

HOUSE BILL No. 1243

DIGEST OF INTRODUCED BILL

Citations Affected: IC 8-14-2-9; IC 8-23-23-5.

Synopsis: Lane elimination or reduction and road funding. Provides that a county, city, or town that either eliminates or reduces the width of a lane of road or street will have a percentage of the money distributed from the local road and street account reduced for the following year. Specifies that the percentage of distribution reduced is based upon the years of use of the lane and the length of the elimination or width reduction of the lane. Provides for a maximum percentage of distribution reduction. Provides that the section does not apply to temporary lane closures and width reductions. Provides that the Indiana department of transportation (department) when notified in writing shall inspect the lane for elimination or width reduction. Provides that the department will notify the auditor of the state of the percentage of distribution to be withheld. Provides that the department may adopt rules. Provides that a county, city, or town with a road or street construction project that eliminates or reduces a lane is ineligible for state and federal funding and grants for the project.

Effective: July 1, 2021.

Ellington

January 14, 2021, read first time and referred to Committee on Roads and Transportation.



First Regular Session of the 122nd General Assembly (2021)

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 *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2020 Regular Session of the General Assembly.

HOUSE BILL No. 1243



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

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

1 SECTION 1. IC 8-14-2-9 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2021]: **Sec. 9. (a) If after June 30, 2021, a county, city, or town:**
4 **(1) eliminates a lane of road or street; or**
5 **(2) reduces the width of a lane of road or street by more than**
6 **three (3) feet;**
7 **then a percentage of the distribution from the local road and street**
8 **account for the county, city, or town is reduced for the following**
9 **year.**
10 **(b) Subject to the limitations in subsections (c) and (d), a**
11 **percentage of the distribution from the local road and street**
12 **account is reduced for the following year if the county, city, or**
13 **town does any of the following:**
14 **(1) Eliminates a lane of road or street that has been in use for**
15 **twenty (20) years or more. The distribution is reduced by five**
16 **percent (5%) for each twenty-five hundredths (0.25) of mile**
17 **lane eliminated.**



- 1 **(2) Eliminates a lane of road or street that has been in use for**
 2 **less than twenty (20) years. The distribution is reduced by two**
 3 **percent (2%) for each twenty-five hundredths (0.25) of mile**
 4 **lane eliminated.**
- 5 **(3) Eliminates a lane of road or street, regardless of the years**
 6 **of use, by twenty-five hundredths (0.25) of a mile or less. The**
 7 **distribution is reduced by one percent (1%).**
- 8 **(4) Reduces the width of a lane of road or street that has been**
 9 **in use for twenty (20) years or more. The distribution is**
 10 **reduced by one percent (1%) for each twenty-five hundredths**
 11 **(0.25) of mile lane narrowed.**
- 12 **(5) Reduces the width of a lane of road or street that has been**
 13 **in use for less than twenty (20) years. The distribution is**
 14 **reduced by one-half of one percent (0.5%) for each**
 15 **twenty-five hundredths (0.25) of mile lane narrowed.**
- 16 **(6) Reduces the width of a lane of road or street, regardless of**
 17 **the years of use, for less than twenty-five hundredths (0.25) of**
 18 **a mile. The distribution is reduced by one-quarter of one**
 19 **percent (0.25%).**
- 20 **(c) The maximum percentage reduction of the local road and**
 21 **street account for a county, city, or town under this section is**
 22 **twenty percent (20%).**
- 23 **(d) This section does not apply to lane closures and lane width**
 24 **reductions that are temporary in nature, including temporary lane**
 25 **closures and lane width reductions for road and street**
 26 **construction, repair, resurfacing, restoration, and rehabilitation.**
- 27 **(e) The department shall prescribe forms for the**
 28 **implementation of this section.**
- 29 **(f) If notified in writing, the department shall inspect the lane of**
 30 **road or street. If the department determines that an elimination of**
 31 **a lane or a reduction of lane width has occurred under this section,**
 32 **the department shall notify the auditor of the state of the**
 33 **percentage of distribution from the local road and street account**
 34 **for the county, city, or town to be reduced.**
- 35 **(g) The department may adopt rules under IC 4-22-2, including**
 36 **emergency rules under IC 4-22-2-37.1, as necessary to implement**
 37 **this section.**
- 38 **SECTION 2. IC 8-23-23-5 IS ADDED TO THE INDIANA CODE**
 39 **AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY**
 40 **1, 2021]: Sec. 5. (a) This section does not apply to lane closures and**
 41 **lane width reductions that are temporary in nature, including**
 42 **temporary lane closures and lane width reductions for road and**



1 street construction, repair, resurfacing, restoration, and
2 rehabilitation.
3 (b) Subject to the limitations in subsection (a), any road or street
4 construction project after June 30, 2021, for a county, city, or town
5 that:
6 (1) eliminates a lane of road or street; or
7 (2) reduces the width of a lane of road or street by more than
8 three (3) feet;
9 is ineligible for state or federal funding, including state or federal
10 grants and matching grants, for the road or street construction
11 project.

