JABATAN KERJA RAYA

APPLICATION FOR THE INSTALLATION OF PUBLIC UTILITY SERVICES WITHIN ROAD RESERVE

FIRST SCHEDULE

GUIDELINES FOR JKR ENGINEERS

ARAHAN TEKNIK (JALAN) 4/85 (Pin.1997)
CAWANGAN JALAN
IBU PEJABAT JKR MALAYSIA
JALAN SULTAN SALAHUDDIN
50582 KUALA LUMPUR

Preface

This revision of Arahan Teknik (Jalan) 4/85 was done by collecting comments from all JKR State and District offices in the country on the original version of the Arahan Teknik (Jalan) 4/85. The printing of it is divided into two:

1. First Schedule -Guidelines for JKR Engineers
2. Second Schedule,^. - Instructions for Applicants

This enables the applicant to obtain the relevant part (Second Schedule) from Cawangan Pengurusan dan Tender, Kementerian Kerja Raya, thus reducing the load of making duplicates of that part by JKR offices. Relevant aspects such as the delegation of powers to all District Engineers and circular from Ketua Pengarah Kerja Raya on `Garispanduan Pengalihan dan Pemasangan Semula Kemudahan Awam' are also included for easy references.

Comments on the revised version is most welcome for on-going improvements and can be forwarded to:

Unit Rekabentuk (Standard)
Cawangan Jalan lbu Pejabat JKR
Jalan Sultan Salahuddin
50582 K.L.

IMPORTANT NOTES I.

This document contains the following sections: -

First Schedule : Guidelines for JKR Engineers

I. General
2. Power to Approve Application and. Other Legal Matters
3. Categories of Roads
4. Siting of Utility
5. Application and Approval
6. Reinstatement Works and Markings
7. Traffic Control and Signages

Appendices

Appendix I - Delegation of Powers Under Section 77, 84, 85 and 85A of the Road Transport Act 1987
Appendix II - Application Form - Form JKR 84/1
Appendix III - Model Reply
Appendix IV - Agreement Form
Appendix V - Surat Pekeliling `Garispanduan Pengalihan dan Pemasangan Semula Kemudahan Awam dalam Rizab Jalan'

First Schedule is meant for the information and guidance of JKR Engineers only and is not for sale to the public.

Second Schedule : Instruction to Applicants

1. Introduction
2. Definitions and Interpretation
3. Application
4. General Conditions Relating to The Installation of Public Utility Services Within the Road Reserve

Appendices

Appendix I - Application Form - Form JKR 84/1
Appendix II - Agreement Form
Appendix III - Surat Pekeliling `Garispanduan Pengalihan dan Pemasangan Semula Kemudahan Awam Dalam Rizab Jalan'

Applicants can obtain Second Schedule from Kementerian Kerja Raya (Cawangan Pengurusan dan Tender).

II. The first Edition of this Arahan Teknik(Jalan) 4/85 was approved during the workshop on Standardisation and Guideline held at lbu Pejabat JKR. Malaysia, Kuala Lumpur on 16th - 17th May 1984.

FIRST SCHEDULE - GUIDELINES FOR JKR ENGINEERS (FOR DEPARTMENTAL USE ONLY)

1.0 GENERAL

1.1 Location of utility lines in, on, or over highway rights-of-way is at the discretion of JKR.

1.2 JKR shall reserve the right to review and approve the location and design of all utility installations, adjustments, or relocations affecting the highway and issue permits for the proposed work.

1.3 JKR shall reserve the right to stipulate bonds to guarantee proper consummation of rights-of-way and performance of utility plants.

2.0 POWER TO APPROVE APPLICATION AND OTHER LEGAL MATTERS

2.1 The power to approve all applications pertaining to the application for the installation of public utility within the road reserve has been delegated to the District Engineer. (Please refer to Appendix 1 - Delegation of Powers Under Section 77, 84, 85 and 85A of the Road Transport Act 1987, dated 28th. December 1995)

3.0 CATEGORIES OF ROADS

3.1 If the proposal to lay the utility installation affects the Federal Highways directly or indirectly, the proposal must be sent to the Director.-General JKR Headquarters (Attention to Director of Road Branch) through the District Engineer/State Director. The State Director should give his specific recommendations on the proposal.

4.0 SITING OF UTILITY

4.1 General

4.1.1 A proposal from the Applicant should be carefully examined, and the officials of JKR should ensure that the locations of the utility installations are so located that these would permit future highway improvement without any necessity to relocate the installation as far as possible.

4.1.2 No utilities should be permitted to be buried on embankment slopes or near embankment toes. It has to be sited at the edge of the ROW wherever possible. In instances where there are site constraint or other technical difficulties, the utilities should be mounted on structures (or whatever means) which have to be constructed and borne by the utility companies.

4.2 Buried Utility

4.2.1 The Applicant shall work out a system of "space allocation" for general implementation, e.g., water mains could be laid on both sides of the highway to avoid crossings.

4.2.2 Service tunnels or culverts should be provided by JKR whenever new highways are constructed or existing highways improved.

4.2.3 Utilities are not permitted to be laid under road pavements except in extreme cases and under strictly controlled conditions, e.g., for water communication purposes, only one crossing is allowed across the roadway.

4.2.4 In urban areas, when conditions justify, utilities may be placed longitudinally beneath pavements under strict controlled conditions. In rural areas, it is not advisable to place utilities longitudinally under pavements.

4.2.5 Cables, pipes etc. shall he laid on the extreme edge of the rights-of-way unless it is not practicable to do so. In this case the District Engineer/State Director should give comments on reasons as to why the Applicant is unable to do so.

4.2.6 (a) Preference should always be given to laying of utilities along service roads or back lanes instead of along major roads and wherever possible installations along heavily trafficked highways should be avoided.

(b) Installations of utilities that will interrupt traffic flow on heavily trafficked highways should be restricted to off-peak hours. The State Director should recommend the appropriate times of work according to local situations when recommending for approval.

4.2.7 Encasement of buried utilities especially those with less than minimum bury, near bridge footings or other hazardous locations, should be considered, for structural protection from external loads or shocks, and should be extended to a minimum distance of 1.5 m beyond the slope line or to a line that allows for future widening.

4.2.8 New underground installations in scenic areas should be allowed only where extensive removal of trees or other visible features can be avoided.

4.3 Overhead Utility

4.3.1 Generally overhead lines are to be avoided. All installations of utilities should be buried.

4.3.2 Overhead lines should be located at or near the right-of-way boundaries, and at least outside the clear roadway areas where sufficient space is available. If this is not feasible, the poles should be located behind the sidewalk or a minimum distance of 2,0 m behind the face of the curb, or behind guardrails, beyond open ditches, slopes, retaining walls or similarly protected locations.

4.3.3 To ensure the safety of the overhead lines and that the highway traffic is not affected by the overhead lines, a minimum vertical clearance of 6.0 m is required.

4.3.4 New overhead installations should be considered only where other locations are unusually difficult and unreasonably costly or less desirable visually or where under grounding is not technically feasible, or where the proposed installation uses designs and materials that give adequate attention to the visual qualities of the area traversed.

4.3.5 The utility companies shall take up `Public Liability Insurance' for any work involving;

a. overhead installations that crosses the road, its' operations and maintenance,
b. transmission towers/structures outside the ROW which have the possibility of falling on the ROW, to cover JKR (or any `third party') against any claim on any cost and expenses of litigation with respect to;
   a. damage to other utilities in the ROW,
   b. injury and death to road users and damage to their properties,

resulting from the above-mentioned installations, its operations and maintenance.

4.3.6 A certified true copy of the insurance policy must be given to the nearest JKR before commencement of work.

4.4 Road Crossing

4.4.1 Utilities which must cross the roadway should be buried as near perpendicular to the roadway alignment as practicable but in no case less than 30 degrees and that the crossings must avoid deep cuts, footings, intersections, drains and wet or rocky terrain.

