

## **IC 8-23-4**

### **Chapter 4. General Highway, Road, and Street Provisions**

#### **IC 8-23-4-1**

##### **Highway and street systems of state**

Sec. 1. The highway and street system of Indiana consists of the following:

- (1) The state highway system.
- (2) A county arterial highway system in each county.
- (3) A county local highway system in each county.
- (4) A municipal arterial street system in each municipality.
- (5) A municipal local street system in each municipality.

*As added by P.L.18-1990, SEC.213.*

#### **IC 8-23-4-2**

##### **State highway system; designation; composition; selection criteria; classification**

Sec. 2. (a) The state highway system shall be designated by the department. The total extent of the state highway system may not exceed twelve thousand (12,000) miles. The state highway system consists of the principal arterial highways in Indiana and includes the following:

- (1) A highway to the seat of government in each county.
- (2) Connecting arteries and extensions through municipalities.

(b) In determining the highways or sections of highways that are a part of the state highway system, the department shall consider the following:

- (1) The relative importance of each highway to county or municipal government.
- (2) Existing business and land use.
- (3) The development of natural resources, industry, and agriculture.
- (4) The economic welfare of Indiana.
- (5) The safety and convenience of highway users.

- (6) The financial capacity of the state to reconstruct, construct, and maintain the highways selected to desirable standards.

(c) The state highway system shall be classified for purposes of management, establishment of standards, and priority for use of funds and resources. Classification of the system may conform to the department's designation of the state's federal aid system.

*As added by P.L.18-1990, SEC.213.*

#### **IC 8-23-4-3**

##### **County arterial highway systems; selection criteria; addition, relocation, and deletion**

Sec. 3. (a) The county arterial highway system shall be selected by the county executive in each county. The system shall be selected on the basis of the greatest general importance to the county, after an

evaluation of each road in the county, including municipal connecting links and the state highway system. In selecting the county system, the executive shall consider the following:

- (1) The kind and amount of traffic on a highway.
- (2) The length and condition of a highway.
- (3) The mileage that can be effectively improved to specified standards with available funds.
- (4) Any other applicable data.

The arterial highways selected by the executive under this section constitute the county arterial highway system of that county.

(b) The county executive may from time to time add, relocate, or delete highways from the county arterial highway system by following the procedure provided in subsection (a).

(c) If a highway or a segment of a highway is deleted from the county arterial highway system under subsection (b), the highway or segment may:

- (1) become a part of the county local highway system;
- (2) if located in a municipality, become a part of the system of major streets or local streets of the municipality, subject to agreement between the county executive and the highway authority of the municipality; or
- (3) be abandoned.

(d) All roads under the jurisdiction of the county highway authorities of each county not included in a county arterial highway system constitute the county local highway system of that county.

*As added by P.L.18-1990, SEC.213.*

#### **IC 8-23-4-4**

##### **Municipal arterial street systems; selection criteria; addition, relocation, and deletion; municipal local highway systems**

Sec. 4. (a) The agency responsible for highways in each municipality with a population of at least five thousand (5,000) shall select a system of arterial streets for the municipality. The system shall be selected on the basis of the greatest general importance to the municipality after an evaluation of each highway in the municipality. The system may not include highways that are part of the state highway system. The system of arterial streets must connect focal points of traffic interest, provide communication with other communities and outlying areas and provide for the continuity of the county arterial highway system into or through the municipality. The agency shall use engineering standards in selecting the streets.

(b) The agency responsible for highways in each municipality with a population of less than five thousand (5,000) may limit streets selected for the arterial street system to extensions of the county arterial street system or the municipal arterial street system of adjoining municipalities into or through the municipality.

(c) The system of arterial streets selected by an agency under subsection (a) or (b) constitutes the municipal arterial street system

of that municipality.

(d) The agency responsible for highways in a municipality may from time to time add, relocate, or delete highways from the municipal arterial highway system by following the procedure provided in subsection (a) or (b).

