 14.386, or 16A.1285.

Subd. 6. Enforcement. This section must be enforced in the same manner as parking ordinances or laws are enforced in Minneapolis. The commissioner may revoke the permit or refuse to issue a permit to a person who repeatedly violates subdivision 7 or the rules of the commissioner.

Subd. 7. Prohibition. A person may not park a motor vehicle in a parking facility described in subdivision 1 except in compliance with subdivision 5 and the rules of the commissioner adopted under subdivision 2. Violation of this subdivision is a misdemeanor.

Subd. 8. **Special account.** Fees collected by the commissioner under this section must be deposited in the state treasury and credited to a special account. Money in the account is appropriated to the commissioner to operate, repair, and maintain the parking facilities and the high-occupancy vehicle lanes on I-394.

Subd. 9. **Loan by Minneapolis.** Notwithstanding the provisions of any statute or home rule charter to the contrary, the city of Minneapolis may incur indebtedness and may issue and sell bonds and other obligations pledging the full faith and credit of the city to its payment for the purpose of loaning and may loan money to the commissioner for deposit in the state treasury to the credit of the trunk highway fund in an amount sufficient for the construction of parking facilities described in subdivision 1 without submitting the question of the issuance of the bonds to the electors. Except as provided in this subdivision, the bonds shall be issued and sold according to the provisions of chapter 475. When funds are received by the state from federal aid allotted to the construction of the parking facilities described in subdivision 1, the commissioner must pay those funds to the city from the trunk highway fund together with any interest or inflation adjustment thereon which is included in the federal aid.

Subd. 10. **Local approval.** Subdivisions 1 to 8 are effective June 6, 1985. Subdivision 9 is effective the day after compliance with section 645.021, subdivision 3, by the governing body of the city of Minneapolis.

History: 1985 c 299 s 41; 1995 c 265 art 1 s 1; 1996 c 305 art 3 s 23; 1997 c 187 art 5 s 22

161.124 [Repealed, 1995 c 265 art 1 s 3]

161.1245 HIGHWAY CONSTRUCTION; AUTHORIZATIONS AND RESTRICTIONS.

Subdivision 1. **Routes No. 382 and No. 392.** The commissioner of transportation is authorized to construct a four-lane parkway with limited access along the right-of-way of Route No. 382 in the city of St. Paul. The commissioner shall not construct any highway on Route No. 382 or connection to Route No. 392 other than that described in this subdivision.

Subd. 2. [Repealed, 1982 c 628 s 3]

Subd. 3. **Route No. 3.** The commissioner of transportation shall not authorize the construction of any traffic lanes on trunk highway marked No. 3 from trunk highway marked No. 110 in Dakota county to East Seventh Street in the city of St. Paul in addition to those in existence on January 1, 1978.

Subd. 4. **Route No. 396.** Notwithstanding any state law to the contrary, the commissioner of transportation shall extend, without undue delay, the interstate route commonly known as I-35 by construction of Route No. 396 described in section 161.12 in accordance with federal regulations for receiving federal aid made available by the United States to the state of Minnesota for highway purposes.

History: 1978 c 740 s 4; 1982 c 628 s 2; 1984 c 477 s 2; 2001 c 191 s 2

161.125 SOUND ABATEMENT ALONG HIGHWAYS.

Subdivision 1. **Implementation.** The commissioner of transportation shall implement a noise abatement study and noise abatement measures within or along the perimeter of freeways and expressways in incorporated areas contingent on the availability of funding, in accordance with section 116.07, subdivision 2a. The commissioner shall report to the legislature by February 1, 1997, on noise abatement studies and measures undertaken during the previous calendar year and planned for the next three years under this subdivision. The study must include a survey of all applicable noise standards and feasible noise abatement measures, and an evaluation of their ability to protect citizens.

Subd. 2. [Repealed, 1977 c 454 s 49]

Subd. 3. **Sound abatement measures.** (a) For the purpose of this section, sound abatement measures include but are not limited to the following:

(1) traffic management measures, including reduced speed limits or exclusion and rerouting of excessively noisy vehicles;

(2) design and construction measures, including use of sound absorbing road surface materials, landscaping and planning, acquisition of buffer zones or noise insulation of buildings on abutting property;

(3) enforcement of the motor vehicle source noise limits of the pollution control agency and of the federal bureau of motor carrier safety; and

(4) other measures designed for the purpose of reducing motor vehicle source noise or reducing the effects of that noise.

(b) The commissioner of public safety shall cooperate with the commissioner of transportation in implementing any sound abatement measures that include law enforcement activities.

History: 1975 c 203 s 20; 1976 c 164 s 1; 1976 c 166 s 7; 1977 c 454 s 13,14; 1978 c 791 s 18; 1981 c 357 s 49; 1983 c 326 s 1; 1995 c 265 art 2 s 16

161.13 MS 1957 [Repealed, 1959 c 500 art 6 s 13]

161.13 CONNECTING ROUTES.

Subdivision 1. **Certain routes may be added.** Routes conforming to the standards and in the locations hereinafter prescribed may be added to the trunk highway system by order of the commissioner so as to provide an efficient, practicable and economical method of meeting situations and conditions that may arise during the periods between legislative sessions requiring connections between trunk highways on the interstate system and other trunk highways.

Subd. 2. **Location.** The commissioner may establish and thereafter construct, reconstruct, and maintain routes connecting a trunk highway on the interstate system with another trunk highway in the vicinity of Geneva, Medford, White Bear, Rush City, Pine City and Wyoming. If after any such connecting route has been constructed, the trunk highway or portion thereof that is one terminus of such route is removed from the trunk highway system but remains a public road, the connecting route shall remain a trunk highway.

Subd. 3. **Definite and specific locations and numbering left to commissioner.** The definite and specific locations of such routes and the numbering thereof shall be fixed and determined by order of the commissioner.

Subd. 4. **Not to exceed certain lengths.** No such route shall exceed five miles in length, and the total length of all such routes shall not exceed 25 miles.

History: 1959 c 500 art 2 s 13

161.131 [Repealed, 1959 c 500 art 6 s 13]

161.132 [Repealed, 1959 c 500 art 6 s 13]

161.133 [Repealed, 1959 c 500 art 6 s 13]

161.134 [Repealed, 1959 c 500 art 6 s 13]

161.135 [Repealed, 1959 c 500 art 6 s 13]

161.139 HIGHWAY DESIGNATION COSTS.

The commissioner shall not adopt a design or erect a sign to mark or memorialize a highway or bridge, pursuant to designation by the legislature on or after January 1, 1996, unless the commissioner is assured of the availability of funds from nonstate sources sufficient to pay all costs related to designing, erecting, and maintaining the signs.

History: 1996 c 455 art 3 s 5

161.14 MS 1957 [Repealed, 1959 c 500 art 6 s 13]

161.14 NAMES AND DESIGNATIONS OF CERTAIN HIGHWAYS.

Subdivision 1. **Capitol Highway.** The following route between the city of St. Paul and the south boundary of the state of Minnesota is hereby named and designated "The Capitol Highway:"

Beginning at the intersection of University Avenue and highway No. 62 in Anoka County, thence southerly along University Avenue through Minneapolis, and thence southerly along University Avenue and Robert Street through St. Paul, thence southerly along South Robert Street through West St. Paul, to a point at or near the northeast quarter-corner of section 19, township 27, range 22, thence southeasterly and southerly to a point at or near the southeast corner of section 35, township 113, range 19, thence southerly traversing in part the line between Rice and Goodhue counties, to trunk highway No. 21, thence southeasterly on such highway to trunk highway No. 56, thence southerly on trunk highway No. 56 through Dodge Center to Constitutional Route No. 9, now marked trunk highway No. 16, thence east on Constitutional Route No. 9, now marked trunk highway No. 16, to the northeast corner of section 2, township 102, range 17, thence in a southerly direction along county state-aid highway No. 19 to the junction of statutory route No. 81, now marked trunk highway No. 56, thence southeasterly along statutory route No. 81, now marked trunk highway No. 56, to the junction of county state-aid highway No. 12, thence southerly along county state-aid highway No. 12 to a point on the Iowa state line near the south quarter line of section 34, township 101, range 14.

Subd. 2. **Colvill Memorial Highway.** The following described highway shall be known as "The Colvill Memorial Highway:"

Beginning at Gaylord and running thence in an easterly direction through Lonsdale, Northfield and Cannon Falls, terminating at the city of Red Wing.

Subd. 3. **Floyd B. Olson Memorial Highway.** The following described highway shall be known as the "Floyd B. Olson Memorial Highway:"

Route No. 55, when permanently established, shall thereafter be known as the "Floyd B. Olson Memorial Highway" in addition to its statutory number.

Subd. 4. **Theodore Christianson Drive.** The following route in the vicinity of Dawson is named and designated "The Theodore Christianson Memorial Drive" in memory of the late Governor Theodore Christianson of Dawson, Minnesota, to-wit:

Beginning at a point on Constitutional Route No. 26, now marked trunk highway No. 12, at its intersection with Constitutional Route No. 66, now marked trunk highway No. 119, northerly of Appleton; thence extending in a southerly direction along Constitutional Route No. 66 to its intersection with Statutory Route No. 144, now marked trunk highway No. 119, at or near the south corporate limits of Appleton; thence extending southwesterly and southerly along said Statutory Route No. 144 to a point approximately six miles east of Madison; thence continuing southerly along present county state-aid highway No. 25 to its intersection with Constitutional Route No. 12, now marked trunk highway No. 212, at or near the westerly limits of Dawson; thence easterly along Constitutional Route No. 12 to its intersection with present county state-aid highway No. 23 in Dawson; thence continuing southerly along present county state-aid highways No. 23 and No. 11 to a point on Constitutional Route No. 48, now marked trunk highway No. 67.

Beginning at a point near the present junction of state trunk highway No. 40 and county state-aid highway No. 13 in Lac qui Parle County; thence extending in a general easterly direction along Statutory Route No. 276, now marked trunk highway No. 40 and county state-aid highway No. 20 in said county to a point at or near the city of Lac qui Parle; thence continuing in a general easterly and northerly direction to county state-aid highway No. 33; thence continuing easterly across the Minnesota River and Dam to its intersection with state trunk highway No. 59; thence extending in a general easterly direction along state trunk highway No. 59 to the junction of state trunk highway No. 7 in the city of Montevideo; thence extending in a general easterly direction on state trunk highway No. 7 to a point at or near the city of Minneapolis and there terminating.

Subd. 5. **P. H. McGarry Memorial Drive.** That portion of Constitutional Route No. 19, known as trunk highway No. 371, in Cass County from its south junction of Constitutional Route No. 34 to Walker is hereby named and designated as the "P. H. McGarry Memorial Drive."

Subd. 6. **Veterans' Evergreen Memorial Drive.** (a) That portion of road No. 185, known as trunk highway No. 23 in St. Louis, Pine, and Carlton counties, is hereby named and designated "Veterans' Evergreen Memorial Drive" in memory of veterans of St. Louis, Pine, and Carlton counties.

(b) The commissioner shall install a bronze plaque with an inscription to read, "In grateful memory of all men and women from Carlton, Pine, and St. Louis Counties who served in World War I, World War II, Korea, Vietnam, and all future conflicts."

Subd. 7. **Prohibition of advertisements.** No advertisement or sign shall be displayed within a distance of 300 feet from the center of the traveled part of the Evergreen Memorial Drive, but this provision shall not apply within a municipality nor to any sign erected by public authority for the regulation of traffic nor to any advertisement or sign upon the wall of a building in which the goods advertised are offered for sale or the business advertised is conducted.

Subd. 8. **Commissioner may remove advertisements.** The commissioner shall remove or cause to be removed any advertisement or sign prohibited under this section.

Subd. 9. **Yellowstone Trail.** The highway now marked and known as Trunk Highway No. 212 from the Wisconsin state line to the South Dakota state line is hereby named and designated as the "Yellowstone Trail," and the commissioner of transportation shall adopt a suitable marking design with which the commissioner shall mark or blaze said highway to carry out the purposes of this subdivision.

Subd. 10. **Sioux Trail.** (a) The following route is named and designated the "Sioux Trail:"

Beginning at a point in Mendota at or near the Mendota Bridge over the Mississippi River; thence extending southwesterly along Legislative Route No. 117 to its junction with Legislative Route No. 187; thence extending westerly along Legislative Route No. 187 to its junction with Constitutional Route No. 5 in Shakopee; thence extending southwesterly along Constitutional Route No. 5 to Mankato; thence extending southwesterly along Constitutional Route No. 5 to its junction with Legislative Route No. 83; thence extending northwesterly along Legislative Route No. 83 to its junction with Constitutional Route No. 15; thence extending northerly along Constitutional Route No. 15 across the Minnesota River to its junction with Nicollet County State-Aid Highway No. 21; thence extending northwesterly along Nicollet County State-Aid Highway No. 21 to Nicollet County State-Aid Highway No. 29 near Fort Ridgely State Memorial Park; thence extending northwesterly along Nicollet County State-Aid Highway No. 29 to Renville County State-Aid Highway No. 5 at the Renville County line; thence extending northwesterly along Renville County State-Aid Highway No. 5 to Renville County Highway No. 51 at or near Franklin; thence extending northwesterly along Renville County Highway No. 51 to Constitutional Route No. 14 easterly of Morton; thence extending along Constitutional Route No. 14 to its junction with Constitutional Route No. 4 at Morton; thence extending northwesterly along Constitutional Route No. 4 at its junction with Renville County State-Aid Highway No. 15; thence extending northwesterly along Renville County State-Aid Highway No. 15 to its junction with Renville County State-Aid Highway No. 10; thence extending northerly along Renville County State-Aid Highway No. 10 to its junction with Renville County Highway No. 52; thence extending along Renville County Highway No. 52 to Chippewa County Highway No. 40 at the Chippewa County line; thence extending northwesterly along Chippewa County Highway No. 40 to its junction with Constitutional Route No. 12 at Granite Falls; thence extending northwesterly along Constitutional Route No. 12 to its junction with Constitutional Route No. 66 at Montevideo; thence extending northwesterly along Constitutional Route No. 66 to its junction with Legislative Route No. 147 at or near Appleton; thence extending northwesterly along Legislative Route

No. 147 to its junction with Constitutional Route No. 6; thence extending northwesterly along Constitutional Route No. 6 to Ortonville.

(b) The commissioner of transportation shall adopt a suitable marking design with which the commissioner shall mark or blaze the specified portions of the trunk highway routes heretofore described over which the Sioux Trail is located, and the counties of Nicollet, Renville, and Chippewa shall mark or blaze their respective highways heretofore described with the same marking design adopted by the commissioner of transportation.

Subd. 11. **Arthur V. Rohweder Highway.** That portion of Constitutional Route No. 1, known as Trunk Highway No. 61, from Lester Park in Duluth to Two Harbors, as the same is relocated and to be constructed on new alignment, is hereby named and designated as the "Arthur V. Rohweder Memorial Highway."

Subd. 12. **Hiawatha Pioneer Trail.** (a) The following route is named and designated the "Hiawatha Pioneer Trail":

Beginning at Trunk Highway No. 61 on the boundary line between the states of Minnesota and Wisconsin; thence northwesterly on Trunk Highway No. 61 to junction with Trunk Highway No. 12 in St. Paul; thence westerly and southwesterly on Trunk Highways No. 12 and No. 5 to Fort Snelling; thence southwesterly on Trunk Highway No. 3 to Faribault; thence westerly on Trunk Highway No. 99 to St. Peter; thence southerly on Trunk Highway No. 22 to Mankato; thence westerly on Trunk Highway No. 68 to Sleepy Eye; thence northerly on Trunk Highway No. 4 to Fairfax; thence westerly on Trunk Highway No. 19 to junction with Trunk Highway No. 67; thence northerly on Trunk Highway No. 67 to Granite Falls; thence southwesterly on Trunk Highway No. 23 to junction with Trunk Highway No. 14; thence westerly on Trunk Highway No. 14 to Lake Benton; thence southerly on Trunk Highway No. 75 to Pipestone; thence easterly on Trunk Highway No. 30 to Slayton; thence southerly on Trunk Highway No. 59 to Worthington; thence easterly on Trunk Highway No. 16 to Jackson; thence southerly on Trunk Highway No. 71 to the boundary line between the states of Minnesota and Iowa.

(b) The route of the "Hiawatha Pioneer Trail" designated in paragraph (a) of this subdivision is the main route of the trail. The following routes are named and designated as the alternate southern route and the alternate northern route of the "Hiawatha Pioneer Trail."

(c) The alternate southern route is described as follows:

Commencing at the junction of Trunk Highway No. 61, on the main route, and Trunk Highway No. 14, north and west of Winona, thence westerly on Trunk Highway No. 14 to Owatonna; thence northerly on Trunk Highway No. 3 to Faribault, and connecting to the main route.

(d) The alternate northern route is described as follows:

Commencing at the junction of Trunk Highway No. 12, on the main route, and Trunk Highway No. 10 in the city of St. Paul; thence northerly on Trunk Highway No. 10 to Little Falls, to junction Trunk Highway No. 371; thence northerly on Trunk Highway No. 371 to Brainerd and junction with Trunk Highway No. 18; thence easterly on Trunk Highway No. 18 to Garrison and junction with Trunk Highway No. 169; thence southerly on Trunk Highway No. 169 to junction with Trunk Highway No. 65; thence northerly on Trunk Highway No. 65 to Jacobsen, and junction with Trunk Highway No. 34; thence easterly on Trunk Highway No. 34 to junction with Trunk Highway No. 2; thence easterly and southerly on Trunk Highway No. 2 to Duluth and junction with Trunk Highway No. 23; thence southerly and westerly on Trunk Highway No. 23 to Sandstone and junction of Trunk Highway No. 61, thence southerly on Trunk Highway No. 61 to North Branch and junction with Trunk Highway No. 95; thence easterly and southerly on Trunk Highway No. 95 to Stillwater and junction with Trunk Highway No. 212; thence southerly and westerly to Trunk Highway No. 12 on the main route in the city of St. Paul.

(e) The commissioner of transportation shall adopt a suitable marking design with which the commissioner shall mark or blaze the highways heretofore described over which the "Hiawatha Pioneer Trail" is located.

Subd. 12a. **Hiawatha Pioneer Trail; alternate route.** The following route is designated as an alternate route of the "Hiawatha Pioneer Trail":

Commencing at the junction of Trunk Highway No. 61; on the main route, and Trunk Highway No. 58, at Red Wing, thence southwesterly on Trunk Highway No. 58, to its junction with Trunk Highway No. 52, at Zumbrota. The commissioner shall mark the route as provided in subdivision 12.

Subd. 13. **Blue Star Memorial Highway.** Trunk Highway Routes Numbered 390, 392, 394, and 395, as described in section 161.12, are hereby named and designated as the "Blue Star Memorial Highway."

Subject to the approval of the commissioner of transportation, the Blue Star Memorial marker may be placed in roadside rest areas, waysides, or parking areas within the right-of-way of the routes described in the first paragraph of this subdivision.

Subd. 14. **John A. Johnson Memorial Highway.** That portion of trunk highway marked No. 5 commencing in the city of St. Paul, to interstate highway marked No. 494; and that portion of trunk highway marked No. 169 from the intersection of interstate highway marked No. 494 to the city of St. Peter is hereby named and designated as the "John A. Johnson Memorial Highway."

Subd. 15. **Glacial Ridge Trail.** (a) The following route is named and designated the "Glacial Ridge Trail":

Beginning at the junction of Trunk Highway No. 71, at its intersection with Trunk Highway No. 12, in Willmar; thence extending north and northeasterly along Trunk Highway No. 71 to its intersection with Kandiyohi County Highway No. 90; thence extending east along said Highway No. 90 to its junction with Kandiyohi County State Aid Highway (SAH) No. 9; thence extending north and northeasterly along said Highway No. 9 to its junction with Kandiyohi SAH No. 26; thence extending east along said Highway No. 26 to its junction with Kandiyohi SAH No. 8; thence extending north along said Highway No. 8 to its junction with Kandiyohi SAH No. 10, south of Green Lake; thence northerly along said Highway No. 10 to its junction with Kandiyohi SAH No. 30 in Spicer; thence extending northerly and easterly along said Highway No. 30 to its junction with Kandiyohi County SAH No. 2; thence extending northerly on said Highway No. 2 to a highway easterly of Long Lake and on the north side of Irving Township; thence westerly and southerly on the township road through Sections 4 and 5 of Irving Township to Kandiyohi County Highway No. 103 to its junction with a township road running south through Sections 6, 7, and 18 of Irving Township to its junction with Kandiyohi SAH No. 40; thence west on said Highway No. 40, across Trunk Highway No. 23 to the junction of SAH No. 40 and SAH No. 9 in the City of New London; thence via city streets to Trunk Highway No. 9 in New London; thence extending westerly on said Highway No. 9, to its junction with Trunk Highway No. 71; thence southerly on said Highway No. 71 to Kandiyohi County SAH No. 48; thence westerly through Sibley State Park and northerly, across Trunk Highway No. 9, to Colfax Township road running westerly through Sections 27, 22, 21, 20, and 19, of said township, and Section 24 of Norway Lake Township to Kandiyohi County Road No. 1, thence north to the township road on the south side of Sections 13 and 14 of Norway Lake Township to Kandiyohi County Road No. 115 to its junction with Kandiyohi County SAH No. 36 and west on said Highway No. 36 to a Norway Lake Township Road running northerly through Section No. 5 to the Pope County line and there joining a township road in Section 32 of Lake Johanna Township; thence northerly and westerly through Sections 32 and 31 to Trunk Highway No. 104; thence northerly on said Highway No. 104 to a township road; running westerly through Sections 24 and 23 of Gilchrist Township to Pope County Highway No. 84; thence westerly on said Highway No. 84 to the west side of Section No. 15; thence northerly and westerly on a township road through Sections 16 and 17 to Pope County SAH No. 8; thence north on

said Highway No. 8, in Section No. 8, to a township road; thence in a general northwesterly direction on township roads to Trunk Highway No. 104.

And beginning in the Community of Terrace, in Section No. 33 of Chippewa Falls Township, Pope County, Minnesota; thence northwesterly on Pope County SAH No. 21 to a township road; thence westerly on said township road to Trunk Highway No. 104; thence along said Highway No. 104 in a westerly and northerly direction to Pope County SAH No. 18; thence westerly on said Highway No. 18 to Pope County SAH No. 17; thence northerly on said Highway No. 17 to its junction with Trunk Highway No. 104; thence northerly to Trunk Highway No. 28 in Glenwood; thence easterly on said Highway No. 28 to its junction with Pope County SAH No. 25; thence northerly and easterly to the City of Villard; thence to Trunk Highway No. 28 and easterly to its junction with Trunk Highway No. 71; thence northerly on said Highway No. 71 to the city of Sauk Centre.

And beginning in the City of Villard on Pope County SAH No. 28; thence westerly on said SAH No. 28 to its junction with Trunk Highway No. 29.

And beginning at the south limits of the City of Alexandria on Trunk Highway No. 29; thence southerly to its junction with Trunk Highway No. 55; thence southeasterly to 14th Avenue Northeast and the adjacent Mount Lookout Rest Area in the City of Glenwood; thence westerly on said 14th Avenue NE to its junction with Trunk Highway No. 29; thence southerly on said Highway No. 29 to its junction with Trunk Highway No. 104 in the City of Glenwood.

And beginning in the City of Glenwood at the junction of Trunk Highway No. 104 and Lakeshore Drive; thence westerly on Lakeshore Drive into the City of Long Beach to Golf Course Road; thence on Golf Course Road to Trunk Highway No. 29; thence on said Highway No. 29 to Pope County SAH No. 24; thence westerly on said SAH No. 24 to the Pelican Lake Road; thence southerly on said road to Trunk Highway No. 29; thence southerly and westerly on said Highway No. 29 through the City of Starbuck to Pope County SAH No. 41; thence southerly on said SAH No. 41 to Glacial Lakes State Park.

