

TEXAS TRANSPORTATION COMMISSION

VARIOUS County

MINUTE ORDER

Page 1 of 1

District VARIOUS

The Texas Transportation Commission (commission) finds it necessary to propose amendments to §15.54, to be codified under Title 43, Texas Administrative Code, Part I, relating to construction and federal, state, and local participation in highway improvement projects.

The proposed amendments and the preamble to the amendments, attached to this minute order as Exhibits A and B respectively, are incorporated by reference as though set forth at length verbatim in this minute order.

IT IS THEREFORE ORDERED by the commission that the amendments to §15.54 are proposed for adoption and are authorized for publication in the Texas Register for the purpose of receiving public comments.

The executive director is directed to take the necessary steps to implement the actions as ordered in this minute order, pursuant to the requirements of the Administrative Procedure Act, Government Code, Chapter 2001.

Submitted and reviewed by:

Recommended by:

Director, Design Division

Executive Director

<u>108731</u>	<u>DEC 13 01</u>
Minute	Date
Number	Passed

1 SUBCHAPTER E. FEDERAL, STATE, AND LOCAL PARTICIPATION

2 §15.54. Construction.

3 (a) Purpose. This section describes the conditions under
4 which state, federal and local financing of construction costs
5 are to be shared.

6 (b) Funding. Construction costs may be funded by the
7 commission at the entire expense of the department, with local
8 participation, and/or with federal participation, as described
9 in §15.55 of this title (relating to Construction Cost
10 Participation), and in accordance with criteria set forth by
11 federal and state law and regulations. The local government
12 shall also be responsible for the total cost of any work
13 included which is ineligible for federal or state participation
14 as specified in §15.52 of this title (relating to Agreements).

15 (c) Sidewalks. The department will also provide for
16 sidewalk construction, accomplished in accordance with the
17 requirements of the Americans with Disabilities Act and other
18 applicable state and federal laws, on designated state highway
19 system routes:

20 (1) when replacing an existing sidewalk;

21 (2) where highway construction severs an existing
22 sidewalk system (the state will make connections within highway
23 right of way to restore sidewalk system continuity); or

24 (3) where pedestrian traffic is causing or is expected to
25 cause a safety conflict.

1 (d) Control of Access [~~on Freeway Mainlanes~~].

2 (1) Designation. All facilities to be developed as
3 freeways or relief routes shall be designated by the commission
4 as controlled access highways pursuant to Transportation Code,
5 Chapter 203. The department may also designate discrete areas
6 of control of access on non-controlled access state highway
7 facilities as necessary to facilitate the flow of traffic and
8 promote the public safety and welfare.

9 (2) Access to controlled access highways.

10 (A) Existing access. It is the intent of the
11 department when developing expanded controlled access facilities
12 that if a property owner has access to the system prior to the
13 expansion, that property owner would have access to a frontage
14 road on the system after development. Exceptions under this
15 provision would be for unusual safety or circuitry situations.

16 (B) New access. Public or private access will not be
17 allowed to controlled access highways or frontage roads, except
18 where a frontage road is provided under paragraph (3)(A)(i)(III)
19 or (3)(B)(i)(III) of this subsection or the commission approves
20 a site specific exception.

21 (i) Request for exception. Approval for a site
22 specific exception to allow access rights to a facility must be
23 approved by the commission prior to accepting any funds or
24 consideration for engineering, development, or construction of
25 frontage roads for which there is an anticipation of allowing

1 access rights. Any cost of traffic studies of access appraisals
2 required under this section shall be at the sole expense and
3 risk of those making the request.

4 (ii) Approval. The commission may approve an
5 exception after considering:

6 (I) impacts on the safety and operation of the
7 state highway corridor as justified by an engineering study
8 approved by the department;

9 (II) significant prior commitments or development
10 work based on the previous frontage road policy; and

11 (III) whether access is judged to be in the best
12 interest of the state.

