

House File 41 - Introduced

HOUSE FILE 41

BY SALMON

A BILL FOR

1 An Act relating to the department of transportation consulting
2 with municipal governing bodies about the alteration of
3 municipal extensions of primary roads.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 306.4, subsection 4, paragraph a, Code
2 2019, is amended to read as follows:

3 a. Jurisdiction and control over the municipal street system
4 shall be vested in the governing bodies of each municipality;
5 except that the department and the municipal governing body
6 shall exercise concurrent jurisdiction over the municipal
7 extensions of primary roads in all municipalities. When
8 concurrent jurisdiction is exercised, the department shall
9 consult with the municipal governing body as to the kind and
10 type of construction, reconstruction, repair, and maintenance
11 and the two parties shall enter into agreements with each other
12 as to the division of costs thereof. When the department
13 consults with a municipal governing body as required by this
14 paragraph, the department shall not present to the municipal
15 governing body, or encourage the municipal governing body to
16 adopt, a plan to alter a municipal extension having four or
17 more lanes designated for moving traffic in such a way that
18 the extension would have only one lane designated for traffic
19 moving in one direction, one lane designated for traffic moving
20 in the opposite direction, and a middle lane designated for
21 left turns from either direction, with other portions of the
22 extension designated for parking spaces or bicycle lanes.

23 EXPLANATION

24 The inclusion of this explanation does not constitute agreement with
25 the explanation's substance by the members of the general assembly.

26 Under current law, the department of transportation (DOT)
27 and a municipal governing body exercise concurrent jurisdiction
28 over municipal extensions of primary roads in the municipality.
29 The DOT is required to consult with the municipal governing
30 body as to the kind and type of construction, reconstruction,
31 repair, and maintenance of the extension and both parties are
32 required to enter into agreements with each other as to the
33 division of costs. When the DOT consults with a municipal
34 governing body, this bill prohibits the DOT from presenting
35 to the municipal governing body, or encouraging the municipal

1 governing body to adopt, a plan to alter a municipal extension
2 having four or more lanes designated for moving traffic in such
3 a way that the extension would have only one lane designated
4 for traffic moving in one direction, one lane designated for
5 traffic moving in the opposite direction, and a middle lane
6 designated for left turns from either direction, with other
7 portions of the extension designated for parking spaces or
8 bicycle lanes.