FILED
JAN 22 2010
MISSISSIPPI
SECRETARY OF STATE

NOTICE OF PROPOSED RULE ADOPTION

STATE OF MISSISSIPPI
MISSISSIPPI DEPARTMENT OF TRANSPORTATION
Maintenance Division

Mississippi Department of Transportation
c/o Facility and Records Maintenance Director
P.O. Box 1850
Jackson, MS 39215-1850
Phone: (601)359-7105
rules@mdot.state.ms.us

Specific Legal Authority authorizing the promulgation of Rule:

Reference to Rules repealed, amended or suspended by the Proposed Rule :
37.I.7501.04001

Explanation of the Purpose of the Proposed Rule and the reason(s) for proposing the rule:

To establish a policy for underground utility line crossings, encroachments and tunneling permits and to establish the responsibility for construction and maintenance of all such work on Mississippi Department of Transportation Right of Way.

This rule is proposed as a ☒Final Rule, and/or a ☐ Temporary Rule (Check one or both boxers as applicable.)

Persons may present their views on the proposed rule by addressing written comments to the agency at the above address. Persons making comments should include their name and address, as well as other contact information, and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

Oral Proceeding: Check one box below:

☐An oral proceeding is scheduled on this rule on Date: {Insert Date} Time: {Insert Time}
Place: {Insert Place}

If you wish to be heard and present evidence at the oral proceeding you must make a written request to the agency at the above address at least _____ day(s) prior to the proceeding to be placed on the agenda. The request should include your name, address, telephone number as well as other contact information; and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

☒ An oral proceeding is not scheduled on this rule. Where an oral proceeding is not scheduled, an oral proceeding will be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address and telephone number of the person(s) making the request; and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

Economic Impact Statement: Check one box below:

☒The agency has determined that an economic impact statement is not required for this rule, or

☐The concise summary of the economic impact statement required is attached.

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.

Date Rule Proposed: January 22, 2010

Proposed Effective Date of Rule: March 25, 2010

Ruthann Vercher

Ruthann Vercher, Facility and Records Management Director

SOS FORM APA 001
Effective Date 07/29/2005