



**Your Safety • Your Mobility
Your Economic Opportunity**

IDAHO TRANSPORTATION DEPARTMENT
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ADMINISTRATIVE POLICY 5546

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SPECIAL EVENTS ON STATE HIGHWAYS

Purpose

The purpose of this policy is to establish guidelines necessary to prepare and finalize Special Event Agreements between the Department and other entities for events on state highways.

Legal Authority

The Department shall be responsible for preparing and finalizing Special Event Agreements in accordance with:

- Idaho Code 40-310(9) - The Board shall designate and regulate state highways, or parts of them, as controlled-access facilities.
- Idaho Code 40-310(10) - The Board shall close or restrict the use of state highways whenever it is deemed necessary.
- Idaho Code 49-201(1) - The Board may enter into agreements with private companies or public entities as may be necessary to carry out certain provisions of Title 49. Idaho Code 40-505 - Subject to the Board's supervision, the Director shall have general supervision and control of all activities and functions of the Department.

Special Events Definition

A special event is an activity conducted on, or adjacent to, the State Highway System where:

- The participants intend to proceed or conduct themselves on the highway without complying with the direction of traffic control devices or the rules of the road, as set out in Idaho Code; or
- Special traffic control may be required, such as flaggers, escort vehicles, special signing, or peace officer supervision and control for the safe movement of highway traffic; or
- The closing of a portion of the travelway to the general public may be required; or
- The potential exists to interfere with the normal movement of traffic on the highway or create a hazard within the right of way to the participants, traveling public, or the public in general; or
- An activity occurs outside the travelway, but occurs within the highway right of way, and involves the use of highway facilities for non-transportation related purposes, and has the potential to slow, disrupt, or interfere with the normal flow of traffic on the highway.

Special Events Require Written Agreement

The use of the State Highway right of way for a special event may only be authorized by the Idaho Transportation Department through the execution of a Special Event Agreement between the

department and the event sponsor. Written approval of the Federal Highway Administration shall be required for all events proposed in areas where full control of access exists.

Prohibited or Restricted Events on the State Highway System

The following events are either prohibited or restricted by Idaho Code.

- Motor-powered racing.
- Snowmobile tours or races.
- Stopping, standing, parking.

The Director tasks the Division of Engineering Services – Design/Traffic Office to develop guidelines and procedures for processing special events agreement requests.

Special Events General Requirements

- Event Sponsors should hold events on low volume roads and off State highways whenever possible.
- Tour groups that inhibit traffic flow on narrow roadways and cause increased passing shall use wider routes when available.
- Slow-moving caravans shall have a slow moving vehicle emblem on the trailing vehicle and a sign to warn of other vehicles ahead. "Caravan Ahead" or some other legend shall be used.
- The trailing bike of a bike tour shall have an orange, pole mounted bike safety flag or a highly visible vest on the rider and the tour group shall not operate under conditions of poor visibility.

Application for Agreement

Any individual, group, organization, or governmental entity planning to hold an event within the right of way of the State Highway System must apply for, and obtain, an approved Special Event Agreement from the Idaho Transportation Department. No Special Event shall commence within the right of way of the State Highway System prior to all parties having signed and executed the Special Event Agreement.

Special Event Agreement Fees

Application fees are based on the department's cost to produce the agreement and administer the program. The intent is to recover actual department expenses. All cities, counties, school districts and other governmental agencies will be exempted from the Special Event Agreement fees.

Special Event fees that are assessed by the Idaho Transportation Department do not include fees that may be imposed by other agencies to supervise the safety and traffic control of the special event. The Sponsor shall be responsible for obtaining all approvals, applicable permits, or insurance as required.

Appeal Process

Any individual, group, organization, or governmental entity that has been denied a Special Event Agreement may, within thirty (30) days of denial, appeal the decision in writing. The letter of appeal should be submitted to the District at the following address:

District Engineer

Idaho Transportation Department

(See appropriate District office address.)

If the appeal is upheld at the District level, the applicant has the right to a final appeal to the Chief Operations Officer. The letter of appeal should be submitted to:

Chief Operations Officer

Idaho Transportation Department

PO Box 7129

Boise ID 83707-1129

Non-Agreement Events on Highways

An agreement is not required by the Idaho Transportation Department for funeral processions that may cause a traffic delay of 15 minutes or less. Flaggers, law enforcement officers, or escort officers shall be required to control all funeral processions that do not obey stop signs or traffic signals.

Events that are Parallel or Adjacent to the Highway

Events that are conducted on waters or lands adjacent to the highway cannot be staged from the highway right of way. Vendors at such events are not allowed to use widened areas such as turnouts, overlooks, rest areas, etc., unless an approved Special Event Agreement has been obtained from the department. Congestion and safety of the highway traffic and the parking of participants, vendors, and spectators must be adequately addressed prior to approval of the Special Event Agreement.



Brian W. Ness
Director

Date 2/22/2018