

**PUBLIC HEARINGS ON TRANSPORTATION
PROJECTS**

2000 GENERAL SESSION

STATE OF UTAH

Sponsor: Chad E. Bennion

AN ACT RELATING TO TRANSPORTATION; REQUIRING CERTAIN ~~h~~ **[PUBLIC HEARINGS] INFORMATIONAL MEETINGS** ~~h~~

PRIOR TO CONSTRUCTION ON CERTAIN TRANSPORTATION PROJECTS; AND PROVIDING FOR PUBLIC NOTICE, INFORMATION, AND COMMENT.

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

ENACTS:

72-6-119, Utah Code Annotated 1953

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

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

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

(1) (a) A highway authority shall hold at least one ~~h~~ **[public hearing] INFORMATIONAL MEETING** ~~h~~ in accordance with this

section for each construction or reconstruction project funded from the Statewide Transportation Improvement Program.

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

(2) The ~~h~~ **[hearing] INFORMATIONAL MEETING** ~~h~~ shall be held after:

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

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

(3) The ~~h~~ **[hearing] INFORMATIONAL MEETING** ~~h~~ shall:

(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 h [hearings] **INFORMATIONAL MEETINGS** h at
37a 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