13 (C) Disposal of access rights. When the commission
14 approves a release of access control to property adjoining the
15 facility, the sale or disposal of access rights shall be
16 accomplished in accordance with §§21.101-21.104 of this title
17 (relating to Disposal of Real Estate Interests).

18 (3) Frontage road provision.

19 (A) New location freeways and relief routes. For new
20 location freeways and relief routes, it is the intent of the
21 department not to construct frontage roads.

22 (i) The department may approve frontage road
23 construction when the executive director or designee determines
24 that:

25 (I) short sections of frontage road are needed to

1 improve the safety and operations of the main travel lanes;

2 (II) the geometric design of an interchange
3 requires the provision of a short section of frontage road for
4 operational purposes;

5 (III) there is no other feasible means to resolve a
6 landlock condition on the remainder of a parcel of land that has
7 a value that exceeds the cost of the frontage road;

8 (IV) there is no other feasible means to restore
9 circulation of local traffic due to state or local roads or
10 streets being severed; or

11 (V) frontage roads would be beneficial to the
12 safety and operation of the state highway corridor or the local
13 road system as justified by an engineering study approved by the
14 department.

15 (ii) The commission may approve frontage road
16 construction when they determine that such construction is in
17 the best interest of the state.

18 (B) Existing facilities designated as controlled
19 access. For existing freeways and other facilities designated
20 as controlled access, it is the intent of the department not to
21 construct new or additional frontage roads.

22 (i) The department may approve frontage road
23 construction when the executive director or designee determines
24 that:

25 (I) short sections of frontage road are needed to

1 improve the safety and operations of the main travel lanes;

2 (II) the geometric design of an interchange
3 requires the provision of a short section of frontage road for
4 operational purposes;

5 (III) the anticipated cost to purchase the right of
6 access control would exceed the cost of the frontage road;

7 (IV) there is no other feasible means to restore
8 circulation of local traffic due to state or local roads or
9 streets being severed; or

10 (V) frontage roads would be beneficial to the
11 safety and operation of the state highway corridor or the local
12 road system as justified by an engineering study approved by the
13 department.

14 (ii) The commission may approve frontage road
15 construction when they determine that such construction is in
16 the best interest of the state.

17 (4) Backage roads.

18 (A) For purposes of this paragraph, "backage road"
19 means a local street or road that is generally parallel to an
20 arterial highway but that does not abut the highway right of
21 way. Direct access for businesses or properties located between
22 the highway and the backage road is provided to the backage road
23 rather than the highway. Backage roads also provide access to
24 properties located on the opposite side of the backage road from
25 the highway.

1 (B) In those instances where backage roads are
2 necessary to restore circulation or can be utilized as a means
3 to resolve a landlock condition on a remaining parcel of land,
4 backage roads may be included in the freeway construction
5 project on a standard participation basis as established in
6 Appendix A of §15.55(c) of this subchapter. Commission approval
7 shall be obtained prior to the department entering into any
8 agreements to provide backage roads in conjunction with a
9 department project. Backage roads will not be considered
10 service projects as defined in §15.56 of this subchapter.

11 ~~[(1) For facilities with full control of access, such as~~
12 ~~interstate highways or freeways developed by commission~~
13 ~~designation pursuant to Transportation Code, Chapter 203, access~~
14 ~~to the main travel lanes is fully controlled through~~
15 ~~designation, purchase of access rights, or provision of frontage~~
16 ~~roads.]~~

17 ~~[(2) The department will include frontage roads in the~~
18 ~~planning stage of highways with full access control when:]~~

19 ~~[(A) it is necessary to unlandlock the remainder of a~~
20 ~~parcel of land which has a value equal to or nearly equal to the~~
21 ~~cost of the frontage road:]~~

22 ~~[(B) the appraised damages, resulting from the absence~~
23 ~~of frontage roads at the time of planning, would exceed the cost~~
24 ~~of the frontage roads; or]~~