And beginning on Pope County SAH No. 41 at its junction with Pope County Highway No. 74; thence easterly on said County Highway No. 74 to its junction with Pope County SAH No. 13; thence southerly on said SAH No. 13 to its junction with a township road on the north side of Section 5 of Rolling Forks Township; thence easterly on said township road through Sections 5, 4, and 3 of Rolling Forks Township; said road continuing as the township road through Sections 34, 35, and 36 of Barsness Township to its junction with Pope County SAH No. 19.

And beginning at the junction of Trunk Highway 104 and Pope County SAH No. 19; thence southerly on said SAH No. 19 to the Swift County line where it becomes Swift County SAH No. 25; thence on said SAH No. 25 to the Swift Falls Community Park.

And beginning at the junction of Swift County SAH No. 25 and Swift County Highway No. 87; thence southerly and easterly on said Highway No. 87 to its junction with a township road in Section 12 of Camp Lake Township; thence easterly and northerly on township roads through Sections 12 and 1 of Camp Lake Township to a junction with a township road in Section No. 6 of Kerkhoven Township; thence easterly and southerly on township roads through Sections No. 6, 5, 4, 3, 2, and 11 to its junction with Swift SAH No. 28; thence easterly on said SAH No. 28 to its junction with Swift County Highway No. 95; thence southerly on said Highway No. 95 through Monson Lake Memorial Park to its junction with Swift County SAH No. 18; thence easterly on said SAH No. 18 to the Kandiyohi County line where it becomes Kandiyohi County SAH No. 40; thence on said SAH No. 40 to Trunk Highway No. 104.

And beginning at the junction of Kandiyohi County SAH No. 36 and a township road in Section No. 8 of Norway Lake Township; thence southerly on said SAH No. 36 to its junction with Trunk Highway No. 9; thence on said Highway No. 9 to its junction with Trunk Highway No. 104; thence south on said Highway No. 104, through the City

of Sunburg to the junction of said Highway No. 104 and Kandiyohi County SAH No. 40; thence easterly on said SAH No. 40 to its junction with Kandiyohi SAH No. 5.

And beginning at the junction of Kandiyohi County SAH's No. 48 and 38; thence southerly on said SAH No. 38 to Kandiyohi County SAH No. 40; thence westerly on said SAH No. 40 to its junction with Kandiyohi SAH No. 5; thence southerly on said SAH No. 5 to its junction with a township road in Section No. 9 of Dovre Township; thence easterly on said township road through Sections No. 9, 10, and 11 to its intersection with Kandiyohi County SAH No. 27; thence easterly on said SAH No. 27 to its junction with a township road in Section No. 13 of Dovre Township; thence on said township road through Sections No. 13, 14, 23, 25, and 36 of Dovre Township to its junction with Trunk Highway No. 71.

(b) The respective road authorities of the highways over which the route described in this subdivision is located shall place and maintain the "Glacial Ridge Trail" emblem, an arrowhead design with red, black, and white colors, on the highways under their jurisdiction to adequately mark the highways as "Glacial Ridge Trail."

(c) The state transportation department shall make sufficient additional markers to enable the counties to mark those portions of the trail not maintained by the state.

Subd. 16. Eisenhower Memorial Bridge. The bridge over the Mississippi river at the city of Red Wing, being part of legislative route No. 161, is hereby named and designated the "Eisenhower Memorial Bridge." Any plaques or signs memorializing this bridge should be furnished by other than the Minnesota department of transportation and approved by the commissioner of transportation.

Subd. 17. Hiawatha-Appleblossom Scenic Drive. (a) The following described route is named and designated the "Hiawatha-Appleblossom Scenic Drive."

Beginning at a point in LaCrescent on Houston county state aid highway No. 29; thence extending northerly along Houston county state aid highway No. 29 to the Winona county line; thence extending northerly and westerly along Winona county state aid highway No. 1 to its junction with Winona county state aid highway No. 12; thence easterly along Winona county state aid highway No. 12 to its intersection with trunk highway marked No. 61 in Dakota and there terminating. Also from the junction of Winona county state aid highway No. 1 and Winona county state aid highway No. 12; thence westerly and northerly along Winona county state aid highway No. 12 to its intersection with Winona county state aid highway No. 3; thence easterly and northerly along Winona county state aid highway No. 3 to its intersection with trunk highway marked No. 61 and there terminating.

(b) The respective road authorities having jurisdiction of the highways over which the route described in paragraph (a) is located shall adopt and place suitable marking signs on their respective highways to adequately mark the route as "Hiawatha-Appleblossom Scenic Drive."

Subd. 18. Voyageur Highway. The following route is named and designated the "Voyageur Highway":

(a) Beginning at a point on trunk highway No. 26 on the boundary line between the states of Minnesota and Iowa; thence northerly along trunk highway No. 26 to its junction with trunk highway No. 61; thence northwesterly along trunk highway No. 61 to its junction with trunk highway No. 10 in the city of St. Paul; thence extending in a general northwesterly direction along trunk highway No. 10 to its junction with trunk highway No. 371 at Little Falls; thence extending in a general northerly direction along trunk highway No. 371 to its junction with trunk highway No. 210 at Brainerd; thence northeasterly along trunk highway No. 210 to its junction with trunk highway No. 169 at Aitkin; thence in a general northerly direction along trunk highway No. 169 to its junction with trunk highway No. 2 at Grand Rapids; thence northwesterly along trunk highway No. 2 to its junction with trunk highway No. 71 at Bemidji; thence northeasterly along trunk highway No. 71 to its junction with trunk highway No. 11 at Pelland; thence northeasterly along trunk highway No. 11 to its junction with trunk highway No. 53 at International Falls; thence southeasterly along trunk highway No. 53 to its junction with trunk highway No. 61 at Duluth; thence northeasterly along trunk

highway No. 61 to the boundary line between the state of Minnesota and the province of Ontario, Canada.

(b) The route of the Voyageur highway designated and described in clause (a) is supplemented by legs or alternative routes described as follows:

Beginning at a point on trunk highway No. 1 at its junction with trunk highway No. 61 northerly of Silver Bay; thence northwesterly along trunk highway No. 1 to Ely; thence southwesterly along trunk highway No. 1 to its junction with trunk highway No. 169; thence southerly and westerly along trunk highway No. 169 to its junction with trunk highway No. 53, and there terminating.

Beginning at a point on trunk highway No. 11 at its junction with trunk highway No. 53 at International Falls; thence easterly along trunk highway No. 11 to its easterly terminus near Island View.

Beginning at a point on trunk highway No. 33 at its junction with interstate highway marked I-35 southerly of Cloquet, thence northerly along trunk highway No. 33 to its junction with trunk highway No. 53.

(c) The commissioner of transportation shall:

(1) adopt a suitable marking design of signs or informational plaques;

(2) effect the installation of such signs or plaques in public waysides or other public areas as approved and designated by the commissioner.

Subd. 19. **Viking Trail.** The following route is named and designated the "Viking Trail":

(a) Beginning on Clay County State Aid Highway (SAH) No. 36 on the boundary line between the states of Minnesota and North Dakota; thence easterly on said SAH No. 36 to Clay County Highway No. 100; thence southerly through the city of Georgetown to U.S. Trunk Highway No. 75; thence southerly on said Trunk Highway to its intersection with U.S. Trunk Highway No. 10; thence easterly on said Trunk Highway No. 10 to its junction with Becker County SAH No. 5; thence southerly on said SAH No. 5 to Becker County SAH No. 6; thence easterly on said SAH No. 6 to Becker County SAH No. 11; thence southerly on said SAH No. 11 to Becker County SAH No. 5; thence southerly on said SAH No. 5 to the Otter Tail County line where the highway becomes Otter Tail County SAH No. 9; thence southerly on said SAH No. 9 to Otter Tail County SAH No. 20; thence easterly on said SAH No. 20 to Otter Tail County SAH No. 31; thence southerly on said SAH No. 31, across U.S. Trunk Highway No. 59, to the junction of said SAH No. 31 and Otter Tail County SAH No. 4; thence westerly on said SAH No. 4 to its junction with U.S. Trunk Highway No. 59; thence southerly on said Trunk Highway No. 59 through the cities of Pelican Rapids, Erhard, and Elizabeth to its junction with Minnesota Trunk Highway No. 52; thence west on said Trunk Highway No. 52 to its junction with Otter Tail County Highway No. 116; thence southerly on said County Highway No. 116 to its junction with Minnesota Trunk Highway No. 210; thence easterly on said Trunk Highway No. 210 through the cities of Fergus Falls and Underwood to its junction with Minnesota Trunk Highway No. 78; thence northerly on said Trunk Highway No. 78 to its junction with Otter Tail County SAH No. 83 in the City of Battle Lake; thence westerly on said SAH No. 83 to its junction with Otter Tail County Highway No. 122; thence westerly on said County Highway No. 122 to its junction with Otter Tail County SAH No. 35 in the City of Underwood; thence southerly, across Minnesota Trunk Highway No. 210, through the City of Dalton and across Interstate Highway No. 94 to the junction of said SAH No. 35 with U.S. Trunk Highway No. 59; thence southerly on said Trunk Highway No. 59 into Grant County to its junction with Grant County Highway No. 50; thence easterly on said County Highway No. 50 to its junction with Grant County SAH No. 4; thence easterly on said SAH No. 4 to its junction with Grant County SAH No. 21; thence southerly on said SAH No. 21 to its junction with Minnesota Trunk Highway No. 79.

Beginning in the City of Elbow Lake on Minnesota Trunk Highway No. 79; thence easterly on said Trunk Highway No. 79 to its junction with Grant County SAH No. 21; thence southerly on said SAH No. 21 to Grant County Highway No. 36; thence easterly

on said County Highway No. 36 to its junction with Grant County SAH No. 10; thence southerly on said SAH No. 10 to its junction with Grant County SAH No. 2.

Beginning in the City of Barrett on Grant County SAH No. 2; thence easterly on said SAH No. 2 to its junction with Grant County SAH No. 5; thence southerly on said SAH No. 5 through the City of Hoffman to Minnesota Trunk Highway No. 55; thence southeasterly on said Trunk Highway No. 55 to its junction with Douglas County SAH No. 1 in the City of Kensington; thence northerly on said SAH No. 1 to the Solem Township road on the south side of Section 15 of Solem township (T. 127 N., R. 40 W.); thence easterly and northeasterly on Solem Township roads through Sections 15, 14, and 11 to their junction with Minnesota Trunk Highway No. 27; thence easterly on said Trunk Highway No. 27 to its junction with Minnesota Trunk Highway No. 114; thence northerly on said Trunk Highway No. 114, under Interstate Highway No. 94, to the junction of said Trunk Highway No. 114 with Douglas County SAH No. 8; thence easterly on said SAH No. 8 to its junction with Douglas County SAH No. 82; thence southerly and easterly on said SAH No. 82 to its junction with Minnesota Trunk Highway No. 29 in the City of Alexandria; thence northerly on said Trunk Highway No. 29 to its junction with Douglas County SAH No. 42 in the City of Alexandria; thence northerly on said SAH No. 42 to its junction with Minnesota Trunk Highway No. 29; thence easterly across said Trunk Highway No. 29 to Douglas County SAH No. 13 and continuing easterly on said SAH No. 13 through the City of Carlos to the junction of said SAH No. 13 with Douglas County SAH No. 3 in the community known as Belle River; thence easterly on said SAH No. 3 to the Belle River Township Road in Section 14 of Belle River Township (T. 129 N., R. 36 W.); thence easterly on said township Road through Sections 14 and 13 of Belle River Township to the Douglas-Todd County Line, where it becomes a Leslie Township Road in Section No. 18 of Leslie Township (T. 129 N. R. 35 W.); thence easterly on said Leslie Township Road through Sections No. 18 and 17 to the Todd County SAH No. 1; thence southerly on said SAH No. 1 to its junction with Todd County SAH No. 36; thence easterly on said SAH No. 36 to its junction with Leslie township Road in Section No. 22 of said Leslie Township; thence southerly on said Township Road through Sections No. 22, 27, and 28 of said Leslie Township to Todd County SAH No. 10; thence easterly on said SAH No. 10 to its junction with Todd County SAH No. 37; thence southerly on said SAH No. 37 to its junction with Minnesota Trunk Highway No. 27; thence southerly on said Trunk Highway No. 27 to the City of Osakis.

Beginning at the junction of Minnesota Trunk Highway No. 27 and Todd County SAH No. 4; thence easterly on said SAH No. 4 to its junction with Todd County SAH No. 11; thence southerly on said SAH No. 11 to its junction with Todd County Highway No. 96; thence easterly on said County Highway No. 96 to its junction with Todd County SAH No. 50 at the community of Little Sauk; thence southerly on said SAH No. 50 to its junction with U. S. Trunk Highway No. 71; thence southerly on said Trunk Highway No. 71 to its junction with Todd County SAH No. 2; thence easterly on said SAH No. 2 to its junctions with Todd County SAH No. 15; thence southerly on said SAH No. 15 to the Todd-Stearns County line and its junction with Stearns County SAH No. 24; thence southerly on said SAH No. 24 to Minnesota Trunk Highway No. 28; thence southwesterly on said Trunk Highway No. 28 to its junction with U.S. Trunk Highway No. 71; thence southerly on said Trunk Highway No. 71 through the City of Sauk Centre to its junction with the Interstate Highway No. 94 and there terminating.

(b) The respective road authorities; of the highways over which the route described in this subdivision is located, may erect and maintain the "Viking Trail" emblem on the highways under their jurisdiction to adequately mark the route as the "Viking Trail". The commissioner of transportation shall approve an emblem which shall consist of the lettering "Viking Trail" with the bow section of a Viking ship on a body of water; the colors being blue on white.

Subd. 20. **Veterans Memorial Bridge.** The bridge over the Minnesota River between the cities of Mankato and North Mankato, being a part of Legislative Route No. 256, is named and designated the "Veterans Memorial Bridge." Plaques or signs

memorializing this bridge must be furnished by other than the Minnesota department of transportation and approved by the commissioner.

Subd. 21. **George Mann Memorial Highway.** That segment of marked trunk highway No. 60 from Mankato to Brewster is named and designated the "George Mann Memorial Highway." The commissioner shall adopt a suitable marking design to mark this highway and shall erect the appropriate signs.

Subd. 22. **Olof Hanson Drive.** Legislative Route No. 299, as described in section 161.115, is named and designated "Olof Hanson Drive." The commissioner shall adopt a suitable marking design to mark this highway and shall erect the appropriate signs.

Subd. 23. **American Veterans Memorial Highway.** Trunk highway No. 391, described in section 161.12 and marked as interstate highway I-90, is named and designated as the "American Veterans Memorial Highway." The commissioner of transportation shall adopt a suitable marking design to mark this highway and shall erect appropriate signs.

Subd. 24. **Moberg Trail.** That portion of Constitutional Route No. 46, known as U.S. Route No. 8, that is located within Chisago county is named and designated "Moberg Trail." The commissioner shall adopt a suitable marking design to mark this highway and shall erect the appropriate signs.

Subd. 25. **Paul Bunyan Expressway.** That portion of trunk highway marked No. 371 from Little Falls to its intersection with trunk highway marked No. 2 in Cass Lake, except for that portion named in subdivision 45, and that portion of trunk highway marked No. 2 from its intersection with trunk highway marked No. 371 in Cass Lake to Bemidji, is named and designated the "Paul Bunyan Expressway." The commissioner shall adopt a suitable marking design to mark this highway and shall erect the appropriate signs.

Subd. 26. **Disabled American Veterans Highway.** That portion of Constitutional Route No. 3, known as trunk highway No. 61, from the easterly limits of the city of St. Paul to the boundary line between the states of Minnesota and Wisconsin is designated the "Disabled American Veterans Highway." The roadside rest area on trunk highway No. 61 at Lake City is designated the disabled American veterans rest area. The commissioner of transportation shall adopt a suitable marking design to mark this highway and rest area and shall erect the appropriate signs.

Subd. 27. **B. E. Grottum Memorial Highway.** That segment of Constitutional Route No. 4 from its intersection with marked county state-aid highway 34 in Jackson county to its intersection with North Highway in the city of Jackson, is designated the "B. E. Grottum Memorial Highway." The commissioner of transportation shall adopt a suitable marking design to mark this highway and shall erect appropriate signs.

Subd. 28. **Wally Nelson Highway.** Legislative Route No. 330, as described in section 161.115, is named and designated "Wally Nelson Highway." The commissioner shall adopt a suitable marking design to mark this highway and shall erect appropriate signs.

Subd. 29. **Laura Ingalls Wilder Historic Highway.** Marked trunk highway No. 14, from its intersection with the Minnesota-South Dakota border easterly to its intersection with Olmsted county road No. 22 and then southerly and easterly along that county road to its intersection with marked trunk highway No. 14 and then easterly to its intersection with marked U.S. highway No. 63 in or near Rochester and then northerly and southerly along marked U.S. highway No. 63, as follows:

(1) northerly along marked U.S. highway No. 63 to its intersection with marked U.S. highway No. 61 in or near Lake City and then southeasterly along U.S. highway No. 61 to its intersection with marked trunk highway No. 60 in or near the city of Wabasha and then northeasterly along marked trunk highway No. 60 to its intersection with the Minnesota-Wisconsin border; and

(2) southerly along marked U.S. highway No. 63 to its intersection with marked trunk highway No. 16 and then easterly along marked trunk highway No. 16 to its intersection with marked U.S. highway No. 52 in or near the city of Preston and then

southerly and easterly along marked U.S. highway No. 52 to the Minnesota-Iowa border,

is designated the "Laura Ingalls Wilder Historic Highway."

Pursuant to section 161.139, the commissioner of transportation shall adopt a suitable marking design to mark this highway and shall erect appropriate signs. The people of the communities, having resolved to support and financially back the marking of these routes, shall reimburse the department for costs incurred in marking and memorializing this highway.

Subd. 30. **Minnesota Veterans Memorial Highway.** Trunk highway marked No. 212 is designated the "Minnesota Veterans Memorial Highway." The commissioner of transportation shall adopt a suitable marking design to mark this highway and shall erect the appropriate signs.

Subd. 31. **Bridge of Hope.** The bridge over the Mississippi River at or near St. Cloud, Minnesota, being a part of trunk highway marked No. 15, is named and designated the "Bridge of Hope." The commissioner shall adopt a suitable marking design to mark the bridge and shall provide and erect the appropriate signs or plaques. The people of the community, having resolved to support and financially back the marking of this bridge, shall reimburse the department for costs incurred in marking and memorializing this bridge.

Subd. 32. **Betty Adkins Bridge.** The bridge over the Mississippi River in or near the city of Elk River connecting trunk highway marked No. 101 in Wright county with trunk highway marked No. 169 in Sherburne county is named and designated "Betty Adkins Bridge." The commissioner of transportation shall furnish and erect plaques or signs to mark and memorialize this bridge. The people of the community, having resolved to support and financially back the marking of this bridge, shall reimburse the department for costs incurred in marking and memorializing this bridge.

Subd. 33. **POW/MIA Memorial Highway.** Trunk highway marked No. 169 from its intersection with trunk highway marked No. 10 in or near the city of Elk River to its intersection with state highway marked No. 18 in or near the city of Garrison and state highway marked No. 18 from its intersection with trunk highway marked No. 169 in or near Garrison to its intersection with trunk highway marked No. 371 in or near the city of Brainerd is designated the "POW/MIA Memorial Highway." The commissioner of transportation shall adopt a suitable marking design to mark this highway and shall erect the appropriate signs. The people of the community, having resolved to support and financially back the marking of this highway, shall reimburse the department for costs incurred in marking and memorializing this highway.

Subd. 34. **Veterans Memorial Highway.** Legislative Route No. 131, marked as trunk highway No. 115, is designated the "Veterans Memorial Highway." The commissioner of transportation shall adopt a suitable marking design to mark this highway and shall erect the appropriate signs. The people of the community, having resolved to support and financially back the marking of this highway, shall reimburse the department for costs incurred in marking and memorializing this highway.

Subd. 35. **Amish Buggy Byway.** Marked trunk highway No. 52, from its intersection with marked trunk highway No. 44 near the city of Prosper to its intersection with marked trunk highway No. 16 east of the city of Preston, is designated the "Amish Buggy Byway." The commissioner of transportation shall adopt a suitable marking design to mark this highway and shall erect the appropriate signs. The people of the community, having resolved to support and financially back the marking of this highway, shall reimburse the department for costs incurred in marking and memorializing this highway.

Subd. 36. **Czech Heritage Highway.** That portion of trunk highway marked No. 13 between the city of New Prague and the city of Montgomery is designated the "Czech Heritage Highway" or another name reflecting the area's Czech heritage that is agreed on by the city councils of New Prague and Montgomery. The commissioner of transportation shall adopt a suitable marking design to mark this highway and shall

erect the appropriate signs. The people of the community, having resolved to support and financially back the marking of this highway, shall reimburse the department for costs incurred in marking and memorializing this highway.

Subd. 37. **Victory Drive.** Marked trunk highway No. 22, from its intersection with marked trunk highways Nos. 14 and 60 in the city of Mankato to its intersection with marked trunk highway No. 30 in the city of Mapleton, is designated "Victory Drive." The commissioner of transportation shall adopt a suitable design for marking this highway and shall erect appropriate signs at locations the commissioner determines. The people of the community, having resolved to support and financially back the marking of this highway, shall reimburse the department for costs incurred in marking and memorializing this highway.

Subd. 38. **Veterans Memorial Highway.** Marked trunk highway No. 15, from its intersection with marked trunk highway No. 60 to its intersection with the Iowa border, is designated "Veterans Memorial Highway." The commissioner of transportation shall adopt a suitable design for marking this highway and shall erect appropriate signs at locations the commissioner determines. The people of the community, having resolved to support and financially back the marking of this highway, shall reimburse the department for costs incurred in marking and memorializing this highway.

Subd. 39. **Dale Wayrynen Memorial Highway.** That segment of marked trunk highway No. 210 located within Aitkin county is designated "Dale Wayrynen Memorial Highway." The commissioner of transportation shall erect appropriate signs after adopting a marking design for the signs, which suitably commemorates Dale Wayrynen, posthumous recipient of the Congressional Medal of Honor, for heroism displayed during the Vietnam War. The people of the community, having resolved to support and financially back the marking of this highway, shall reimburse the department for costs incurred in marking and memorializing this highway.

Subd. 40. **Augie Mueller Memorial Highway.** Marked trunk highway No. 5 from its intersection with highway 101 in or near Chanhassen southwesterly to its intersection with marked trunk highway No. 19 in or near Gaylord is designated "Augie Mueller Memorial Highway." The commissioner of transportation shall adopt a suitable marking design to mark this highway and erect appropriate signs. The people of the community, having resolved to support and financially back the marking of this highway, shall reimburse the department for costs incurred in marking and memorializing this highway.

Subd. 41. **Don Rickers Memorial Highway.** That segment of marked trunk highway No. 60 from Brewster to Worthington is designated "Don Rickers Memorial Highway." The commissioner of transportation shall adopt a suitable design for marking this highway and shall erect appropriate signs at locations determined by the commissioner. The people of the community, having resolved to support and financially back the marking of this highway, shall reimburse the department for costs incurred in marking and memorializing this highway.

Subd. 42. **Ruby L. Hughes Boulevard.** The north frontage road just off Olson Memorial Highway, from its intersection with Logan Avenue North and Morgan Avenue North in the city of Minneapolis, is designated "Ruby L. Hughes Boulevard" subject to section 161.139. The commissioner of transportation shall adopt a suitable marking design to mark this road and erect appropriate signs. The people of the community, having resolved to support and financially back the marking of this road, shall reimburse the department for costs incurred in marking and memorializing this road.

