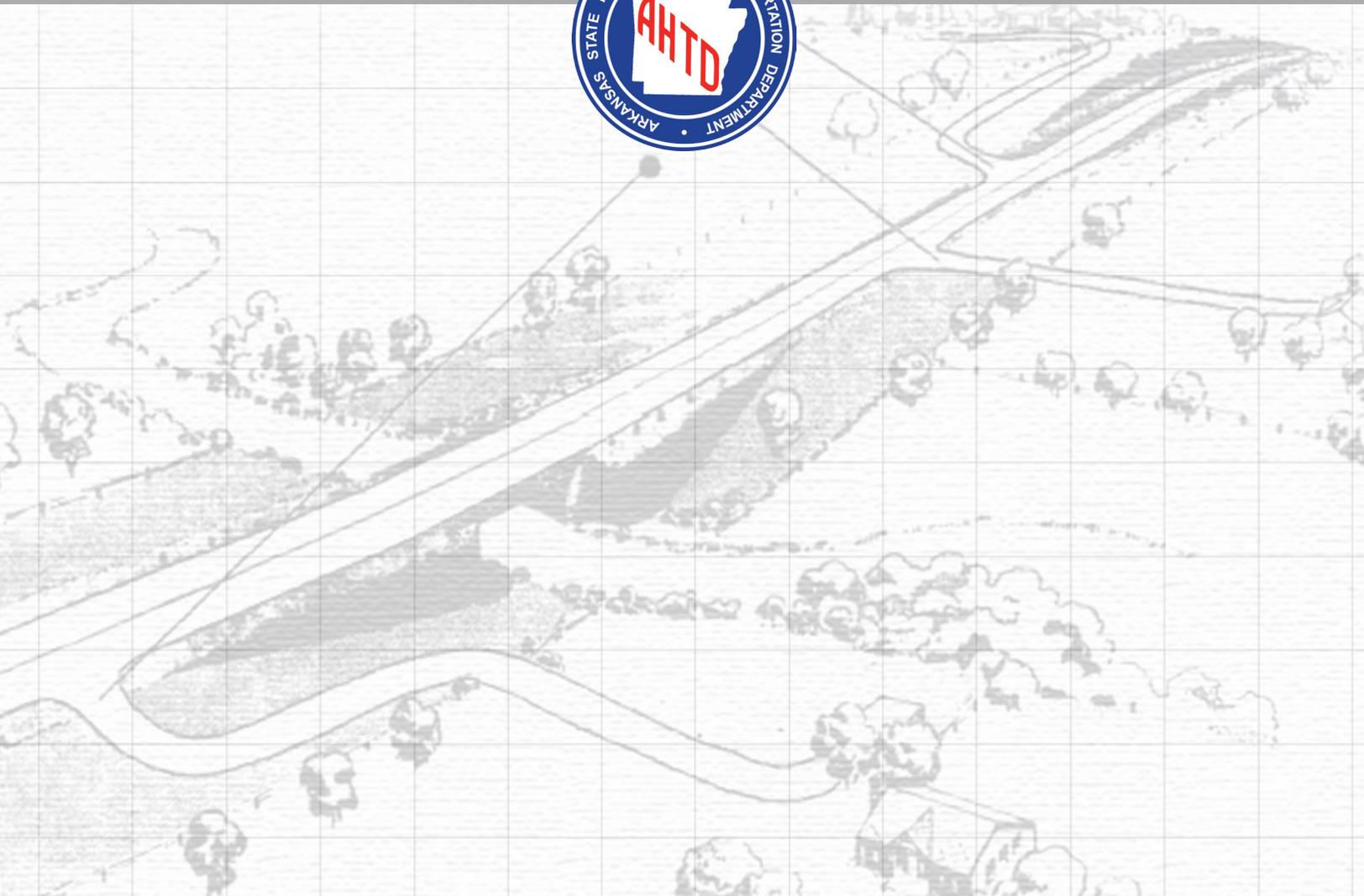


RULES FOR ACCESS DRIVEWAYS TO STATE HIGHWAYS 2017



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ARKANSAS STATE HIGHWAY COMMISSION

2017

This publication, RULES FOR ACCESS DRIVEWAYS TO STATE HIGHWAYS, is covered by State Highway Commission Minute Order No. 387 of February 25, 1954, and subsequent Commission Minute Orders No. 4161 of June 28, 1961; No. 4964 of February 20, 1963; No. 73-673 of September 26, 1973; No. 76-6 of January 29, 1976; No. 82-273 of August 25, 1982; No. 89-101 of March 22, 1989 and No. 17-006 of January 4, 2017 to govern the uniform design and construction of driveways that will allow adequate, safe and reasonable access to the roads and streets on the State Highway System with a minimum of interference and hazard to highway traffic.

These rules have been prepared along the guidelines set forth in the American Association of State Highway and Transportation Officials booklet entitled, "GUIDE FOR PREPARING PRIVATE DRIVEWAY REGULATIONS FOR MAJOR HIGHWAYS".

Arkansas State Highway Commission

Scott E. Bennett
Director of Highways and
Transportation

RULES FOR ACCESS DRIVEWAYS
TO STATE HIGHWAYS

First Edition 1957
Second Edition..... 1962
Third Edition 1973
Fourth Edition 1976
Fifth Edition 1982
Sixth Edition 1990
Seventh Edition..... 2017

Prepared by
Arkansas State Highway and Transportation Department
Maintenance Division

FOREWORD

Pursuant to Ark. Code Ann. § 27-65-107 the Arkansas State Highway Commission is authorized to adopt reasonable rules for the protection of the traveling public on the State Highway System and in controlling use of and access to the highways. Such rules shall have the force and effect of law. The rules adopted by the Commission allow reasonable access to the highway from abutting property. This manual of rules governs such reasonable access to all highways, roads and streets under the jurisdiction of the State Highway and Transportation Department (hereinafter designated as Department) except those controlled access facilities to which direct access is denied or limited.

It is the intent of these rules to provide design standards whereby orderly and safe movements of traffic in and out of properties abutting the State Highway System may be made in ways which will constitute a minimum of interference and hazard to highway traffic and to control the use of drainage structures and/or other appurtenances necessary to preserve the physical structure of the highway.

If a highway construction or reconstruction project is undertaken which requires the replacement or adjustment of existing access or the establishment of access to abutting property, the access facility will be constructed or reconstructed by the Department in accordance with the plans and specifications of the construction project. The cost of the work will be chargeable to the project.

If a need for access, where none formerly existed, develops subsequent to the initiation of construction or reconstruction work on a highway, the abutting property owner, lessee or duly appointed agent must follow the procedure outlined in this manual. The cost of the work will be borne by the Permittee.

TABLE OF CONTENTS

SECTION 1: Instructions for Securing Permit _____ 7-8

SECTION 2: Appeal Process _____ 9-10

- General Procedures _____ 9
- Notice Requirements _____ 9
- Conduct of Hearing _____ 9
- Rendering of Decisions _____ 10
- Judicial Review _____ 10

SECTION 3: District Offices _____ 11

SECTION 4: District Map _____ 12

SECTION 5: Definitions _____ 13-14

SECTION 6: Requirements for Commercial Driveways _____ 15-20

- General _____ 15
- Design _____ 16
 - General _____ 16
 - Location _____ 17
 - Intersections _____ 17
 - Geometrics _____ 17
 - Drainage _____ 18
 - Profile Grade _____ 18
 - Safety Zones _____ 18
 - Exceptions _____ 19
 - Construction _____ 19
 - Maintenance _____ 19

SECTION 7: Requirements for Non-Commercial Driveways _____ 21-25

- General _____ 21
- Design _____ 22
 - General _____ 22
 - Location _____ 23
 - Intersections _____ 23
 - Geometrics _____ 23
 - Drainage _____ 23
 - Profile Grade _____ 24
 - Safety Zones _____ 24
 - Exceptions _____ 24

| | |
|---|-------|
| Construction | 24 |
| Maintenance | 25 |
| SECTION 8: Requirements for Temporary Driveways | 26-29 |
| General | 26 |
| Design | 27 |
| General | 27 |
| Location | 27 |
| Intersections | 28 |
| Geometrics | 28 |
| Drainage | 28 |
| Profile Grade | 28 |
| Safety Zones | 28 |
| Exceptions | 29 |
| Construction | 29 |
| Maintenance | 29 |
| SECTION 9: Typical Layouts | 30-35 |
| SECTION 10: Fully Controlled Access Highways | 36-38 |
| SECTION 11: Sample Permit | 39-40 |
| SECTION 12: Traffic Control | 41 |
| SECTION 13: Standard Drawing DR-1 | 42 |

SECTION 1

INSTRUCTIONS FOR SECURING AN ACCESS DRIVEWAY PERMIT

1. A request for a permit to construct any driveway or to reconstruct any existing driveway shall be made to the District Engineer. See page 11 for addresses of the District Offices.
2. A brief description of the proposed work shall be included in the request along with the location of the work. The name, address and telephone number of the Applicant shall also be included.
3. Upon receipt of this request, the District Engineer will arrange for a meeting of the Applicant with a representative from the District Office, at which time details of the proposed work will be discussed and the official access driveway permit forms will be prepared for processing.
4. The access driveway permit form along with any necessary drawings and Deposit or Bond, if required, shall be submitted to the District Engineer for approval.
5. Following approval of the permit, copies will be forwarded to the Applicant and the Area Maintenance Supervisor.
6. **NO WORK SHALL BE UNDERTAKEN ON STATE HIGHWAY RIGHT-OF-WAY UNTIL THE PERMIT HAS BEEN ISSUED BY THE ENGINEER.**
7. All access driveway permits will be issued using the Statewide Permit System.
8. Prior to issuing an access driveway permit, the District Engineer must check the Statewide Permit System for additional rules as required under the Access Management Agreement.
9. (a) If an Access Management Agreement is in place between the Department and the jurisdiction covering the location of the proposed work, the request for a permit shall include, in addition to the requirements set out in this Section, a copy of an approval or permit issued by the appropriate jurisdictional authority. Failure to provide a copy of the required approval or permit shall be grounds for denial.

(b) If an approval or permit issued by the appropriate jurisdictional authority is submitted with the request for permit under 9(a), the request and approval or permit will be reviewed to confirm that the request complies with the terms of the existing Access Management Agreement.

10. (a) A request for an Access Management Agreement shall be submitted to the Department's Division Head for Transportation Planning and Policy. To be considered the request must be accompanied by documentation establishing a formal adoption of the proposed Agreement by the governing body of all jurisdictions affected by the proposed Agreement.

(b) The proposal will be reviewed and either submitted to the Arkansas Highway Commission for adoption and authorization to enter into the Agreement, or returned for modification. If returned for modification, any subsequent request must be accompanied by documentation establishing a formal adoption of the revised Agreement by the governing body of all jurisdictions affected by the proposed Agreement. No Agreement will be considered effective until adopted by the Commission and signed by the Department.

