

HOUSE CS FOR CS FOR SENATE BILL NO. 263(TRA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - SECOND SESSION

BY THE HOUSE TRANSPORTATION COMMITTEE

Offered: 5/2/98

Referred: Finance

Sponsor(s): SENATORS TORGERSON, Pearce, Sharp

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to secondary roads and to the statewide transportation
2 improvement program; and providing for an effective date."

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 * **Section 1.** AS 44.42 is amended by adding a new section to read:

5 **Sec. 44.42.090. Statewide transportation improvement program.** (a) The
6 department shall prepare a statewide transportation improvement program that includes
7 the following transportation categories: national highway system, trails and recreation
8 access to Alaska projects, and community transportation. Federal funds allocated to
9 the national highway system may not exceed 65 percent of the federal highway
10 funding available, averaged over three consecutive years. Federal funds allocated to
11 the trails and recreation access to Alaska projects may not exceed 7.3 percent of the
12 federal highway funding available, averaged over three consecutive years. The
13 program shall be prepared and revised as frequently as necessary for state participation
14 in federal highway, transit, and transportation programs or, in the absence of a federal

1 requirement, as frequently as the commissioner otherwise determines appropriate. The
2 program must include a priority list of transportation projects in each transportation
3 category to be carried out in each of, at least, the first three years of the program. The
4 department shall evaluate and rank proposed transportation projects in each category
5 in accordance with the process and standards established by the department by
6 regulation, except the department shall evaluate and rank proposed transportation
7 projects in the community transportation category in accordance with (b) - (d) of this
8 section.

9 (b) Projects included in the community transportation category are those
10 projects, as determined by the department, in one of the following subcategories: rural
11 and urban streets and roads, remote roads and trails, transit projects, and Alaska marine
12 highway system. The department may not include a project in the community
13 transportation category if the project is eligible for evaluation under the national
14 highway system category or the trails and recreation access to Alaska projects
15 category.

16 (c) The department shall rank community transportation projects proposed to
17 be undertaken in each year of the statewide transportation improvement program in
18 accordance with the priority of the project. The department shall give priority to
19 upgrading a substandard or hot asphaltic road if the department receives a request by
20 a municipality for the transfer of the road or a portion of the road to the municipality
21 and, after the upgrading is completed, the department shall transfer to the municipality
22 the road or the portion of it that is within the boundaries of the municipality.

23 (d) The department shall allocate, for planning purposes under this section, at
24 least 60 percent of the anticipated appropriations, averaged over three consecutive
25 years of the program, for the community transportation category for projects in the
26 rural and urban streets and roads subcategory. The department may allocate the
27 remainder of the anticipated appropriations for the community transportation category
28 among the other subcategories. If the department finds that there are not enough
29 eligible projects within a subcategory to fully use the amount of the anticipated
30 appropriations allocated to that subcategory, the department shall redistribute the
31 excess allocation equally among the other subcategories.

1 (e) The department may not fund transportation projects that are eligible under
2 federal law as transportation enhancement projects with federal funds from other
3 funding categories.

4 * **Sec. 2. SECONDARY ROADS.** (a) The Department of Transportation and Public
5 Facilities shall adopt regulations establishing design and construction standards for secondary
6 roads that are reasonably uniform throughout the state, shall identify substandard secondary
7 roads, and shall rank those substandard secondary roads in the order in which they should be
8 upgraded by the department. Regulations establishing standards for secondary roads adopted
9 under this subsection need not conform to standards adopted by the American Association of
10 State Highway and Transportation Officials.

11 (b) A municipality may request the Department of Transportation and Public Facilities
12 to transfer to the municipality the ownership of a secondary road or that portion of the road
13 that is within the boundaries of the municipality. If the secondary road meets the standards
14 established under (a) of this section, the department may transfer the road or a portion of the
15 road to the municipality. The department shall give priority to upgrading a substandard
16 secondary road if the department receives a request for the transfer of that road or a portion
17 of the road to a municipality under this subsection.

18 (c) Each fiscal year, \$20,000,000 may be appropriated from federal or other funds to
19 the Department of Transportation and Public Facilities for upgrading substandard secondary
20 roads and for the costs of transferring the ownership of secondary roads to municipalities
21 under this section.

22 (d) For purposes of this section, "substandard secondary road" means a dirt or gravel
23 road or a road that has received a cold asphaltic application, and that

24 (1) is dedicated to public use;

25 (2) is used by automotive equipment;

26 (3) is under the control of the Department of Transportation and Public
27 Facilities;

28 (4) is not part of the national highway system or the trails and recreation
29 access to Alaska projects program; and

30 (5) does not meet the regulations establishing standards under (a) of this
31 section for secondary roads.

1 * **Sec. 3.** Section 2 of this Act is repealed June 30, 2003.

2 * **Sec. 4.** Notwithstanding other provisions of state law, not less than one percent of the
3 total federal highway funds apportioned and available to the state for obligation in the
4 statewide transportation improvement program for federal fiscal years 1998 - 2003 shall be
5 used by the Department of Transportation and Public Facilities for federally eligible new
6 bridge construction across waterways that provide direct access to airports and other areas.

7 * **Sec. 5.** This Act takes effect July 1, 1998.