

Light Rail Transit (LRT) Permit – Frequently Asked Questions

These frequently asked questions explain the LRT permitting process for any construction, utility work, or development on or within 50 feet of Metropolitan Council/Metro Transit light rail right-of-way, facilities, or structures. They are based directly on the official Metro Transit Light Rail Permitting webpage and the linked insurance requirements document.

1. **Who needs a Light Rail Transit (LRT) Permit?**

Parties planning construction on or within 50 feet of Metropolitan Council/Metro Transit LRT right-of-way, facilities, or structures must submit a permit application for review before starting work. Parties include developers, agencies, municipalities, property owners, or similar organizations proposing work near, on, over, or under the rail right-of-way. Projects are reviewed for potential conflicts with rail operations and to **ensure proper insurance coverage is obtained**.

2. **How do I apply for an LRT Permit?**

Submit your application through the online LRT Utility Permit Application portal at the Metropolitan Council Formstack link. You must provide your legal company name, contact information, full project details (including location, duration, utility type, and whether the use is permanent or temporary), and all required plans. Incomplete applications will be rejected and must be resubmitted in their entirety.

3. **What documents and plans must I include with my application?**

Plans must clearly show Metropolitan Council property lines, all Metropolitan Council property to be used (project footprint), square footage of temporary use and permanent use (denoted separately if both apply), distance to top of rail (vertical profile), distance to center of rail (horizontal profile), and Metropolitan Council facilities. All underground installations must be a minimum of 10 feet below the top of rail within 50 feet of any track.

4. **How much does the permit cost and when do I pay?**

The non-refundable application fee is \$1,000, payable to Metro Transit by certified check. Payment must be received before the permit is approved.

5. **What are the review timelines?**

The administrative, engineering, and risk review process may take up to 60 days. If additional information is needed, you will be asked to resubmit the entire application. Once approved, all work must be completed within six months of the proposed construction end date shown on your permit. If work extends beyond that window, the paperwork must be reviewed again and a new end date established.

6. **What insurance coverage is required?**

Compliance with the Metropolitan Council's insurance requirements is mandatory.

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This includes Commercial General Liability, Business Automobile coverage, Workers' Compensation (plus Employers Liability), and possibly Contractor's Pollution Liability for excavation or boring work. You must provide certificates of insurance plus copies of all required endorsements signed by an authorized insurer representative. All documents must be received and approved before the permit is issued.

9. Is a Certificate of Insurance (COI) enough?

No. A COI alone is **not sufficient**.

You must include:

The certificate **AND**

Copies of the required ISO endorsements (CG 24 17, CG 20 26, CG 20 37)

7. What are the required ISO endorsements and why are they needed?

ISO endorsements are standard Insurance Services Office forms that modify your commercial general liability policy to meet our specific requirements. The three required endorsements are:

- **ISO CG 24 17** (Contractual Liability – Railroads): This endorsement restores coverage for contractual liabilities assumed when working near railroads (coverage that standard policies normally exclude).
- **ISO CG 20 26** (Additional Insured – Designated Person or Organization): This adds the designated party as an additional insured for liability arising out of your ongoing operations or premises.
- **ISO CG 20 37** (Additional Insured – Completed Operations): This provides additional insured coverage for liability that arises after your work is finished (the “completed operations” hazard).

These endorsements protect the public agency from risks associated with work near active light rail operations, contractual liabilities, and post-construction issues.

8. How do I properly name the Metropolitan Council as an additional insured?

Additional insured endorsements must list both the specific project and the Metropolitan Council on a primary and non-contributory basis. A waiver of subrogation in favor of the Metropolitan Council is also required on all policies. Correct wording example: “Metropolitan Council and [Exact Project Name – e.g., ‘Maple Street Utility Installation Adjacent to Green Line LRT’]”.

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The Metropolitan Council must appear exactly this way on the endorsement forms (not just “Metro Transit” or the project alone).

9. What do correct versus incorrect insurance submissions look like?

Correct example:

- Certificate of Insurance clearly states the policy numbers and limits.
- Attached endorsements include ISO CG 24 17, CG 20 26, and CG 20 37.
- Additional insured schedule reads: “Metropolitan Council and [Specific Project Name]”.
- All documents are signed by an authorized insurer representative.

Incorrect examples (common failures):

- Endorsements list only “Metro Transit” without the specific project name.
- Missing one or more of the three required ISO forms.
- No primary/non-contributory language or no waiver of subrogation.
- Generic “additional insured” wording that does not match the exact Metropolitan Council + project requirement.

10. What safety rules apply, especially for underground utilities?

All work must protect rail operations and public safety. Any work that affects train movements must be scheduled with Metro Transit Rail Operations. Issuance of the permit does not grant permission to begin construction; you must also obtain any required Right-of-Way Access permit and final scheduling approval.

11. What happens after my permit is approved?

After approval you will receive scheduling instructions from Rail Operations. Construction cannot begin until Rail Operations confirms the work window. When work is complete, you must submit as-built drawings and information for filing by the Metropolitan Council. Long-term or permanent uses on, over, or under LRT right-of-way may require additional review and a site license or access agreement from the Metropolitan Council Real Estate Department.

12. Who should I contact with questions?

Contact Edward Meyer at edward.meyer@metrotransit.org for questions about the LRT permitting process. I

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13. What is a Right-of-Entry (ROE) Agreement?

A Right-of-Entry (ROE) Agreement is a separate legal contract between the Metropolitan Council (Grantor) and the project owner/contractor (Grantee). It grants temporary legal access to Council-owned property for specific approved work. The ROE is required in addition to an approved LRT Permit whenever the work has the potential to foul freight rail tracks or occurs on Council property near rail corridors.

14. When do I need a Right-of-Entry (ROE) Agreement in addition to my LRT Permit? You need an ROE when your work is on or near Council property and may affect freight rail operations (e.g., within the Freight Rail Work Zone). The LRT Permit handles light rail review. The ROE adds freight-rail-specific protections including coordination with Twin Cities & Western Railroad (TCWR), flagging requirements, stricter insurance, and indemnification. Council issues the ROE after LRT Permit approval and plan review.

Common Reasons Applications Are Rejected

The most frequent reason applications are rejected is insurance documents that do not meet requirements.

- Missing or incorrect ISO endorsements: Applications often lack **ISO CG 24 17**, **CG 20 26**, or **CG 20 37**.
- **Additional insured not properly named:** The endorsement must list both the Metropolitan Council and the specific project name on a primary and non-contributory basis.
- No waiver of subrogation or missing signed endorsements.

Prevention tip: Have your insurance provider review the official insurance requirements document (linked on the permitting page) before issuing certificates and endorsements. Submit them early so Metro Transit can approve them before the 60-day review clock starts.

Other common issues include:

- Incomplete or unclear plans that do not show Metropolitan Council property lines, project footprint, or required rail distances.
- Failure to meet the 10-foot minimum depth for underground utilities.
- **Missing the \$1,000 certified check payment.**

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- Not separating temporary versus permanent use areas on plans.

Double-check every requirement against the official webpage and insurance document before you submit. A complete first submission dramatically reduces review time and helps your project stay on schedule.

Quick Pre-Submission Checklist

Before you apply, verify:

- ✓ Certificate of Insurance included
- ✓ ISO CG 24 17 attached
- ✓ ISO CG 20 26 attached
- ✓ ISO CG 20 37 attached
- ✓ Metropolitan Council listed as additional insured
- ✓ Specific project name and plans included
- ✓ All documents are complete and readable