(e) If a highway or a segment of a highway is deleted from the municipal arterial highway system under subsection (d), it may:

- (1) become a part of the municipal local highway system; or
- (2) be abandoned.

(f) All roads under the jurisdiction of the agency responsible for the municipal highways of each municipality not included in a municipal arterial highway system constitute the municipal local highway systems of that municipality.

*As added by P.L.18-1990, SEC.213.*

#### **IC 8-23-4-5**

##### **Changes in highway and street systems**

Sec. 5. A highway or street system established under this chapter may not be changed for two (2) years following establishment of the system. A system established under this chapter shall be reviewed at five (5) year intervals, or more frequently if considered desirable, and adjustments found necessary or desirable as a result of a change in conditions may be made.

*As added by P.L.18-1990, SEC.213.*

#### **IC 8-23-4-6**

##### **Highway and street system maps**

Sec. 6. The commissioner shall at all times maintain maps of Indiana, which must show all the highways that constitute the state highway system, the arterial and local highway systems of each county, and the arterial and local street systems of each municipality.

*As added by P.L.18-1990, SEC.213.*

#### **IC 8-23-4-7**

##### **Cooperation of director with executives and municipalities**

Sec. 7. The state aid director shall cooperate with the executives and municipalities to ensure coordination and continuity between all systems.

*As added by P.L.18-1990, SEC.213.*

#### **IC 8-23-4-8**

##### **Changes in location of state highways**

Sec. 8. The department may change the location of a state highway for the following reasons:

- (1) To reduce the length of the highway.
- (2) To eliminate steep grades or sharp turns.
- (3) To widen narrow parts.
- (4) To promote public convenience and safety.

*As added by P.L.18-1990, SEC.213.*

#### **IC 8-23-4-9**

##### **Abandonment of rights-of-way; reversion or release; consideration**

Sec. 9. (a) Whenever the department determines that a part of a right-of-way of a highway will not be needed for highway, street, or road purposes, or to reach the premises of a person other than the owner of the original right-of-way, the commissioner may, by executive order, declare that part of the right-of-way to be no longer useful or necessary for a highway purpose.

(b) A part of a right-of-way subject to an order under subsection (a) ceases to be a public highway and reverts to the person lawfully entitled to the reversion.

(c) If the department acquired the right-of-way subject to an order under subsection (a) by purchase, the department shall demand a consideration in money for the release of the right-of-way, and the release becomes final only upon payment of the consideration. A payment under this subsection shall be credited to the account of the department and allocated to the fund out of which the right-of-way was purchased. The amount of consideration must be equal to the fair market value of the right-of-way as determined by appraisers employed by the department.

*As added by P.L.18-1990, SEC.213.*

#### **IC 8-23-4-10**

##### **Transfer of state highways to county and municipal systems**

Sec. 10. Whenever the department determines that, because of the construction of a new state highway, the relocation of a state highway, or a change in general function or use, a part of the state highway system no longer meets the criteria established in section 2 of this chapter for a highway in the state system but that the highway continues to serve a useful purpose, that part of the system may be transferred to a county highway system or a municipal street system.

*As added by P.L.18-1990, SEC.213.*

#### **IC 8-23-4-11**

##### **Transfer of county and municipal highways and streets to state system**

Sec. 11. Whenever a county or municipality determines that, because of a change in general function or use, an arterial or local highway or street serves a state function, the highway or street may be transferred to the state system.

*As added by P.L.18-1990, SEC.213.*

#### **IC 8-23-4-12**

##### **Transfer of roads and streets between systems; memorandum**

Sec. 12. The transfer of roads or streets between systems requires a memorandum of agreement signed by both the transferring agency

or unit of government and by the agency or unit of government assuming jurisdiction over the road. The memorandum must state the following:

- (1) The purpose of the transfer.
- (2) The effective date of the transfer.
- (3) Any conditions agreed to by the signers.

*As added by P.L.18-1990, SEC.213.*