

1 **PUBLIC HEARINGS ON TRANSPORTATION**
2 **PROJECTS**

3 2000 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: Chad E. Bennion**

6 AN ACT RELATING TO TRANSPORTATION; REQUIRING CERTAIN PUBLIC HEARINGS
7 PRIOR TO CONSTRUCTION ON CERTAIN TRANSPORTATION PROJECTS; AND
8 PROVIDING FOR PUBLIC NOTICE, INFORMATION, AND COMMENT.

9 This act affects sections of Utah Code Annotated 1953 as follows:

10 ENACTS:

11 **72-6-119**, Utah Code Annotated 1953

12 *Be it enacted by the Legislature of the state of Utah:*

13 Section 1. Section **72-6-119** is enacted to read:

14 **72-6-119. Preconstruction hearing required -- Contents -- Information -- Time and**
15 **place.**

16 (1) (a) A highway authority shall hold at least one public hearing in accordance with this
17 section for each construction or reconstruction project funded from the Statewide Transportation
18 Improvement Program.

19 (b) The provisions of Subsection (1)(a) do not apply to pavement preservation and spot
20 improvement projects.

21 (2) The hearing shall be held after:

22 (a) reasonable notice is given to the public, property owners, residents, and businesses
23 adjacent to or affected by the project; and

24 (b) the contractor, if any, is selected, but before any substantial ground breaking activity
25 on the project.

26 (3) The hearing shall:

27 (a) explain:

- 28 (i) project cost, scope, plans, and schedule; and
- 29 (ii) anticipated impacts on vehicle traffic, pedestrians, property owners, residents, and
- 30 businesses;
- 31 (b) provide an opportunity for the public to comment and ask questions;
- 32 (c) provide information on how to obtain additional or updated information, to offer
- 33 suggestions, and to express complaints;
- 34 (d) comply with Title 52, Chapter 4, Open and Public Meetings; and
- 35 (e) be held in a place and time that is reasonably convenient to the residents most affected
- 36 by the project.
- 37 (4) A highway authority may hold additional hearings at times and at places as needed to
- 38 accommodate other residents and businesses that are affected by the project.

Legislative Review Note
as of 1-17-00 9:56 AM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel