

## Application for Highway Access Permit South Dakota Department of Transportation

<b>Permit Application (to be completed by applicant).</b>	<b>Instructions:</b> Please contact the local South Dakota Department of Transportation office to determine what supporting documents must accompany this application. Please submit a separate application and supporting documentation for each access requested. Attach additional sheets as necessary. Please print or type. Owner and applicant agree to comply with special and standard conditions if access permitted.																																		
	<b>Property Owner:</b> Name(s): _____ Mailing Address: _____ City, State, Zip _____ Daytime Phone: _____	<b>Applicant (if different from Owner):</b> Name(s): _____ Mailing Address: _____ City, State, Zip _____ Daytime Phone: _____																																	
	<b>Property to be Served by Approach:</b> County: _____ Section: _____ Township: _____ Range: _____ <b>Or</b> Subdivision: _____ Block/Lot: _____ Street Address: _____ City: _____	<b>State Highway to be Accessed by Approach:</b>  State Highway Number: _____  Access would be _____ feet (north, south, east or west) from _____ (nearest cross street).																																	
	<b>Land Use of Property to be Served (check one):</b> <input type="checkbox"/> Agricultural: acres served _____ <input type="checkbox"/> Business: type _____ total square footage of buildings: _____ number of employees _____ <input type="checkbox"/> Residential: number of single-family dwellings _____, or number of multi-family dwellings _____ <input type="checkbox"/> Other: describe _____	<b>Type of Permit Requested (check one)</b> <input type="checkbox"/> New approach <input type="checkbox"/> Change in use <input type="checkbox"/> Temporary access <input type="checkbox"/> Improve existing access <input type="checkbox"/> Relocate existing access <input type="checkbox"/> Remove existing access																																	
	<b>Local Government Reviews:</b>																																		
	<b>County:</b> Comments: _____  Concurrence signature: _____ Date: _____	<b>Municipality:</b> Comments: _____  Concurrence signature: _____ Date: _____																																	
	<b>Estimated Date of Construction:</b> _____																																		
	I, the undersigned, request permission to construct or modify an access approach subject to the rules and regulations set forth in SDCL 70:09.																																		
	<b>Signature of Applicant:</b> _____		<b>Date:</b> ___/___/___																																
	<b>Signature of Owner (if different than applicant):</b> _____		<b>Date:</b> ___/___/___																																
<b>Permit Decision (to be completed by SDDOT).</b>	<b>Supporting Materials Required:</b> (Required)	<b>Received by SDDOT:</b> Date: ___/___/___																																	
	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30px;"><input type="checkbox"/></td> <td style="width: 50%;">Access Approach Design</td> <td style="width: 20px;"><input type="checkbox"/></td> </tr> <tr> <td><input type="checkbox"/></td> <td>Vicinity Map</td> <td><input type="checkbox"/></td> </tr> <tr> <td><input type="checkbox"/></td> <td>Traffic Volumes</td> <td><input type="checkbox"/></td> </tr> <tr> <td><input type="checkbox"/></td> <td>Three Copies of Site Plan</td> <td><input type="checkbox"/></td> </tr> <tr> <td><input type="checkbox"/></td> <td>Traffic Control Plan</td> <td><input type="checkbox"/></td> </tr> <tr> <td><input type="checkbox"/></td> <td>Proof of Liability Insurance</td> <td><input type="checkbox"/></td> </tr> <tr> <td><input type="checkbox"/></td> <td>Detailed Development Plan</td> <td><input type="checkbox"/></td> </tr> <tr> <td><input type="checkbox"/></td> <td>Drainage Plan</td> <td><input type="checkbox"/></td> </tr> <tr> <td><input type="checkbox"/></td> <td>Traffic Impact Study</td> <td><input type="checkbox"/></td> </tr> <tr> <td><input type="checkbox"/></td> <td>Revegetation Plan</td> <td><input type="checkbox"/></td> </tr> <tr> <td><input type="checkbox"/></td> <td>Other _____</td> <td><input type="checkbox"/></td> </tr> </table>	<input type="checkbox"/>	Access Approach Design	<input type="checkbox"/>	<input type="checkbox"/>	Vicinity Map	<input type="checkbox"/>	<input type="checkbox"/>	Traffic Volumes	<input type="checkbox"/>	<input type="checkbox"/>	Three Copies of Site Plan	<input type="checkbox"/>	<input type="checkbox"/>	Traffic Control Plan	<input type="checkbox"/>	<input type="checkbox"/>	Proof of Liability Insurance	<input type="checkbox"/>	<input type="checkbox"/>	Detailed Development Plan	<input type="checkbox"/>	<input type="checkbox"/>	Drainage Plan	<input type="checkbox"/>	<input type="checkbox"/>	Traffic Impact Study	<input type="checkbox"/>	<input type="checkbox"/>	Revegetation Plan	<input type="checkbox"/>	<input type="checkbox"/>	Other _____	<input type="checkbox"/>	<b>Decision: (to be made after Application Review)</b> <input type="checkbox"/> Access Approved <input type="checkbox"/> Access Approved with Variance: _____  <input type="checkbox"/> Access Denied
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<b>Terms and Conditions of Approval (or Reason for Denial)</b>  Access Must be Constructed By: ___/___/___																																			
<b>SDDOT Area Engineer Signature:</b>  Date: ___/___/___	<b>SDDOT Area:</b> Area Office _____ Contact Person _____ Contact Phone _____ Permit Number _____																																		

