

- 1.1 A bill for an act
- 1.2 relating to transportation; authorizing the Metropolitan Council and counties to
- 1.3 contract for use of railroad or mass transit right-of-way; regulating civil liability;
- 1.4 proposing coding for new law in Minnesota Statutes, chapter 473.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. [473.4052] RIGHTS-OF-WAY USE; CONTRACTS.

- 1.7 (a) The council or a metropolitan county, or public entity contracting with the council
- 1.8 or county, may contract with a railroad that is a Class I, Class II, or Class III railroad under
- 1.9 federal law for the joint or shared use of the council's or county's right-of-way used for
- 1.10 commuter rail, light rail transit, or freight rail purposes or for the construction, operation,
- 1.11 or maintenance of rail track, facilities, or services for freight rail purposes.
- 1.12 (b) Notwithstanding any law to the contrary, a contract with the Class I, Class II, or
- 1.13 Class III railroad for joint or shared use of the council's or county's right-of-way may also
- 1.14 provide for the allocation of financial responsibility, indemnification, and the procurement
- 1.15 of insurance for the parties for all types of claims or damages. The liability limits under
- 1.16 section 466.04 apply to all types of claims or damages arising from Class I, Class II, or
- 1.17 Class III freight rail operations under this section.
- 1.18 (c) A contract entered into under this section does not affect rights of employees under
- 1.19 the federal Employers' Liability Act (1908) (Railroads), Statutes at Large, volume 35, chapter
- 1.20 149, or the federal Railway Labor Act, Statutes at Large, volume 44, chapter 347.
- 1.21 **EFFECTIVE DATE.** This section is effective the day following final enactment and
- 1.22 applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.