

IN THE SENATE

SENATE BILL NO. 1084

BY TRANSPORTATION COMMITTEE

AN ACT

1 RELATING TO ROAD CONSTRUCTION; AMENDING CHAPTER 2, TITLE 40, IDAHO CODE, BY  
2 THE ADDITION OF A NEW SECTION 40-211, IDAHO CODE, TO PROVIDE THAT ROAD  
3 CONSTRUCTION SHALL NOT BLOCK ACCESS OR UNREASONABLY DIVERT TRAFFIC FROM  
4 BUSINESSES AND TO PROVIDE FOR TWENTY-FOUR HOUR CONSTRUCTION IF A VIOLA-  
5 TION OCCURS.  
6

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

8 SECTION 1. That Chapter 2, Title 40, Idaho Code, be, and the same is  
9 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
10 ignated as Section 40-211, Idaho Code, and to read as follows:

11 40-211. ROAD CONSTRUCTION AFFECTING BUSINESSES. (1) Except as pro-  
12 vided in subsection (2) of this section, any road or state highway construc-  
13 tion, maintenance or repair that is governed by the provisions of title 40,  
14 Idaho Code, and is under the authority of the Idaho transportation depart-  
15 ment or a highway district shall not prevent access to any nearby or adjacent  
16 business or divert traffic more than one hundred fifty (150) feet from its  
17 normal route and away from such business.

18 (2) If it is determined by the Idaho transportation department or a  
19 highway district that any road or state highway construction, maintenance or  
20 repair cannot reasonably be performed in a manner consistent with the provi-  
21 sions of subsection (1) of this section and cannot be completed within seven  
22 (7) calendar days from the time it is commenced, then such construction,  
23 maintenance or repair shall be performed twenty-four (24) hours per day,  
24 Monday through Saturday, until completed.