

290-RICR-20-00-4

TITLE 290 - DEPARTMENT OF TRANSPORTATION

CHAPTER 20 – BUSINESS, PROPERTY OWNERS, AND THE PUBLIC

SUBCHAPTER 00 - N/A

PART 4 - STATE HIGHWAY RIGHT-OF-WAY REGULATIONS

4.1 Authority

The following Rules and Regulations are promulgated to administer R.I. Gen. Laws Chapter 24-8, as amended, and supersede all previous Rules and Regulations adopted heretofore.

4.2 Policy

A. The purpose of these Rules and Regulations is to prescribe conditions under which the Department will allow alterations, by Physical Alteration Permit (Permit), in the following circumstances:

1. Curbs
2. Sidewalks
3. Highway/ Bridge Access
4. Stormwater Disposal
5. Construction Within the State Highway Right-of-Way
6. Traffic Signals
7. Signage

4.3 Definitions

A. Except as otherwise indicated, the following definitions shall apply:

1. “AASHTO” means American Association of State Highway and Transportation Officials.
2. “ADA” means the Americans with Disabilities Act.
3. “Alteration” means any change of existing conditions within the State Highway Right-of-Way (ROW).

4. "Applicant" means any individual, firm, corporation, partnership or agency, public or private that has legal control
5. "Application" means Physical Alteration Permit Application.
6. "Circular driveway" means a Residential driveway with two (2) access openings on the same frontage.
7. "Clear zone" means the total roadside border area, starting at the edge of the traveled way, available for safe use by errant vehicles. This area may consist of a shoulder, a recoverable slope, a nonrecoverable slope, and/or a clear run out area. The desired width is dependent upon the traffic volumes and speeds and on the roadside geometry, as defined in the American Association of State Highway and Transportation Officials "Roadside Design Guide" incorporated below at § 4.4(H) of this Part.
8. "Commercial" means relating to any property use other than for an individual, single-family dwelling or multi-unit development.
9. "Construction within the State highway right-of-way" means the alteration of any structure, creation of any new structure or physical modification to existing conditions within the State Right-of-Way.
10. "Cost estimate" means an approximation of the cost (value) of the proposed construction operations within the State Highway Right-of-Way and of all proposed construction operations on private property that, if not done or not done correctly in accordance with the Permit, would affect the State Highway Right-of-Way. Preferably, the cost estimate should be prepared using the latest RIDOT Weighted Average Unit Prices (WAUP), which can be found on www.dot.ri.gov.
11. "Curblin" means the edge of highway pavement.
12. "Department" means the Rhode Island Department of Transportation.
13. "Director" means the Director of the Rhode Island Department of Transportation, whose address is Two Capitol Hill, Providence, RI 02903.
14. "Driveway" means an opening to a highway that permits ingress and/or egress by vehicles.
15. "Driveway types" means one of the following:
 - a. Residential: A driveway leading to/from an individual, single-family dwelling or multi-unit development.

- b. Commercial: Any driveway that is not a driveway to an individual, single-family dwelling or multi-unit development.
16. "Easement" means a right to cross or otherwise use for a specific purpose the property of another without possessing it. An easement restricts but does not abridge the rights of the property owner to the use and enjoyment of his or her land.
17. "FHWA" means Federal Highway Administration
18. "Landscaping" means the physical alteration of the existing right-of-way (beyond the roadway area) through selective clearing or pruning of existing vegetation and/or the installation of new plant material (trees, shrubs, perennials or ground cover) and new grass areas.
19. "Maintenance division" means the Highway & Bridge Maintenance Division of the Rhode Island Department of Transportation, located at 360 Lincoln Avenue, Warwick, RI 02888.
20. "PAPA submittal checklist" means a checklist that must be filled out by the Applicant and included with the completed Application. A copy of the checklist can be found on www.dot.ri.gov.
21. "Permission" means approval by the Rhode Island Department of Transportation of a Physical Alteration Permit Application. 22. "Permit" means Physical alteration permit.
23. "Permittee" means recipient of a Physical alteration permit.
24. "Professional engineer" means a civil engineer, or firm, currently registered in the State of Rhode Island.
25. "Professional land surveyor" means a land surveyor currently registered in the State of Rhode Island.
26. "Residential" means relating to an individual, single-family dwelling or multi unit development.
27. "Roadway" means of vehicular access to a State Highway Right-of-Way that serves a residential or commercial development.
28. "Rural" means all locations not included under the Urban definition shall be considered Rural.
29. "Setback" means the lateral distance between the State Highway Right-of-Way line and a roadside building, fuel pump curb base, display stand or

other object, the use of which will result in space for vehicles to stop or park between such facilities and the State Highway Right-of-Way.