4.4.2 The District Engineer/State Director shall consider and give recommendations for any exception being sought by the Applicant to the condition under clause 4.0, in the `General Conditions Relating to the Installation of Public Utility Services Within the Road Reserve' as per Second Schedule of this Arahan Teknik(Jalan) regarding crossing of utilities near intersections.

4.4.3 As far as possible all crossings shall be done by tunneling (horizontal drilling). In cases where it is difficult to comply with the above ruling the following guidelines shall be considered for discretion.

(a) On all highways carrying a traffic volume of 2,000 or more Average Daily Traffic (ADT) in both directions, crossings shall be done only by tunneling unless otherwise approved specifically by the Director-General of JKR.

(b) For highways carrying traffic volumes of 1,000 - 2,000 ADT, a road diversion (for a design speed of at least 40 km per hour) may be constructed by the Applicant concerned in lieu of tunneling

(c) For highways carrying traffic volumes of less than 1,000 ADT, half-width open excavation may be allowed. Each lane open to traffic shall have a minimum width of 4 m. Uniformed flagmen shall be employed to control the flow of traffic. It is advisable that at least a one way traffic is maintained during daylight hours and two-way traffic during the night.

4.5 Attachment to Road Structures

4.5.1 Generally attachment of utilities to structures is not permitted, unless the structure has been so designed with the appropriate attachments to take utilities. The District Engineers should consult and check with the respective design sections about the capacity of the structures to take any additional loadings.

4.5.2 Pipes should not be attached to overpasses of highways or railroads, and those carrying flammable, corrosive or explosive agents are not permitted to be attached to any structure. Exception may be granted with approval from the Headquarters.

4.5.3 Attachments of utilities are not permitted on grade separation structures except wires, and these are authorised only when no other practicable crossing means is available.

4.5.4 Drilling of concrete or steel members on existing bridges for the attachment of utilities shall not be permitted.

4.5.5 Welding of structural steel members for attachment of utilities shall be prohibited.

4.5.6 All attached pipes that are exposed to view must be painted to blend with the supporting structure.

4.6 Utilities on Flat Undulating Terrain

4.6.1 Utilities sited on flat, undulating terrain should be placed right to the edge of the road reserve. In areas where installation cannot be made due to site problems or other constraints, the Applicant shall construct structures or other methods where applicable, and maintain the same at his own cost.

4.6.2 The Applicant has to obtain approval from the JKR District Engineer on the type of structures or other methods of installation at the problematic locations.

4.7 Utilities along Cut and Fill Sections

4.7.1 Along cut sections no utilities are to be buried. It should be sited on the ground level or on structures beyond the drain at the toe of the slope. Utilities must be protected or enclosed in a conduit. If the utilities are placed beyond the shoulder, a guardrail to protect the utilities must be installed. Installation and maintenance of the guardrail are to be borne by the utility(ies) company(ies).

Preferably, utilities along fill sections are to be located 4 m away from the embankment toe in an enclosed conduit or on structures. If the conduit is to be placed at the edge of the formation on ground level or on structures, it must be placed minimum 4 m from the edge of the embankment fill.

Applications for buried utilities (the depth and the soil stability) should be considered on case to case basis and geotechnical expert opinion must be sought.

4.7.2 The Applicant has to obtain approval from the JKR District Engineer on the type of structures or other methods of supporting structures.

4.8 Utilities along Built Embankment Sections

4.8.1 Preferably, utilities are not to be placed on the embankment. It should be located at the toe of the embankment, minimum distance from the embankment toe is 4 m. However, if the built embankment sections have 1:2 ratio slope (vertical:horizontal), they are considered stable and utilities can be placed at the edge of the formation width , either buried or exposed on ground level. The utilities mast be located at a minimum distance of 4 m from the edge of the embankment. Exposed utilities or utilities on structures must be protected by a guardrail. Installation and maintenance of the guardrail are to be borne by the utilities companies.

5.0 APPLICATION AND APPROVAL

5.1 Application Form

5.1.1 The Applicant Form, Form JKR 84/1, should be submitted in triplicate to JKR or the road authorities, duly completed.

5.1.2 All drawings, calculations, tables, and further information shall be submitted in triplicate.

5.2 Agreement Form

5.2.1 JKR shall require the Applicant to enter into a written agreement with them on matters pertaining to the installation of the utilities, reinstatement of the roads and the relocation of the utilities due to reasons deemed appropriate and necessary as instructed by the JKR, like future road improvement / widening and road safety improvement, to do so at the cost to the Applicant.

6.0 REINSTATEMENT WORKS AND MARKINGS

6.1 In line with clause 4.5 under section 4.0 `General Conditions Relating to The Installation of Public Services Within the Road Reserve' to the Second Schedule of this Arahan Teknik(Jalan), the reinstatement work

should be done by the Applicant. However, a decision can be reached at the time of according the approval as to whether JKR or the Applicant will do the reinstatement works. If JKR is to reinstate the works then the Applicant concerned must pay the estimated amount in advance to reimburse JKR for all cost incurred.

6.2 All utilities must be properly marked or identified on the ground and properly recorded on plans or documented for future reference.

6.3 Standard colour markings should be used to mark the location of underground utilities. Present markers used by the Applicants are adequate.

6.4 Utility installation must riot present a physical obstruction or a visual distraction to the road users. All utility pits and manhole covers should be flushed with the ground surface.

6.5 Consideration should be given to details and locations of junction boxes, fixtures and manholes.

6.6 As a general rule no road excavation will be allowed on newly laid bituminous surfaces within 12 months of laying.

7.0 TRAFFIC CONTROL AND SIGNAGES

7.1 The uses of traffic control devices for the warning and protection of the public and workman conforming to existing and latest JKR Manual on Traffic Control Devices Arahan Teknik (Jalan) 2/85 must be strictly complied with.

7.2 a) During construction should the Applicant require any localised diversion of installation from the original approved drawing, approval from JKR must be obtained before the diversion can commence.

b) If a road diversion is required, the Applicant should submit a Traffic Management Plan, complete with details of all necessary diversions, temporary road works, signages, barriers and alternative routes (if necessary.), to ensure save, smooth and efficient traffic management at the job site. The Traffic Management Plan shall be approved by a registered professional road engineer.

APPENDIX I

Delegation of Powers Under Section 77, 84, 85 and 85A of the Road Transport Act 1987

DELEGATION OF POWERS ACT 1956

DELEGATION OF POWERS UNDER SECTION 77, 84, 85 and 85A OF THE ROAD TRANSPORT ACT 1987

In exercise of the powers conferred by section 5 of the Delegation of Powers Act 1956, the Minister delegates his powers under section 77, 84, 85 and 35A of the Road Transport Act 1987 in respect of Federal roads to the officers specified in column (1) of the Schedule in respect of the areas specified in column (2).