SECTION 2

APPEAL PROCESS

2.0 GENERAL PROCEDURES

If an Applicant is denied a permit, he or she may file a written appeal with the District Engineer within sixty (60) days from the notice of denial requesting an administrative hearing in accordance with Ark. Code Ann. § 25-15-201 *et seq.* of the Arkansas Administrative Procedure Act ("APA"). All hearings shall be presided over by the Director or Director's designated Administrative Hearing Officer at the Department's Central Offices, located in Little Rock, and shall be conducted in an orderly manner.

The appellant shall have the right to appear in person at the hearing, to be represented by counsel, to have an interpreter, to present such documentary, oral or other evidence as he or she may have in support of his or her position, to cross-examine witnesses, and to present argument on all issues involved. The appellant shall also have the right to inspect and copy all records, except for those specifically exempt from disclosure under the Arkansas Freedom of Information Act, relevant to his or her appeal. The Department may impose costs of actual reproduction, copies, and reasonable conditions on the appellant's right to inspect, consistent with applicable laws.

2.1 Notice Requirements

The appellant shall be given written notice of a hearing within ten (10) business days from the date of appeal and such notice will include the following:

- 2.1.1 A statement of the time, place, and nature of the hearing;
- 2.1.2 A statement of the legal authority and jurisdiction under which the hearing is to be held; and
- 2.1.3 A short and plain statement of the matters of fact and law asserted.

2.2 Conduct of Hearing

2.2.1 The Hearing Officer is responsible for conducting the hearing in accordance with the APA and all other applicable laws, including but not limited to, the Arkansas Rules of Civil Procedure regarding any discovery. The duties of the Hearing Officer include maintaining the decorum of the hearing and may refuse to admit, or may expel, anyone whose conduct is disorderly. He or she is also charged with administering oaths or

affirmations of witnesses, ruling on motions and objections, and admitting or denying evidence into the record.

2.2.2 The hearing is a proceeding open to the public subject to state and federal confidentiality laws and rules. An appellant may waive his or her right to confidentiality, but may not waive another's right to confidentiality.

2.2.3 The hearing shall be recorded by a Commission appointed court reporter. If the decision of the Hearing Officer is appealed, the Department will prepare a transcript or cause a transcript to be prepared for filing in the circuit court as provided in Ark. Code Ann. § 25-15-212.

2.3 Rendering of Decisions

2.3.1 In rendering a decision to affirm or reverse the District Engineer's decision, the Hearing Officer shall review the evidence, testimony, documents, and any other matters presented at the hearing and thereafter render a decision.

2.3.2 The decision of the Hearing Officer shall be reduced to a final Order containing findings of fact and conclusions of law, separately stated, in accordance with Ark. Code Ann. § 25-15-210(b)(2). Findings of fact shall be based exclusively on the evidence and on matters officially noticed.

2.3.3 The Parties shall be served either personally or by mail with a copy of the Order.

2.3.4 Any Order of the Hearing Officer shall constitute the final agency determination for purposes of judicial review under Ark. Code Ann. § 25-15-212.

2.4 Judicial Review

2.4.1 In accordance with the APA, the appellant shall be advised in writing of his or her rights to seek judicial review of an adverse decision by filing a petition in circuit court within thirty (30) days after service of the Order.

2.4.2 Upon proper service of a petition for appeal, the Department shall have thirty (30) days to prepare and transmit to the reviewing court the original or a certified copy of the entire record of the proceeding under review.

2.4.3 In accordance with the APA, the cost of the preparation of the record shall be borne by the Department. However, the Department shall be entitled to recover from the appellant the actual cost of reproducing each copy of the transcript if it is the prevailing party.

SECTION 3

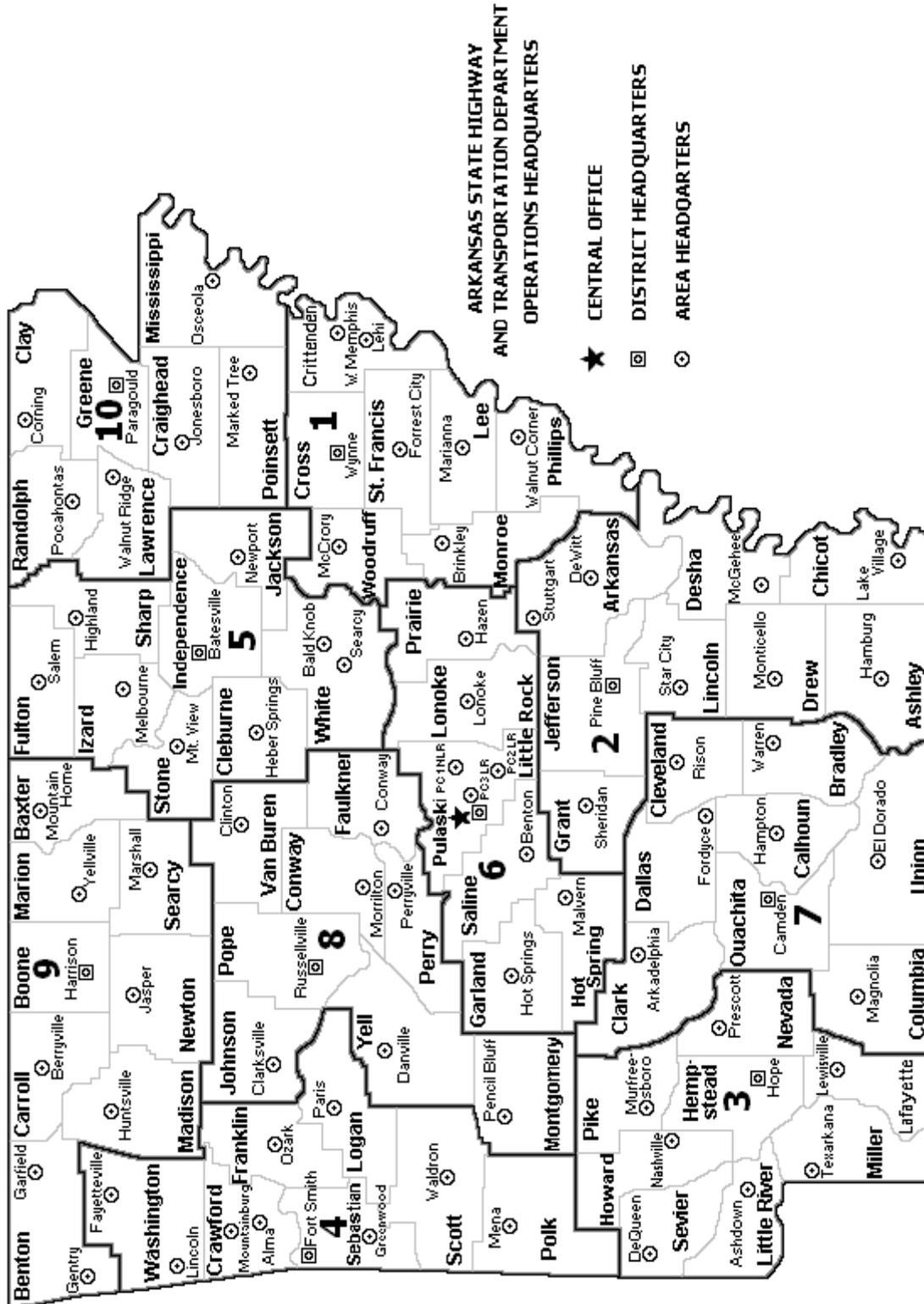
ARKANSAS STATE HIGHWAY AND TRANSPORTATION DEPARTMENT

DISTRICT OFFICES

| | | |
|--------------------------------|--|--------------|
| DISTRICT ONE WYNNE | District Engineer 2701 U S 64 West P. O. Box 278 Wynne, Arkansas 72396-0278 | 870-238-8144 |
| DISTRICT TWO PINE BLUFF | District Engineer 4900 Highway 65 South P. O. Box 6836 Pine Bluff, Arkansas 71611-6836 | 870-534-1612 |
| DISTRICT THREE HOPE | District Engineer 2911 Highway 29 North P. O. Box 490 Hope, Arkansas 71802-0490 | 870-777-3457 |
| DISTRICT FOUR FORT SMITH | District Engineer 808 Frontier Road P.O. Box 11170 Fort Smith, Arkansas 72917-1170 | 479-646-5501 |
| DISTRICT FIVE BATESVILLE | District Engineer 1673 Batesville Blvd. P. O. Box 2376 Batesville, Arkansas 72503-2376 | 870-251-2374 |
| DISTRICT SIX LITTLE ROCK | District Engineer 8900 Mabelvale Pike P. O. Box 190296 Little Rock, Arkansas 72219-0296 | 501-569-2266 |
| DISTRICT SEVEN CAMDEN | District Engineer 2245 California Ave. P. O. Box 897 Camden, Arkansas 71711-0897 | 870-836-6401 |
| DISTRICT EIGHT RUSSELLVILLE | District Engineer 372 Aspen Lane P. O. Box 70 Russellville, Arkansas 72811-0070 | 479-968-2286 |
| DISTRICT NINE HARRISON | District Engineer 4590 Highway 65 P. O. Box 610 Harrison, Arkansas 72602-0610 | 870-743-2100 |
| DISTRICT TEN PARAGOULD | District Engineer 2510 Highway 412 West P. O. Box 98 Paragould, Arkansas 72451-0098 | 870-239-9511 |

SECTION 4

DISTRICT MAP



SECTION 5

DEFINITIONS

When the following terms are used, including abbreviations or pronouns, the intent and meaning shall be interpreted as follows:

- 5.1 **Administrative Procedure Act (APA):** The governing authority, as codified in Ark. Code Ann. § 25-15-201 et seq., for the adjudication of an administrative proceeding.
- 5.2 **Appeal Process** – A formal process provided for an Appellant to request, in writing, an administrative hearing pursuant to the APA.
- 5.3 **Appellant:** The Applicant seeking an appeal of the District Engineer’s decision denying a request for a permit under these rules.
- 5.4 **Applicant:** The owner or duly authorized representative of the owner, i.e. contractor, consulting engineer or lessee. The person who has the legal right to possession and control of the property abutting the right-of-way and is in the process of securing an Access Driveway Permit from the Department.
- 5.5 **Deposit or Bond:** Security Deposit or right-of-way bond. An approved form of security guaranteeing the completion of the permit provisions and compliance with the Rules for Access Driveways to State Highways.
- 5.6 **Commission:** The Arkansas State Highway Commission.
- 5.7 **Department:** The Arkansas State Highway and Transportation Department.
- 5.8 **Director:** The Director of Highways and Transportation.
- 5.9 **Engineer:** The District Engineer, a professional engineer who is responsible for engineering supervision of the District and who is acting as the duly authorized representative of the Deputy Director and Chief Engineer.
- 5.10 **Frontage:** Frontage is that portion of the Permittee’s property lying between the two most distant possible lines drawn perpendicular from the centerline of the highway to the Permittee’s abutting property.
- 5.11 **Hearing Officer** – A Department employee who is appointed by the Director as the designee to preside over the appeal hearing.
- 5.12 **MUTCD:** The Manual on Uniform Traffic Control Devices for Streets and Highways.

