

January 26, 1970

HOUSE FILE 1103

Placed on Calendar

*See Transportation 1-30, Pass 2-18*

By COMMITTEE ON TRANSPORTATION

Passed House, Date *1-27-70* Passed Senate, Date *3-25-70*

Vote: Ayes *90* Nays *12* Vote: Ayes *53* Nays *2*

Approved *April 9, 1970*

*Passed thru as amended by Senate*

*4-1-70  
aye 110, nays 0*

# A BILL FOR

*to the budget of the state highway commission and*

1 An Act relating to the expenditure of funds deposited in the  
2 primary road fund.

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

4 Section 1. Section three hundred thirteen point five  
5 (313.5), Code 1966, is hereby repealed and the following  
6 enacted in lieu thereof:

7 The highway commission shall submit to the comptroller, as  
8 provided by chapter eight (8) of the Code, a detailed estimate  
9 of the amount required by the highway commission during each  
10 succeeding biennium for the support of the commission and for  
11 engineering and administration of highway work and maintenance  
12 of the primary road system. Such estimate shall be in the  
13 same general form and detail as is required by chapter eight  
14 (8) of the Code and chapter eight (8) shall apply to the bud-  
15 geting, appropriation, and expenditure of funds in the primary  
16 road fund in the same manner as such chapter applies to other  
17 departments.

18 The provisions of chapter eight (8) shall apply except  
19 that the provisions of section eight point thirty-nine (8.39)  
20 of the Code shall not apply to funds appropriated to the  
21 commission under section three hundred thirteen point four  
22 (313.4) of the Code, however, the first paragraph of section  
23 eight point thirty-nine (8.39) of the Code shall apply to  
24 appropriations for support of the commission and for engineering  
25 and administration of highway work and maintenance of the

- 1 Amend the title to House File 1103, line 1, by
- 2 inserting after the word "relating" the words "to the
- 3 budget of the state highway commission and".

Filed and adopted  
January 27, 1970

- 1 primary road system.
- 2 Any contingent fund appropriated to the highway commission
- 3 from the primary road fund shall be subject to the following
- 4 conditions:
- 5 1. A written statement from the state comptroller shall
- 6 be obtained, recommending expenditures from the fund for
- 7 the purposes requested by the highway commission.
- 8 2. The comptroller and the governor shall determine
- 9 that the expenditures contemplated are in the best interest
- 10 of the state, and that the purpose or project for which funds
- 11 are requested was not presented to the general assembly by
- 12 way of a bill and which failed to become enacted into law.

#### EXPLANATION

This act repeals the law which allows the highway commission to request the executive council to allocate funds to the commission primarily for administrative purposes and requires funds for such purposes to be appropriated and administered in the same manner as other funds. Funds in the primary road fund for construction purposes are not affected by this bill. Provision is made for the appropriation of a contingent fund for whatever purposes the general assembly may provide.

HOUSE FILE 1103

1 Amend House File 1103 as follows:

2 1. Page 2, by adding after line 12 the following new sec-  
3 tions:

4 a. Sec. 2. House File 394, Acts of the Sixty-third  
5 General Assembly, Second Session is hereby amended as follows:

6 1. By striking from section two (2), subsection one (1),  
7 the words "Classification of roads and streets. The roads and  
8 streets of the state are hereby classified into the following  
9 systems" and inserting in lieu thereof the following:

10 "Functional classification of roads and streets. For the  
11 purpose of functionally classifying the road and streets of  
12 this state to cooperate with the United States department of  
13 transportation, as required by section seventeen (17), public  
14 law 90-495, and no other purpose, the roads and streets  
15 of this state are hereby classified into the following systems".

16 2. By striking from section two (2), subsection two (2),  
17 the words "Definition of road and street systems. The follow-  
18 ing words and phrases relating to roads and streets shall have  
19 the following meanings" and inserting in lieu thereof the  
20 following:

21 "Definitions of road and street systems. For the purpose  
22 of functionally classifying the roads and streets of this state  
23 to cooperate with the United States department of transportation,  
24 as required by section seventeen (17), public law 90-495, and  
25 for no other purpose, the following words and phrases relating  
26 to roads and streets shall have the following meanings".