Subd. 43. **State Trooper Timothy J. Bowe Memorial Highway.** Marked trunk highway No. 95, from its intersection with marked trunk highway No. 65 in Cambridge to its intersection with marked interstate highway No. 35 near North Branch, is named and designated "State Trooper Timothy J. Bowe Memorial Highway." The commissioner of transportation shall adopt a suitable marking design to mark this highway and shall erect the appropriate signs, subject to section 161.139.

Subd. 44. **Otter Tail Veterans Memorial Drive.** That portion of marked trunk highway No. 59 from its intersection with Otter Tail county highway No. 3 to its intersection with Otter Tail county highway No. 4, is designated "Otter Tail Veterans Memorial Drive." The commissioner shall adopt a suitable marking design to mark this highway and erect appropriate signs, subject to the provisions of section 161.139.

Subd. 45. **C. Elmer Anderson Memorial Highway.** (a) That portion of marked trunk highway No. 371 from its intersection with Design Drive in Baxter to the unincorporated community of Barrows, known as the Brainerd bypass, is named and designated the "C. Elmer Anderson Memorial Highway." Subject to the provisions of section 161.139, the commissioner shall adopt a suitable marking design to mark this highway and shall erect the appropriate signs.

(b) No advertising device as defined in section 173.02, subdivision 16, other than advertising devices described in section 173.08, subdivision 1, clauses (1) to (7), (9), and (10), may be erected or maintained in the area adjacent to the right-of-way of the C. Elmer Anderson Memorial Highway. The commissioner may remove any advertising device erected or maintained in violation of this paragraph.

Subd. 46. **34th Infantry (Red Bull) Division Highway.** Trunk highway No. 390, described in section 161.12 and marked as interstate highway I-35, is named and designated as the "34th Infantry (Red Bull) Division Highway." Subject to the provisions of section 161.139, the commissioner of transportation shall adopt a suitable marking design to mark this highway and shall erect appropriate signs.

Subd. 47. **Richard J. Mathiowetz Memorial Highway.** Marked trunk highway No. 4, from the north city limits of Sleepy Eye to its intersection with marked trunk highway No. 60 in St. James, is designated the "Richard J. Mathiowetz Memorial Highway." The commissioner shall adopt a suitable marking design to mark this highway and erect appropriate signs, subject to section 161.139.

Subd. 48. **Old St. Anne's Pass.** The bridge located on marked trunk highway No. 55 over the Soo Line railroad right-of-way in Maine Prairie township in Stearns county is named and designated "Old St. Anne's Pass." The commissioner shall adopt a suitable marking design to mark this bridge and erect appropriate signs, subject to section 161.139.

Subd. 49. **State Trooper Theodore "Ted" Foss Memorial Highway.** Marked interstate highway No. 90, from its intersection with marked trunk highway No. 74 in Winona county to the Wisconsin border, is named and designated "State Trooper Theodore "Ted" Foss Memorial Highway." The commissioner of transportation shall adopt a suitable marking design to mark this highway and shall erect the appropriate signs, subject to section 161.139.

Subd. 50. **King of Trails.** (a) The following described route, signed as trunk highway No. 75 on July 1, 2001, is designated the "King of Trails": Constitutional Route No. 6 from its intersection with the Minnesota-Canada border southerly to its intersection with Legislative Route No. 175 at or near the city of Crookston, then Legislative Route No. 175 southwesterly and southerly to its intersection with Constitutional Route No. 6 between the cities of Halstad and Hendrum, then Constitutional Route No. 6 southerly to its intersection with the Minnesota-Iowa border.

(b) The commissioner shall adopt a suitable marking design to mark the highway and erect appropriate signs, subject to section 161.139.

History: 1959 c 210 s 1; 1959 c 500 art 2 s 14; 1961 c 669 s 1,2; 1961 c 734 s 1; 1965 c 445 s 1-3; 1965 c 556 s 1; 1969 c 346 s 1; 1969 c 480 s 1; 1969 c 1058 s 1; 1971 c 82 s 1; 1971 c 640 s 1; 1973 c 123 art 5 s 7; 1974 c 65 s 1; 1974 c 102 s 1; 1975 c 255 s 1; 1976 c 29 s 1; 1976 c 166 s 7; 1976 c 292 s 1; 1978 c 674 s 19; 1984 c 412 s 3; 1985 c 35 s 1; 1985 c 301 s 1; 1986 c 444; 1988 c 438 s 1; 1988 c 565 s 1; 1989 c 227 s 1; 1990 c 357 s 1; 1991 c 248 s 1; 1991 c 274 s 1; 1993 c 39 s 1,2; 1994 c 395 s 1; 1994 c 457 s 1; 1995 c 19 s 1; 1995 c 50 s 1; 1996 c 272 s 1,2; 1996 c 279 s 1; 1996 c 287 s 1; 1996 c 426 s 1,2; 1996 c 455 art 3 s 6-8; 1997 c 51 s 1-4; 1997 c 159 art 2 s 7; 1998 c 254 art 1 s 58; 1998 c 290 s 1; 1999 c 16 s 1; 1999 c 42 s 1; 1999 c 86 art 1 s 83; 2000 c 279 s 1,2; 2000 c 281 s 1; 2000 c 288 s 1; 2001 c 14 s 1; 2001 c 103 s 1; 2001 c 113 s 1; 1Sp2001 c 8 art 2 s 15

161.141 NORTHWEST ANGLE, CONNECTING HIGHWAY; FEDERAL APPROVAL.

Subdivision 1. **Agreement.** The commissioner of transportation may enter into an agreement with the authorized authorities of the province of Manitoba, Canada providing for an equitable division of costs and responsibilities to be borne by the state of Minnesota and the province of Manitoba for the establishment, location, construction, maintenance, and operation of a highway through the province of Manitoba, thereby connecting the Northwest Angle with other parts of the state of Minnesota.

Subd. 2. **Required condition.** The agreement shall contain an express provision that it shall not be binding on the state of Minnesota until approved by the Congress of the United States. The agreement shall contain the further express provision that the agreement shall not be binding on the state of Minnesota unless the Congress of the United States appropriates to the state of Minnesota a sum of money sufficient to pay Minnesota's share of the cost of the highway.

Subd. 3. **Implementation.** Upon approval of Congress and the appropriation of money by Congress as provided in subdivision 2, the commissioner may proceed to carry out the terms of the agreement provided for in subdivision 1.

History: 1959 c 132 s 1-3; 1976 c 166 s 7

161.1419 MISSISSIPPI RIVER PARKWAY COMMISSION.

Subdivision 1. **Policy.** It is declared to be the policy of the state and to be in the best public interest for the promotion of public safety, recreation, travel, trade, and the general welfare of the people to cooperate with the federal government and with the interstate Mississippi river parkway planning commission. To carry out such policy and to aid in the promotion and securement of a scenic parkway and highway for the state of Minnesota and to aid in securing the location of federal parks within Minnesota a Mississippi river parkway commission is created. Such commission shall also work toward the planning, construction, maintenance, and improvement of the Great River Road or Mississippi River Parkway which is to follow generally the course of the Mississippi river and extend from Canada to the Gulf of Mexico.

Subd. 2. **Members.** (a) The commission shall be composed of 15 members of whom:

- (1) one shall be appointed by the commissioner of transportation;
- (2) one shall be appointed by the commissioner of natural resources;
- (3) one shall be appointed by the commissioner of trade and economic development;
- (4) one shall be appointed by the commissioner of agriculture;
- (5) one shall be appointed by the director of the Minnesota historical society;
- (6) two shall be members of the senate to be appointed by the committee on committees;
- (7) two shall be members of the house of representatives to be appointed by the speaker;
- (8) one shall be the secretary appointed pursuant to subdivision 3; and
- (9) five shall be citizen members appointed by five citizen committees established by the members appointed under clauses (1) to (8), with each citizen committee established within and representing each of the following geographic segments along the Mississippi river:
 - (i) Lake Itasca to but not including the city of Grand Rapids;
 - (ii) Grand Rapids to but not including the city of Brainerd;
 - (iii) Brainerd to but not including the city of Elk River;
 - (iv) Elk River to but not including the city of Hastings; and
 - (v) Hastings to the Iowa border.

Each citizen committee member shall be a resident of the geographic segment that the committee and member represents.

(b) The members of the commission shall serve for a term expiring at the close of each regular session of the legislature and until their successors are appointed. Successor members shall be appointed by the same appointing authorities. Members may be reappointed. Any vacancy shall be filled by the appointing authority. The commissioner of transportation, the commissioner of natural resources, and the director of the Minnesota historical society shall be ex officio members, and shall be in addition to the 15 members heretofore provided for. Immediately upon making the appointments to the commission the appointing authorities shall so notify the Mississippi river parkway commission, hereinafter called the national commission, giving the names and addresses of the members so appointed.

Subd. 3. **Investigatory powers; chair, vice-chair, and secretary.** The commission may hold meetings and hearings at such time and places as it may designate to accomplish the purposes set forth in this section and may subpoena witnesses and records. It shall select a chair, a vice-chair, and such other officers from its membership as it deems necessary. The commission shall appoint a secretary who shall also serve as a commission member.

Subd. 4. **Compensation, supplies, staff.** Compensation of legislative members of the commission is as provided in section 3.101. Compensation of the remaining members is as provided in section 15.0575. The commission may purchase supplies, employ part-time or full-time employees, and do all things reasonably necessary and convenient in carrying out the purposes of this section.

Subd. 5. **Staff from other agencies.** The commissioner of transportation shall designate one employee of the department of transportation who is an engineer or who has engineering experience and the commissioner of natural resources shall appoint one staff member who shall advise with and assist the commission in carrying out its functions and duties.

Subd. 6. **National commission.** The commission shall be an affiliate of the national commission and as a member of the national commission may pay an annual fee for its equal share of the planning program of the national commission.

Subd. 7. **Program review.** The commission may review the programs of the various interstate compacts, studies, planning groups and commissions involved in water and land use activities along the Mississippi river in Minnesota.

Subd. 8. **Expiration.** The commission shall expire on June 30, 2003.

History: 1963 c 875 s 1; 1969 c 1129 art 3 s 1; 1971 c 653 s 1-5; 1973 c 35 s 34; 1976 c 166 s 7; 1983 c 260 s 44; 1985 c 285 s 9; 1986 c 444; 1987 c 312 art 1 s 26 subd 2; 1987 c 384 art 3 s 2; 1987 c 404 s 148; 1993 c 337 s 11; 1996 c 407 s 46; 1997 c 7 art 2 s 24; 1997 c 192 s 27; 2001 c 161 s 27,28

161.142 GREAT RIVER ROAD.

Subdivision 1. [Repealed, 1963 c 875 s 3]

Subd. 2. **Location; construction; improvement; maintenance; acquisition of land.** The commissioner of transportation shall establish and locate the route or routes of the Great River Road and shall thereafter construct, reconstruct, improve and may maintain same. The commissioner may acquire by purchase, gift or eminent domain proceedings, in fee or such lesser estate as the commissioner may determine, all lands and properties needed in laying out, establishing, constructing, reconstructing, and improving the Great River Road in Minnesota.

Subd. 3. **Inclusion within state system; controlled access.** The portion of the Great River Road in Minnesota may be part of the state trunk highway system and may be a controlled access highway.

Subd. 4. **Acceptance of federal funds; cooperation with federal agencies.** The commissioner of transportation may accept any federal funds made available to the state of Minnesota for expenditure on the Great River Road. The commissioner may cooperate with the federal government or any federal agency in the establishment, construction, reconstruction and improvement of the Great River Road to the end that

the state will obtain all federal funds available for expenditure on the Great River Road in Minnesota. The commissioner may act as agent for any other department of state, public corporation, or political subdivision of the state in accepting federal aid in their behalf for the purposes expressed in subdivisions 2 to 7, and may distribute any federal aid received by the department to other departments of the state, public corporations or political subdivisions of the state.

Subd. 5. **Cooperation with other governmental units.** The commissioner of transportation shall cooperate with other state departments, public corporations and political subdivisions in laying out, constructing, reconstructing and improving and maintaining the Great River Road.

Subd. 6. **Expenditures limitation.** None of the provisions of subdivisions 2 to 7 shall be construed as authorizing the commissioner of transportation to expend trunk highway funds for nontrunk highway purposes.

Subd. 7. **Preservation of adjacent areas.** The commissioner of transportation and any political subdivision or public corporation adjacent to the Great River Road or through which the Great River Road passes may acquire by purchase, gift or eminent domain proceedings as provided by law any lands or properties, or interests in lands and properties, lying along the Great River Road as they deem necessary for the purpose of preserving areas of natural scenic beauty, views of lake or riverside areas, historic sites, and such lands as they deem necessary for the purpose of providing recreational and rest areas and facilities in connection therewith including camping and overnight facilities. They may enter into agreements with property owners along the Great River Road providing for restrictions on land uses along such road and providing for compensation therefor. Such agreements may provide that the lands or properties may continue to be used for agricultural, horticultural, forest, grazing, residential, or other purposes not inconsistent with parkway principles and standards approved by the federal government and the Mississippi river parkway commission.

History: 1959 c 411 s 1-7; 1976 c 163 s 33; 1976 c 166 s 7; 1978 c 495 s 1; 1986 c 444

161.143 [Repealed, 1974 c 34 s 2]

161.144 [Repealed, 1974 c 34 s 2]

161.145 [Repealed, 1974 c 34 s 2]

161.146 [Repealed, 1974 c 34 s 2]

161.147 [Repealed, 1974 c 34 s 2]

161.148 GREAT RIVER ROAD, LOCATION OF ROUTE.

Subdivision 1. **Commissioner's responsibility.** The commissioner of transportation shall designate, establish and locate the great river road described in and authorized by section 161.142, with the approval of the Mississippi river parkway commission and, when the location is not on the trunk highway system, with the approval of the political subdivision having jurisdiction of the road.

Subd. 2. **Alternate routes.** The commissioner of transportation may designate, establish, locate and mark alternate routes of the Great River Road with the approval of the Mississippi river parkway commission upon highways of the trunk highway system and when not located upon the trunk highway system with the approval of the political subdivision having jurisdiction of the road.

Subd. 3. **Expenditures limitation.** Funds shall not be expended on any alternate route or routes provided for by subdivision 2 except to the extent of any surplus in federal funds provided for the route designated under subdivision 1 or as provided by agreement with the United States government.

Subd. 4. [Repealed, 1978 c 495 s 5]

History: 1974 c 34 s 1; 1976 c 166 s 7; 1978 c 495 s 2-4

161.15 MS 1957 [Repealed, 1959 c 500 art 6 s 13]

161.15 SPECIFIC LOCATION; LIMITATION ON DEVIATIONS.

The commissioner may specifically and definitely locate all of the routes of the trunk highway system, but in so locating same, the commissioner shall not deviate from the starting points or terminals as set forth in the route description; nor shall there be any deviation from the various cities named in the routes through which such routes shall pass.

History: 1959 c 500 art 2 s 15; 1973 c 123 art 5 s 7; 1986 c 444

161.16 MS 1957 [Repealed, 1959 c 500 art 6 s 13]

161.16 TRUNK HIGHWAY DESIGNATION, VACATION, REVERSION.

Subdivision 1. **Temporary trunk highways; reversion.** Until such time as the commissioner definitely locates and constructs the several routes of the trunk highway system, the commissioner shall select practicable existing roads along the general location of such routes and shall maintain them for the benefit of the traveling public. Such roads shall be known as temporary trunk highways. The road authority which had jurisdiction over such road shall, thereupon, be relieved of responsibilities thereto; provided, however, if the definite location of the route shall be other than the location of the temporary trunk highway, the portion of the temporary locations which is not included in the definite location shall, upon notice of the commissioner, revert to the road authority unless the same lies within the corporate limits of a city, in which case it shall become a street of the city, provided that when the portion of the temporary location, which is not included in the definite location lies within a city having a population of less than 5,000, that portion shall revert to the county if it meets the criteria for a county state-aid highway.

Subd. 2. **Designation and location by order.** The commissioner shall by order or orders designate such temporary trunk highways, and on determining the definite location of any trunk highway or portion thereof, the same shall also be designated by order or orders. The definite location of such highway or portion thereof may be in the form of a map or plat showing the lands and interests in lands required for trunk highway purposes. Formal determination or order if by map or plat, shall be certified by the commissioner of transportation on said map or plat. The commissioner may, by similar order or orders, change the definite location of any trunk highway between the fixed termini, as fixed by law, when such changes are necessary in the interest of safety and convenient public travel. The commissioner shall maintain a file of these orders as permanent records.

Subd. 3. **Public hearing.** When the county board of any county requests a public hearing in regard to the definite location or a change in the definite location of any trunk highway within its boundaries, the commissioner shall hold such hearing in such county before making a determination in such matters.

Subd. 4. **Reversion or conveyance to another road authority.** (a) If the commissioner makes a change in the definite location of a trunk highway as provided in this section, the portion of the existing road that is no longer a part of the trunk highway by reason of the change and all right, title, and interest of the state in the trunk highway shall revert to the road authority originally charged with the care of that trunk highway unless the commissioner, the road authority originally charged with the care of the trunk highway and the road authority of the political subdivision in which the portion is located agree on another disposition, in which case the reversion is as provided in the agreement. When the reversion is to a county and a portion lies partly within a city of under 5,000 population the entire portion shall revert to the county if it meets the criteria for a county state-aid highway.

(b) If the portion had its origin as a trunk highway, it shall become a county highway unless it lies within the corporate limits of a city, in which case it shall become a street of the city. When the existing road that is no longer a part of the trunk highway by reason of the change lies within a city of less than 5,000 population, the portion shall

revert to the county if the portion meets the criteria for a county state-aid highway. In municipalities of over 5,000 population that portion of the road may revert to the county if the appropriate authorities of the state, county and the various cities through which the route passes so agree. Should any city not agree that the portion of the roadway that passes through it shall revert to county jurisdiction, the portion shall not so revert, although the other portions of the roadway in which agreement has been reached shall revert to county jurisdiction. Notwithstanding the other provisions of this chapter or other applicable laws and rules, the commissioner may convey and quitclaim to a county, city, or other political subdivision all or part of the right-of-way of the existing road that is no longer a part of the trunk highway by reason of the commissioner's order or orders. The conveyance shall be for highway purposes, and the future cost of maintenance, improvement, or reconstruction of the highway and the contribution of that highway to the public highway system is reasonable and proper consideration for the conveyance. This subdivision shall apply to all trunk highways reverted before May 29, 1967.

Subd. 5. Damages due to vacation of former trunk highway. Damages occasioned by the vacation of any highway or street that had its origin as a trunk highway, if vacated by the county within one year after the commissioner relinquished jurisdiction thereof, shall be paid by the state out of the trunk highway fund. No award of damages determined by the county shall be made for such vacation without the concurrence of the attorney general, and no action brought to recover damages for such vacation shall be settled or otherwise disposed of without the consent of the attorney general. The attorney general may defend any action brought to recover damages for such vacation.

Subd. 6. Vacation. When the definite location of any trunk highway takes the place of and serves the same purpose as any portion of an existing road, however established, the commissioner may make an order vacating such portion of the road. A copy of the order shall be served upon the owners and occupants of the lands on which is located the portion of the road so vacated and, if the road terminates at or abuts upon any public water, a copy of the order also shall be served upon the commissioner of natural resources. The notice under this subdivision is for notification purposes only and does not create a right of intervention by the commissioner of natural resources. A copy of the order, together with proof of service, or affidavit of publication if the owners are unknown or reside outside the state, shall be filed with the county auditor of the county in which such lands lie. Any person claiming to be damaged by the vacation may appeal at any time within 30 days after the service of the order to the district court of the county for a determination of damages, by serving notice of the appeal on the commissioner and filing same with proof of service in the office of the court administrator of the district court. The appeal shall be tried in the same manner as an appeal from an award in proceedings in eminent domain.

History: 1959 c 500 art 2 s 16; 1967 c 436 s 1,2; Ex1967 c 11 s 1; 1969 c 207 s 1; 1969 c 336 s 1; 1973 c 123 art 5 s 7; 1976 c 166 s 7; 1981 c 209 s 3; 1984 c 535 s 1; 1984 c 655 art 1 s 31; 1985 c 248 s 70; 1986 c 444; 1Sp1986 c 3 art 1 s 82; 1989 c 183 s 1; 1999 c 230 s 8

161.161 HIGHWAY ON COUNTY LINE, REVERSION.

Where a trunk highway which is being reverted to a lower governmental subdivision is on or forms the line between two or more counties, the trunk highway shall revert to and remain the responsibility of the affected counties.

History: 1969 c 342 s 1

161.162 DEFINITIONS.

Subdivision 1. Applicability. The terms in sections 161.162 to 161.167 have the meanings given them in this section and section 160.02.

Subd. 2. Final layout. (a) "Final layout" means geometric layouts and supplemental drawings that show the location, character, dimensions, access, and explanatory information about the highway construction or improvement work being proposed.

“Final layout” includes, where applicable, traffic lanes, shoulders, trails, intersections, signals, bridges, approximate right-of-way limits, existing ground line and proposed grade line of the highway, turn lanes, access points and closures, sidewalks, proposed design speed, noise walls, transit considerations, auxiliary lanes, interchange locations, interchange types, sensitive areas, existing right-of-way, traffic volume and turning movements, location of stormwater drainage, location of municipal utilities, project schedule and estimated cost, and the name of the project manager.

(b) “Final layout” does not include a cost participation agreement. For purposes of this subdivision “cost participation agreement” means a document signed by the commissioner and the governing body of a municipality that states the costs of a highway construction project that will be paid by the municipality.

Subd. 3. **Final construction plan.** “Final construction plan” means the set of technical drawings for the construction or improvement of a trunk highway provided to contractors for bids.

Subd. 4. **Governing body.** “Governing body” means the elected council of a municipality.

Subd. 5. **Municipality.** “Municipality” means a statutory or home rule charter city.

History: 2001 c 191 s 3; 2002 c 364 s 3

161.163 HIGHWAY PROJECT REVIEW.

Subdivision 1. **Projects requiring review.** Sections 161.162 to 161.167 apply only to projects that alter access, increase or reduce highway traffic capacity, or require acquisition of permanent rights-of-way.

Subd. 2. **Traffic safety measures.** Nothing contained in sections 161.162 to 161.167 limits the power of the commissioner to regulate traffic or install traffic control devices or other safety measures on trunk highways located within municipalities regardless of their impact on access or traffic capacity or on the need for additional right-of-way.

Subd. 3. **Construction program.** Nothing contained in sections 161.162 to 161.167 limits the commissioner’s discretion to determine priority and programming of trunk highway projects.

History: 2001 c 191 s 4

161.164 FINAL LAYOUT APPROVAL PROCESS.

Subdivision 1. **Submission of final layout.** Before proceeding with the construction, reconstruction, or improvement of any route on the trunk highway system lying within any municipality, the commissioner shall submit to its governing body a final layout and project report covering the purpose, route location, and proposed design of the highway. The final layout must be submitted as part of a report containing any supporting data that the commissioner deems helpful to the governing body in reviewing the final layout submitted. The supporting data must include a good faith cost estimate of all the costs in which the governing body is expected to participate. The final layout must be submitted before final decisions are reached so that meaningful early input can be obtained from the municipality.

Subd. 2. **Governing body action.** (a) Within 15 days of receiving a final layout from the commissioner, the governing body shall schedule a public hearing on the final layout. The governing body shall, within 60 days of receiving a final layout from the commissioner, conduct a public hearing at which the department of transportation shall present the final layout for the project. The governing body shall give at least 30 days’ notice of the public hearing.

