

IDAPA 39 – IDAHO TRANSPORTATION DEPARTMENT

Division of Highways

39.03.47 – Rules Governing Certification of Local Improved Road Mileage

Who does this rule apply to?

This rule applies to local jurisdictions including cities, counties and highway districts.

What is the purpose of this rule?

This rule sets out standards to be followed in determining which roads in counties are improved roads. Improved roads are a variable used in calculating the apportionment of fund to local jurisdictions.

What is the legal authority for the agency to promulgate this rule?

This rule implements the following statutes passed by the Idaho Legislature:

Highways and Bridges -

Idaho Transportation Board:

- [40-312, Idaho Code](#) – Powers and Duties — Rules and Regulations

Appropriations:

- [40-709, Idaho Code](#) – Apportionment of Funds from HDA to Local Units of Government.

Who do I contact for more information on this rule?

Idaho Transportation Department

Monday – Friday 8:00 am to 5:00 pm

P.O. Box 7129

Boise, ID 83707-1129

3311 West State Street

Phone: (208) 334-8000

itd.idaho.gov

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39.03.47 – RULES GOVERNING CERTIFICATION OF LOCAL IMPROVED ROAD MILEAGE

000. LEGAL AUTHORITY.

Under authority of Sections 40-312 and 40-709, Idaho Code, the Idaho Transportation Board hereby adopts the following rule concerning the annual certification of county and highway district improved road mileage for the apportionment of highway user revenues. (12-26-90)

001. TITLE AND SCOPE.

01. **Title.** This rule is titled IDAPA 39.03.47, “Rules Governing Certification of Local Improved Road Mileage,” IDAPA 39, Title 03, Chapter 47. (3-30-01)

02. **Scope.** This rule sets out standards to be followed in determining which roads in counties are improved roads. (3-30-01)

002. -- 009. (RESERVED)

010. DEFINITIONS.

01. **Graded and Drained Earth Road.** A traveled way of natural earth, aligned and graded to permit reasonable convenient use by a motor vehicle, and drained by longitudinal and transverse systems, natural or artificial, sufficiently to prevent serious impairment of the roadway by surface water. (12-26-90)

02. **Improved Road.** A graded and drained earth road or better. (12-26-90)

011. -- 099. (RESERVED)

100. DETERMINATION OF AN IMPROVED ROAD.

01. **Status of Improvement.** Highways laid out and marked to include four (4) or more travel lanes shall be considered as two (2) roadways and mileage for each roadway will be eligible for inclusion in the inventory dependent on Status of Improvement as provided below. (12-26-90)

02. **Road Inventory Determination of an Improved Road.** The “Road Inventory Determination of an Improved Road” sets forth standards for an improved road and gives examples and illustrations of roadways that are eligible and are not eligible for inclusion in the inventory. (A copy of “The Road Inventory Determination of an Improved Road” can be obtained at the Idaho Transportation Department.) (3-30-01)

101. -- 200. (RESERVED)

201. BORDER LINE ROADS.

01. **City Boundaries.** If city corporate boundaries follow the centerline of an approved improved roadway, one-half (1/2) the mileage for each roadway surface along the length of said city boundary shall be included in county or highway district certification. (12-26-90)

02. **County or Highway District Boundaries.** If county or highway district boundaries follow the centerline of an approved improved roadway, mileage will be determined by agreement of the entities or if there is no agreement, then one-half (1/2) shall be attributed to each entity. (12-26-90)

202. -- 999. (RESERVED)

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