25 ~~[(C) it is necessary to restore circulation of local~~

1 ~~traffic due to local roads or streets being severed or seriously~~
2 ~~impaired by the construction of the controlled access highway,~~
3 ~~and an economic analysis shows the benefits derived more than~~
4 ~~offset the costs of constructing and maintaining the frontage~~
5 ~~roads.]~~

6 ~~[(3) In those instances where requests for additional~~
7 ~~frontage roads are received during or subsequent to the planning~~
8 ~~stage or after the freeway has been constructed, they may be~~
9 ~~considered and placed in order of the priority of highway~~
10 ~~needs.]~~

11 ~~[(A) When right of way and utility adjustment costs are~~
12 ~~shared with a local government on a standard participation basis~~
13 ~~applicable to the highway designation, the department may assume~~
14 ~~100% responsibility for additional frontage road construction as~~
15 ~~follows:]~~

16 ~~[(i) on relatively short sections of frontage roads~~
17 ~~where through lane traffic is experiencing high accident rates~~
18 ~~due to local access and where such construction can be expected~~
19 ~~to substantially improve safety; or]~~

20 ~~[(ii) in heavily traveled urban corridors where gaps~~
21 ~~occur in the existing frontage road systems, and closing these~~
22 ~~frontage road gaps will restore system continuity and provide a~~
23 ~~cost-effective method of enhancing traffic operations in the~~
24 ~~corridor.]~~

25 ~~[(B) The department may assist a requesting local~~

1 ~~government in the construction of additional frontage roads as~~
2 ~~follows:]~~

3 ~~[(i) where a usable section of frontage road that~~
4 ~~will be of benefit to the traveling public is to be developed~~
5 ~~(usable section being defined as an addition or extension from a~~
6 ~~cross road separation to cross road separation or connecting to~~
7 ~~a public roadway or major traffic generator);]~~

8 ~~[(ii) where such frontage road construction is judged~~
9 ~~to not adversely impact existing traffic operations or safety;]~~

10 ~~[(iii) where the department is responsible for design~~
11 ~~and construction of the added frontage roads; and]~~

12 ~~[(iv) except as provided in subparagraph (E) of this~~
13 ~~paragraph, and as adjusted under §15.55 of this title (relating~~
14 ~~to Construction Cost Participation), when the requesting local~~
15 ~~government furnishes 100% of needed right of way and utility~~
16 ~~adjustment costs and 50% of the cost of construction, including~~
17 ~~preliminary and construction engineering.]~~

18 ~~[(C) The department may approve additional frontage~~
19 ~~road construction, which is 100% funded by the requesting local~~
20 ~~government as follows:]~~

21 ~~[(i) if the frontage road construction primarily~~
22 ~~provides new or improved access to abutting property and does~~
23 ~~not necessarily provide a usable section as defined in~~
24 ~~subparagraph (B)(i) of this paragraph (a type of addition that~~
25 ~~would provide limited benefits to the general traveling public);]~~

1 and]

2 [~~(ii) except as provided in subparagraph (E) of this~~
3 ~~paragraph, where the department is responsible for designing and~~
4 ~~constructing the frontage road and the requesting local~~
5 ~~government is responsible for 100% of the construction, right of~~
6 ~~way, and utility adjustment costs including preliminary and~~
7 ~~construction engineering.]~~

8 [~~(D) Where right of way costs are 100% the~~
9 ~~responsibility of the requesting local government, relocation~~
10 ~~assistance benefits will also be 100% the responsibility of the~~
11 ~~local government and must be accomplished in compliance with~~
12 ~~department policies and procedures.]~~

13 [~~(E) The department may waive any one or more of the~~
14 ~~cost conditions stated in subparagraphs (B)(iv) and (C)(ii) of~~
15 ~~this paragraph, provided that the waiver is first approved by~~
16 ~~written order of the commission. In approving a waiver, the~~
17 ~~commission will base its decision on consideration of the~~
18 ~~population level, bonded indebtedness, tax base, and tax rate of~~
19 ~~the local government involved, or other conditions the~~
20 ~~commission deems pertinent.]~~