(b) Within 90 days from the date of the public hearing, the governing body shall approve or disapprove the final layout in writing, as follows:

(1) If the governing body approves the final layout or does not disapprove the final layout in writing within 90 days, in which case the final layout is deemed to be approved, the commissioner may continue the project development.

(2) If the final construction plans contain changes in access, traffic capacity, or acquisition of permanent right-of-way from the final layout approved by the governing body, the commissioner shall resubmit the portion of the final construction plans where changes were made to the governing body. The governing body must approve or disapprove the changes, in writing, within 60 days from the date the commissioner submits them.

(3) If the governing body disapproves the final layout, the commissioner may make modifications requested by the municipality, decide not to proceed with the project, or refer the final layout to an appeal board. The appeal board shall consist of one member appointed by the commissioner, one member appointed by the governing body, and a third member agreed upon by both the commissioner and the governing body. If the commissioner and the governing body cannot agree upon the third member, the chief justice of the supreme court shall appoint a third member within 14 days of the request of the commissioner to appoint the third member.

Subd. 3: Appeal board. Within 30 days after referral of the final layout, the appeal board shall hold a hearing at which the commissioner and the governing body may present the case for or against approval of the final layout referred. Not later than 60 days after the hearing, the appeal board shall recommend approval, recommend approval with modifications, or recommend disapproval of the final layout, making additional recommendations consistent with state and federal requirements as it deems appropriate. It shall submit a written report containing its findings and recommendations to the commissioner and the governing body.

History: 2001 c 191 s 5

161.165 COMMISSIONER ACTION; INTERSTATE HIGHWAYS.

Subdivision 1. Applicability. This section applies to interstate highways.

Subd. 2. Action on approved final layout. (a) If the appeal board recommends approval of the final layout or does not submit its findings and recommendations within 60 days of the hearing, in which case the final layout is deemed approved, the commissioner may prepare substantially similar final construction plans and proceed with the project.

(b) If the final construction plans change access, traffic capacity, or acquisition of permanent right-of-way from the final layout approved by the appeal board, the commissioner shall submit the portion of the final construction plans that shows the changes, to the governing body for its approval or disapproval under section 161.164, subdivision 2.

Subd. 3. Action on final layout approved with changes. (a) If, within 60 days, the appeal board recommends approval of the final layout with modifications, the commissioner may:

(1) prepare final construction plans with the recommended modifications, notify the governing body, and proceed with the project;

(2) decide not to proceed with the project; or

(3) prepare final construction plans substantially similar to the final layout referred to the appeal board, and proceed with the project. The commissioner shall, before proceeding with the project, file a written report with the governing body and the appeal board stating fully the reasons for doing so.

(b) If the final construction plans contain changes in access or traffic capacity or require additional acquisition of permanent right-of-way from the final layout reviewed by the appeal board or the governing body, the commissioner shall resubmit the portion of the final construction plans that shows the changes, to the governing body for its approval or disapproval under section 161.164, subdivision 2.

Subd. 4. Action on disapproved final layout. (a) If, within 60 days, the appeal board recommends disapproval of the final layout, the commissioner may either:

(1) decide not to proceed with the project; or

(2) prepare final construction plans substantially similar to the final layout referred to the appeal board, notify the governing body and the appeal board, and proceed with the project. Before proceeding with the project, the commissioner shall file a written report with the governing body and the appeal board stating fully the reasons for doing so.

(b) If the final construction plans contain changes in access or traffic capacity or require additional acquisition of permanent right-of-way from the final layout reviewed by the appeal board or the governing body, the commissioner shall resubmit the portion of the final construction plans that shows the changes, to the governing body for its approval or disapproval under section 161.164, subdivision 2.

Subd. 5. **Final construction plans issued.** The commissioner shall send a complete set of final construction plans to the municipality at least 45 days before the bid opening for informational purposes.

History: 2001 c 191 s 6

161.166 COMMISSIONER ACTION; OTHER HIGHWAYS.

Subdivision 1. **Applicability.** This section applies to trunk highways that are not interstate highways.

Subd. 2. **Action on approved final layout.** If the appeal board recommends approval of the final layout or does not submit its findings or recommendations within 60 days of the hearing, in which case the the final layout is deemed approved, the commissioner may prepare substantially similar final construction plans and proceed with the project. If the final construction plans change access or traffic capacity or require additional acquisition of right-of-way from the final layout approved by the appeal board, the commissioner shall submit the portion of the final construction plan that shows the changes, to the governing body for its approval or disapproval under section 161.164, subdivision 2.

Subd. 3. **Action on final layout approved with changes.** (a) If the appeal board approves the final layout with modifications, the commissioner may:

- (1) prepare final construction plans including the modifications, notify the governing body, and proceed with the project;
- (2) decide not to proceed with the project; or
- (3) prepare a new final layout and resubmit it to the governing body for approval or disapproval under section 161.164, subdivision 2.

(b) If the final construction plans contain changes in access or traffic capacity or require additional acquisition of permanent right-of-way from the final layout reviewed by the appeal board or the governing body, the commissioner shall resubmit the portion of the final construction plans that shows the changes, to the governing body for its approval or disapproval under section 161.164, subdivision 2.

Subd. 4. **Action on disapproved final layout.** If the appeal board disapproves the final layout, the commissioner may:

- (1) decide not to proceed with the project; or
- (2) prepare a new final layout and submit it to the governing body for approval or disapproval under section 161.164, subdivision 2.

Subd. 5. **Final construction plans issued.** The commissioner shall send a complete set of final construction plans to the municipality at least 45 days before the bid opening for informational purposes.

History: 2001 c 191 s 7

161.167 REIMBURSEMENT OF EXPENSES.

Members of the appeal board shall submit to the commissioner an itemized list of the expenses incurred in disposing of matters presented to them. The appeal board members shall be reimbursed for all reasonable expenses incurred by them in the

performance of their duties. The commissioner shall pay these costs out of the trunk highway fund.

History: 2001 c 191 s 8

161.168 SNOW AND ICE CONTROL MATERIALS.

Subdivision 1. **Use of agriculture-based de-icing solution.** The commissioner of transportation shall use a de-icing solution derived from agricultural products for snow and ice control on trunk highways to the extent that the commissioner determines is economically feasible, environmentally beneficial, and consistent with public safety.

Subd. 2. **Effect on environment.** The commissioner, in determining which snow and ice control materials to use on trunk highways, shall consider the effect of each type of material on the environment and on the deterioration of bridges and other structures.

History: 2002 c 364 s 4

161.17 MS 1957 [Repealed, 1959 c 500 art 6 s 13]

161.17 MS 2000 [Repealed, 2001 c 191 s 9]

NOTE: Subdivision 2 was also amended by Laws 2001, chapter 161, section 29, to read as follows:

"Subd. 2. **Interstate system.** (a) It is hereby declared that construction of the interstate system of highways will vitally affect the future development of the cities through which these routes pass and such municipalities should have an important role in the development of this highway system; that on the other hand the future planning and programming of construction projects over a period of years is necessary to take maximum advantage of federal aid and to build a unified and coordinated interstate system; that excessive delay in local approval of plans for construction of one segment may seriously impede completion of the entire system and adversely affect other municipalities along the interstate routes; that the mutual exchange of information and close cooperation between the department and local governing bodies should be encouraged by improved administrative processes for securing orderly review of plans and the resolution of differences over interstate routes and projects; and that the provisions of sections 161.171 to 161.177 for local approval of trunk highway plans must be modified for the interstate highway system in the light of these various considerations. Before proceeding with the preparation of the final plans for the construction, reconstruction, or improvement of any route on the interstate system lying within any city, the commissioner shall submit to its governing body preliminary plans covering the route location. The preliminary plans shall be submitted as part of a report containing such supporting data that the commissioner deems helpful to the governing body in appraising the plans submitted.

(b) Any public hearing on location of an interstate route held in compliance with federal requirements shall be held at least one month after submission to the governing body of the report provided for in this subdivision. After the public hearing and on preparing final plans, the commissioner shall submit the final plans to the governing body for approval. If the governing body does not approve the final plans within three months after submitted, the commissioner may refer the plans to (1) the metropolitan council, if the project is within the area of its jurisdiction, or (2) the municipal advisory committee on state-aid rules established under section 162.09, subdivision 2, if the project is elsewhere in the state. If a member of the advisory committee is from the municipality concerned that member shall be excused. If the plans are so referred, the council or committee shall give the commissioner and the governing body ample opportunity to present the case for or against approval of the plans so referred. Not later than three months after such hearings and independent study as it deems desirable, it shall approve or disapprove such plans, making such additional recommendations consistent with state and federal requirements as it deems appropriate, and it shall submit a written report containing its findings and recommendations to the commissioner and the governing body. The commissioner shall not proceed with the proposed construction, reconstruction, or improvement except in accordance with plans approved by the governing body or, if referred to the council or committee, until after the council or committee has made its report, and then only after the governing body has had an additional 90 days within which to consider the plans originally submitted or such modified plans as may be submitted to it by the commissioner following the report of the council or committee. If within such 90-day period, the governing body does not approve the plans submitted to it, and if the commissioner then wishes to proceed with the project according to plans differing substantially from the plans recommended by the council or committee in its report, the commissioner shall, before proceeding with the project, file a written report with the council or committee and the governing body stating fully the reasons for doing so. Whenever plans are referred to the metropolitan council, the council shall be reimbursed from the trunk highway fund for actual and necessary expenses incurred by the council in staff work incident to consideration of plans and action thereon by the council. Whenever plans are referred to the advisory committee on rules, members of the committee shall be paid their necessary expenses to the same extent and in the same manner as for its duties in considering the commissioner's rules."

161.171 [Repealed, 2001 c 191 s 9]

161.172 [Repealed, 2001 c 191 s 9]

161.173 [Repealed, 2001 c 191 s 9]

161.174 [Repealed, 2001 c 191 s 9]

161.175 [Repealed, 2001 c 191 s 9]

161.176 [Repealed, 2001 c 191 s 9]

161.177 [Repealed, 2001 c 191 s 9]

ACQUISITIONS; DUTIES AND POWERS

161.18 MS 1957 [Repealed, 1959 c 500 art 6 s 13]

161.18 PRIOR EASEMENTS VEST IN STATE.

When any road or highway, including any city street or portion thereof, is taken over by the state as a trunk highway, the state as to any such road, street, or highway or portion thereof, without compensation paid therefor, shall be vested with all rights, titles, easements, and appurtenances thereto appertaining, held by or vested in any of the political subdivisions of the state prior to the time such road, street, or highway is taken over by the state.

History: 1959 c 500 art 2 s 18; 1973 c 123 art 5 s 7

161.19 MS 1957 [Repealed, 1959 c 500 art 6 s 13]

161.19 CERTAIN RECORDS OBTAINED AND FILED.

Upon the written request of the commissioner the court administrator of any court, the auditor of any county, the clerk of any town, or the recorder or clerk of any city shall furnish a copy of the proceedings, documents, and plats, if any, relating to the establishment of any road or the procuring of the right-of-way of any road which has been or may be taken over by the state of Minnesota as a trunk highway. The copy shall be filed in the records of the commissioner and shall be prima facie evidence of the existence of the road as described therein. The legal fee for the copies shall be paid from the trunk highway fund.

History: 1959 c 500 art 2 s 19; 1973 c 123 art 5 s 7; 1Sp1986 c 3 art 1 s 82

161.20 GENERAL POWERS OF COMMISSIONER.

Subdivision 1. **Provisions of Constitution.** The commissioner shall carry out the provisions of article 14, section 2 of the Constitution of the state of Minnesota.

Subd. 2. **Acquisition of property; buildings; relocation of corners; agreements with railroads; contracts.** The commissioner is authorized:

(1) to acquire by purchase, gift, or by eminent domain proceedings as provided by law, in fee or such lesser estate as the commissioner deems necessary, all lands and properties necessary in preserving future trunk highway corridors or in laying out, constructing, maintaining, and improving the trunk highway system including recreational vehicle lanes; to locate, construct, reconstruct, improve, and maintain the trunk highway system; to purchase all road material, machinery, tools, and supplies necessary for the construction, maintenance, and improvement thereof; to construct necessary buildings, or rent or acquire by purchase, gift, or condemnation, grounds, and buildings necessary for the storing and housing of such material, machinery, tools, and supplies or necessary for office space for employees or for providing for driver's license examinations; to maintain, repair, or remodel such buildings as may be necessary;

(2) to acquire by purchase, gift, or condemnation, replacement sites for historically significant buildings or structures and to relocate these buildings or structures onto those sites, reconstructing and maintaining them until disposed of through public sale to the highest responsible bidder;

(3) to make agreements with any county for the relocation or reestablishment, by the county, of section, quarter section, or meander corners originally established by the United States, when such relocation or reestablishment is necessary in order to write land acquisition descriptions or by reason of the construction, reconstruction, improvement, or maintenance of a trunk highway;

(4) to contract on an equitable basis with railroad companies for the installation and reinstallation of safety devices at trunk highway-railroad grade crossings, and for the construction, reconstruction, and maintenance of bridges and approaches existing or necessary for the separation of grades at railroad and trunk highway intersections; and

(5) in carrying out duties, to let all necessary contracts in the manner prescribed by law.

The commissioner may make agreements with and cooperate with any governmental authority for the purpose of effectuating the provisions of this chapter.

Subd. 3. Trunk highway fund appropriations. The commissioner may expend trunk highway funds only for trunk highway purposes. Payment of expenses related to sales tax, bureau of criminal apprehension laboratory, office of tourism kiosks, Minnesota safety council, tort claims, driver education programs, emergency medical services board, and Mississippi River parkway commission do not further a highway purpose and do not aid in the construction, improvement, or maintenance of the highway system.

Subd. 4. Debt collection. The commissioner shall make reasonable and businesslike efforts to collect money owed for licenses, fines, penalties, and permit fees or arising from damages to state-owned property or other causes related to the activities of the department of transportation. The commissioner may contract for debt collection services for the purpose of collecting a money judgment or legal indebtedness. The commissioner may enter into an agreement with the commissioner of public safety to use debt collection services authorized by this subdivision when civil penalties relating to the use of highways have been reduced to money judgment. Money received as full or partial payment shall be deposited to the appropriate fund. When money is collected through contracted services, the commissioner may make payment for the service from the money collected. The amount necessary for payment of contractual collection costs is appropriated from the fund in which money so collected is deposited.

Subd. 5. Acceptance of private funds. Notwithstanding sections 7.09 to 7.12, the commissioner may accept on behalf of the state, gifts, grants, or contributions for purposes pertaining to the activities of the department. Funds received under this subdivision must be deposited in the trunk highway fund and are annually appropriated to the commissioner for the purpose for which they are given.

History: 1959 c 500 art 2 s 20; 1965 c 505 s 1; 1973 c 620 s 2; 1976 c 2 s 172; 1982 c 641 art 1 s 3; 1984 c 417 s 13; 1984 c 558 art 5 s 1; 1985 c 299 s 2; 1988 c 698 s 2; 1991 c 339 s 3; 2000 c 479 art 2 s 4; 2002 c 364 s 5

161.201 RELOCATION SERVICES, CITIES OF FIRST CLASS.

The commissioner of transportation may enter into agreements with any public agency of a city of the first class whereby such agency would contract to provide relocation services to fee owners, contract for deed vendees, or lessees within such city whose property has been or is about to be acquired for trunk highway purposes. The compensation agreed upon for such services shall be paid out of the trunk highway fund. The specific services to be performed by such agency and the compensation to be paid therefor from the trunk highway fund shall be set forth in detail in the agreement.

History: 1965 c 139 s 1; 1976 c 163 s 34; 1976 c 166 s 7

161.202 REPLACEMENT OF PUBLIC LANDS.

Subdivision 1. **Definitions.** For the purposes of this section the following terms shall have the meanings ascribed to them:

(a) "Public lands" means any lands, except streets, roads, or bridges owned by any subdivision of government, including but not limited to, the property of school districts, however organized, towns, cities, municipalities, counties, and any board or commission of any thereof, and public corporations created by the laws of this state.

(b) "Affected agency" means any governing body of any subdivision of government which owns public lands, and shall include any agency, board, or commission charged with the administration of such lands.

(c) "Cost of replacement" means the amount paid by any affected agency to purchase and develop lands to replace public lands acquired for the purpose of constructing or improving trunk highways.

Subd. 2. **Replacement of acquired public lands.** Whenever it has been determined that the commissioner of transportation is to acquire any public lands for the construction or improvement of a federally aided state trunk highway, including urban extensions thereof, the commissioner may, and in the case of parks shall, upon the request of the affected agency, authorize the affected agency to replace the same within a reasonable time by gift, purchase, or condemnation if granted the power of eminent domain by law. The replacement lands to be acquired by the affected agency shall be designated in an agreement entered into between any affected agencies and the commissioner. Such replacement lands shall be a functional replacement which shall consist of but not be limited to land substantially equal in acreage, use, interest, or estate in the lands to be acquired from the affected agency. If the parties are unable to agree on the designation of the replacement lands, the parties may agree to submit to an arbiter or the district court the issue of which replacement lands proposed by the parties is a functional replacement for the lands to be acquired from the affected agency. After the completion of the acquisition of the replacement lands by the affected agency the cost of replacement shall be ascertained and paid by the state from any funds available for the acquisition of lands.

Subd. 3. **Lump sum settlements.** The commissioner of transportation may enter into agreements with an affected agency for the replacement of public lands providing for the payment by the state of a lump sum based on the estimated cost of replacement when the lump sum so agreed upon, which shall be irrevocable, does not exceed \$50,000.

Subd. 4. **Acquiring replacement lands for affected agency.** When the affected agency is unable to acquire the replacement lands, or if the acquisition of such lands by the affected agency would result in undue delay in the completion of the highway project, upon a request of an affected agency which shall include a recommendation as to the replacement land to be acquired within its jurisdiction, the commissioner of transportation by gift, purchase, or condemnation proceedings, may acquire the designated replacement lands if the commissioner deems that the acquisition would reduce the cost to the state of the highway project and would otherwise be in the public interest. The affected agency shall relinquish to the commissioner its interests in the lands required for the highway project upon its completion of the acquisition of the replacement lands or upon conveyance by the commissioner to the affected agency of the replacement lands designated in the agreement between the affected agency and the commissioner. The commissioner shall convey the lands or interests designated in the agreement to the affected agency.

Subd. 5. **Compensation for damage to improvements.** The affected agency, unless otherwise provided for in the agreement, by the acceptance of the replacement lands, shall not be deemed to have waived its right to compensation for the total of the damage to improvements.

History: 1969 c 968 s 1; 1973 c 123 art 5 s 7; 1976 c 166 s 7; 1983 c 143 s 2; 1986 c 444

161.203 CERTAIN PARK LANDS LITIGATION RIGHTS PRESERVED.

Nothing in section 161.202 shall be construed to amend, alter, or in any manner modify the rights, duties or obligations of any party to any litigation instituted on or before July 1, 1969 without the party's consent. Such litigation only concerns the proposed acquisition by the department of park lands in areas known as Minnehaha Park, Wilson Park, and North Mississippi Park located in the city of Minneapolis. Laws 1969, chapter 968 becomes effective on July 1, 1969.

History: 1969 c 968 s 2; 1986 c 444

161.21 STUDIES.

Subdivision 1. **Location and design of highways.** The commissioner may make or cause to be made such studies and investigations as the commissioner deems necessary for the purpose of determining the most advantageous location and design of trunk

highways from the standpoint of both present and future traffic needs, and in making such determinations the commissioner may take into consideration the probable future development of both urban and rural areas and the effect of such development on future traffic needs as indicated by such studies and investigations and the location and design with respect to recreational vehicle lane establishment.

Subd. 2. Cooperation with other governmental units. Such studies and investigations may also be carried out by the commissioner in cooperation with any governmental authority or agency of this state or of any other state, the federal government or any of its agency, including the national academy of sciences, whenever federal law or federal rules and regulations require such studies in order for Minnesota to receive federal aid.

History: 1959 c 500 art 2 s 21; 1963 c 115 s 1; 1973 c 620 s 3; 1986 c 444

161.22 APPRAISERS.

The commissioner may employ full-time appraisers on a salary basis and may employ appraisers on a fee basis, for the purpose of ascertaining or estimating the costs of lands and properties needed for highway purposes. Appraisers may also be employed to make estimates whenever federal law or federal rules and regulations require estimates as a prerequisite to obtaining federal aid.

History: 1959 c 500 art 2 s 22; 1961 c 71 s 1; 1986 c 444

161.23 MS 1957 [Repealed, 1959 c 500 art 6 s 13]

161.23 EXCESS ACQUISITION.

Subdivision 1. Acquisition of entire tract. On determining that it is necessary to acquire any interest in a part of a tract or parcel of real estate for trunk highway purposes, the commissioner of transportation may acquire in fee, with the written consent of the owner or owners thereof, by purchase, gift, or condemnation the whole or such additional parts of such tract or parcel as the commissioner deems to be in the best interests of the state. Any owner or owners consenting to such excess acquisition may withdraw the consent at any time prior to the award of commissioners in the case of condemnation proceedings, or at any time prior to payment in the case of purchase. In the event of withdrawal the commissioner shall dismiss from the condemnation proceedings the portion of the tract in excess of what is needed for highway purposes.

Subd. 2. Conveyance of excess. On acquiring real estate in excess of what is needed for trunk highway purposes as authorized in subdivision 1, the commissioner of transportation shall, within one year after the completion of the construction, reconstruction, or improvement of the highway for which a portion of the real estate was needed and required, convey and quitclaim the excess real estate to the highest responsible bidder, after receipt of sealed bids following mailed notice to adjacent landowners and published notice of the sale for three successive weeks in a newspaper or trade journal of general circulation in the territory from which bids are likely to be received. All bids may be rejected and new bids received upon like advertisement. The deed may contain restrictive clauses limiting the use of such real estate in the interests of safety and convenient public travel when the commissioner finds that the restrictions are reasonably necessary.

Subd. 2a. Services of licensed real estate broker. If the lands remain unsold after being offered for sale to the highest bidder, the commissioner may retain the services of a licensed real estate broker to find a buyer. The sale price may be negotiated by the broker, but must not be less than 90 percent of the appraised market value as determined by the commissioner. The broker's fee must be established by prior agreement between the commissioner and the broker, and must not exceed ten percent of the sale price for sales of \$10,000 or more. The broker's fee must be paid to the broker from the proceeds of the sale.

Subd. 3. Leasing. The commissioner may lease for the term between the acquisition and sale thereof and for a fair rental rate and upon such terms and conditions as

the commissioner deems proper, any excess real estate acquired under this section, and any real estate acquired in fee for trunk highway purposes and not presently needed for those purposes. All rents received from the leases must be paid into the state treasury. Seventy percent of the rents must be credited to the trunk highway fund. The remaining 30 percent must be paid to the county treasurer where the real estate is located, and distributed in the same manner as real estate taxes. This subdivision does not apply to real estate leased for the purpose of providing commercial and public service advertising pursuant to franchise agreements as provided in sections 160.276 to 160.278 or to fees collected under section 174.70, subdivision 2.

Subd. 4. Limitation on construction of section. Nothing contained in this section shall be construed to prevent the commissioner from acquiring lands, real estate, or interests in lands or real estate necessary for trunk highway purposes, without the consent of the owner or owners thereof.

Subd. 5. Receipts paid into trunk highway fund. Money received from the sale of such lands and properties less any fee paid under subdivision 2a must be paid into the trunk highway fund.

History: 1959 c 500 art 2 s 23; 1973 c 544 s 1; 1976 c 166 s 7; 1980 c 494 s 6; 1980 c 533 s 7; 1985 c 108 s 1-3; 1986 c 444; 1Sp2001 c 8 art 2 s 16

NOTE: See section 272.68.

