

# HOUSE RESEARCH

## Bill Summary

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**Authors:** Petersburg

**Subject:** MnDOT driveway permits

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This bill establishes an appeal process that uses the contested case procedures in the Administrative Procedures Act, for situations when the Minnesota Department of Transportation (MnDOT) denies a driveway permit for accessing a trunk highway from adjacent private property. It directs MnDOT to first seek to resolve such a dispute; permits mediation if the parties agree; and places the burden of proof on MnDOT to show, by clear and convincing evidence, that permit denial is necessary. The appeal process does not apply to permit denials by other road authorities (that is, counties, cities, or towns).

Current law provides for access by owners and occupants of land that abuts a highway, but any access is subject to reasonable regulation by the road authority on the basis of interference with construction, maintenance, or safe use of the road.