

## CHAPTER 1177

## HIGHWAY CLASSIFICATION

S. F. 1062

AN ACT relating to the functional classification and jurisdiction of highways.

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

- 1 SECTION 1. Section three hundred six point one (306.1), subsection  
 2 one (1), Code 1973, is amended by striking the subsection and insert-  
 3 ing in lieu thereof the following:  
 4 1. Functional classification of roads and streets. The roads and  
 5 streets of this state are classified into the following systems:  
 6 a. The freeway-expressway system.  
 7 b. The arterial system.  
 8 c. The arterial connector system.  
 9 d. The trunk system.  
 10 e. The trunk collector system.  
 11 f. The area service system.  
 12 g. The municipal arterial system.  
 13 h. The municipal collector system.  
 14 i. The municipal service system.  
 15 j. The municipal residential alley system.  
 16 k. The state park, state institution and other state land road system.  
 17 l. The county conservation parkway system.

- 1 SEC. 2. Section three hundred six point one (306.1), subsection  
 2 two (2), unnumbered paragraph one (1), Code 1973, is amended to  
 3 read as follows:  
 4 For the purpose of functionally classifying the roads and streets of  
 5 this state to ~~co-operate with the United States department of trans-~~  
 6 ~~portation, as required by section 17, public law 90-495, and for no other~~  
 7 ~~purpose,~~ the following words and phrases relating to roads and streets  
 8 shall have the following meanings:

- 1 SEC. 3. Section three hundred six point one (306.1), subsection  
 2 two (2), Code 1973, is amended by striking paragraphs f, g, h, i, and  
 3 j, and inserting in lieu thereof the following:  
 4 f. The area service system shall include those public roads outside  
 5 of municipalities not otherwise classified.  
 6 g. The municipal arterial system shall consist of those streets within  
 7 municipalities not included in other classifications which connect prin-  
 8 cipal traffic generating areas or connect such areas with other systems.  
 9 The municipal arterial system shall not exceed fifteen percent of the  
 10 entire street mileage under the jurisdiction of a municipality, except  
 11 that municipalities under two thousand population may exceed such  
 12 limitation.  
 13 h. The municipal collector system shall consist of those streets  
 14 within municipalities that collect traffic from the municipal service  
 15 system and connect to other systems. The municipal collector system  
 16 shall not exceed twenty percent of the entire street mileage under  
 17 jurisdiction of the municipality, except that municipalities under two  
 18 thousand population may exceed such limitation.  
 19 i. The municipal service system shall consist of those streets and  
 20 commercial alleys within municipalities which serve primarily as

21 access to commercial and residential property and shall also include  
22 streets within municipal parks.

23 j. The municipal residential alley system shall consist of those alleys  
24 which serve primarily as secondary access to residential property.

25 k. The state park, state institution, and other state land road system  
26 shall consist of those roads and streets wholly within the boundaries  
27 of state lands operated as parks, institutions, or other state govern-  
28 mental agencies.

29 l. The county conservation parkway system shall consist of those  
30 parkways located wholly within the boundaries of county lands oper-  
31 ated as parks, forests, or other public access areas.

1 SEC. 4. Section three hundred six point three (306.3), Code 1973,  
2 is amended by striking the section and inserting in lieu thereof the  
3 following:

4 **306.3 Definition of terms.** As used in this chapter or in any chap-  
5 ter of the Code relating to highways:

6 1. "Road" or "street" means the entire width between property lines  
7 through private property or designated width through public property  
8 of every way or place of whatever nature when any part of such way  
9 or place is open to the use of the public, as a matter of right, for pur-  
10 poses of vehicular traffic.

11 2. "Primary roads" or "primary road system" means those roads  
12 and streets, both inside and outside the boundaries of municipalities,  
13 classified under section three hundred six point one (306.1) of the  
14 Code as freeway-expressway, arterial and arterial connector.

15 3. "Interstate roads" or "interstate road system" means those roads  
16 and streets of the primary road system that are designated by the  
17 secretary of the United States department of transportation as the  
18 National System of Interstate and Defense Highways in Iowa.

