

***Legal Notice of Rule Making***  
**Nebraska Dept. of Roads**  
***Public Hearing***  
**Thursday, December 17, 2015, 1:00 PM – 3:00 PM**  
**Nebraska Department of Roads**  
**Central Headquarters Bldg., Rm. 103**  
**1500 Hwy 2, Lincoln, Nebraska**

The Board of Public Roads Classifications and Standards (NBCS), which is staffed by the Nebraska Department of Roads (NDOR), has commenced rule-making and will hold a Public Hearing concerning a proposed amended regulation.

**428 NAC 2, Procedures for Standards**

This regulation governs minimum design, construction (specifications), and maintenance standards for all new construction, reconstruction, and “3R” (Resurfacing, Restoration and Rehabilitation) projects on all county roads, municipal streets, and state highways in the state of Nebraska. The rule is authorized under Neb. Rev. Stat. 39-2113 and must be followed by all counties, municipalities and the Nebraska Department of Roads. This revision is a comprehensive update of the Minimum Design Standards portion, including providing 3R standards for counties and municipalities for the first time. The Minimum Construction Standards are also updated and incidental revisions are made for Minimum Maintenance Standards (minimum standards for maintenance). The regulations governing Relaxation of Standards (aka Design Exceptions) also have been revised for a more efficient process. There is no fiscal impact to the Nebraska Department of Roads or the regulated public. Any fiscal impact to political subdivisions is indeterminable at this time.

Interested persons are invited to attend the Public Hearing. Comments and recommendations may be presented orally or in writing at the Hearing, or mailed, faxed, or e-mailed prior to the Hearing or by December 28, 2015. Pre- and post-hearing comments should be directed in writing to NDOR’s Public Hearings Officer, Tony Bui, P.O. Box 94759, Lincoln, Nebraska 68509-4759; [tony.bui@nebraska.gov](mailto:tony.bui@nebraska.gov); voice telephone (402) 479-4994, TDD telephone (402) 479-3834, Fax (402) 479-3989. Comments may also be posted on-line through the Secretary of State’s website (see below).

To view or download the proposed Regulations changes or to comment on-line: [www.sos.state.ne.us/rules-and-regs/regtrack](http://www.sos.state.ne.us/rules-and-regs/regtrack) (“Agency”: Roads). To obtain a free paper copy of the proposed changes, the Proposed Regulation Policy Pre-Review Checklists, or the Fiscal Impact Statements, contact NDOR’s Government Affairs Office, PO Box 94759, Lincoln, Nebraska 68509-4759; 402-479-4324; FAX 402-479-3758; TDD# 402-479-3834; [erich.strack@nebraska.gov](mailto:erich.strack@nebraska.gov). To view or pick up copies in person: Director’s Office, 1500 Highway 2, Lincoln, NE.

NDOR will make every reasonable accommodation to provide an accessible meeting facility for all persons. Appropriate provisions for the hearing and visually challenged or persons with limited English proficiency (LEP) will be made if NDOR is notified by December 10, 2015. Notification should be submitted to Tony Bui, Public Hearings Officer (see contact information above).

This notice is provided pursuant to the Administrative Procedure Act.