- 5.13 **Order** – A final agency determination that may be appealed to a circuit court under the APA.
- 5.14 **Permittee:** The owner, lessee or duly authorized agent. The person who is responsible for compliance with the permit provisions.
- 5.15 **Permit:** Access Driveway Permit. A duly executed agreement granting permission to construct, make dimensional changes or relocate an access driveway pursuant to the Rules for Access Driveways to State Highways.
- 5.16 **Safety Zone:** All parts of the highway right-of-way between the curb or shoulder line and the right-of-way line along the Permittee’s property frontage, except the areas contained in the access driveway, shall be a Safety Zone.
- 5.17 **Special Permit:** A Special Permit is issued for work on Arkansas State Highway & Transportation Department right-of-way that is not an access driveway. Special Permits will be issued through the Statewide Permit System.

SECTION 6

REQUIREMENTS FOR COMMERCIAL DRIVEWAYS

6.1 GENERAL

6.1.1 A Commercial Driveway is defined as access to and from any commercial business, housing subdivision or public establishment adjoining a State Highway.

6.1.2 A permit shall be obtained from the Department for all access driveways on State Highways. Within incorporated cities or counties, it will be necessary for the Applicant to satisfy the requirements of the city and/or county to obtain a permit from the Department. The city's or county's requirements must meet or exceed the requirements of this manual.

NO WORK SHALL BE UNDERTAKEN ON STATE HIGHWAY RIGHT-OF-WAY UNTIL THE PERMIT HAS BEEN ISSUED BY THE ENGINEER.

6.1.3 The Permittee shall fully protect the traffic on the highway during construction covered hereunder by proper traffic control devices in accordance with the Manual on Uniform Traffic Control Devices, and hold harmless the Commission, the Department, and its duly appointed agents, officers and employees, from all damages, expenses, claims or liability arising out of any alleged damages of any nature to any person or property due to the construction, performance or non-performance of work or existence of a driveway.

6.1.4 The Permittee shall not erect any sign, flag, or other identifying marker, for the purpose of attracting attention to the site, either fixed or moveable, on or extending over any portion of the highway right-of-way. Anyone erecting such sign, flag or identifying marker is in violation of Ark. Code Ann. § 27-67-304.

6.1.5 The Permittee shall maintain all existing highway, street, and county road regulatory, warning, guide and informational signs in an effective location at all times for the duration of the work and shall install them at the correct location upon completion of the work. Any signs damaged by the Permittee shall be replaced at no cost to the Department.

6.1.6 Applications for permits shall be made by the owner or duly authorized representative of the owner, i.e. contractor, consulting engineer or lessee, who shall represent all parties' interests. Such permits shall be only for the bona fide purpose of constructing or modifying access to the property

and not for the purpose of parking, servicing, or loading and unloading vehicles on the State Highway right-of-way.

- 6.1.7 Permits for initial construction or for modification of commercial driveways shall have a Deposit or Bond in the amount of a minimum of \$1,000.00 per driveway. Deposits or Bonds may be waived on permits for governmental entities. The Deposit or Bond will be refunded upon satisfactory completion of the work covered by the permit.
- 6.1.8 Commercial driveway permits will have an expiration date of one year from date of issue. If no work has begun at the expiration date, the permit may be revoked and the deposit returned.
- 6.1.9 At the expiration date, if the work has not been completed in accordance with the permit, the Permittee will be notified by certified mail, with an explanation of non-compliance. If the driveway does not comply in 30 days, the permit will be revoked, the Deposit or Bond forfeited.
- 6.1.10 The Permittee may elect to apply for a new permit. If a new permit is issued, the original permit will be revoked and a new permit issued with a minimum of twice the original Deposit or Bond.
- 6.1.11 The Engineer may grant written extensions up to 6 months to those in non-compliance for a reasonable period as he or she deems necessary, based on the showing of good cause by the Permittee, but for no longer than 6 months.

6.2 DESIGN

6.2 GENERAL

- 6.2.1 All parts of access driveways on highway right-of-way shall be confined within the Permittee's property frontage.
- 6.2.2 No changes to partial or fully controlled access facilities will be considered except by written authorization of the Department's Deputy Director and Chief Engineer.
- 6.2.3 All parts of any access driveway, including the radii, shall be a minimum of 10 feet inside the adjoining property frontage in rural locations and shall be a minimum of 5 feet in urban locations, except as provided in Section 6.9.
- 6.2.4 On all paved highways, commercial drives shall be surfaced from the normal edge of pavement to a minimum distance of 20 feet or

to the right-of way line, whichever is less, with concrete or asphalt surfacing.

6.3 LOCATION

6.3.1 Access driveways shall be located to provide adequate sight distances and safety for highway users. If adequate sight distance cannot be provided, some movements at the driveway may be prohibited or access denied.

6.3.2 Frontages of 50 feet or less shall be limited to one driveway. Normally, no more than two driveways shall be allowed for any single property tract or business establishment. An exception may be made when the frontage approaches 600 feet, if approved by the Engineer.

6.4 INTERSECTIONS

6.4.1 At any intersection of a State Highway with another highway, road, or street, access driveways shall be prohibited for a sufficient distance from the intersection to preserve the normal and safe movement of traffic through it, and the distance shall be not less than the intersecting street return radius.

6.5 GEOMETRICS

6.5.1 Radii for all commercial access driveways in urban areas shall be not less than 5 feet and in rural areas the radii shall be not less than 10 feet, except as provided in Section 6.9.

6.5.2 The width of access driveways shall not exceed 40 feet measured at right angles to the centerline of the driveway, except as increased by permissible radii or as provided in Section 6.9. The minimum width shall be 15 feet on a one-way drive and shall be 24 feet on a two-way drive.

6.5.3 The angle of access driveways from the pavement shall generally be 60 degrees to 90 degrees.

6.5.4 The distance from the right-of-way line to the near edge of service pumps, vendor stands, tanks, or water hydrants shall be a minimum of 15 feet. To permit free movement of large vehicles and, in certain instances, to insure that they be entirely off highway right-of-way while being serviced, a greater distance is recommended.

6.6 DRAINAGE

6.6.1 Drainage in highway side ditches shall not be altered or impeded. When drainage structures are required, the size of the opening, the length and the other design features shall be approved by the Engineer, and in all cases the structure shall be no smaller than an 18 inches diameter or equivalent pipe culvert. Pipe culverts shall be corrugated metal, reinforced concrete pipe or other Department approved pipe, a minimum of 24 feet in length and shall have no hazardous headwalls or other hazards constructed upon it. Pipe installation in excess of 100 feet will require drop inlet or other cleanout provisions. The owner may be required to provide a drainage study. No driveways shall be constructed with swale type ditches for drainage unless there is no other alternative and an exception is approved by the Engineer.

6.7 PROFILE GRADE

6.7.1 The grade of the driveway shall be so constructed as to conform to the slope of the roadway shoulder from the edge of the traveled lane to the edge of the shoulder. Preferably, the profile grade of the driveway shall be constructed so the water will not drain onto the traveled surface.

6.8 SAFETY ZONES

6.8.1 All parts of the highway right-of-way between the curb or shoulder line and the right-of-way line along the Permittee's property frontage, except the areas contained in the access driveway, shall be a Safety Zone. Generally, the Safety Zone between driveways should be a minimum of one-third the length of the property frontage but not less than 25 feet in length except as provided in Section 6.9. Curbs and/or islands shall be installed by the Permittee as may be necessary to prohibit vehicle parking and access in Safety Zones. Curbs shall be asphalt or concrete not less than 6 inches and no more than 12 inches in height. The curb nearest the traveled lanes shall be aligned with existing curbs or shoulder lines but not less than 4 feet from the travel lane. The Engineer may require a greater distance when it is necessary to preserve the safety and utility of the highway or to conform to proposed improvements.

6.8.2 The Safety Zone may be filled, provided the drainage structure

underneath the fill is adequate to carry the design flow of water in the highway side ditches, and in no case less than the size of the structure required for the driveway.

6.9 EXCEPTIONS

6.9.1 The Engineer may authorize or require changes in the design when necessary to preserve the normal and safe movement of traffic or to permit reasonable access. In consideration of type, speed, and volume of highway traffic and access driveway traffic, larger radii than the minimum may be required. When physical factors make it impractical to obtain reasonable access within these requirements, appropriate variations may be authorized, provided that in all cases radii are confined to the Permittee's property frontage and are not less than 2-1/2 feet, the island between driveways is not less than 10 feet long, and the driveway widths do not exceed 48 feet.

6.10 CONSTRUCTION

6.10.1 The Permittee shall furnish and install all materials, including fill material, surfacing and drainage structures. All materials used must comply with the requirements contained in this manual and/or specified by the Engineer. The Permittee shall perform all work in connection with the construction of access driveways and their appurtenances on the right-of-way. However, the Department may assist by establishing flow line grades for drainage structures and finish grades for driveway surfaces or such other comparable assistance, which the Engineer may agree to perform.

6.11 MAINTENANCE

6.11.1 The Department will provide routine maintenance shoulder width, or a minimum of 4 feet adjacent to the edge of the travel lane, across commercial drives. The Permittee shall make provisions for the removal of any debris such as mud, tree limbs, bark, etc. resulting from operations from the roadway surface. Any time a hazard is created, the correction of the hazardous condition must be made immediately.

6.11.2 Any maintenance or improvement to the surfacing or drainage structure of a commercial driveway will be the responsibility of the Permittee. **ANY DIMENSIONAL CHANGE OR RELOCATION OF THE DRIVEWAY WILL REQUIRE AN APPROVED PERMIT FROM THE DEPARTMENT.** This includes any driveway approach or other improvement constructed on the right-of-way.

6.11.3 The Department reserves the right to inspect driveways at all times and to require such maintenance and repairs as may, at any time, be considered necessary. If the driveway is not properly maintained by the Permittee and becomes a hazard, it will be removed.

SECTION 7

REQUIREMENTS FOR NON-COMMERCIAL DRIVEWAYS

7.1 GENERAL

7.1.1 Non-commercial driveways are defined as driveways adjoining a State Highway to provide entrance to and/or exit from private property for the exclusive use and benefit of the owner or lessee, and driveways for farms or ranches, churches, schools, non-commercial cemeteries and other non-commercial public access.

