

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 480

BY TRANSPORTATION AND DEFENSE COMMITTEE

AN ACT

1 RELATING TO PARKING METERS; AMENDING SECTION 40-1415, IDAHO CODE, TO  
2 PROHIBIT A CITY FROM COLLECTING REVENUE AND ENFORCING ORDINANCES REG-  
3 ULATING THE USE OF PARKING METERS ON, ADJACENT TO OR ADJOINING ANY  
4 STATE-OWNED OR STATE-LEASED PROPERTY WHEREIN MEETINGS OF OR RELATED TO  
5 THE IDAHO LEGISLATURE ARE HELD DURING ANY SESSION OF THE IDAHO LEGISLA-  
6 TURE AND TO MAKE TECHNICAL CORRECTIONS.  
7

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

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

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

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

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

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

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

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

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

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

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

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

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

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

29 (8) A city, after advising the board of highway district commission-  
30 ers of its intent, shall be responsible for the placement, care and removal  
31 of any parking meters within the limits of any city, and for the enforce-  
32 ment of ordinances regulating the use of parking meters, ~~which that~~ are lo-  
33 cated within the rights-of-way of any highway of the ~~county-wide~~ countywide  
34 highway district. The city shall be entitled to all of the revenues received  
35 from parking meters. Provided however, that during any session of the Idaho  
36 legislature, a city shall be prohibited from collecting revenues from park-  
37 ing meters and enforcing ordinances regulating the use of parking meters on,  
38 adjacent to or adjoining any state-owned or state-leased property wherein  
39 meetings of or related to the Idaho legislature are held.