

APA-1  
07/04

TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION

Control No. \_\_\_\_\_ Department or Agency The Alabama Department of Transportation  
Rule No. 450-2-1  
Rule Title: Utilities  
\_\_\_\_\_ New \_\_\_\_\_ Amend X Repeal \_\_\_\_\_ Adopt by Reference \_\_\_\_\_

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? NO

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? YES

Is there another, less restrictive method of regulation available that could adequately protect the public? NO

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? NO

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? NO

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? YES

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Does the proposed rule have an economic impact? NO

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

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Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer *Jim R. Spalato Jr.*  
Date 3/18/13

(DATE FILED)  
(STAMP)

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07/04

**ALABAMA DEPARTMENT OF TRANSPORTATION**

**NOTICE OF INTENDED ACTION**

**AGENCY NAME:**

The Alabama Department of Transportation

**RULE NO. & TITLE:**

450-2-1, Utilities

**INTENDED ACTION:**

The Alabama Department of Transportation proposes to repeal rule 450-2-1.

**SUBSTANCE OF PROPOSED ACTION:**

ALDOT proposes to repeal Chapter 450-2-1 as its contents constitute a manual used in the maintenance, construction or repair of highways. The utility manual is exempt under Ala. Code §41-22-3 (g)h.

**TIME, PLACE, MANNER OF PRESENTING VIEWS:**

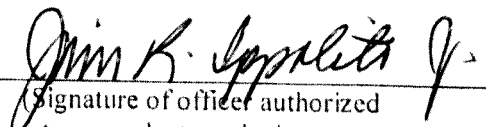
Public Hearing at 9:00 a.m. - 11:00 a.m. on May 3, 2013, at the Alabama Department of Transportation, Central Office, Conference Room 5, 1409 Coliseum Blvd., Montgomery, Alabama 36110, and an opportunity to present comments in writing to Jim Ippolito, Legal Bureau, 1409 Coliseum Blvd., Montgomery, Alabama 36110 by 11:00 a.m., May 3 2013.

**FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:**

May 3, 2013, 11:00 a.m.

**CONTACT PERSON AT AGENCY:**

Jim R. Ippolito, Jr., Chief Counsel, ALDOT Legal Bureau, 1409 Coliseum Boulevard, Montgomery, AL 36110

  
(Signature of officer authorized  
to promulgate and adopt  
rules or his or her deputy)

ALABAMA DEPARTMENT OF TRANSPORTATION  
ADMINISTRATIVE CODE

DESIGN BUREAU - UTILITY SECTION

CHAPTER 450-2-1  
UTILITIES

TABLE OF CONTENTS

450-2-1-.01 - Manual For Standards For Accommodating Utilities On Highway Rights-Of-Way

450-2-1-.01. ALDOT Utility Manual. Repealed.

This manual, dated October 1, 1995, is formerly known as the Manual for Standards for Accommodating Utilities on Highway Rights of Way, dated September 28, 1976, and the Manual for Standards for Accommodating Utility Facilities and Utility Type Facilities on Highway Right of Way, dated January 1990, and consists of the State of Alabama Department of Transportation Standards for Accommodating Utilities on Highway Rights of Way. The ALDOT Utility Manual is hereby adopted by reference as a Rule of the State of Alabama Department of Transportation. Copies of this Utility Manual can be obtained from the Utilities Section at a reasonable rate.

Author: Jim R. Ippolito, Jr., Chief Counsel  
Statutory authority: Code of Ala. 1975 § 23-1-59  
History: Filed September 30, 1982. Emergency rule filed December 15, 1989.  
Amended: Filed March 9, 1990. Repealed: Filed \_\_\_\_\_ 2013.