7.1.2 A permit shall be obtained from the Department for all non-commercial access driveways on State Highways. Within incorporated cities it will be necessary for the Applicant to satisfy the requirements of the city and to obtain a permit from the Department. The city's requirements must meet or exceed the requirements of this manual.

NO WORK SHALL BE UNDERTAKEN ON STATE HIGHWAY RIGHT-OF-WAY UNTIL THE PERMIT HAS BEEN ISSUED BY THE ENGINEER.

7.1.3 The Permittee shall fully protect the traffic on the highway during construction covered hereunder by proper traffic control devices in accordance with the Manual on Uniform Traffic Control Devices, and to hold harmless the Commission, the Department, and its duly appointed agents, officers and employees, from all damages, expenses, claims or liability arising out of any alleged damages of any nature to any person or property due to the construction, performance or non-performance of work or existence of a driveway.

7.1.4 The Permittee shall not erect any sign, flag or other identifying marker, for the purpose of attracting attention to the site, either fixed or moveable, on or extending over any portion of the highway right-of-way. Anyone erecting such sign, flag or identifying marker is in violation of Ark. Code Ann. § 27-67-304.

7.1.5 The Permittee shall maintain all existing highway, street, and county road regulatory, warning, guide and informational signs in an effective location at all times for the duration of the work and shall install them at the correct location upon completion of the work. Any signs damaged by the Permittee shall be replaced at no cost to the Department.

7.1.6 Applications for permits shall be made by the owner or duly authorized representative of the owner, i.e. contractor, consulting engineer or lessee,

who shall have the authority to represent all parties' interests. Such permits shall be only for the bona fide purpose of constructing or modifying access to the property and not for the purpose of parking, servicing or loading and unloading vehicles on the State Highway right-of-way.

- 7.1.7 Permits for non-commercial driveways will not require a bond. When requests are made for more than one non-commercial driveway, a bond may be required.
- 7.1.8 Non-commercial driveway permits will have an expiration date of one year from date of issue. If no work has begun at the expiration date, the permit may be revoked and any bond returned.
- 7.1.9 At the expiration date, if the work has not been completed in accordance with the permit, the Permittee will be notified by certified mail, with an explanation of non-compliance. If the driveway does not comply in 30 days, the permit will be revoked.
- 7.1.10 The Permittee may elect to apply for a new permit. If a new permit is issued, the original permit will be revoked and a new permit issued.
- 7.1.11 The Engineer may grant written extensions up to 6 months to those in non-compliance for a reasonable period as he deems necessary, based on the showing of good cause by the Permittee, but for no longer than 6 months.

7.2 DESIGN

7.2 GENERAL

- 7.2.1 All parts of access driveways on highway right-of-way shall be confined within the Permittee's property frontage.
- 7.2.2 No changes to partial or fully controlled access facilities will be considered except by written authorization of the Department's Deputy Director and Chief Engineer.
- 7.2.3 All parts of any access driveway, including the radii, shall be a minimum of 10 feet inside the adjoining property frontage in rural locations and shall be a minimum of 5 feet in urban locations, except as provided in Section 7.9.
- 7.2.4 Access driveways located on curbed highways must be constructed in accordance with Standard Drawing DR-1 as shown on page 42.

7.3 LOCATION

7.3.1 Access driveways shall be located to provide adequate sight distances and safety for highway users. If adequate sight distance cannot be provided, some movements at the driveway may be prohibited or access denied.

7.3.2 Frontages of 50 feet or less shall be limited to one driveway. Normally, no more than two driveways shall be allowed for any property. An exception may be made when the frontage approaches 600 feet, if approved by the Engineer.

7.4 INTERSECTIONS

7.4.1 At any intersection of a State Highway with another highway, road or street, access driveways shall be prohibited for a sufficient distance from the intersection to preserve the normal and safe movement of traffic through it, and the distance shall be not less than the intersecting street return radius.

7.5 GEOMETRICS

7.5.1 Radii for all access driveways in urban areas shall be not less than 5 feet and in rural areas the radii shall be not less than 10 feet, except as provided in Section 7.9.

7.5.2 The width of access driveways shall not exceed 40 feet measured at right angles to the centerline of the driveway, except as increased by permissible radii or as provided in Section 7.9. The minimum width shall be 12 feet.

7.5.3 The angle of access driveways from the pavement shall generally be 60 degrees to 90 degrees.

7.6 DRAINAGE

7.6.1 Drainage in highway side ditches shall not be altered or impeded. When drainage structures are required, the size of the opening, the length and the other design features shall be approved by the Engineer, and in all cases the structure shall be no smaller than an 18 inches diameter or equivalent pipe culvert. Pipe culvert shall be corrugated metal, reinforced concrete pipe, or other Department approved pipe, a minimum of 20 feet in length and shall have no hazardous headwalls or other hazards constructed upon it. No

driveway shall be constructed with swale type ditches for drainage unless there is no other alternative and an exception is approved by the Engineer.

7.7 PROFILE GRADE

7.7.1 The grade on the driveway shall be constructed to conform to the slope of the roadway shoulder from the edge of the traveled lane to the edge of the shoulder. Preferably, the profile grade of the driveway shall be constructed so the water will not drain onto the traveled surface.

7.8 SAFETY ZONES

7.8.1 All parts of the highway right-of-way between the curb or shoulder line and the right-of-way line along the Permittee's property frontage, except the areas contained in the access driveway, shall be a Safety Zone. Generally, the Safety Zone between driveways should be a minimum of one-third the length of the property frontage, but not less than 25 feet in length except as provided in Section 7.9.

7.9 EXCEPTIONS

7.9.1 The Engineer may authorize or require changes in the design when necessary to preserve the normal and safe movement of traffic and to permit reasonable access. In consideration of type, speed, volume of highway traffic and driveway traffic, larger radii and/or widths than the minimum may be required. When physical factors make it impractical to obtain reasonable access within these requirements, appropriate variations may be authorized, provided that in all cases radii are confined to the Permittee's property frontage and are not less than 2½ feet. The District Engineer must approve exceptions to these rules.

7.10 CONSTRUCTION

7.10.1 The Permittee shall furnish and install all materials, including fill material, surfacing and drainage structures. All materials used must comply with the requirements contained in this manual and/or specified by the Engineer. The Permittee shall perform all work in connection with the construction of access driveways and their appurtenances on the right-of-way. However, the Department may assist by establishing flow line grades for drainage structures and finish grades for driveway surfaces or

such other comparable assistance, which the Engineer may agree to perform.

7.11 MAINTENANCE

- 7.11.1 Non-commercial driveways will be maintained to the right-of-way line by the Department. **ANY DIMENSIONAL CHANGE OR RELOCATION OF THE DRIVEWAY WILL REQUIRE AN APPROVED PERMIT FROM THE DEPARTMENT.** This includes any driveway approach or other improvement constructed on the right-of-way.

SECTION 8

REQUIREMENTS FOR TEMPORARY DRIVEWAYS

8.1 GENERAL

- 8.1.1 A temporary driveway is defined as a driveway adjoining a State Highway to provide access for a duration of 120 days or less.
- 8.1.2 A permit shall be obtained from the Department for all temporary access driveways on State Highways. Within incorporated cities it will be necessary for the Applicant to satisfy the requirements of the city and to obtain a permit from the Department. The city's requirements must meet or exceed the requirements of this manual.

NO WORK SHALL BE UNDERTAKEN ON STATE HIGHWAY RIGHT-OF-WAY UNTIL THE PERMIT HAS BEEN ISSUED BY THE ENGINEER.

- 8.1.3 The Permittee shall fully protect the traffic on the highway during construction covered hereunder by proper traffic control devices in accordance with the Manual on Uniform Traffic Control Devices, and to hold harmless the Commission, the Department, and its duly appointed agents, officers and employees, from all damages, expenses, claims or liability arising out of any alleged damages of any nature to any person or property due to the construction, performance or non-performance of work or existence of a driveway.
- 8.1.4 The Permittee shall not erect any sign, flag or other identifying marker, for the purpose of attracting attention to the site, either fixed or moveable, on or extending over any portion of the highway right-of-way. Anyone erecting such sign, flag or identifying marker is in violation of Ark. Code Ann. § 27-67-304.
- 8.1.5 The Permittee shall maintain all existing highway, street, and county road regulatory, warning, guide and informational signs in an effective location at all times for the duration of the work and shall install them at the correct location upon completion of the work. Any signs damaged by the Permittee shall be replaced at no cost to the Department.
- 8.1.6 Applications for permits shall be made by the owner or duly authorized representative of the owner, i.e. contractor, consulting engineer or lessee, who shall represent all parties' interests. Such permits shall be only for the bona fide purpose of constructing or modifying access to the property and not for the purpose of parking, servicing or loading and unloading

vehicles on the State Highway right-of-way.

8.1.7 Permits for temporary driveways shall have a Deposit or Bond in the amount of \$1,000.00 per driveway. The Deposit or Bond will be refunded upon satisfactory completion of the work and restoration of the right-of-way to its original condition.

8.1.8 Temporary driveway permits will have an expiration date of a maximum of 120 days from the date of issue. When necessary, the Engineer may extend this at 60 day intervals, but not to exceed a total of 240 days.

8.2 DESIGN

8.2 GENERAL

8.2.1 All parts of temporary access driveways on highway right-of-way shall be confined within the Permittee's property frontage. Frontage is that portion of the Permittee's property lying between the two most distant possible lines drawn perpendicular from the centerline of the highway to the Permittee's abutting property.

8.2.2 No changes to partial or fully controlled access facilities will be considered except by written authorization of the Department's Deputy Director and Chief Engineer.

8.2.3 All parts of any temporary access driveway, including the radii, shall be a minimum of 10 feet inside the adjoining property frontage in rural locations and shall be a minimum of 5 feet in urban locations, except as provided in Section 8.9.

8.3 LOCATION

8.3.1 Temporary access driveways shall be located to provide adequate sight distances and safety for highway users. If adequate sight distance cannot be provided, some movements at the driveway may be prohibited or access denied.

8.3.2 Frontages of 50 feet or less shall be limited to one driveway. Normally, no more than two driveways shall be allowed for any single property tract or business establishment. An exception may be made when the frontage approaches 600 feet, if approved by the Engineer.

8.4 INTERSECTIONS

8.4.1 At any intersection of a State Highway with another highway, road or street, access driveways shall be prohibited for a sufficient distance from the intersection to preserve the normal and safe movement of traffic through it, and the distance shall be not less than the intersecting street return radius.

8.5 GEOMETRICS

8.5.1 Radii for all commercial access driveways in urban areas shall be not less than 5 feet and in rural areas the radii shall be not less than 10 feet, except as provided in Section 8.9.

