

## CHAPTER 1070

## TRANSFER OF ROADS FROM PRIMARY SYSTEM

H. F. 494

AN ACT relating to the transfer of portions of the primary road system into the secondary road system.

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

1 SECTION 1. Section three hundred thirteen point two (313.2),  
2 Code 1971, is amended by inserting after unnumbered paragraph two  
3 (2) the following:

4 Whenever the board of supervisors of a county and the state high-  
5 way commission mutually determine that a portion of a highway  
6 under the jurisdiction of either party should be transferred to the  
7 jurisdiction of the other party, the board and commission may enter  
8 into an agreement to effect such transfer. Such agreement may pro-  
9 vide that each party may undertake or share responsibility for im-  
10 proving said road with the costs of such improvement to be borne  
11 entirely by either the county or the commission or equitably divided  
12 between the two jurisdictions. All such improvements shall be com-  
13 pleted and all actual costs thereof paid or reimbursed prior to the  
14 time transfer of the road is made. In carrying out such agreement,  
15 the board of supervisors may expend secondary road funds of the  
16 county and the highway commission may expend primary road funds.

17 However, prior to entering into the agreement, a notice of intent  
18 to execute such agreement shall be published in a newspaper of gen-  
19 eral circulation within the county and the cost of such notice shall be  
20 jointly borne by the state highway commission and the board of super-  
21 visors. If one hundred or more residents of the county request by  
22 petition or in writing that a hearing be held in regard to such agree-  
23 ment within ten days after the publication of the notice, the board  
24 of supervisors and the state highway commission shall hold such a  
25 hearing not more than seven days after receiving the petition or  
26 written instrument, and based upon evidence presented at such hear-  
27 ing shall reexamine the merits of executing such agreement and make  
28 a decision in regard to it.

Approved March 2, 1972.