

REGULATORY AGENDA – January 15, 2013

Agency Name and Address: Rhode Island Department of Transportation
Office of Legal Counsel
2 Capitol Hill
Providence, RI 02903
(401) 222-2481

PART I - Rules Promulgated *June 16, 2012 through January 15, 2013:*

Please indicate if your agency did not promulgate rules during this period, OR complete the following for each rule promulgated (add or delete rows accordingly). Do not include proposed rules, emergency rules or technical revisions:

The Rhode Island Department of Transportation did not promulgate any rules during this period.

PART II - Expected Rule-making Activity *January 16, 2013 through June 15, 2013:*

Please indicate if your agency does not anticipate rule-making activity during this period, OR complete the following for each rule anticipated (add or delete rows accordingly):

Type Filing	Title/Subject Area	Objective	Legal Basis	Anticipated Schedule	Agency Contact	Interested Parties
Amendment	RIDOT Disadvantaged Business Enterprise Program	To revise the RIDOT DBE program and expand its reach, for example, by inclusion of very small businesses that do not have more than 15 employees with revenue below \$1.5M annually.	RI Gen. Laws §§ 42-35-1 and 37-14.1-1, and Section 106(c) of the Surface Transportation and Uniform Relocation Assistance Act of 1987 and 49	May 2013	Vanessa Crum, Esq. (401) 222-3260 x4431	State contractors and disadvantaged business firms.

Amendment	Accommodating Utility Facilities within Public Freeway Rights of Way	To update regulations in conformance with federal requirements.	23 CFR 645.201, et seq., RI Gen. Laws §§ 42-35-5.1; 24-8-34; 24-10-2; 24-10-3	May 2013	Joseph Baker, PE (401) 734-4807	Public Utilities
Amendment	Outdoor Advertising Rules and Regulations	To update regulations in conformance with applicable state law.	RI Gen. Law §24-10.1 vests authority to the Director to regulate the issuance of permits for the erection and maintenance of outdoor advertising consistent with the safety and welfare of the traveling public.	May 2013	Joseph Baker, PE (401) 734-4807	Billboard advertisers, businesses abutting state rights-of-way.
Amendment	Physical Alteration Permits (PAP)	To update regulations in conformance with applicable state law	RI Gen. Laws § 24-8-1, <i>et seq</i>	May 2013	Joseph Baker, PE (401) 734-4807	Public; abutters to state-rights-of way
Amendment	Access to Public Records	To update regulations in conformance with applicable state law.	These regulations address the procedures for obtaining access to public documents, in accordance with RI Gen. Laws § 38-2-1, <i>et seq.</i> (“Access to Public Records”) and § 42-35-2(a).	June 2013	Siobhan Stevens Catala, Esq. (401) 222-6510	Public
Amendment	Public Participation in Federal Aid Highway Projects	To update regulations in conformance with applicable Federal Regulations.	These regulations are required for federal aid	June 2013	Chief Engineer (401) 222-2492	Public

			contracts in accordance with the National Environmental Policy Act (NEPA) (42 USCA §4321)			
Repeal	Pavement Management Program	RIDOT proposes to repeal outdated and conflicting regulations.	These rules are no longer applicable as there is no longer a state-funded pavement management system in effect. Further, R.I. Gen Laws §§ 24-8-2, 24-8-3 were repealed and a new formula has been established for federal and state aid for paving.	June 2013	Joseph Baker (401) 734-4807	n/a
Repeal	Contractor Debarment	RIDOT proposes to repeal outdated and conflicting regulations.	R.I. Gen Laws §37-2-9 vests authority in the Chief Purchasing Officer to promulgate regulations governing suspension and debarment. Further, Section 4.9 of the	June 2013	Lisa M. Martinelli, Esq. (401) 222-6510 x4006	State contractors

			Procurement Regulations addresses contractor debarment and suspension.			
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