27 3. By striking section three (3).

28 b. Sec. 3. Chapter three hundred six (306), Code 1966,  
29 is hereby amended by adding the following sections:

30 (1). The highways of the state are hereby classified into  
31 four systems, to wit: the primary road system, the institutional  
32 road system, the secondary road system, and the state park road  
33 system.

34 The secondary road system is subdivided into farm-to-  
35 market roads and local secondary roads.

36 (2). The following words and phrases when used in this  
37 chapter or in any chapter of the Code relating to highways  
38 shall respectively have the following meaning:

39 1. The term "primary roads" or "primary road system"  
40 shall include those main market roads and highway traffic  
41 arteries, outside of cities and towns, which have been desig-  
42 nated as primary roads under section three hundred thirteen  
43 point two (313.2) of the Code or which may hereafter be so  
44 designated as the law may provide.

45 2. The term "institutional roads" shall include those  
46 highways, either inside or outside of cities and towns, upon  
47 land belonging to the state at any state institution.

48 3. The term "secondary roads" or "secondary road system"  
49 shall include all public highways, outside of cities and towns,  
50 except primary roads and state park and institutional roads.

*House  
concurred  
4/1*

51 4. The term "farm-to-market roads" or "farm-to-market  
52 road system" shall include those main secondary roads which  
53 have been designed as farm-to-market roads under section  
54 three hundred ten point ten (310.10) of the Code or which may  
55 hereafter be so designated as the law may provide.

56 5. The term "local secondary roads" or "local secondary  
57 road system" shall include all those secondary roads which are  
58 not now, or may not hereafter be, included in the farm-to-  
59 market road system.

60 6. The term "state park roads" shall include all those  
61 highways and roads, either inside or outside of cities and  
62 towns, upon land belonging to the state at any state park.

63 7. The term "interstate roads" or "interstate road system"  
64 shall include those roads of the primary road system that are  
65 designated or will be designated by the secretary of commerce  
66 of the United States government as the "National System of  
67 Interstate and Defense Highways" in Iowa.

68 (3). Jurisdiction and control over the highways of the  
69 state are hereby vested in and imposed on (1) the state highway  
70 commission as to primary roads; (2) the county board of super-  
71 visors as to secondary roads within their respective counties;  
72 and (3) the board or commission in control of any state park  
73 or institution as to any state park or institutional road at  
74 such state park or state institution. However, as to any  
75 state park road which is an extension of either a primary or  
76 secondary highway which both enters and exits from the state  
77 park at separate points, the state highway commission in the  
78 case of a primary road, and the county board of supervisors in  
79 the case of secondary roads, shall have concurrent jurisdiction  
80 with the state conservation commission over such roads, and the  
81 state highway commission in the case of a primary road and the  
82 board of supervisors in the case of a secondary road, may expend  
83 the moneys available for such roads in the same manner as they  
84 expend such funds on other roads over which they exercise juris-  
85 diction and control. The parties exercising concurrent juris-  
86 diction shall enter into agreements with each other as to the  
87 kind and type of construction, reconstruction and repair and  
88 the division of cost thereof, but in the absence of such agree-  
89 ment the jurisdiction and control of said road shall remain  
90 under the conservation commission. Provided, however, that  
91 the Iowa state highway commission, in the case of a primary  
92 highway extension, and the board of supervisors in the case of  
93 a secondary highway extension, shall perform maintenance on  
94 said road in the same manner as performed on a highway of a  
95 like type of surface or construction.

96 2. Page 1, line 1, by adding after the word "relating" the  
97 words "to the jurisdiction over roads and highways,".

Filed - *Adopted 3/25*  
March 23, 1970

By LAMBORN

#### EXPLANATION OF AMENDMENT

The enactment of House File 394 provided a new terminology and definitions for the highways of the state. These terms and definitions were not tied into the existing Code and therefore render many sections, in excess of 200, inoperable. This amendment will reinstate present Code provisions, provide for classification and study and allow adequate time for preparation of the needed Code revisions to fully implement the reclassification, jurisdiction, and financial responsibility.