

## CHAPTER 160

## ROADS, GENERAL PROVISIONS

160.15	Preserving section or quarter-section corners.	160.298	Highway sign program; billing, account, appropriation.
160.232	Mowing ditches outside cities.	160.80	Sign franchise program.
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**160.15 PRESERVING SECTION OR QUARTER-SECTION CORNERS.**

*[For text of subs 1 to 3, see M.S.2004]*

Subd. 4. **Filing of certificate.** The land surveyor placing and establishing the markers or monuments shall, no later than one year after placing and establishing them, file a certificate to that effect in the office of the county surveyor, if the county maintains a full-time office, in the county or counties in which the markers or monuments were placed. If a county in which the markers or monuments were placed does not have a full-time office of the county surveyor, then the land surveyor shall record the certificate in the office of the county recorder of that county. Each certificate must contain only the record of markers and monuments at one corner.

*[For text of subs 5 and 6, see M.S.2004]*

**History:** 2005 c 99 s 1

**160.232 MOWING DITCHES OUTSIDE CITIES.**

(a) To provide enhanced roadside habitat for nesting birds and other small wildlife, road authorities may not mow or till the right-of-way of a highway located outside of a home rule charter or statutory city except as allowed in this section and section 160.23.

(b) On any highway, the first eight feet away from the road surface, or shoulder if one exists, may be mowed at any time.

(c) An entire right-of-way may be mowed after July 31. From August 31 to the following July 31, the entire right-of-way may only be mowed if necessary for safety reasons, but may not be mowed to a height of less than 12 inches.

(d) A right-of-way may be mowed as necessary to maintain sight distance for safety and may be mowed at other times under rules of the commissioner, or by ordinance of a local road authority not conflicting with the rules of the commissioner.

(e) A right-of-way may be mowed, burned, or tilled to prepare the right-of-way for the establishment of permanent vegetative cover or for prairie vegetation management.

(f) When feasible, road authorities are encouraged to utilize low maintenance, native vegetation that reduces the need to mow, provides wildlife habitat, and maintains public safety.

(g) The commissioner of natural resources shall cooperate with the commissioner of transportation to provide enhanced roadside habitat for nesting birds and other small wildlife.

**History:** 1Sp2005 c 1 art 2 s 137

**160.2725 SALES AT SAFETY REST AREAS.**

*[For text of subs 1 and 2, see M.S.2004]*

Subd. 3. **Software sales.** Notwithstanding section 16E.15 or 160.08, the commissioner may sell or license intellectual property and software products or services developed by a government unit or custom-developed by a vendor for a government unit.

[For text of subds 4 and 5, see M.S.2004]

**History:** 2005 c 156 art 5 s 23

### 160.298 HIGHWAY SIGN PROGRAM; BILLING, ACCOUNT, APPROPRIATION.

The commissioner of transportation may bill highway operations units of the department and local road authorities for the costs of a centrally managed highway sign 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:** 1Sp2005 c 6 art 3 s 3

### 160.80 SIGN FRANCHISE PROGRAM.

[For text of subd 1, see M.S.2004]

Subd. 1a. **Eligibility criteria for business panels.** (a) To be eligible for a business panel on a logo sign panel, a business establishment must:

- (1) be open for business;
- (2) have a sign on site that both identifies the business and is visible to motorists;
- (3) be open to everyone, regardless of race, religion, color, age, sex, national origin, creed, marital status, sexual orientation, or disability;
- (4) not impose a cover charge or otherwise require customers to purchase additional products or services; and

(5) meet the appropriate criteria in paragraphs (b) to (e).

(b) Gas businesses must provide vehicle services including fuel and oil; restroom facilities and drinking water; continuous, staffed operation at least 12 hours a day, seven days a week; and public access to a telephone.

(c) Food businesses must serve at least two meals a day during normal mealtimes of breakfast, lunch, and dinner; provide a continuous, staffed food service operation at least ten hours a day, seven days a week except holidays as defined in section 645.44, subdivision 5, and except as provided for seasonal food service businesses; provide seating capacity for at least 20 people; and possess any required state or local licensing or approval. Seasonal food service businesses must provide a continuous, staffed food service operation at least ten hours a day, seven days a week, during their months of operation.

(d) Lodging businesses must include sleeping accommodations, provide public access to a telephone, and possess any required state or local licensing or approval.

(e) Camping businesses must include sites for camping, include parking accommodations for each campsite, provide sanitary facilities and drinking water, and possess any required state or local licensing or approval.

(f) Businesses that do not meet the appropriate criteria in paragraphs (b) to (e) but that have a signed lease as of January 1, 1998, may retain the business panel until December 31, 2005, or until they withdraw from the program, whichever occurs first, provided they continue to meet the criteria in effect in the department's contract with the logo sign vendor on August 1, 1995. After December 31, 2005, or after withdrawing from the program, a business must meet the appropriate criteria in paragraphs (a) to (e) to qualify for a business panel.

(g) Seasonal businesses must indicate to motorists when they are open for business by either putting the full months of operation directly on the business panel or by having a "closed" plaque applied to the business panel when the business is closed for the season.

(h) The maximum distance that an eligible business in Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, or Washington County can be located from the interchange

is: for gas businesses, one mile; for food businesses, two miles; for lodging businesses, three miles; and for camping businesses, ten miles.

(i) The maximum distance that an eligible business in any other county can be located from the interchange shall not exceed 15 miles in either direction.

(j) Logo sign panels must be erected so that motorists approaching an interchange view the panels in the following order: camping, lodging, food, gas.

(k) If there is insufficient space on a logo sign panel to display all eligible businesses for a specific type of service, the businesses closest to the interchange have priority over businesses farther away from the interchange.

*[For text of subs 2 to 5, see M.S.2004]*

**History:** 2005 c 120 s 1; 2005 c 135 s 1