

TITLE 31  
HIGHWAYS, ROADS, BRIDGES AND FERRIES

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Chapter 366 — State Highways and State Highway Fund

2007 EDITION

STATE HIGHWAYS AND STATE HIGHWAY FUND

HIGHWAYS, ROADS, BRIDGES AND FERRIES

GENERAL PROVISIONS

- 366.005 Definitions
- 366.010 “County court” and “road” or “highway” defined
- 366.015 “Hard surfaced highways” defined
- 366.112 Bicycle lane and path advisory committee; members, terms, duties and powers; meetings
- 366.150 Bond of director
- 366.155 Duties and powers of department regarding highways; assistance to counties and State Parks and Recreation Department
- 366.157 Program for prevention and cleanup of litter and vandalism
- 366.158 Adopt-a-Highway Program; rules

**366.514 Use of highway fund for footpaths and bicycle trails.** (1) Out of the funds received by the Department of Transportation or by any county or city from the State Highway Fund reasonable amounts shall be expended as necessary to provide footpaths and bicycle trails, including curb cuts or ramps as part of the project. Footpaths and bicycle trails, including curb cuts or ramps as part of the project, shall be provided wherever a highway, road or street is being constructed, reconstructed or relocated. Funds received from the State Highway Fund may also be expended to maintain footpaths and trails and to provide footpaths and trails along other highways, roads and streets.

(2) Footpaths and trails are not required to be established under subsection (1) of this section:

(a) Where the establishment of such paths and trails would be contrary to public safety;

(b) If the cost of establishing such paths and trails would be excessively disproportionate to the need or probable use; or

(c) Where sparsity of population, other available ways or other factors indicate an absence of any need for such paths and trails.

(3) The amount expended by the department or by a city or county as required or permitted by this section shall never in any one fiscal year be less than one percent of the total amount of the funds received from the highway fund. However:

(a) This subsection does not apply to a city in any year in which the one percent equals \$250 or less, or to a county in any year in which the one percent equals \$1,500 or less.

(b) A city or county in lieu of expending the funds each year may credit the funds to a financial reserve fund in accordance with ORS 294.525, to be held for not more than 10 years, and to be expended for the purposes required or permitted by this section.

(c) For purposes of computing amounts expended during a fiscal year under this subsection, the department, a city or county may record the money as expended:

(A) On the date actual construction of the facility is commenced if the facility is constructed by the city, county or department itself; or

(B) On the date a contract for the construction of the facilities is entered with a private contractor or with any other governmental body.

(4) For the purposes of this chapter, the establishment of paths, trails and curb cuts or ramps and the expenditure of funds as authorized by this section are for highway, road and street purposes. The department shall, when requested, provide technical assistance and advice to cities and counties in carrying out the purpose of this section. The department shall recommend construction standards for footpaths and bicycle trails. Curb" ewu"qt"tco r u'uj cm'eqo r n' 'y kj 'vj g'tgs wktgo gpw'qh'QTU'669032"cpf 'twgu'cf qr vgf 'w'pf gt'QTU'66904530Vj g f gr ctvo gpv'uj cm'lp'vj g'o c'ppgt'r t'guetkldgf 'hqt'o ctnkpi 'j ki j y c{ u'w'pf gt'QTU': 320422.'r tqxkf g'c'w'pkhqt u{ u'go "qh'uki p'kpi 'h'qqr cvj u'cpf 'd'le{ eng'tcknu'y j lej 'uj cm'cr r n' 'q' r cvj u'cpf 'tcknu'w'pf gt'vj g'lwtkuf le'v'qp'qh'vj g f gr ctvo gpv'cpf 'ek'kgu'cpf 'eqw'p'v'gu'0Vj g'f gr ctvo gpv'cpf 'ek'kgu'cpf 'eqw'p'v'gu'o c{ 't'gut'lev'vj g'wug'qh'h'qqr cvj u'cpf d'le{ eng'tcknu'w'pf gt'vj g'kt 't'gur ge'v'xg'lwtkuf le'v'qp'u'q' r gf gut'k'cpu'cpf 'p'qpo qv'qt'k' gf 'x'gj k'ergu."gzegr v'vj cv o qv'qt'k' gf 'y j g'gr'ej ckt u'uj cm'idg'cmjy gf 'q'wug'h'qqr cvj u'cpf 'd'le{ eng'tcknu'0 """"""\*7+'Cu'wugf 'lp'vj ku'uge'v'qp.'od'le{ eng'tcknu'o g'cpu'c'r w'd'rien{ "qy pgf 'cpf 'o c'k'p'v'k'p'gf 'r'p'g'qt'y c{ 'f'g'uki p'cv'gf cpf 'uki pgf 'hqt'wug'cu'c'd'le{ eng't'q'w'g'0]3; 93"e0598'E4=3; 9; "e0 47'E3=3; ; 5"e08; 'E3=3; ; 5"e05: 'E; 3; =3; ; 3 e0639'E9=3; ; 5"e0725'E34=3; ; 9"e052: 'E58=4223"e05: ; 'E3\_"