**Section 530.290 Maintenance**

a) The Department shall be notified in writing and must give its permission before a permittee undertakes repairs of its facility in the right-of-way.

b) Utility facilities on State highway right-of-way are to be maintained, by or for the owner corporation, at the owner corporation's expense.

c) Emergency Maintenance Procedures

Emergencies that require immediate attention or repair of a utility installation may preclude following normal procedures for securing a working permit, but the permittee must file in writing with the Department a description of the repairs undertaken in the right-of-way within 48 hours after the emergency repair.

1) Emergency maintenance in relation to utility installations on the interstate and conventional highway system will be considered as any immediate maintenance required to the utility installation for the safety of the traveling public or immediate maintenance required for the health and safety of the general public served by the utility.

2) If an emergency creates a hazard on the traveled portion of the roadway, immediate steps shall be taken by the utility company to provide all necessary protection for traffic on the highway including the use of signs, lights, barricades or flaggers. If a hazard does not exist on the traveled way, but the nature of the emergency is such as to require the parking on the shoulder of equipment required in repair operations, signs and lights shall be provided. Parking on the interstate shoulder in an emergency will only be permitted when no other means of access to the utility installation is available.

3) In an emergency, the utility company shall immediately notify the appropriate District Engineer or authorized agent of the emergency, informing the District Engineer as to what steps have been taken for protection of the traveling public and what will be required to make the necessary repairs. If the nature of the emergency is such as to interfere with the free movement of traffic, the State Police, as well as the District Engineer, shall be notified immediately.

4) In an emergency, the utility company shall complete repairs as soon as possible and with the least inconvenience to the traveling public.