

## 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

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[itd.idaho.gov](http://itd.idaho.gov)

# Table of Contents

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## 39.03.47 – Rules Governing Certification of Local Improved Road Mileage

000. Legal Authority. ....	3
001. Scope. ....	3
002. Incorporation By Reference. ....	3
003. – 099. (Reserved) .....	3
100. Determination Of An Improved Road. ....	3
101. -- 200. (Reserved) .....	3
201. Border Line Roads. ....	3
202. -- 999. (Reserved) .....	3

### 39.03.47 – RULES GOVERNING CERTIFICATION OF LOCAL IMPROVED ROAD MILEAGE

**000. LEGAL AUTHORITY.**

This rule is adopted under authority of Sections 40-110(1), 40-312, and 40-709, Idaho Code. (3-31-22)

**001. SCOPE.**

This rule relates to the annual certification of county and highway district improved road mileage for the apportionment of highway user revenues and sets standards to be followed in determining which roads in counties are improved roads. (3-31-22)

**002. INCORPORATION BY REFERENCE.**

The Idaho Transportation Department incorporates by reference the “Road Inventory Determination of an Improved Road.” This publication is available on the Department’s website: <https://itd.idaho.gov/>. (3-31-22)

**003. – 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. (3-31-22)

**02. Road Inventory Determination of an Improved Road.** The “Road Inventory Determination of an Improved Road” sets forth standards for an improved road. (3-31-22)

**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. (3-31-22)

**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. (3-31-22)

**202. -- 999. (RESERVED)**