

Charter of the Committee on Right of Way, Utilities, and Outdoor Advertising Control

May 7, 2018

Name

The name of this committee shall be the American Association of State Highway and Transportation Officials (AASHTO) Committee on Right of Way, Utilities, and Outdoor Advertising Control.

Purpose

The Committee on Right of Way, Utilities, and Outdoor Advertising Control (RUOAC) shall provide a forum for collaboration among the member departments for the exchange of information, experience, innovation, best practices, training, and research to improve the quality and efficiency of right-of-way, utility, and outdoor advertising control operating practices. The committee shall review and recommend changes to laws, rules, regulations, and procedures pertaining to public acquisition and management of real property for transportation related purposes; the placement of utilities on highway rights-of-way; and the effective regulatory control of outdoor advertising in accordance with the provisions of the Federal Highway Beautification Act.

Membership

Membership consists of all 52 member departments. The Chief Executive Officer of each member department may appoint one voting representative and up to two additional non-voting representatives to the RUOAC. It is desired that DOTs appoint individuals with expertise in each of the three disciplines represented by the committee as their membership. Representatives of organizations other than member departments, including state and local government agencies and their officials, as well as private individuals and firms concerned with transportation and transportation issues, particularly those relating to right-of-way, utilities, and outdoor advertising control, shall be encouraged to attend appropriate committee meetings, but shall have no official standing and no right to vote or hold office. All active members shall have the privilege of taking part in discussions, attending Right of Way Director, Utilities Director, and Outdoor Advertising Control Director meetings, serving on technical councils, and voting on all matters except as otherwise provided herein.

Members shall agree to maintain an active interest and participation in committee affairs, to attend all meetings whenever possible, to make available both themselves and individuals they supervise to serve on Subcommittees, Technical Councils, and Task Forces as budget and time constraints allow, to vote on matters submitted to them, to complete surveys sent to them relating to Committee activities in a timely and complete manner, and to carry out professional activities required for the betterment of the Committee. To the extent feasible and possible to ensure timely action and response, the Chair will submit issues to the members of the Committee for their consideration and approval.

FHWA may designate a staff member to serve as an ex-officio, non-voting member of the committee. This individual will actively engage with the committee members to advance the mutual interests of FHWA and AASHTO. FHWA staff will provide technical support and input to committee activities, review

draft technical documents and ballot items, contribute to agendas, deliver topical presentations, develop and review research problem statements, and other similar technical support activities.

Structure

Officers

The officers of the RUOAC shall be a chair, vice chair, and secretary. The chair and vice chair shall be appointed by the Association President. The secretary shall be appointed by the RUOAC chair. The chair and vice chair terms of office shall be for a two-year period and terminate at the end of the first RUOAC annual meeting after this two year period. Committee chairs and vice chairs may be appointed to succeed themselves for additional two-year terms.

Chair

The RUOAC chair shall be appointed by the AASHTO President. The chair shall be a member of the Board of Directors, the Transportation Policy Forum, or the Council on Highways and Streets. The chair or his/her designee shall serve as the chair of the committee steering committee. If the Chair delegates this responsibility, the Chair shall be an ex-officio member of the Steering Committee. The Chair or his/her designee shall be responsible for coordinating the on-going business of the Committee and acting as liaison between the committee and FHWA, other AASHTO committees, councils and forums, and other national transportation right of way and utility organizations. The Chair is responsible for convening the annual, national meeting and ensuring the submission of the committee's deliverables. The Chair will form technical councils, task forces, work groups, and assign members as necessary to carry out the business of the Committee in accordance with the AASHTO Governing Documents. In addition, the Chair will ensure that the proceedings of the annual Committee meeting are published and distributed to members in a suitable format once each year.

