

APA-1
07/04

TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control No. _____ Department or Agency The Alabama Department of Transportation
Rule No. 450-7-1
Rule Title: Right-Of-Way
_____ 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

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.

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. B. Spalding J.*
Date 3/18/13

(DATE FILED)
(STAMP)

APA-2
07/04

ALABAMA DEPARTMENT OF TRANSPORTATION

NOTICE OF INTENDED ACTION

AGENCY NAME:

The Alabama Department of Transportation

RULE NO. & TITLE:

450-7-1, Right-Of-Way

INTENDED ACTION:

The Alabama Department of Transportation proposes to repeal Chapter 450-7-1.

SUBSTANCE OF PROPOSED ACTION:

ALDOT proposes to repeal Chapter 450-7-1 because the rules promulgated in this section are internal guidelines for ALDOT employees.

TIME, PLACE, MANNER OF PRESENTING VIEWS:

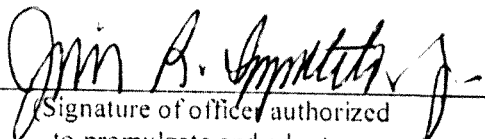
Public Hearing at 9:00 a.m. - 11:00 a.m. on May 3, 2013, at the Alabama Department of Transportation, Central Office, Conference Room 5, 1409 Coliseum Blvd., Montgomery, Alabama 36110, and an opportunity to present comments in writing to Jim Ippolito, Legal Bureau, 1409 Coliseum Blvd., Montgomery, Alabama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

PRECONSTRUCTION DIVISION

CHAPTER 450-7-1
RIGHT-OF-WAY

TABLE OF CONTENTS

450-7-1-.01	Manual On Appraisal Of Right-Of-Way Acquisitions
450-7-1-.02	Outdoor Advertising Sign Manual
450-7-1-.03	Manual On Relocation Assistance
450-7-1-.04	Manual On Property Management Program
450-7-1-.05	Publication Of Guidelines For Multiple Use And Joint Development Of Highway Right-Of-Way
450-7-1-.06	Manual For The Environmental Action Plan For The State Of Alabama Highway Department

450-7-1-.01. Manual On Appraisal Of Right-Of-Way Acquisitions. Repealed. This manual, consisting of State of Alabama Highway Department procedures and guidelines governing the appraisal of right-of-way acquisitions, dated November 1, 1981, is hereby adopted by reference as a rule of the State of Alabama Highway Department. Copies of this manual can be obtained from the Secretary of the Highway Department at a reasonable cost.

Author: Jim R. Ippolito, Jr., Chief Counsel
Statutory authority: Code of Ala. 1975 §§ 23-1-59, 41-22-3-(9)c, 41-22-3(9)h.
History: Filed September 30, 1982. Repealed: Filed _____ 2013.

450-7-1-.02. Outdoor Advertising Sign Manual. Repealed. This manual, consisting of State of Alabama Highway Department procedures and guidelines which govern just payment for signs taken on right-of-way projects and for the removal of nonconforming signs (outdoor advertising), dated February 10, 1972, is hereby adopted by reference as a rule of the State of Alabama Highway Department. Copies of this manual and any amendments thereto can be obtained from the Secretary of the Highway Department at a reasonable cost.

Author: Jim R. Ippolito, Jr., Chief Counsel
Statutory authority: Code of Ala. 1975 §§ 23-1-59, 41-22-3-(9)c, 41-22-3(9)h.
History: Filed September 30, 1982. Repealed: Filed _____ 2013.

450-7-1-.03. Manual On Relocation Assistance. Repealed. This manual on relocation assistance, dated December 15, 1980, consisting of data affecting those individuals who may be entitled to certain relocation assistance benefits because of the proposed construction of a public highway, is hereby adopted by reference as a rule of the State of Alabama Highway Department. Copies of this manual can be obtained from the Secretary of the Highway Department at a reasonable cost.

Author: Jim R. Ippolito, Jr., Chief Counsel

Statutory authority: Code of Ala. 1975 §§ 23-1-59, 41-22-3-(9)c, 41-22-3(9)h.

History: Filed September 30, 1982. Repealed: Filed _____ 2013.

450-7-1-.04. Manual On Property Management Program. Repealed. This manual on property management procedures of the State of Alabama Highway Department concerning sale and disposition of structures and excess right-of-way, dated January 25, 1974, is hereby adopted by reference as a rule of the State of Alabama Highway Department. Copies of this manual can be obtained from the Secretary of the Highway Department at a reasonable cost.

Author: Jim R. Ippolito, Jr., Chief Counsel

Statutory authority: Code of Ala. 1975 §§ 23-1-59, 41-22-3-(9)c, 41-22-3(9)h.

History: Filed September 30, 1982. Repealed: Filed _____ 2013.

450-7-1-.05. Publication Of Guidelines For Multiple Use And Joint Development Of Highway Right-Of-Way. Repealed. This publication, dated January 22, 1974, concerning multiple use and joint development of highway right-of-way, including air space, is hereby adopted by reference as a rule of the State of Alabama Highway Department. Copies of this publication can be obtained from the Secretary of the Highway Department at a reasonable cost.

Author: Jim R. Ippolito, Jr., Chief Counsel

Statutory authority: Code of Ala. 1975 §§ 23-1-59, 41-22-3-(9)c, 41-22-3(9)h.

History: Filed September 30, 1982. Repealed: Filed _____ 2013.

450-7-1-.06. Manual For The Environmental Action Plan For The State Of Alabama Highway Department. Repealed. This manual, consisting of all requirements which must be met prior to actual construction of highway projects in the State of Alabama, dated June, 1973, and revised July, 1976, is hereby adopted by reference as a rule of the State of Alabama Highway Department. Copies of this manual can be obtained from the Secretary of the Highway Department 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. Repealed: Filed _____ 2013.