19 4. "Secondary roads" or "secondary road system" means those  
20 roads, outside the boundaries of municipalities, classified as trunk,  
21 trunk collector and area service under section three hundred six point  
22 one (306.1) of the Code.

23 5. "Farm-to-market roads" or "farm to market road system" means  
24 those rural secondary roads classified as trunk and trunk collector  
25 under section three hundred six point one (306.1) of the Code.

26 6. "Local secondary roads" or "local secondary road system" means  
27 those secondary roads which are classified as area service under section  
28 three hundred six point one (306.1) of the Code.

29 7. "Municipal street system" means those streets within municipal-  
30 ities classified as trunk, trunk collector, municipal arterial, municipal  
31 collector, municipal service and municipal alleys under section three  
32 hundred six point one (306.1) of the Code.

33 8. "State park roads" means those roads and streets classified as  
34 state park roads under section three hundred six point one (306.1) of  
35 the Code.

36 9. "Institutional roads" means those roads and streets classified as  
37 institutional roads under section three hundred six point one (306.1)  
38 of the Code.

39 10. "Other state land roads" means those roads and streets classi-  
40 fied as other state land roads under section three hundred six point one  
41 (306.1) of the Code.

42 11. "County conservation parkways" or "county conservation park-  
43 way system" means those parkways classified as county conservation  
44 parkways under section three hundred six point one (306.1) of the  
45 Code.

1 SEC. 5. Section three hundred six point four (306.4), Code 1973,  
2 is amended by striking the section and inserting in lieu thereof the  
3 following:

4 306.4 **Jurisdiction of systems.** The jurisdiction and control over  
5 the roads and streets of the state are vested as follows:

6 1. Jurisdiction and control over the primary roads shall be vested in  
7 the state highway commission.

8 2. Jurisdiction and control over the secondary roads shall be vested  
9 in the county board of supervisors of the respective counties.

10 3. Jurisdiction and control over the municipal street system shall be  
11 vested in the governing bodies of each municipality; except that the  
12 state highway commission and the municipal governing body shall  
13 exercise concurrent jurisdiction over the municipal extensions of pri-  
14 mary roads in all municipalities. The parties exercising concurrent  
15 jurisdiction shall enter into agreements with each other as to the kind  
16 and type of construction, reconstruction, repair and maintenance and  
17 the division of costs thereof.

18 4. Jurisdiction and control over the roads and streets in any state  
19 park, state institution or other state land shall be vested in the board,  
20 commission, or agency in control of such park, institution, or other  
21 state land; except that:

22 a. The state highway commission and the controlling agency shall  
23 have concurrent jurisdiction over any road which is an extension of a  
24 primary road and which both enters and exits from the state land at  
25 separate points. The state highway commission may expend the  
26 moneys available for such roads in the same manner as the commission  
27 expends such funds on other roads over which the commission exer-  
28 cises jurisdiction and control. The parties exercising concurrent juris-  
29 diction may enter into agreements with each other as to the kind and  
30 type of construction, reconstruction, repair and maintenance and the  
31 division of costs thereof. In the absence of such agreement the juris-  
32 diction and control of such road shall remain in the state highway com-  
33 mission.

34 b. The board of supervisors of any county and the controlling state  
35 agency shall have concurrent jurisdiction over any road which is an  
36 extension of a secondary road and which both enters and exits from  
37 the state land at separate points. The board of supervisors of any  
38 county may expend the moneys available for such roads in the same  
39 manner as the board expends such funds on other roads over which  
40 the board exercises jurisdiction and control. The parties exercising  
41 concurrent jurisdiction may enter into agreements with each other as  
42 to the kind and type of construction, reconstruction, repair and mainte-  
43 nance and the division of costs thereof. In the absence of such agree-  
44 ment, the jurisdiction and control of such road shall remain in the  
45 board of supervisors of the county.

