**Section 550.10 General Instructions for Securing a Permit For Access Driveways to State Highways**

a) A permit is required for the construction of any new access driveway or the revision of any existing driveway within the right-of-way along a State highway when the work is to be done by any person or agency other than the Department of Transportation. This permit is generally issued by the appropriate Regional or District Office of the Department of Transportation. In some cases where the curbing along a State highway is maintained by a municipality, permits for driveway work may be issued by that municipality with the State's concurrence. The Regional/District Offices will advise an applicant of the appropriate issuing authority. In all cases where the driveway is to a State highway, final jurisdiction concerning the permit will remain with the Department. Illustration A lists the addresses of the Regional and District Offices and the map indicates the jurisdictional boundaries of those offices.

b) A driveway constructed under a permit must be done by or for the property owner at his expense. Where a commercial driveway requires additions to the highway facility, these must also be done at the owner's expense. Existing driveways may be altered by the Department, at its expense, when reconstruction or changing conditions warrant.

c) Public road or street entrances to a State highway constructed by or for a local governmental agency do not normally require an access permit since they are generally Motor Fuel Tax (MFT) projects which the Department has an opportunity to review and which adequately bond the contractor. Proposed street entrances constructed with other than MFT funds or by a subdivider, however, must be authorized by permit. It is preferable to issue the permit to the local governmental agency, but it can be issued to the subdivision owner. The design of such a facility will need to meet the requirements of the appropriate local agencies and will be reviewed by the Department as a public road or street connection rather than a driveway.

d) The application for a permit, which may be a letter or other form of written request, should include the location and a brief description of the proposed work and the intended use of the driveway and be accompanied by plans, drawings, or a sketch. The application must also include the name, address, and phone number of the applicant and the owner of record of property served by the entrance. Following receipt of the permit request, the Regional/District Office will review the application to determine that the proposed driveway construction, the location of the driveway on the property, and the development of the property being served are in conformance with the provisions of this policy. Plans for commercial driveways may also be reviewed for compliance with regulations pertaining to land usage. A meeting may be required between the applicant and a representative of the Department. When all requirements are met, the permit forms will be prepared for processing.

e) Driveways are classified basically as noncommercial or commercial. A permit for a residential or general noncommercial driveway requires the least amount of time to process. However, the Department receives a large number of such requests, and they must be processed in the order in which they are received. The applicant should therefore not wait until he is ready to start work to apply for a permit. A permit for a commercial driveway requires a longer time period to process, and the request should, accordingly, be submitted as early as possible. A driveway to a high-volume industrial, commercial, or recreational traffic generator may require a formal agreement, which will necessitate additional time for review by the Central Office of the Department.

f) The applicant is cautioned that proper access to his property is a key factor to successful development, whether noncommercial or commercial, and that access arrangements should be resolved prior to any building construction and preferably before any building design.

g) In situations where a driveway or other related work is to be done by the State's contractor, at the owner's expense (normally in conjunction with an improvement along the State highway), where there is to be some financial participation by the State in the work to be done, or where the amount of work to be done on the State highway is extensive, a formal agreement between the applicant and the Department will be necessary. The agreement includes a description of the proposed work and defines the responsibilities of the State and the applicant. This agreement must be executed by the owner of record, the applicant (if other than the owner of record) and the Department. In cases where an agreement is required, the construction within the State right-of-way will be done under State contract. This contract will be let and the construction performed in accordance with normal State contract procedures.

h) Applicants may be required to furnish a bond to insure satisfactory completion and conformance to the permit requirements. Bonds are required for all commercial driveways and may be required for other special cases. The bond will be made a part of the permit and will be in an amount and for the period specified by the Department. In lieu of individual bonds for each permit, a blanket bond, as specified by the Department, will be acceptable.

i) Copies of the formal permit (and bond or agreement where necessary) will be mailed to the applicant for signing. All of these copies must be returned to the appropriate Regional/District Office for execution on behalf of the Department. Approved copies will be returned to the applicant. A copy of the approved permit must be available for inspection on the job site at all times. No work shall be undertaken on State right-of-way until the approved copy has been received by the applicant.