

## LEGISLATIVE BILL 579

Approved by the Governor May 26, 2021

Introduced by Moser, 22; Kolterman, 24.

A BILL FOR AN ACT relating to highways and roads; to amend sections 39-1365.01 and 39-1365.02, Revised Statutes Cumulative Supplement, 2020; to provide requirements for a report and a presentation by the Department of Transportation; and to repeal the original sections.  
Be it enacted by the people of the State of Nebraska,

Section 1. Section 39-1365.01, Revised Statutes Cumulative Supplement, 2020, is amended to read:

39-1365.01 The department shall be responsible for developing a specific and long-range state highway system plan. The department shall annually formulate plans to meet the state highway system needs of all facets of the state and shall assign priorities for such needs. The department shall, on or before December 1 of each year, present such plans and the report required in section 39-1365.02 to the Legislature. The plans shall be referred to the appropriate standing committees of the Legislature for review. The department shall consider the preservation of the existing state highway system asset as its primary priority except as may otherwise be provided in state or federal law. In establishing secondary priorities, the department shall consider a variety of factors, including, but not limited to, current and projected traffic volume, safety requirements, economic development needs, current and projected demographic trends, and enhancement of the quality of life for all Nebraska citizens. The state highway system plan shall include the designation of those portions of the state highway system which shall be expressways.

Sec. 2. Section 39-1365.02, Revised Statutes Cumulative Supplement, 2020, is amended to read:

39-1365.02 (1) The department shall apply for and make maximum use of available federal funding, including discretionary funding, on all highway construction projects which are eligible for such assistance.

(2) The department shall transmit electronically to the Legislature, by December 1 of each year, a report on the needs of the state highway system, the department's planning procedures, and the progress being made on the expressway system. Such report shall include:

(a) The criteria by which highway needs are determined;

(b) The standards established for each classification of highways;

(c) An assessment of current and projected needs of the state highway system, such needs to be defined by category of improvement required to bring each segment up to standards. Projected fund availability shall not be a consideration by which needs are determined;

(d) Criteria and data, including factors enumerated in section 39-1365.01, upon which decisions may be made on possible special priority highways for commercial growth;

(e) A review of the department's procedure for selection of projects for the annual construction program, the five-year planning program, and extended planning programs. The review shall include a statement of all state highway projects under construction, other than any part of the expressway system, and the estimated cost of each project;

(f) A review of the progress being made toward completion of the expressway system, as such system was designated on January 1, 2016, and whether such work is on pace for completion prior to June 30, 2033. The review shall include a statement of the amount of money spent on the expressway system, as of the date of the report, and the number of miles of the expressway system yet to be completed and expected milestone dates for other expressway projects, including planning, permitting, designing, bid letting, and required funding for project completion;

(g) A review of the Transportation Infrastructure Bank Fund and the fund's component programs under sections 39-2803 to 39-2807. This review shall include a listing of projects funded and planned to be funded under each of the three component programs; and

(h) A review of the outcomes of the Economic Opportunity Program, including the growth in permanent jobs and related income and the net increase in overall business activity.

Sec. 3. Original sections 39-1365.01 and 39-1365.02, Revised Statutes Cumulative Supplement, 2020, are repealed.