46 5. Jurisdiction and control over parkways within county parks and  
47 conservation areas shall be vested in the county conservation boards  
48 within their respective counties; except that:

49 a. The state highway commission and the county conservation board  
50 shall have concurrent jurisdiction over an extension of a primary road  
51 which both enters and exits from a county park or other county con-  
52 servation area at separate points. The state highway commission may  
53 expend moneys available for such roads in the same manner as the  
54 commission expends such funds on other roads over which the com-  
55 mission exercises jurisdiction and control. The parties exercising con-  
56 current jurisdiction may enter into agreements with each other as to  
57 the kind and type of construction, reconstruction, repair and mainte-  
58 nance and the division of costs thereof. In the absence of such agree-  
59 ment, the jurisdiction and control of such roads shall remain in the  
60 state highway commission.

61 b. The board of supervisors of any county and the county conserva-  
62 tion board shall have concurrent jurisdiction over an extension of a  
63 secondary road which both enters and exits from a county park or  
64 other county conservation area at separate points. The board of super-  
65 visors of any county may expend moneys available for such roads in  
66 the same manner as the board expends such funds on other roads over  
67 which the board exercises jurisdiction and control. The parties exer-  
68 cising concurrent jurisdiction may enter into agreements with each  
69 other as to the kind and type of construction, reconstruction, repair  
70 and maintenance and the division of costs thereof. In the absence of  
71 such agreement, the jurisdiction and control of such roads shall remain  
72 in the board of supervisors of the county.

1 SEC. 6. Section three hundred six point five (306.5), Code 1973, is  
2 amended by striking unnumbered paragraph one (1) and inserting in  
3 lieu thereof the following:

4 The primary, trunk and trunk collector systems shall be continuous  
5 interconnected systems and provision shall be made for the continuity  
6 of such systems by the designation of extension within municipalities,  
7 state parks, state institutions, other state lands and county parks and  
8 conservation areas. The mileage of such extensions of these systems  
9 shall be included in the total mileage of a particular primary, trunk  
10 or trunk collector system and shall also be listed separately as an  
11 extension of such road system.

1 SEC. 7. Section three hundred six point six (306.6), Code 1973, is  
2 amended to read as follows:

3 **306.6 Functional classification board.**

4 1. A functional classification board shall be appointed for each  
5 county and shall operate under procedural rules and regulations pro-  
6 mulgated by the state highway commission under the provisions of  
7 chapter 17A. Said board shall consist of three members to be ap-  
8 pointed as follows: The state highway commission shall appoint one  
9 member from the staff of the state highway commission, the county  
10 board of supervisors shall appoint one member which shall be either  
11 the county engineer or one of its own members, and the third member  
12 shall be a municipal official from within the county who shall be  
13 appointed by a majority of the mayors of the cities and towns of the  
14 county. The mayors shall meet at the call of the chairman of the  
15 county board of supervisors who shall act as chairman of the meeting  
16 without vote. In the event the mayors cannot agree to and appoint  
17 this member within thirty days after the call of the meeting by the

18 chairman, the two members previously appointed shall select the third  
19 member. The board shall serve without additional compensation and  
20 shall:

21 1 a. Classify each segment of each rural public road and each  
22 municipal street in the county in accordance with the classifications  
23 found in section 306.1.

24 2 b. Establish continuity between the systems within the county  
25 and with the systems of adjacent counties.

26 3 c. File a copy of the proposed road classification in the office of  
27 county engineer for public information and hold a public hearing  
28 before final approval of any road classification action. Notice of the  
29 date, the time, and the place of such hearing, and the filing of such  
30 proposed road classification for public information shall be published  
31 in an official newspaper in general circulation throughout the affected  
32 area at least twenty days prior to the established date of the hearing.

33 4 d. Report the selected classifications to the state highway com-  
34 mission. The state highway commission shall review the reports of  
35 the county classification boards and may:

36 a. (1) Alter the classification of roads coinciding with or crossing  
37 county lines to provide continuity of the various county systems.

