

8820.3100 GENERAL STATE-AID LIMITATIONS.

Subpart 1. **Extent of state aid.** The extent of state-aid participation on special items is limited as follows in subparts 2 to 10.

Subp. 2. **Lighting hazardous areas.** The cost of roadway and bridge lighting of locations at which accidents are likely to occur or are otherwise hazardous is an eligible expense if that lighting:

- A. meets one or more of the following criteria:
 - (1) is intended for four or more lanes (complete cost eligible);
 - (2) is intended for lighting intersections;
 - (3) is a cost incidental to the necessary revision or relocation of existing lighting facilities on reconstruction projects; or
- B. is within a city.

For the funding of additional locations, lighting expenses are eligible only to the extent that the county or urban municipality has furnished traffic information or other needed data to support its request.

Ornamental light poles will be 100 percent eligible for state-aid funds only if the ornamental pole is required by an adopted city or county policy. In the absence of such a policy, ornamental poles will be treated as a landscaping item according to subpart 10.

Subp. 3. [Repealed, 20 SR 1041]

Subp. 4. [Repealed, 20 SR 1041]

Subp. 5. **Traffic control signals.** The extent of state-aid participation in signal installations must be determined by the proportion of the number of approaching routes under the jurisdiction of the county or urban municipality to the total number of approaching routes involved at each installation. When at least one approach is eligible for state-aid participation for a county or urban municipality, then all other approaches under the same jurisdiction are also eligible.

Subp. 6. **Right-of-way.** The cost of lands and properties required for right-of-way to accommodate the design width of the street or highway as governed by the state-aid standards, including necessary width for sidewalks and bicycle paths, is considered an eligible expense. This cost includes relocation and moving costs as provided by law and includes damages to other lands if reasonably justified to the satisfaction of the commissioner. Costs incurred by the county or urban municipality for title searches and costs associated with condemnation proceedings are also an eligible expense. Receipts from the rental or sale of excess properties paid for with state-aid funds must be placed

in the local agency's road and bridge account to be used on the next state-aid project constructed.

Subp. 7. [Repealed, 20 SR 1041]

Subp. 7a. **Bicycle paths and sidewalks.** Payment for a bicycle path or sidewalk must be made when requested by urban municipalities, but only if the bicycle path or sidewalk is located within the permanent right-of-way of a state-aid-eligible route or within an easement generally parallel with a state-aid route. County state-aid funds may be spent on bicycle paths or sidewalks as a match to federal-aid funds or on bicycle paths or sidewalks that are both a part of an adopted plan and are located within the permanent right-of-way of a state-aid route or within an easement generally parallel with a state-aid route. County municipal state-aid funds may be spent on bicycle paths or sidewalks located within the permanent right-of-way of a state-aid route or within an easement generally parallel with a state-aid route.

Subp. 8. **Storm sewers.** Plans containing items for storm sewer construction must be reviewed by the hydraulics engineer for the Minnesota Department of Transportation and the engineer's recommendations obtained concerning compliance with adopted state-aid storm sewer design requirements and the proportionate share chargeable to the state-aid system. These recommendations along with those of the district state-aid engineer must be considered in determining the maximum state-aid participation in this work.

Subp. 9. [Repealed, 20 SR 1041]

Subp. 9a. [Repealed, 36 SR 925]

Subp. 10. **Landscaping.** The extent of state-aid participation in landscaping is limited to five percent of the total construction allocation in any year. Landscaping includes, but is not limited to:

A. items such as trees when exceeding two-to-one replacement, shrubs, ground covers, and mulch; and

B. retaining walls, fences, and other landscaping appurtenances when only decorative in function.

The extent of participation also includes excess costs for functional but ornamental features such as, but not limited to, ornamental fences and railings, brick pavers, and aesthetic surface treatments. Excess cost is the cost in excess of a functional, standard item. Seeding, with mulch and fertilizer, and sodding are considered normal grading items.

Statutory Authority: *MS s 14.389; 161.082; 161.083; 162.02; 162.09; 162.155; L 1983 c 17*

History: *8 SR 2146; 15 SR 2596; 20 SR 1041; 24 SR 1885; 29 SR 449; 36 SR 925*

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