

165.03 MS 1957 [Renumbered 166.03]

165.03 STRENGTH OF BRIDGE; INSPECTION.

Subdivision 1. **Standards generally.** Each bridge, including a privately owned bridge, must conform to the strength, width, clearance, and safety standards imposed by the commissioner for the connecting highway or street. This subdivision applies to a bridge that is constructed after August 1, 1989, on any public highway or street. The bridge must have sufficient strength to support with safety the maximum vehicle weights allowed under sections 169.822 to 169.829 and must have the minimum width specified in section 165.04, subdivision 3.

Subd. 1a. **Inspection.** (a) Each bridge must be inspected annually, unless a longer interval not to exceed two years for bridges or four years for bridges classified as culverts is authorized by the commissioner. The commissioner's authorization must be based on factors including, but not limited to, the age and condition of the bridge, the rate of deterioration of the bridge, the type of structure, the susceptibility of the bridge to failure, and the characteristics of traffic on the bridge. The commissioner may require interim inspections at intervals of less than one year on bridges that are posted, bridges subjected to extreme scour conditions, bridges subject to significant substructure movement or settlement, and for other reasons as specified or inferred in the AASHTO manual.

(b) The thoroughness of each inspection depends on such factors as age, traffic characteristics, state of maintenance, and known deficiencies. The evaluation of these factors is the responsibility of the engineer assigned the responsibility for inspection as defined by rule adopted by the commissioner of transportation.

Subd. 2. **Inspection and inventory responsibilities; rules; forms.** (a) The commissioner of transportation shall adopt official inventory and bridge inspection report forms for use in making bridge inspections by the owners or highway authorities specified by this subdivision. Inspections must be made at regular intervals, not to exceed two years for bridges and not to exceed four years for culverts, by the following owner or official:

(1) the commissioner of transportation for all bridges located wholly or partially within or over the right-of-way of a state trunk highway;

(2) the county highway engineer for all bridges located wholly or partially within or over the right-of-way of any county or town road, or any street within a municipality that does not have a city engineer regularly employed;

(3) the city engineer for all bridges located wholly or partially within or over the right-of-way of any street located within or along municipal limits;

(4) the commissioner of transportation in case of a toll bridge that is used by the general public and that is not inspected and certified under subdivision 6; provided, that the commissioner of transportation may assess the owner for the costs of the inspection;

(5) the owner of a bridge over a public highway or street or that carries a roadway designated for public use by a public authority, if not required to be inventoried and inspected under clause (1), (2), (3), or (4).

(b) The commissioner of transportation shall prescribe the standards for bridge inspection and inventory by rules. The owner or highway authority shall inspect and inventory in accordance

with these standards and furnish the commissioner with such data as may be necessary to maintain a central inventory.

Subd. 3. County inventory and inspection records and reports. The county engineer shall maintain a complete inventory record of all bridges as set forth in subdivision 2, paragraph (a), clause (2), with the inspection reports thereof, and shall certify annually to the commissioner, as prescribed by the commissioner, that inspections have been made at regular intervals, not to exceed two years for bridges and not to exceed four years for culverts. A report of the inspections must be filed annually, on or before February 15 of each year, with the county auditor or town clerk, or the governing body of the municipality. The report must contain recommendations for the correction of or legal posting of load limits on any bridge or structure that is found to be understrength or unsafe.

Subd. 4. Municipal inventory and inspection records and reports. The city engineer shall maintain a complete inventory record of all bridges as set forth in subdivision 2, paragraph (a), clause (3), with the inspection reports thereof, and shall certify annually to the commissioner, as prescribed by the commissioner, that inspections have been made at regular intervals, not to exceed two years for bridges and not to exceed four years for culverts. A report of the inspections must be filed annually, on or before February 15 of each year, with the governing body of the municipality. The report must contain recommendations for the correction of or legal posting of load limits on any bridge or structure that is found to be understrength or unsafe.

Subd. 5. Agreement. Agreements may be made among the various units of governments, or between governmental units and qualified engineering personnel to carry out the responsibilities for the bridge inspections and reports, as established by subdivision 2.

Subd. 6. Other bridges. The owner of a toll bridge and the owner of a bridge described in subdivision 2, paragraph (a), clause (5), shall certify to the commissioner, as prescribed by the commissioner, that inspections of the bridge have been made at regular intervals, not to exceed two years for bridges and not to exceed four years for culverts. The certification must be accompanied by a report of the inspection. The report must contain recommendations for the correction of or legal posting of load limitations if the bridge is found to be understrength or unsafe.

Subd. 7. Department of Natural Resources bridge. (a) Notwithstanding subdivision 2, the commissioners of transportation and natural resources shall negotiate a memorandum of understanding that governs the inspection of bridges owned, operated, or maintained by the commissioner of natural resources.

(b) The memorandum of understanding must provide for:

- (1) the inspection and inventory of bridges subject to federal law or regulations;
- (2) the frequency of inspection of bridges described in paragraph (a); and
- (3) who may perform inspections required under the memorandum of understanding.

Subd. 8. Biennial report on bridge inspection quality assurance. By February 1 of each odd-numbered year, the commissioner shall submit a report electronically to the members of the senate and house of representatives committees with jurisdiction over transportation policy and finance concerning quality assurance for bridge inspections. At a minimum, the report must:

- (1) summarize the bridge inspection quality assurance and quality control procedures used in Minnesota;

(2) identify any substantive changes to quality assurance and quality control procedures made in the previous two years;

(3) summarize and provide a briefing on findings from bridge inspection quality reviews performed in the previous two years;

(4) identify actions taken and planned in response to findings from bridge inspection quality reviews performed in the previous two years;

(5) summarize the results of any bridge inspection compliance review by the Federal Highway Administration; and

(6) identify actions in response to the Federal Highway Administration compliance review taken by the department in order to reach full compliance.

History: 1959 c 500 art 6 s 3; 1969 c 304 s 1; 1973 c 41 s 1; 1973 c 123 art 5 s 7; 1976 c 166 s 7; 1985 c 248 s 70; 1986 c 444; 1989 c 158 s 1; 1994 c 635 art 2 s 5; 1998 c 403 s 12; 2008 c 287 art 1 s 20; 2010 c 350 s 2