
TITLE 105 INDIANA DEPARTMENT OF TRANSPORTATION

One Year Requirement ([IC 4-22-2-25](#))

LSA Document #15-58

November 5, 2015

Re: LSA Document #15-58, Sight-Distance Rule

On behalf of the Indiana Department of Transportation ("INDOT" or the "Department"), I am submitting this notice to the Publisher of the Indiana Register and Indiana Administrative Code in compliance with [IC 4-22-2-25](#), because INDOT has determined that the promulgation of the captioned rule may not be completed within one year after publication of the Notice of Intent to Adopt a Rule (March 4, 2016).

The Department published its Notice of Intent to Adopt a Rule for the captioned document on March 4, 2015 (DIN: [20150304-IR-105150058NIA](#)). This rule establishes procedures and requirements for the distance of unobstructed views at highway rail crossings.

During the development of supporting documents for the rule and after publishing the Notice of Intent to Adopt a Rule, INDOT found that additional information was needed to complete the Proposed Rule draft and economic and fiscal impact analyses for the rule.

The Department must complete several steps before the rule may be promulgated. Presently, the Governor's Office is informally reviewing the rule. Additionally, the rule and all necessary documents have been submitted to the State Budget Agency and approval is pending. After receiving approval from the Governor's Office and the State Budget Agency, INDOT must publish the Proposed Rule and Notice of Public Hearing, conduct the public hearing, respond to any comments, and publish the Final Rule. INDOT hopes to receive approval from the Governor's Office and the State Budget Agency and schedule a public hearing within the next several weeks. INDOT expects that the rule will be completed and approved or deemed approved by the Governor no later than December 31, 2016.

This notice is being submitted timely in accordance with [IC 4-22-2-25](#), as November 8, 2015, is the two hundred fiftieth day after the publication of the Notice of Intent to Adopt a Rule.

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Posted: 11/11/2015 by Legislative Services Agency
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