8.5.2 The width of access driveways shall not exceed 40 feet measured at right angles to the centerline of the driveway, except as increased by permissible radii or as provided in Section 8.9. The minimum width shall be 15 feet on a one-way drive and shall be 24 feet on a two-way drive.

8.5.3 The angle of access driveways from the pavement shall generally be 60 degrees to 90 degrees.

8.6 DRAINAGE

8.6.1 Drainage in highway side ditches shall not be altered or impeded. During dry summer months when drainage is not a problem, temporary roadway ditch crossings may be made by using boards or poles for the original 120 day permit only. When board or pole crossings cause scour or create a hazard, they shall be immediately removed or reconstructed as required by the Engineer.

8.7 PROFILE GRADE

8.7.1 The profile grade on the driveway should be maintained so that water will not drain onto the traveled surface or cause damage to the right-of-way.

8.8 SAFETY ZONES

8.8.1 All parts of the highway right-of-way between the curb or shoulder line and the right-of-way line along the Permittee's property frontage, except the areas contained in the temporary access driveway, shall be a Safety Zone. Vehicle parking or access will not be permitted in a Safety Zone.

8.9 EXCEPTIONS

8.9.1 The Engineer may authorize or require changes in the design when necessary to preserve the normal and safe movement of traffic and to permit reasonable access. The Engineer must approve exceptions to these rules.

8.10 CONSTRUCTION

8.10.1 The Permittee shall furnish and install all materials, including fill material and drainage structure, if required. All materials used must comply with the requirements contained in this manual and/or specified by the Engineer. The Permittee shall perform all work in connection with the construction of access driveways and their appurtenances on the right-of-way and all work required to remove the driveway and restore the right-of-way to its original condition. However, the Department may assist by establishing flow line grades for drainage structures and finish grades for driveway surfaces or such other comparable assistance, which the Engineer may agree to perform.

8.11 MAINTENANCE

8.11.1 Any maintenance of the driveway will be the responsibility of the Permittee. The Permittee shall make provisions for removal from the highway any debris caused by the Permittee's operations. Provisions shall be made to remove such debris as mud, tree limbs, bark, etc. At any time a hazardous condition is created, correction of a hazardous condition must be made immediately.

SECTION 9

TYPICAL LAYOUTS

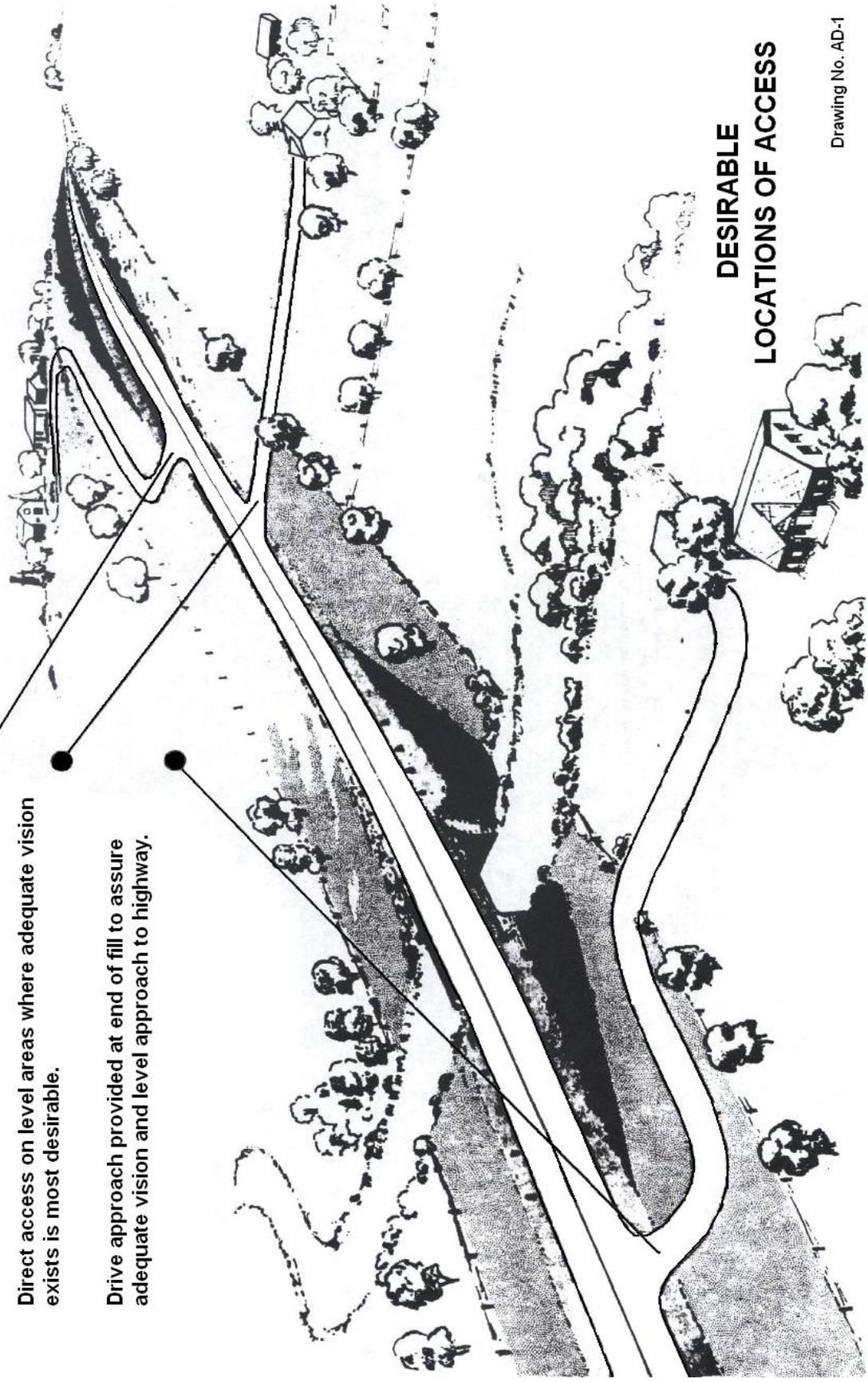
- 9.0 Drawing Numbers AD-1 through AD-5 illustrate the typical treatment which may be used on driveways.

- 9.1 The sketches contained in this manual illustrate the freedom of design permitted by these regulations which permit adequate access along with reasonable protection to the traveling public and patrons of roadside establishments. The Department does not design layouts for private property. However, these sketches are presented to illustrate the attractive and inviting appearance of such establishments when proper provisions are made for access.

Drive approach to highway provided at end of cut section giving a level approach with adequate vision.

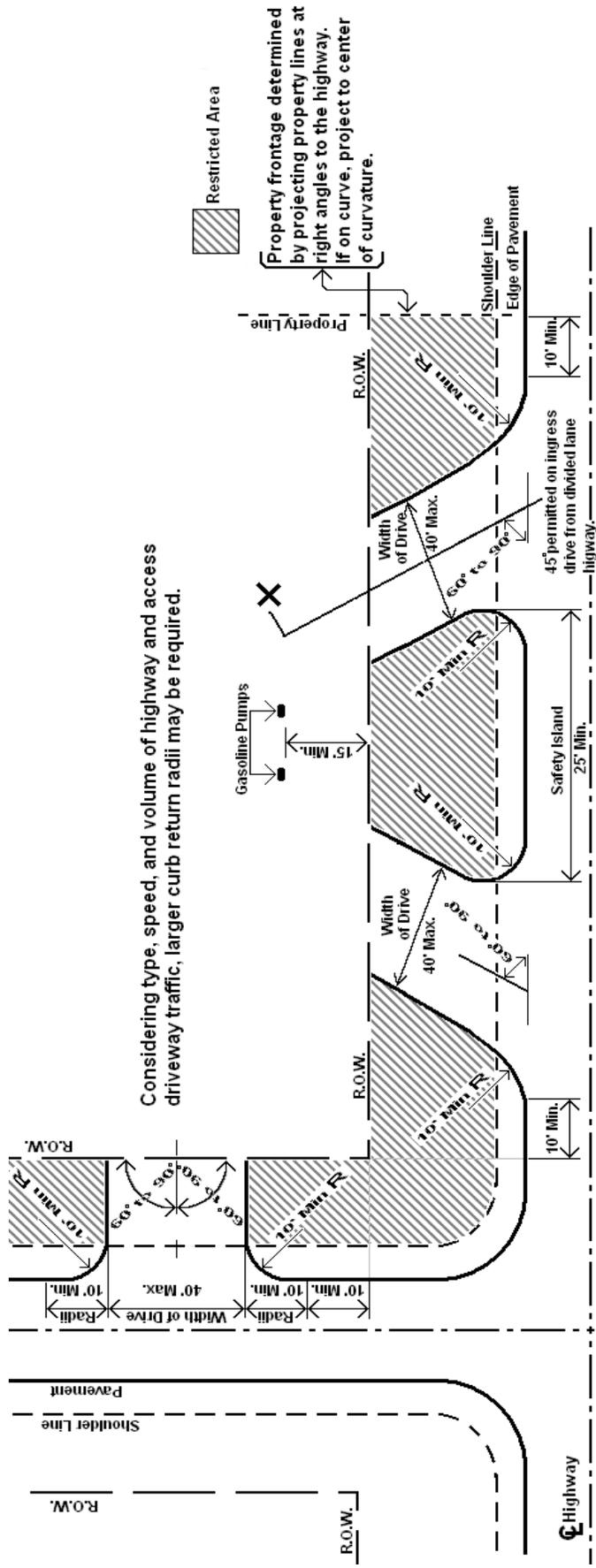
Direct access on level areas where adequate vision exists is most desirable.

Drive approach provided at end of fill to assure adequate vision and level approach to highway.



**DESIRABLE
LOCATIONS OF ACCESS**

Drawing No. AD-1

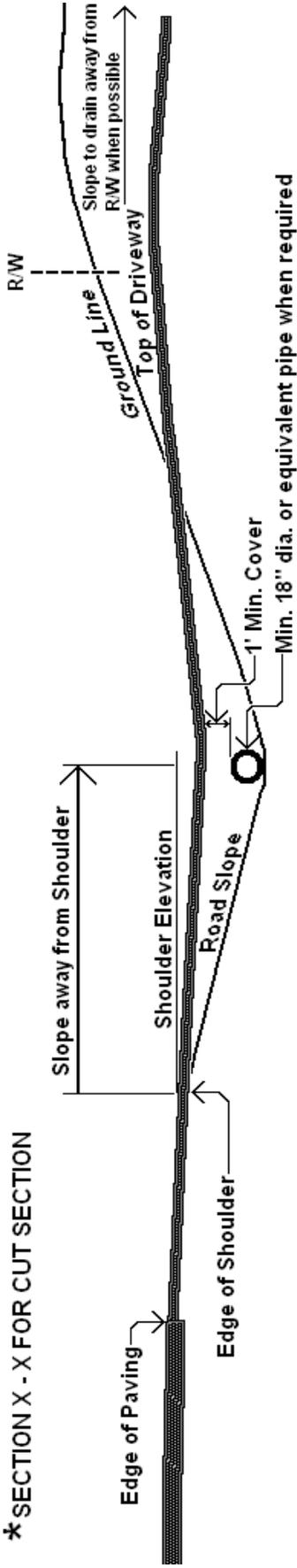


Considering type, speed, and volume of highway and access driveway traffic, larger curb return radii may be required.