SCHEDULE

(1) Officers	(2) Districts
PERLIS:	
Director, The State of Perlis Perlis	Public Works Department,
KEDAH:	
District Engineer Public Works Department, Kota Setar/Padang Terap	Kota Setar and Padang Terap Districts
District Engineer Public Works Department Kuala Muda/Sik	Kuala Muda and Sik Districts
District Engineer Public Works Department Kulim Bandar Baharu	Kulim and Bandar Baharu Districts
District Engineer Public Works Department Baling	Baling District
District Engineer Public Works Department Kubang Pasu	Kubang Pasu District
District Engineer Public Works Department Pendang/Yan	Pendang dan Yan Districts
District Engineer Public Works Department Pulau Langkawi	Pulau Langkawi District

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PENANG:

District Engineer Public Works Department Seberang Perai	Seberang Perai Tengah Seberang Perai Selatan and Seberang Perai Utara Districts
District Engineer Public Works Department Pulau Pinang	Timur Laut and Barat Daya Districts

PERAK:

District Engineer Public Works Department Larut, Matang and Selama	Larut, Matang and Selama Districts
District Engineer Public Works Department Kuala Kangsar	Kuala Kangsar District
District Engineer Public Works Department Kinta	Kinta District
District Engineer Public Works Department Hilir Perak	Hilir Perak District
District Engineer Public Works Department Batang Padang	Batang Padang District
District Engineer Public Works Department Manjung	Manjung District
District Engineer Public Works Department Hulu Perak	Hulu Perak District
District Engineer Public Works Department Kerian	Kerian District
District Engineer Public Works Department Perak Tengah	Perak Tengah District

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SELANGOR:

District Engineer Public Works Department Kelang	Kelang District
District Engineer Public Works Department Petaling	Petaling District
District Engineer Public Works Department Hulu Langat	Hulu Langat District
District Engineer Public Works Department Hulu Selangor	Hulu Selangor District
District Engineer Public Works Department Kuala Selangor	Kuala Selangor District
District Engineer Public Works Department Sabak Bernam	Sabak Bernam District
District Engineer Public Works Department Gombak	Gombak District
District Engineer Public Works Department Sepang	Sepang District
District Engineer Public Works Department Kuala Langat	Kuala Langat District

NEGERI SEMBILAN:

District Engineer Public Works Department Seremban	Seremban District
District Engineer Public Works Department Kuala Pilah	Kuala Pilah District

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District Engineer Public Works Department Tampin	Tampin District
District Engineer Public Works Department Port Dickson	Port Dickson District
District Engineer Public Works Department Jelebu	Jelebu District
District Engineer Public Works Department Rembau	Rembau District
District Engineer Public Works Department Jempol	Jempol District

MALACCA:

District Engineer Public Works Department Melaka Tengah	Melaka Tengah District
District Engineer Public Works Department Alor Gajah	Alor Gajah District
District Engineer Public Works Department Jasin	Jasin District

JOHOR:

District Engineer Public Works Department Johor Bahru	Johor Bahru District
District Engineer Public Works Department Muar	Muar District

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District Engineer Public Works Department Batu Pahat	Batu Pahat District
District Engineer Public Works Department Kluang	Kluang District
District Engineer Public Works Department Segamat	Segamat District
District Engineer Public Works Department Pontian	Pontian District
District Engineer Public Works Department Kota Tinggi	Kota Tinggi District
District Engineer Public Works Department Mersing	Mersing District

PAHANG:

District Engineer Public Works Department Kuantan	Kuantan District
District Engineer Public Works Department Temerloh	Temerloh and Bera Districts
District Engineer Public Works Department Pekan	Pekan District
District Engineer Public Works Department Jerantut	Jerantut District
District Engineer Public Works Department Kuala Lipis	Kuala Lipis District

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District Engineer Public Works Department Raub	Raub District
District Engineer Public Works Department Bentong	Bentong District
District Engineer Public Works Department Cameron Highlands	Cameron Highlands District
District Engineer Public Works Department Rompin	Rompin District
District Engineer Public Works Department Maran	Maran District

TERENGGANU:

District Engineer Public Works Department Kuala Terengganu	Kuala Terengganu District
District Engineer Public Works Department Besut	Besut District
District Engineer Public Works Department Dungun	Dungun District
District Engineer Public Works Department Kemaman	Kemaman District
District Engineer Public Works Department Hulu Terengganu	Hulu Terengganu District
District Engineer Public Works Department Marang	Marang District
District Engineer Public Works Department Setiu	Setiu District

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(1)	(2)
KELANTAN:	
District Engineer Public Works Department Kota Bharu	Kota Bharu District
District Engineer Public Works Department Pasir Mas	Pasir Mas District
District Engineer Public Works Department Machang	Machang District
District Engineer Public Works Department Tanah Merah	Tanah Merah and Jeli Districts
District Engineer Public Works Department Kuala Krai	Kuala Krai Districts
District Engineer Public Works Department Pasir Puteh	Pasir Puteh District
District Engineer Public Works Department Bachok	Bachok District
District Engineer Public Works Department Gua Musang	Gua Musang District
District Engineer Public Works Department Tumpat	Tumpat District
SARAWAK:	
Divisional Engineer Public Works Department Kuching Division.	Kuching Division
Divisional Engineer Public Works Department Samarahan Division	Samarahan Division

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(1)	(2)
Divisional Engineer Public Works Department Sibu Division	Sibu Division
Divisional Engineer Public Works Department Sri Aman Division	Sri Aman Division
Divisional Engineer Public Works Department Miri Division	Miri Division
Divisional Engineer Public Works Department Limbang Division	Limbang Division
Divisional Engineer Public Works Department Kapit Division	Kapit Division
Divisional Engineer Public Works Department Bintulu Division	Bintulu Division
Divisional Engineer Public Works Department Sarikei Division	Sarikei Division

FEDERAL TERRITORY OF LABUAN:

Director, Public Works Department Federal Territory of Labuan	The Federal Territory of Labuan

SABAH:

District Engineer Public Works Department Kunak	Kunak District
District Engineer Public Works Department Kuala Penyu	Kuala Penyu District
District Engineer Public Works Department Beluran	Labuk dan Sugut Districts

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Engineer Road Maintenance Unit Public Works Department Kota Kinabalu	Kota Kinabalu District
Engineer Road Maintenance Unit Public Works Department Tuaran	Tuaran District
Engineer Road Maintenance Unit Public Works Department Papar	Papar District
Engineer Road Maintenance Unit Public Works Department Tawau	Tawau District
Engineer Road Maintenance Unit Public Works Department Sandakan	Sandakan and Kinabatangan Districts
Engineer Road Maintenance Unit Public Works Department Lahad Datu	Lahad Datu District
Engineer Road Maintenance Unit Public Works Department Kota Belud	Kota Belud District
Engineer Road Maintenance Unit Public Works Department Ranau	Ranau District
Engineer Road Maintenance Unit Public Works Department Kudat	Kudat District

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Engineer Road Maintenance Unit Public Works Department Kota Marudu	Kota Marudu District
Engineer Road Maintenance Unit Public Works Department Beaufort	Beaufort District
Engineer Kota Kinabalu-Sindumin and Penampang-Lok Kawi Road Road Road Maintenance Unit Public Works Department Kota Kinabalu	Kota Kinabalu-Sindumin and Penampang-Lok Kawi

Dated 28 December 1995
[KKR/U/68/6; PN. (PUZ) 183N.]

DATO' SERI S. SAMY VELLU,
Minister of Works

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Section 77. Erection of traffic signs

(1) The Minister charged with the responsibility for works (in this section hereinafter referred to as the "Minister") in relation to any Federal road, and the appropriate authority in relation to any other road, within the area of such authority, may cause or permit traffic signs to be placed on or near such road and may from time to time repair, alter, change or remove the same.

(2) Any police officer or other public officer acting in the course of his duty may cause or permit to be placed and maintained on or near any road any traffic sign which may be necessary or expedient to give effect to any regulations or orders lawfully given or made under any powers conferred upon any police officer or other person by any written law relating to the prohibition, restriction, regulation or control of traffic or the search of vehicles or persons on such road or which may be necessary or expedient to prevent or mitigate congestion or obstruction of traffic or danger to or from traffic in consequence of extraordinary circumstances: Provided that no such sign shall be maintained for any period longer than may be necessary for such purpose.

(3) Any person or public authority authorised under any written law to do or cause to be done any work on a road shall place and maintain or cause to be done any work on a road shall place and maintain or cause to be placed and maintained on or near any road such traffic signs as are necessary or expedient to prevent or mitigate danger to persons so working on such road or to or from traffic whilst such work is being carried out.

