

**176.400 Covered wooden bridges -- Administrative control -- Title -- Maintenance.**

- (1) Administrative control of covered wooden bridges designated as state shrines shall be shared by the Transportation Cabinet, the Department of Parks, the Kentucky Heritage Council, and the authorities created under KRS 176.410.
- (2) The Transportation Cabinet shall maintain all covered wooden bridges in the Commonwealth which are on public roads and open to vehicular traffic. The cabinet shall maintain the bridges for safety and for historical and aesthetic beauty. The cabinet shall prepare estimates of the cost of maintaining covered wooden bridges which are on public roads and open to vehicular traffic and shall identify and include the total of these estimates in its biennial budget request.
- (3) The cabinet may delegate its responsibility for maintenance of covered bridges located on roads maintained by a county to the local government responsible for such roads. Delegation of responsibility for maintenance of covered bridges to a local government shall require periodic inspection by the cabinet.
- (4) Nothing in this section shall prevent an appropriate unit of government from closing a covered wooden bridge to vehicular traffic.
- (5) The Department of Parks shall be responsible for all covered wooden bridges located in the Commonwealth which are on public property and no longer open to vehicular traffic. The department shall maintain these bridges in sound structural condition and for historical and aesthetic beauty. The department shall prepare estimates of the cost of maintaining covered wooden bridges for which it has a responsibility and shall identify and include the total of these estimates in its biennial budget request.
- (6) When an appropriation is made to a covered wooden bridge authority created under the provisions of KRS 176.410, the Department of Parks shall transfer the obligation of maintenance for the bridges designated in the appropriation to that authority.
- (7) An authority may retransfer the right of possession or title and the obligation of maintenance of covered bridges under its jurisdiction to the Department of Parks.
- (8) The Heritage Division of the Kentucky Heritage Council may determine that an authority is inactive or unable to discharge its responsibilities and may transfer the right of title or possession to covered bridges under the jurisdiction of the authority to the Department of Parks. The division shall give notice of such an action to the authority and the Department of Parks.
- (9) (a) Prior to administering a project that involves the preservation, restoration, or maintenance of a covered wooden bridge, the administering entity shall:
  1. Consider all recommendations submitted pursuant to KRS 176.410 by a covered wooden bridge authority pertaining to any bridge involved in the project;
  2. Consult with the covered wooden bridge authority dedicated to the preservation, restoration, and maintenance of any bridge involved in the project, if such an authority exists; and

3. Hold at least one (1) public hearing within the county in which the bridge is located, with due notice given pursuant to KRS Chapter 424. The public hearing shall be held no later than sixty (60) days prior to the date the project is commenced or contracted, whichever is earlier.
- (b) The requirements of paragraph (a) of this subsection shall not apply to any emergency maintenance project that involves a covered wooden bridge if the project cost is less than fifty thousand dollars (\$50,000).
- (10) In addition to the requirements set forth in subsection (9) of this section, any project that involves the preservation, restoration, or maintenance of a covered wooden bridge shall require approval by the Kentucky Heritage Council prior to the date the project is commenced or contracted, whichever is earlier.

**Effective:** April 21, 2004

**History:** Amended 2004 Ky. Acts ch. 164, sec. 1, effective April 21, 2004. -- Amended 1982 Ky. Acts ch. 396, sec. 45, effective July 15, 1982. -- Created 1980 Ky. Acts ch. 323, sec. 1, effective July 15, 1980.