

A bill for an act

relating to transportation; prohibiting certain activities on rail bank property;
imposing misdemeanor penalty; amending Minnesota Statutes 2010, section
222.63, subdivision 9.

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

Section 1. Minnesota Statutes 2010, section 222.63, subdivision 9, is amended to read:

Subd. 9. **Rail bank property use; ~~petty~~ misdemeanors.** (a) Except for the
actions of road authorities and their agents, employees, and contractors, and of utilities,
in carrying out their duties imposed by permit, law, or contract, and except as otherwise
provided in this section, it is unlawful to knowingly perform any of the following activities
on rail bank property:

(1) obstruct any trail;

(2) deposit snow or ice;

(3) remove or place any earth, vegetation, gravel, or rock without authorization;

(4) obstruct or remove any ditch-draining device, or drain any harmful or dangerous
materials;

(5) erect a fence, or place or maintain any advertising, sign, or memorial, except
upon authorization by the commissioner of transportation;

(6) remove, injure, displace, or destroy right-of-way markers or reference or witness
monuments or markers placed to preserve section or quarter-section corners defining
rail bank property limits;

(7) drive upon any portion of rail bank property, except at approved crossings, and
except where authorized for snowmobiles, emergency vehicles, maintenance vehicles, or
other vehicles authorized to use rail bank property;

2.1 (8) deface, mar, damage, or tamper with any structure, work, material, sign, marker,
2.2 paving, guardrail, drain, or any other rail bank appurtenance; ~~or~~

2.3 (9) park, overhang, or abandon any unauthorized vehicle or implement of husbandry
2.4 on, across, or over the limits of rail bank property;

2.5 (10) plow, disc, or perform any other detrimental operation; or

2.6 (11) place or maintain any building or structure.

2.7 (b) Unless a greater penalty is provided elsewhere in statute, any violation of this
2.8 subdivision is a ~~petty~~ misdemeanor.

2.9 (c) The cost to remove, repair, or perform any other corrective action necessitated by
2.10 a violation of this subdivision may be charged to the violator.