

**174.100 Public hearing required prior to expenditure by unit of local government of state-derived tax revenues on roads -- Effect of hearing -- Exceptions.**

Before any unit of local government expends state-derived tax revenues on a state rural, secondary, county road or municipal highway, road, street, or county or municipal bridge, it shall hold a hearing in accordance with the provisions of this section to take the sense of the public with regard to the project and to priorities for use of tax moneys for road and bridge purposes.

- (1) Prior to the contemplated date of expenditure of state-derived tax revenues on a road or bridge by a unit of local government, that unit of government shall hold a public hearing to take the sense of the public with regard to road and bridge matters within the unit of local government. Notice of the hearing shall be given not less than seven (7) days nor more than twenty-one (21) days before the scheduled date of the public hearing and before beginning work on any project covered by this section.
- (2) At the hearing, any person may speak with regard to any proposed project, any project which he feels should be built or done which has not been proposed, priorities for completion of projects, and any other matter related to road or bridge projects.
- (3) The unit of local government holding the hearing shall not be bound by the testimony heard at the hearing but shall give due consideration to it.
- (4) No unit of local government shall begin construction on a road or bridge project in which state-derived tax revenues are involved until the hearing as provided in this section has been held.
- (5) This section shall not be construed to require a separate hearing for each project. A single hearing encompassing the entire road and bridge program, if all projects subsequently undertaken have been identified at the hearing, shall meet the requirements of this section.
- (6) The provisions of this section shall not apply to emergency repair or replacement of roads or bridges necessitated by natural or man-caused disasters nor to street cleaning or snow removal operations.
- (7) The provisions of this section shall not apply to projects which were under construction as of July 15, 1980, unless construction was suspended after that date and the unit of local government desires to reactivate the project.

**Effective:** July 14, 1992

**History:** Amended 1992 Ky. Acts ch. 33, sec. 5, effective July 14, 1992. -- Amended 1990 Ky. Acts ch. 50, sec. 2, effective July 13, 1990. -- Created 1980 Ky. Acts ch. 370, sec. 1, effective July 15, 1980.