



## **Local Access Roads:**

A local access road or LAR is a road that the public has right to use, but is not maintained by Deschutes County or any other government agency. Many roads within rural subdivisions in Deschutes County are LARs. Prior to the creation of land use laws in the 1970s, developers of land were free to build whatever type of road they wanted. In many cases, roads were roughed in with a bulldozer and minimally surfaced with a thin layer of cinders or gravel. These roads were dedicated for public use through subdivision platting, but since they were not built to County standards, they were not accepted by Deschutes County as county maintained facilities. The developers were aware of the fact that if their subdivision roads were not built to County standards, maintenance of these roads would be the responsibility of the land owners along the LARs.

In some cases developers went to the extra expense of building and paving the subdivision roads to County Road standards and, after inspection and approval by the County, the roads were designated as County maintained roads.

There are over 380 miles of LARs in Deschutes County (of which 120 miles are contained within 19 Special Road Districts); by contrast, the County maintains 900 miles of road of which 410 miles are classified as local roads.

Due to the fiscal burden that would be placed on county road departments to maintain significant mileage of sub-standard road construction, state law restricts the ability of counties to spend road funds (fuel tax and DMV fee revenue) on LARs. State law also restricts the ability of counties to spend property taxes on road maintenance; Deschutes County does not use property tax revenue to improve or maintain county roads.

## **How are Local Access Roads maintained?**

LARs are typically maintained by adjacent property owners and road users. This usually occurs in one of three ways:

1. Informally: In which neighbors work together to hire a contractor or self-perform maintenance and "pass-the-hat" to share in the cost.
2. Formally: Through home owners associations (HOAs) or other formal agreements to share in the cost of maintenance.
3. Special Road Districts: In which area residents vote to establish a district which levies a property tax to fund maintenance. Deschutes County has 19 Special Road Districts – which is the highest number of road districts within any county in the state.

By observation, all three methods work well in some areas and not very well in other areas depending upon a variety of factors.

## **Frequently Asked Questions and Explanations:**

1. I pay taxes and receive no service from Deschutes County.

Deschutes County does not utilize property tax to fund transportation maintenance improvements

as that practice is restricted by State law. Regarding gas tax, the State currently charges 38-cents per gallon (and various DMV fees) to fund the transportation system. The State distributes the gas tax revenue in a 50-30-20 proportion in which the State keeps 50% to fund the state system, the counties receive 30% to fund the county system, and cities receive 20% to fund the city systems.

When customers pay the gas tax, they don't individually fund the transportation jurisdiction in which they live, they fund the entire system of state highways, county roads and city streets. Everyone pays the same rate, whether or not they live in a city or the unincorporated areas. If you are paying a gas tax, chances are you are driving on the system that is being maintained with gas tax funds.

## 2. Why can't the County maintain my gravel road (LAR)?

Due to the fiscal burden that would be placed on county road departments to maintain significant mileage of sub-standard road construction, state law restricts the ability of counties to spend road funds (fuel tax and DMV fee revenue) on LARs. If we add gravel, grade, or plow one mile we would be obligated to provide that same service to all of the other LARs in the County.

## 3. How come the County maintains some gravel roads but not others?

The County has approximately 200 miles of gravel road that are established County roads and accepted for maintenance. Most of these miles were gravel when Deschutes County was established in 1916 and had previously been accepted for maintenance, with gravel surfacing, when Deschutes County was a part of Crook County. Current LARs have never been accepted by Deschutes County for maintenance.

## 4. Not everyone contributes to help maintain my Local Access Road.

This is the biggest downside of living on a LAR. Some neighbors have different opinions on levels of road maintenance and some choose not to pay for other reasons. This is where good neighborhood relations and communication pays dividends. There are many examples of where this is taking place in Deschutes County.

## 5. We have public traffic on our LAR that accesses public land.

Living next to public land has positive and negative impacts to quality of life. The attraction of the public to public land is one of the negative consequences. Use of public roads, like LARs, to access public land is a logical and predictable occurrence and therefore something that property owners should factor into their decision to purchase property when conducting due diligence. Similarly, road maintenance costs associated with unmaintained LARs should also factor into the decision to purchase property. Most LARs have been in existence for many decades as have the public lands they may serve.