

## CHAPTER 168

## ROAD USE TAX FUND

S. F. 466

AN ACT relating to allocations from the road use tax fund and to the apportionment thereof.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. Section three hundred twelve point two (312.2), Code  
2 1958, is hereby amended by striking subsections one (1), two (2),  
3 three (3), and four (4) and inserting in lieu thereof the following:

- 4 1. To the primary road fund, forty-seven percent.  
5 2. To the secondary road fund of the counties thirty percent.  
6 3. To the farm-to-market road fund, ten percent.  
7 4. To the street construction fund of the cities and towns, thirteen  
8 percent.

9 5. The treasurer of state shall before making the above allotments  
10 credit annually to the highway grade crossing safety fund the sum  
11 of \$120,000.00, credit annually to the primary road fund the sum of  
12 \$500,000.00 for carrying out chapter two hundred seven (207), Acts  
13 of the Fifty-eighth General Assembly, and credit annually to the  
14 primary road fund the sum of \$500,000.00 to be used for paying ex-  
15 penses incurred by the secondary and urban road departments of the  
16 commission other than expenses incurred for extensions of primary  
17 roads in cities and towns. All unobligated funds provided by this  
18 subsection at the end of each year shall revert to the road use tax fund.

19 6. The treasurer of state shall before making the above allotments  
20 credit annually to the primary road fund the sum of \$2,500,000.00 or  
21 an amount equal to one-ninth of the federal allotment which ever is  
22 the smaller, said sum to be used for matching the federal allotment to  
23 the state of Iowa for the use of the interstate and national defense  
24 highways in the state of Iowa.

1 SEC. 2. Section three hundred twelve point three (312.3), Code  
2 1958, is hereby amended by striking subsection one (1) and inserting  
3 in lieu thereof the following:

4 "1. Apportion among the counties in the ratio that the needs of the  
5 secondary roads of each county bear to the total needs of the secondary  
6 roads of the state for the twenty-year improvement program de-  
7 veloped by the automotive safety foundation and filed with the Iowa  
8 highway study committee created by chapter four hundred twenty-six  
9 (426), Acts of the Fifty-eighth General Assembly, and which is on  
10 record at the state highway commission, sixty percent of the allocation  
11 from road use tax funds which he has credited to the secondary road  
12 fund of the counties, and apportion among the counties in the ratio  
13 that the area of such county bears to the total area of the state, forty  
14 percent of the allocation from road use tax funds which he has credit-  
15 ed to the secondary road fund of the counties."

1 SEC. 3. Section three hundred twelve point three (312.3), Code  
2 1958, is hereby amended by striking from line six (6) of subsection  
3 two (2) the word "eight" and inserting in lieu thereof the word  
4 "thirteen".

1 SEC. 4. Section three hundred twelve point five (312.5), Code  
2 1958, is hereby repealed, and the following inserted in lieu thereof:

3 "The road use tax funds credited to the farm-to-market road fund  
4 by the treasurer of state, are hereby divided as follows, and are to be  
5 known respectively as:

6 1. Need allotment farm-to-market road funds, sixty percent; and

7 2. Area allotment farm-to-market road funds, forty percent.

8 All farm-to-market road funds, except funds which under section  
9 310.20 come from any county's allotment of the road use tax funds,  
10 shall be allotted among the counties by the state highway commission.  
11 Area allotment farm-to-market road funds and federal aid secondary  
12 road funds received by the state, shall be allotted among all the coun-  
13 ties of the state in the ratio that the area of each county bears to the  
14 total area of the whole state.

15 Need allotment farm-to-market road funds shall be allotted among  
16 the counties in the ratio that the needs of the farm-to-market roads  
17 in each county bear to the total needs of the farm-to-market roads in  
18 the state for the twenty-year program developed by the automotive  
19 safety foundation and filed with the Iowa Highway study committee  
20 created by chapter four hundred twenty-six (426), Acts of the Fifty-  
21 eighth General Assembly, and which is on record at the state high-  
22 way commission."