When it is necessary between meetings to decide matters of policy on behalf of the Committee and the Chair determines that it is not feasible, due to time constraints, to submit matters to the members of the Committee utilizing the most efficient communication capabilities available, the Chair may decide upon such matters and is responsible for expeditiously informing the Steering Committee and members of the Committee of action(s) taken. In such instances, the Chair may utilize input from the Steering Committee to the extent possible and will ensure that such decisions are consistent with Committee and AASHTO bylaws, principals, and intent.

Vice Chair

The vice chair shall be appointed by the AASHTO President. The vice chair shall support the efforts of the chair and, in case of a vacancy in the office of chair or the absence of the chair, the vice-chair shall perform the duties of the Chair. In addition, the vice-chair will recruit technical council chairs and vice-chairs and, if necessary, redistribute technical council members to meet changing workloads. In order to do this, the chair should collaborate and coordinate with the vice chair on all chairman activities such as agenda development, any ballot preparation and ballot results, remain current on activities (e.g., research, task forces, technical council reports/deliverables), and work closely on meeting conduct.

Secretary

The secretary shall take minutes at all steering committee meetings, be responsible for determining if a quorum is present at all committee meetings where voting is to occur, and providing other assistance to the committee leadership as needed. The secretary shall be a state DOT member of the committee, and be appointed by the committee chair. The committee chair may appoint up to two secretaries.

Steering Committee

The Steering Committee shall consist of the Committee Chair, Vice Chair, and Secretary; and the chair, vice chair, and a delegate for each of the three Subcommittees (Right of Way, Utilities, and Outdoor Advertising Control). All of the Subcommittee officers shall be appointed by the Committee Chair and the Chair should ensure equal representation from each of the four AASHTO regions. While there are no term limits for these appointments, the minimum requirement shall be a four-year commitment (unless the officer is promoted out of the position or leaves the department) or may be replaced by another member selected by the Committee Chair. The Subcommittee chairs shall be responsible for completing deliverables (e.g., documents, research problem statements, sharing best practices), while Subcommittee vice chairs shall be responsible for managing administrative tasks. Each member shall have one vote. In the event of any tie vote, the Chair will cast the deciding vote.

The Steering Committee shall serve as the advisory body of the Committee when the Chair determines it is not feasible or timely to organize a meeting or coordinate a vote of the members of the Committee. In those situations, it shall assist the Chair in providing information and advice on Right of Way, Utility, and Outdoor Advertising Control issues and assist him or her in formulating and representing the Committee's position on such matters to AASHTO. The Steering Committee will also participate in routine planning and conduct of business activities of the Committee. The Steering Committee will meet at least once each year at the annual Committee meeting (typically in late April/early May), and may choose to hold a second meeting in December in the location of the next annual meeting for the purpose of conducting business, planning, and setting the agenda for the annual full Committee meeting.

Subgroups

RUOAC shall have 3 subcommittees: Right-of-Way, Utilities, and Outdoor Advertising Control. The intent of these Subcommittees shall be to provide policy and technical guidance on issues within their discipline. Subcommittee members must be RUOAC members and have expertise in that discipline. Member Departments may appoint appropriate representatives to each of the subcommittees. Subcommittee chairs shall be appointed by the ROUAC chair.

Technical Councils of the RUOAC Committee are Right-of-Way Appraisal, Appraisal Review, and Relocation; Right-of-Way Acquisition and Program Management; Right-of-Way Property Management; Utility Mapping, GIS, & SUE; Utility Project Scoping & Coordination; Utility Accommodation & Safety;

Outdoor Advertising Control Operations; Outdoor Advertising Control Policy. Technical Council chairs shall be appointed by the RUOAC Chair in consultation with the respective discipline subcommittee chair.

The intent of a Technical Council shall be to gather information and provide guidance to the members of the Committee about various technical aspects of the Right of Way, Utility, and Outdoor Advertising Control process. The Technical Councils will report through their appointed chair to their Subcommittee and Steering Committee leadership as to the progress and accomplishments in writing prior to the annual meeting, as well as summarizing orally during the annual meeting on progress they have made and recommendations they wish to make. Technical Council chairs shall be members of the parent committee to which they report and shall be appointed by the Committee chair. Members Departments may appoint representatives to each of the Technical Councils. Technical Council members may be Committee members or other appropriate Member Department representatives.

