Attachment 1

67-6528. APPLICABILITY OF ORDINANCES. The state of Idaho, and all its agencies, boards, departments, institutions, and local special purpose districts, shall comply with all plans and ordinances adopted under this chapter unless otherwise provided by law. In adoption and implementation of plans and ordinances, the governing board or commission shall take into account the plans and needs of the state of Idaho and all agencies, boards, departments, institutions, and local special purpose districts. The provisions of plans and ordinances enacted pursuant to this chapter shall not apply to state and local transportation systems and essential facilities as may be determined by the Idaho transportation board or local highway jurisdiction board. Essential facilities shall only include those transportation systems and facilities on existing property owned and operated by the Idaho transportation department or a local highway jurisdiction that are essential and necessary to support the state and local transportation agencies responsibilities in complying with state and federal law. The Idaho transportation board and local highway jurisdiction shall consult and collaborate with the local agencies affected specifically on-site plans and design of transportation systems and essential facilities within local jurisdictions. If a public utility has been ordered or permitted by specific order, pursuant to title 61, Idaho Code, to do or refrain from doing an act by the public utilities commission, any action or order of a governmental agency pursuant to titles 31, 50 or 67, Idaho Code, in conflict with said public utilities commission order, shall be, insofar as it is in conflict, null and void if prior to entering said order, the public utilities commission has given the affected governmental agency an opportunity to appear before or consult with the public utilities commission with respect to such conflict.

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