(4) The owners or workers of any railway, light railway or tramway undertaking or any dock or harbour undertaking may place and maintain or cause to be placed and maintained on or near any road any traffic sign in pursuance of, or which is necessary or expedient for the exercise of, any powers conferred upon them by any written law.

(5) After the appointed day no traffic sign other than a traffic sign lawfully placed in pursuance of this Part shall be placed on or near any road.

(6) For the purposes of this Act, any traffic sign existing on the appointed day which was lawfully placed on or near a road before the appointed day, and which complies as to size, colour and type with this section or with the provisions of any written law repealed by this Act, shall be deemed to have been lawfully placed in pursuance of this Part.

(7) Traffic signs other than notices in respect of the use of a bridge or traffic signs placed on or near any road in exercise of any powers conferred by subsection (2) or (3) shall be of the prescribed size, colour and type and shall if so prescribed be illuminated by lighting or by the use of reflectors or reflecting material in such manner as is prescribed:

Provided that traffic sign shall not be deemed to be unlawfully placed on or near a road by reason only of a failure to comply with this subsection if in the opinion of a court the deviation from the prescribed size, colour, type or illumination is of a trivial character.

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(8) The Minister in relation to a Federal road, and the appropriate authority in relation to any other road, within the area of such authority, may by notice in writing, require the owner or occupier of any land on which there is any traffic sign or any object which so closely resembles a traffic sign that it might reasonably be taken to be such a sign or any advertisement or other structure which is so placed as to obscure any traffic sign from view or to distract the attention of drivers, to remove it or to cut down any tree or vegetation which is growing on such land in such a manner as to obscure any such sign, and if any person fails or neglects to comply with such notice, may effect such removal or cutting down doing as little damage as may be and may recover as civil debt from the person in default the expense incurred in so doing:

Provided that this subsection shall not apply to any traffic sign placed on such land by the Minister or the appropriate authority or any public officer or authority acting in pursuance of any powers conferred by any written law.

(9) The Minister or the appropriate authority or any person acting under his or its authority may enter any land and exercise such other powers as may be necessary for the purpose of the exercise and performance of his or its powers and duties under this section:

Provided that unless with the consent of the occupier, no such entry shall be made into any dwelling house in actual occupation without twenty-four hours previous notice to such occupier or after sunset and before sunrise.

(10) In this Act, any reference to the placing of traffic signs shall include a reference to the dis play thereof in any manner whether or not involving fixing or placing.

(11) Any person wilfully damaging, defacing, altering, removing or tampering with any traffic sign which is lawfully placed in pursuance of this Part shall be guilty of an offence and shall on conviction be liable to a fine not exceeding five hundred ringgit.

(12) Any person other than a person authorised thereto under the provisions of this Part who places on or near any road any traffic sign or object which so closely resembles a traffic sign that it might reasonably be taken to be such a sign, or who places on or near any road any sign or advertisement in such manner as to obscure from view any traffic sign lawfully placed in pursuance of this Part shall be guilty of an offence and shall on conviction be liable to a fine not exceeding five hundred ringgit.

Section 84. Power to remove structures from roads

(1) Where any structure has been erected or set up on or over a road or on or over a road reserve otherwise than under any written law, the Minister charged with the responsibility for works (in this section hereinafter referred to as "Minister") in relation to a Federal road or of any road reserve bordering on a Federal road, and the appropriate authority in relation to any other road or road reserve, within the area of such authority, may be notice in writing, require the person having control or possession of the structure to remove it within such period as may be specified in the notice or within such extended period as the Minister or appropriate authority, as the case may be, issuing the notice may allow.

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(2) If any structure in respect of which a notice has been served under this section is not removed within the time specified in the notice, the Minister or the appropriate authority may remove the structure:

Provided that the power of the Minister or the appropriate authority under this subsection shall not be exercised until the expiration of one month after the date of the service of the notice.

(3) Notwithstanding subsections (1) and (2), where there is a likelihood of immediate danger to traffic arising from any structure referred to in subsection (1), the Minister or the appropriate authority, as the case may be, may take such action as is necessary to remove such structure without giving notice to any person.

(4) Where any structure has been removed by the Minister or the appropriate authority under this section, and the expenses of the removal and detention of the structure have not been paid within one week after the date of such removal, the Minister or the appropriate authority may, after giving one month's notice in writing to the person having control or possession of the structure immediately before such removal, sell by public auction or otherwise dispose of such structure; and any proceeds from such sale or disposal shall be applied in payment of the expenses of such removal and detention and any surplus shall be paid to the person having the control or possession of the structure immediately before such removal or shall, if not claimed by such person within three months after the date of the sale or disposal, be forfeited to the revenue of the Federal Government or the appropriate authority, as the case may be.

(5) Nothing in subsection (4) shall prohibit -

(a) the disposal as the Minister or the appropriate authority may think fit of any fish, meat, fruit, vegetable or other perishable goods, if any, removed together with the structure, and any proceeds from such disposal shall be applied in the same manner as hereinbefore provided in respect of proceeds from the sale or disposal of the structure; or

(b) the recovery as a Civil debt of the whole or part of the expenses of removal or detention from the person having the control or possession of the structure immediately before such removal.

(6) Notice under subsection (1) may be served either personally or by post or by affixing it to the structure to which the notice relates.

(7) In this section, the expression "structure" includes any machines, pumps, posts and such other objects as are capable of causing obstruction or of endangering traffic.

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Section 85. Construction of access and drains and laying of public utility installations to existing roads

(1) No person shall -
(a) construct any access road (including paths, driveways or other means of access, whether public or private) to join any road;

(b) construct a drain to join a drain constructed alongside a road;

(c) carry out any works of any description in, upon, over or under any road,
unless plans containing details of the layout thereof (including such particulars as may be prescribed) have been submitted to and approved by the Minister charged with the responsibility for works in relation to a Federal road, or the appropriate authority in relation to a road other than a Federal road, and the Minister or the appropriate authority, as the case' may be, may refuse such application or allow it on such conditions as he or it may impose.

(2) Wherein the opinion of the Minister or the appropriate authority there is -
(a) a likelihood or danger to traffic;

(b) any flooding, interference or obstruction; or

(c) any failure to comply with any conditions imposed under subsection (1),

in the course of, or arising from any works referred to in subsection (1), the Minister or the appropriate authority may, by notice in writing, require the person to whom approval was granted or the occupier of the premises or land, as the case may be, to take such appropriate action as is necessary to remove the danger or to remove any interference, obstruction or to stop up any drain or to comply with the conditions imposed within the time specified in the notice, failing which the Minister or the appropriate authority may take such actions as are necessary to discontinue the danger or flooding, interference or obstruction or to ensure compliance with the conditions imposed. (3) Subject to subsection (6), it shall be lawful for the Minister or the appropriate authority, as the case may be, by notice in the Gazette, to require the closure or diversion of or alterations to be made to any access road (whether constructed before or after the commencement of this Act).

(4) Where any action has been taken by the Minister or the appropriate authority under subsection (2) or (3), the expenses incurred and certified in writing by the Minister or the appropriate authority in taking such action shall be a debt due to the Government or the appropriate authority, as the case may be, by the person to whom approval was granted or the occupier of the premises or land and may be deducted from such security deposit paid to the Minister or the appropriate authority as a condition for carrying out the works referred to in subsection (1).

Appendix I - 14

(5) Where any works under subsection (1) has been executed and it is found that the works were executed for the purpose of making any direct connection of any public utility to any premises or for joining a drain to one constructed alongside a road for the purpose of drainage of the land on which the first mentioned drain was constructed the occupier of the premises or land shall be deemed to be the person carrying out such works for the purpose of this section.

