

# Section 100

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## Introduction

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### 101. Authority of Highway Districts

- 101.01. The authority to establish Highway Districts within the State of Idaho is a power vested in the county government by Idaho Code Section 40, Chapter 6. The authority for administrative responsibility over road rights-of-way is assigned to the Highway District under Idaho Code Section 50-1330.
- 101.02. The 37<sup>th</sup> session of the Idaho Legislature enacted H.B. 329, which brought about the authority to hold an election within Kootenai County to consolidate the then numerous districts into four. On December 14, 1970, the Kootenai County Commissioners took action to officially form the four Highway Districts of East Side, Lakes, Post Falls, and Worley. This action is recorded in the Kootenai County Courthouse, Book S, Pages 230 and 231 of the Commissioner’s Journal. This action gave authority and responsibility to these Districts to construct and maintain a continuous safe roadway transportation facility within Kootenai County.
- 101.03. In 1971, the four Highway Districts in Kootenai County consisting of East Side Highway District, Lakes Highway District, Post Falls Highway District, and Worley Highway District formed an association named the Associated Highway Districts of Kootenai County, Idaho (AHDKC). The purpose of this organization is for the betterment of the secondary highway system in Kootenai County through cooperation of all the existing Highway Districts, dissemination and sharing of knowledge and ideas common to and for the benefit of all operating Highway Districts within Kootenai County, and to actively seek through legislative action or any other available source to constantly improve the secondary highway system in the State of Idaho and particularly within Kootenai County. The Commissioners and Road Supervisors from the four Highway Districts each have one vote on decisions made by this body, and they elect a chairman and a vice-chairman with an appointment of a secretary/treasurer. An executive board is also established consisting of one member of each Highway District who has been appointed by that District. These Standards are prepared for the Associated Highway Districts of Kootenai County and are intended for their use in administering their road programs in Kootenai County.

### 102. Need for Uniformity

- 102.01. It is the intent of these Standards to provide a uniform roadway network in Kootenai County. While each Highway District in Kootenai County has its own jurisdiction, there is a common goal to provide consistent roadways to serve the people of Kootenai County. The roadway system of Kootenai County is established by the Highway Districts as shown on the Functional Highway Classification System map in each Highway District Office.

- 102.02. It is further the intent of these Standards to upgrade and maintain the safest roadway system available to the Highway Districts' users. It is not the intent to put forward conflicting Standards that will infringe upon the safety of the traveling public.
- 102.03. The maintenance of the roadway systems is the responsibility of the Highway Districts. Consequently, the intent of these Standards is also to facilitate that maintenance responsibility by designing roads and constructing them in such a manner that maintenance will be minimized.
- 102.04. These Standards are minimum standards and do not preclude a member Highway District from requiring a different or greater standard.

### **103. Non-Discrimination Policy Statement**

- 103.01. The Associated Highway Districts assure that no person shall, on the grounds of race, color, national origin, sex, age, disability, or retaliation as provided by Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987 (Public Law 100.259), and subsequent related acts, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. The Associated Highway Districts further assure every effort will be made to ensure non-discrimination in all of its programs and activities, whether those programs and activities are federally funded or not.

The Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding the definition of terms "programs or activities" to include all programs or activities of Federal Aid recipients, sub-recipients, and contractors/consultants, whether such programs and activities are federally assisted or not (Public Law 100.259 (S.557) March 22, 1988).

### **104. Disclaimer**

- 104.01. Nothing herein shall be construed to impose an obligation or duty upon the Highway Districts to construct, reconstruct, or improve existing roadways to comply with these Standards.

### **105. Severability Clause**

- 105.01. If any section, sub-section, sentence, clause, phrase, or portion of these Standards is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portions shall be deemed a separate, distinct, and independent provision, and such holdings shall not affect the validity of the remaining portions thereof.

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