* If curbs are used, they must be aligned with existing curbs or shoulder lines.

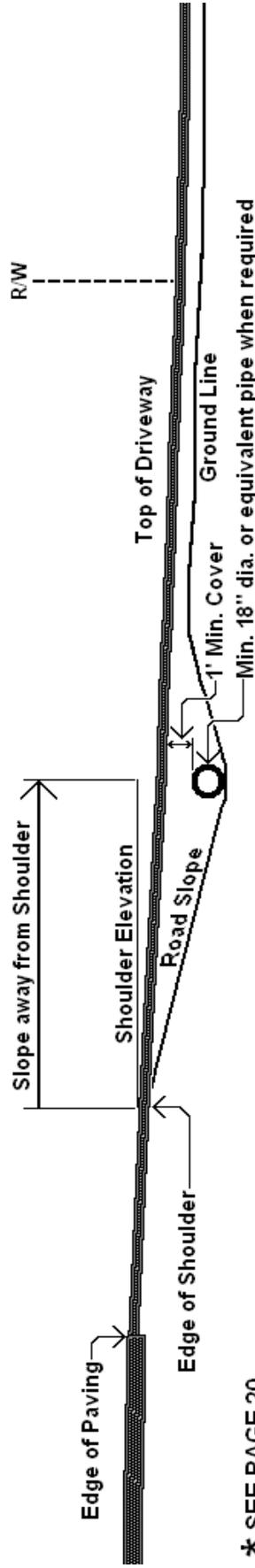
TYPICAL ACCESS LAYOUT
 ILLUSTRATING APPLICATION OF REGULATIONS
 — RURAL AREA —
 COMMERCIAL

*** SECTION X - X FOR CUT SECTION**



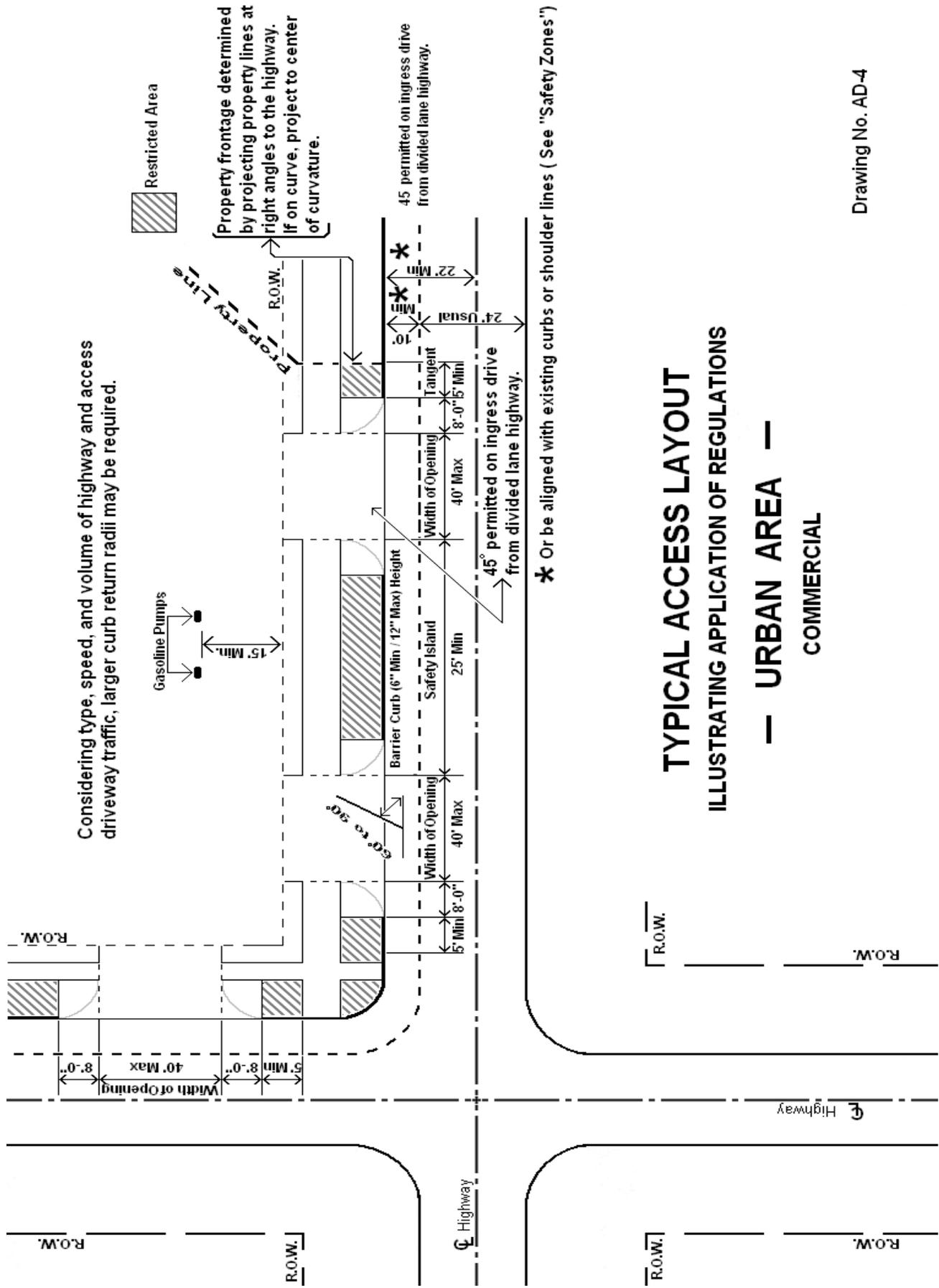
Road Slope

*** SECTION X - X FOR FILL SECTION**



* SEE PAGE 20.

DESIRABLE TYPICAL ELEVATION SECTIONS FOR DRIVEWAYS



Considering type, speed, and volume of highway and access driveway traffic, larger curb return radii may be required.

Property frontage determined by projecting property lines at right angles to the highway. If on curve, project to center of curvature.

45' permitted on ingress drive from divided lane highway.

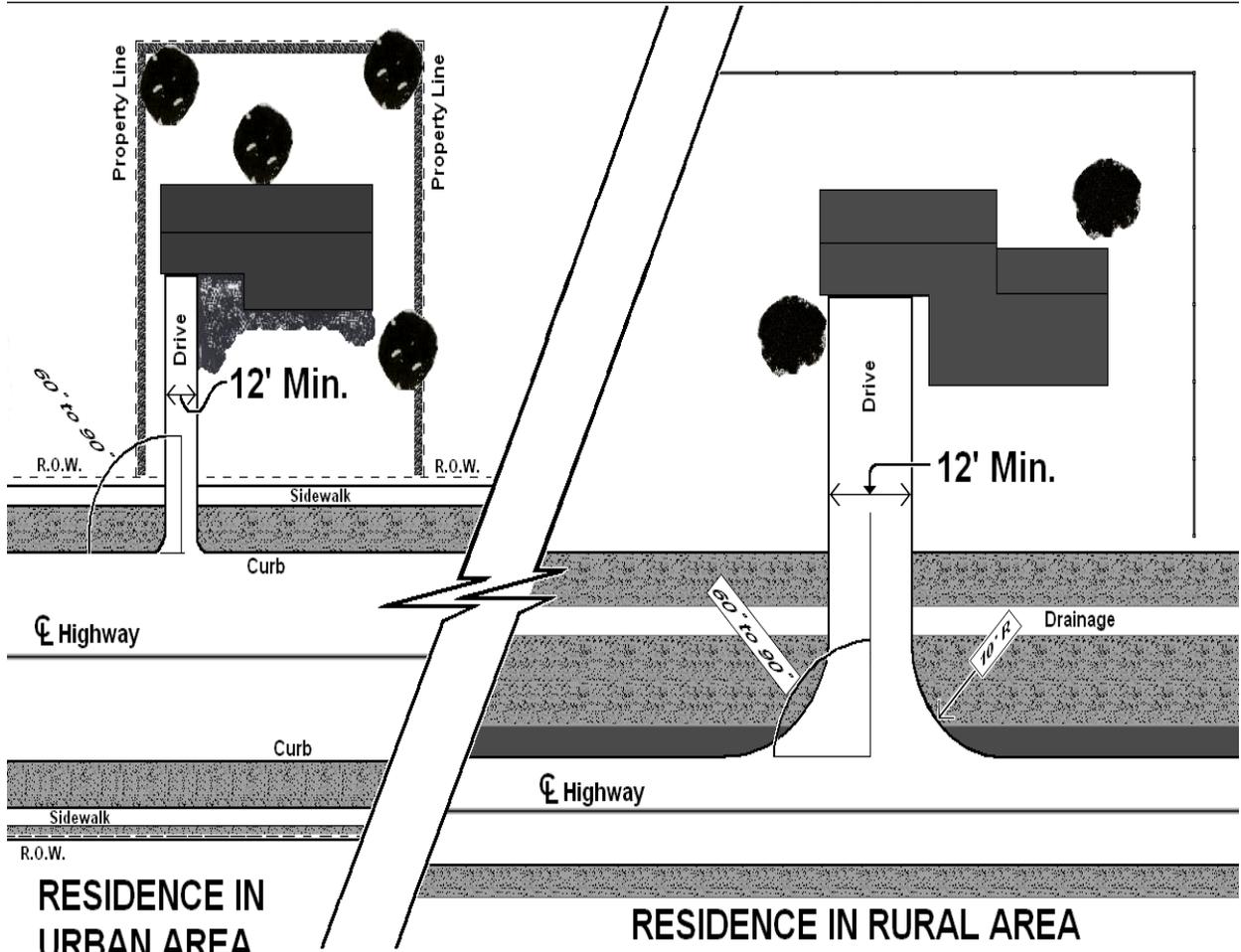
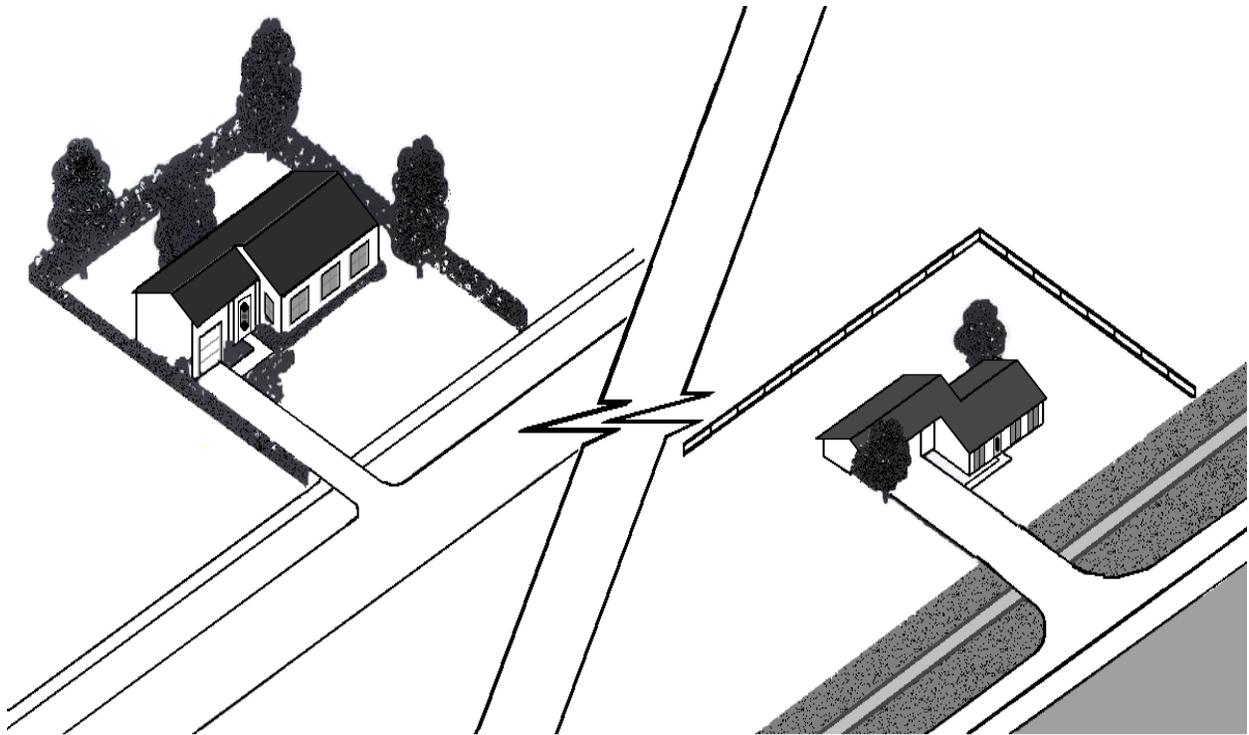
45° permitted on ingress drive from divided lane highway.

