

**STATE HIGHWAY COMMISSION**

**SUBJECT:** Access Driveways to State Highways

**DESCRIPTION:** These are amendments adopted by the Commission. The regulations allow reasonable access to the highway from abutting property. This manual of regulations governs such reasonable access to all highways, roads, and streets under the jurisdiction of the State Highway and Transportation Department except those controlled access facilities to which direct access is denied or limited.

The intent is to provide design standards whereby orderly and safe movements of traffic in and out of private properties 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 these regulations and with a quality of material equal to or better than the original driveway. 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 or lessee must follow the procedure outlined in this manual. The cost of the work will be borne by the permittee.

**PUBLIC COMMENT:** No public hearing was held. The public comment period expired on November 10, 2010. No public comments were submitted to the agency. The proposed effective date is January 1, 2011.

**CONTROVERSY:** This is not expected to be controversial.

**FINANCIAL IMPACT:** There is no financial impact.

**LEGAL AUTHORIZATION:** The State Highway Commission is authorized to “adopt reasonable rules and regulations from time to time for the protection of, and covering, traffic on and in the use of the state highway system and in controlling use of, and access to, the highways.” Ark. Code Ann. § 27-65-107(a)(14).

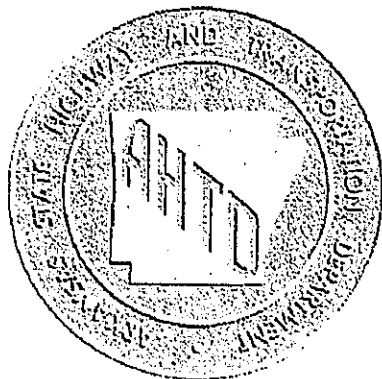
**RECEIVED**

NOV 22 2010

BUREAU OF  
LEGISLATIVE RESEARCH

Agency # 001.01

**REGULATIONS FOR ACCESS DRIVEWAYS  
TO STATE HIGHWAYS**



**ARKANSAS STATE HIGHWAY COMMISSION**

**1990**  
**2010**

Formatted: Font: Bold

This publication, REGULATIONS 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 and No. 89-101 of March 22, 1989 and No. \_\_\_\_\_ 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.

Arkansas State Highway Commission

Dan Flowers  
Director of Highways and  
Transportation

REGULATIONS FOR ACCESS DRIVEWAYS  
TO STATE HIGHWAYS

|                             |             |
|-----------------------------|-------------|
| First Edition.....          | 1957        |
| Second Edition.....         | 1962        |
| Third Edition.....          | 1973        |
| Fourth Edition.....         | 1976        |
| Fifth Edition.....          | 1982        |
| Sixth Edition.....          | 1990        |
| <u>Seventh Edition.....</u> | <u>2010</u> |

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 regulations for the protection of the traveling public on the State Highway System and in controlling use of and access to the highways, such regulations to have the force and effect of law. The regulations adopted by the Commission allow reasonable access to the highway from abutting property. This manual of regulations 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.

The intent of these regulations to provide design standards whereby orderly and safe movements of traffic in and out of private properties 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 these regulations and with a quality of material equal to or better than the original driveway. 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 or lessee must follow the procedure outlined in this manual. The cost of the work will be borne by the permittee.

## TABLE OF CONTENTS

| Title   | Page No. |
|---|----------|
| Instructions for Securing Permit                            | 1        |
| Procedures for Processing Bonds (Internal Information Only) | 2        |
| Location and Address of District Offices                    | 3        |
| District Map  | 4        |
| Definitions   | 5        |
| Requirements for Commercial Driveways                       | 6        |
| Requirements for Non-Commercial Driveways                   | 11       |
| Requirements for Temporary Driveways                        | 15       |
| Typical Layouts   | 19       |
| Fully Controlled Access Highways                            | 25       |
| Traffic Control   | 28       |
| Standard Drawing DR-1                                       | 29       |
| Sample Permit   | 30       |

## **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. The addresses of the District Offices are shown on the next page Page 3.
2. A brief description of the proposed work shall be included in the request together 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 prepared for processing.
4. The access driveway permit form along with any necessary drawings and deposit of bond, if required, shall be submitted to the District Engineer for approval. (If the Driveway permit requires a bond then the Districts and Divisions will follow procedures outlined on Page 2.)
5. Following approval of the permit, copies will be forwarded to the Applicant and the Area Foreman ~~and the Fiscal Services Division~~ Maintenance Supervisor.
6. **NO WORK SHALL BE UNDERTAKEN ON STATE HIGHWAY RIGHT-OF-WAY UNTIL THE PERMIT HAS BEEN APPROVED.**

**Procedures for all Districts and Divisions to follow when processing bonds  
(This Page is for Internal Information Only)**

- **Cash Bond** (Check, Money Order, Cash, etc.). Cash Bonds will be forwarded to the Fiscal Services Division. The District will issue the permit to applicant and send a copy (permit only - no plans) to Fiscal Services. No copies will be sent to the Utilities Section. The permittee will perform the approved work and then request a release. The District will review the job site to ensure all work was performed in compliance with Department policy. The District will notify Fiscal Services of the release. Fiscal Services will return the deposit to permittee with copy to District. If the permittee does not request a release within one year of issuance of the permit then the District will contact the permittee. **Cash Bonds are not transferable.**
- **One Time Bond** (Bond from Bonding Company for use on a specific permit). A One Time Bond shall remain in effect for the life of the permit. The District will issue the permit. The District will hold this bond in the District Office. (**NOTE: No copies of the bond and/or permit should be forwarded to the Utilities Section or Fiscal Services.**) The permittee will perform the approved work and then request a release. The District will review the job site to ensure all work was performed in compliance with Department policy. Upon release, the District will return the original One Time Bond to permittee. If the permittee does not request a release within one year of issuance of the permit then the District will contact the permittee.

If the District is notified the One Time Bond has been cancelled or expired the District should immediately notify the permittee that the permit will be cancelled unless the One Time Bond is renewed or replaced.

- **Standing Bond** (Bond on file in the Utilities Section Data Base). The permittee can provide notice that the bond will be charged against an existing standing bond or the permittee may forward the standing bond to the District with the application, or to the Right of Way Division, Utilities Section. If the standing bond is forwarded to the District, then the District will send the standing bond to the Right of Way Division, Utilities Section. The District will issue the permit with a copy to the Utilities Section (permit only - no plans) to apply the permit number and bond amount against the standing bond. The permittee will perform the approved work and then request a release. The District will review the job site to ensure all work was performed in compliance with Department policy. Upon release, the District will notify the Utilities Section that specific permit number and bond amount can be released against Standing Bond. If the permittee does not request a release within one year of issuance of the permit then the District will contact the permittee.