**SDDOT Highway Access Permit Application Review Sheet (to be completed by SDDOT)**

**Highway Access Classification: (check one)**

- Expressway
- Free Flow Urban
- Intermediate Urban
- Urban Developed
- Urban Fringe
- Rural

Highway \_\_\_\_\_  
**MRM + Displacement** \_\_\_\_ + \_\_\_\_  
 Left  Right   
**Average Daily Traffic** \_\_\_\_\_  
**Accidents (three years)** \_\_\_\_\_

**Highway Alignment to Left of Access (as seen when standing on access)**

- Straight
  - Turns left
  - Turns right
  - Flat
  - Slopes up
  - Slopes down
- Stopping Sight Distance: \_\_\_\_\_ ft.  
 Entering Sight Distance: \_\_\_\_\_ ft.  
 Posted Speed Limit: \_\_\_\_\_ mph
- 0-3% grade
  - 3-5% grade
  - >5% grade

**Highway Alignment to Right of Access (as seen when standing on access)**

- Straight
  - Turns left
  - Turns right
  - Flat
  - Slopes up
  - Slopes down
- Stopping Sight Distance: \_\_\_\_\_ ft.  
 Entering Sight Distance: \_\_\_\_\_ ft.  
 Posted Speed Limit \_\_\_\_\_ mph
- 0-3% grade
  - 3-5 % grade
  - >5% grade

**Significant Design and Potential Impact Considerations (check all that apply and explain checked items):**

- |  |  |  |
|--|--|--|
| <ul style="list-style-type: none"> <li><input type="checkbox"/> Sidewalks or Bike Paths</li> <li><input type="checkbox"/> Curb &amp; Gutter</li> <li><input type="checkbox"/> On-Street Parking</li> <li><input type="checkbox"/> Shoulder Width</li> <li><input type="checkbox"/> Historical Resources</li> </ul> | <ul style="list-style-type: none"> <li><input type="checkbox"/> Surface Drainage</li> <li><input type="checkbox"/> Drainage Structures</li> <li><input type="checkbox"/> Major Structures</li> <li><input type="checkbox"/> Guard Rail</li> <li><input type="checkbox"/> Above-Ground Utilities</li> <li><input type="checkbox"/> Railroad Tracks</li> </ul> | <ul style="list-style-type: none"> <li><input type="checkbox"/> Distance to Nearby Streets, Both Directions</li> <li><input type="checkbox"/> Distance to Nearby Driveways, Both Directions</li> <li><input type="checkbox"/> Others Streets with Access or Available Access</li> <li><input type="checkbox"/> Traffic Control Devices or Relocation Needed</li> <li><input type="checkbox"/> Median Crossovers</li> </ul> |
|--|--|--|

Explain impact on design:

**SDDOT Region Traffic Engineer Review (optional):**

Comments:

Signature: \_\_\_\_\_ date: \_\_\_/\_\_\_/\_\_\_

**SDDOT Access Management Review (optional):**

Comments:

Signature: \_\_\_\_\_ date: \_\_\_/\_\_\_/\_\_\_

**APPROACH DESIGN SKETCH**

**List Attachments:**

- Driveway details
- Culvert details
- Mailbox details
- Fencing details
- Cattle guard
- Sidewalk details
- Median crossovers
- Recreation paths
- Rail crossings
- Auxiliary lanes
- Storm sewer
- Pavement
- Curb & gutter
- Traffic Control
- Sign/signal/markings
- Other

SDDOT Review Performed by:

Date: \_\_\_/\_\_\_/\_\_\_

# State Highway Access Approach Permit Standard Conditions

When this permit was issued, the Department made its decision based in part on information submitted by the applicant, what alternative access to other public roads and streets was available, the operation of the highway and safety and design standards. Changes in access approach use or design not approved by the Department may cause the revocation or suspension of the permit. The permittee is responsible for the costs of construction, maintenance, and removal (if necessary) of the approach.

## PERMIT EXPIRATION

A permit shall be considered expired if the access is not under construction within one year of the permit issue date or before the expiration of any authorized extension. When the permittee is unable to commence construction within one year after the permit issue date, the permittee may request a one-year extension from the Department. Only one extension may be granted. Any request for an extension must be in writing and submitted to the Department before the permit expires. The request should state the reasons why the extension is necessary, when construction is anticipated, and include a copy of page 1 (face of permit) of the access permit. Extension approvals shall be in writing. Any person wishing to reestablish an access permit that has expired may begin again with the application procedures.

## CONSTRUCTION

1. The construction of the access and its appurtenances as required by the terms and conditions of the permit shall be completed at the expense of the permittee. All materials used in the construction of the access within the highway right-of-way or on permanent easements, become public property. Any materials removed from the highway right-of-way will be disposed of only as directed by the Department. Only clean fill material may be used for construction. Rubble and organic materials are prohibited. Permittee is responsible for salvaging and replacing topsoil, erosion control and revegetation of access.
2. The permittee shall notify the Area Office at least two working days prior to any construction within state highway right-of-way. Construction of the access shall not proceed until the access permit is issued. The access shall be completed in an expeditious and safe manner and shall be finished within 45 days from the initiation of construction within the highway right-of-way. One construction time extension may be requested from the Area Engineer. The permittee shall also notify the Area Office two days prior to substantial completion of the access construction.
3. A utility permit shall be obtained for any utility work within highway right-of-way. Where necessary to remove, relocate, or repair any traffic control device or public or private utility for the construction of a permitted access, the relocation, removal or repair shall be accomplished by the permittee without cost to the Department, and at the direction of the Department or utility company. Any damage to the state highway or other public right-of-way beyond that which is allowed in the permit shall be repaired immediately. The permittee is responsible for the repair of any utility damaged in the course of access construction, reconstruction or repair. Utilities are responsible for salvaging and replacing topsoil and must have an approved erosion control and revegetation plan. A final inspection must be held with the utility at the completion of the work.
4. The Department and the local government may inspect the access during construction and upon completion of the access to determine that all terms and conditions of the permit are met. Inspectors are authorized to enforce the conditions of the permit during and after construction and to halt any activities within state right-of-way that do not comply with the provisions of the permit, that conflict with concurrent highway construction or maintenance work, that endanger highway property, natural or cultural resources protected by law, or the health and safety of workers or the public.
5. Prior to using the access, the permittee is required to complete the construction according to the terms and conditions of the permit. Failure by the permittee to abide by all permit terms and conditions shall be sufficient cause for the Department to initiate action to suspend or revoke the permit and close the access. If in the determination of the Department the failure to comply with or complete the construction requirements of the permit create a highway safety hazard, such shall be sufficient cause for the summary suspension of the permit. If the permittee wishes to use the access prior to completion, arrangements must be approved by the Department and included in the permit. The Department may order a halt to any unauthorized use of the access pursuant to statutory and regulatory powers. Reconstruction or improvement of the access may be required when the permittee has failed to meet required specifications of design or materials.
6. The permittee shall provide construction traffic control devices at all times during access construction, in conformance with the Manual on Uniform Traffic Control Devices as required by state statute.