(6) Where as a result of a notice issued by the Minister or the appropriate authority under subsection (3) an access road existing at the time of the issuance of the notice will be totally closed and there will be no alternative access road, the Minister or the appropriate authority, as the case may be, shall, prior to the closure, provide an alternative access road;

Provided that where an alternative access road cannot be provided or cannot be provided without incurring unreasonable amount of expenditure, the land so affected shall be acquired in accordance with any existing law relating to compulsory acquisition and such acquisition shall be deemed to be for a public purpose.

(7) Any person who contravenes subsection (1) or fails to comply with such conditions as may be imposed in a permit issued under that subsection shall be guilty of an offence and shall on conviction be liable to a fine not exceeding ten thousand ringgit or to imprisonment for a term not exceeding one year.

Provided that any punishment imposed under this subsection shall not affect any civil liability of the person to whom approval was granted or the occupier of the premises or land.

(8) The Minister or the appropriate authority, as the case may be, may make rules to regulate and control the carrying out or construction of any of the works referred to in subsection (1).

Section 85A. Construction of structures for advertisement, etc.

(1) The Minister charged with the responsibility for works (in this section hereinafter referred to as "Minister") in relation to any road reserve bordering on a Federal road or the appropriate authority in relation to any road reserve, within the area of such authority, may, subject to subsection (2), if the road reserve is for the time being not being used for the purpose for which it is reserved, grant a right occupation of the whole or any part of the road reserve to any person for the purpose of erecting structures for advertisement or other public announcement for such duration on such terms and conditions, including occupancy charges, as the Minister or the appropriate authority may determine.

(2) No such right of occupancy may be granted unless plans containing details of layout of the structure (including such particulars as may be prescribed) have been submitted to and approved by the Minister or the appropriate authority, as the case may be, who may require the payment of security deposit and the purchase of public liability insurance, of such sum as the Minister or the appropriate authority thinks fir, by the applicant as part of the condition for approval.

(3) The Minister or the appropriate authority, as the case may be, may make rules to regulate and control the construction of the structures.

APPENDIX II

Application Form - Form JKR 84/1

FORM JKR 84/1

TO

……
……
……
……

(1) (a) Name of Applicant :

……
……
……
……

(b) Address :

……
……
……
……

(c) Telephone No. :……..

(2) Project Name :

……
……
……
……
……

(3) (a) Name of Officers Superintending Works :

…….....

(b) Designation :

……

(c) Address :

……
……
……
……

(c) Telephone No. : ……

(4) Description of works : *(A separate sheet may be used if space provided is insufficient)*

…….
…….
…….
…….
…….

(5) Propose date of commencement of installation :…….

(6) Expected date of completion :…….

(7) Any other information :

…….
…….
…….
…….
…….

Having examined the ‘conditions of the laying of the Public Utilities Within the Federal Road Reserve’ we the undersigned agreed to abide by the condition as stated in second schedule to bear fully whatever coast incurred due to :

(i) Installation of the Utilities

(ii) Reinstatement of the roads and

(iii) Future relocation of the utilities due to improvement/widening of the road.

APPENDIX III

Model Reply

……
Officer Name and Designation
Department Official Seal.

MODEL REPLY

Pejabat Jurutera Daerah
JKR Daerah …….
Date :……....

To : *(Applicant Name and Address)*
…….....
.....
.....

Subject : ……
……
……

With reference to the above, you are hereby informed that your application dated …….. is approved/not approved subject to the "Conditions for the Laying of Public Utilities Within the Federal Road Reserve' as per Clause 4.0 of the Second Schedule, and the following additional comments :-
……...
……...
……...
……..……..

Before the works can be executed, your are required to finalised the Agreement with the Government on matters pertaining to the installation of the utilities, reinstatement of the road and the relocation of the Utilities due to reasons deemed appropriate and necessary as instructed by the Government, like future road improvement/ widening and road safety improvements.

Saya Yang Menurut Perintah,

Jurutera Daerah/Pengarah JKR Negeri
……..

s.k
1. Pengarah
JKR Negeri.....

2. Pengarah Cawangan Jalan
Ibu Pejabat JKR Malaysia
Jalan Sultan Salahuddin
50582 KUALA LUMPUR
(For Federal Raods Only)

APPENDIX IV

Agreement Form

AGREEMENT BETWEEN

THE GOVERNMENT OF MALAYSIA

AND

(Name of Utility Company)

…….....

FOR

(Name of Project/Works)

……
……
……
……
……...

AGREEMENT NO : JKR/ *(State) / (District) / (Number) / (Year)*

AGREEMENT

This AGREEMENT is made on the …… day of ……. 20…..,between the GOVERNMENT OF MALAYSIA of the one part and (hereinafter referred to as the "the GOVERNMENT" of the one part and *(Name of Utility company)* ……... of *(Address)* ……. ……... ……... (hereinafter referred to as "the APPLICANT") on the other part,

WHEREAS,

1. The GOVERNMENT has given approval to the APPLICANT to ……. ……. ……. …….*(Give details of the works / project),*

2. The APPLICANT agreed to abide by the Conditions as stated in Clause 4.0 – 'Conditions Relating to the Installation of Public Utility Services Within the Road Reserve' of the Second Schedule to the Instruction to Applicants of the Arahan Teknik (Jalan) 4/85(Pin.1997) and forming part of this AGREEMENT.

3. The APPLICANT also agreed to bear fully whatever cost incurred with regard to :

   I. Installation of the Utilities,

   II. Reinstatement Works to the road and Repair Works carry out to made good defects appearing within the Defect Liability Period as stipulated under Clause 4.0 – 'Conditions Relating to the Installation of Public Utility Services Within the Road Reserve', and

   III. Future relocation of the Utilities due whatever reasons deemed appropriate and necessary as directed by the GOVERNMENT such as road improvement/widening works, road safety enhancement etc.

IN WITNESS WHEREOF, the parties have hereto caused this AGREEMENT to be signed in their respective names as of the day and year first above written.

For and behalf of the GOVERNMENT :	For and on behalf of the APPLICANT :
By :	By :
Name :	Name :
Designation :	Designation :
In the presence of :	In the presence of :
Name : Designation :	Name : Designation:

APPENDIX V

Surat Pekeliling
`Garispanduan Pengalihan dan Pemasangan Semula Kemudahan Awam dalam Rizab Jalan'

JABATAN KERJA RAYA MALAYSIA
CAWANGAN JALAN (TINGKAT 15)
IBU PEJABAT JKR MALAYSIA
JALAN SULTAN SALAHUDDIN
50582 KUALA LUMPUR

Telefon : 03-2919011
Teleks : KRT MA 30415
Kawat : MINWORKS, KUALA LUMPUR
Telefax : 03-2936662 (Cawangan)
: 03-2947550 (Unit Senggara)

Ruj. Tuan :
Ruj. Kami : (86)dlm.PKR(J) Peny. No. R2/328/4 Jld. 3
Tarikh : 12 hb. Februari 1996

Pengarah Kerja Raya,
JKR Negeri / JKR Unit Khas _____

Y. Bhg. Dato'/Tuan,

Per : **GARISPANDUAN PENGALIHAN DAN PEMASANGAN SEMULA KEMUDAHAN AWAM DALAM RIZAB JALAN**

Sukacita dimaklumkan bahawa garispanduan terhadap pengalihan dan pemasangan semula kemudahan awam di dalam rizab jalan telah dikeluarkan oleh Unit Penyelarasan Pelaksanaan, Jabatan Perdana Menteri, melalui suratnya dalam rujukan UPP:PSN 177/535/16/8 (52) bertarikh 22hb. Januari 1996. Dikembarkan surat serta garispanduan tersebut untuk makluman Y. Bhg. Dato'/Tuan.