21 [~~(4) For additional frontage roads requested subsequent~~
22 ~~to the planning stage or after the freeway has been constructed,~~
23 ~~control of access as originally conceived for the facility may~~
24 ~~be modified to allow access to the proposed frontage road only~~
25 ~~to the extent as may be permitted by safety considerations and~~

1 ~~in keeping with department policies and procedures. The sale or~~
2 ~~disposal of access rights shall be accomplished in accordance~~
3 ~~with §§21.101-21.104 of this title (relating to Disposal of Real~~
4 ~~Estate Interests).]~~

5 ~~[(5) Access driveway facilities shall be for securing~~
6 ~~access to abutting property. Costs and provision thereof shall~~
7 ~~be in accordance with the criteria and responsibilities~~
8 ~~established in §§11.50-11.53 of this title (relating to Access~~
9 ~~Driveways to State Highways).]~~

10 (e) Drainage Construction Costs.

11 (1) In general, it shall be the duty and responsibility
12 of the department to construct, at its expense, a drainage
13 system within state highway right of way, including outfalls, to
14 accommodate the storm water which originates within and reaches
15 state highway right of way from naturally contributing drainage
16 areas.

17 (2) Where a drainage channel, man-made, natural, or a
18 combination of both, is in existence prior to the acquisition of
19 highway right of way, including right of way for widening the
20 highway, it shall be the duty and responsibility of the state to
21 provide for the construction of the necessary structures and/or
22 channels to adjust or relocate the existing drainage channel in
23 such a manner that the operation of the drainage channel will
24 not be injured. The construction expense required shall be
25 considered a construction item. The acquisition of any land

1 required to accomplish this work shall be considered a right of
2 way item, with cost participation to be in accordance with
3 §15.55 of this title (relating to Construction Cost
4 Participation).

5 (3) Where an existing highway crosses an existing
6 drainage channel, and a political unit or subdivision with
7 statutory responsibility for drainage develops a drainage
8 channel to improve its operation, both upstream and downstream
9 from the highway, and after the state establishes that the
10 drainage plan is logical and beneficial to the state highway
11 system, and there is no storm water being diverted to the
12 highway location from an area which, prior to the drainage plan,
13 did not contribute to the channel upstream of the highway, and
14 after construction on the drainage channel has begun or there is
15 sufficient evidence to insure that the drainage plan will be
16 implemented, the department, at its expense, shall adjust the
17 structure and/or channels within the existing highway right of
18 way as necessary to accommodate the approved drainage plan.

19 (4) Where a state highway is in existence, and there is a
20 desire of others to cross the existing highway at a place where
21 there is not an existing crossing for drainage, then those
22 desiring to cross the highway must provide for the entire cost
23 of the construction and maintenance of the facility which will
24 serve their purpose while at the same time adequately serving
25 the highway traffic. The design, construction, operation, and

1 maintenance procedures for the facility within state highway
2 right of way must be acceptable to the department.

3 (5) In the event the local government involved expresses
4 a desire to join the department in the drainage system in order
5 to divert drainage into the system, the local government shall
6 pay for the entire cost of collecting and carrying the diverted
7 water to the state's system and shall contribute its
8 proportional share of the cost of the system and outfall based
9 on the cubic feet per second of additional water diverted to it
10 when compared to the total cubic feet per second of water to be
11 carried by the system. The local government requesting the
12 drainage diversion shall indemnify the state against or
13 otherwise acknowledge its responsibility for damages or claims
14 for damages resulting from such diversion.

15 (f) Highway adjustments for reservoir construction.