Representatives of local government agencies and members of the private sector concerned with transportation and transportation issues, particularly those relating to right of way, utilities, and outdoor advertising control, are encouraged to become involved with and participate in Subcommittee and Technical Council meetings, but may not vote on matters taken under consideration by the Subcommittee.

The Committee may establish additional subcommittees, task forces, and communities of practice in accordance with the AASHTO Governing Documents.

Reporting

The RUOAC Committee will report to the Board of Directors, except that:

- All policy and multimodal matters will be reported to the Transportation Policy Forum and then to the Board of Directors, and
- Technical documents for which the committee does not have delegated final balloting authority from the Board of Directors will progress to the appropriate Council for balloting, as determined/routed by the Transportation Policy Forum (TPF) Steering Committee.

Meetings

Committee Meetings

The committee shall convene a meeting of all Committee members annually; as scheduling and facilities permit, it should be held in either April or May. The host state shall rotate each year to cover each of the four AASHTO regions within a four-year period, with the host state providing volunteers to assist with the delivery of a successful meeting. Meetings shall be in accordance with AASHTO Meetings Department policies and procedures; the AASHTO Meetings department shall also assign a meeting planner to assist with arrangement of a facility to hold the meeting and house attendees, as well as with all logistical planning (e.g., establishing and tracking registration, and providing staff to facilitate the program). The host state is responsible, in coordination with the Steering Committee, for establishing the program, presentations, and all technical content.

The duration of the meeting shall be not less than two or more than four days, excluding registration and auxiliary meetings, unless otherwise directed by AASHTO. The subject matter of the annual meeting will focus on items pertaining to Right of Way, Utilities, and Outdoor Advertising Control matters. Accommodations for separate business sessions for Right of Way directors, Utility directors, Outdoor Advertising Control directors, and FHWA staff will be provided, if requested.

Robert's Rules of Order shall govern parliamentary procedure for the meetings proceedings. In the event that the voting committee member is unable to attend a meeting, a Member Department may designate, by electronic notification or letter to the AASHTO committee staff liaison, prior to each committee meeting, the individual who shall serve as the Member Department's representative at the meeting.

Representation by a majority of all Member Departments, exclusive of the U.S. Department of Transportation, shall constitute a quorum to initiate and to transact general business. A majority vote of those Member Departments present, exclusive of the U.S. Department of Transportation, on matters of general business shall be considered binding on the committee. For adoption of a draft policy or technical document, a two-thirds favorable vote of all Member Departments, exclusive of the U.S. Department of Transportation, is required for approval, prior to being considered by other appropriate groups within AASHTO.

Strategic Plan, Annual Accomplishments Report, and Annual Action Plan

The committee shall establish a strategic plan and an action plan to help guide committee activities. The strategic plan shall be consistent with the AASHTO goals and objectives as outlined in the Association's strategic plan. At a minimum, the committee's strategic plan will be reviewed and updated as needed when AASHTO completes a new strategic plan.

The committee will maintain, at a minimum, a one-year action plan that describes the activities that will be implemented, the individual(s) or subgroups overseeing implementation, and a schedule for completion. The action plan shall be submitted to the Strategic Management Committee prior to the AASHTO annual meeting each year.

Annual accomplishment reports shall highlight the accomplishments of the committee since the last AASHTO annual meeting, and shall be submitted to the Board of Directors and the Strategic Management Committee prior to the AASHTO annual meeting each year.

Ethics

All meetings of the committee and its subgroups will be conducted in accordance with the AASHTO policies governing conflicts of interest.

Amendments

The RUOAC charter may be amended by a two-thirds affirmative vote of the committee membership and then a two-thirds affirmative vote by the Board of Directors.