

HOUSE BILL NO. HB0078

County road fund.

Sponsored by: Representative(s) Semlek, Davison and Martin
and Senator(s) Cooper and Perkins

A BILL

for

1 AN ACT relating to highways; providing for maintenance of
2 county roads; and providing for an effective date.

3

4 *Be It Enacted by the Legislature of the State of Wyoming:*

5

6 **Section 1.** W.S. 24-2-110(a), (c)(intro), (g) and (h)
7 and 39-14-801(e)(vii)(intro) are amended to read:

8

9 **24-2-110. Cooperation with counties in construction**
10 **and maintenance of county roads; allocation of costs;**
11 **state-county road construction account established.**

12

13 (a) The board of county commissioners of each county
14 shall establish a separate road construction and
15 maintenance fund solely for the construction and
16 maintenance of county roads, bridges and culverts. Work

1 using funds from the road construction and maintenance fund
2 of a county shall be performed under contract awarded after
3 competitive bidding if the estimated cost of the work
4 exceeds fifty thousand dollars (\$50,000.00). All work shall
5 be performed under the immediate control and supervision of
6 the board of county commissioners or its authorized
7 representative and in accordance with county road standards
8 as established by the Wyoming county road standards
9 committee. The road construction and maintenance fund
10 program is a supplement to federal aid, primary and
11 secondary road programs in each county. The term
12 "construction and maintenance" as used in this section
13 means construction, reconstruction, surveys, mapping,
14 right-of-way costs, bridges, culverts, general road
15 maintenance and fencing. The county shall use existing
16 grades, bridges and other physical items or facilities in
17 order to minimize or avoid more costly relocation.

18

19 (c) The gasoline license tax revenues distributed by
20 the state treasurer under W.S. 39-17-111(d)(ii) shall be
21 sent to the county treasurers of the various counties and
22 placed in a separate fund in each county earning its own
23 interest and be expended by the board of county
24 commissioners solely for the road construction and

1 maintenance fund program and as otherwise provided in this
2 subsection. This money shall be allocated as follows:

3
4 (g) It shall be the responsibility of the Wyoming
5 county roads standards committee to furnish standards for
6 the construction and maintenance of county roads to any
7 board of county commissioners upon request, and to advise
8 boards of county commissioners with respect to highway
9 construction, maintenance and improvements. The committee
10 shall meet as necessary, but at least annually.

11
12 (h) Whenever an emergency arises requiring
13 construction or maintenance work using funds from the road
14 construction and maintenance fund of a county, the board of
15 county commissioners may enter into contract for the work
16 without advertising for the letting of the contract. An
17 emergency is an occasion requiring construction or
18 maintenance work, on short notice, because the road has
19 become unsafe or impassable due to events which are beyond
20 the control of the county.

21
22 **39-14-801. Severance tax distributions; distribution**
23 **account created; formula.**

1 (e) Deposits into the account created by subsection
2 (a) of this section shall be distributed as follows,
3 subject to subsections (b) through (d) of this section:

(vii) To the road construction and maintenance
funds of the various counties as provided by W.S. 24-2-110,
two and nine-tenths percent (2.9%), except that each
county's share of funds under this subsection shall be
computed as follows:

10

11 **Section 2.** W.S. 24-2-110(d) is repealed.

12

13 **Section 3.** This act is effective July 1, 2008.

14

15 (END)