

SENATE
STATE OF MINNESOTA
EIGHTY-EIGHTH LEGISLATURE

S.F. No. 1579

(SENATE AUTHORS: HOUSLEY)

| DATE | D-PG | OFFICIAL STATUS |
|------------|------|--|
| 04/10/2013 | 1741 | Introduction and first reading Referred to Transportation and Public Safety |

1.1 A bill for an act
 1.2 relating to transportation; providing for reimbursement of fire department services
 1.3 on certain trunk highways; amending Minnesota Statutes 2012, section 161.465.

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

1.5 Section 1. Minnesota Statutes 2012, section 161.465, is amended to read:

1.6 **161.465 REIMBURSEMENT FOR FIRE SERVICES.**

1.7 (a) Ordinary expenses incurred by a municipal or volunteer fire department in
 1.8 extinguishing a grass fire within the right-of-way of a trunk highway must be reimbursed
 1.9 upon certification to the commissioner of transportation from the trunk highway fund.

1.10 In addition, ordinary expenses incurred by a municipal or volunteer fire department in
 1.11 extinguishing a fire outside the right-of-way of any trunk highway if the fire originated
 1.12 within the right-of-way, upon approval of a police officer or an officer or employee of the
 1.13 Department of Public Safety must, upon certification to the commissioner of transportation
 1.14 by the proper official of the municipality or fire department within 60 days after the
 1.15 completion of the service, be reimbursed to the municipality or fire department from
 1.16 funds in the trunk highway fund. The commissioner of transportation shall take action
 1.17 practicable to secure reimbursement to the trunk highway fund of money expended under
 1.18 this section from the person, firm, or corporation responsible for the fire or danger of fire.

1.19 (b) The commissioner shall reimburse a fire department in an amount up to \$500 if:

1.20 (1) the fire department incurs costs for a response on an Interstate highway;

1.21 (2) the response is located within a town, or within a statutory or home rule charter
 1.22 city having a population under 5,000; and

1.23 (3) the fire department submits written proof to the commissioner that the fire
 1.24 department has made a reasonable effort to collect for the costs of the response from the

2.1 insurer of the person for whom the response was provided, or from the person for whom
2.2 the response was provided.

2.3 (c) A fire department may attempt to collect costs of the response from a person only
2.4 if the department is unsuccessful in its efforts to collect from the person's insurer or if the
2.5 person has no insurer. If a department collects costs after the commissioner reimburses the
2.6 fire department under paragraph (b), the fire department shall provide the amount collected
2.7 to the commissioner, up to the amount of reimbursement.

2.8 (d) The provisions of this section shall not be construed to admit state liability for
2.9 damage or destruction to private property or for injury to persons resulting from a fire
2.10 originating within a trunk highway right-of-way.

2.11 **EFFECTIVE DATE.** This section is effective July 1, 2013.