ARKANSAS STATE HIGHWAY AND TRANSPORTATION DEPARTMENT

DISTRICT OFFICES

|                                |  |              |
|--------------------------------|--|--------------|
| DISTRICT ONE<br>WYNNE          | District Engineer<br>2701 U S 64 West<br>P. O. Box 278<br>Wynne, Arkansas 72396-0278             | 870-238-8144 |
| DISTRICT TWO<br>PINE BLUFF     | District Engineer<br>4900 Highway 65 South<br>P. O. Box 6836<br>Pine Bluff, Arkansas 71611-6836  | 870-534-1612 |
| DISTRICT THREE<br>HOPE         | District Engineer<br>2911 Highway 29 North<br>P. O. Box 490<br>Hope, Arkansas 71802-0490         | 870-777-3457 |
| DISTRICT FOUR<br>FORT SMITH    | District Engineer<br>4019 Towson Avenue<br>P. O. Box 1424<br>Fort Smith, Arkansas 72902-1424     | 479-646-5501 |
| DISTRICT FIVE<br>BATESVILLE    | District Engineer<br>1673 Batesville Blvd.<br>P. O. Box 2376<br>Batesville, Arkansas 72503-2376  | 870-251-2374 |
| DISTRICT SIX<br>LITTLE ROCK    | District Engineer<br>8900 Mabelvale Pike<br>P. O. Box 190296<br>Little Rock, Arkansas 72219-0296 | 501-569-2266 |
| DISTRICT SEVEN<br>CAMDEN       | District Engineer<br>2245 California Ave.<br>P. O. Box 897<br>Camden, Arkansas 71711-0897        | 870-836-6401 |
| DISTRICT EIGHT<br>RUSSELLVILLE | District Engineer<br>372 Aspen Lane<br>P. O. Box 70<br>Russellville, Arkansas 72811-0070         | 479-968-2286 |
| DISTRICT NINE<br>HARRISON      | District Engineer<br>4590 Highway 65<br>P. O. Box 610<br>Harrison, Arkansas 72602-0610           | 870-743-2100 |
| DISTRICT TEN<br>PARAGOULD      | District Engineer<br>2510 Highway 412 West<br>P. O. Box 98<br>Paragould, Arkansas 72451-0098     | 870-239-9511 |



## DEFINITIONS

When in these regulations the following terms, abbreviations, or pronouns in place of them, are used, the intent and meaning shall be interpreted as follows:

**Applicant:** The owner or lessee duly authorized agent. The person who has the legal right to possession and control of the property adjoining the Right of Way and is in the process of securing an Access Driveway Permit from the Department.

**Bond:** Surety Bond. An approved form of security guaranteeing the completion of the provisions of the permit and compliance with the Regulations for Access Driveways to State Highways. This could be in the form of a Cash Bond, One Time Bond, or Standing Bond.

**Commission:** The Arkansas State Highway Commission.

**Department:** The Arkansas State Highway and Transportation Department.

~~Deposit or Bond—Security Deposit or Surety Bond. An approved form of security guaranteeing the completion of the provisions of the permit and compliance with the Regulations for Access Driveways to State Highways.~~

**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.

**Frontage:** Frontage is that portion of the grantee's permittee's property lying between the two most distant possible lines drawn perpendicular from the centerline of the highway to the grantee's permittee's abutting property.

**Permittee:** The owner or his duly authorized agent. The person who is responsible for compliance with the permit provisions.

**MUTCD:** The Manual on Uniform Traffic Control Devices for Streets and Highways.

**Permit:** Access Driveway Permit. A duly executed agreement granting permission to construct or modify access driveways pursuant to the Regulation for Access Driveways to State Highways. This work may include other minor work such as sidewalks, curb and gutter, and minor drainage structures.

**Safety Zone:** All parts of the highway Right of Way between the curb or shoulder line and the Right of Way line along the grantee's permittee's property frontage, except the areas contained in the access driveway, shall be a Safety Zone.

~~Grantee—The owner or lessee. The person who is responsible for compliance with the permit provisions.~~

**Special Permit:** A letter type permit with a Special Permit Number used whenever the permit includes other major work within the Right of Way in addition to the driveway, such as additional lanes, traffic signals, major drainage structures, etc.

## REQUIREMENTS FOR COMMERCIAL DRIVEWAYS

### GENERAL

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

A permit shall be obtained from the Department for all access driveways on State Highways. ~~Within incorporated cities it will be necessary for~~ The applicant may be required to satisfy the requirements of the city and to obtain local, city or county requirements in addition to obtaining a permit from the Department.

### **NO WORK SHALL BE UNDERTAKEN PERFORMED ON STATE HIGHWAY RIGHT OF WAY PRIOR TO APPROVAL OF THE PERMIT BY THE ENGINEER.**

The grantee 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 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 person or property due to the construction, performance or non-performance of work or existence of a driveway.

The grantee 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.

The grantee 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 grantee permittee shall be replaced at no cost to the state Department.

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

Permits for initial construction or for modification of commercial driveways shall have a ~~deposit or bond~~ in the minimum amount of 5% of the estimated project cost or a ~~minimum of \$500~~ \$750 per driveway. **THE ~~deposit or~~ BOND SHALL BE PREPARED IN THE SAME NAME AS THE PERMIT.** Bonds ~~may~~ be waived on permits for governmental entities. ~~The deposit or~~ Cash bonds will be refunded upon

satisfactory completion of the work covered by the permit.

Proposed Commercial Driveways, that include such items of work as turn lanes, traffic signals, or major drainage structures, shall be handled by Special Permit. The bond amount in those cases should be estimated at 5% of the work being performed on the Right of Way, but not less than \$750.

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.

At the expiration date, if the work has not been completed in accordance with the permit, the grantee 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, and the driveway may be removed.

The grantee permittee may elect to request a new permit prior to removal of the driveway. If this request is granted, the original permit will be revoked and a new permit issued with a minimum of twice the original ~~deposit~~ or bond.

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 grantee permittee, but for no longer than 6 months.

## **DESIGN**

### a. GENERAL

All parts of access driveways on highway Right of Way shall be confined within the grantee's permittee's property frontage.

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.

All parts of any access driveway, including the radii, shall be a minimum of 10' inside the adjoining property frontage in rural locations and shall be a minimum of 5' in urban locations, except as provided in paragraph "h".

On all paved highways, commercial drives shall be surfaced from the normal edge of pavement to a minimum distance of 20' or to the Right of Way line, whichever is less, with concrete or asphalt surfacing. On non-surfaced roadways, the drives will not be required to be surfaced.

### b. LOCATION

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.

Frontages of 50' 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.

#### c. INTERSECTIONS

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.

#### d. GEOMETRICS

Radii for all commercial access driveways in urban areas shall be not less than 5' and in rural areas the radii shall be not less than 10', except as provided in paragraph "h".

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

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

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~~ allow 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.

#### e. DRAINAGE

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" diameter or equivalent pipe culvert. Pipe culvert shall be corrugated metal, reinforced concrete pipe or other Department approved pipe, a minimum of 24' in length for one-lane access drive and 32' in length for two-lane access drive and shall have no hazardous headwalls or other hazards constructed upon it. Pipe installation in excess of 100' 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.

#### f. PROFILE GRADE

The grade on 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 that the water will not drain onto the traveled surface.

#### g. SAFETY ZONES

All parts of the highway Right of Way between the curb or shoulder line and the Right of Way line along the ~~grantee's~~ 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' in length except as provided in paragraph "h". Curbs ~~and/or islands~~ shall be installed by the ~~grantee~~ permittee as may be necessary to prohibit vehicle parking and access in Safety Zones. Curbs shall be asphalt or concrete not less than 6" and no more than 12" in height. The curb nearest the traveled lanes shall not be less than ~~22'~~ 10' from the ~~center of the pavement~~ edge of the nearest travel lane or shall be aligned with existing curbs or shoulder lines but not less than 4' from the traveled 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.

