Design Standards Letter

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Section/Plan No.: **None**

Subject: **PPM 20-8(1), Public Hearings, Federal-aid Projects**

Body

U. S. DEPARTMENT OF COMMERCE
BUREAU OF PUBLIC ROADS
REGION FIVE

205 Post Office Building
Jefferson City, Missouri

Mr. Rex M. Whitton, Chief Engineer
Missouri State Highway Department
Jefferson City, Misssouri

Dear Mr. Whitton:

Enclosed are two copies of teh above subject Policy and Procedure Memorandum which supplements Policy and Procedure Memorandum 20-8 dated August 10, 1956.

You are no doubt familiar with Reno-Sparks-Verdi Interstate Highway Hearings. A review of the Reno hearings report points up the extreme desirability of having a ducumentary record or enginering study report to support the selection of a highway location, particularly where there is any question of controversy. PPM 20-8(1) does not spell out any specific requiremetns for a preliminary engineering report. It is dsuggested however, that you review any locations still pending public heraings and consider the value of an enginering report to ducument the selection of a specific location. Our first thought is that the location of Interstate Route 44 in St. Louis should be considered. There may be others, not necessarily confined to the Interstate System.

In further reference to PPM 20-8(1), please note:

1. In paragraph 3C, a clarification of when hearings are needed, particularly on

Federal-aid projects.

2. In 3D, that if the opportunity is afforded for a hearing but none held, the State is still required to certify that it has considered the economic effects of the proposed location.

3. In 4F, it is indicated that any property owner, whose property is continguous to, or is crossed by the highway, must be given an opportunity to be heard. Similar language is in Section 128 of Title 23 U.S.C. This would indicate that if a line revision, subsequent to public hearing would invovle a new series of owners, a new hearing should be held. In this connection, please note the last sentence of paragraph 3C in which it is stated that a public hearing should be held, or the opportunity afforded therefore, in any case when doubt exists as to whether a public hearing is required by Section 128.

4. In paragraph 4G, a written transcript of the hearing must be prepared.

5. In 4H, "...the State Highway Department is to submit a certificate which recites the date, time and place of the hearing accompanied by a copy of all notices of the hearing and a written transcript thereof." Also, if no hearing were held, an explanation of opportunity afforded and a statement that the economic effects of the location have been considered.

Please contact us on any questions you may have concerning this memorandum.

Very truly yours,

/s/ S. W. O'Brien
Division Engineer

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