



## Statutory Definition of Streets

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Dear Reader:

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We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with municipal government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other MTAS website material.

Sincerely,

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## Statutory Definition of Streets

**Reference Number:** MTAS-755

The words “streets,” “roads,” and “highways” are often used interchangeably in conversation, and even in some statutes and various legal treatises on streets. In addition, those individual terms may vary from statute to statute and overlap in some. Probably the most accurate description of the word “street” is found in T.C.A. § 54-4-201, which establishes the state street aid program:

(3) “street” includes streets, highways, avenues, boulevards, publicly owned rights-of-way, bridges, tunnels, public parking areas or other public ways dedicated to public use and maintained for general public travel lying within a municipality’s corporate boundaries...

For the purpose of municipal planning regulations under T.C.A. Title 13, Chapter 3, a “Street” or “streets” means and includes streets, avenues, boulevards, roads, lanes, alleys, and other ways. T.C.A. § 13-4-301(3).

T.C.A. § 55-8-101 contains the “Rules of the Road” for the operation of motor vehicles in Tennessee, and defines both “street” and “highway” as “the entire width between boundary lines of every way when any part thereof is open to the use of the public for purposes of vehicular traffic.” [subsections (66) and (2-42) respectively] In addition, it defines “sidewalk” as “that portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines, intended for use of pedestrians.” [subsection (58)]

The Tennessee Governmental Tort Liability Act, provides that

(a) Immunity from suit of a governmental entity is removed for any injury caused by a defective, unsafe, or dangerous condition of any street, alley, sidewalk or highway, owned and controlled by such governmental entity. “Street” or “highway” includes traffic control devices. (b) This section shall not apply unless constructive and/or actual notice to the governmental entity of such condition be alleged and proved in addition to the procedural notice required by § 29-20-302 [repealed]. T.C.A. § 29-20-203.

T.C.A. Title 1, Chapter 3, contains rules of statutory construction for words for the application of the Code. The word “street” is not defined therein, but T.C.A. §1-3-105, provides the following: “As used in this code, unless the context otherwise requires”

(12) “Highway” includes public bridges and may be held equivalent to the words “county way,” “county road” or “state road.”

(28) “Road” includes public bridges and may be held equivalent to the words “county way,” “county road” or “state road.”

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