The Safety Zone may be filled in, provided the drainage structure underneath the ~~filled-in area~~ 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.

#### h. EXCEPTIONS

The Engineer may authorize or require changes in the design when necessary to preserve the normal and safe movement of traffic ~~or~~ and to permit reasonable access. In consideration of type, speed, and volume of highway traffic and ~~access~~ 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 grantee's property frontage and are not less than 2-1/2', the island between driveways is not less than 10' long, and the driveway widths do not exceed 48 feet.~~ The Engineer must approve exceptions to these regulations.

For large traffic generators such as shopping centers, where the development would have an adverse effect on the existing flow of traffic onto the highway, the ~~grantee~~ permittee may be required to install additional turn lanes and/or channelization as determined by the Engineer. In these instances, a Special Permit should be issued with the bond amount equal to 5% of the work to be done on the Right of Way or a minimum of \$750.



## **CONSTRUCTION**

The grantee 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 grantee permittee shall do 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.

When normal traffic flow is affected by the installation of any driveway, appropriate traffic control as shown in Drawing AD-8 on Page 28 shall be utilized.

## **MAINTENANCE**

The Department will provide routine maintenance shoulder width, or a minimum of 4' adjacent to the edge of pavement, 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.

Any maintenance or improvement to the surfacing or drainage structure of a commercial driveway will be the responsibility of the grantee permittee. Maintenance such as surfacing or resurfacing of driveways may be allowed without a permit. **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.

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 grantee permittee and becomes a hazard, it the driveway will be removed.

## REQUIREMENTS FOR NON-COMMERCIAL DRIVEWAYS

### GENERAL

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.

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 to obtain a permit from the Department.~~ The applicant may be required to satisfy local, city or county requirements in addition to obtaining a permit from the Department.

### **NO WORK SHALL BE UNDERTAKEN PERFORMED ON STATE HIGHWAY RIGHT OF WAY PRIOR TO APPROVAL OF THE PERMIT BY THE ENGINEER.**

The ~~grantee~~ 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~~ MUTCD, and to hold harmless 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 person or property due to the construction, performance or non-performance of work or existence of a driveway.

The ~~grantee~~ 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.

The ~~grantee~~ 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 ~~grantee~~ permittee shall be replaced at no cost to the state Department.

Applications for permits shall be made by the owner or lessee duly authorized agent, who shall represent all parties' interests. Such permits shall be only for the bona fide purpose of ~~securing or changing~~ 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.

Permits for non-commercial driveways will not require a ~~deposit or~~ bond. When requests are made for more than one non-commercial driveway, a ~~deposit or~~ bond may be required.

Non-commercial driveway permits will have an expiration date of  $\pm$  one year from date of issue. If no work has begun at the expiration date, the permit will may be revoked and any ~~deposit~~ bond returned.

At the expiration date, if the work has not been completed in accordance with the permit, the ~~grantee~~ 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, and the driveway may be removed.

The ~~grantee~~ permittee may elect to request a new permit prior to removal of the driveway. If this request is granted, the original permit will be revoked, ~~a deposit or bond required~~ and a new permit issued. If a bond was not required for the original permit, a bond may be required for the new permit at the discretion of the Engineer.

The Engineer may grant written extensions to those in non-compliance for a reasonable period of time as he deems necessary, based on the showing of good cause by the ~~grantee~~ permittee, but for no longer than 6 months.

## **DESIGN**

### a. GENERAL

All parts of access driveways on highway Right of Way shall be confined within the ~~grantee's~~ permittee's property frontage.

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.

All parts of any access driveway, including the radii, shall be a minimum of 10' inside the adjoining property frontage in rural locations and shall be a minimum of 5' in urban locations, except as provided in paragraph "h".

### b. LOCATION

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.

Frontages of 50' 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.

### c. INTERSECTIONS

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.

#### d. GEOMETRICS

Radii for all access driveways in urban areas shall be not less than 5' and in rural areas the radii shall be not less than 10', except as provided in paragraph "h".

The width of access driveways shall not exceed 40' measured at right angles to the centerline of the driveway, except as increased by permissible radii or as provided in paragraph "h". The minimum width shall be 12'.

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

#### e. DRAINAGE

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" diameter or equivalent pipe culvert. ~~The Pipe~~ culvert shall be corrugated metal, reinforced concrete pipe, or other Department approved pipe, ~~with~~ a minimum of 20' 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.

#### f. PROFILE GRADE

The grade on the driveway shall be 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 ~~that~~ the water will not drain onto the traveled surface.

#### g. SAFETY ZONES

All parts of the highway Right of Way between the curb or shoulder line and the Right of Way line along the ~~grantee's~~ 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' in length except as provided in paragraph "h". ~~Vehicle parking or access will not be permitted in a Safety Zone.~~

#### h. EXCEPTIONS

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 ~~access~~ 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 grantee's permittee's property frontage and are not less than 2½ feet. The Engineer must approve exceptions to these regulations.

### **CONSTRUCTION**

The grantee 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 grantee permittee shall do 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 finished finish grades for driveway surfaces or such other comparable assistance, which the Engineer may agree to perform.

When normal traffic flow is affected by the installation of any driveway, appropriate traffic control as shown in drawing AD-8 on Page 28 shall be utilized.

### **MAINTENANCE**

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.

## REQUIREMENTS FOR TEMPORARY DRIVEWAYS

### GENERAL

A temporary driveway is defined as a driveway adjoining a State Highway to provide access for a duration of 120 days or less.

A permit shall be obtained from the Department for all temporary access driveways on State Highways. ~~Within incorporated cities, it will be necessary to have a permit from the Department and to meet the requirements of the city. The applicant may be required to satisfy local, city or county requirements in addition to obtaining a permit from the Department.~~

### **NO WORK SHALL BE UNDERTAKEN PERFORMED ON STATE HIGHWAY RIGHT OF WAY PRIOR TO APPROVAL OF THE PERMIT BY THE ENGINEER.**

The grantee ~~permi ttee~~ 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~~ MUTCD, and to hold harmless 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 person or property due to the construction, performance or non-performance of work or existence of a driveway.

The grantee 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.

The grantee 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 grantee permittee shall be replaced at no cost to the state Department.

Applications for permits shall be made by the owner or lessee duly authorized agent, who shall represent all parties' interests. Such permits shall be only for the bone fide purpose of ~~securing or changing~~ 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.

Permits for temporary driveways ~~will~~ shall have a minimum ~~deposit or bond~~ in the amount of ~~\$100~~ \$750 per driveway. **THE DEPOSIT or BOND SHALL BE PREPARED IN THE SAME NAME AS THE PERMIT.** Bond may be waived on permits for governmental entities. The deposit or bond will be refunded upon satisfactory completion of the work, including removal of the driveway and restoration of the Right of Way to its original condition.

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. Request to leave driveways in longer must go through the application requirements for a permanent driveway.

