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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. 2875

02/20/2018 Authored by Torkelson and Anderson, P., The bill was read for the first time and referred to the Committee on Transportation Finance

1.1 A bill for an act
1.2 relating to transportation; providing for certain trunk highway system mowing
1.3 reimbursements; appropriating money; amending Minnesota Statutes 2016, section
1.4 160.232.

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

1.6 Section 1. Minnesota Statutes 2016, section 160.232, is amended to read:

1.7 160.232 MOWING DITCHES OUTSIDE CITIES.

1.8 Subdivision 1. Limitations and requirements. (a) To provide enhanced roadside habitat
1.9 for nesting birds and other small wildlife, road authorities may not mow or till the
1.10 right-of-way of a highway located outside of a home rule charter or statutory city except as
1.11 allowed in this section and section 160.23.

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

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

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

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

2.1 Subd. 2. **Management practices.** ~~(f)~~ (a) When feasible, road authorities are encouraged  
2.2 to utilize low maintenance, native vegetation that reduces the need to mow, provides wildlife  
2.3 habitat, and maintains public safety.

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

2.7 Subd. 3. **Trunk highways; mowing reimbursements; appropriation.** (a) By January  
2.8 1 each year, the commissioner must calculate the total maintenance cost savings resulting  
2.9 from trunk highway mowing performed by private persons.

2.10 (b) The amount calculated under paragraph (a) is annually appropriated from the trunk  
2.11 highway fund to the commissioner for maintenance reimbursement grants to persons who  
2.12 perform mowing in trunk highway rights-of-way. The commissioner must establish a  
2.13 grantmaking process that ensures funds are equitably allocated based on each grant recipient's  
2.14 mowing activity.

2.15 **EFFECTIVE DATE.** This section is effective July 1, 2018.