Ingin saya menarik perhatian Y. Bhg. Dato'/Tuan terhadap para 3.1.1 garispanduan tersebut, yang mana perlunya ditubuhkan Jawatankuasa Koordinasi Kemudahan Awam Negeri (JKKN) yang dipengerusikan oleh Pengarah JKR Negeri. Dalam hubungan ini, sukacita kiranya dapat Y. Bhg. Dato'/Tuan menubuhkan jawatankuasa tersebut bagi mengendalikan masalah perlaksanaan pengalihan dan pemasangan semula kemudahan awam terbabit, jika Y. Bhg. Dato'/Tuan masih belum menubuhkannya.

Seperkara lagi yang ingin saya sentuh disini adalah terhadap Para 3.2.9 dimana jika pihak berkuasa jalan berkenaan memilih untuk menjalankan kerja pengalihan dan pemasangan semula kemudahan awam, peruntukan yang mencukupi perlulah disediakan. Sepertimana yang ditetapkan, segala kos untuk pengalihan dan pemasangan semula kemudahan awam di dalam rizab jalan yang terlibat dengan kerja-kerja pembesaran dan menaikkan taraf jalan hendaklah ditanggung sepenuhnya oleh agensi/syarikat kemudahan awam.

Sekian untuk makluman dan tindakan tuan seterusnya.

Terima kasih.

"BERKHIDMAT UNTUK NEGARA" & "CINTAILAH BAHASA KITA"

Saya yang menurut perintah,

12/2/96

(**TAN SRI DATO' IR. WAN A. RAHMAN YAACOB**)
Ketua Pengarah Kerja Raya Malaysia,
Ibu Pejabat JKR Malaysia,
KUALA LUMPUR.

S.k. : Penolong Pengarah Kanan, Unit-Unit Cawangan Jalan

UNIT PENYELARASAN PELAKSANAAN,
JABATAN PERDANA MENTERI,
JALAN DATO' ONN,
50502 KUALA LUMPUR

Telefon: 2321957
Kawat : PENYELARAS
Teleks : LARAS MA30091
Fax : 2301951

Ruj. Tuan:

Ruj. Kami: UPP:PSN 177/535/16/8 (52)

Tarikh: 22 Ramadhan 1416H
22 Januari 1996

CAWANGAN TERIMA
PENGARAH
TP ..... IPK .....
DITERIMA
PPK(JLB) ..... PPK(III) .....
PPK(S) .....
PPK(I) ..... PPK(J) .....
PPK(II) .....
PP(PEMB) ..... PP(JLBR) .....
PPT-NS ..... JUB .....

DI TERIMA
27 JAN 1996
Unit Pentadbiran
Caw. Pengurusan

Ketua Pengarah,
Jabatan Kerja Raya,
Ibu Pejabat JKR Malaysia,
Jalan Sultan Salahuddin,
50580 Kuala Lumpur.

Ketua Setiausaha,
Kementerian Perumahan dan Kerajaan Tempatan,
Blok 'K' Paras 4 dan 5,
Pusat Bandar Damansara,
Damansara Heights,
50782 Kuala Lumpur.

Ketua Setiausaha,
Kementerian Tenaga, Telekom dan Pos,
Tingkat 3, Wisma Damansara,
Jalan Semantan,
50669 Kuala Lumpur.

Pengarah,
Jabatan Kerja Awam dan Lalulintas DBKL,
Tingkat 17, Bangunan DBKL,
Jalan Raja Laut,
50350 Kuala Lumpur.

PC (J) untuk tindakan selanjutnya

Pengarah Pentadbiran,
Wilayah Persekutuan Labuan,
Bahagian Kemajuan Wilayah Persekutuan,
Cawangan Labuan,
Jabatan Perdana Menteri,
WDT 16, 87009,
Labuan.

TAN SRI DATO' IR. WAN A. RAHMAN YAACOB
KETUA PENGARAH KERJA RAYA
MALAYSIA

Y. Bhg. Tan Sri/Dato'/Tuan,

Garis Panduan Pengalihan dan Pemasangan Semula Kemudahan Awam Dalam Rizab Jalan

---

Dengan hormatnya saya menarik perhatian Y. Bhg. Tan Sri/Dato'/Tuan mengenai perkara di atas.

2. Sepertimana Y. Bhg. Tan Sri/Dato'/Tuan sedia maklum bahawa soal pengalihan dan pemasangan semula kemudahan awam seperti kabel telekom dan letrik, paip-paip air dan gas dalam rizab jalan yang terlibat dengan kerja-kerja menaikkan taraf jalan atau pembesaran jalan kerap kali menimbulkan masalah kepada agensi-agensi yang menyediakan kemudahan awam tersebut dan juga kepada pihak-pihak berkuasa jalan termasuk Kerajaan Persekutuan, Kerajaan Negeri dan Penguasa-penguasa Tempatan. Antara masalah yang dikenalpasti termasuk soal menentukan siapa sepatutnya bertanggungjawab membiayai kerja-kerja pengalihan dan pemasangan semula kemudahan awam yang terlibat, jumlah kos yang sepatutnya dibayar dan juga masalah penyelarasan kerja yang melibatkan pelbagai agensi. Masalah ini timbul oleh kerana pada masa ini terdapat peraturan-peraturan yang tidak seragam berhubung dengan tata cara pengalihan dan pemasangan semula kemudahan-kemudahan awam yang terlibat serta kos yang diterimapakai oleh Jabatan Kerja Raya, pihak-pihak Berkuasa Tempatan dan agensi-agensi kemudahan awam yang terlibat.

3. Bagi mengatasi masalah ini, Kerajaan telah menetapkan supaya satu garis panduan secara terperinci dan seragam berhubung dengan tata cara pengalihan dan pemasangan semula kemudahan awam dalam rizab jalan disediakan. Berhubung dengan kos pengalihan dan pemasangan semula kemudahan awam yang terlibat dengan kerja-kerja pembesaran dan menaikkan taraf jalan, Kerajaan telah memutuskan supaya ianya dibiayai sepenuhnya oleh agensi-agensi kemudahan awam dan tidak lagi dibiayai bersama oleh Kerajaan. Jabatan Kerja Raya telah dilantik sebagai *lead agency* bagi merangka garis panduan berkenaan. Selaras dengan keputusan ini, satu garis panduan mengenai tata cara pengalihan dan pemasangan kemudahan awam dalam rizab jalan telahpun disediakan dan dipersetujui seperti di **Lampiran A**.

4. Surat ini bertujuan memaklumkan kepada semua pihak yang terlibat tentang garis panduan baru berhubung dengan kerja-kerja pengalihan dan pemasangan semula kemudahan awam dalam rizab jalan, akibat kerja-kerja menaikkan taraf atau pembesaran jalan. Selaras dengan keputusan yang telah ditetapkan oleh Kerajaan, peraturan ini hendaklah diterimapakai oleh semua pihak yang terlibat termasuk Kerajaan Persekutuan, Kerajaan Negeri, Penguasa Tempatan, agensi-agensi kemudahan awam dan juga syarikat-syarikat swasta yang menyediakan kemudahan awam berkaitan. Garis panduan ini juga adalah berkuat kuasa serta-merta.

5. Sekiranya pihak Y. Bhg. Tan Sri/Dato'Tuan mempunyai apa-apa kesulitan untuk melaksanakan mana-mana peraturan seperti yang ditetapkan dalam garis panduan ini, Y. Bhg. Tan Sri/Dato'/Tuan adalah dinasihatkan supaya berhubung dengan pihak **Jabatan Kerja Raya, Cawangan Jalan, Ibu Pejabat Jabatan Kerja Raya, Jalan Sultan Salahuddin, 50580 Kuala Lumpur.**

Sekian, terima kasih.

