



# Legislative Council Staff

## Research Note

Version: House Local Gov  
Date: 3/8/2016

### Bill Number

**House Bill 16-1155**

### Sponsors

***Representatives Saine &  
Mitsch Bush  
Senator Sonnenberg***

### Short Title

***Controlled-access Highway As  
County Primary Road***

### Research Analyst

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### Status

This bill is currently pending before the House Local Government Committee. This research note reflects the introduced version of the bill.

### Summary

The bill allows a county to designate a four-lane, controlled-access county highway as a primary road of the county, and specifies the respective jurisdiction, control, and duties of local governments with respect to a designated primary road.

Specifically, and similar to the state's authority over state highways, a county has the authority to:

- control highway access;
- prohibit signs and banners;
- utilize sewers;
- erect, control, and maintain route markers and directional signs; and
- install, operate, maintain, and control traffic signals, signs, and traffic control devices.

A municipality is responsible for:

- control of the highway on and beyond the curbs;
- construction and maintenance of underground facilities;
- highway illumination and cleaning;
- regulation and enforcement of traffic and parking; and

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- erecting, controlling, and maintaining street signs.

Together, a county and municipality may:

- share the cost of new storm sewer facilities, if required; and
- acquire rights-of-way for the highway as mutually agreed upon.

## Background

**County primary road system.** Primary roads are designated on the basis of greatest general importance for a county and must be properly integrated with existing infrastructure, including the state highway system. The board of county commissioners for each county is responsible for adopting an official map of the county that designates the primary and secondary roads of a county. All roads not designated as primary roads by the commissioners will be considered secondary. The construction and maintenance of primary and secondary roads is the responsibility of the county. Roads, by definition, include bridges, culverts, footpaths, and rights-of-way.