16 (1) Where existing highways and roads provide a
17 satisfactory traffic facility in the opinion of the department
18 and no immediate rehabilitation or reconstruction is
19 contemplated, it shall be the responsibility of the reservoir
20 agency, at its expense, to replace the existing road facility
21 disturbed by reservoir construction in accordance with the
22 current design standards of the department, based upon the road
23 classification and traffic needs.

24 (2) Where no highway or road facility is in existence but
25 where a route has been designated for construction across a

1 proposed reservoir area, the department will bear the cost of
2 constructing a satisfactory facility across the proposed
3 reservoir, on a line and grade for normal conditions of
4 topography and stream flow, and any additional expense as may be
5 necessary to construct the highway or road facility to line and
6 grade to comply with the requirements of the proposed reservoir
7 shall be borne by the reservoir agency.

8 (3) In soil conservation and flood control projects
9 involving the construction of flood retarding structures where a
10 highway or road operated by the department will be inundated at
11 less than calculated 50-year frequencies by the construction of
12 a floodwater retarding structure, it will be expected that the
13 soil conservation service or one of its cooperating agencies
14 will provide funds as necessary to raise or relocate the road
15 above the water surface elevation which might be expected at 50-
16 year intervals. In those cases where a highway or road operated
17 by the department will not be inundated by floods of less than
18 50-year calculated frequency, it will be the purpose of the
19 department to underwrite this hazard for the general welfare of
20 the state and continue to operate the road at its existing
21 elevation until such time as interruption and inconvenience to
22 highway travel may necessitate raising the grade.

23 (g) Irrigation crossings.

24 (1) Where an irrigation facility is in existence prior to
25 the acquisition of highway right of way, including right of way

1 for widening, and the highway project will interfere with such a
2 facility, the following provisions shall govern.

3 (A) If, at the place of interference, the irrigation
4 facility consists primarily of an irrigation canal which crosses
5 the entire width of the proposed right of way, this shall be
6 considered a crossing and it shall be the duty and
7 responsibility of the department to construct and maintain an
8 adequate structure and to make the necessary adjustments or
9 relocations of minor laterals and pumps, etc., associated with
10 the crossing, in such a manner that the operation of the
11 irrigation facility will not be injured. The construction work
12 at a crossing will be considered a construction item with the
13 expense to be borne by the department. The acquisition of any
14 land required to accomplish the adjustments and/or relocation
15 shall be a right of way consideration.

16 (B) Any irrigation facility encountered which does not
17 cross the right of way and consists primarily of a longitudinal
18 canal and/or associated irrigation appurtenances such as pumps,
19 gates, etc., which must be removed and relocated shall be
20 considered a right of way item.

21 (C) In those cases where both crossing and longitudinal
22 adjustments or relocation of irrigation facilities are
23 encountered, each segment shall be classified in accordance with
24 subparagraph (A) and (B) of this paragraph.

25 (2) Where a highway is in existence, and there is a

1 desire of others to cross the existing highway with an
2 irrigation facility at a highway point where there is not an
3 existing crossing facility, then those desiring to cross the
4 highway must provide for the entire cost of the construction and
5 maintenance of the irrigation facility which will serve their
6 purpose while at the same time adequately serve the highway
7 traffic. The design, construction, operation, and maintenance
8 procedures for the facility within highway right of way must be
9 acceptable to the department.

10 (h) Continuous and safety lighting systems and traffic
11 signals. For the installation, maintenance, and operation of
12 continuous and safety lighting systems and traffic signals, the
13 local government shall be responsible for providing matching
14 funds as shown in Appendix A of §15.55 of this title (relating
15 to Construction Cost Participation), except as adjusted under
16 that section. Such installation, maintenance, and operation
17 shall be accomplished in accordance with §25.5 of this title
18 (relating to Installation, Operation, and Maintenance of Traffic
19 Signals) and §25.11 of this title (relating to Continuous and
20 Safety Lighting Systems).

