

3 jurisdiction under whose control said road or street is on January
 4 1, 1970, except that a transfer may be made as provided in section
 5 three hundred thirteen point two (313.2) of the Code or because of
 6 a change in the corporate limits of a city or town. Roads or streets
 7 established after January 1, 1970, shall be under the jurisdiction of
 8 the establishing authority.

Approved February 12, 1970.

CHAPTER 1127

JURISDICTION OVER ROADS AND HIGHWAYS

H. F. 1103

AN ACT relating to the jurisdiction over roads and highways, to the budget of the state highway commission and to the expenditure of funds deposited in the primary road fund.

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

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 2 Code 1966, is hereby repealed and the following enacted in lieu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

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

14 The provisions of chapter eight (8) shall apply except that the
 15 provisions of section eight point thirty-nine (8.39) of the Code shall
 16 not apply to funds appropriated to the commission under section three
 17 hundred thirteen point four (313.4) of the Code, however, the first
 18 paragraph of section eight point thirty-nine (8.39) of the Code shall
 19 apply to appropriations for support of the commission and for en-
 20 gineering and administration of highway work and maintenance
 21 of the primary road system.

22 Any contingent fund appropriated to the highway commission from
 23 the primary road fund shall be subject to the following conditions:

24 1. A written statement from the state comptroller shall be ob-
 25 tained, recommending expenditures from the fund for the purposes
 26 requested by the highway commission.

27 2. The comptroller and the governor shall determine that the ex-
 28 penditures contemplated are in the best interest of the state, and
 29 that the purpose or project for which funds are requested was not
 30 presented to the general assembly by way of a bill and which failed
 31 to become enacted into law.

1 SEC. 2. House File three hundred ninety-four (394), Acts of the
2 Sixty-third General Assembly, Second Session, is hereby amended as
3 follows:

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

8 "Functional classification of roads and streets. For the purpose
9 of functionally classifying the roads and streets of this state to co-
10 operate with the United States department of transportation, as re-
11 quired by section seventeen (17), public law 90-495, and for no other
12 purpose, the roads and streets of this state are hereby classified into
13 the following systems".

14 2. By striking from section two (2), subsection two (2), the words
15 "Definition of road and street systems. The following words and
16 phrases relating to roads and streets shall have the following mean-
17 ings" and inserting in lieu thereof the following:

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

24 3. By striking section three (3).

1 SEC. 3. Chapter three hundred six (306), Code 1966, is hereby
2 amended by adding the following sections:

3 (1). The highways of the state are hereby classified into four sys-
4 tems, to wit: the primary road system, the institutional road system,
5 the secondary road system, and the state park road system.

6 The secondary road system is subdivided into farm-to-market roads
7 and local secondary roads.

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

11 1. The term "primary roads" or "primary road system" shall in-
12 clude those main market roads and highway traffic arteries, outside
13 of cities and towns, which have been designated as primary roads
14 under section three hundred thirteen point two (313.2) of the Code
15 or which may hereafter be so designated as the law may provide.

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

19 3. The term "secondary roads" or "secondary road system" shall
20 include all public highways, outside of cities and towns, except pri-
21 mary roads and state park and institutional roads.

22 4. The term "farm-to-market roads" or "farm-to-market road sys-
23 tem" shall include those main secondary roads which have been
24 designated as farm-to-market roads under section three hundred ten
25 point ten (310.10) of the Code or which may hereafter be so desig-
26 nated as the law may provide.

27 5. The term "local secondary roads" or "local secondary road sys-
28 tem" shall include all those secondary roads which are not now, or

29 may not hereafter be, included in the farm-to-market road system.

30 6. The term "state park roads" shall include all those highways
31 and roads, either inside or outside of cities and towns, upon land be-
32 longing to the state at any state park.

33 7. The term "interstate roads" or "interstate road system" shall
34 include those roads of the primary road system that are designated or
35 will be designated by the secretary of commerce of the United States
36 government as the "National System of Interstate and Defense High-
37 ways" in Iowa.

38 (3). Jurisdiction and control over the highways of the state are
39 hereby vested in and imposed on (1) the state highway commission
40 as to primary roads; (2) the county board of supervisors as to second-
41 ary roads within their respective counties; and (3) the board or com-
42 mission in control of any state park or institution as to any state
43 park or institutional road at such state park or state institution.
44 However, as to any state park road which is an extension of either a
45 primary or secondary highway which both enters and exits from the
46 state park at separate points, the state highway commission in
47 the case of a primary road, and the county board of supervisors in the
48 case of secondary roads, shall have concurrent jurisdiction with the
49 state conservation commission over such roads, and the state highway
50 commission in the case of a primary road and the board of super-
51 visors in the case of a secondary road, may expend the moneys avail-
52 able for such roads in the same manner as they expend such funds on
53 other roads over which they exercise jurisdiction and control. The
54 parties exercising concurrent jurisdiction shall enter into agreements
55 with each other as to the kind and type of construction, reconstruction
56 and repair and the division of cost thereof, but in the absence of such
57 agreement the jurisdiction and control of said road shall remain
58 under the conservation commission. Provided, however, that the
59 Iowa state highway commission, in the case of a primary highway
60 extension, and the board of supervisors in the case of a secondary
61 highway extension, shall perform maintenance on said road in the
62 same manner as performed on a highway of a like type of surface or
63 construction.

Approved April 9, 1970.

CHAPTER 1128
STATE PARK ROADS
S. F. 337

AN ACT relating to state park roads.

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

1 SECTION 1. Section three hundred six point two (306.2)*, sub-
2 section six (6), Code 1966, is hereby amended by inserting in line
3 five (5) after the word "park" the words "or land licensed to the
4 state from federal agencies for state park purposes".

Approved February 12, 1970.

*Repealed by ch. 1126, §1.