

**313.2 “Road systems” defined — roadside parks.**

1. The roads and streets of the state are, for the purpose of [this chapter](#), those roads and streets established under [chapter 306](#).

2. *a.* Whenever the board of supervisors of a county and the department mutually determine that a portion of a highway under the jurisdiction of either party should be transferred to the jurisdiction of the other party, the board and department may enter into an agreement to effect such transfer. Such agreement may provide that each party may undertake or share responsibility for improving said road with the costs of such improvement to be borne entirely by either the county or the department or equitably divided between the two jurisdictions. All such improvements shall be completed and all actual costs thereof paid or reimbursed prior to the time transfer of the road is made. In carrying out such agreement, the board of supervisors may expend secondary road funds of the county and the department may expend primary road funds.

*b.* However, prior to entering into the agreement, a notice of intent to execute such agreement shall be published in a newspaper of general circulation within the county and the cost of such notice shall be jointly borne by the department and the board of supervisors. If one hundred or more residents of the county request by petition or in writing that a hearing be held in regard to such agreement within ten days after the publication of the notice, the board of supervisors and the department shall hold such a hearing not more than seven days after receiving the petition or written instrument. Based upon evidence presented at the hearing, the board of supervisors and the department shall reexamine the merits of executing such agreement and make a decision in regard to it.

3. The department may, for the purpose of affording access to cities or state parks, or for the purpose of shortening the direct line of travel on important routes, or to effect connections with interstate roads at the state line, add such road or roads to the primary road system.

4. The department, either alone or in cooperation with any county, shall have the authority to utilize any land acquired incidental to the acquisition of land for highway right-of-way and to also accept by gift lands not exceeding two acres in area for roadside parks and parking areas. The department may furnish necessary maintenance. The department shall also have authority to accept by gift equipment or other installations incidental to the use of said parks and parking areas. The parks and parking areas shall be a part of the primary road system and the department may at its discretion sell or otherwise dispose of the lands.

5. Reasonable maintenance and surveillance of rest area sites and buildings located on the sites shall be provided by employees of the department within the limits of appropriations provided for such purpose.

[C24, §4689; C27, 31, 35, §4755-b2; C39, §4755.02; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §313.2]

[88 Acts, ch 1072, §1](#); [98 Acts, ch 1075, §13](#); [2014 Acts, ch 1092, §68](#); [2016 Acts, ch 1073, §97](#); [2017 Acts, ch 29, §86](#)

Referred to in [§306.42, §331.362](#)  
Subsection 2, paragraph b amended