

**CALIFORNIA DEPARTMENT OF TRANSPORTATION
1120 N Street
Sacramento, California 95814**

October 29, 2009

NOTICE OF MODIFICATION TO TEXT OF PROPOSED REGULATIONS

Pursuant to the requirement of Government Code section 11346.8 (c) and Section 44 of Title 1 of the California Code of Regulations; the Department of Transportation is providing notice of changes made to proposed regulations in Chapter 23 of the California Code of Regulations, which were the subject of a regulatory hearing on February 23, 2009. Changes were made in response to comments received and these were made available to the public during a 15-day notice period beginning May 5, 2009 and ending May 19, 2009. No comments were received during the first 15-day notice period.

Changes have been made to the regulations by the Department of Transportation. The following documents are included in this mailing:

- Modified regulations text
- List of documents incorporated by reference
- List of documents relied upon

In addition to the documents included in this mailing, the following rulemaking documents can be accessed through the Adopt-A-Highway website at: <http://adopt-a-highway.dot.ca.gov>.

- Documents incorporated by reference
- Documents relied upon
- Amended statement of reasons

If you do not have Internet access, copies of the rulemaking documents may be requested from Terri Patterson at the address below. The entire rulemaking file is available for inspection and copying at the address below.

If you have any comments regarding the proposed changes, the Department of Transportation will accept written comments between October 29, 2009 and November 12, 2009. All written comments must be submitted to the Department of Transportation no later than 5:00 PM. on November 12, 2009 and addressed to:

California Department of Transportation
Adopt-A-Highway Program
Attn: Terri Patterson
1120 N Street, MS-31
Sacramento, CA 95814
Phone: (916) 654-2926
Facsimile: (916) 654-3862

All written comments received by November 12, 2009, which pertain to the indicated changes will be reviewed and responded to by the Department's staff as part of the compilation of the rulemaking file. Please limit your comments to the modifications to the text.

**TITLE 21. PUBLIC WORKS
DIVISION 2. DEPARTMENT OF TRANSPORTATION**

Chapter 23. Adopt-A-Highway Program

DOCUMENTS INCORPORATED BY REFERENCE

Forms:

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| 1. MTCE-018 | Adopt-A-Highway Program Application | (Rev 07/09) |
| 2. TR-0103 | Adopt-A-Highway Permit Application | (Rev 09/09) |
| 3. TR-0121 | Encroachment Permit (Adopt-A-Highway) | (Rev. 02/08) |
| 4. MTCE-09 | Attachment A (Adopt-A-Highway Special Provisions) | (Rev. 07/09) |
| 5. TR-0156 | Adopt-A-Highway Permit Special Provisions | (Rev. 09/09) |
| 6. MTCE-10 | Safety Orientation Checklist for Adopt-A-Highway Contractors | (Rev. 06/09) |
| 7. MTCE-02 | Adopt-A-Highway Safety Orientation Checklist for Volunteers | (Rev. 07/09) |

Handouts:

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| 8. | Adopt-A-Highway Recognition Panel Design Guidelines | (Rev. 10/09) |
| 9. | Working With Contractors | (Rev. 12/08) |
| 10. | Recognition Panel Installation by Adopt-A-Highway Service Contractors | (Rev. 10/09) |
| 11. | Preparing a Vegetation Control Site Plan and Work Schedule | (Rev. 07/09) |
| 12. | Preparing Tree and Shrub Planting Plans and Work Schedule | (Rev. 07/09) |
| 13. | Preparing Wildflower Planting Plans and Work Schedule | (Rev. 07/09) |
| 14. | Instructions for Using Mulch | (Rev. 09/09) |
| 15. | Caltrans Licensing Requirements for Adopt-A-Highway Volunteers
Using Herbicides | (Rev. 02/06) |

Director's Policy:

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| 16. | California Department of Transportation, DP-01-R6, Director's
Policy on Equal Employment Opportunity | (Rev. 07/06) |
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Chapter 23. Adopt-A-Highway Program

Technical, Theoretical, and/or Empirical Study, Reports, or Documents:

1. California Department of Transportation, DD-36-R1, Deputy Directive on Adopt-A-Highway Contributions (Rev. 07/09)
2. *California Department of Transportation Maintenance Manual*, Volume One, Chapter 8. Protection of Workers (Rev. 07/06), Sections: 8.00 (B), 8.02, 8.14, 8.18, 8.21, 8.23, 8.30, and 8.32
3. U.S. Department of Transportation Federal Highway Administration Policy Memorandum, Information: Optional Use of Acknowledgment Signs on Highway Rights-of-Way (Rev. 08/05)
4. 42 U.S.C. §12132, Americans with Disabilities Act of 1990, as amended
5. 42 U.S.C. §2000d., Title VI of the Civil Rights Act of 1964
6. International Adopt-A-Highway Survey, 2008
7. California Department of Transportation, DD-39-R1, Deputy Directive for Graffiti Prevention and Removal (Rev. 07/09)