## **DESIGN**

### **a. GENERAL**

All parts of temporary access driveways on highway Right of Way shall be confined within the grantee's permittee's property frontage. Frontage is that portion of the grantee's permittee's property lying between the two most distant possible lines drawn perpendicular from the centerline of the highway to the grantee's permittee's abutting property.

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.

All parts of any temporary access driveway, including the radii, shall be a minimum of 10' inside the adjoining property frontage in rural locations and shall be a minimum of 5' in urban locations, except as provided in paragraph "h".

### **b. LOCATION**

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

Frontages of 50' 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.

### **c. INTERSECTIONS**

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.

### **d. GEOMETRICS**

Radii for all commercial access driveways in urban areas shall be not less than 5' and in rural areas the radii shall be not less than 10', except as provided in paragraph "h".

The width of access driveways shall not exceed 40' measured at right angles to

the centerline of the driveway, except as increased by permissible radii or as provided in paragraph "h". The minimum width shall be 15' on a one-way driveway drive and shall be 24' on a two-way driveway drive.

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

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.

#### e. DRAINAGE

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.

#### f. PROFILE GRADE

The profile grade ~~of~~ on the driveway should be maintained so that water will not drain onto the traveled surface or cause damage to the Right of Way.

#### g. SAFETY ZONES

All parts of the highway Right of Way between the curb or shoulder line and the Right of Way line along the ~~grantee's~~ 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.

#### h. EXCEPTIONS

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 regulations.

### **CONSTRUCTION**

The ~~grantee~~ 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 ~~grantee~~ permittee shall ~~do~~ 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 ~~flowline~~ flow line grades for drainage structures and finish grades for driveway surfaces or such other comparable assistance, which the Engineer may agree to perform.

When normal traffic flow is affected by the installation of any driveway, appropriate traffic control as shown in drawing AD-8 on Page 28 shall be utilized.

### **MAINTENANCE**

Any maintenance of the driveway will be the responsibility of the ~~grantee~~ permittee. The ~~grantee~~ 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 hazard is created the correction of a hazardous condition must be made immediately.

## Typical Layouts

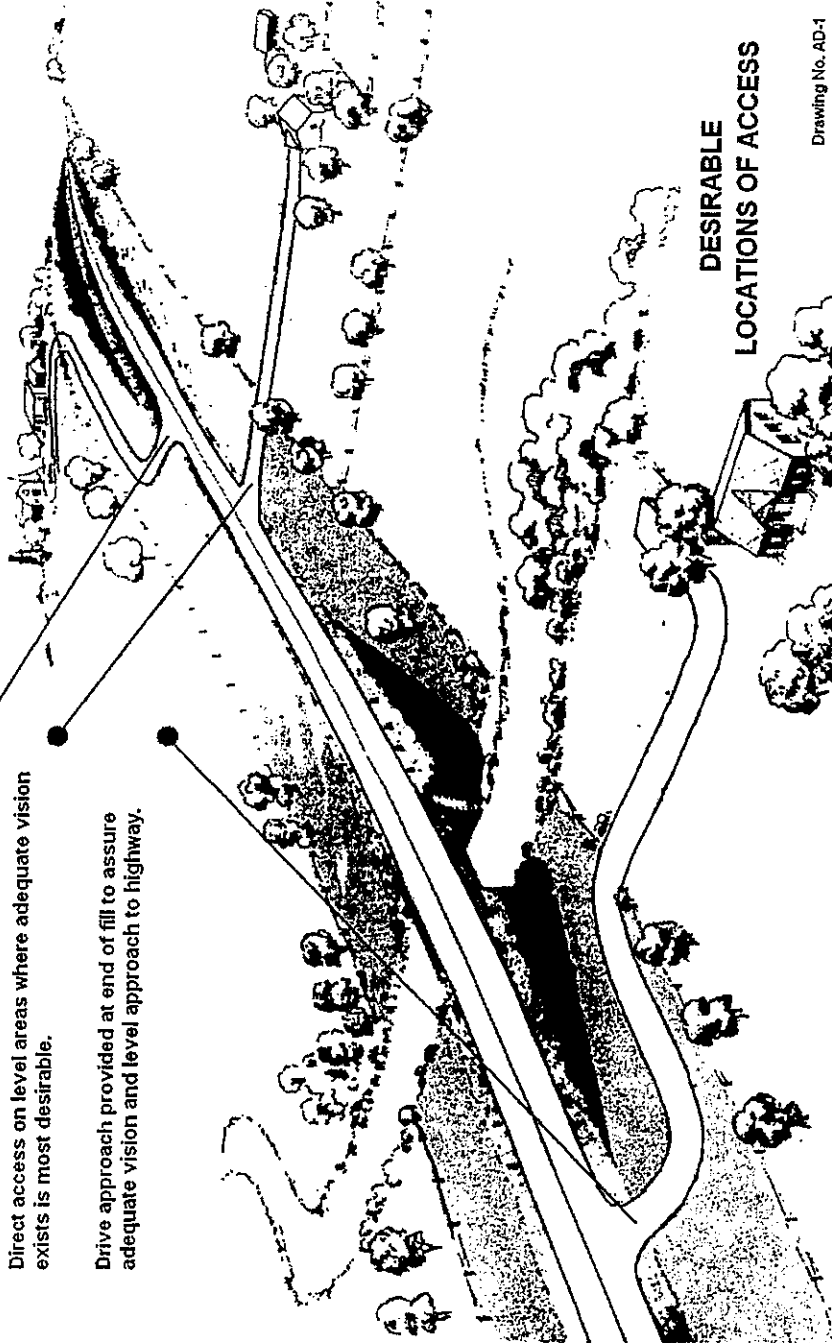
Drawing Numbers AD-1 through AD-5 illustrate the typical treatment which may be used on driveways.

The sketches contained in this booklet 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.

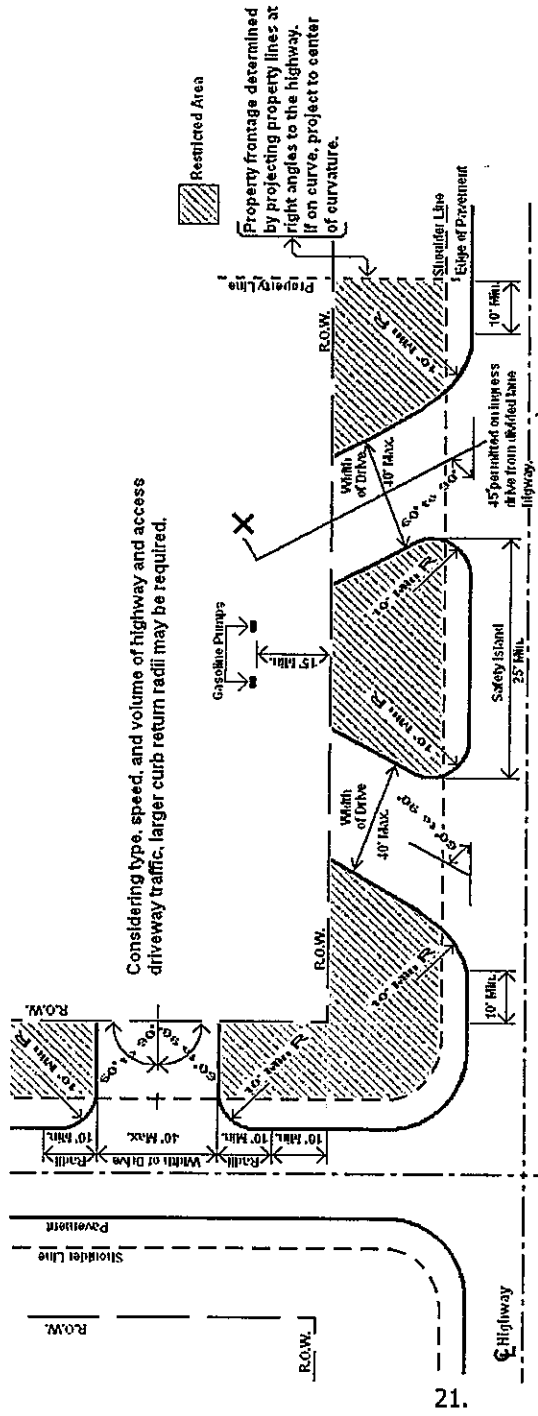
Direct access on level areas where adequate vision exists is most desirable.

