

**SENATE
STATE OF MINNESOTA
NINETY-FOURTH SESSION**

S.F. No. 2583

(SENATE AUTHORS: DRAZKOWSKI)

DATE
03/17/2025

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854 Introduction and first reading
Referred to Transportation

OFFICIAL STATUS

1.1 A bill for an act
1.2 relating to transportation; requiring Department of Transportation to publish certain
1.3 notices and information for road easement projects; proposing coding for new law
1.4 in Minnesota Statutes, chapter 160.

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

1.6 Section 1. **[160.086] ROAD EASEMENT INFORMATION REQUIRED.**

1.7 Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have
1.8 the meanings given.

1.9 (b) "Easement" means the acquisition or designation of private or public land for the
1.10 purpose of constructing, maintaining, or improving public roads or related infrastructure.

1.11 (c) "Minimum standards" means the minimum design standards specified for rural and
1.12 suburban undivided roadways specified in Minnesota Rules, parts 8820.9920 and 8820.9926.

1.13 (d) "Public report" means a publicly available written report outlining the justification
1.14 and details for an easement.

1.15 (e) "Road authority" means the commissioner for roads and highways under state
1.16 jurisdiction and a county for roads and highways under a county's jurisdiction.

1.17 Subd. 2. **Justification required for certain projects.** Before a relevant road authority
1.18 proceeds with acquiring an easement for a road construction, reconstruction, or reconditioning
1.19 project for a rural or suburban undivided roadway, the road authority must determine whether
1.20 the project meets the commissioner's minimum standards. If the easement is used for the
1.21 construction, reconstruction, or reconditioning of a roadway at a greater road width than
1.22 specified in the minimum standards, the relevant road authority may only acquire the land

2.1 for drainage or road safety reasons. Before acquiring the easement and proceeding with the
2.2 road construction, reconstruction, or reconditioning project, the road authority must:

2.3 (1) publish a public report that meets the requirements of subdivision 3; and

2.4 (2) provide justification for the easement at a public or county board hearing detailing
2.5 where the easement is proposed to be acquired.

2.6 Subd. 3. **Public report requirements; format and accessibility; public comment.** (a)
2.7 The road authority's public report must include the following information:

2.8 (1) a clear description of the proposed easement, project scope, location, dimensions,
2.9 and purpose; and

2.10 (2) a detailed description of the necessity of the proposed easement, including:

2.11 (i) safety concerns, including but not limited to the mitigation of traffic hazards, visibility
2.12 issues, or any other motivation for the easement;

2.13 (ii) drainage concerns, such as alleviating flooding, improving water runoff or quality,
2.14 or ensuring compliance with environmental standards; or

2.15 (iii) a statement explicitly declaring that no safety or drainage reasons exist for the
2.16 easement.

2.17 (b) The road authority must prepare the public report free of excessive technical jargon,
2.18 format the report for ease of public understanding, and publish the report on the road
2.19 authority's website and project website where applicable. The public must be provided an
2.20 opportunity to submit written comments on the proposed easement. A minimum of 30 days
2.21 must be provided for public review and comment on the public report before any action is
2.22 taken on the proposed easement.

2.23 **EFFECTIVE DATE.** This section is effective August 1, 2025, and applies to road
2.24 construction projects on or after that date.