

Existing LAC 70:I.1501 specifies that incumbent with the Dept. of Transportation and Development's (DOTD) obligation to protect the investment of the state in the highway system, the DOTD can be restrictive with granting access connections.

New LAC 70:I.1501 requires that DOTD, through its district administrators, be allowed to grant exceptions to the restrictions set forth in administrative rules for access connections based upon the uniqueness of the environment in which access is sought and that the DOTD policy referred to throughout DOTD administrative rules for access connections is available on the DOTD website.

Prior LAC 70:I.1515 required a new permit for relocations or alterations of any access, approach, or other improvement constructed on the right-of-way.

New LAC 70:I.1515 requires that relocations or alterations of any access, approach, or other improvement construction on the right-of-way require a reevaluation of the accession connection or connections, rather than a new permit.

Removes prior law in LAC 70:I.1515(G) which requires that post-construction inspections are mandatory for traffic generator access connections.

Prior LAC 70:I.1519(B) required that if a property was being reconstructed/remodeled/redeveloped and contained an existing commercial access point, then the owner would be required to submit a new application for an access connection permit which should have contained all information and documentation as described in administrative rules.

New LAC 70:I.1519(B) requires, rather than a new application, a request for a reevaluation of the access connection be submitted with all information required by DOTD policies.

Prior LAC 70:I.1519(C) required that if a property owner reconstructed the access connection, a new access connection permit application should be submitted.

New LAC 70:I.1519(C) requires that, rather than a new application, a request for a reevaluation of the access connection be submitted during this process in order to improve safety and operations.

Existing LAC 70:I.1519(D) provides that if DOTD road maintenance and/or construction operations affect the condition or necessitate the reconstruction, improvement, modification, or removal of an existing access connection, a reevaluation of the access connection geometrics, location, etc., shall be performed by the district traffic operations engineer. The access connection permit shall be reissued according to the most current DOTD standards, and DOTD reconstruction efforts shall follow these standards. The cost to reconstruct the access connection to the right-of-way shall be borne by the DOTD. Any additional costs to improve onsite conditions shall be borne by the property owner.

New LAC 70:I.1519(D) changes the existing administrative rules from mandatory to permissive.

Prior LAC 70:I.1521(A)(2)(a) provided that full access shall not be granted within the functional influence area of the intersection.

New LAC 70:I.1521(A)(2)(a) specifies that full access may not be granted within the functional influence area of the intersection. Also, specifies that the influence area shall be defined in DOTD policies.

Prior LAC 70:I.1521(A)(4) provided that if the subject property was located at the intersection of two routes, an access connection may be permitted on one of the routes. The determination of the access connection location should be at the discretion of the DOTD according to this rule and other applicable DOTD policies.

New LAC 70:I.1521(A)(4) specifies that if the subject property is located at the intersection of two routes, an access connection may be permitted on both routes, but one must be limited

to right-in/right-out access. The determination of the access connection locations and restrictions on each shall be at the discretion of the DOTD according to this rule and other applicable DOTD policies.

Existing LAC 70:I.1521(B) provides that the granting of access shall adhere to a certain decision hierarchy.

Prior LAC 70:I.1521(B)(1) provided that each property or group of adjacent properties with a single owner or development plan shall be granted no more than one access point, unless certain other portions of administrative rules pertaining to traffic studies were completed and approved.

New LAC 70:I.1521(B)(1) specifies that each property or group of adjacent properties with a single owner or development plan may, rather than shall, be granted no more than one access point, unless certain other portions of administrative rules pertaining to traffic studies are completed and approved.

Prior LAC 70:I.1521(B)(4) required a request for an access connection on a state route where alternative access connection opportunities exist on nonstate route(s) should be accompanied by a traffic impact study.

New LAC 70:I.1521(B)(4) specifies that a request for an access connection on a state route where alternative access connection opportunities exist on nonstate route(s) may, rather than shall, be accompanied by a traffic impact study according to DOTD policies.

Existing LAC 70:I.1521(B)(5) in pertinent part, requires requests for access connections in excess of one access connection or for an access connection on a state route where nonstate route access exists must be reviewed and approved by the district engineer administrator. Such requests shall be accompanied by a traffic impact study.

New LAC 70:I.1521(B)(5) retains existing rule and specifies that such requests may, rather than shall, be accompanied by a traffic impact study.

