

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 583

BY BUSINESS COMMITTEE

AN ACT

1 RELATING TO URBAN RENEWAL AND SINGLE COUNTYWIDE HIGHWAY DISTRICTS; AMENDING  
2 SECTION 40-1415, IDAHO CODE, TO DELETE REFERENCE TO CERTAIN HIGHWAY  
3 DISTRICT FUNDING RESPONSIBILITIES, TO PROVIDE THAT ALL PARKING SPACE  
4 REVENUES MAY ONLY BE EXPENDED ON CERTAIN IMPROVEMENTS AND TO MAKE  
5 TECHNICAL CORRECTIONS.  
6

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

8 SECTION 1. That Section 40-1415, Idaho Code, be, and the same is hereby  
9 amended to read as follows:

10 40-1415. RESPONSIBILITIES OF SINGLE ~~COUNTY-WIDE~~ COUNTYWIDE HIGHWAY  
11 DISTRICTS WITHIN CITIES -- FINAL DECISION ON URBAN RENEWAL PROJECTS --  
12 SETTLEMENT OF QUESTIONS. (1) ~~County-wide~~ Countywide highway districts  
13 organized under the provisions of this chapter, within the limits of any  
14 city shall be responsible for the design, construction, reconstruction  
15 and maintenance of city rights-of-way and accompanying curbs, gutters,  
16 culverts, sidewalks, paved medians, bulkheads and retaining walls. Within  
17 city rights-of-way, design, construction, reconstruction and maintenance  
18 shall include:

19 (a) Traffic and safety engineering for both motorist and pedestrian  
20 traffic;

21 (b) Procurement and installation of highway lighting where it is  
22 primarily of benefit to the motorist. Energy costs and maintenance of  
23 lighting shall subsequently be a function of the city;

24 (c) Procurement, installation, operation and maintenance of traffic  
25 control devices where they are needed for traffic control; and

26 (d) Drainage where it is necessary for motorist safety or necessary for  
27 right-of-way maintenance.

28 (2) Acquisition and acceptance of rights-of-way shall be the  
29 responsibility of the ~~county-wide~~ countywide highway district.

30 (3) In matters of urban renewal projects, the city involved shall  
31 make the final decision concerning approval of the project based on the  
32 overall plan of the city. Prior to approval of an urban renewal project,  
33 the city shall submit the plan to the highway district for review and  
34 recommendations in accordance with subsection (1) of this section. The  
35 highway district shall submit its written recommendations with respect to  
36 the proposed urban renewal plan to the city within thirty (30) days after  
37 receipt of the plan for review. Upon receipt of the recommendations of the  
38 highway district, or if no recommendations are received within thirty (30)  
39 days, then the city may proceed without recommendations with the hearing  
40 on the proposed urban renewal project, ~~and the highway district shall be~~  
41 ~~responsible, as between the city and the highway district, for funding the~~  
42 ~~district's responsibilities as provided by subsection (1) of this section.~~

1 Agreements entered into by a city pursuant to an urban renewal project prior  
2 to dissolution of the city highway system and organization of the successor  
3 highway district shall be binding upon the ~~county wide~~ countywide highway  
4 district.

5 (4) The highway district shall be responsible for planning and  
6 location of rights-of-way. In planning for and determining location  
7 of rights-of-way, the highway district shall submit to the appropriate  
8 planning agency the proposed location of the rights-of-way. In locating  
9 rights-of-way the highway district shall take into consideration the  
10 comprehensive general plan of the appropriate county or city planning  
11 agency. In planning for the location of rights-of-way, the highway district  
12 shall comply with all appropriate provisions of chapter 65, title 67, Idaho  
13 Code.

14 (5) The city shall retain jurisdiction and responsibility for  
15 outstanding local improvement district bonds or warrants sold or issued by  
16 the city prior to dissolution of the city highway system and organization of  
17 the successor highway district.

18 (6) All subdivision plats required to be submitted for acceptance and  
19 approval to the city and the county under the provisions of chapter 13, title  
20 50, Idaho Code, shall be submitted to the highway district for consideration  
21 for acceptance and approval as to continuity of highway pattern, widths,  
22 drainage provisions, right-of-way construction standards, traffic flow,  
23 the traffic volume demand occasioned by the proposed subdivision either  
24 within or without the boundaries of the proposed subdivision, and other  
25 matters pertaining to the function of the highway district.

26 (7) Within the limits of any city, the city may expend city funds for  
27 the placement, care and removal of trees, shrubs, grass, and other plants,  
28 which are located within the rights-of-way of any highway of the ~~county wide~~  
29 countywide highway district.

30 (8) A city, after advising the board of highway district commissioners  
31 of its intent, shall be responsible for the placement, care and removal  
32 of any parking ~~meters~~ spaces within the limits of any city, and for the  
33 enforcement of ordinances regulating the use of parking ~~meters~~ spaces,  
34 which are located within the rights-of-way of any highway of the ~~county wide~~  
35 countywide highway district. The city shall be entitled to all of the  
36 revenues received from parking ~~meters~~ spaces, provided that all such  
37 revenues shall only be expended on improvements set forth in subsection (7)  
38 of this section, which may also include the expenditure of revenues for the  
39 administration and maintenance costs of parking spaces.