

LEGISLATIVE BILL 324

Approved by the Governor April 9, 1973

Introduced by Stull, 49

AN ACT to amend section 39-2113, Revised Statutes Supplement, 1972, relating to functional classification; to provide that the Department of Roads may request the board to relax the standards on any segment of highway that is not hard-surfaced; and to repeal the original section.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 39-2113, Revised Statutes Supplement, 1972, be amended to read as follows:

39-2113. In addition to the duties imposed upon it by section 39-2109, the Board of Public Roads Classifications and Standards shall develop minimum standards of design, construction, and maintenance for each functional classification set forth in sections 39-2103 and 39-2104. Such standards shall be such as to assure that each segment of highway, road, or street will satisfactorily meet the requirements of the area it serves and the traffic patterns and volumes which it may reasonably be expected to bear. The board shall by rule provide for the relaxation of such standards in those instances in which their application is not feasible because of peculiar, special, or unique local situations. Any county or municipality which believes that the application of such standards to any segment of highway, road, or street would work a special hardship may request the board to relax the standards for such segment. The Department of Roads, when it believes that the application of such standards to any segment of highway that is not hard-surfaced would work a special hardship, may request the board to relax such standards. The board shall review such request and either grant or deny it in whole or in part. The provisions of this section shall not be construed to apply to removal of a road or highway from the state highway system pursuant to section 39-1315.01.

Sec. 2. That original section 39-2113, Revised Statutes Supplement, 1972, is repealed.