

Introduced by

1 A BILL for an Act to create and enact a new section to chapter 24-03 of the North Dakota
2 Century Code, relating to transfer of highway maintenance from counties to the department of
3 transportation.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** A new section to chapter 24-03 of the North Dakota Century Code is created
6 and enacted as follows:

7 **Transfer of county road to department of transportation.**

8 The board of county commissioners may make written application to the director to have the
9 maintenance of a highway permanently or temporarily transferred to the director based on traffic
10 volumes, types of traffic, the conservation and development of the state's natural resources, the
11 general economy of the state and communities, safety concerns, the ability of the county to
12 maintain the highway, or any other relevant factor as determined by the director. The director
13 may approve the application and may place conditions on the approval. If the transfer is
14 temporary, the director shall require the county to pay on a yearly basis the cost of maintenance
15 to the state highway fund. If the transfer is permanent, the director may require the county to
16 pay all, part, or none of the cost of the maintenance on a permanent or temporary basis. If the
17 transfer is permanent, the highway is part of the state highway system notwithstanding the
18 limitations on mileage in a calender year, total mileage, or percentage of road in sections 24-01-
19 01.2 and 24-01-02 and the mileage and percentage of road must not be counted against these
20 limitations for a transfer under this section. If the transfer is on a temporary basis, the highway
21 remains part of the county road system.