

318.1 Definitions.

As used in [this chapter](#), unless the context otherwise requires:

1. “*Department*” means the state department of transportation.
2. “*Highway authority*” means the county board of supervisors, in the case of secondary roads, and the department, in the case of primary roads.
3. “*Highway right-of-way*” means the total area of land, whether reserved by public ownership or easement, that is reserved for the operation and maintenance of a legally established public roadway. This area shall be deemed to consist of two portions, a central traveled way including the shoulders and that remainder on both sides of the road, between the outside shoulder edges and the outer boundaries of the right-of-way.
4. “*Obstruction*” means an obstacle in the highway right-of-way or an impediment or hindrance which impedes, opposes, or interferes with free passage along the highway right-of-way, not including utility structures installed in accordance with an approved permit.
5. “*Officer*” means any department employee, county employee, or elected county official.
6. “*Traveled portion of the right-of-way*” means that area of the highway right-of-way, not including the shoulders, on which vehicles normally travel.
7. “*Utility*” means all private, public, municipal, or cooperative owned systems for water, sewer, natural gas, electric, telegraph, telephone, transit, pipeline, heating plants, railroads, bridges, street lights, or traffic control signals.
8. “*Utility structures*” means the aboveground devices, required by a utility, including poles, lines, and wires, used for telephone, electric, natural gas, and other distribution or transmission purposes, and natural gas and electrical substations.

[2006 Acts, ch 1097, §1](#)