

IN THE SENATE

SENATE BILL NO. 1313

BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO THE IDAHO TRANSPORTATION BOARD; AMENDING CHAPTER 3, TITLE 40, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 40-310A, IDAHO CODE, TO PROVIDE FOR RULEMAKING REGARDING STATE HIGHWAY ACCESS.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Chapter 3, Title 40, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 40-310A, Idaho Code, and to read as follows:

40-310A. POWERS AND DUTIES -- ACCESS CONTROL -- RULEMAKING FACTORS. (1) A departmental rule or regulation that controls a right of access to a state highway affecting an area within a city shall ensure a balance between property access and the functional integrity of the road system and shall include:

- (a) The authority of district engineers to grant variances for access spacing based on input from local officials;
- (b) The weighing of economic opportunity considerations by district engineers, including information provided by property owners and local officials. Pursuant to such authority, a district engineer evaluating a request for a variance within the limits of a city shall be authorized to approve a decrease in minimum access spacing of up to fifty percent (50%) without the requirement of a traffic study;
- (c) The authority of local officials to influence access variance decisions, including within the appeals process;
- (d) An access control classification system as provided in subsection (2) of this section; and
- (e) If a traffic study is required:
  - (i) Any necessary components of such study shall be supplied to the owner prior to commissioning such study; and
  - (ii) The results of such traffic study shall be accepted by the department if the study is conducted by a professional engineer, as defined in section 54-1202, Idaho Code, and the results have been sealed, signed, and dated by such engineer pursuant to section 54-1215, Idaho Code.

(2) By January 1, 2021, the department shall develop an access control classification system in cooperation with cities to include assignment of a road segment to a specific access category pursuant to the following criteria:

- (a) Local land use plans and zoning, as set forth in comprehensive plans;
- (b) The current functional classification as well as potential future functional classification of each road on the state highway system;
- (c) Existing and projected traffic volumes;

- 1 (d) Existing and projected state and local transportation plans and
- 2 needs;
- 3 (e) Drainage requirements;
- 4 (f) The character of lands adjoining the highway;
- 5 (g) The type and volume of traffic requiring access;
- 6 (h) Other operational aspects of access;
- 7 (i) The availability of reasonable access to a state highway; and
- 8 (j) The cumulative effect of existing and projected connections on the
- 9 state highway system's ability to provide for the safe and efficient
- 10 movement of people and goods within the state.