Proposed Preamble

The Texas Department of Transportation proposes amendments to §15.54, Construction, concerning federal, state, and local participation in highway improvement projects.

Transportation Code, Chapter 203, provides that the Texas Transportation Commission (commission) may layout, construct, maintain, and operate a modern state highway system, with emphasis on the construction of controlled access highways. To promote public safety, facilitate the movement of traffic, preserve the public's financial investment in highways, and promote national defense, the commission may convert where necessary an existing street, road, or highway into a controlled access highway in accordance with modern standards of speed and safety.

This chapter also authorizes the commission to designate a state highway as a controlled access highway, deny access to or from a controlled access highway, designate the location, type and extent of access to be permitted to a controlled access highway, and to close a public or private way at or near its intersection with a controlled access highway.

Due to the significant cost associated with the construction and maintenance of controlled access highways, it is imperative that they provide maximum traffic handling capacity for as long as

1 practical. Adjacent development and access points along
2 controlled access highways contribute to congestion and early
3 deterioration of the operation of the main travel lanes, thereby
4 reducing the ability of the state highway system to safely and
5 efficiently move higher volumes of traffic. By limiting
6 construction of new frontage roads, it is anticipated that the
7 capacity of the main travel lanes will be preserved by promoting
8 future development along parallel or perpendicular facilities.
9 In addition, limiting the construction of new frontage roads
10 will allow scarce state highway funding to be used to address
11 other needed highway improvement projects across the state.

12
13 The amendments remove the consideration of funding for a
14 frontage road in §15.54(d)(3) through (5) from the decision of
15 whether to build a frontage road. Elimination of these
16 paragraphs will ensure administrative authorization of all new
17 frontage road construction in the state and provide more concise
18 requirements for inclusion of frontage road construction and
19 provisions for added access to new and existing controlled
20 access facilities.

21
22 The amendments state that it is the intent of the department to
23 not construct frontage roads on new or existing controlled
24 access facilities unless approved by the executive director or
25 designee. Frontage road construction may be approved when
26 needed to improve the safety and efficient operations of the

1 state highway corridor, there is a need to resolve a landlock
2 condition on the remainder of a parcel of land that has a value
3 that exceeds the cost of the frontage road, or if the cost to
4 purchase the right of access control would exceed the cost of
5 the frontage road. Frontage roads may also be constructed when
6 needed to restore local circulation due to roads or streets
7 being severed. The commission may approve additional frontage
8 roads when construction is determined to be in the best interest
9 of the state.

10

11 Where the department owns the right of access control, public or
12 private access will not be allowed to controlled access
13 highways, including frontage roads, from abutting property
14 except in certain circumstances. Access to a specific property
15 will be allowed when a frontage road is constructed to resolve a
16 landlock condition for that property or because the cost to
17 purchase the access rights to that property was too great.

18 Otherwise, the commission may approve a site specific exception
19 to allow access after considering the safety and operation of
20 the state highway corridor, prior commitments or development
21 based on the previous frontage road policy, and whether such
22 access is determined to be in the best interest of the state.

23 Such site specific exceptions must be approved by the commission
24 prior to the department accepting any funds or consideration for
25 engineering, development, or construction of frontage roads
26 where it is anticipated that additional access will be

1 requested. All cost associated with preparing the request shall
2 be at the sole expense of the requestor.

3

4 James Bass, Director, Finance Division, has determined that for
5 the first five-year period the amendments are in effect, there
6 will be no direct fiscal implications for state or local
7 governments as a result of enforcing or administering the
8 amendments. There are no anticipated economic costs for persons
9 required to comply with the amendments as proposed.

10

11 Kenneth Bohuslav, Director, Design Division, has certified that
12 there will be no significant impact on local economies or
13 overall employment as a result of enforcing or administering the
14 amendments as future development may occur along parallel or
15 perpendicular facilities. By not encouraging development
16 fronting the state highway corridor, freeway capacity will be
17 maintained for longer periods of time and system expansion can
18 be accomplished with fewer impacts to developed property.