161.231 APPROPRIATION; PROCEEDS FROM LEASED PROPERTY.

There is appropriated annually from the fund or account in the state treasury to which the rental money from state leased property is credited a sufficient amount of money to carry out the state's obligations under the provisions of sections 161.23, subdivision 3, and 272.68, subdivision 3.

History: Ex1971 c 3 s 75

EFFECTS OF HIGHWAY CONSTRUCTION

161.24 MS 1957 [Repealed, 1959 c 500 art 6 s 13]

161.24 CHANGES REQUIRED BY CONSTRUCTION OF TRUNK HIGHWAY.

Subdivision 1. Grade at intersections. When the construction or reconstruction of a trunk highway results in a change of grade which necessitates a change of grade in intersecting or connecting highways or streets, including city streets, the cost of making the grade changes and any damages occasioned thereby shall be paid out of the trunk highway fund.

Subd. 2. Relocation of highway. When in the judgment of the commissioner, the establishment, construction, or reconstruction of a trunk highway requires, in the interest of safety or convenient public travel, a change in the location of any highway or street, including a city street, the commissioner may make the needed change in location after obtaining the approval of the road authority having jurisdiction over such highway or street. The cost of the change in location and any damages occasioned thereby shall be paid out of the trunk highway fund. All lands necessary therefor may be acquired by purchase, gift or condemnation. The highway or street as changed shall be the legally designated location thereof until otherwise changed as provided by law, and the maintenance and care of the highway or street shall be the responsibility of the road authority having jurisdiction thereof.

Subd. 3. Detours during construction. On determining, during construction, reconstruction, or maintenance of a trunk highway, that it is impractical to provide crossovers within the trunk highway limits for local highways or city streets designated for and carrying traffic of five tons or more per axle, and that it is necessary to provide a detour outside the limits of the trunk highway for traffic using such local highways or streets to meet local traffic needs, the commissioner may, upon request of the local road authority, expend trunk highway funds on the most practical detour to the extent necessary to provide a route reasonably adequate to carry such detoured traffic. The

commissioner may provide temporary traffic control devices on such detours as the commissioner deems necessary.

Subd. 4. Access to isolated property. When the establishment, construction, or reconstruction of a trunk highway closes off any other highway or street, including a city street, private road, or entrance at the boundary of the trunk highway, the commissioner may, in mitigation of damages or in the interest of safety and convenient public travel, construct a road either within or outside the limits of the trunk highway, connecting the closed-off highway, street, private road, or entrance with another public highway. In determining whether to build the road within or outside the limits of the trunk highway, the commissioner may take into consideration economy to the state and local traffic needs. The commissioner, in mitigation of damages, may connect the closed-off private road with the remaining portion of the private road or with another private road. All lands necessary for connecting a highway, street, private road, or entrance to another public highway or for connecting a closed-off private road to the remaining portion of a private road or to another private road, may be acquired by purchase, gift, or condemnation. Notwithstanding section 161.23, 161.43, 161.431, or 161.44, the commissioner may convey and quitclaim a fee title or easement held or owned by the state in land used to construct a road to connect the closed-off highway, street, entrance, or private road with another public highway or to reconnect the private road to the property served by the road.

Subd. 5. Maintenance of roads outside trunk highway. Any road so constructed outside the limits of the trunk highway shall be maintained by the road authority having jurisdiction over the highway or street closed off. Any private road constructed outside the limits of the trunk highway connecting the private road with a public highway shall be the responsibility of the property owners or owners served thereby.

Subd. 6. Agreements. The commissioner and the road authority affected may enter into agreements upon such terms as may be agreed upon, to provide for the construction of such grade changes, changes in location, detours, or connecting roads.

History: 1959 c 500 art 2 s 24; 1961 c 577 s 1; 1963 c 336 s 1; 1973 c 123 art 5 s 7; 1986 c 44; 2001 c 213 s 6

161.241 RELOCATION OF RAILROAD TRACKS, ACQUISITION OF LAND.

Subdivision 1. Acquisition. Whenever the construction, reconstruction, or improvement of a trunk highway will require the acquisition by the state of lands or interests in lands owned by a railroad company, and will require the railroad company to relocate its tracks in order to provide right-of-way for the trunk highway, the commissioner of transportation may acquire, by purchase, gift, or eminent domain proceedings, the lands or interests in lands necessary for the relocation of such tracks. Such acquisition is deemed to be for a trunk highway purpose.

Subd. 2. Agreement. The lands to be acquired from the railroad company, and the lands necessary for the relocation of the railroad tracks to be acquired by the state, shall be described in a voluntary agreement between the railroad company and the commissioner. Such agreement shall set forth the consideration to be paid for the lands involved. The consideration may be an even exchange of land if the market value is equal, or there may be money payment or services to be rendered by one party or the other to the agreement in addition to the exchange of land, depending on the relative market values of the lands involved. Any money paid to the state shall be credited to the trunk highway fund.

Subd. 3. Form of conveyance. The commissioner shall convey to the railroad company, by quit claim deed, lands or interests in lands acquired by the state pursuant to the provisions of subdivisions 1 to 3.

Subd. 4. Highway lands no longer needed. The commissioner shall convey to a railroad company, by quitclaim deed, lands owned by the state in fee for trunk highway purposes, but no longer needed for such purposes, when the lands are needed by a railroad company for the relocation of its tracks which is required by the construction, reconstruction, or improvement of a trunk highway. The consideration must be set

forth in a voluntary agreement between the railroad company and the commissioner of transportation and must be as provided in subdivision 2.

Subd. 5. [Repealed, 1976 c 163 s 63]

History: 1963 c 704 s 1-3; 1976 c 166 s 7; 1983 c 143 s 3,4

JUNK YARDS BY HIGHWAYS

161.242 JUNK YARD ACT.

Subdivision 1. **Legislative findings and purpose.** It is hereby found that the operation of motor vehicle, agricultural, construction machinery or other junk yards adjacent to the trunk highways on which motor vehicles are operated is a distracting influence on drivers, thereby impairing the public safety; and that junk yards are unsightly, thus impairing the public investment in such highways. It is hereby found and declared that in the interest of and to promote the public safety, to protect the public investment in such highways, and to preserve natural beauty, it is necessary to regulate the operation of junk yards on lands adjacent to the trunk highways of the state.

Subd. 2. **Definitions.** (a) For the purposes of this section, the terms defined in this subdivision have the meanings given them.

(b) "Junk yard" means an establishment, place of business, or place of storage or deposit, which is maintained, operated, or used for storing, keeping, buying, or selling junk, or for the maintenance or operation of an automobile graveyard, and shall include garbage dumps and sanitary fills not regulated by the Minnesota pollution control agency, any of which are wholly or partly within one-half mile of any right-of-way of any state trunk highway, including the interstate highways, whether maintained in connection with another business or not, where the waste, body, or discarded material stored is equal in bulk to five or more motor vehicles and which are to be resold for used parts or old iron, metal, glass, or other discarded material.

(c) "Dealer" means any person, partnership, or corporation engaged in the operation of a junk yard.

(d) "Junk" means old or scrap hazard signs, copper, brass, rope, rags, batteries, paper, synthetic or organic, trash, rubber debris, waste, or junked, dismantled, or wrecked automobiles or farm or construction machinery or parts thereof, iron, steel, and other old or scrap ferrous or nonferrous material.

(e) "Automobile graveyard" means any establishment or place of business which is maintained, used, or operated for storing, keeping, buying, or selling wrecked, scrapped, ruined, or dismantled motor vehicles or motor vehicle parts.

(f) "Unzoned industrial area" means the land occupied by the regularly used building, parking lot, storage or processing area of an industrial activity, and the land within 1,000 feet thereof which is located on the same side of the highway as the principal part of said activity, and not predominantly used for residential or commercial purposes, and not zoned by state or local law, regulation or ordinance.

(g) "Industrial activities" means those activities permitted only in industrial zones, or in less restrictive zones by the nearest zoning authority within the state, or prohibited by said authority but generally recognized as industrial by other zoning authorities within the state, except that none of the following shall be considered industrial activities:

(1) outdoor advertising devices as defined in Minnesota Statutes 1969, section 173.02, subdivision 16;

(2) agricultural, forestry, ranching, grazing, farming and related activities, including, but not limited to, wayside fresh produce stands;

(3) activities normally and regularly in operation less than three months of the year;

(4) activities not visible from the traffic lanes of the main traveled way;

(5) activities conducted in a building principally used as a residence;

(6) railroad tracks, minor sidings, and passenger depots; or

(7) junk yards, as defined in paragraph (b).

(h) "Hazard signs" means signs listed in the Minnesota drivers' manual published by the department of public safety, signs required by the State Fire Code, and other signs related to road or fire hazards and approved for use by the state or a political subdivision.

Subd. 3. Unauthorized junk yards prohibited. (a) A junk yard may not exist or be operated outside a zoned or unzoned industrial area, including those located on public lands, unless it is screened to effectively conceal it from the view of motorists using the highway. The screening required by this section may be effected by trees, shrubs, or foliage, natural objects, fences or other appropriate means as determined by standards established by the commissioner. Plantings that will eventually achieve effective screening shall be acceptable. Plantings shall be used in connection with any fence or other nonnatural screening device.

(b) A portion of a junk yard that cannot be effectively screened must be removed or relocated under the provisions of this section. A junk yard lawfully existing along a highway that is made a part of the trunk highway system after January 1, 1975, and becomes nonconforming thereby shall be effectively screened or removed or relocated within four years. Any junk yard that comes into existence after July 1, 1971 that does not conform to this section, or that becomes nonconforming after July 1, 1971, or that becomes nonconforming after action by the commissioner pursuant to this section, is hereby declared to be a public nuisance and illegal, and the commissioner may enter upon the land where the junk yard is located and may screen the same, or may relocate or dispose of the junk yard after 90 days' notice to the owner or dealer thereof, if known, or to the owner of the land. In this event, no compensation shall be paid to the owner or dealer or owner of the land, and the commissioner may recover the cost of screening, removal, relocation or disposal from the owner or dealer, if known, or from the owner of the land upon which the junk yard is located. Any costs recovered by the commissioner shall be deposited in the general fund.

(c) None of the articles commonly found in junk yards shall be allowed to remain on the grounds for more than 24 hours unless within the buildings or the properly screened area as provided herein, nor shall any junk in any junk yard be allowed to extend above existing or planned screening so as to be visible from the highway.

Subd. 4. Authority; enforcement. The commissioner shall screen junk yards when required by this section at locations on the right-of-way of the highway or on lands within 1,000 feet of the right-of-way and shall pay for the costs thereof. If screening is not feasible because of economic or topographic reasons, the commissioner shall secure the removal, relocation or disposal of such junk yard by sale, agreement, or other means, and pay for the costs thereof. Notwithstanding the other provisions of this section, if a junk yard exists within one-half mile of the right-of-way of any trunk highway and is visible from the highway, the commissioner may acquire easements for screening purposes up to one-half mile from the edge of the right-of-way of the highway. The commissioner shall acquire such rights and interest in property, personal or real, necessary to carry out the purposes of this section by purchase, gift, or eminent domain proceedings and shall pay just compensation therefor.

Subd. 5. Penalty. The owner or dealer of any junk yard which is declared a public nuisance and illegal under subdivision 3, clause (2), or who violates any provision of this section shall be guilty of a misdemeanor. Each day such a condition exists is a separate offense.

Subd. 6. Agreements with United States. The commissioner is authorized to do all things necessary, including, but not limited to, entering into agreements with the United States or any of its agencies or departments as provided in United States Code, title 23, section 136, with respect to control of junk yards, or any other applicable federal statute, and the rules and regulations promulgated pursuant thereto, to accomplish the purposes of this section and to take such action as may be necessary to obtain all available federal money therefor.

Subd. 6a. **Hazard signs must be accepted.** A dealer shall accept hazard signs only from a properly identified elected official or employee of the state or a political subdivision, who is acting within the scope of the person's official duties. A dealer is not required to pay or otherwise compensate any person or organization for taking possession of a hazard sign and is not required to take possession at a place away from the site of the dealer's junk yard.

Subd. 7. **Other regulation allowed.** Nothing in this section shall be construed to limit any right, power or authority to regulate more strictly and control the erection or maintenance of junk yards under the provisions of any other law of this state.

Subd. 8. **Citation.** This section is the Junk Yard Act.

Subd. 9. [Unnecessary]

History: 1965 c 674 s 1-6; 1971 c 881 s 1; 1973 c 35 s 35; 1974 c 483 s 9; 1975 c 266 s 1; 1981 c 357 s 50; 1984 c 654 art 3 s 54,55; 1991 c 197 s 2,3

HIGHWAY LOCATION, SPECIAL SITUATIONS

161.25 TEMPORARY TRUNK HIGHWAY DETOUR; HAUL ROAD.

If, for the purpose of constructing or maintaining any trunk highway, the use of any public street or highway is necessary for a detour or haul road, the commissioner may designate any such street or highway as a temporary trunk highway detour or as a temporary trunk highway haul road, and shall thereafter maintain the same as a temporary trunk highway until the commissioner revokes the designation. Prior to revoking the designation the commissioner shall restore such streets or highways to as good condition as they were prior to the designation of same as temporary trunk highways. Upon revoking the designation, the street or highway shall revert to the subdivision charged with the care thereof at the time it was taken over as a temporary trunk highway.

History: 1959 c 500 art 2 s 25; 1986 c 444; 1994 c 635 art 2 s 3

161.26 HIGHWAY MAINTAINED ACROSS PORTION OF ADJOINING STATE.

When a state trunk highway route is so located that in order to properly connect the designated objectives it is advisable to construct and maintain the highway across a portion of an adjoining state, the commissioner is authorized to expend trunk highway funds therefor in the same manner as other expenditures for trunk highway purposes are made. No such highway or portion thereof shall be established or constructed in any adjoining state until the adjoining state shall first pass legislation consenting thereto and granting the commissioner necessary jurisdiction over the portion of the highway located in the adjoining state.

History: 1959 c 500 art 2 s 26

161.261 CONNECTOR SEGMENTS WITH OTHER STATES.

Subdivision 1. **Agreement to improve segment in other state.** When the beginning or terminal of a trunk highway is the state boundary, and the commissioner of transportation and the authorities of the adjoining state deem it desirable during the construction or improvement of such trunk highway to construct or improve a connector highway in the adjoining state thereby connecting or improving the connection of such trunk highway with the highway system of the adjoining state, the commissioner may enter into agreements with the authorities of such adjoining state providing for such connecting highway to be constructed or improved under and as part of the trunk highway construction contract. Such connector highway shall connect with the trunk highway at the state boundary and shall not exceed one mile in length. The entire cost of constructing or improving the connector highway, including engineering costs and expenses, planning and designing expenses, and any other expenses attributable to such connector highway, shall be paid by the adjoining state, and the manner and time of such payment shall be specified in the agreement.

Subd. 2. **Agreement to improve segment in Minnesota.** The commissioner, in the interest of construction economy, may enter into agreements with the authorities of an adjoining state providing that the adjoining state construct or improve a segment of a Minnesota trunk highway route in conjunction with a construction project of the adjoining state so as to connect or improve the connection of the Minnesota trunk highway route with the highway system of such adjoining state at their common boundary. Such segment of the Minnesota trunk highway route to be constructed or improved by the adjoining state shall not exceed one mile in length. The cost of construction or improvement of such segment, including costs of planning and design and equitable engineering costs and expenses attributable to such segment, shall be paid from the trunk highway fund.

Subd. 3. [Repealed, 1976 c 163 s 63]

History: 1963 c 460 s 1-3; 1976 c 166 s 7

161.27 TRUNK HIGHWAYS ACROSS BODIES OF WATER.

Subdivision 1. **Permit.** The commissioner may establish, construct, and maintain trunk highways into, through, or across any lake and may alter and change the channel of any stream when necessary or expedient in the construction or maintenance of any trunk highway, provided that no such trunk highway improvement affecting public waters shall be made until a permit therefor is issued by the commissioner of natural resources as provided by law.

Subd. 2. **Acquisition of lands.** For the purposes set forth in subdivision 1 the commissioner may acquire lands and properties or any interest therein by purchase, gift, or condemnation.

History: 1959 c 500 art 2 s 27; 1969 c 1129 art 3 s 1

161.28 ALTERING PUBLIC DRAINAGE DITCH BY TRUNK HIGHWAY.

Subdivision 1. **Petition.** Upon the filing of a petition by the commissioner with the appropriate county auditor setting forth that it would be advantageous or desirable in the construction or maintenance of a trunk highway to make a minor alteration or change in a public drainage system directly affecting a trunk highway and that the alteration or change will not affect the functioning or efficiency of the public drainage system, the auditor shall fix a time and place for hearing and give notice of the hearing by publication, as defined in section 103E.325. Upon the filing of the petition, the commissioner shall also file a plan showing in detail the alteration or change petitioned for. If upon the hearing it appears to the county board or joint county ditch authority that the alteration or change in the public drainage system will not affect or impair the efficiency of the drainage system, the board or authority shall make its order allowing the commissioner to make the alteration or change petitioned for. Upon the making of the order by the county board or the joint county ditch authority, the commissioner may proceed at the sole cost and expense of the state to make the alterations or changes as may be in the order allowed, damages, if any, for any additional lands necessary for the change or alteration being first duly paid or secured. Upon completion of the alteration or change, the commissioner shall file with the appropriate auditor a map drawn to scale showing the change or alteration made and shall also file a profile of all lines of the alteration or change in the ditch showing graphically the elevation of the ground and gradient, whether open or tiled, the size of tile, and the bottom width and side slope of open ditch sections, and such other information as may appear necessary for understanding. Upon the completion of the alteration or change herein provided for, the ditch shall thereafter include such alteration or change as a part of it with the same force and effect as though it had been originally so constructed and established.

Subd. 2. **Recovery of damages.** Within six years after completion of any alteration or change as provided in this section, any owner or owners of lands in the drainage system claiming damages by reason of the alteration or change may bring an action in

the district court of the county in which the lands are located to compel the commissioner to pay damages, if any, caused by the alteration or change.

History: 1959 c 500 art 2 s 28; 1983 c 143 s 5; 1985 c 172 s 125; 1990 c 391 art 8 s 30

161.29 ACQUIRING TOLL BRIDGE FOR TRUNK HIGHWAY SYSTEM.

On determining that it is in the best interests of the public and necessary in the location, construction, improvement, or maintenance of any trunk highway, the commissioner may designate by order as a part of the trunk highway system any toll bridge situated wholly within the state, and may acquire by purchase, gift, or condemnation, as provided by law, the necessary rights or easement in, to, or over any such toll bridge as will enable the public to use the bridge for highway traffic free of toll.

History: 1959 c 500 art 2 s 29; 1986 c 444

HIGHWAY MARKINGS; MAPS

161.30 MARKING DESIGN.

Subdivision 1. **Commissioner to adopt.** The commissioner shall adopt a suitable marking design with which the commissioner shall mark or blaze the trunk highway routes, and as the definite final location of each route is opened to traffic the markings shall be changed to such location.

Subd. 2. **Avoiding duplicate numbering of routes; map.** In order to coordinate the markings of the various existing routes, together with the new routes which have been or may be added, and in order to avoid duplication in numbers used on interstate routes, the commissioner may revise and consolidate the marking and numbering of the routes within the system from time to time. Upon revising the marking or numbering the commissioner shall prepare a map showing the existing routes and identifying numbers and the routes and identifying numbers or design of the revised system. This map shall be authenticated by a certificate of the commissioner certifying the same as being the map showing the revised markings under the provisions of this section. This map and certificate shall be filed in the office of the commissioner and thereafter shall govern the identification of the several routes or portions thereof in the trunk highway system and all proceedings, records, and accounts thereafter shall be governed accordingly. Proceedings pending and under way at the time such map is filed shall cite both the old and the new identifications.

History: 1959 c 500 art 2 s 30; 1986 c 444

161.31 MAPS AND PAMPHLETS.

Subdivision 1. **Maps.** The commissioner shall periodically publish a map showing the location and status of improvements of the trunk highway system. Trunk highway maps may contain advertising as a means of offsetting the costs of preparing and distributing the maps. All advertising revenues received by the commissioner under this subdivision shall be deposited in the trunk highway fund.

Subd. 2. **Pamphlets.** The commissioner may print and distribute pamphlets containing information pertaining to the trunk highway system. The pamphlets shall be limited to information as to the location and use of trunk highway routes, the location and proper use of traffic interchanges, speed laws and traffic restrictions, the meaning and use of traffic control devices and directional signs, and other information that will contribute to safer and more convenient use of trunk highways through increased knowledge and better understanding of the traveling public. The commissioner may use other means of communication to disseminate such information when such other means are more practical and efficient.

History: 1959 c 500 art 2 s 31; 1975 c 126 s 1; 1984 c 654 art 3 s 56; 1986 c 444

CONSTRUCTION AND MAINTENANCE CONTRACTS

161.315 PROTECTION OF PUBLIC CONTRACTS.

Subdivision 1. **Legislative intent.** Recognizing that the preservation of the integrity of the public contracting process of the department of transportation is vital to the development of a balanced and efficient transportation system and a matter of interest to the people of the state, the legislature hereby determines and declares that:

(1) the procedures of the department for bidding and awarding department contracts exist to secure the public benefits of free and open competition and to secure the quality of public works;

(2) the opportunity to be awarded department contracts or to supply goods or services to the department is a privilege, not a right; and

(3) the privilege of transacting business with the department or local road authority should be denied to persons convicted of a contract crime in order to preserve the integrity of the public contracting process.

Subd. 2. **Definitions.** The terms used in this section have the meanings given them in this subdivision.

(a) "Affiliate" means a predecessor or successor of a person by merger, reorganization, or otherwise, who is, or that has as an officer or director an individual who is, a relative of the person or an individual over whose actions the person exercises substantial influence or control, or a group of entities so connected or associated that one entity controls or has the power to control each of the other entities. "Affiliate" includes the affiliate's principals. One person's ownership of a controlling interest in another entity or a pooling of equipment or income among entities is prima facie evidence that one entity is an affiliate of another.

(b) "Contract crime" means a violation of state or federal antitrust law, fraud, theft, embezzlement, bribery, forgery, misrepresentation, making false statements, falsification or destruction of records, or other criminal offense in connection with obtaining, attempting to obtain, or performing a public or private contract or subcontract.

(c) "Conviction" has the meaning given it in section 609.02, subdivision 5.

(d) "Debar" means to disqualify from receiving a contract or from serving as a subcontractor or material supplier as provided by Laws 1984, chapter 654, article 2, section 8.

(e) "Person" means a natural person or a business, corporation, association, partnership, sole proprietorship, or other entity formed to do business as a contractor, subcontractor, or material supplier and includes an affiliate of a person.

(f) "Pooling" means a combination of persons engaged in the same business or combined for the purpose of engaging in a particular business or commercial venture and who all contribute to a common fund or place their holdings of a given stock or other security in the hand and control of a managing member or committee of the combination.

(g) "Suspend" means to temporarily disqualify from receiving a contract or from serving as a subcontractor or material supplier as provided by Laws 1984, chapter 654, article 2, section 8.

(h) "Relative" means an individual related by consanguinity within the second degree as determined by the common law, a spouse, or an individual related to a spouse within the second degree as determined by the common law, and includes an individual in an adoptive relationship within the second degree as determined by the common law.

