

IN THE SENATE

SENATE BILL NO. 1100

BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO HIGHWAYS AND BRIDGES; AMENDING SECTION 40-109, IDAHO CODE, TO
REVISE A DEFINITION AND TO MAKE TECHNICAL CORRECTIONS.

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

SECTION 1. That Section 40-109, Idaho Code, be, and the same is hereby
amended to read as follows:

40-109. DEFINITIONS -- H. (1) "Highway district system" means all
public highways within each highway district, except those included within
the state highway system, those under another state agency, those included
within city highway systems of incorporated cities with a functioning street
department, and those under federal control.

(2) "Highway system, county." (See "County highway system," section
40-104, Idaho Code)

(3) "Highway system, state." (See "State highway system," section
40-120, Idaho Code)

(4) "Highway users' fund bonds" means those bonds issued for and on be-
half of dissolved city highway systems or highway districts, and the funds
out of which those bonds are repayable shall be the moneys received or pro-
vided by section 40-707, Idaho Code.

(5) "Highways" means roads, streets, alleys and bridges laid out or
established for the public or dedicated or abandoned to the public. Highways
~~shall~~ may include necessary culverts, sluices, drains, ditches, water-
ways, embankments, retaining walls, bridges, tunnels, grade separation
structures, roadside improvements, adjacent lands or interests lawfully
acquired, warranted public transportation, bicycle, and pedestrian facil-
ities, and any other necessary structures, works or fixtures incidental to
the preservation or improvement of the highways. Roads laid out and recorded
as highways, by order of a board of commissioners, and all roads used as such
for a period of five (5) years, provided they shall have been worked and kept
up at the expense of the public, or located and recorded by order of a board
of commissioners, are highways.