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



**DESIRABLE  
LOCATIONS OF ACCESS**

Drawing No. AD-1

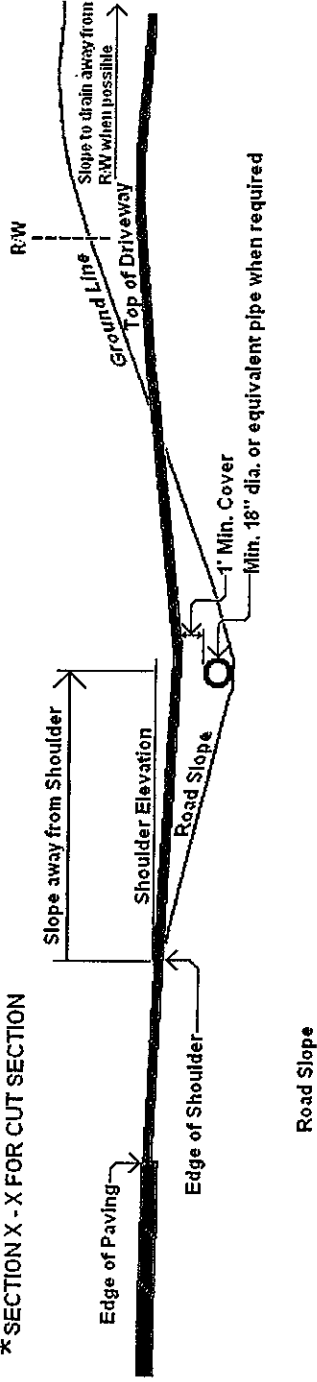


21.

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

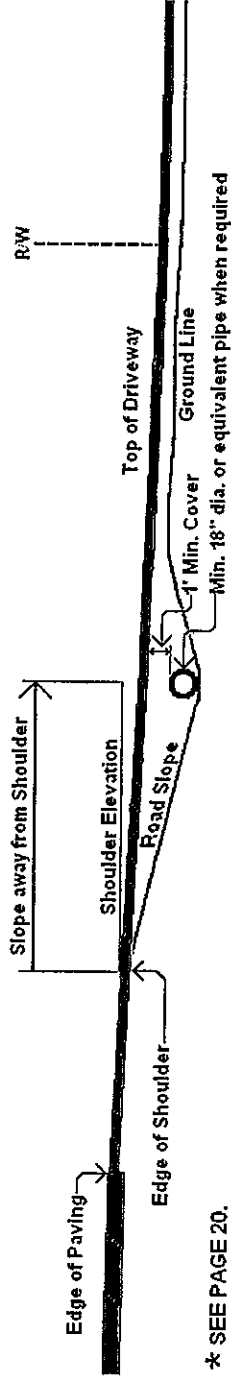
**TYPICAL ACCESS LAYOUT**  
 ILLUSTRATING APPLICATION OF REGULATIONS  
 — RURAL AREA —  
 COMMERCIAL

\* SECTION X - X FOR CUT SECTION



Road Slope

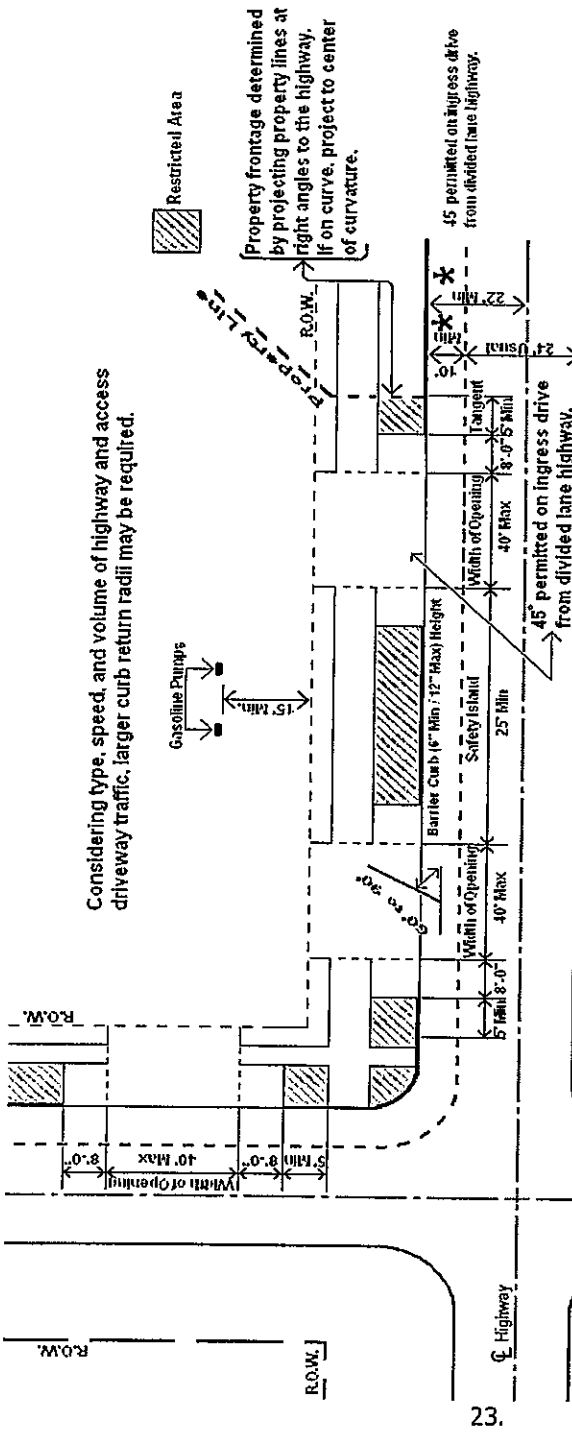
\* SECTION X - X FOR FILL SECTION



\* SEE PAGE 20.