30. "Sidewalk" means area beside a roadway available for pedestrian use regardless of the existence of pavement.
31. "State highway right-of-way (R.O.W.)" means land and space acquired for, or dedicated to, State Highway use.
32. "State Road (State Highway) drainage system" means the network of culverts, ditches, catch basins, manholes, pipes, treatment units, swales, gutters and other man-made and natural water courses for draining stormwater runoff from State Highways.
33. "Stopping sight distance" means the length of roadway ahead that is visible to the driver, which includes the brake reaction distance and the braking distance, based on a given vehicle speed as defined in the American Association of State Highway and Transportation Officials, "A Policy on Geometric Design of Highways and Streets incorporated below at § 4.4(l) of this Part.
34. "Structure(s)" means all buildings, canopies, solar arrays, towers, storage tanks/containers and other above ground, permanent assemblies (cumulative total).
35. "TMP" means Transportation Management Plan.
36. "Urban" means an area, either incorporated or unincorporated, which has been developed primarily for residential and/or business purposes. An Urban area is generally characterized by: speed limits of 40 miles per hour or less, streets or highways are generally curbed, and at least fifty (50) percent of the frontage on one side of the highway within one-half mile of the site for which a Permit has been requested is developed with residences and/or businesses.

4.4 Incorporated Materials

- A. These regulations hereby adopt and incorporate Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD), 23 C.F.R. § 655, Subpart F (2009) by reference, not including any further editions or amendments thereof and only to the extent that the provisions therein are not inconsistent with these regulations.
- B. These regulations hereby adopt and incorporate American Association of State Highway and Transportation officials "Roadside Design Guide" (2011 Edition

including Roadside Design Guide 4th Edition (2011) Errata issued in 2015), by reference, not including any further editions or amendments thereof and only to the extent that the provisions therein are not inconsistent with these regulations.

- C. These regulations hereby adopt and incorporate American Association of State Highway and Transportation Officials, "A Policy on Geometric Design of Highways and Streets (2011) by reference, not including any further editions or amendments thereof and only to the extent that the provisions therein are not inconsistent with these regulations.
- D. These regulations hereby adopt and incorporate "Nondiscrimination on the Basis of Disability in State and Local Government Services" 28 C.F.R. Part 35 (2018), by reference, not including any further additions or amendments thereof and only to the extent that the provisions therein are not inconsistent with these regulations.

4.5 Physical Alteration Permit Process

- A. Anyone seeking the permission of the Director as described herein by these Regulations, shall follow the procedure delineated below.
- B. No person, firm, corporation, utility company or agency may place or alter curbs, make a connection to, or pump or drain water to, the State Highway drainage system, or in any way make any alteration to the State Highway system without first obtaining a Permit.
- C. No access by driveway to a State Highway shall be made without first obtaining a Permit.
- D. In order to obtain a Permit, Applicants must review and agree to the provisions of the State of Rhode Island Department of Transportation Standard Specifications for Road and Bridge Construction.
- E. An applicant may obtain the Application at a Department of Transportation, Maintenance Division facility, or on-line at www.dot.ri.gov. At the same time, the Applicant should become familiar with the applicable Regulations and Standards to avoid a resubmission fee. These Regulations and Standards will be available on-line at the website listed above.
- F. Upon completion of the application, the Applicant shall submit the completed Application with the PAPA Submittal Checklist, all necessary copies of plans and computations, and permit fee(s) required for the type of access as prescribed in these rules. Applications should be submitted to the Maintenance Division Headquarters