"BERKHIDMAT UNTUK NEGARA"

[DATO' SYED ALWI BIN SYED NORDIN]
Ketua Pengarah,
Unit Penyelarasan Pelaksanaan,
Jabatan Perdana Menteri.

s.k.:

Ketua Setiausaha,
Kementerian Kerja Raya,
Jalan Sultan Salahuddin,
50580 Kuala Lumpur.

Ketua Setiausaha.
Kementerian Kewangan,
Kompleks Bangunan-bangunan Kerajaan,
Jalan Duta,
50592 Kuala Lumpur.
(u.p.: Bahagian Pentadbiran
Bahagian Pengurusan Perolehan Kerajaan)

Ketua Pengarah,
Unit Perancang Ekonomi,
Jabatan Perdana Menteri,
Jalan Dato' Onn,
50502 Kuala Lumpur.

Pengarah,
Jabatan Bekalan Elektrik,
Tingkat 19, Menara Hawpar,
Jalan Sultan Ismail,
Kuala Lumpur.

Ketua Pengarah,
Jabatan Ukur dan Pemetaan Malaysia,
Jalan Semarak,
50578 Kuala Lumpur.

Pengarah,
Bahagian Kemajuan Wilayah Persekutuan,
Tingkat 5, Wisma PKNS,
Jalan Raja Laut,
50674 Kuala Lumpur.

pkc/kk3/jalan.riz/siti)

LAMPIRAN A

GARIS PANDUAN UNTUK PENGALIHAN DAN PEMASANGAN SEMULA KEMUDAHAN AWAM DALAM RIZAB JALAN

GARIS PANDUAN UNTUK PENGALIHAN DAN PEMASANGAN SEMULA KEMUDAHAN AWAM DALAM RIZAB JALAN

1.0 TUJUAN

1.1 Tujuan garis panduan ini adalah untuk memaklumkan prosedur kerja serta kaedah pembesaran bagi pengalihan dan pemasangan semula kemudahan-kemudahan awam seperti tiang dan kabel telekom dan letrik, paip-paip air dan saluran gas, pembentungan dan kemudahan-kemudahan awam lain dalam rizab jalan yang terlibat dengan kerja-kerja pembesaran dan menaikkan taraf jalan.

2.0 LATAR BELAKANG

2.1 Soal pengalihan dan pemasangan semula beberapa kemudahan awam dalam rizab jalan yang terlibat dengan kerja-kerja pembesaran dan menaikkan taraf jalan telah menimbulkan beberapa masalah kepada pihak-pihak berkuasa jalan termasuk Kerajaan Persekutuan, Kerajaan Negeri dan Penguasa-penguasa Tempatan. Antara masalah yang dikenalpasti termasuk soal menentukan siapa yang bertanggungjawab membiayai dan jumlah kos yang sepatutnya dibayar bagi kerja-kerja pengalihan clan pemasangan semula kemudahan awam tersebut dan juga masalah penyelarasan kerja antara agensi-agensi yang terlibat. Masalah ini timbul kerana terdapat peraturan-peraturan yang tidak seragam berhubung dengan perkara ini diterimapakai oleh pihak-pihak berkuasa jalan dan agensi-agensi kemudahan awam yang terlibat.

2.2 Bagi mengatasi masalah berbangkit dan jugs dengan tujuan mewujudkan keseragaman dalam prosedur kerja serta kaedah pembayaran pengalihan dan pemasangan semula kemudahan awam dalam rizab jalan yang terlibat dengan pembesaran dan menaikkan taraf jalan, Kerajaan telah menetapkan supaya prosedur dan kaedah seperti terkandung dalam garis panduan ini diterimapakai oleh semua pihak berkuasa jalan termasuk Kerajaan Persekutuan, Kerajaan Negeri, Penguasa-penguasa Tempatan, agensi-agensi kemudahan awam dan syarikat-syarikat swasta yang memberi perkhidmatan kemudahan awam.

3.0 PROSEDUR KERJA BAGI PENGALIHAN DAN PEMASANGAN SEMULA KEMUDAHAN AWAM

3.1 Peringkat Perancangan

3.1.1 Apabila sesuatu projek jalan diluluskan untuk pelaksanaan, adalah menjadi tanggungjawab jurutera projek/pihak berkuasa jalan berkenaan untuk memaklumkan kepada Jawatankuasa Koordinasi Kemudahan Awarn Negeri (JKKN) yang dipengerusikan oleh Pengarah JKR Negeri atau Jawatankuasa Koordinasi Kemudahan Awam Penguasa Tempatan yang dipengerusikan oleh Yang Dipertua Majlis Tempatan (bergantung pada lokasi projek), agensiagensi kemudahan awam dan agensi-agensi lain yang terbabit, mengenai projek yang akan dilaksanakan dan juga kemudahan-kemudahan awam yang mungkin terlibat dalam pengalihan.

3.1.2 Pemberitahuan mengenai pelaksanaan projek kepada Jawatankuasa-jawatankuasa Koordinasi Kemudahan Awam Negeri dan Penguasa Tempatan dan agensi-agensi berkenaan memberi maklumat awal supaya pihak-pihak berkenaan dapat memulakan perancangan awal terhadap kemungkinan mengalih kemudahan-kemudahan awam dan juga membolehkan agensi-agensi itu menyediakan atau memohon peruntukan (belanjawan) bagi tujuan pengalihan dan pemasangan semula kemudahan awam tersebut. Jurutera projek/pihak berkuasa jalan perlu juga memaklumkan segala perkembangan dan pindaan kepada jadual pelaksanaan projek jalan kepada agensi-agensi yang terlibat.

3.1.3 Setelah maklumat mengenai sesuatu projek jalan diterima, agensi kemudahan awam yang terlibat adalah dikehendaki berhubung dengan pihak berkuasa jalan berkenaan untuk mengemukakan maklumat terperinci (jika ada) mengenai kemudahan awam yang mungkin terlibat dalam projek jalan berkenaan.

3.2 Peringkat Reka Bentuk

3.2.1 Jurutera projek/pihak berkuasa jalan berkenaan hendaklah melantik juruukur tanah dan perunding jika perlu, untuk menjalankan kerja-kerja penyiasatan dan pengukuran terperinci serta mengumpulkan maklumat mengenai kemudahan awam yang terlibat dan membuat reka bentuk awal.

3.2.2 Setelah juruukur tanah dilantik, jurutera projek/pihak berkuasa jalan berkenaan perlu pula mengadakan mesyuarat antara juruukur tanah clan semua agensi kemudahan awam yang terlibat, menerangkan mengenai skop kerja yang lebih terperinci termasuk penjajaran semula, pelebaran jalan, aras baru jalan dan maklumat penting yang lain.

3.2.3 Dua (2) set pelan yang menunjukkan lokasi jalan sedia ada dan sempadan rizab jalan hendaklah dikemukakan kepada semua agensi kemudahan awam yang terlibat. Pelan yang diutamakan adalah dalam bentuk 'Revenue Sheet' dengan skala yang bersesuaian iaitu 1 inci: 4 rantai.

3.2.4 Agensi kemudahan awam seterusnya dikehendaki menandakan semua kemudahan awam sedia ada terutama sekali kemudahan awam yang dipasang di bawah tanah, lengkap dengan maklumat terperinci seperti saiz, jenis, lokasi berkaitan dengan jalan yang sedia ada dan lain-lain, di atas pelan yang diberikan. Agensi kemudahan awam berkenaan juga dikehendaki membuat anggaran kos bagi kerja-kerja pengalihan dan pemasangan semula kemudahan awam berdasarkan reka bentuk awal yang disediakan. Setelah kesemua aktiviti ini disiapkan, satu (1) set pelan yang menunjukkan lokasi kemudahan awam dan anggaran kos pengalihan yang terlibat perlu dikembalikan kepada pihak berkuasa jalan berkenaan dalam tempoh satu (1) bulan.