## DESIRABLE TYPICAL ELEVATION SECTIONS FOR DRIVEWAYS

Drawing No. AD-3



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

Restricted Area

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")

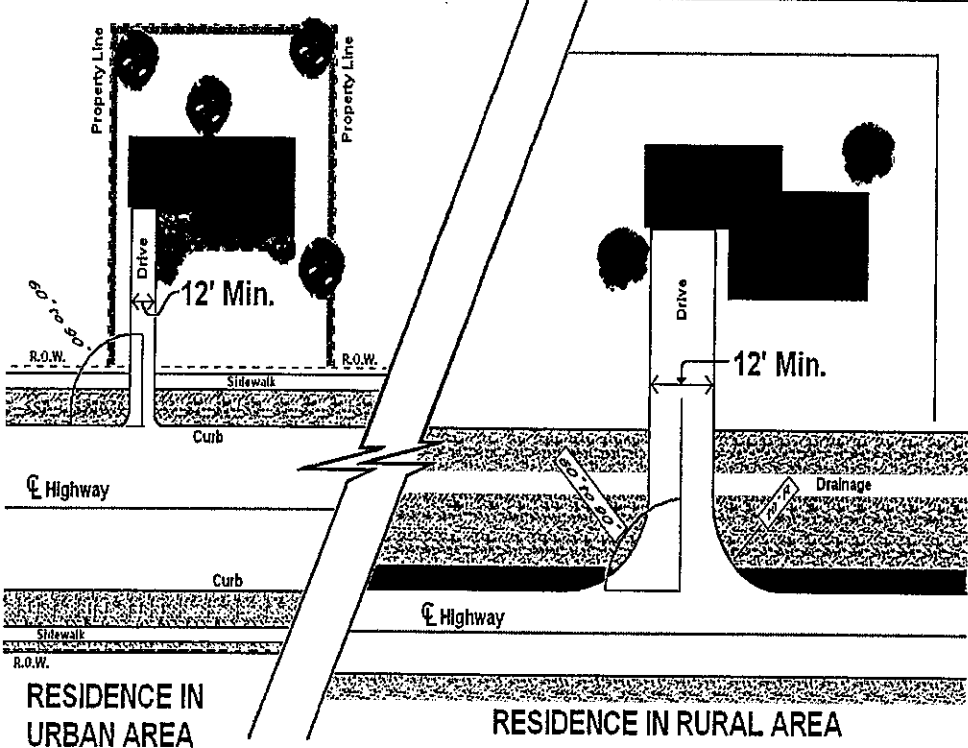
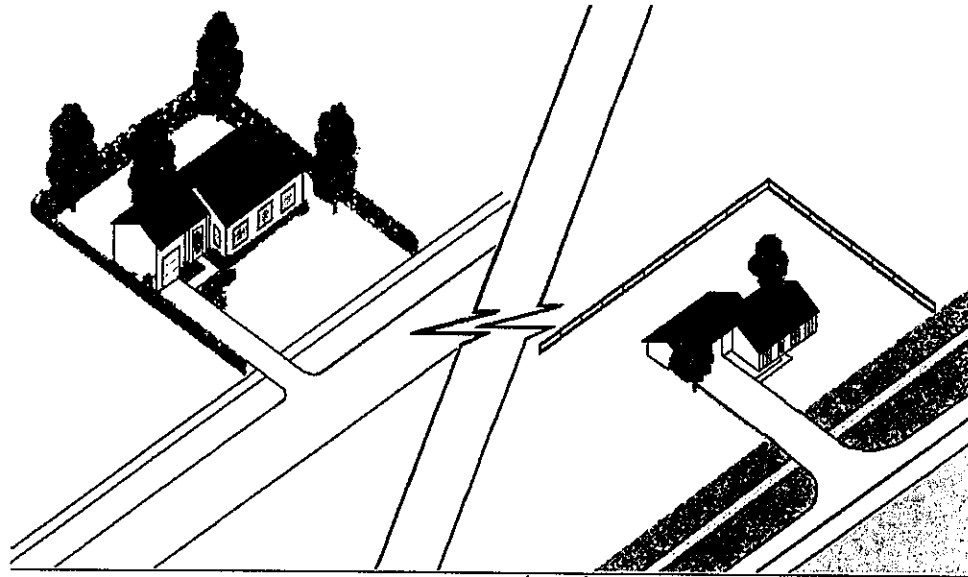
# TYPICAL ACCESS LAYOUT

## ILLUSTRATING APPLICATION OF REGULATIONS

### — URBAN AREA —

#### COMMERCIAL

Drawing No. AD-4



Drawing No. AD-5

### **FULLY CONTROLLED ACCESS HIGHWAYS**

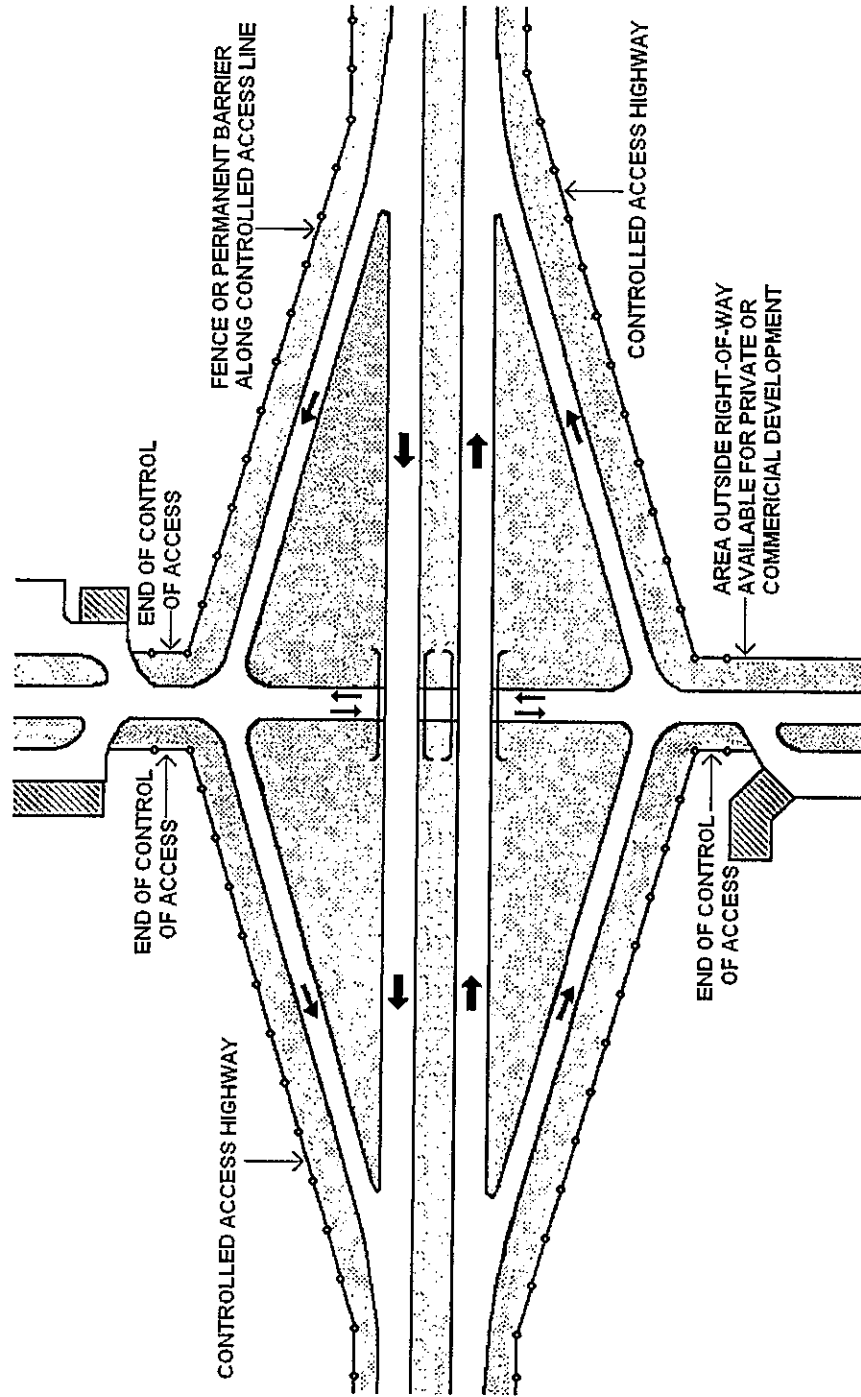
Drawing Numbers AD-6 and AD-7 illustrate the limits of development with respect to fully controlled access highway Right of Way.

