

**176.430 Transportation Cabinet to study needs of highways and develop recommended six (6) year road plan that identifies individual transportation projects -- Proposed biennial highway construction plan -- Factors to be considered in development of each project -- Monthly transmission of project data to General Assembly -- Cabinet may expend funds necessary to complete authorized projects -- Digitized maps.**

- (1) The Transportation Cabinet shall undertake a continuing study of the needs of the highways under its jurisdiction for the purpose of bringing existing facilities to acceptable standards or for the replacement of existing facilities when required.
- (2) The Transportation Cabinet shall develop a recommended six (6) year road plan that identifies the individual transportation projects or portions thereof that are scheduled to be constructed in each county. The recommended six (6) year road plan shall include a recommended biennial highway construction plan. The recommended six (6) year road plan and recommended biennial highway construction plan shall be submitted to the General Assembly as required by KRS 48.110(6)(f). The six (6) year road plan shall include but shall not be limited to the following information for each project:
  - (a) The county name;
  - (b) The Kentucky Transportation Cabinet project identification number;
  - (c) The route where the project is located;
  - (d) The length of the project;
  - (e) A description of the project and the scope of improvement;
  - (f) The type of local, state, or federal funds to be used on the project;
  - (g) The stage of development for the design, right-of-way, utility, and construction phase;
  - (h) The fiscal year in which each phase of the project should commence;
  - (i) The estimated cost for each phase of the project; and
  - (j) The estimated cost to complete the project.
- (3) The Transportation Cabinet shall identify projects in the six (6) year road plan that may, in accordance with this section, be advanced from later years, to maximize the use of all funds available to the cabinet, and to plan for the historical precedent of projects being delayed due to unforeseen circumstances. As required by KRS 48.110, the Governor shall submit to the General Assembly, as part of the proposed biennial highway construction plan, a list of projects from the last four (4) years of the six (6) year road plan, not to exceed ten percent (10%) of the recommended biennial highway construction appropriation, which can be advanced if additional money is received and all projects included in the enacted biennial highway construction plan have been advanced or completed to the extent possible.
- (4) In developing the design, right-of-way, utility, and construction phase of each project, the following factors shall be considered but are not exclusive:
  - (a) Alignment of existing roads;
  - (b) The width or elevation of existing roadways and shoulder surfaces;

- (c) The width of rights-of-way;
  - (d) The cost of each phase of the project plus a separate identification of the cabinet's administrative costs for each phase;
  - (e) The type and volume of traffic;
  - (f) The condition of structures and drainage;
  - (g) The accident rate;
  - (h) The geographic distribution of roadways to be constructed or reconstructed; and
  - (i) The social, economic, and environmental impact of the proposed project.
- (5) The Transportation Cabinet shall, on a monthly basis, transmit electronically to the General Assembly through the Legislative Research Commission a report on all activity relating to all projects with open activity conducted by the Transportation Cabinet during the biennium. The data for each project shall contain all cabinet activity on projects funded through the road fund, including resurfacing and rural and secondary projects, and shall also include but not be limited to the following:
- (a) District number and project item number, which shall remain in effect throughout the entire life of the project, subject to the following conditions:
    - 1. A project split into more than one (1) project during its life shall maintain the same item number with a suffix;
    - 2. Two (2) or more projects merged shall be identified by the new merged project maintaining the project item number of one (1) of the projects being merged. The total cost of the merged project shall be set forth; and
    - 3. A project that has been merged with another project and all funds authorized for the initial project that is subsequently shifted to the new merged project shall remain in the six (6) year road plan and shall be identified with a cross reference to the superseded project and superseded project item number;
  - (b) The county name and county number;
  - (c) The route prefix, route number, and route suffix;
  - (d) Termini description including beginning milepoint and ending milepoint;
  - (e) Type of work;
  - (f) Length of the project in miles;
  - (g) Project authorization system number, date the project was authorized, the TD-10 number authorizing the project, and the amount authorized;
  - (h) Year the project was enacted in a six (6) year road plan, and the notation "A" if the project is active and the notation "I" if the project is inactive;
  - (i) The phase code "P" for the planning phase, "D" for the design phase, "R" for the right-of-way phase, "U" for the utility phase, and "C" for the construction phase;
  - (j) The original estimate, fund code, and fiscal year each phase is expected to begin as enacted in the six (6) year road plan;
  - (k) The current estimate, fund code, and fiscal year each phase is expected

to begin;

- (l) The status of funding for each phase;
  - (m) The date current information has been changed for each phase;
  - (n) The letting date for each phase;
  - (o) Total number of right-of-way parcels, deeds signed, suits filed, and right-of-way entries completed;
  - (p) The date right-of-way plans are to be submitted to the central office in Frankfort and the status of right-of-way plans;
  - (q) Total utility relocations to be completed and the actual number completed;
  - (r) The award date, the construction project code number, and the award amount for the construction phase;
  - (s) The total number of contract change orders issued for each phase, the date of the most recent change order, and the net change order amount for each phase;
  - (t) The name of the contractor, the contractor's vendor number in the Statewide accounting system, current contract amount, and the current amount earned by the contractor;
  - (u) The estimated date for completion of the project, current percentage of work completed based upon time, and the actual contract completion date;
  - (v) The department's engineer's estimate for the project; and
  - (w) Total expenditures by phase.
- (6) The department shall transmit on a monthly basis, electronic data to the General Assembly through the Legislative Research Commission on the activity on all state resurfacing projects and all rural secondary projects that shall include as much applicable information as possible as identified in subsection (5) of this section.
- (7) In implementing the enacted biennial highway construction plan, the Transportation Cabinet may expend funds necessary to complete the projects authorized, amended only by variations necessitated by bid or unforeseen circumstances.
- (8) The department shall pursue digitizing all Kentucky roads on a geographic information system as funds are made available by the General Assembly. The digitized maps shall merge map layers and text layers to produce maps that display geographic information and textual information detailing the six (6) year road plan as enacted by the General Assembly.

**Effective:** June 25, 2009

**History:** Amended 2009 Ky. Acts ch. 78, sec. 20, effective June 25, 2009. -- Amended 1998 Ky. Acts ch. 532, sec. 3, effective July 15, 1998. -- Amended 1994 Ky. Acts ch. 299, sec. 6, effective July 15, 1994. Amended 1992 Ky. Acts ch. 433, sec. 5, effective July 14, 1992. -- Amended 1990 Ky. Acts ch. 502, sec. 7, effective July 1, 1990. -- Created 1982 Ky. Acts ch. 138, sec. 2, effective July 15, 1982.