

IN THE SENATE

SENATE BILL NO. 1053

BY TRANSPORTATION COMMITTEE

AN ACT

1 RELATING TO DUTIES OF THE IDAHO TRANSPORTATION BOARD; AMENDING SECTION
2 40-310, IDAHO CODE, TO PROVIDE ADDITIONAL DUTIES OF THE BOARD TO DEVELOP
3 A HIGHWAY ACCESS MANAGEMENT SYSTEM BASED ON OBJECTIVE STANDARDS THAT
4 WILL BALANCE THE ECONOMIC DEVELOPMENT OBJECTIVES OF PROPERTIES ABUT-
5 TING STATE OF IDAHO HIGHWAYS WITH THE TRANSPORTATION SAFETY AND ACCESS
6 MANAGEMENT OBJECTIVES OF STATE HIGHWAYS IN A MANNER CONSISTENT WITH
7 CERTAIN CRITERIA AND TO MAKE A TECHNICAL CORRECTION.
8

9 Be It Enacted by the Legislature of the State of Idaho:

10 SECTION 1. That Section 40-310, Idaho Code, be, and the same is hereby
11 amended to read as follows:

12 40-310. POWERS AND DUTIES -- STATE HIGHWAY SYSTEM. The board shall:
13 (1) Determine which highways in the state, or sections of highways,
14 shall be designated and accepted for the purpose of this title as a part of
15 the state highway system.

16 (a) In determining which highways or section of highways shall be a
17 part of the state highway system, the board shall consider the rela-
18 tive importance of each highway to cities, existing business, industry
19 and enterprises and to the development of cities, natural resources,
20 industry and agriculture and be guided by statistics on existing and
21 projected traffic volumes. The board shall also consider the safety
22 and convenience of highway users, the common welfare of the people of
23 the state, and of the cities within the state and the financial capacity
24 of the state of Idaho to acquire rights-of-way and to construct, re-
25 construct and maintain state highways. In making a determination, the
26 board must, before it can abandon, relocate, or replace by a new high-
27 way, any highway serving or traversing any city, or the area in which the
28 city is located, specifically find and determine that the benefits to
29 the state of Idaho are greater than the economic loss and damage to the
30 city affected. No highway serving or traversing any city shall be aban-
31 doned, relocated or replaced by a new highway serving the area in which a
32 city is located without the board first holding a public hearing in that
33 city. The abandonment shall proceed as set forth in section 40-203B,
34 Idaho Code.

35 (2) The board shall cause to be prepared and publicly displayed in a
36 conspicuous place in their offices a complete map of the state highway sys-
37 tem in which each section shall be identified by location, length and a con-
38 trol number. The map shall be of a suitable size and scale and contain data
39 and information as deemed appropriate by the board. Periodically, and not
40 less than once each year, the board shall revise and correct the map to record
41 the changes in the designated state highway system resulting from additions,

1 abandonments and relocations. Hand maps of the state highway system shall be
2 issued periodically for public distribution.

3 (3) Abandon the maintenance of any highway and remove it from the state
4 highway system, when that action is determined by the unanimous consent of
5 the board to be in the public interest.

6 (4) Locate, design, construct, reconstruct, alter, extend, repair and
7 maintain state highways, and plan, design and develop statewide transporta-
8 tion systems when determined by the board to be in the public interest.

9 (5) Establish standards for the location, design, construction, re-
10 construction, alteration, extension, repair and maintenance of state high-
11 ways, provided that standards of state highways through local highway juris-
12 dictions shall be coordinated with the standards in use for the systems of
13 the respective local highway jurisdictions. The board shall make agreements
14 with local highway jurisdictions having within their limits state highway
15 sections in the category described in section 40-502, Idaho Code, and pro-
16 vide for an equitable division of the maintenance of those sections. The
17 board may also, in the interest of economy and efficiency, arrange to have
18 any or all of the state highway sections within local highway jurisdictions
19 maintained by those local highway jurisdictions, the cost of the work as lim-
20 ited by section 40-502, Idaho Code, to be reimbursed by the state.

21 (6) Cause to be made and kept, surveys, studies, maps, plans, specifi-
22 cations and estimates for the alteration, extension, repair and maintenance
23 of state highways, and so far as practicable, of all highways in the state,
24 and for that purpose to demand and to receive reports and copies of records
25 from county commissioners, commissioners of highway districts, county engi-
26 neers and directors of highways and all other highway officials within the
27 state.

28 (7) Approve and determine the final plans, specifications and esti-
29 mates for state highways and cause contracts for state highway work to be let
30 by contract in the manner provided by law.

31 (8) Expend funds appropriated for construction, maintenance and im-
32 provement of state highways.

33 (9) Designate state highways, or parts of them, as controlled-access
34 facilities and regulate, restrict or prohibit access to those highways to
35 serve the traffic for which the facility is intended.

36 (10) Close or restrict the use of any state highway whenever the closing
37 or restricting of use is deemed by the board to be necessary for the protec-
38 tion of the public or for the protection of the highway or any section from
39 damage.

40 (11) Designate main traveled state highways as through highways. The
41 traffic on through highways shall have the right-of-way over the traffic on
42 any other highway intersecting with it, provided, that at the intersection
43 of two (2) through highways the board shall determine which traffic shall
44 have the right-of-way.

45 (12) Furnish, erect and maintain standard signs on side highways di-
46 recting drivers of vehicles approaching a designated through highway to come
47 to a full stop before entering or crossing the through highway.

48 (13) Provide a right-of-way for and supervise the construction of side
49 paths or sidewalks along regularly designated state highways outside the
50 boundaries of incorporated cities, and the expenditures for the construc-

1 tion of them may be made from the highway funds of the county or highway
2 districts.

3 (14) Upon certification and requisition of an appropriate board, com-
4 mission, governing body, or official head of any state institution and on the
5 approval of the governor, showing the same to be necessary, construct, al-
6 ter, repair, and maintain the roadways in, through, and about the grounds of
7 state institutions. The construction, alteration, repair and maintenance
8 shall be accomplished and paid for from the state highway account in accor-
9 dance with the provisions of chapter 7, title 40, Idaho Code. This provision
10 shall not be construed to divest any board, commission, governing body, or
11 official head of an institution their constitutional or statutory powers.

12 (15) Develop a highway access management system based on objective
13 standards that will balance the economic development objectives of prop-
14 erties abutting state of Idaho highways with the transportation safety and
15 access management objectives of state highways in a manner consistent with
16 local transportation system plans and the land uses permitted in local com-
17 prehensive plans and zoning ordinances.