7. In the event it becomes necessary to remove any right-of-way fence, the posts on either side of the access shall be securely braced with an approved end post before the fence is cut to prevent any slacking of the remaining fence.
8. The permittee shall ensure that a copy of the permit is available for review at the construction site at all times. The permit may require the contractor to notify the individual or office specified on the permit at any specified phases in construction to allow the field inspector to inspect various aspects of the construction such as concrete forms, subbase, base course compaction, and materials specifications. Minor changes and additions may be ordered by the Department or local authority field inspector to meet unanticipated site conditions.
9. Each access shall be constructed in a manner that shall not cause water to enter onto the roadway or shoulder, and shall not interfere with the existing drainage system on the right-of-way or any adopted municipal system and drainage plan.
10. By accepting the permit, permittee agrees to save, indemnify, and hold harmless to the extent allowed by law, the Department, its officers, and employees from suits, actions, claims of any type or character brought because of injuries or damage sustained by any person resulting from the permittee's use of the access permit during construction of the access.

#### **CHANGES IN ACCESS USE AND PERMIT VIOLATIONS**

1. It is the responsibility of the property owner and permittee to ensure that the use of the access to the property is not in violation of the permit terms and conditions. The terms and conditions of any permit are binding upon all assigns, successors-in-interest, heirs and occupants. If any significant changes are made or will be made in the use of the property that will affect access operation, traffic volume and or vehicle type, the permittee or property owner shall contact the Department to determine if a new access permit and modification to the access are required.
2. When an access is constructed or used inconsistent with the terms and conditions in violation of the permit, the Department may summarily suspend an access permit and immediately order closure of the access.

#### **MAINTENANCE**

The permittee shall be responsible for the repair and maintenance of the access beyond the edge of the roadway including:

- (1) surfacing ,
- (2) curb and gutter,
- (3) cattle guard and gate,
- (4) vegetation control,
- (5) removal or clearance of snow or ice upon the access even though deposited on the access in the course of department snow removal operations,
- (6) repair and replacement of any access-related culverts of 36 inch diameter or smaller within the right-of-way in unincorporated areas,
- (7) obtaining department approval for all culvert repairs, drainage repairs, resurfacing, and changes in access design or configuration, and
- (8) all other maintenance required for continued safe and satisfactory operation of the access point.

The department shall perform no maintenance of access points, except:

- (1) modification of access point as necessary to meet adjacent highway reconstruction, as determined by the department,
- (2) access surface maintenance only when the department performs similar type maintenance on the highway at the access,
- (3) maintenance of new approaches required for construction under §31-24-1 and §31-24-2.
- (4) culvert cleaning in unincorporated areas, and
- (5) repair and replacement of culverts larger than 36" diameter in unincorporated areas.

In the event that the permittee fails to maintain an access point, the department may declare the negligently maintained access point a public nuisance, and upon notice to the permittee, may correct maintenance deficiencies at cost to the owner.

## Access Approach Construction Inspection Form South Dakota Department of Transportation

To: (person who will conduct field inspection)	After completion, return form to person/office:
address	
address	
Address/zip	
<p>The assigned field inspector is to complete this form for each newly completed access and return the form as noted in the upper right. This form is to confirm installation of an access. If during construction, the inspector should determine problems, such as poor traffic control, materials, or failure to adhere to the permit, they are to order the problems corrected, work may be shut down if necessary, and/or area office contacted for direction. All construction shall be completed within 45 days unless extension granted in writing by Area Engineer.</p>	
Permittee name and phone:	
Access location:	Permit number:
Local jurisdiction:	Permit issue date:
SDDOT Area:	Permit construction began: _____ Permit construction ended: _____ Permit extension granted: _____
This access has been constructed in reasonable conformance with the issued access permit: Inspector signature _____ Date _____	
This access has NOT been constructed in reasonable conformance with the issued access permit: Inspector signature _____ Date _____	
Items not in conformance or inspector comments:	