

- (1) the company owner;
- (2) a person in lawful possession of the merchandise pallet; or
- (3) a person who has temporary possession of the merchandise pallet as a result of the purchase of the products or merchandise transported using the merchandise pallet.

Subd. 2. LIABILITY. An unauthorized person in possession of a merchandise pallet, or a person, other than the owner, who maliciously, with intent to damage, obliterates, removes, or distorts the owner's name on a merchandise pallet, shall be liable to the injured party as set forth in subdivision 4.

Subd. 3. EVIDENCE OF OWNERSHIP OR RIGHTFUL POSSESSION. A person who purchases or leases a merchandise pallet shall retain a copy of the bill of sale or other evidence that supports the purchase or lease.

Subd. 4. REMEDY. A person injured by a violation of this section may recover damages equal to three times the cost of the merchandise pallet, together with costs and disbursements, including a reasonable attorney's fee.

Presented to the governor March 13, 1998

Signed by the governor March 16, 1998; 9:58 a.m.

#### CHAPTER 283—S.F.No. 2729

*An act relating to highways; allowing advertisements, public art, and informational signs to be placed on bicycle racks and bicycle storage facilities on highway right-of-way; amending Minnesota Statutes 1996, section 160.27, subdivision 5, and by adding a subdivision.*

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

Section 1. Minnesota Statutes 1996, section 160.27, subdivision 5, is amended to read:

Subd. 5. **MISDEMEANORS.** Except for the actions of the road authorities, their agents, employees, contractors, and utilities in carrying out their duties imposed by law or contract, and except as herein provided, it shall be unlawful to:

- (1) obstruct any highway or deposit snow or ice thereon;
- (2) plow or perform any other detrimental operation within the road right-of-way except in the preparation of the land for planting permanent vegetative cover or as authorized under section 160.232;
- (3) erect a fence on the right-of-way of a trunk highway, county state-aid highway, county highway or town road, except to erect a lane fence to the ends of a livestock pass;
- (4) erect or reconstruct driveway headwalls in or on the right-of-way of a highway or road, except as may be allowed by permit from the road authority imposing reasonable regulations as are necessary to prevent interference with the construction, maintenance, and safe use of the highway or road and its appurtenances;

New language is indicated by underline, deletions by ~~strikeout~~.

- (5) dig any holes in any highway; except to locate markers placed to identify sectional corner positions and private boundary corners;
- (6) remove any earth, gravel or rock from any highway;
- (7) obstruct any ditch draining any highway or drain any noisome materials into any ditch;
- (8) place or maintain any building or structure within the limits of any highway;
- (9) place or maintain any advertisement within the limits of any highway, except as provided in subdivision 7;
- (10) paint, print, place, or affix any advertisement or any object within the limits of any highway, except as provided in subdivision 7;
- (11) deface, mar, damage, or tamper with any structure, work, material, equipment, tools, signs, markers, signals, paving, guardrails, drains, or any other highway appurtenance on or along any highway;
- (12) remove, injure, displace, or destroy right-of-way markers, or reference or witness monuments, or markers placed to preserve section or quarter section corners;
- (13) improperly place or fail to place warning signs and detour signs as provided by law;
- (14) drive over, through, or around any barricade, fence, or obstruction erected for the purpose of preventing traffic from passing over a portion of a highway closed to public travel or to remove, deface, or damage any such barricade, fence, or obstruction.

Any violation of this subdivision is a misdemeanor.

Sec. 2. Minnesota Statutes 1996, section 160.27, is amended by adding a subdivision to read:

**Subd. 7. BICYCLE RACKS AND BICYCLE STORAGE FACILITIES.** In cities of the first class, advertisements, public art, and informational signs may be placed and maintained on bicycle racks and bicycle storage facilities, and on any enclosure around them, if (1) a road authority has authorized the bicycle racks and storage facilities to be placed within the right-of-way of a public highway, (2) the city has recommended and the road authority has authorized the placement of advertisements, public art, and informational signs on the bicycle racks and bicycle storage facilities, and (3) the placement does not create an unsafe situation. Advertisements, public art, and information signs authorized under this subdivision are subject to the terms and conditions imposed by the road authority authorizing their placement.

Sec. 3. **EFFECTIVE DATE.**

Sections 1 and 2 are effective the day following final enactment.

Presented to the governor March 13, 1998

Signed by the governor March 16, 1998, 10:00 a.m.

## CHAPTER 284—S.F.No. 2669

*An act relating to human services; allowing greater use of arrangements with businesses when providing day training and habilitation services; directing the commissioner of human services to*

New language is indicated by underline, deletions by ~~strikeout~~.