In the time allotted I would like to discuss with you some aspects of the Commonwealth's various State Road Systems and the Department's policies in regard to the maintenance of these systems.

State Road Systems

Section 177.020 of the Kentucky Revised Statutes (KRS) states the following, and I quote:

"State primary roads to be designated and controlled by Department of Highways. (1) The State Primary Road System shall consist of such public roads and city streets within the State as the Department of Highways determines shall be established, constructed or maintained by the Department of Highways.

(2) The Department shall, in its discretion, determine which public roads, or city streets, shall be established, constructed or maintained by it, and shall determine the type of construction or maintenance for that road or city street.

(3) In the establishment of the State Primary Road System, the Department of Highways is authorized to select new routes, deviate from an existing route whenever it deems such deviation proper, eliminate from the State Primary System roads or city streets which have been replaced as proper part of the system by the construction of a new facility or the selection of a new route.

(4) The establishment, construction or maintenance of the State Primary Road System shall be under the direction and control of the Department of Highways. The Commissioner of Highways is authorized to adopt regulations necessary to the administration of this authority."

This section of the KRS was amended by the 1964 Act by rewriting the section as has been quoted. Prior to the passage of the 1964 Act and up to November 1966, Department engineers made a thorough study, county by county and district by district, of all roads in the Commonwealth. Using
traffic counts, school bus routes, mail routes and other information, a road system was planned that would place a State-maintained road within two miles of every resident in the State.

In order to follow the direction of the Legislature the following regulation was filed with Legislative Research:

"Section 1. As authorized by KRS 177.020 the following classification of roads is established as the State Primary Road System:

A. Classified System

(1) Interstate Highways
(2) Parkways (toll roads)
(3) State Primary
(4) State Secondary
(5) Rural Secondary (2¢ gas roads)

B. Unclassified System

Section 2. All roads or city streets or segments thereof adopted as a part of the State Primary Road System and all eliminations of such roads or city streets from said system shall be indicated by an Official Order which shall, upon being signed by the Commissioner of Highways or his designated representative, be kept on file in the Department of Highways, Frankfort, Kentucky."

Based on KRS and filed regulations, the Department has developed certain policies and procedures to properly administer the establishment, modification and maintenance of the State Highway System. I will touch lightly on some of the policies and procedures in the hope that some interesting points will be brought out.

1. Acceptance into, reclassification or elimination from the State Highway System shall be by an official order approved by the Commissioner of Highways.

2. The official order accepting a public road into the Highway System transfers the public responsibility therefor to the Department of Highways. No action need be taken to transfer title to the public road since it is already vested in the public.

3. The official order eliminating a public road from the State Highway System relieves the Department of Highways from the date of the order from any further responsibility for the road, including maintenance. No action need be taken concerning the transfer of title. If a controversy arises as to whether a particular public road is a part of the State Highway System, the record of the official orders of the Department will prevail.
4. The Official Order of Acceptance, when approved, transfers all public responsibility to the Department of Highways and places the public road within the State Highway System.

5. The Official Order of Elimination, when approved, shall serve as a document to eliminate the Department's responsibility for the public road, remove it from the System, and immediately stop all State maintenance.

6. In cases of acceptance or elimination of city streets, Maintenance and Traffic Agreements shall be negotiated or revised, approved by the city, and held by the Operations Management Engineer prior to approval of the official order. After approval of the official order, the Operations Management Engineering shall sign the Maintenance and Traffic Agreements for the Department.

7. The Official Order of Reclassification, when approved, shall be the document reclassifying a facility within the State Highway System.

8. The Division of Planning will maintain the State Highway System records consisting of the official order, maps and other related back-up material.

Maintenance Responsibilities

Item 6 above requires that a Maintenance and Traffic Agreement shall be negotiated between the Department and a city when a city street is accepted into or eliminated from the State System. Certain portions of this agreement, in regard to traffic controls, will be discussed later by Mr. Ethington; however, there are some points of this agreement pertaining to maintenance responsibilities that should be stressed at this time.

1. WHEREAS, the Department of Highways has designated certain streets, viaducts, and bridges or portions thereof, and which are enumerated in paragraph eight of this contract, as connecting links to roads on the State Primary Road System or as necessary feeder streets thereto and which the Department therefore will assume the maintenance of the vehicular travelled portion of such roads, streets, bridges and viaducts and the storm sewers and appurtenances constructed by it, except as provided in this contract. Vehicular travelled portion of roads and streets is defined as follows: Where curbs exist, the travelled portion will extend from back of curb to back of curb; where no curbs exist, the travelled portion will include the street surface plus the normal shoulders.

1See paper by Mr. G. C. Ethington, Jr. entitled "Manual of Uniform Traffic Control Devices and Problems in Traffic Control Agreements."
2. Except as otherwise provided in this contract, the Department shall assume the maintenance of the vehicular travelled portion of such roads, streets, viaducts, and bridges to which this contract applies and which are enumerated in paragraph eight of this contract, and those storm sewers and appurtenances constructed by it. The City shall maintain the sidewalks, sanitary sewers and appurtenances, and those storm sewers and appurtenances not constructed by the Department.

3. The City will not pass any ordinance or resolution concerning those roads, streets, viaducts, and bridges, to which this contract applies, without first having submitted to the Department a copy of such ordinance or resolution at least five days prior to the time such ordinance is to be voted on and this shall include ordinances and resolutions relating to changes in the city limits.

4. If the City is unable to perform the maintenance required of it by this contract, the necessary maintenance shall be performed by the Department and the City will reimburse the Department for the expenses incurred by the Department in performing such maintenance.

The Department has numerous maintenance policies that affect cities and counties. Time will not allow me to mention but just a few that should be of interest.

Fairs, Parades, Festivals and Banners

District engineers may verbally authorize the temporary closing of streets on the State Highway System for fairs, festivals, parades, etc., provided that all of the following conditions are met:

1. Sponsors must provide, to the satisfaction of the district engineer, that local governing bodies and enforcement agencies have given their approval.

2. Through a cooperative evaluation by traffic engineers and police and fire officials, the district engineer must satisfy himself that adequate, safe, and well marked or directed detours are continuously available for through traffic, fire apparatus, ambulances, funerals, and other necessary movements.

3. Sufficient uniformed enforcement officers must be assured to provide for public safety.
Overhead Advertising

Overhead advertising across streets on the State Highway System will be allowed only if public or charity events and if traffic signs and signals are not obstructed thereby. Each installation shall be inspected and approved by the district engineer or his designated representative. Political campaign and private advertising shall not be permitted.

No banners will be erected for more than ten days prior to the event, and they must be removed within 24 hours after, Sundays excluded. Failure to comply with the regulations will be reason for denial of future requests.

Access Roads to Dump Sites

If a city or county in seeking to establish a dump site to adequately serve the community, has exhausted all possible sources of funds and the project is in the best interest of the Department, consideration will be given, on a project by project basis, for authorizing funds to participate in the development of the access road to the proposed site. However, responsibility for maintaining such access roads shall not be assumed by the Department unless the road also fits into a logical network of State responsibility. Dump site access roads which are also county roads should be given serious consideration for inclusion in the annual County Road Aid Programs for maintenance.

We realize that there are numerous maintenance policies of the Department that have not been mentioned but my allotted time has passed. We hope that if you have any questions that you will ask them in the discussions that will follow.