Commercial areas may be developed along the cross roads adjacent to or near an interchange but beyond the limits of access control.

When frontage roads are constructed along a fully controlled access highway, access from adjacent property may be permitted as specified on previous pages.

When frontage roads are not constructed, access to a fully controlled access highway will NOT be permitted under any circumstances.

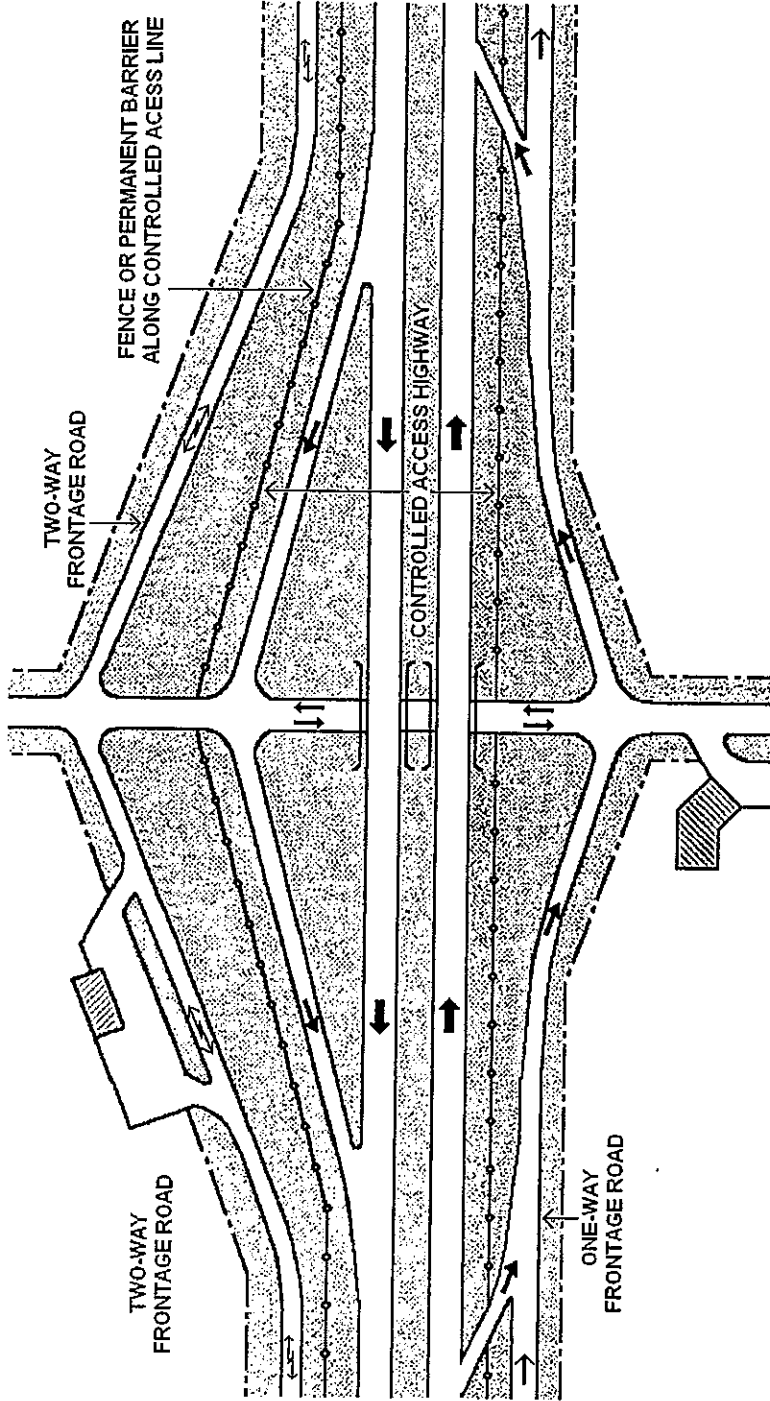




26.

**CONTROLLED ACCESS HIGHWAY  
NO FRONTAGE ROAD**

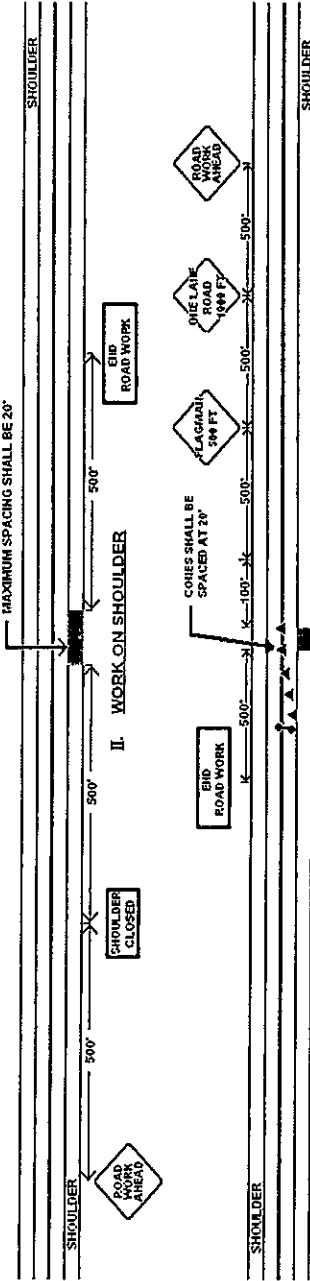
Drawing No. AD-6



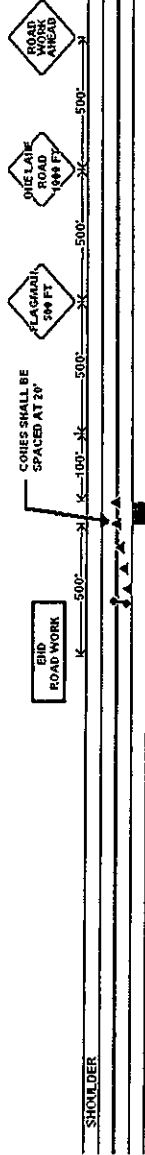
27.