* Or be aligned with existing curbs or shoulder lines (See "Safety Zones")

TYPICAL ACCESS LAYOUT

ILLUSTRATING APPLICATION OF REGULATIONS

— — URBAN AREA — —
COMMERCIAL

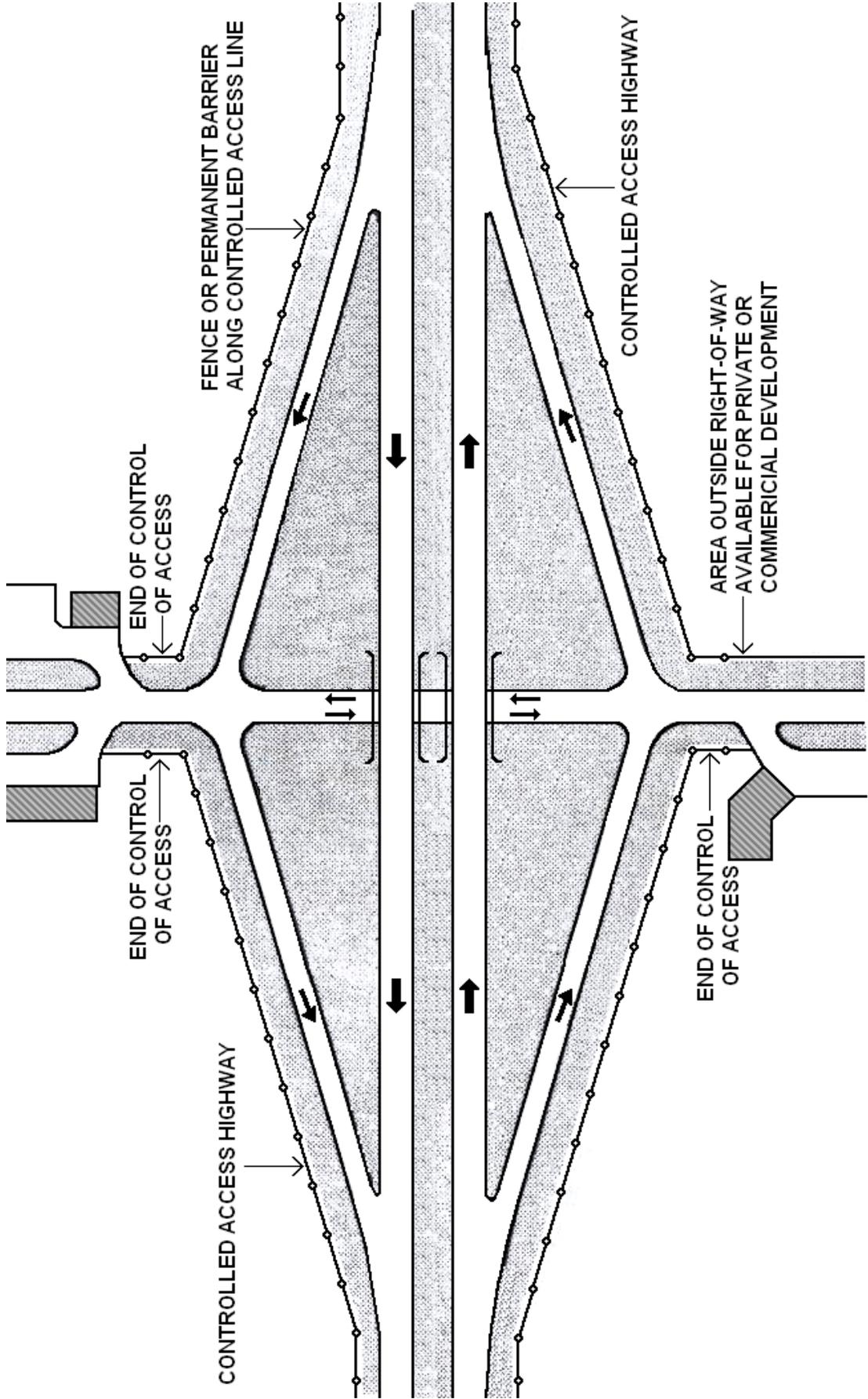


Drawing No. AD-5

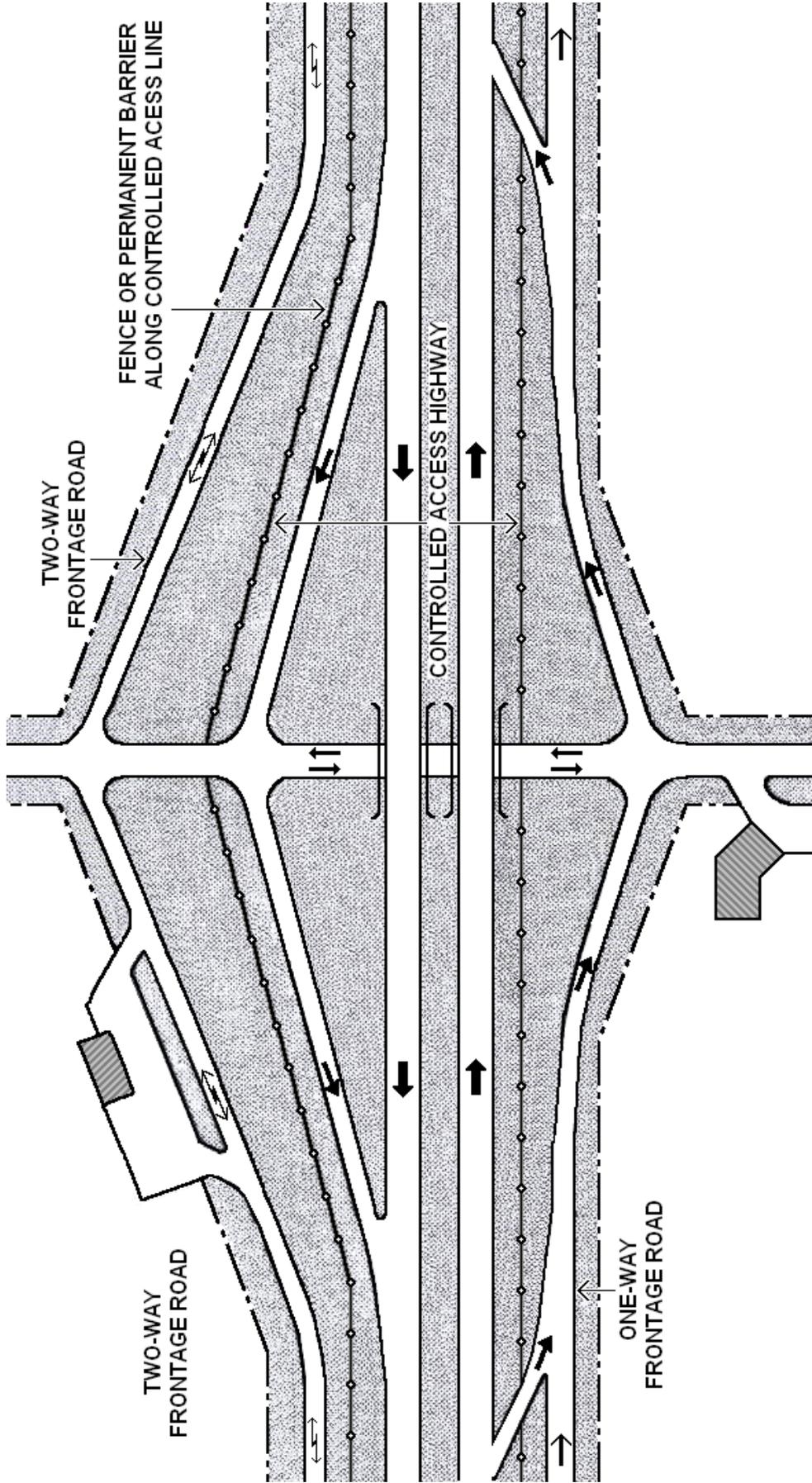
SECTION 10

FULLY CONTROLLED ACCESS HIGHWAYS

- 10.1 Drawing Numbers AD-6 and AD-7 illustrate the limits of development with respect to fully controlled access highway right-of-way.
- 10.2 Commercial areas may be developed along the cross roads adjacent to or near an interchange but beyond the limits of access control.
- 10.3 When frontage roads are constructed along a fully controlled access highway, access from adjacent property may be permitted as specified on heretofore.
- 10.4 When frontage roads are not constructed, access to a fully controlled access highway will NOT be permitted under any circumstances.



