

**8820.1400 MAINTENANCE, CONSTRUCTION, AND TURNBACK ACCOUNTS;
STATE-AID PAYMENTS.**

Subpart 1. **County maintenance apportionments.** As soon as the annual county and urban municipal state-aid allotments have been determined, the commissioner shall apportion and set aside the following amounts:

A. 40 percent of the regular county state-aid allotment for the general maintenance of county state-aid highways;

B. 40 percent of the county-municipal account allotment for maintaining the county state-aid highways within municipalities of less than 5,000 population.

Subp. 2. **Revisions of county maintenance apportionments.** The commissioner may, upon recommendation of the screening board or upon receipt of a resolution from a county board and for good cause shown, increase or decrease the proportion to be used for maintenance under either subpart 1, item A or B.

Subp. 3. **Urban maintenance apportionment account.** Twenty-five percent of the total allocation, if requested by the urban municipality before December 16 preceding the annual allocation, or \$1,500 per mile of improved municipal state-aid streets, is the minimum allotment for the general maintenance of the approved state-aid system. The commissioner may modify any allotments to the urban maintenance account to finance the amount needed to pay the interest due on municipal state-aid bonds and to accommodate the screening board resolutions pertaining to trunk highway turnback maintenance allowances.

Those municipalities desiring to receive an amount greater than the established minimum, not to exceed 35 percent of the total allocation, shall file a request with the commissioner before December 16 preceding the annual allocation and shall agree to file a detailed annual maintenance expenditure report at the end of the year.

Subp. 4. [Repealed by amendment, 8 SR 2146]

Subp. 4a. **Construction apportionments.** The construction portion of the annual allocation to each county and urban municipality must be credited to the respective accounts and retained by the commissioner for payment on approved projects.

Subp. 4b. **Town bridge account.** The commissioner shall retain for payment on approved projects the town bridge account portion of the annual allocation.

Subp. 4c. **Town road account.** The town road account portion of the annual allocation must be set aside and credited to each respective county.

Subp. 4d. **State-aid payments.** Annual apportionments to the respective counties and urban municipalities must be released in the manner provided in subparts 5 to 8 and parts 8820.1500 to 8820.2400.

Subp. 5. **Payment schedule.** At the earliest practical date, after the allotments have been determined, the commissioner shall release the following amounts to the respective counties and urban municipalities:

A. 100 percent of the town road account; and

B. maintenance funds:

(1) 50 percent of the available maintenance allotment, after reduction for bond interest if any, from the regular account of each county;

(2) 50 percent of the maintenance allotment from the municipal account of each county, except that counties desiring to receive less than 50 percent must submit a request prior to January 1; and

(3) 50 percent of the available maintenance allotment, after reduction for bond interest if any, to each urban municipality.

Subp. 6. **Additional advances.** On or about July 1 of each year, the commissioner shall release an additional advance from the respective maintenance accounts listed below:

A. from the regular account of each county:

(1) 40 percent of the available maintenance allotment, after reduction for bond interest if any; or

(2) 50 percent of the available maintenance allotment, after reduction for bond interest if any, but only if the county makes the request before January 1 and agrees to file an annual maintenance expenditures report by August 1 of the following year;

B. from the municipal account of each county:

(1) 40 percent of the maintenance allotment from the municipal account of each county; or

(2) 50 percent of the maintenance allotment but only if the county makes the request before January 1 and agrees to file an annual maintenance expenditures report by August 1 of the following year; and

C. from the municipal account of each urban municipality:

(1) 40 percent of the available maintenance allotment, after reduction for bond interest if any; or

(2) the entire remaining available amount, after reduction for bond interest if any, to those urban municipalities receiving the minimum maintenance allocation specified in subpart 3.

Subp. 7. **Remaining maintenance funds.** The remaining maintenance funds will be released to the counties and urban municipalities upon receipt of their report of actual maintenance expenditures.

Subp. 8. **Unobligated maintenance account balance.** An unobligated balance remaining in the state-aid maintenance account to the credit of a county or urban municipality, after final settlement has been made for the annual maintenance expenditures, must be automatically transferred to the construction account of that county or urban municipality.

Statutory Authority: *MS s 161.082; 161.083; 162.02; 162.09; 162.155; L 1983 c 17*

History: *8 SR 2146; 15 SR 2596; 20 SR 1041; 23 SR 1455; 24 SR 1885; 29 SR 449*

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