

may be made upon the defendant by posting the summons in a conspicuous place on the premises for not less than one week. If the defendant or his attorney does not appear in court upon the return day in the action, the trial thereof shall proceed.

Approved May 23, 1985

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## CHAPTER 215 — S.F.No. 675

*An act relating to highways; allowing road authorities to designate minimum-maintenance roads; exempting road authorities from liability for damages arising from travel on minimum-maintenance roads; amending Minnesota Statutes 1984, sections 160.02, subdivision 7; and 169.06, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 160.*

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

Section 1. Minnesota Statutes 1984, section 160.02, subdivision 7, is amended to read:

Subd. 7. **ROAD OR HIGHWAY.** "Road" or "highway" includes, unless otherwise specified, the several kinds of highways as defined in this section, including roads designated as minimum-maintenance roads, and also cartways, together with all bridges or other structures thereon which form a part of the same.

Sec. 2. Minnesota Statutes 1984, section 169.06, subdivision 1, is amended to read:

Subdivision 1. **UNIFORM SYSTEM.** The commissioner shall adopt a manual and specifications for a uniform system of traffic-control devices consistent with the provisions of this chapter for use upon highways within this state. Such uniform system shall correlate with and so far as possible conform to the system then current as approved by the American Association of State Highway Officials. The manual and specifications must include the design and wording of minimum-maintenance road signs. The adoption of the manual and specifications by the commissioner as herein provided is specifically exempted from the provisions and requirements of sections 14.02, 14.04 to 14.36, 14.38, 14.44 to 14.45, and 14.57 to 14.62 and acts amendatory thereto.

Sec. 3. **[160.095] DESIGNATION OF MINIMUM-MAINTENANCE ROADS.**

Subdivision 1. RESOLUTION. A road authority, other than the commissioner, may by resolution designate a road under its jurisdiction as a minimum-maintenance road if it determines that the road or road segment is used

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

only occasionally or intermittently for passenger and commercial travel. The resolution must identify the beginning and end points of the road being designated. After adopting the resolution, the road authority must post signs on the road to notify the motoring public that it is a minimum-maintenance road and that the public travels on the road at its own risk. A road authority must notify the road authorities of adjoining jurisdictions of designations under this section.

If an affected road or road segment runs along a county or town line, the designation applies only to that part of the road that is under the jurisdiction of the road authority adopting the resolution.

Subd. 2. SIGNS. Designation of a minimum-maintenance road is effective on the erection of the signs required under this section. The signs shall be posted at entry points to and at regular intervals along a minimum-maintenance road. Signs posted must conform to the commissioner's manual of uniform traffic devices. Properly posted signs are prima facie evidence that adequate notice of a minimum-maintenance road has been given to the motoring public.

Subd. 3. LIMITATIONS. A trunk highway may not be designated as a minimum-maintenance road. A road may not be designated a minimum-maintenance road if federal-state aid to Minnesota will be reduced as a result. A road authority may not acquire additional right-of-way or easement by eminent domain or otherwise without the consent of the landowner, for the purpose of constructing or designating a minimum-maintenance road, except where necessary for drainage or public safety.

Subd. 4. LIABILITY. A minimum-maintenance road may be maintained at a level less than the minimum maintenance standards required for state-aid highways, roads, and streets, but must be maintained at the level required to serve the occasional or intermittent traffic. Where a road has been designated by resolution as a minimum-maintenance road and signs have been posted under subdivision 2, the road authority with jurisdiction over the road, and its officers and employees, are exempt from liability for any tort claim for injury to person or property arising from travel on the minimum-maintenance road and related to its maintenance or condition. Nothing in this section shall exempt a road authority from its duty to maintain bridges under chapter 165 or other applicable law.

Approved May 23, 1985

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## CHAPTER 216 — S.F.No. 1279

*An act relating to housing; providing for a product standard for formaldehyde in building materials used in the construction of housing units; amending Minnesota Statutes 1984, sections 144.495; and 325F.18, subdivisions 1, 1a, and 4; proposing coding for new law in Minnesota Statutes, chapter 325F; repealing Minnesota Statutes 1984, section 325F.18, subdivision 5.*

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