~~Indicates Matter Stricken~~

Indicates New Matter

AMENDED

February 25, 2009

**S. 103**

Introduced by Senators Grooms, Campsen and Campbell

S. Printed 2/25/09--S. [SEC 2/26/09 2:56 PM]

Read the first time January 13, 2009.

**A** **BILL**

TO AMEND SECTION 57‑5‑10 OF THE 1976 CODE, RELATING TO THE GENERAL COMPOSITION OF THE STATE HIGHWAY SYSTEM, TO PROVIDE THAT ALL HIGHWAYS IN THE STATE HIGHWAY SYSTEM MUST BE BUILT ACCORDING TO STATE STANDARDS; TO AMEND SECTION 57‑5‑70, RELATING TO ADDITIONS TO THE STATE HIGHWAY SECONDARY SYSTEM, TO ALLOW THE DEPARTMENT OF TRANSPORTATION TO ADD COUNTY AND MUNICIPAL ROADS TO THE STATE HIGHWAY SYSTEM WHEN NECESSARY FOR THE INTERCONNECTIVITY OF THE STATE HIGHWAY SYSTEM; TO AMEND SECTION 57‑5‑80, RELATING TO THE DELETION AND REMOVAL OF ROADS FROM THE STATE HIGHWAY SECONDARY SYSTEM, TO PROVIDE FOR THE REMOVAL OF ROADS FROM THE STATE HIGHWAY SYSTEM WHEN A COUNTY, MUNICIPALITY, SCHOOL, OR OTHER GOVERNMENTAL AGENCY AGREES TO ACCEPT THE ROAD INTO ITS OWN HIGHWAY SYSTEM; AND TO REPEAL SECTION 57‑5‑90, RELATING TO BELT LINES AND SPURS.

Amend Title To Conform

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 57‑5‑10 of the 1976 Code is amended to read:

“Section 57‑5‑10. The state highway system shall consist of a statewide system of connecting highways ~~which~~ that shall be constructed ~~by~~ to the Department of ~~Transportation~~ Transportation’s standards and ~~which~~ that shall be maintained by the department in a safe and serviceable condition as state highways. The Department of Transportation may utilize funding sources including, but not limited to, the State Nonfederal Aid Highway Fund and the State Highway Fund as established by Section 57‑11‑20 in carrying out the provisions of this section. The complete state highway system shall mean the system of state highways as now constituted, consisting of the roads, streets, and highways ~~heretofore~~ designated as state highways or designated for construction or maintenance by the department pursuant to law, together with the roads, streets, and highways ~~heretofore~~ added to the state highway system by the Commission of the Department of Transportation, and ~~such~~ the roads, streets, and highways ~~as may hereafter~~ that may be added to the system pursuant to law. Roads and highways in the state highway system are classified into three classifications:

(1) interstate system of highways;

(2) state highway primary system; and

(3) state highway secondary system.”

SECTION 2. A. Section 57‑5‑70 of the 1976 Code is amended to read:

“Section 57-5-70. The department ~~shall~~ may take over and accept as a part of the state highway secondary system ~~the~~ roads ~~remaining~~ in ~~the various~~ county or municipal road systems ~~which have been maintained by the respective counties, or so much mileage thereof as the availability of funds for construction of secondary state highways in a county may justify; provided, that municipal streets which are extensions of state highways may be added to the state highway secondary system in lieu of an equal mileage of county roads.~~ that the department determines are necessary for the interconnectivity of the state highway system. The roads ~~to be~~ placed in the state highway system ~~hereunder~~ pursuant to this section shall be selected by the department with the consent of the county or municipality and a majority of the county’s legislative delegation. Maintenance jurisdiction by the department of roads added to the state highway secondary system pursuant to the provisions of this section shall not commence until construction to state highway standards ~~shall have started~~ has been completed.”

B. If any part of Section 57-5-70 is held invalid, unenforceable, or unconstitutional, then the entire section will be invalid.

SECTION 3. Section 57‑5‑80 of the 1976 Code is amended to read:

“Section 57‑5‑80. (A) The department may delete and remove the following roads from the state highway secondary system: ~~of roads in any county any roads which are of low traffic importance and substitute therefor an equal, or less, mileage of other roads of higher traffic importance as determined by traffic surveys and estimates. Maintenance responsibility for roads deleted and removed from the state highway secondary system pursuant to the provisions of this section shall transfer from the jurisdiction of the department to the jurisdiction of the county or municipality in which such roads are situated, effective upon notice from the department of official action deleting and removing the roads from the state highway system.~~

(1) roads that are of low traffic importance; or

(2) roads that a county, municipality, school, or other governmental agency agrees to accept into its own system.

(B) In order for the department to delete and remove a road of low traffic importance from the state highway secondary system, the department and the affected county or municipality must first agree upon which roads will be removed and deleted from the state highway secondary system and the location and amount of road mileage of higher traffic importance currently under the jurisdiction of the affected county or municipality that the department will add to the state secondary highway system. The mileage added to the state highway secondary system pursuant to this section must be equal to, or less than, the mileage of the road deleted and removed from the system.

(C) Maintenance responsibility for roads deleted and removed from the state highway secondary system pursuant to this section shall transfer from the jurisdiction of the department to the jurisdiction of the county, municipality, school, or governmental agency in which the roads are situated, effective upon notice from the department of official action deleting and removing the roads from the state highway system.

(D) For the purposes of this section, traffic importance must be determined by traffic surveys and estimates.”

SECTION 4. Section 57‑5‑90 of the 1976 Code is repealed.

SECTION 5. This act takes effect upon approval by the Governor.

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