Existing LAC 70:I.1521(E) prohibits gates, fences, signage, landscaping, or other decorative or access-control features (i.e. gated subdivision) from being located within the right-of-way. Requires such access-control features to be located so that a minimum storage of two vehicles (50' storage length minimum) is provided outside of the limits of the right-of-way.

New LAC 70:I.1521(E) requires that such access-control features may be required by the DOTD to be located at greater distances than 50' storage length minimum.

Existing LAC 70:I.1529 provides that all access on roadways with medians may be restricted to right-in/right-out movements only, and should be constructed in such a way as to prevent any other movements.

New LAC 70:I.1529 retains existing rule and specifies that if required, these access points shall be constructed in such a way as to prevent any other movements.

Prior LAC 70:I.1531(B) provided that all single-family residential and traffic generator access connections should be constructed with permanent hard surface type materials (i.e. asphalt or concrete) as shown on the standard plans for access connections. Aggregate access connections should not be permitted within the right-of-way for these types of connections. The hard surface type materials should extend the following distances from the edge of pavement:

- (1) single-family residential access connections: 10 feet from the edge of pavement; and
- (2) traffic generator access connections: 25 feet from the edge of pavement.

New LAC 70:I.1531(B) modifies the prior rule by specifying that all traffic generator access connections shall be constructed with permanent hard surface type materials (i.e. asphalt or concrete) for a distance shown in DOTD policy. Also, removes the requirement that the hard surface type materials shall extend certain distances from the edge of the pavement on single-family residential access connections and traffic generator access connections.

Prior LAC 70:I.1531(C) provides that noncommercial agricultural operations may not be required to be constructed of hard surface type materials.

Removes prior LAC 70:I.1531(C).

Existing LAC 70:I.1531(D) provides that all entrances and exits shall be located so that drivers approaching or using them will have adequate sight distance in all directions along the highway in order to maneuver safely and without interfering with traffic. Minimum required sight distance shall be calculated using the methods outlined in the AASHTO Geometric Design Guide for sight distance based on the posted speeds of the adjacent roadway or a speed other than the posted speed limit for these calculations.

New LAC 70:I.1531(D) modifies the existing rule by specifying that the minimum required sight distance shall be calculated using the methods outlined in DOTD policies rather than using the methods outlined in the AASHTO Geometric Design Guide for sight distance based on the posted speeds of the adjacent roadway or a speed other than the posted speed limit for these calculations.

Prior LAC 70:I.1533(E) provided that the services of an independent DOTD-approved inspector shall be obtained to inspect the construction of all DOTD-required improvements in the DOTD right-of-way.

New LAC 70:I.1533(E) specifies that the services of an independent DOTD-approved inspector may be required to inspect the construction of all DOTD-required improvements in the DOTD right-of-way.

Prior LAC 70:I.1535(B) provided that any required mitigation should be noted on the permit, and bond amounts should be appropriate for such mitigation.

New LAC 70:I.1535(B) specifies that any required mitigation shall be noted on the permit(s), as required in accordance with DOTD policies, and bond amounts shall be appropriate for such mitigation, if required.

Prior LAC 70:I.1541 required that appeals be filed in accordance with the DOTD appeals policies as set forth in current administrative rules.

New LAC 70:I.1541 removes the requirement that appeals must be filed in accordance with current administrative rules.

Directs the office of the state register to print the amendments to LAC 70:I.1501(C), 1515(D), (G), (H), (I), and (J), 1519(B), (C), and (D), 1521(A)(2) and (a)(intro. para.), (4), and (5), (B)(1), (4), and (5), and (E), 1529(C), 1531(B), (C), (D), and (E), 1533(E), 1535(B), and 1541(B), the enactment of LAC 70:I.1501(E), and the repeal of LAC 70:I.1515(K) and 1531(F).

(Amends LAC 70:I.1501(C), 1515(D) and (G)-(J), 1519(B)-(D), 1521(A)(2) and (a)(intro. para.), (4), and (5), (B)(1), (4), and (5), and (E), 1529(C), 1531(B)-(E), 1533(E), 1535(B), and 1541(B); Adds LAC 70:I.1501(E); Repeals LAC 70:I.1515(K) and 1531(F))