**CONTROLLED ACCESS HIGHWAY  
WITH FRONTAGE ROADS**

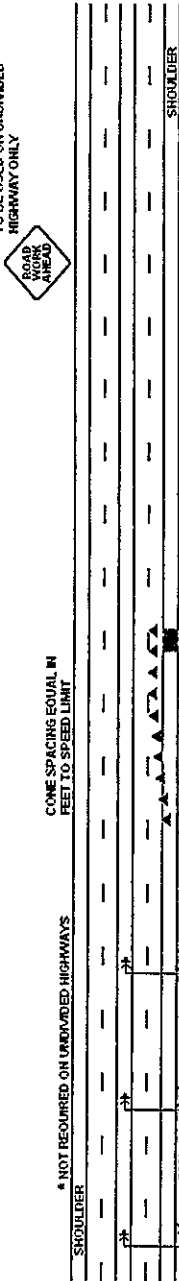
I. NO WORK ON ROADWAY - No Traffic Control Required



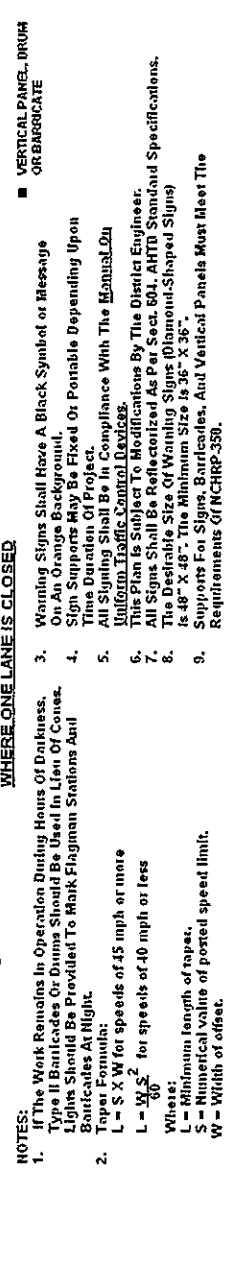
II. WORK ON SHOULDER



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



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



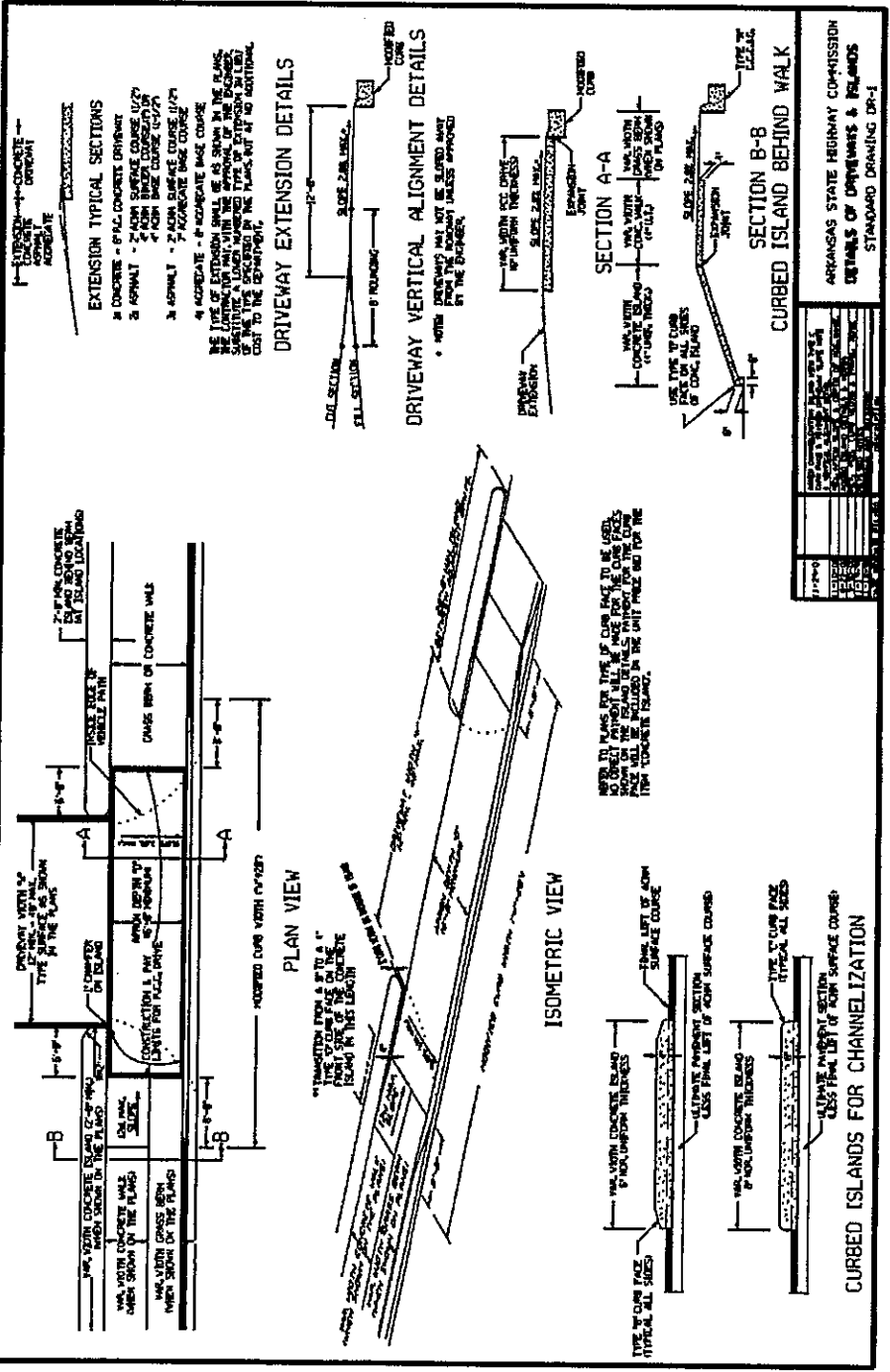
- KEY
- ◆ FLAGMAN
  - ▲ TRAFFIC CONE
  - VERTICAL PANEL, DRUM OR BARRICADE

NOTES:

- If The Work Remains In Operation During Hours Of Darkness, Type II Barricades Or Dumps Should Be Used In Lieu Of Cones. Lights Should Be Provided To Mark Flagman Stations And Barricades At Night.
- Taper Formula:  
 $L = \frac{WV^2}{2S}$  for speeds of 45 mph or more  
 $L = \frac{WV^2}{4S}$  for speeds of 40 mph or less  
 Where:  
 L = Minimum length of taper,  
 S = Numerical value of posted speed limit,  
 W = Width of offset.

TRAFFIC CONTROL FOR ACCESS DRIVEWAY CONSTRUCTION

Drawing AD-8



ARRAGAS STATE HIGHWAY COMMISSION  
 DETAILS OF DRIVEWAYS & ISLANDS  
 STANDARD DRAWING DR-1

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 \_\_\_\_\_ S.H. U.S. NO. \_\_\_\_\_  
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 \_\_\_\_\_ Width \_\_\_\_\_ Type \_\_\_\_\_ Proposed driveway surface \_\_\_\_\_ Width \_\_\_\_\_  
\_\_\_\_\_ subject to the restrictions and regulations contained in the "Regulations for Access Driveways on  
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

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

\_\_\_\_\_  
Date

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