

HOUSE RESEARCH

Bill Summary

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Subject: Road right-of-way use; field application of manure

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Overview

This bill amends a 2015 law on permits to use the right-of-way of a road to temporarily run a flexible pipe to apply manure to a field. It narrows the existing permitting authority to only apply to the Minnesota Department of Transportation; creates a general authorization to use county and town road rights-of-way without a permit, if various conditions are met; and provides for cleanup and repair liability.

Section

- 1 **Department of Transportation temporary permit for field application.** Narrows the authority to issue permits to use the right-of-way to run flexible pipe for manure application, so that it is explicitly available only for Minnesota Department of Transportation (MnDOT) right-of-way (and not for the right-of-way of any road authority such as a county, city, or town). Allows for property owners or occupants to seek a permit even if the property is not adjacent to the public road. Makes technical clarifications.
- 2 **General authority for certain field application.** Authorizes property owners and occupants to use the right-of-way of county or town roads to run flexible pipe for manure application, if various conditions are met. Conditions include:
 - ▶ restrictions on placement of the flexible pipe and pumping equipment;
 - ▶ flexible pipe placement for no more than 21 days;
 - ▶ noninterference with access, maintenance, and safe use of roads;

Section

- ▶ prior notification at least one day in advance and with specified information provided to the county or town;
- ▶ performance of the field application of manure by a licensed applicator; and
- ▶ landowner or occupant responsibility for right-of-way restoration.

3 **Damage or spills; liability.** Makes a commercial animal waste technician company performing field application of manure under section 2 liable applying for any damage related to flexible pipe placement or the application.