

Mr. Wayne L. Carlson  
Engineering Inspector  
State of Utah  
330 East 4th South  
Salt Lake City, Utah 84111

Dear Mr. Carlson:

Your letter of November 7, 1978, to Mr. Jack Overly has been referred to this office for response.

Under Section 192.243(d)(4), a "public highway" means a main direct road of thoroughfare in an area that is open to the public. The fact that a particular road is owned and maintained by the Forest Service or other government agency should have no bearing on whether the road is a "highway."

The "breakoff" between "highway" and a road which is not a "highway" depends on the nature of the road and its usage and cannot readily be defined as a general rule. The question should be resolved on an individual basis, after an examination of relevant circumstances. We will be happy to assist you in this regard as to any particular road you have in mind.

Sincerely,

/signed/

Cesar DeLeon  
Associate Director for  
Pipeline Safety Regulation  
Materials Transportation Bureau