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**IDAPA 39
TITLE 03
CHAPTER 43**

39.03.43 - RULES GOVERNING UTILITIES ON STATE HIGHWAY RIGHT-OF-WAY

000. LEGAL AUTHORITY.

Under authority of Sections 40-312(3) and 67-5229, Idaho Code, the Idaho Transportation Board adopts this rule. (3-20-04)

001. TITLE AND SCOPE.

01. Title. This rule shall be known as IDAPA 39, Title 03, Chapter 43, "Rules Governing Utilities On State Highway Right-of-Way". (3-20-04)

02. Scope. The purpose of the policy is to regulate the location, design and methods for installing, relocating, adjusting and maintaining utilities on State highway right-of-way when such use and occupancy is legal, in the public interest and will not adversely affect the highway or its users. The policy applies to new utility installations, to existing utility installations to be retained, relocated, maintained or adjusted because of highway construction or reconstruction, and to the relocation of utility facilities which are found to constitute a definite hazard to the traveling public. (3-20-04)

002. WRITTEN INTERPRETATIONS.

There are no written interpretations for this chapter. (3-20-04)

003. ADMINISTRATIVE APPEALS.

Administrative appeals under this chapter shall be governed by Section 2.4 "Administrative Appeal" of the "Utility Accommodation Policy" incorporated by reference. (3-20-04)

004. INCORPORATION BY REFERENCE.

The Idaho Transportation Department incorporates by reference the July 2003 Edition of "Utility Accommodation Policy". This publication is available for public inspection and copying at the Office of the Utilities/Railroad Engineer at the Idaho Transportation Department central office, or the District offices, or the Idaho Transportation Department WEB site <http://www2.state.id.us/itd/index.htm>. (3-20-04)

005. OFFICE -- OFFICE HOURS -- MAILING AND STREET ADDRESS -- PHONE NUMBERS.

01. Street and Mailing Address. The Idaho Transportation Department maintains a central office in Boise at 3311 W. State Street with a mailing address of P O Box 7129, Boise ID 83707-1129. (3-20-04)

02. Office Hours. Daily office hours are 8 a.m. to 5 p.m. except Saturday, Sunday and state holidays. (3-20-04)

03. Telephone and FAX Numbers. The central office may be contacted during office hours by phone at 208-332-7894 or by fax at 208-334-8025. (3-20-04)

04. Idaho Transportation Department District Offices are at the following locations: (3-20-04)

a. Idaho Transportation Department District 1
600 W. Prairie, Coeur d'Alene
Mailing address -- P.O. Box D
Coeur d'Alene, Idaho 83814
Office Hours -- 7:00 a.m. to 4:00 p.m., Pacific Time Zone
Phone -- (208) 772-1200 (3-20-04)

b. Idaho Transportation Department District 2
2600 North and South Highway, Lewiston
Mailing address -- P.O. Box 837
Lewiston, Idaho 83501

Office Hours -- 7:00 a.m. to 4:00 p.m., Pacific Time Zone
Phone -- (208) 799-5090 (3-20-04)

c. Idaho Transportation Department District 3
8150 Chinden Blvd., Boise
Mailing address -- P.O. Box 8028
Boise, Idaho 83707
Office Hours -- 8:00 a.m. to 5:00 p.m., Mountain Time Zone
Phone -- (208) 334-8300 (3-20-04)

d. Idaho Transportation Department District 4
216 Date Street, Shoshone
Mailing address -- P.O. Box 2-A
Shoshone, Idaho 83352
Office Hours -- 8:00 a.m. to 5:00 p.m., Mountain Time Zone
Phone -- (208) 886-7800 (3-20-04)

e. Idaho Transportation Department District 5
5151 South 5th, Pocatello
Mailing address -- P.O. Box 4700
Pocatello, Idaho 83201
Office Hours -- 8:00 a.m. to 5:00 p.m., Mountain Time Zone
Phone -- (208) 239-3300 (3-20-04)

f. Idaho Transportation Department District 6
206 North Yellowstone, Rigby
Mailing address -- P.O. Box 97
Rigby, Idaho 83442
Office Hours -- 8:00 a.m. to 5:00 p.m., Mountain Time Zone
Phone -- (208) 745-7781 (3-20-04)

006. PUBLIC RECORDS ACT COMPLIANCE.

All records associated with this chapter are subject to and in compliance with the Idaho Public Records Act, as set forth in Sections 9-337 through 9-350, Idaho Code. (3-20-04)

007. -- 999. (RESERVED).

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