

(SENATE AUTHORS: SAXHAUG)

DATE	D-PG	OFFICIAL STATUS
04/11/2011	1263	Introduction and first reading Referred to Transportation
04/27/2011	1425	Comm report: To pass and re-referred to Judiciary and Public Safety
03/23/2012		Comm report: To pass as amended Second reading See SF1072, Sec.49

1.1A bill for an act

1.2relating to transportation; prohibiting certain activities on rail bank property;

1.3imposing misdemeanor penalty; amending Minnesota Statutes 2010, section

1.4222.63, subdivision 9.

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

1.6Section 1. Minnesota Statutes 2010, section 222.63, subdivision 9, is amended to read:

1.7Subd. 9. **Rail bank property use; ~~petty~~ misdemeanors.** (a) Except for the actions

1.8of road authorities and their agents, employees, and contractors, and of utilities, in carrying

1.9out their duties imposed by permit, law, or contract, and except as otherwise provided in

1.10this section, it is unlawful to perform any of the following activities on rail bank property:

- 1.11(1) obstruct any trail;
- 1.12(2) deposit snow or ice;
- 1.13(3) remove or place any earth, vegetation, gravel, or rock without authorization;
- 1.14(4) obstruct or remove any ditch-draining device, or drain any harmful or dangerous
- 1.15materials;
- 1.16(5) erect a fence, or place or maintain any advertising, sign, or memorial, except
- 1.17upon authorization by the commissioner of transportation;
- 1.18(6) remove, injure, displace, or destroy right-of-way markers or reference or witness
- 1.19monuments or markers placed to preserve section or quarter-section corners defining
- 1.20rail bank property limits;
- 1.21(7) drive upon any portion of rail bank property, except at approved crossings, and
- 1.22except where authorized for snowmobiles, emergency vehicles, maintenance vehicles, or
- 1.23other vehicles authorized to use rail bank property;

S.F. No. 1148, as introduced - 87th Legislative Session (2011-2012) [11-0212]

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.