Subd. 3. **Prohibitions.** Except as provided in subdivision 4:

(1) neither the commissioner nor a county, town, or home rule or statutory city may award or approve the award of a contract for goods or services to a person who is suspended or debarred;

(2) neither the commissioner nor a county, town, or home rule or statutory city may award or approve the award of a contract for goods or services under which a debarred or suspended person will serve as a subcontractor or material supplier;

(3) a person to whom a contract for goods or services has been awarded may not subcontract with or purchase materials or services from a debarred or suspended person for performance of that contract; and

(4) when a debarred person sells, or otherwise transfers to a relative or to any other party over whose actions the debarred person exercises substantial influence or control, a business, corporation, association, partnership, sole proprietorship, or other entity, or an affiliate of the entity, that is ineligible by virtue of the debarment to contract with a governmental entity, the sold or transferred entity remains ineligible for these contracts for the duration of the seller's or transferor's debarment.

Subd. 4. **Exceptions.** The commissioner may terminate a debarment by order, or the commissioner or a county, town, or home rule or statutory city may award a contract to a debarred or suspended person when:

(1) that person is the sole supplier of a material or service required by the commissioner or a county, town, or home rule or statutory city;

(2) the commissioner determines that an emergency exists as defined in section 161.32, subdivision 3;

(3) the commissioner of administration determines that an emergency exists as defined in section 16C.10, subdivision 2;

(4) in the case of a contract to be awarded by a county, town, or home rule or statutory city, the governing body thereof determines by resolution that an emergency exists that will result in a road, street, or bridge being closed to travel; or

(5) the contract is for purchasing materials or renting equipment for routine road maintenance.

Subd. 5. **Duration of debarment.** A person who has been convicted of a contract crime must be debarred for a period of not less than one year. This subdivision applies to contract crime violations which occur after June 30, 1985.

Subd. 6. **Preexisting contracts.** The disqualification of a contractor or its affiliate does not affect the contractor's or its affiliate's obligations under any preexisting contract.

History: 1985 c 299 s 3; 1990 c 462 s 1,2; 1998 c 386 art 2 s 58

161.32 CONTRACTING FOR WORK ON TRUNK HIGHWAY.

Subdivision 1. **Advertisement for bids.** The commissioner may conduct the work or any part of the work incidental to the construction and maintenance of the trunk highways by labor employed to do the work or by contract. In cases of construction work, the commissioner shall first advertise for bids for contracts, and if no satisfactory bids are received, may either reject all bids and readvertise, or do the work by labor employed to do the work. Except as provided in subdivision 3 or 4, when work is to be done under contract, the commissioner shall advertise for bids once each week for three successive weeks prior to the date the bids are to be received. The advertisement for bids must be published in a newspaper or other periodical of general circulation in the state and may be placed on the Internet. The plans and specifications for the proposed work must be on file in the commissioner's office prior to the first call for bids.

Subd. 1a. **Standard specifications, security.** Contracts under this section must be based on specifications prescribed by the commissioner. Each bidder for a contract shall furnish security approved by the commissioner to ensure completion of the contract. The commissioner may require that bid, performance, or payment bonds, or other security, be furnished electronically.

Subd. 1b. **Lowest responsible bidder.** Bidders may submit bids electronically in a form and manner required by the commissioner. Trunk highway construction contracts, including design-build contracts, must be awarded to the lowest responsible bidder,

taking into consideration conformity with the specifications, the purpose for which the contract or purchase is intended, the status and capability of the vendor, and other considerations imposed in the call for bids. The commissioner may decide which is the lowest responsible bidder for all contracts and may use the principles of life-cycle costing, when appropriate, in determining the lowest overall bid. Any or all bids may be rejected. When competitive bids are required and all bids are rejected, new bids, if solicited, must be called for as in the first instance, unless otherwise provided by law.

Subd. 1c. Alterations and erasures. A bid containing an alteration or erasure of any price contained in the bid which is used in determining the lowest responsible bid must be rejected unless the alteration or erasure is corrected pursuant to this subdivision. An alteration or erasure may be crossed out and the correction printed in ink or typewritten adjacent to it and initialed in ink by the person signing the bid.

Subd. 1d. Special circumstances. The commissioner may reject the bid of any bidder who has failed to perform a previous contract with the state. In the case of identical low bids from two or more bidders, the commissioner may use negotiated procurement methods with the tied low bidders for that particular transaction, so long as the price paid does not exceed the low tied bid price. The commissioner may award contracts to more than one bidder in accordance with subdivision 1b, if doing so does not decrease the service level or diminish the effect of competition.

Subd. 1e. Record. A record must be kept of all bids, including names of bidders, amounts of bids, and each successful bid. After the contract is awarded, this record is open to public inspection and may be posted on the Internet.

Subd. 2. Direct negotiation. In cases where the estimated cost of construction work or maintenance work does not exceed \$150,000, the commissioner may enter into a contract for the work by direct negotiation, by obtaining two or more quotations for the work, and without advertising for bids or otherwise complying with the requirements of competitive bidding if the total contractual obligation of the state for the directly negotiated contract or contracts on any single project does not exceed \$150,000. All quotations obtained shall be kept on file for a period of at least one year after receipt of the quotation.

Subd. 3. Emergencies. In the case of emergency, contracts may be let without advertising for bids. Emergency is defined as a condition on a trunk highway that necessitates immediate work in order to keep such highway open for travel. No such contract shall be let without advertising for bids except upon the written authority of the commissioner or the commissioner's deputy.

Subd. 4. Trunk highways damaged by spring breakup. Contracts may be let for the repair and restoration of trunk highways damaged by spring breakup upon advertisement for bids and publication thereof in a newspaper or periodical of general circulation for a period of one week prior to the date such bids are to be received, and upon the mailing of such advertisements to all contractors who have filed a written request therefor.

Subd. 5. Default by contractor. In cases where work is being done under contract and the commissioner finds that the contractor has failed to comply within 60 days from the date of receipt of a written demand to make arrangements, satisfactory to the commissioner, to correct specified delays, neglect, or default, within the control of the contractor, the commissioner may negotiate with others, with the approval of the defaulting contractor's surety, for the completion of the contract according to the terms and provisions of the contract.

Subd. 6. Landscape contractors; payment. When goods or services are provided to the commissioner by a landscape contractor for the landscaping of a trunk highway, the commissioner shall agree in the contract to pay the landscape contractor 100 percent of the value of the contract upon completion of the contracted work. The commissioner may require the contractor, as part of the contract, to post a bond for a sum not exceeding 125 percent of the value of the contract, payable to the commissioner, and conditioned upon the work's compliance with the contract terms, for a period of one year beyond the work completion date.

Subd. 7. **Approval and payment of supplemental agreements.** Notwithstanding any law to the contrary, when goods or services are provided to the commissioner under an agreement supplemental to a contract for work on a trunk highway, the commissioner or designee may approve the work. Payment of valid state obligations must be made within 30 days of approval of the work or submission by the contractor of an invoice indicating completion of work, whichever occurs later.

History: 1959 c 500 art 2 s 32; 1961 c 17 s 1; 1963 c 455 s 1; 1967 c 232 s 1; 1981 c 209 s 4; 1985 c 76 s 1; 1986 c 444; 1998 c 386 art 1 s 27-31; 1999 c 230 s 9; 2000 c 479 art 1 s 13; 2000 c 499 s 20; 1Sp2001 c 8 art 2 s 17-20

161.3205 PROFESSIONAL AND TECHNICAL SERVICES CONTRACTS.

Subdivision 1. **Scope; authority generally.** (a) Notwithstanding other law to the contrary, this section applies to professional and technical services contracts entered into by the commissioner of transportation.

(b) The commissioner has the authority and duty to:

- (1) approve state transportation project plans and specifications;
- (2) award transportation construction and maintenance contracts;
- (3) approve, select, and award professional and technical consultant contracts for state transportation projects; and
- (4) approve utility and municipal agreements affecting state transportation projects.

Subd. 2. **Definition of professional or technical services.** For purposes of this section, "professional or technical services" means services that are intellectual in character, including consultative, analytical, evaluative, predictive, planning, programming, or recommendatory, and that result in the production of a report or the completion of a task. Professional or technical contracts do not include the provision of supplies or materials, except (1) by the approval of the commissioner or (2) as incidental to providing professional or technical services.

Subd. 3. **Duties of commissioner.** Before entering into a professional or technical services contract with a value exceeding \$100,000, the commissioner shall certify that:

- (1) no current state employee is able and available to perform the services called for by the contract;
- (2) the normal competitive bidding mechanisms do not provide for adequate performance of the services;
- (3) the contractor has certified that the product of the services will be original in character;
- (4) reasonable efforts were made to publicize the availability of the contract to the public;
- (5) the agency has received, reviewed, and accepted a detailed work plan from the contractor for performance under the contract, if applicable;
- (6) the commissioner has developed and will implement a written plan providing for the assignment of specific agency personnel to a monitoring and liaison function, the periodic review of interim reports or other indications of past performance, and the ultimate utilization of the final product of the services; and
- (7) the department will not allow the contractor to begin work before funds are fully encumbered.

Subd. 4. **Contract procedures.** Before approving a proposed contract for professional or technical services, the commissioner shall determine, at least, that:

- (1) the work to be performed under the contract is necessary to the agency's achievement of its statutory responsibilities and there is statutory authority to enter into the contract;
- (2) the contract does not establish an employment relationship between the state or the agency and any persons performing under the contract;
- (3) the contractor and agents are not employees of the state;

(4) no agency has previously performed or contracted for the performance of tasks that would be substantially duplicated under the proposed contract;

(5) the commissioner has specified a satisfactory method of evaluating and using the results of the work to be performed; and

(6) the combined contract and amendments will not exceed five years, unless otherwise provided for by law. The term of the original contract must not exceed two years, unless the commissioner determines that a longer duration is in the best interest of the state.

Subd. 5. Contract termination and payment terms. (a) A professional or technical services contract must by its terms permit the commissioner to unilaterally terminate the contract prior to completion, upon payment of just compensation, if the commissioner determines that further performance under the contract would not serve agency purposes.

(b) The commissioner shall approve and make final payment on all professional and technical services contracts within six months after the contractor delivers the final documents and invoice. Overdue payments are subject to the applicable prompt payment provisions of section 16A.124.

(c) The terms of a contract must provide that no more than 90 percent of the amount due under the contract may be paid until the final product has been reviewed by the head of the agency entering into the contract and the head of the agency has certified that the contractor has satisfactorily fulfilled the terms of the contract, unless specifically excluded in writing by the commissioner. This paragraph does not apply to contracts for professional services as defined in sections 326.02 to 326.15.

Subd. 6. Reports. (a) The commissioner shall submit to the governor, the chair of the ways and means committee of the house of representatives, the chair of the senate state government finance committee, and the legislative reference library a yearly listing of all contracts for professional or technical services executed. The report must identify the contractor, contract amount, duration, and services to be provided. The commissioner shall also issue yearly reports summarizing the contract review activities of the department by fiscal year.

(b) The fiscal year report must be submitted by September 1 of each year and must:

(1) be sorted by contractor;

(2) show the aggregate value of contracts issued to each contractor;

(3) distinguish between contracts that are being issued for the first time and contracts that are being extended;

(4) state the termination date of each contract; and

(5) identify services by commodity code, including topics such as contracts for training and contracts for research.

(c) Within 30 days of final completion of a contract over \$100,000 covered by this subdivision, the commissioner must submit a one-page report to the legislative reference library. The report must:

(1) summarize the purpose of the contract, including why it was necessary to enter into a contract;

(2) state the amount spent on the contract; and

(3) explain why this amount was a cost-effective way to enable the agency to provide its services or products better or more efficiently.

Subd. 7. Procurement from small business. This section is subject to section 16C.16.

History: 1Sp2001 c 8 art 2 s 21

161.321 SMALL BUSINESS CONTRACTS.

Subdivision 1. **Definitions.** For purposes of this section the following terms have the meanings given them, except where the context clearly indicates a different meaning is intended.

(a) "Award" means the granting of a contract in accordance with all applicable laws and rules governing competitive bidding except as otherwise provided in this section.

(b) "Contract" means an agreement entered into between a business entity and the state of Minnesota for the construction of transportation improvements.

(c) "Subcontractor" means a business entity which enters into a legally binding agreement with another business entity which is a party to a contract as defined in paragraph (b).

(d) "Targeted group business" means a business designated under section 16C.16, subdivision 5.

Subd. 2. **Small business set-asides.** (a) The commissioner may award up to a six percent preference in the amount bid for specified construction work to small targeted group businesses.

(b) The commissioner may designate a contract for construction work for award only to small targeted group businesses if the commissioner determines that at least three small targeted group businesses are likely to bid.

(c) The commissioner, as a condition of awarding a construction contract, may set goals that require the prime contractor to subcontract a portion of the contract to small targeted group businesses. The commissioner must establish a procedure for granting waivers from the subcontracting requirement when qualified small targeted group businesses are not reasonably available. The commissioner may establish financial incentives for prime contractors who exceed the goals for use of subcontractors and financial penalties for prime contractors who fail to meet goals under this paragraph. The subcontracting requirements of this paragraph do not apply to prime contractors who are small targeted group businesses.

(d) The commissioner may award up to a four percent preference in the amount bid on procurement to small businesses located in an economically disadvantaged area as defined in section 16C.16, subdivision 7.

Subd. 3. **Awards to small businesses.** At least 75 percent of subcontracts awarded to small targeted group businesses must be performed by the business to which the subcontract is awarded or another small targeted group business.

Subd. 4. **Awards, limitations.** Contracts awarded pursuant to this section are subject to all limitations contained in rules adopted by the commissioner of administration.

Subd. 5. **Recourse to other businesses.** If the commissioner is unable to award a contract pursuant to the provisions of subdivisions 2 and 3, the award may be placed pursuant to the normal solicitation and award provisions set forth in this chapter and chapter 16C.

Subd. 6. **Rules.** The rules adopted by the commissioner of administration to define small businesses and to set time and other eligibility requirements for participation in programs under sections 16C.16 to 16C.19 apply to this section. The commissioner may promulgate other rules necessary to carry out this section.

Subd. 7. **Noncompetitive bids.** The commissioner is encouraged to purchase from small targeted group businesses designated under section 16C.16 when making purchases that are not subject to competitive bidding procedures.

Subd. 8. **Report by commissioner.** The commissioner of transportation shall report to the commissioner of administration on compliance with this section. The information must be reported at the time and in the manner requested by the commissioner.

History: 1977 c 222 s 1,2; 1978 c 506 s 1; 1979 c 246 s 1; 1980 c 361 s 1,2; 1984 c 544 s 89; 1989 c 352 s 14-17,25; 1990 c 541 s 17-24,29; 1998 c 386 art 2 s 59-63

161.3211 [Renumbered 161.321, subd 8]

161.3212 WORKING CAPITAL FUND.

The commissioner, to the extent allowed by other law or contract, may grant available money that has been appropriated for socially or economically disadvantaged business programs to a guaranty fund administered by a nonprofit organization that makes or guarantees working capital loans to businesses owned and operated by socially or economically disadvantaged persons as defined in Code of Federal Regulations, title 49, section 23.5. The purpose of loans made or guaranteed by the organization must be to provide short-term working capital to enable eligible businesses to be awarded contracts for goods and services or for construction-related services from government agencies.

Money contributed from a constitutionally or statutorily dedicated fund must be used only for purposes consistent with the purposes of the dedicated fund.

History: 1989 c 320 s 1

161.322 PAYMENT OF INTEREST TO CONTRACTORS.

When any contract for the construction, improvement, or repair of any trunk highway has been entered into by the commissioner of transportation of the state of Minnesota, and the work provided for in the contract has been in all things completed to the satisfaction of the commissioner or the commissioner's agent except for the release of sureties, in accordance with the contract, by the person with whom the commissioner has contracted, herein termed the contractor, unless final estimate for the work is made within 90 days after the contractor has so completed the work, the contractor shall be entitled to receive interest at the rate equal to the monthly index of long-term United States bond yields for the month prior to the month in which this obligation is incurred from the date of the expiration of that 90-day period upon all amounts finally determined to be due the contractor which were not paid prior to the expiration of that period, to be paid in the same manner as, and at the time of, the final payment under the contract. The 90-day requirement, and the interest provisions provided for herein, shall not apply if delay is caused by the contractor; nor shall the 90-day requirement apply to contracts over two million dollars if the contract provides specifically for a different period of time in which to make such final estimate.

History: 1963 c 515 s 1; 1976 c 166 s 7; 1980 c 464 s 5; 1986 c 444

161.33 EMPLOYEE INTEREST IN CONTRACT, UNLAWFUL.

It shall be unlawful for any member or employee of the department of transportation to be directly or indirectly interested in any contract for the construction or improvement of any public road or bridge, or in any contract for the repair, purchase or sale of any road machinery, equipment, materials, or supplies to be used thereon. Any person violating any of the foregoing provisions shall be guilty of a gross misdemeanor.

History: 1959 c 500 art 2 s 33; 1976 c 166 s 7

161.34 CONTRACT CLAIMS AGAINST STATE.

Subdivision 1. **Waiver of immunity.** When a controversy arises out of any contract for the construction or repair of state trunk highways entered into by the commissioner or by the commissioner's authority, in respect to which controversy a party to the contract would be entitled to redress against the state, either in a court of law or equity if the state were suable, and when no claim against the state for the same redress has heretofore been made, the state hereby waives immunity from suit in connection with such controversy and confers jurisdiction on the district courts of the state to hear and try the controversy in the manner provided for the trial of causes in the district courts. Only a party to the contract shall have the right to bring action against the state.

Subd. 2. **When action may be commenced.** No such action shall be maintained unless commenced within 90 days after the plaintiff has been furnished by the state

with a final estimate under the plaintiff's contract, or, at the election of the plaintiff, within six months after the work provided for under that contract shall have been in all things completed.

Subd. 3. **Where action may be brought.** The action shall be brought at the election of the plaintiff in the district court of Ramsey county, or in the district court of the county where a major portion of the contract is performed, or in the district court of the county in which the plaintiff resides, or, if there be several plaintiffs residing in different counties, then in the district court of the county of the residence of any one of them. The action shall be commenced by filing a complaint with the court administrator and serving summons and copy of the complaint upon the attorney general of the state at the state capitol. The state shall have 40 days from the date of such service within which to serve an answer upon the plaintiff, and thereafter the case shall proceed in the same manner as other actions at law in the court.

Subd. 4. **Appeal.** An appeal from any final order of judgment in the action shall lie as in other civil cases.

History: 1959 c 500 art 2 s 34; 1983 c 247 s 66; 1986 c 444; 1Sp1986 c 3 art 1 s 82

161.3410 DESIGN-BUILD CONTRACTS; DEFINITIONS.

Subdivision 1. **Scope.** The terms used in sections 161.3410 to 161.3428 have the meanings given in this section.

Subd. 2. **Commissioner.** "Commissioner" means the commissioner of transportation.

Subd. 3. **Design-build contract.** "Design-build contract" means a single contract between the department of transportation and a design-build company or firm to furnish the architectural or engineering and related design services as well as the labor, material, supplies, equipment, and construction services for the transportation project.

Subd. 4. **Design-build firm.** "Design-build firm" means a proprietorship, partnership, limited liability partnership, joint venture, corporation, any type of limited liability company, professional corporation, or any legal entity.

Subd. 5. **Design professional.** "Design professional" means a person who holds a license under chapter 326 that is required to be registered under Minnesota law.

Subd. 6. **Design-build transportation project.** "Design-build transportation project" means the procurement of both the design and construction of a transportation project in a single contract with a company or companies capable of providing the necessary engineering services and construction.

Subd. 7. **Design-builder.** "Design-builder" means the design-build firm that proposes to design and build a transportation project governed by the procedures of this section.

Subd. 8. **Request for proposals or RFP.** "Request for proposals" or "RFP" means the document by which the commissioner solicits proposals from prequalified design-build firms to design and construct the transportation project.

Subd. 9. **Request for qualifications or RFQ.** "Request for qualifications" or "RFQ" means a document to prequalify and short-list potential design-build firms.

History: 1Sp2001 c 8 art 3 s 1

161.3412 DESIGN-BUILD AUTHORITY.

Subdivision 1. **Best value selection.** Notwithstanding sections 16C.25, 161.32, and 161.321, or any other law to the contrary, the commissioner may solicit and award a design-build contract for a project on the basis of a best value selection process. Section 16C.08 does not apply to design-build contracts to which the commissioner is a party.

Subd. 2. **Competitive, open process.** Sections 161.3410 to 161.3428 apply only to transportation projects using the two-step competitive process utilizing public solicitation for design-build services.

Subd. 3. **Restriction; reports.** (a) The number of design-build contracts awarded by the commissioner in any fiscal year may not exceed ten percent of the total number of transportation construction contracts awarded by the commissioner in the previous fiscal year.

(b) The commissioner shall notify the chairs of the senate and house of representatives committees with jurisdiction over transportation policy and transportation finance each time the commissioner decides to use the design-build method of procurement and explain why that method was chosen.

Subd. 4. **Municipal consent.** Use of the design-build method of state transportation project delivery is subject to state law concerning municipal consent to highways in municipalities.

History: *1Sp2001 c 8 art 3 s 2*

161.3414 DETERMINATION TO USE DESIGN-BUILD SELECTION METHOD.

Subdivision 1. **General criteria.** A design-build contracting procedure authorized under sections 161.3410 to 161.3428 may be used for a specific project only after the commissioner determines that awarding a design-build contract will serve the public interest.

Subd. 2. **Specific criteria.** The commissioner shall use the following criteria as the minimum basis for determining when to use the design-build method of project delivery:

- (1) the extent to which it can adequately define the project requirements in a proposed scope of the design and construction desired;
- (2) the time constraints for delivery of the project;
- (3) the capability and experience of potential contractors with the design-build method of project delivery or similar experience;
- (4) the suitability of the project for use of the design-build method of project delivery with respect to time, schedule, costs, and quality factors;
- (5) the capability of the department of transportation to manage the project, including the employment of experienced personnel or outside consultants;
- (6) the capability of the department of transportation to oversee the project with individuals or design-build firms who are familiar and experienced with the design-build method of project delivery or similar experience;
- (7) the lack of ability and availability of any current state employee to perform the services called for by the contract;
- (8) the original character of the product or the services;
- (9) the work to be performed on the project is necessary to the agency's achievement of its statutory responsibilities and there is statutory authority to enter into the contract; and
- (10) other criteria the commissioner deems relevant and states in writing in its determination to utilize the design-build method of project delivery.

History: *1Sp2001 c 8 art 3 s 3*

161.3416 DESIGN-BUILD NOTICE; REPORT.

Subdivision 1. **Summary report of reasons for determination.** The commissioner shall summarize in a written statement its reasons for using the design-build construction contracting procedure. This statement, along with other relevant information describing the project, must be made available upon request to interested parties.

Subd. 2. **Final determination authority.** Final determination to use a design-build construction contracting procedure may be made only by the commissioner.

History: *1Sp2001 c 8 art 3 s 4*

161.3418 LICENSING REQUIREMENTS.

Subdivision 1. **Licensed professional required.** Each design-builder shall employ, or have as a partner, member, officer, coventurer, or subcontractor, a person duly licensed and registered to provide the design services required to complete the project and do business in the state.

Subd. 2. **Contracting for licensed professional.** A design-builder may enter into a contract to provide professional or construction services for a project that the design-builder is not licensed, registered, or qualified to perform, so long as the design-builder provides those services through subcontractors with duly licensed, registered, or otherwise qualified individuals in accordance with sections 161.3410 to 161.3428.

Subd. 3. **Liability.** (a) Nothing in this section authorizing design-build contracts is intended to limit or eliminate the responsibility or liability owed by a professional on a design-build project to the state, county, or city, or other third parties under existing law.

(b) The design service portion of a design-build contract must be considered a service and not a product.

