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State of Minnesota  
HOUSE OF REPRESENTATIVES

EIGHTY-SEVENTH SESSION

H. F. No. 2114

02/08/2012 Authored by Abeler, Beard and Dittrich

The bill was read for the first time and referred to the Committee on Transportation Policy and Finance

1.1 A bill for an act  
1.2 relating to transportation; providing for temporary signs on pedestrian bridges  
1.3 and overpasses over trunk highways; amending Minnesota Statutes 2010,  
1.4 sections 160.27, by adding a subdivision; 160.2715.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2010, section 160.27, is amended by adding a  
1.7 subdivision to read:

1.8 Subd. 7a. **Trunk highway; temporary sign.** (a) A road authority, including a city,  
1.9 may by permit allow temporary placement of a sign on a pedestrian bridge or overpass  
1.10 over a trunk highway, when the pedestrian bridge or road constituting the overpass is  
1.11 under the jurisdiction of that road authority.

1.12 (b) A sign placed under the permit:

1.13 (1) may not be otherwise prohibited under section 173.15, clauses (1) to (3);

1.14 (2) may not reduce the clearance height of the bridge or overpass for vehicles  
1.15 traveling on the trunk highway;

1.16 (3) must be secured to the bridge or overpass in a manner that poses no safety  
1.17 hazards; and

1.18 (4) may be placed for no more than three consecutive days.

1.19 (c) A road authority may issue only one temporary sign permit at a time for each  
1.20 direction of travel under a pedestrian bridge or overpass.

1.21 (d) A road authority that chooses to issue permits under this subdivision shall  
1.22 establish application procedures and conditions for permit issuance. At least seven days  
1.23 prior to issuance of a permit, the road authority shall notify the commissioner of the permit  
1.24 application and location, and provide a detailed description of the sign. The commissioner

2.1 may provide recommendations to the road authority concerning the permit, but may not  
 2.2 prohibit permit issuance or sign placement.

2.3 (e) For purposes of this subdivision, a sign includes a banner, placard, or flags.

2.4 Sec. 2. Minnesota Statutes 2010, section 160.2715, is amended to read:

2.5 **160.2715 RIGHT-OF-WAY USE; MISDEMEANORS.**

2.6 (a) Except for the actions of the road authorities, their agents, employees,  
 2.7 contractors, and utilities in carrying out their duties imposed by law or contract, and  
 2.8 except as herein provided, it shall be unlawful to:

2.9 (1) obstruct any highway or deposit snow or ice thereon;

2.10 (2) plow or perform any other detrimental operation within the road right-of-way  
 2.11 except in the preparation of the land for planting permanent vegetative cover or as  
 2.12 authorized under section 160.232;

2.13 (3) erect a fence on the right-of-way of a trunk highway, county state-aid highway,  
 2.14 county highway, or town road, except to erect a lane fence to the ends of a livestock pass;

2.15 (4) erect or reconstruct driveway headwalls in or on the right-of-way of a highway  
 2.16 or road, except as may be allowed by permit from the road authority imposing reasonable  
 2.17 regulations as are necessary to prevent interference with the construction, maintenance,  
 2.18 and safe use of the highway or road and its appurtenances;

2.19 (5) dig any holes in any highway, except to locate markers placed to identify  
 2.20 sectional corner positions and private boundary corners;

2.21 (6) remove any earth, gravel, or rock from any highway;

2.22 (7) obstruct any ditch draining any highway or drain any noisome materials into  
 2.23 any ditch;

2.24 (8) place or maintain any building or structure within the limits of any highway;

2.25 (9) place or maintain any advertisement within the limits of any highway, except as  
 2.26 provided in section 160.27, ~~subdivision 7~~;

2.27 (10) paint, print, place, or affix any advertisement or any object within the limits of  
 2.28 any highway, except as provided in section 160.27, ~~subdivision 7~~;

2.29 (11) deface, mar, damage, or tamper with any structure, work, material, equipment,  
 2.30 tools, signs, markers, signals, paving, guardrails, drains, or any other highway  
 2.31 appurtenance on or along any highway;

2.32 (12) remove, injure, displace, or destroy right-of-way markers, or reference or  
 2.33 witness monuments, or markers placed to preserve section or quarter-section corners;

2.34 (13) improperly place or fail to place warning signs and detour signs as provided by  
 2.35 law;

3.1 (14) drive over, through, or around any barricade, fence, or obstruction erected for  
3.2 the purpose of preventing traffic from passing over a portion of a highway closed to public  
3.3 travel or to remove, deface, or damage any such barricade, fence, or obstruction.

3.4 (b) Any violation of this section is a misdemeanor.