19

20 Mr. Bohuslav has also determined that for each year of the first
21 five years the amendments are in effect, the public benefits
22 anticipated as a result of enforcing or administering the
23 amendments will be to provide savings to the state by not
24 constructing frontage roads along controlled access facilities
25 and that mainlane capacity will be further preserved by this
26 effort. There will be no adverse effect on small businesses.

1
2 Pursuant to the Administrative Procedure Act, Government Code,
3 Chapter 2001, the Texas Department of Transportation will
4 conduct six public hearings to receive comments concerning the
5 proposed amendments. Each public hearing will begin at 4:00
6 p.m. local time and last at least until 6:00 p.m. on the
7 following dates and at the following locations:

8
9 January 8, 2002: City of San Antonio Council Chambers; Municipal
10 Plaza Building, 103 Main Plaza; San Antonio, Texas 78205.

11
12 January 15, 2002: Irving Arts Center; 3333 North MacArthur
13 Boulevard; Irving, Texas 75062.

14
15 January 18, 2002: Houston-Galveston Area Council (HGAC); 3555
16 Timmons Lane; Houston, Texas 77027.

17
18 January 22, 2002: Lubbock Chamber of Commerce; 1301 Broadway;
19 Lubbock, Texas 79401.

20
21 January 23, 2002: McAllen Tourist Center; 1300 South 10th
22 Street; McAllen, Texas 78501.

23
24 January 24, 2002: Ysleta Independent School District (YISD);
25 Administrative Office; 9600 Sims Drive; El Paso, Texas 79925.

26

1 These public hearings will be conducted in accordance with the
2 procedures specified in 43 TAC §1.5. Prior to each hearing,
3 department employees will be available beginning at 2:00 p.m. to
4 conduct an open house where informal discussion can occur to
5 further clarify the proposed amendments. Comments made to
6 department staff during the open house will not be considered
7 part of the public comment made regarding these proposed
8 amendments. Those desiring to make official comments or
9 presentations may register starting at 2:00 p.m. Any interested
10 persons may appear and offer comments, either orally or in
11 writing; however, questioning of those making presentations will
12 be reserved exclusively to the presiding officer as may be
13 necessary to ensure a complete record. While any person with
14 pertinent comments will be granted an opportunity to present
15 them during the course of the hearing, the presiding officer
16 reserves the right to restrict testimony in terms of time and
17 repetitive content. Organizations, associations, or groups are
18 encouraged to present their commonly held views and identical or
19 similar comments through a representative member when possible.
20 Comments on the proposed text should include appropriate
21 citations to sections, subsections, paragraphs, etc. for proper
22 reference. Any suggestions or requests for alternative language
23 or other revisions to the proposed text should be submitted in
24 written form. Presentations must remain pertinent to the issues
25 being discussed. A person may not assign a portion of his or
26 her time to another speaker. Persons with disabilities who plan

1 to attend this meeting and who may need auxiliary aids or
2 services such as interpreters for persons who are deaf or
3 hearing impaired, readers, large print or Braille, are requested
4 to contact Randall Dillard, Director, Public Information Office,
5 125 East 11th Street, Austin, Texas 78701-2483, 512/463-8588 at
6 least two working days prior to the hearing so that appropriate
7 services can be provided.

8
9 Written comments on the proposed amendments may be submitted to
10 Kenneth Bohuslav, Director, Design Division, 125 East 11th
11 Street, Austin, Texas 78701-2483. The deadline for receipt of
12 comments is 5:00 p.m. on February 4, 2002.

13
14 The amendments are proposed for adoption under Transportation
15 Code, §201.101, which provides the Texas Transportation
16 Commission with the authority to establish rules for the conduct
17 of the work of the Texas Department of Transportation.

18
19 No statutes, articles, or codes are affected by the proposed
20 amendments.