

Kansas Administrative Regulations

Kansas Department of Transportation

Article 16.—Highway Relocation Assistance

36-16-5. Designation of hearing examiner and notice of time and place of hearing.

(a) Upon receipt of a notice of appeal, the relocation assistance officer shall notify the secretary or the secretary's designee, who may appoint a hearing examiner to hear the appeal. The hearing examiner shall designate a time for the appeal which is as early as is practicable and a place for the appeal which is reasonably convenient to the appellant and the examiner.

(b) The secretary of transportation or the secretary's designee may designate an attorney from the department of transportation's legal staff to attend the hearing, cross-examine witnesses testifying on behalf of the aggrieved person, and present testimony of witnesses and documentary evidence related to or concerning the issues involved in the hearing.

(Authorized by K.S.A. 58-3505, 58-3506, 68-402, 68-402b, K.S.A. 1982 Supp. 68-404; implementing K.S.A. 58-3501 to 58-3506; effective, E-70-14, Jan. 19, 1970; effective Jan. 1, 1971; amended, E-72-15, June 1, 1972; amended Jan. 1, 1973; amended May 1, 1983.)

***** Authenticated Kansas Administrative Regulation *****