History: *1Sp2001 c 8 art 3 s 5*

161.3420 DESIGN-BUILD RFQ; SELECTION TEAM; EVALUATION.

Subdivision 1. **Two-phase procedure.** If the commissioner determines that the design-build best value method of project delivery is appropriate for a project, the commissioner shall establish a two-phase procedure for awarding the design-build contract, as described in this subdivision and section 161.3422.

Subd. 2. **Technical review committee.** During the phase-one request for qualifications (RFQ) and before solicitation, the commissioner shall appoint a technical review committee of at least five individuals. The technical review committee must include an individual whose name and qualifications are submitted to the commissioner by the Minnesota chapter of the Associated General Contractors, after consultation with other commercial contractor associations in the state. Members of the technical review committee who are not state employees are subject to the Minnesota Government Data Practices Act and section 16C.06 to the same extent that state agencies are subject to those provisions. A technical review committee member may not participate in the review or discussion of responses to an RFQ or request for proposals (RFP) when the member has a financial interest in any of the design-build firms that respond to that RFQ or RFP. "Financial interest" includes, but is not limited to, being or serving as an owner, employee, partner, limited liability partner, shareholder, joint venturer, family member, officer, or director of a design-build firm responding to an RFQ or RFP for a specific project, or having any other economic interest in that design-build firm. The members of the technical review committee must be treated as state employees in the event of litigation resulting from any action arising out of their service on the committee.

Subd. 3. **Contents.** The commissioner shall prepare or have prepared an RFQ. The RFQ must include the following:

- (1) the minimum qualifications of design-builders necessary to meet the requirements for acceptance;
- (2) a scope of work statement and schedule;
- (3) documents defining the project requirements;
- (4) the form of contract to be awarded;
- (5) the weighted selection criteria for compiling a short list and the number of firms to be included in the short list, which must be at least two but not more than five;
- (6) a description of the request for proposals (RFP) requirements;
- (7) the maximum time allowed for design and construction;
- (8) the commissioner's estimated cost of design and construction;

(9) requirements for construction experience, design experience, financial, personnel, and equipment resources available from potential design-builders for the project and experience in other design-build transportation projects or similar projects, provided that these requirements may not unduly restrict competition; and

(10) a statement that "past performance" or "experience" does not include the exercise or assertion of a person's legal rights.

Subd. 4. **Evaluation.** The selection team shall evaluate the design-build qualifications of responding firms and shall compile a short list of no more than five most highly qualified firms in accordance with qualifications criteria described in the request for qualifications (RFQ). If only one design-build firm responds to the RFQ or remains on the short list, the commissioner may readvertise or cancel the project as the commissioner deems necessary.

History: *1Sp2001 c 8 art 3 s 6*

161.3422 RFP FOR DESIGN-BUILD.

During phase two, the commissioner shall issue a request for proposals (RFP) to the design-builders on the short list. The request must include:

(1) the scope of work, including (i) performance and technical requirements, (ii) conceptual design, (iii) specifications, and (iv) functional and operational elements for the delivery of the completed project, which must be prepared by a registered or licensed professional engineer;

(2) a description of the qualifications required of the design-builder and the selection criteria, including the weight or relative order, or both, of each criterion;

(3) copies of the contract documents that the successful proposer will be expected to sign;

(4) the maximum time allowable for design and construction;

(5) the road authority's estimated cost of design and construction;

(6) the requirement that a submitted proposal be segmented into two parts, a technical proposal and a price proposal;

(7) the requirement that each proposal be in a separately sealed, clearly identified package and include the date and time of the submittal deadline;

(8) the requirement that the technical proposal include a critical path method; bar schedule of the work to be performed, or similar schematic; design plans and specifications; technical reports; calculations; permit requirements; applicable development fees; and other data requested in the RFP;

(9) the requirement that the price proposal contain all design, construction, engineering, inspection, and construction costs of the proposed project;

(10) the date, time, and location of the public opening of the sealed price proposals; and

(11) other information relevant to the project.

History: *1Sp2001 c 8 art 3 s 7*

161.3424 REPLACING TEAM MEMBERS.

An individual or a design-build firm identified in a response to a request for qualifications (RFQ) or a request for proposals (RFP) may not be replaced without the written approval of the commissioner. The commissioner may revoke an awarded contract if an individual or a design-build firm identified in a response to an RFQ or RFP is replaced without the commissioner's written approval. To qualify for the commissioner's approval, the written request must document that the proposed replacement individual or design-build firm will be equal to or better than that described in the response to the RFQ or RFP. The commissioner shall use the criteria specified in the RFQ or RFP to evaluate the request.

History: *1Sp2001 c 8 art 3 s 8*

161.3426 DESIGN-BUILD AWARD.

Subdivision 1. **Award; computation; announcement.** Except as provided in subdivision 2, a design-build contract shall be awarded as follows:

(a) The technical review committee shall score the technical proposals using the selection criteria in the request for proposals (RFP). The technical review committee shall then submit a technical proposal score for each design-builder to the commissioner. The technical review committee shall reject any proposal it deems nonresponsive.

(b) The commissioner shall announce the technical proposal score for each design-builder and shall publicly open the sealed price proposals and shall divide each design-builder's price by the technical score that the technical review committee has given to it to obtain an adjusted score. The design-builder selected must be that responsive and responsible design-builder whose adjusted score is the lowest.

(c) If a time factor is included with the selection criteria in the RFP package, the commissioner may also adjust the bids using a value of the time factor established by the commissioner. The value of the time factor must be expressed as a value per day. The adjustment must be based on the total time value. The total time value is the design-builder's total number of days to complete the project multiplied by the factor. The time-adjusted price is the total time value plus the bid amount. This adjustment must be used for selection purposes only, and must not affect the department of transportation's liquidated damages schedule or incentive or disincentive program. An adjusted score must then be obtained by dividing each design-builder's time-adjusted price by the score given by the technical review team. The commissioner shall select the responsive and responsible design-builder whose adjusted score is the lowest.

(d) Unless all proposals are rejected, the commissioner shall award the contract to the responsive and responsible design-builder with the lowest adjusted score. The commissioner shall reserve the right to reject all proposals.

Subd. 2. **Alternative process for certain contracts.** (a) The commissioner may elect to use the process in paragraph (b) for a design-build contract for a project with an estimated project cost of less than \$5,000,000.

(b) The commissioner shall give the lowest cost proposal the full number of price points defined in the request for proposals (RFP). The commissioner shall award each of the other proposals a percentage of the price points based on a ratio of the lowest price divided by the responder's price. The commissioner shall add the technical score and price score and award the contract to the responder with the highest total score.

Subd. 3. **Stipulated fee.** The commissioner shall award a stipulated fee not less than two-tenths of one percent of the department's estimated cost of design and construction to each short-listed, responsible proposer who provides a responsive but unsuccessful proposal. If the commissioner does not award a contract, all short-listed proposers must receive the stipulated fee. If the commissioner cancels the contract before reviewing the technical proposals, the commissioner shall award each design-builder on the short list a stipulated fee of not less than two-tenths of one percent of the commissioner's estimated cost of design and construction. The commissioner shall pay the stipulated fee to each proposer within 90 days after the award of the contract or the decision not to award a contract. In consideration for paying the stipulated fee, the commissioner may use any ideas or information contained in the proposals in connection with any contract awarded for the project or in connection with a subsequent procurement, without any obligation to pay any additional compensation to the unsuccessful proposers. Notwithstanding the other provisions of this subdivision, an unsuccessful short-list proposer may elect to waive the stipulated fee. If an unsuccessful short-list proposer elects to waive the stipulated fee, the commissioner may not use ideas and information contained in that proposer's proposal. Upon the request of the commissioner, a proposer who waived a stipulated fee may withdraw the waiver, in which case the commissioner shall pay the stipulated fee to the proposer and thereafter may use ideas and information in the proposer's proposal.

Subd. 4. **Low-bid design-build process.** (a) The commissioner may also use low-bid, design-build procedures to award a design-build contract where the scope of the work can be clearly defined.

(b) Low-bid design-build projects may require a request for qualifications (RFQ) and short-listing, and must require a request for proposals (RFP).

(c) Submitted proposals under this subdivision must include separately a technical proposal and a price proposal. The low-bid, design-build procedures must follow a two-step process for review of the responses to the RFP as follows:

(1) The first step is the review of the technical proposal by the technical review committee as provided in section 161.3420, subdivision 2. The technical review committee must open the technical proposal first and must determine if it complies with the requirements of the RFP and is responsive. The technical review committee may not perform any ranking or scoring of the technical proposals.

(2) The second step is the determination of the low bidder based on the price proposal. The commissioner may not open the price proposal until the review of the technical proposal is complete.

(d) The contract award under low-bid, design-build procedures must be made to the proposer whose sealed bid is responsive to the technical requirements as determined by the technical review committee and that is also the lowest bid.

(e) A stipulated fee may be paid for unsuccessful bids on low-bid, design-build projects only when the commissioner has required an RFQ and short-listed the most highly qualified responsive bidders.

Subd. 5. **Rejection of bids.** The commissioner may reject all bids under this section.

History: *1Sp2001 c 8 art 3 s 9*

161.3428 LIST OF DESIGN-BUILD CONTRACTS.

Beginning September 1, 2002, and every subsequent year on September 1, the commissioner shall submit to the governor, the chairs of the house of representatives ways and means and senate finance committees, the chairs of the house of representatives and senate committees having jurisdiction over transportation policy and finance, and the legislative reference library, a yearly listing of all executed design-build contracts. The report must identify the contractor, contract amount, duration, and services to be provided. The list and summary must:

- (1) be sorted by contractor;
- (2) show the aggregate value of contracts issued by the commissioner of transportation and issued to each contractor; and
- (3) state the termination date of each contract.

History: *1Sp2001 c 8 art 3 s 10*

161.35 [Repealed, 1978 c 480 s 3]

161.355 Subdivision 1. [Renumbered 161.095]

Subd. 2. [Repealed, 1975 c 435 s 22]

161.36 FEDERAL AID.

Subdivision 1. **Commissioner to cooperate with U.S. government.** The commissioner may cooperate with the government of the United States and any agency or department thereof in the construction, improvement, enhancement, and maintenance of transportation in the state of Minnesota and may comply with the provisions of the laws of the United States and any regulations made thereunder for the expenditure of federal moneys.

Subd. 2. **Federal aid, acceptance; commissioner as agent.** The commissioner may accept federal moneys and other moneys, either public or private, for and in behalf of the state of Minnesota or any governmental subdivision thereof, or any nonpublic organization, for the construction, improvement, enhancement, or maintenance of

transportation upon such terms and conditions as are or may be prescribed by the laws of the United States and any regulations made thereunder, and is authorized to act as an agent of that governmental subdivision or nonpublic organization upon its request in accepting the moneys in its behalf for transportation purposes, in acquiring right-of-way therefor, and in contracting for the construction, improvement, enhancement, or maintenance of transportation financed either in whole or in part by federal moneys. The governing body of any such subdivision or nonpublic organization is authorized to designate the commissioner as its agent for such purposes and to enter into an agreement with the commissioner prescribing the terms and conditions of the agency in accordance herewith and with federal laws and regulations.

Subd. 3. Commissioner as agent in certain cases. The commissioner may act as the agent of any political subdivision of the state, or any nonpublic organization, as provided herein, for the construction of transportation toward the construction of which no federal aid is available in the event that the construction adjoins, is connected, or in the judgment of the commissioner can be best and most economically performed in connection with construction upon which federal aid is available and upon which the commissioner is then acting as agent.

Subd. 4. State laws govern. All contracts for the construction, improvement, enhancement, or maintenance of transportation made by the commissioner as the agent of any governmental subdivision, or any nonpublic organization, shall be made pursuant to the laws of Minnesota governing the making of contracts for the construction, improvement, enhancement, and maintenance of transportation on the trunk highway system of the state; provided, where the construction, improvement, enhancement, or maintenance of any transportation is financed wholly with federal moneys, the commissioner as the agent of the governmental subdivision or nonpublic organization may let contracts in the manner prescribed by the federal authorities acting under the laws of the United States and any regulations made thereunder, notwithstanding any state law to the contrary.

Subd. 5. Funds deposited in state treasury. All funds accepted for disbursement by the commissioner pursuant to this section shall be deposited in the state treasury and, unless otherwise prescribed by the authority from which the funds are received, kept in separate accounts designated according to the purposes for which the funds were made available and held by the state in trust for those purposes. All funds are appropriated for the purposes for which the funds are made available to be expended in accordance with this section and with federal laws and regulations. The commissioner may, whether acting for the state of Minnesota or as the agent of any of its governmental subdivisions or when requested by the United States government or any agency or department of the United States government, disburse funds for the designated purposes, but this shall not preclude any other authorized method of disbursement. For the purpose of providing sufficient funds in the accounts established pursuant to this subdivision to meet expenditure requirements occurring before federal or other public or private reimbursements, the commissioner of finance, at the request of the commissioner, may borrow from available balances of the county state-aid highway fund or the municipal state-aid street fund. The terms and conditions of any loans shall be determined by the commissioner of finance. The amount borrowed shall not exceed in the aggregate the amount of federal aid allotted to the construction of roads and bridges under the jurisdiction of governmental subdivisions and under project appropriation by the federal government. When there is sufficient money in the account that received the loan, the state treasurer shall transfer from that account to the other public fund the amount so loaned.

Subd. 6. No personal liability created. Nothing in this section shall be construed as creating any personal liability upon the commissioner or in any way authorizing the commissioner to create any liability on the part of the state of Minnesota when acting as the agent of any governmental subdivision thereof, or when acting at the request of the United States.

History: 1959 c 500 art 2 s 36; 1981 c 209 s 5; 1982 c 376 s 1; 1986 c 444; 1996 c 455 art 3 s 9-12

161.361 ADVANCE FUNDING FOR TRUNK HIGHWAY PROJECTS.

Subdivision 1. **Advance funding.** A road authority other than the commissioner may by agreement with the commissioner make advances from any available funds to the commissioner to expedite construction of all or part of a trunk highway. Money may be advanced under this section only for projects already included in the commissioner's ten-year highway work program. The total amount of annual repayment to road authorities under this subdivision must never exceed \$10,000,000.

Subd. 1a. **Interregional corridors.** By agreement with the commissioner, a road authority other than the commissioner or two or more road authorities that have entered into a joint powers agreement under section 471.59 may make advances from any available funds to the commissioner to expedite development of an interregional transportation corridor, including funds for design consultants, for right-of-way purchases, for construction, or for other related expenditures. The total amount of annual repayment to road authorities under this subdivision must never exceed \$10,000,000.

Subd. 1b. **Bottlenecks.** By agreement with the commissioner, a road authority other than the commissioner or two or more road authorities that have entered into a joint powers agreement under section 471.59 may make advances from any available funds to the commissioner to expedite bottleneck reduction, including funds for design consultants, for right-of-way purchases, for construction, or for other related expenditures. The total amount of annual repayment to road authorities under this subdivision must never exceed \$10,000,000.

Subd. 2. **Repayment.** Subject to the availability of state money, the commissioner shall repay the amounts advanced under this section, up to the state's share of project costs, under terms of the agreement. The agreement may provide for payment of interest for funds advanced under subdivisions 1a and 1b. The maximum interest rate that may be paid is the rate earned by the state on invested treasurer's cash for the month before the date the agreement is executed or the actual interest paid by the road authority in borrowing for the amount advanced, whichever rate is less.

History: 1991 c 298 art 4 s 4; 2002 c 364 s 6

161.362 [Repealed, 2002 c 364 s 41]

161.365 HIGHWAY CONTRACT SPECIFICATIONS; MINIMUM WAGE.

All contracts for the construction, improvement or repair of a road or highway financed in whole or in part with federal funds and with respect to which the commissioner of transportation acts as the agent for a political subdivision of the state and is required to approve plans and specifications with respect thereto and to award such contract, the commissioner of transportation shall incorporate into the specifications a provision requiring the same wage rates for labor as is currently used by the state of Minnesota on state trunk highway projects other than interstate projects, for work in the same wage rate area. The provisions of this section shall not be applicable to contracts with any railroad or public utility for the alteration or relocation of any facilities of any such railroad or public utility when the work provided for in said contract is done by the regularly employed forces of said railroad or public utility.

History: 1965 c 368 s 1; 1976 c 166 s 7

161.366 TRANSPORTATION CONSTRUCTION CONTRACT; TACONITE RELIEF AREA.

The commissioner of transportation, as a condition of awarding a transportation construction contract in the taconite tax relief area, may require the contractor to hire a certain percentage of workers for that contract whose principal place of residence is in the taconite tax relief area. Taconite tax relief area means the tax relief area defined in section 273.134.

History: 2001 c 213 s 7; 1Sp2001 c 8 art 2 s 23

161.37 SURPLUS GOVERNMENT MATERIALS.

Subdivision 1. **Commissioner may accept.** The commissioner may accept from the federal government allotments to the state of excess materials suitable for road construction and maintenance purposes.

Subd. 2. **Costs incurred in obtaining materials.** Costs incurred in receiving, placing in use, delivering, or purchasing spare parts for excess materials shall be paid out of the trunk highway fund; provided that any expense so incurred in receiving, delivering, or purchasing spare parts for the material in behalf of any county shall be paid by the county, and payment received therefor shall be credited to the trunk highway fund.

History: 1959 c 500 art 2 s 37

161.38 SPECIAL AGREEMENTS FOR HIGHWAYS IN MUNICIPALITIES.

Subdivision 1. **Highway width or capacity.** Road authorities, including the road authorities of any city may enter into an agreement with the commissioner for the construction of a roadway or structure of greater width or capacity than would be necessary to accommodate the normal trunk highway traffic upon any trunk highway within its boundaries, and may appropriate from any funds available and pay into the trunk highway fund such sums of money as may be agreed upon. Nothing herein contained shall prevent any city from constructing the portions of the street not included in the trunk highway system independent of any contract with the commissioner; provided the construction conforms to the reasonable rules as the commissioner may prescribe as to grade and drainage.

Subd. 2. **Maintenance.** Where a trunk highway is located over or along a street in any city which street is or may be improved to a width greater than the normal width of such trunk highway, the road authority of the city may enter into an agreement with the commissioner for the maintenance of the additional width by the commissioner and shall in accordance with the agreement appropriate and pay into the trunk highway fund such sums of money as may be agreed upon. Nothing herein contained shall be construed to prevent any city maintaining such additional width at its own expense independent of any contract with the commissioner.

Subd. 3. **Frontage road.** The commissioner for and on behalf of the state may enter into agreements with municipalities for the construction, improvement, and maintenance of trunk highways within the limits of said municipalities, including but not limited to agreements for the construction and maintenance of frontage roads upon and along trunk highways within the limits of said municipalities. Such frontage roads may be constructed along the main traveled lanes of the trunk highway, or they may be constructed a reasonable distance out from the limits of the right-of-way acquired for the main traveled lanes if in the considered judgment of the commissioner such location is necessary to eliminate unreasonable circuitry of local travel or to provide access to properties otherwise denied access to public highways by the establishment and construction of the trunk highway. Such frontage roads shall connect, at least at one terminal, either with the main lanes of the trunk highway or with another public highway. The municipalities are authorized to enter into such agreement with the commissioner for the performance and responsibility of the work upon such terms as may be agreed upon.

Subd. 4. **Effects on other law of public contract with commissioner.** Whenever the road authority of any city enters into an agreement with the commissioner pursuant to this section, and a portion of the cost is to be assessed against benefited property, the letting of a public contract by the commissioner for the work shall be deemed to comply with statutory or charter provisions requiring the city (1) to advertise for bids before awarding a contract for a public improvement, (2) to let the contract to the lowest responsible bidder, and (3) to require a performance bond to be filed by the contractor before undertaking the work. The contract so let by the commissioner and the performance bond required of the contractor by the commissioner shall be considered to be the contract and bond of the city for the purposes of complying with the requirements of any applicable law or charter provision, and the bond shall inure to

the benefit of the city and operate for their protection to the same extent as though they were parties thereto.

Subd. 5. Definition of municipalities. For the purpose of this section the term "municipalities" shall include counties, cities, and towns.

Subd. 6. Withholding state aid. If any municipality fails to fulfill its obligations as provided in any mutual agreement entered into pursuant to this section, the commissioner may retain and withhold payment of any state aid money apportioned to such municipality under the provisions of sections 162.01 to 162.181 until such municipality fulfills its obligations under the agreement. If the obligation which the municipality has failed to fulfill is a monetary obligation, the amount of state aid money which the commissioner may withhold shall not exceed the amount of the monetary obligation in default. If the obligation is other than a monetary obligation, the commissioner may withhold a reasonable amount of such state aid money until the municipality fulfills the obligation.

Subd. 7. Improvements outside limits of state construction project. The commissioner may act as agent for any municipality, at its request and on its approval, for the construction of street or highway improvements outside the limits of a state construction project. Administration of a contract in this manner must be based on an estimated cost savings for both the state and the municipality. All costs of such work shall be paid by the municipality. Prior to the letting of the state construction contract, the provisions for payment and all details of the work to be done outside of the limits of the state construction project shall be set out in an agency agreement between the municipality and the state.

History: 1959 c 500 art 2 s 38; 1961 c 40 s 1; 1961 c 577 s 2; 1965 c 155 s 1; 1973 c 123 art 5 s 7; 1Sp1981 c 4 art 1 s 83; 1982 c 376 s 2; 1985 c 248 s 70

161.39 AID TO OTHER ROAD AUTHORITIES AND STATE DEPARTMENTS.

Subdivision 1. Assistance allowed. Upon the request of another road authority, any road authority including the commissioner and the road authority of any city, township, or county may provide technical and engineering advice, assistance and supervision to the requesting road authority; and may make surveys and prepare plans for the location, construction, and reconstruction of and perform maintenance on any highway, street, road, or bridge under the jurisdiction of the requesting road authority.

Subd. 2. Additional work. If so requested the assisting road authority may examine the whole or any part of the highway or street system under the jurisdiction of the road authority and recommend changes, alterations, or additions thereto that the assisting road authority deems to be in the public interest and in the interest of safety and convenient public travel. The commissioner may make surveys, studies, investigations, and perform work and services as are necessary in carrying out such requests.

Subd. 3. Engineering or survey services for state departments. The commissioner shall render engineering or surveying services as the governor may require for any of the state departments or agencies.

Subd. 4. Pavement marking. The commissioner may pavement mark highways and streets off the trunk highway system and furnish the necessary equipment and operators therefor when any road authority, including road authorities of cities and state department or agencies having jurisdiction over such highways or streets requests such pavement marking.

Subd. 5. Payment for services. The cost of the work or services performed under the provisions of this section shall be paid by the road authority, department or agency for which the work or services were performed. All money received or expended therefor shall be credited or debited to the trunk highway fund.

Subd. 5a. Performing services for public utilities commission, reimbursement. The trunk highway fund shall be reimbursed for money expended by the transportation department in performing services for the public utilities commission.

Subd. 5b. **Reimbursement for services.** The office of electronic communication in the department of transportation may perform work for other state agencies and, to the extent that these services are performed beyond the level for which money was appropriated, may deposit revenue generated from this source as dedicated receipts to the account from which it was spent.

Subd. 6. **Agreements regarding services.** The road authorities, including road authorities of cities, townships, counties, state departments, or agencies may enter into agreements with the commissioner setting forth the work or services to be performed by the commissioner or the road authority under the provisions of this section and providing for the method of reimbursement to or from the trunk highway fund of the cost thereof.

History: 1959 c 500 art 2 s 39; 1973 c 123 art 5 s 7; 1973 c 718 s 21; 1975 c 435 s 20; 1976 c 166 s 7; 1980 c 614 s 123; 1984 c 417 s 14-16; 1986 c 444; 1993 c 266 s. 16

161.391 PAVEMENT STRIPING.

The commissioner of transportation may bill highway maintenance operating units of the department and local road authorities for the costs of a centrally managed, pavement marking program. These costs may include equipment acquisition and rental, labor, materials, and other costs as determined by the commissioner. Receipts must be credited to a special account, which is established in the trunk highway fund, and are appropriated to the commissioner to pay the costs for which the billings are made. Amounts credited to the account are exempt from statewide and agency indirect costs payments.