**CONTROLLED ACCESS HIGHWAY
NO FRONTAGE ROAD**



CONTROLLED ACCESS HIGHWAY WITH FRONTAGE ROADS

SECTION 11

SAMPLE PERMIT

Form 19-200
(Page 1 of 2)

Rev. 9/10/2002, CS
Rev. 2/2008

ARKANSAS STATE HIGHWAY AND TRANSPORTATION DEPARTMENT

DRIVEWAY ACCESS PERMIT

Permanent Temporary

Permit No. _____ DATE _____

DISTRICT NO. _____ COUNTY _____ ROUTE _____ SECTION _____ LOG MILE _____

_____, _____
(Address) (City, State and Zip Code)

Phone No. _____, hereinafter termed the applicant, request permission to construct a driveway(s) described and as shown on attached sketch or plan (if required), and hereby made a part of this application.

DESCRIPTION

Commercial Non-Commercial Driveway _____ feet wide on _____ side of _____ highway
right of way, approximately _____ miles _____ for the purpose of

providing ingress or egress to a _____
commercial / non-commercial establishment, give description

and providing drainage under said driveways by the installation of structures _____
size

_____ to be located _____ feet from the edge of pavement. Right-of-way
Length Type

width from the center line of the highway is _____ feet.

Highway surface _____ Proposed driveway surface _____
Width Type Width

_____ subject to the restrictions and regulations contained in the "Regulations for Access Driveways to
Type (See attached sheet for minimum depth)

State Highways" as approved by the Arkansas State Highway Commission.

In consideration of these regulations, the applicant and the Arkansas State Highway and Transportation Department subscribe to the following agreement:

AGREEMENT

1. The applicant is granted permission to construct a driveway(s) pursuant to the regulations of the Arkansas State Highway Commission. The Arkansas State Highway and Transportation Department waives none of its powers or rights to direct the removal, relocation and/or proper maintenance of any driveway within the right-of-way of a state highway.
2. All work will be performed in a neat and workmanlike manner, using materials acceptable to the District Engineer of the Arkansas State Highway and Transportation Department, and that the right-of-way will be cleaned up and left in a presentable condition upon completion of the described work.
3. The applicant will fully protect the traffic on the highway during construction covered hereunder by the proper traffic control devices in accordance with the Manual on Uniform Traffic Control Devices, and to hold harmless and indemnify the Arkansas State Highway and Transportation Department, its officers and employees from all damages, expenses, claims or liability arising out of any alleged damages of any nature to any person or property, due to construction, performance or non-performance of work, or existence of said driveway.

ARKANSAS STATE HIGHWAY AND TRANSPORTATION DEPARTMENT Rev. 2/2008

AGREEMENT (Continued)

- 4. The applicant shall be responsible for locating and protecting all utilities in the work area(s) and to hold harmless and indemnify the State Highway Commission, the Department and its duly appointed agents, officers and employees, from all damages, expenses, claims or liability arising out of any alleged damages of any nature to any utilities due to the construction, performance, or non-performance of work.
- 5. The applicant is either the owner, duly authorized agent, or has the legal right to possession and control of the parcel of property adjacent to the right-of-way frontage within which the said proposed driveway(s) is to be constructed.
- 6. That no driveway shall be constructed such that there will be parking or servicing of vehicles on the highway right-of-way.
- 7. That the profile grade of driveways shall be constructed as indicated on the attached sketch or plan.
- 8. The installation of systems within the right-of-way for the watering of landscaping and grass is not permitted.
- 9. Deposit or surety bond in the amount of \$ _____ must be deposited with the District Engineer of the Arkansas State Highway and Transportation Department at _____, Arkansas before the permit for an access driveway to a commercial concern is issued. If the work is completed as specified, the deposit will be returned, but if the permit requirements are not met, the Arkansas State Highway and Transportation Department will revoke the permit, call for the deposit or bond and remove the driveway.
- 10. The applicant shall maintain all existing highway, street and county road regulatory, warning, guide and informational signs in an effective location at all times for the duration of the work and shall install them at the correct location upon completion of the work. Any signs damaged by the grantee shall be replaced at no cost to the state.
- 11. Mailbox support: If installing a new or replacement mailbox, the Department can provide detailed information on approved mailbox installations including supports, boxes, and mountings. The potential for disabling injury and the resulting civil action is reduced when mailboxes are installed using approved methods and materials that are designed with highway safety in mind. Remember, the mailbox owner may be held liable in case of collision.
- 12. The applicant is responsible for complying with all applicable local, state, and federal laws and regulations in the execution of permit work.
- 13. The applicant is responsible for assuring that sidewalks constructed on highway right-of-way are ADA Compliant. Maintenance of said sidewalks will be the responsibility of the City and/or applicant. The Arkansas Highway and Transportation Department will not be responsible for maintenance of sidewalks constructed as a part of this permit. Cross slope of walks and ramps shall not exceed 1:50 (2%).
- 14. The applicant shall undertake measures to avoid tracking of soil and mud from the work area on the highway and shall revegetate, in accordance with the Standard Specifications for Highway Construction, most recent edition, all area of disturbed soil, of any size, on the right of way. All projects with disturbed soil shall have an appropriate NPDES Permit as required by the Arkansas Department of Environmental Quality.

SPECIAL PROVISIONS

Deposit \$ _____

Expiration Date _____

Applicant

District Engineer

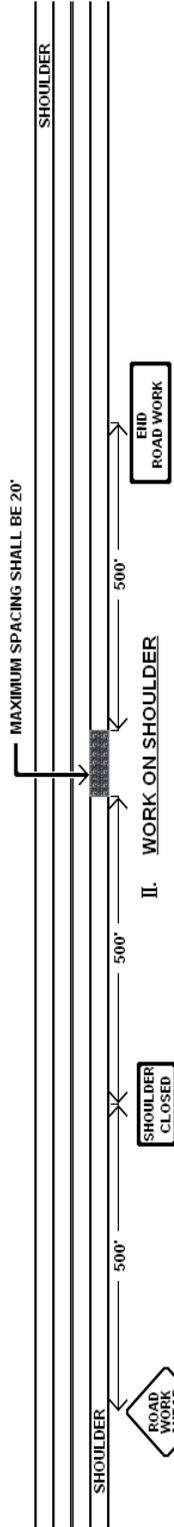
- Original to District Engineer
- One Copy to Applicant
- One Copy to Area Maintenance Supervisor
- One Copy to Fiscal Services or Utilities

Date

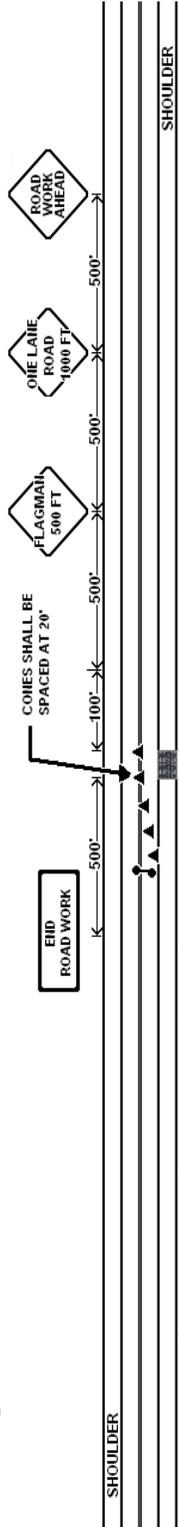
SECTION 12

TRAFFIC CONTROL

I. NO WORK ON ROADWAY - No Traffic Control Required



II. WORK ON SHOULDER



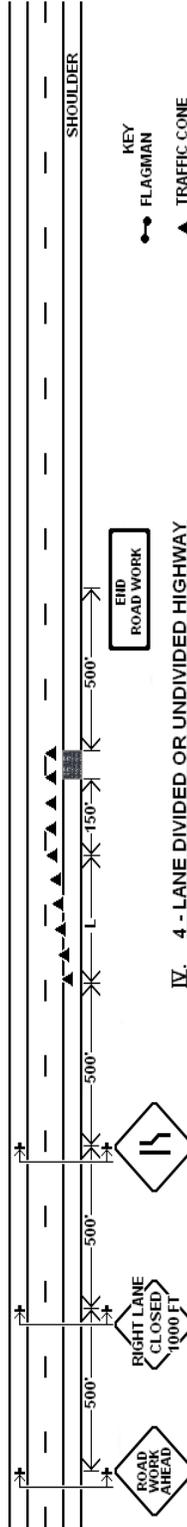
III. 2-LANE HIGHWAY WHERE ONE LANE IS CLOSED OR PARTIALLY BLOCKED



TO BE USED ON UNDIVIDED HIGHWAY ONLY

* NOT REQUIRED ON UNDIVIDED HIGHWAYS

CONES SHALL BE SPACED AT 20' EQUAL IN FEET TO SPEED LIMIT



- KEY
- ◀ FLAGMAN
 - ▲ TRAFFIC CONE
 - VERTICAL PANEL, DRUM OR BARRICADE

IV. 4-LANE DIVIDED OR UNDIVIDED HIGHWAY WHERE ONE LANE IS CLOSED

- NOTES:
- If The Work Remains In Operation During Hours Of Darkness, Type II Barricades Or Drums Should Be Used In Lieu Of Cones. Lights Should Be Provided To Mark Flagman Stations And Barricades At Night.
 - Taper Formula:

$$L = S \times W$$
 for speeds of 45 mph or more

$$L = \frac{W \times S^2}{60}$$
 for speeds of 40 mph or less
 Where:
 L = Minimum length of taper.
 S = Numerical value of posted speed limit.
 W = Width of offset.
 - Warning Signs Shall Have A Black Symbol or Message On An Orange Background.
 - Sign Supports May Be Fixed Or Portable Depending Upon Time Duration Of Project.
 - All Signing Shall Be In Compliance With The Manual On Uniform Traffic Control Devices.
 - This Plan Is Subject To Modifications By The District Engineer.
 - All Signs Shall Be ReflectORIZED As Per Sect. 604, AHTD Standard Specifications.
 - The Desirable Size Of Warning Signs (Diamond-Shaped Signs) Is 48" X 48". The Minimum Size Is 36" X 36".
 - Supports For Signs, Barricades, And Vertical Panels Must Meet The Requirements Of NCHRP-350.



Considering type, speed, and volume of driveway traffic, larger curb radii are preferred.



RULES FOR ACCESS DRIVEWAYS TO STATE HIGHWAYS | 2017

ILLUSTRATING A

— R