

SENATE BILL NO. 182

INTRODUCED BY M. LANG, D. BARTEL, J. ESSMANN, S. FITZPATRICK, J. KEANE, T. RICHMOND,
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A BILL FOR AN ACT ENTITLED: "~~AN ACT REQUIRING PUBLIC HEARINGS FOR THE DEPARTMENT OF~~
~~TRANSPORTATION TO INFORM THE PUBLIC REGARDING~~ CERTAIN HIGHWAY CONSTRUCTION
PROJECTS; REQUIRING THE DEPARTMENT OF TRANSPORTATION TO ESTABLISH AND MAINTAIN LISTS
OF GOVERNMENT ENTITIES AND ORGANIZATIONS LIKELY TO HAVE INTEREST IN OR BE IMPACTED BY
A CONSTRUCTION PROJECT; ~~REQUIRING NOTIFICATION OF THE HEARINGS;~~ AND PROVIDING AN
EFFECTIVE DATE AND AN APPLICABILITY DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

(Refer to Introduced Bill)

Strike everything after the enacting clause and insert:

NEW SECTION. Section 1. Construction projects -- project impacts -- notice. (1) (a) After the
commission has selected and prioritized a construction project under 60-2-110, the department or the commission
shall determine whether the project will have a substantial impact on the public. If the department or the
commission determines that the project will have a substantial impact, the department shall ensure that the public,
in the area where the project is located and in areas adjacent to the project area, as provided in subsection
(3)(a)(i), is notified of the project and is provided with periodic updates on the status of the project as provided
in this section.

(b) A project with a substantial impact includes but is not limited to a project for which additional
right-of-way is necessary for project completion.

(2) (a) The department shall engage the public through informational meetings or other appropriate
means at major milestones in phases of the project, from the selection of the project by the commission to project
completion. To engage and inform the public, the department shall:

(i) place and maintain current information regarding the status of the project in a prominent location on
the department's website;

(ii) use newspaper, television, and radio formats as appropriate to provide information to the public

1 regarding the status of the project;

2 (iii) investigate the use of other types of media, such as electronic social media, to provide information
3 to the public regarding the status of the project; and

4 (iv) maintain an electronic notification list as provided in subsection (3).

5 (b) For the purposes of this section, phases of a project include but are not limited to survey, design, and
6 right-of-way phases of a project.

7 (3) (a) For each proposed project identified under subsection (1), the department shall maintain a list
8 of:

9 (i) all local government and tribal government entities within which the project will be located that are
10 likely to be impacted by the project or that are adjacent to the project area; and

11 (ii) organizations and associations that represent motorists and commercial motor vehicle companies and
12 operators that regularly conduct business in the project area and any other organizations or entities that represent
13 travelers or those who regularly use highways in the project area for recreational or business purposes.

14 (b) The department shall notify the entities identified in subsection (3)(a) when the commission selects
15 a construction project as provided in subsection (1) and shall provide project updates of major milestones in
16 phases of the project through electronic communication to any entity that submits a request to receive updates.

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18 **NEW SECTION. Section 2. Codification instruction.** [Section 1] is intended to be codified as an
19 integral part of Title 60, chapter 2, part 2, and the provisions of Title 60, chapter 2, part 2, apply to [section 1].

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21 **NEW SECTION. Section 3. Effective date.** [This act] is effective July 1, 2017.

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23 **NEW SECTION. Section 4. Applicability.** [This act] applies to projects that are selected and prioritized
24 under 60-2-110 on or after [the effective date of this act].

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