History: 1Sp2001 c 8 art 2 s 50

161.40 JOINT FACILITIES WITH DIVISION OF EMERGENCY MANAGEMENT.

The commissioner may enter into agreements with the state division of emergency management to build, operate and maintain joint facilities in cases where the division of emergency management contributes its proportionate financial share.

History: 1959 c 500 art 2 s 40; 1974 c 428 s 5; 1987 c 71 s 2

PROPERTY INTERESTS, TRANSACTIONS, AND USES

161.41 SURPLUS PROPERTY NOT NEEDED FOR HIGHWAY PURPOSES.

Subdivision 1. **Commissioner may declare surplus.** The commissioner is authorized to declare as surplus any property acquired by the state for highway purposes, excluding real estate, which the commissioner determines to be no longer needed or necessary for state highway purposes.

Subd. 2. **Determination of value; disposition.** The commissioner shall administer all aspects of the disposition of property declared to be surplus under this section. The commissioner shall first determine the value of the surplus property. The commissioner may then transfer the possession of the surplus property to any state agency or political subdivision of this state or to the United States government upon receipt of payment in an amount equal to the value of the surplus property.

The commissioner may also sell the surplus property under the competitive bidding provisions of chapter 16C if no state agency or political subdivision of this state offers to purchase the surplus property for its determined value.

Subd. 3. **Money credited to trunk highway fund.** The commissioner shall deposit all money received under this section with the state treasurer to be credited to the trunk highway fund.

History: 1959 c 500 art 2 s 41; 1982 c 617 s 4; 1989 c 209 art 2 s 1; 1998 c 386 art 2 s 64

161.411 SALE OF SURPLUS EARTH MATERIAL.

Whenever the plans for the construction of a trunk highway indicate that there will be a surplus of earth materials from the roadway excavation of such trunk highway, and

a political subdivision or public agency of the state indicates that it has use for all or part of such surplus earth materials, the commissioner of transportation may enter into an agreement for the sale of such surplus materials on an equitable basis to such political subdivision or agency. Prior to such agreement the state in its proposal shall require a bid item reflecting either an increased or decreased cost to the state by reason of the proposed sale of such material. If such bid item indicates an increased cost to the state, the materials shall not be sold for less than such increased cost.

History: 1965 c 301 s 1; 1976 c 166 s 7.

161.42 LEASING OR SALE OF SOUNDING AND TESTING EQUIPMENT.

The commissioner may sell or lease to other road authorities sounding and testing equipment made by the transportation department. Such equipment shall be sold for not less than the cost to the department. All money received from the sale or leasing of the equipment shall be paid into the trunk highway fund.

History: 1959 c 500 art 2 s 42; 1976 c 166 s 7

161.43 RELINQUISHMENT OF HIGHWAY EASEMENT.

The commissioner of transportation may relinquish and quitclaim to the fee owner an easement or portion of an easement owned but no longer needed by the transportation department for trunk highway purposes, upon payment to the transportation department of an amount of money equal to the appraised current market value of the easement. If the fee owner refuses to pay the required amount, or if after diligent search the fee owner cannot be found, the commissioner may convey the easement to an agency or to a political subdivision of the state upon terms and conditions agreed upon, or the commissioner may acquire the fee title to the land underlying the easement in the manner provided in section 161.20, subdivision 2. After acquisition of the fee title, the lands may be sold to the highest responsible bidder upon three weeks' published notice of the sale in a newspaper or other periodical of general circulation in the county where the land is located. All bids may be rejected and new bids received upon like publication. If the lands remain unsold after being offered for sale to the highest bidder, the commissioner may retain the services of a licensed real estate broker to find a buyer. The sale price may be negotiated by the broker, but must not be less than 90 percent of the appraised market value as determined by the commissioner. The broker's fee must be established by prior agreement between the commissioner and the broker, and must not exceed ten percent of the sale price for sales of \$10,000 or more. The broker's fee must be paid to the broker from the proceeds of the sale.

History: 1959 c 500 art 2 s 43; 1971 c 276 s 1; 1976 c 166 s 7; 1980 c 533 s 8; 1983 c 143 s 6; 1984 c 654 art 3 s 57

161.431 LEASING OF HIGHWAY EASEMENT.

The commissioner may lease to the fee owner for a fair rental rate and upon terms and conditions that the commissioner deems proper, an easement in real estate acquired for trunk highway purposes and not then needed for trunk highway purposes. If the fee owner refuses to lease or if after diligent search the fee owner cannot be found, the commissioner may lease the easement to an agency or to a political subdivision of the state on terms and conditions agreed upon, or the commissioner may lease the easement to the highest responsible bidder upon three weeks' published notice of the lease offering in a newspaper or other periodical of general circulation in the county where the easement is located. All bids may be rejected and new bids received upon like publication. All rents received from the lease must be paid into the state treasury. Seventy percent of any rent received is to be credited to the trunk highway fund. The remaining 30 percent is to be paid to the county treasurer of the county where the easement is located for distribution in the same manner as real estate taxes.

History: 1983 c 143 s 7

161.433 USE OF HIGHWAY AIRSPACE AND SUBSURFACE.

Subdivision 1. **Lease or permit, conditions and restrictions.** The commissioner of transportation may lease or otherwise permit the use of the airspace above and subsurface area below the surface of the right-of-way of any trunk highway, including the surface of the right-of-way above and below the airspace or subsurface areas, where the land is owned in fee by the state for trunk highway purposes when the use will not impair or interfere with the use and safety of the highway. The lease, permit, or other agreement may contain such restrictive clauses as the commissioner deems necessary in the interest of safety and convenience of public travel and other highway purposes. No lease, permit, or other agreement shall be for a period in excess of 99 years. Vehicular access to such airspace, subsurface, or surface areas shall not be allowed directly from the highway where such access would violate the provisions of United States Code, title 23, or would interfere in any way with the free flow of traffic on the highway. Any lease, permit, or other agreement shall have the approval of the appropriate federal agency when required.

Subd. 2. **Consideration for use.** The consideration paid for the use of airspace or subsurface areas shall be determined by the commissioner, but in no event shall it be less than a fair rental rate, and shall include costs for the erection and maintenance of any facilities or other costs occasioned by that use. All moneys received shall be paid into the trunk highway fund. This subdivision does not apply to real estate leased for the purpose of providing commercial and public service advertising pursuant to franchise agreements as provided in sections 160.276 to 160.278.

Subd. 3. **Application to certain provisions.** Laws 1967, chapter 214 shall not apply to or affect the rights and privileges referred to in sections 161.45, 222.37, and 300.03.

History: 1967 c 214 s 1,2,5; 1976 c 166 s 7; 1980 c 494 s 7; 1980 c 533 s 9

161.434 INTERSTATE AND TRUNK HIGHWAY RIGHTS-OF-WAY; LIMITED USE.

The commissioner may also make such arrangements and agreements as the commissioner deems necessary in the public interest for the limited use of land owned as interstate or trunk highway right-of-way, which use shall be for highway purposes, including aesthetic purposes, but not including the erection of permanent buildings, except buildings or structures erected for the purpose of providing information to travelers through commercial and public service advertising pursuant to franchise agreements as provided in sections 160.276 to 160.278. The commissioner shall secure the approval of the appropriate federal agency where such approval is required.

History: 1967 c 659 s 1; 1969 c 482 s 1; 1980 c 494 s 8; 1986 c 444

161.435 [Repealed, 1967 c 214 s 6]

161.44 RELINQUISHMENT OF LAND NO LONGER NEEDED.

Subdivision 1. **Conveyance.** The commissioner may convey and quitclaim any lands, including any improvements thereon, owned in fee by the state for trunk highway purposes but no longer needed therefor. Notwithstanding any provisions in this section or in section 161.23 to the contrary, fee title to or an easement in all or part of the lands and lands previously acquired in fee for trunk highways or acquired pursuant to section 161.23, in excess of what is needed for highway purposes may be conveyed and quitclaimed for public purposes to any political subdivision or agency of the state upon the terms and conditions as may be agreed upon between the commissioner and the political subdivision or agency.

Subd. 2. **Reconveyance; remainder owned by vendor or surviving spouse.** If the lands were part of a larger tract and the remainder of the tract is still owned by the person or the person's surviving spouse from whom the lands were acquired, or if the lands constituted an entire tract, the lands must first be offered for reconveyance to the previous owner or the owner's surviving spouse. When lands are offered for reconveyance, the amount of money to be repaid for those lands must be the appraised current market value of the lands to be reconveyed. The offer must be made by certified mail

addressed to the person at the person's last known address. The person or the person's surviving spouse shall have 60 days from the date of mailing the offer to accept and to tender to the commissioner the required sum of money.

Subd. 3. **Conveyance; remainder not owned by vendor or surviving spouse.** If the lands were part of a larger tract and the remainder of the tract is no longer owned by the person or the person's surviving spouse from whom the lands were acquired, the lands shall be offered for conveyance to the person owning the remaining tract in the same manner and on the same terms as provided in subdivision 2.

Subd. 4. **Conveyance; remainder divided into smaller tracts.** If the lands were part of a larger tract and if the tract has been platted or divided into smaller tracts and sold, the commissioner may offer the lands to the owners of the smaller tracts or lots abutting upon the lands in the same manner and on the same terms as provided in subdivision 2, or the commissioner may proceed to sell the lands to the highest responsible bidder as provided in subdivisions 5 and 6.

Subd. 5. **Conveyance to highest bidder in certain cases.** If the larger tract has been platted into lots or divided into smaller tracts and the commissioner elects to proceed under this subdivision, or if the lands constituted an entire tract and the person from whom the lands were acquired and the person's spouse are deceased, or if the offers as provided for are not accepted and the amount of money not tendered within the time prescribed, the lands may be sold and conveyed to the highest responsible bidder upon three weeks' published notice of such sale in a newspaper or other periodical of general circulation in the general area where the lands are located. All bids may be rejected and new bids received upon like advertisement.

Subd. 6. **Public auction.** In lieu of the advertisement for sale and conveyance to the highest responsible bidder, such lands may be offered for sale and sold at public auction to the highest responsible bidder. Such sale shall be made after publication of notice thereof in a newspaper of general circulation in the area where the property is located for at least two successive weeks and such other advertising as the commissioner may direct. If the sale is made at public auction a duly licensed auctioneer may be retained to conduct such sale, the auctioneer's fees for such service to be paid from the proceeds, and there is appropriated from such proceeds an amount sufficient to pay such fees.

Subd. 6a. **Services of licensed real estate broker.** If the lands remain unsold after being offered for sale to the highest bidder, the commissioner may retain the services of a licensed real estate broker to find a buyer. The sale price may be negotiated by the broker, but must not be less than 90 percent of the appraised market value as determined by the commissioner. The broker's fee must be established by prior agreement between the commissioner and the broker, and must not exceed ten percent of the sale price for sales of \$10,000 or more. The broker's fee must be paid to the broker from the proceeds of the sale.

Subd. 7. **Gravel or borrow pit; amount of repayment.** In all cases as hereinbefore specified, if the lands to be reconveyed were acquired for gravel or borrow pit purposes and the commissioner has determined that all materials suitable or needed for trunk highway purposes have been removed from such pit, the amount to be repaid therefor need not be at least the amount paid for such pit by the state, but in no event shall the amount to be so repaid to the state therefor be less than the estimated market value thereof. In all other respects the procedures for the reconveyance of gravel or borrow pits shall be the same as the procedures for the reconveyance of other lands as provided in this section.

Subd. 8. **Restrictive clauses in deed.** The deed may contain restrictive clauses limiting the use of the lands or the estate conveyed when the commissioner determines that such restrictions are reasonably necessary in the interest of safety and convenient public travel.

Subd. 9. **Receipts paid into trunk highway fund.** Moneys received from the sale of such lands and properties less any fees paid under subdivision 6a, must be paid into the trunk highway fund.

Subd. 10. [Repealed, 1967 c 214 s 6]

Subd. 11. **Airspace and subsurface areas.** Nothing contained in this section shall apply to the lease or other agreement for the use of air space above and the subsurface area below the right-of-way of any trunk highway or the surface of any trunk highway right-of-way as provided in section 161.433, subdivision 1.

History: 1959 c 500 art 2 s 44; 1961 c 263 s 1; 1961 c 567 s 3 subd 1; 1963 c 467 s 2; 1967 c 214 s 3; 1967 c 790 s 1-3; 1978 c 674 s 60; 1980 c 533 s 10; 1983 c 143 s 8-10; 1984 c 654 art 3 s 58; 1986 c 444

161.441 LAND ACQUISITION AGREEMENT WITH OTHERS.

Subdivision 1. **Authority.** Whenever the commissioner of transportation has knowledge that lands are being acquired, or are about to be acquired, by a political subdivision of the state, another state agency, or other governmental authority including but not limited to bodies corporate such as public housing authorities created by statute, and determines that a portion of such lands to be acquired, or lands contiguous thereto, are needed presently or in the future for trunk highway purposes, the commissioner may, on deeming it to be in the best interests of the state, enter into land acquisition agreements, as hereinafter provided, with such political subdivision, state agency, or governmental authority. Power is hereby conferred upon the commissioner of transportation, and upon political subdivisions, state agencies, and governmental authorities to enter into, and carry out to final conclusion in accordance with the terms thereof, such land acquisition agreements, each with the other, for the purpose of acquiring lands for their particular public purpose.

Subd. 2. **Contents.** The agreement shall set forth, among other matters, the purposes for which the lands are acquired and the portions to be used for each particular public purpose; the method of acquisition, whether by purchase, eminent domain proceedings, or a combination thereof; the agency, political subdivision, or governmental authority, or combination thereof, charged with the responsibility of carrying out the acquisition; and the division of the costs of such lands, including acquisition costs, building clearance costs, and all other costs that may be incurred in acquiring such lands.

Subd. 3. **Costs.** The costs to be borne by the trunk highway fund shall be as provided in such agreements.

History: 1965 c 529 s 1-3; 1976 c 166 s 7; 1986 c 444

161.442 RECONVEYANCE TO FORMER OWNER.

Notwithstanding sections 161.23, 161.41, 161.411, 161.43, 161.44, or any other statute, the commissioner of transportation, with the consent of the owner, may transfer, sell, or convey real property including fixtures, and interests in real property including easements, to the owner from whom the property was acquired by the state for trunk highway purposes through a pending eminent domain action. The transfer of title may be by stipulation, partial dismissal, bill of sale, or conveyance. Any resulting change in the state's acquisition must be explained in the final certificate for that action. This provision does not confer on a landowner the right to compel a reconveyance without the consent of the commissioner.

History: 1994 c 635 art 2 s 4; 2001 c 213 s 8

PUBLIC SERVICES, SAFETY, AND RESEARCH

161.45 UTILITY ON HIGHWAY RIGHT-OF-WAY; RELOCATION.

Subdivision 1. **Rules.** Electric transmission, telephone, or telegraph lines; pole lines; community antenna television lines; railways; ditches; sewers; water, heat, or gas mains; gas and other pipelines; flumes; or other structures which, under the laws of this state or the ordinance of any city, may be constructed, placed, or maintained across or along any trunk highway, or the roadway thereof, by any person, persons, corporation,

or any subdivision of the state, may be so maintained or hereafter constructed only in accordance with such rules as may be prescribed by the commissioner who shall have power to prescribe and enforce reasonable rules with reference to the placing and maintaining along, across, or in any such trunk highway of any of the utilities hereinbefore set forth. Nothing herein shall restrict the actions of public authorities in extraordinary emergencies nor restrict the power and authority of the commissioner of commerce as provided for in other provisions of law. Provided, however, that in the event any local subdivision of government has enacted ordinances relating to the method of installation or requiring underground installation of such community antenna television lines, the permit granted by the commissioner of transportation shall require compliance with such local ordinance.

Subd. 2. Relocation of utility. Whenever the relocation of any utility facility is necessitated by the construction of a project on trunk highway routes other than those described in section 161.46, subdivision 2, the relocation work may be made a part of the state highway construction contract or let as a separate contract as provided by law if the owner or operator of the facility requests the commissioner to act as its agent for the purpose of relocating the facilities and if the commissioner determines that such action is in the best interests of the state. Payment by the utility owner or operator to the state shall be in accordance with applicable statutes and the rules for utilities on trunk highways.

Subd. 3. Utility interests when real property conveyed. In proceedings to vacate, transfer, turn back, or otherwise convey an interest in real property owned or controlled by the department, when the property is owned in fee by the state, the commissioner may specify that the conveyance of the department's interest does not affect a prior, existing utility easement in the property or use of the property granted to a utility under permit issued by the department. In addition, the commissioner may convey interests in real property, including an easement, subject to the right of a utility to enter upon the right-of-way to maintain, repair, replace, reconstruct, improve, remove, or otherwise attend to its equipment. Where the utility had no preexisting easement over the real property, this subdivision does not prohibit a political subdivision, government agency, or private entity from negotiating or contracting with a utility with regard to the utility's easement or other interest in the property, but the utility shall continue to hold the interest in the property and the right of reasonable entry unless and until the utility agrees in writing to relinquish its interests.

History: 1959 c 500 art 2 s 45; 1967 c 231 s 2; 1971 c 25 s 67; 1973 c 123 art 5 s 7; 1973 c 568 s 19; 1976 c 166 s 7; 1985 c 248 s 70; 1997 c 231 art 16 s 5; 1Sp2001 c 4 art 6 s 22

161.46 REIMBURSEMENT OF UTILITY.

Subdivision 1. Definitions. For the purposes of this section the following terms shall have the meanings ascribed to them:

(1) "Utility" means all publicly, privately, and cooperatively owned systems for supplying power, light, gas, telegraph, telephone, water, pipeline, or sewer service if such systems be authorized by law to use public highways for the location of its facilities.

(2) "Cost of relocation" means the entire amount paid by such utility properly attributable to such relocation after deducting therefrom any increase in the value of the new facility and any salvage value derived from the old facility.

Subd. 2. Relocation of facilities; reimbursement. Whenever the commissioner shall determine the relocation of any utility facility is necessitated by the construction of a project on the routes of federally aided state trunk highways, including urban extensions thereof, which routes are included within the National System of Interstate Highways, the owner or operator of such utility facility shall relocate the same in accordance with the order of the commissioner. After the completion of such relocation the cost thereof shall be ascertained and paid by the state out of trunk highway funds; provided, however, the amount to be paid by the state for such reimbursement

shall not exceed the amount on which the federal government bases its reimbursement for said interstate system.

Subd. 3. Lump sum settlement. The commissioner may enter into agreements with a utility for the relocation of utility facilities providing for the payment by the state of a lump sum based on the estimated cost of relocation when the lump sum so agreed upon does not exceed \$100,000.

Subd. 4. Acquisition of relocated facility for utility. When the project requires a utility to relinquish lands or interests in lands owned by the utility and the utility is unable to acquire lands or interests in lands necessary to enable it to relocate its facilities, or if the acquisition of the lands or interests in lands by the utility would result in undue delay thereby delaying the interstate highway project, the commissioner, by purchase, gift, or eminent domain proceedings, may acquire the lands or interests in lands necessary for the relocation if the commissioner deems that the acquisition would reduce the cost to the state of the project. The lands necessary for the relocation to be acquired by the commissioner must be designated in an agreement between the utility and the commissioner. The agreement must also provide that without cost to either party to the agreement, the utility will relinquish to the state its interests in the lands required for the interstate project in consideration of the conveyance by the state to the utility of the substitute lands designated in the agreement to be acquired by the state. The interest or estate acquired by the commissioner must be substantially similar to the interest or estate that the utility owned in the lands to be relinquished by it to the state. The commissioner may convey the lands or interests in lands to the utility.

Subd. 5. Relocation work by state. The relocation work may be made a part of a state highway construction contract or let as a separate contract by the state under applicable federal laws, rules and regulations if the owner or operator of the utility facility requests the commissioner to act as its agent for the purpose of relocating such facilities and if such action is deemed to be in the best interest of the state. When relocation work is made a part of a state highway construction contract or when let as a separate contract by the state as authorized herein, the cost of such relocation may be paid by the commissioner directly to the contractor out of the trunk highway fund without requiring the utility to first make payment for such relocation work and thereafter request reimbursement therefor; provided that, the agreement entered into between the state and the utility shall contain a stipulation that the utility shall reimburse the state for any costs of such relocation in which the federal government will not participate.

History: 1959 c 500 art 2 s 46; 1963 c 57 s 1; 1965 c 14 s 1; 1967 c 231 s 1; 1973 c 42 s 1; 1981 c 209 s 6; 1983 c 143 s 11; 1996 c 455 art 3 s 13

161.465 REIMBURSEMENT FOR FIRE SERVICES.

(a) Ordinary expenses incurred by a municipal or volunteer fire department in extinguishing a grass fire within the right-of-way of a trunk highway must be reimbursed upon certification to the commissioner of transportation from the trunk highway fund. In addition, ordinary expenses incurred by a municipal or volunteer fire department in extinguishing a fire outside the right-of-way of any trunk highway if the fire originated within the right-of-way, upon approval of a police officer or an officer or employee of the department of public safety must, upon certification to the commissioner of transportation by the proper official of the municipality or fire department within 60 days after the completion of the service, be reimbursed to the municipality or fire department from funds in the trunk highway fund. The commissioner of transportation shall take action practicable to secure reimbursement to the trunk highway fund of money expended under this section from the person, firm, or corporation responsible for the fire or danger of fire.

(b) The provisions of this section shall not be construed to admit state liability for damage or destruction to private property or for injury to persons resulting from a fire originating within a trunk highway right-of-way.

History: 1977 c 43 s 1; 1979 c 108 s 1; 1981 c 32 s 1; 1982 c 617 s 5; 1983 c 301 s 140; 1984 c 558 art 3 s 1

161.47 [Renumbered 299D.03]

161.48 [Renumbered 299D.04]

161.49 [Renumbered 299D.05]

161.50 [Repealed, 1977 c 454 s 49]

161.51 FEDERAL-STATE SAFETY ACCOUNT.

There is established within the trunk highway fund a federal-state safety account. The commissioner of transportation may transfer the unobligated balance of any direct appropriation to the department of transportation for administrative operations, maintenance, highway development support, research and standards, state aid administration, or planning and programming, into this account if needed to advance state money for approved federal highway safety projects. The commissioner may receive money from state or local governmental agencies to be used for projects under the federal highway safety program. All federal reimbursements shall be deposited in the state treasury and are appropriated to the federal-state safety account to be available until expended.

History: 1976 c 163 s 35; 1976 c 166 s 7; 1980 c 533 s 11

161.52 [Repealed, 1989 c 335 art 1 s 270]

161.53 RESEARCH ACTIVITIES.

The commissioner may set aside in each fiscal year up to two percent of the total amount of all funds appropriated to the commissioner other than county state-aid and municipal state-aid highway funds for transportation research including public and private research partnerships. The commissioner shall spend this money for (1) research to improve the design, construction, maintenance, management, and environmental compatibility of transportation systems; (2) research on transportation policies that enhance energy efficiency and economic development; (3) programs for implementing and monitoring research results; and (4) development of transportation education and outreach activities. Of all funds appropriated to the commissioner other than state-aid funds, the commissioner shall spend 0.1 percent, but not exceeding \$800,000 in any fiscal year, for research and related activities performed by the center for transportation studies of the University of Minnesota. The center shall establish a technology transfer and training center for Minnesota transportation professionals.

History: 1991 c 298 art 8 s 1; 1996 c 455 art 3 s 14