3.2.5 Setelah semua maklumat bersama-sama dengan pelan ukur yang lengkap diperolehi, jurutera projek/pihak berkuasa jalan seterusnya perlu menyediakan 4 reka bentuk jajaran jalan yang muktamad dengan tujuan supaya, seberapa boleh, mengelakkan keperluan pengalihan kemudahan awam.

3.2.6 Apabila reka bentuk penjajaran jalan muktamad tersebut telah disediakan, satu (1) set pelan penjajaran jalan itu hendaklah dihantar semula kepada agensi kemudahan awam bagi mereka menyemak dan mengadakan kedudukan kemudahan awam sedia ada dengan tepat agar dapat mengelak atau mengurangkan pengalihan kemudahan awam berkenaan. Agensi kemudahan awam berkenaan seterusnya hendaklah mengembalikan pelan muktamad yang terperinci itu dalam tempoh satu (1) bulan kepada pihak berkuasa jalan berserta dengan cadangan pengalihan kemudahan awam yang berkaitan.

3.2.7 Apabila semua pelan telah siap disediakan, jurutera projeklpihak berkuasa jalan hendaklah mengadakan satu mesyuarat untuk memutuskan kerja-kerja pengalihan kemudahan awam terbabit. Mesyuarat akan berbincang mengenai opsyen yang perlu dan boleh diambil ke atas cadangan pengalihan kemudahan awarn berkenaan iaitu:

a) Mengelakkan sebarang kerja-kerja pengalihan.
b) Memberikan perlindungan kepada kemudahan awam sedia ada.
c) Mengalihkan kemudahan awam sedia ada.

Opsyen yang dipilih hendaklah menimbangkan faktor kos dan masa yang diperlukan untuk pelaksanaan projek jalan serta kesulitan yang akan dihadapi oleh pengguna-pengguna kemudahan awam berkenaan.

3.2.8 Di peringkat ini, keputusan hendaklah dibuat untuk menetapkan sama ada pihak berkuasa iaian berkenaan atau agensi kemudahan awam sendiri yang akan menjalankan kerja-kerja pengalihan kemudahan awam tersebut.

3.2.9 Sekiranya keputusan dibuat supaya pihak berkuasa jalan berkenaan menjalankan kerja pengalihan kemudahan awam, maka:

i) Seberapa boleh, jurutera projek/pihak berkuasa jalan hendaklah menyediakan Senarai Kuantiti secara terperinci.kerja pengalihan dan pemasangan semula itu berdasarkan pelan dan penentuan kerja yang ditetapkan oleh agensi kemudahan awam yang terlibat.

ii) Jurutera projek/pihak berkuasa jalan hendaklah menyemak sama ada agensi kemudahan awam berkenaan memerlukan subkontraktor yang berdaftar dengan mereka untuk 'membuat kerja-kerja pengalihan dan pemasangan semula tersebut. Jika perlu, maka pernyataan hendaklah dimuatkan dalam fasal kontrak yang kontraktor utama dimestikan memilih subkontraktor yang berdaftar dengan agensi kemudahan awam ' berkenaan sahaja, bagi menjalankan kerja-kerja pengalihan dan pemasangan semula tersebut,

iii) Jurutera projek/pihak berkuasa jalan hendaklah juga menyemak dengan agensi kemudahan awam terlibat bagi menentukan sama ada agensi berkenaan memerlukan atau tidak pengawasan/penyeliaan kerja secara berterusan oleh kakitangan mereka sendiri terhadap kerja-kerja pengalihan dan pemasangan semula kemudahan awam yang khusus (special services).

iv) Dalarn kes-kes di mana tawaran kerja projek jalan perlu dipanggil dengan segera, satu Peruntukan Sementara (Provisional Sum) yang berpatutan hendaklah disediakan dalam tawaran kerja pengalihan dan pemasangan semula kemudahan awam tersebut.

3.2.10 Sekiranya diputuskan bahawa **agensi kemudahan awam** itu sendiri yang akan menjalankan kerja pengalihan dan pemasangan semula kemudahan awam maka:

i) Agensi kemudahan awam hendaklah menyediakan dokumen tawaran yang diperlukan dan mengendalikan tawaran kerja pengalihan dan pemasangan semula kemudahan awam.

ii) Semua kerja:-pengalihan dan pemasangan semula kemudahan awam hendaklah menepati keperluan pihak berkuasa jalan berkenaan dan juga mematuhi jadual dan penentuan kerja yang ditetapkan.

3.3 Peringkat Pelaksanaan

3.3.1 Semasa pelaksanaan projek, jurutera projek/pihak berkuasa jalan hendaklah mengadakan mesyuarat lebih kerap bagi tujuan penyelarasan dan pengawasan projek. Sebarang pindaan kepada reka bentuk sama ada dari pihak berkuasa jalan atau agensi kemudahan awam hendaklah diberitahu kepada semua agensi yang terlibat.

3.3.2 Sekiranya kerja-kerja pengalihan dan pemasangan semula dijalankan oleh **pihak berkuasa jalan**, jurutera projek/pihak berkuasa jalan hendaklah menyimpan akaun yang terperinci tentang kerja-kerja pengalihan dan pemasangan semula yang dibuat termasuk segala pindaan, bagi tujuan mengemukakan tuntutan kepada agensi kemudahan awam berkenaan.

3.3.3 Semua akaun untuk kerja pengalihan dan pemasangan semula kemudahan awam hendaklah disiapkan dalam tempoh enam (6) bulan selepas tarikh siap kerja-kerja pengalihan dan pemasangan semula tersebut.

4.0 KAEDAH PEMBAYARAN PENGALIHAN DAN PEMASANGAN SEMULA KEMUDAHAN AWAM

4.1 Kerajaan telah menetapkan bahawa segala kos untuk pengalihan dan pemasangan semula kemudahan awam dalam rizab jalan yang terlibat dengan kerja-kerja pembesaran dan menaikkan taraf jalan hendaklah **ditanggung sepenuhnya oleh agensi/syarikat kemudahan awam.**

4.2 Cara Pengiraan Kos Pengalihan dan Pemasangan Semula

4.2.1 Apabila kerja pengalihan dan pemasangan semula kemudahan awam dijalankan oleh pihak berkuasa jalan berkenaan, kos yang perlu ditanggung oleh agensi kemudahan awam ialah kos sebenar ditambah dengan satu imbuhan (mark up) sebanyak 25% [iaitu termasuk kos tetap (overhead charge) bagi agensi Kerajaan menjalankan kerja-kerja untuk pihak swasta].

4.3 Cara Tuntutan Balik Kos Pengalihan dan Pemasangan Semula

4.3.1 Apabila akaun rnuktamad telah siap disediakan, pihak berkuasa jalan bolehlah menghantar satu bil merangkumi semua kos pengalihan dan pemasangan semula kemudahan awam yang terlibat kepada agensi/syarikat kemudahan awam berkenaan untuk menuntut balik kos pengalihan dan pemasangan semula. Cara untuk mengira kos adalah berdasarkan ketetapan seperti dinyatakan di perenggan 4.2 garis panduan ini. Bayaran hendaklah diselesaikan dalam tempoh satu (1) bulan dari tarikh bil dikeluarkan.

5.0 TARIKH BERKUAT KUASA

5.1 Peraturan yang ditetapkan dalam garis panduan ini adalah berkuat kuasa serta-merta.

5.2 Sebarang persoalan berkaitan dengan pelaksanaan mana-mana peraturan seperti yang ditetapkan dalam garis panduan ini, hendaklah ditujukan kepada **Jabatan Kerja Raya, Cawangan Jalan, Ibu Pejabat Jabatan Kerja Raya, Jalan Sultan Salahuddin, 50508 Kuala Lumpur.**

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