

HOUSE BILL No. 1174

DIGEST OF INTRODUCED BILL

Citations Affected: IC 8-23-12-4.

Synopsis: Highway modernization projects. Requires the department of transportation to add to its biennial work program a category of projects that are designed to improve the capacity of a state highway without constructing new travel lanes.

Effective: July 1, 2006.

Denbo, Koch

January 9, 2006, read first time and referred to Committee on Roads and Transportation.

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Introduced

Second Regular Session 114th General Assembly (2006)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2005 Regular Session of the General Assembly.

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HOUSE BILL No. 1174



A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 8-23-12-4, AS AMENDED BY P.L.4-2005,
 2 SECTION 118, IS AMENDED TO READ AS FOLLOWS
 3 [EFFECTIVE JULY 1, 2006]: Sec. 4. (a) The department shall
 4 annually adopt from its long range program and publish a biennial
 5 work program of construction to be accomplished within the following
 6 two (2) fiscal years. This biennial work program must consist of a list
 7 of projects listed in order of urgency. In case of emergencies and
 8 disasters resulting in the necessity for completely unforeseen demands
 9 for construction, or if unforeseen difficulties arise in the acquisition of
 10 rights-of-way, materials, labor, or equipment necessary for proposed
 11 construction or the availability of funds, a deviation from the adopted
 12 biennial work program is permitted. The relative urgency of proposed
 13 construction shall be determined by a consideration of the physical
 14 condition, the safety and service characteristics of the highways under
 15 consideration, and the economic needs of the area served by the
 16 highways. In arriving at and making a determination, the department
 17 shall utilize all studies, data, and information made available to it from



1 any appropriate source including economic data, relative to affected
 2 areas, from the Indiana economic development corporation.
 3 **(b) Beginning July 1, 2007, a biennial work program adopted**
 4 **under subsection (a) must include a list of projects that are to be**
 5 **accomplished within the following two (2) fiscal years, and are**
 6 **devoted to the modernization of the state's highways. The list**
 7 **required by this subsection may include any construction project**
 8 **that is intended to increase the capacity of a state highway and that**
 9 **does not include the construction of new travel lanes. The list may**
 10 **include a project:**
 11 (1) for the construction of turn lanes;
 12 (2) to eliminate dangerous curves;
 13 (3) to eliminate dangerous hill crests; or
 14 (4) for any other improvement to a state highway that will
 15 increase the capacity of the state highway without adding new
 16 travel lanes.

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