

HOUSE RESEARCH

Bill Summary

FILE NUMBER: H.F. 101
Version: As introduced

DATE: February 13, 2015

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Subject: County consent on MnDOT projects

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This bill modifies the municipal consent requirements for some Minnesota Department of Transportation (MnDOT) projects to include consent from counties, so that the same notification, approval, and appeal procedures currently in place for cities also apply to counties. The inclusion of county consent would apply regardless of contracting method (including design-build, whether a low-bid or best value selection process is used).

Under current law, Minnesota Statutes establish a process for cities to review and consent to some trunk highway projects undertaken by MnDOT; in some scenarios with non-Interstate highways, lack of city consent can halt project development. The statutory procedures include points in the highway project development process where consent is required, notification and response timing requirements, and a process for appealing municipal disapproval.

While there are exceptions (such as for maintenance activities and traffic regulation and safety measures), the consent process applies when a proposed project:

- alters access;
- increases or reduces traffic capacity (e.g., by changing the number of through lanes); or
- involves acquiring permanent right-of-way (including by permanent easement).