38 b. ~~Reduce mileage of roads classified in the trunk system or trunk~~  
39 ~~collector system to assure equitable distribution among the counties of~~  
40 ~~the total mileage of such systems.~~

41 (2) *Adjust the mileage of roads classified in the trunk and trunk*  
42 *collector systems to assure equitable distribution among the counties*  
43 *of the total mileage of such systems.*

44 (3) *Any action authorized under subparagraphs one (1) and two*  
45 *(2) of paragraph d of this section shall not be taken by the state*  
46 *highway commission until the proposed action has been thoroughly*  
47 *discussed with the affected county classification boards and their*  
48 *comments heard.*

49 2. *There is created a state functional classification review board*  
50 *which shall consist of one state senator appointed by the president of*  
51 *the senate, one state representative appointed by the speaker of the*  
52 *house of representatives, one supervisor appointed by the Iowa state*  
53 *association of county supervisors, one engineer appointed by the Iowa*  
54 *county engineers' association, two persons appointed by the league of*  
55 *Iowa municipalities, one of which shall be a licensed professional*  
56 *engineer, and two persons appointed by the state highway commission,*  
57 *one of which shall be a commissioner and the other a staff member.*  
58 *This board shall select a permanent chairman from among its mem-*  
59 *bers by majority vote of the total membership. The chairman and all*  
60 *members of the board shall serve without additional compensation.*

61 *It shall be the responsibility of the state functional classification*  
62 *review board to hear any and all appeals from classification boards*  
63 *or board members, relative to disputes arising out of the functional*  
64 *classification of any segment of highway or street. The state func-*  
65 *tional classification review board shall have the authority and the*  
66 *responsibility to make final administrative determinations based on*  
67 *sound functional classification principles for all disputes relative to*  
68 *functional classification. The review board shall also serve, when*  
69 *requested jointly by state and local jurisdictions, as an advisory com-*

70 *mittee for review and adjustment of construction and maintenance*  
71 *guidelines used in updating road and street needs studies.*

1 SEC. 8. Section three hundred thirteen point two (313.2), Code  
2 1973, is amended by striking unnumbered paragraphs one (1) and  
3 two (2) and inserting in lieu thereof the following:

4 The roads and streets of the state are, for the purpose of this chap-  
5 ter, assigned to the functional classification systems established under  
6 chapter three hundred six (306) of the Code.

1 SEC. 9. Sections three hundred six point two (306.2) and three  
2 hundred six point nine (306.9), Code 1973, are repealed.

1 SEC. 10. This Act shall become effective on July 1, 1975; except  
2 that no transfer of jurisdiction and control of any road or street as  
3 required by this Act shall be effective until the enactment of legisla-  
4 tion which allocates the road use tax fund in a manner different from  
5 the law existing on January 1, 1974, and in a manner which compen-  
6 sates state, county and municipal jurisdictions for additional highway,  
7 road or street needs acquired by such transfer as determined by the  
8 state highway commission.

9 Notwithstanding the foregoing provision of this section, transfers  
10 in jurisdiction and control of roads and streets may take place if  
11 agreements are entered into by the jurisdictional divisions of govern-  
12 ment involved in the transfer of such roads and streets.

Approved March 4, 1974

## CHAPTER 1178

### UNUSED HIGHWAY RIGHT OF WAY

H. F. 155

AN ACT relating to the sale of unused right of way by the state highway commission by land contract, providing for the payment of interest thereon, and the taxation of land sold on contract.

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

1 SECTION 1. Section three hundred six point twenty-two (306.22),  
2 Code 1973, is amended by striking the section and inserting in lieu  
3 thereof the following:

4 **306.22 Sale of unused right of way.** When title to any tract of  
5 land has been or may be acquired for the construction or improvement  
6 of any highway, and when in the judgment of the board or commission  
7 in control of the highway, the tract will not be used in connection with  
8 or for the improvement, maintenance, or use of the highway, the  
9 board or commission in control of the highway may sell the tract for  
10 cash. If the tract of land is held or used in connection with any pri-  
11 mary road, or state park or institutional road, the sale shall be sub-  
12 ject to approval of the executive council of the state.

13 The state highway commission may contract for the sale of any  
14 tract of land subject to the following terms and conditions: