

PUBLIC INVOLVEMENT

RRR projects are to be developed utilizing the Department's Public Involvement Policy to keep the public sufficiently informed and involved as the project progresses so that a formal public hearing can be eliminated in most, if not all, cases.

RIGHT OF WAY

Although RRR type improvements are normally made within the existing right of way, additional right of way may be required to provide the necessary improvements.

Any required right of way and/or easements will normally be secured by donation. However, right of way may be acquired.

All right of way negotiations are to be conducted in accordance with the applicable statutes, regulations, policies, and procedures stipulated in the Right of Way and Utilities Division's Manual of Instructions and related memoranda.

UTILITIES (UNDERGROUND AND OVERHEAD)

Where utilities are involved on RRR projects, the Department's General Guidelines for Accommodating Utilities Within Highway Right of way are to be followed.

Relocation or adjustment may be required if the minimum clear zone requirements are not met or if the utility system conflicts with proposed RRR improvements and sufficient right of way is available. For Federally funded RRR projects, an exception request must be made if the project does not meet the minimum clear zone requirements.

In some cases, the utility system on RRR projects may be retained without adjustment or relocation if the accident history does not indicate the existence of a hazard or if the system has demonstrated adequate performance and does not conflict with proposed improvements.

TORT LIABILITY AND GEOMETRIC DESIGN

In recent years highway agency administrations have become increasingly concerned about the growth of tort claims. Such claims allege that highway agencies have committed a legal wrong by improper or negligent highway design, operation, or maintenance that became a cause or partial cause of a highway accident. Claims against highway agencies are part of a nationwide problem of rising liability insurance premiums and increasing costs of tort actions.

Studies indicate that the geometric design features covered in RRR standards are usually not the central focus of tort claims. Pavement features, traffic control devices, and roadside barriers account for the large majority of tort claims.