1 SEC. 5. Chapter three hundred twelve (312), Code 1958, is hereby  
2 amended by adding thereto the following new section:

3 "To maintain eligibility for the receipt of road use tax funds on  
4 and after January 1, 1963, each city or town in the state shall have  
5 on file with the state highway commission a map showing the arterial  
6 street system and the local street system of such city or town as ap-  
7 proved by the state highway commission."

1 SEC. 6. Chapter three hundred twelve (312), Code 1958, is hereby  
2 amended by adding thereto the following new section:

3 "On and after January 1, 1963, at least seventy-five percent of the  
4 funds received by each city or town from road use tax funds shall be  
5 used on its arterial streets solely for the purposes authorized in sec-  
6 tion three hundred twelve point six (312.6) of the Code, and the re-  
7 mainder of the funds received by each city or town from road use tax  
8 funds shall be used on its local streets solely for the purposes author-  
9 ized by such section; provided, however, that if any city or town  
10 council by resolution declares that the seventy-five percent is not  
11 needed on its arterial streets, then it may be used on any other streets  
12 in the city or town."

1 SEC. 7. Chapter three hundred twelve (312), Code 1958, is hereby  
2 amended by adding thereto the following new section:

3 "Cities and towns which receive allotments of funds from road use  
4 tax funds and which have a population of at least five thousand shall  
5 prepare and submit annually by the first day of December in each  
6 year to the state highway commission for examination and review, a  
7 program of proposed road and street improvements on both the ar-  
8 terial street system and the local street system of such city or town  
9 for a period of three years subsequent to the year in which the pro-  
10 gram is submitted. Cities and towns which receive allotments of  
11 funds from road use tax funds and which have a population less  
12 than five thousand shall prepare and submit by December 1 each year

13 to the state highway commission for examination and review, a pro-  
 14 gram of proposed road and street improvements on both the arterial  
 15 street system and the local street system of such city or town for a  
 16 period one year subsequent to the year in which the program is sub-  
 17 mitted."

1 SEC. 8. Chapter three hundred twelve (312), Code 1958, is hereby  
 2 amended by adding thereto the following new section:

3 "Cities and towns which receive allotments of funds from road use  
 4 tax funds shall prepare and submit by December 1 each year to the  
 5 state highway commission for examination and review, a budget show-  
 6 ing proposed projects, location of projects and proposed expenditures  
 7 from funds from all sources on roads and streets in the arterial street  
 8 system and in the local street system during the ensuing calendar  
 9 year."

1 SEC. 9. Chapter three hundred twelve (312), Code 1958, is hereby  
 2 amended by adding thereto the following new section:

3 "Cities and towns in the state which receive allotments of funds  
 4 from road use tax funds shall prepare and submit by February 1 each  
 5 year to the state highway commission an annual report showing the  
 6 nature of work and expenditure of funds from all sources for roads  
 7 and streets in the arterial street system and in the local street system  
 8 during the preceding calendar year."

1 SEC. 10. No funds shall be allocated to any city or town until such  
 2 city or town shall have complied with the provisions of sections seven  
 3 (7) through nine (9) of this Act.

4 The state highway commission shall notify the treasurer of state if  
 5 any city or town fails to comply with the provisions of this Act.

1 SEC. 11. Section three hundred nine point seven (309.7), Code  
 2 1958, is hereby amended in subsection two (2) by striking the re-  
 3 mainder of the subsection after the word "towns" in line four (4)  
 4 and inserting in lieu thereof a period (.)

1 SEC. 12. Section three hundred ten point nine (310.9), Code 1958,  
 2 is hereby amended by striking the remainder of the section after the  
 3 word "required." in line six (6).

1 SEC. 13. The provisions of this Act shall become effective on  
 2 January 1, 1962.

Approved May 15, 1961.

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## CHAPTER 169

### ROAD USE TAX PAYMENTS

#### H. F. 127

AN ACT to amend chapter three hundred (312), Code 1958, in relation to the payment  
 and use of the road use tax fund for certain unincorporated villages.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. Section three hundred twelve point eight (312.8),  
 2 Code 1958, is hereby amended as follows: