

## MOTOR VEHICLE CARRIERS; PIPELINE CARRIERS 221.64

known. The notice may be given to the railroad at any address at which the owner has an office, agent or other place of business in this state. The date of the mailing shall be the date of service of the notice.

If after notice and claim for reimbursement, the railroad working the right-of-way refuses to reimburse the local government or nonprofit fire fighting corporation for expenses incurred, the claimant may recover by civil action reasonable expenses, costs, disbursements, and attorney's fees.

Subd. 2. All claims shall set forth the basis of the claim including the time, date, place and circumstances of the claim. A claim shall also include an itemization of costs incurred in the extinguishment of the fire. The state fire marshal, in consultation with fire department chiefs and representatives of the interested railroads, may recommend additional information to be included in a claim.

Subd. 3. If the railroads are required to pay property taxes pursuant to chapter 272 or any other law, they shall also pay any fees and assessments which may be required of property owners situated within the same political subdivision for fire fighting and protection expenses. Neither the enactment of this section, nor its subsequent repeal or termination, shall alter the statutory or common law rights, duties or obligations of railroad companies with regard to fires caused directly or indirectly by a railroad locomotive, rolling stock, or employees on a railroad right-of-way or operating property.

[ 1977 c 95 s 1 ]

### CHAPTER 221. MOTOR VEHICLE CARRIERS; PIPELINE CARRIERS; FOR HIRE, REGULATION

Sec.  
221.141 Insurance or bonds of motor carriers.  
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#### 221.141 Insurance or bonds of motor carriers.

Subdivision 1. Before any certificate or permit shall be issued to any motor carrier, it shall secure and cause to be filed with the commissioner and keep the same at all times in full effect, a certificate of insurance in a form required by the commissioner, evidencing public liability and indemnity insurance in such amount and in such form as the commissioner shall have prescribed, covering injuries and damage to persons or property occurring on the highways, other than the employees of such motor carrier or the property being transported by such carrier, provided that the commissioner shall require cargo insurance for certificated carriers, except those carrying passengers exclusively, and may require any permit carrier to file such insurance when it deems necessary to protect the users of the service. Any insurance issued to satisfy the requirements of this subdivision shall be subject to cancellation for nonpayment of premiums or withdrawals from service of a vehicle or vehicles covered thereby upon not less than 30 days' written notice to the insured and to the commissioner. Such insurance or bond may from time to time be reduced or increased by order of the commissioner. The commissioner may, if desired by the petitioner, prescribe in lieu of the bond or insurance such other form of security as may be satisfactory. The failure to maintain and cause to be filed a certificate for any required insurance or security shall, two days after dispatch by the commissioner by certified or registered mail of notice of such suspension, addressed to the last known address of the motor carrier, suspend the permit or certificate without further administrative proceedings until such time as the requirements of this subdivision have been satisfied.

[For text of subd 2, see M.S.1976]

[ 1977 c 122 s 1 ]

#### 221.64 Registration fee; exemptions.

Such registration as herein provided shall be granted upon petition, without hearing, upon payment of an initial filing fee in the amount of \$25. Upon petition, and payment of said fee if applicable, the commissioner shall furnish to the regis-

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tration holder a distinguishing identification stamp for each motor vehicle included in said registration which stamp shall at all times be carried in the registered vehicle of the registration holder. For each identification stamp issued, the commissioner shall establish and collect a fee of no more than \$5 to be deposited in the state treasury, provided that a lesser fee may be collected pursuant to the terms of reciprocal agreements between the commissioner and the regulatory bodies of other states or provinces of the dominion of Canada.

[ 1977 c 122 s 2 ]

## CHAPTER 222. RAILWAYS, UTILITIES; GENERAL PROVISIONS

Sec.

222.50 Rail service improvement program.

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[For text of subds 1 to 4, see M.S.1976]

Subd. 5. In making any contract pursuant to subdivision 4 the director may:

(a) Stipulate minimum operating standards for rail lines designed to achieve reasonable transportation service for shippers and to achieve best use of funds invested in rail line rehabilitation;

(b) Require a portion of the total assistance for improving a rail line to be loaned to the railroad by rail users and require the railroad to reimburse rail users for any loan on the basis of use of the line and the revenues produced when the line has been improved;

(c) Determine the terms and conditions under which all or any portion of state funds allocated shall be repaid to the department by the railroads. Reimbursement may be made as a portion of the increased revenue derived from the improved rail line. Any reimbursement received by the department pursuant to this clause shall be deposited in the rail service improvement account and shall be appropriated exclusively for rehabilitating other rail lines in the state pursuant to subdivision 4; and

(d) Require, in lieu of reimbursement as provided in clause (c) of this subdivision, that the railroad establish and maintain a separate railroad fund to be used exclusively for rehabilitation of other rail lines in Minnesota, to which a portion of the increase in revenue derived from the improved rail line shall be credited. The terms and conditions for use of money in the fund shall be stipulated in the contract. The contract shall also stipulate a penalty for use of such money in a manner other than as set forth in the contract and require the railroad to report to the department at such times as the director requires, concerning the disbursement of money from the fund and the general status of rail line improvements.

[ 1977 c 347 s 36 ]

## CHAPTER 231. WAREHOUSES

Sec.

231.16 Warehouseman to obtain license.

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Every person desiring to engage in the business of warehouseman, before engaging therein, shall be licensed annually by, and shall be under the supervision and subject to the inspection of, the department. Written application in such form as shall be prescribed by the department shall be made to the department for license, specifying the city in which it is proposed to carry on the business of warehousing, the location, size, character, and equipment of the buildings or premises to