- G. All applications (except single family residential) require a cost estimate of construction operations proposed within the State Highway Right-of-Way and of all proposed construction operations on private property that, if not done or done correctly in accordance with the Permit, would affect the State Highway Right -of-Way. This estimate shall be prepared by a Professional Engineer. A cost estimate may be required for single-family residential applications at the discretion of the Department.
- H. When the application is submitted, the Applicant must provide written proof that the Town/City Planning Department or other authorized agent of the affected municipalities has received documentation describing the proposed alteration. Applicants are not required to obtain a building permit before applying for a Physical Alteration Permit.
- I. For any applications relating to a commercial alteration, all computations, plans and statements must be approved and stamped by a Rhode Island Registered Professional Engineer. If there is no drainage effect on the State Highway drainage system, the stamp of a Rhode Island Registered Land Surveyor will be an acceptable substitute. When any landscaping is part of the commercial application and it is on state property, the landscape plan must be stamped by a Rhode Island Registered Landscape Architect. Professional stamps may be required for individual, single-family dwellings at the discretion of the Department.
- J. Any alteration that affects drainage within the State Highway Right-of-Way shall require the stamp of a Rhode Island Registered Professional Engineer. If there is no effect on the State Highway drainage system, the stamp of a Rhode Island Registered Professional Land Surveyor will be an acceptable substitute.
- K. Scenic Roadways - In accordance with State Statute, R.I. Gen Law § 24-15-10, certain roadways are designated Scenic Roadways and any alteration within the State Highway right-of-way must receive the approval of the RI Scenic Roadways Board along with the Department's approval through the Physical Alteration Permit process. It is the responsibility of the applicant to check with the local community (or online at www.dot.state.ri.gov) to see if the proposed alteration is on a Designated Scenic Roadway and provide the Department with a written determination.
- L. Coordination with the Rhode Island Historical Preservation and Heritage Commission (RIHPHC). The Department will submit a copy of the application to the RIHPHC for comments. The Applicant will be responsible for addressing any comments to the RIHPHC. Permission will not be granted until RIHPHC comments are resolved.

- M. Any Commercial Application involving a location on a route serviced by the Rhode Island Public Transit Authority (RIPTA) may be subject to review and comment by RIPTA.
- N. During the review process, the Applicant must, at their own expense, provide any additional information or revisions/corrections regarding the proposed alteration to satisfy the Department. As a result of the review, the application will be either issued as a Permit with standard conditions, issued as a Permit with additional conditions, or denied as submitted. The applicant will be notified by mail of the decision.
- O. Applicants for major projects are encouraged to coordinate early with the RIDOT. Detailed plans may require staged submissions (10%, 30%, 90% and Final).
- P. Change in Property Ownership Issued permits are transferrable. However, it is the responsibility of the original owner/permittee to notify the Department in writing of the sale of the property and to provide the name, address, and telephone number of the new owner. Failure of the original owner/permittee to notify the Department or failure by the new owner to accept transfer of the Permit will result in the original owner/permittee being responsible for all future work done under the Permit.

4.5.1 Appeal

An applicant dissatisfied with the decision of the Department may appeal to the Director. The appeal shall be in writing, and submitted to the Director within ten (10) days of the receipt of the decision. The appeal must include a copy of the decision.

4.6 Permit Fees

- A. No application, or resubmission of a denied or withdrawn application, for a Physical Alteration Permit will be accepted from any person, firm, corporation, or other entity without the proper fee payment. Federal, State and Municipal Governments are exempt from fee payments.
- B. Payment must be in the form of check or money order made payable to State of Rhode Island RIDOT Physical Alteration Permit Program. Out-of-State applicants require a certified check. CASH WILL NOT BE ACCEPTED.
- C. Application Fees:

1. Residential:

Single Family		\$100.00
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Multiple Unit Permits		
	2 - 5 units or less	\$200.00
	6-49 units	\$500.00
	50or greater units	\$2,000.00

2. Commercial:

Less than 25,000 sq. ft. Structure (s)	\$1,000.00
25,000-300,000 sq. ft. Structure (s)	\$1,500.00
300,001-750,000 sq. ft. Structure (s)	\$2,000.00
Greater than750,000 sq. ft. Structure (s)	\$3,000.00

3. Traffic Signals: \$5,000.00 per signal

4. Sign Installation: \$200.00

D. Fees are not refundable.

E. The Physical Alteration Permit obtained is valid for one year from date of issuance. This Physical Alteration Permit may be renewed for one additional year at no cost by requesting an extension in writing, including a statement that conditions have not changed from the initial submission. A second extension may also be obtained by complying with the conditions for the first extension and paying an additional fee equal to the original submission fee. No additional extensions will be permitted.

4.7 Bond Requirements

A. The Permittee will be required to give surety or to submit a performance bond to the Department prior to the issuance of any Physical Alteration Permit.

B. If the costs of the proposed Alteration under the Permit exceed \$25,000, the Permittee shall furnish a performance bond in the amount of one hundred percent (100%) of costs conditioned upon the faithful performance of work associated with the Permit in accordance with all applicable specifications and conditions. Such bond shall be solely for the protection of the Department and the State of Rhode Island.

- C. The bond submitted to the Department shall be provided by a surety both acceptable to the Department and licensed and authorized to conduct business in the State of Rhode Island.
- D. All surety companies must be listed with the Department of the Treasury, Fiscal Services, Circular 570, (Latest Revision published by the Federal Register or available at <http://www.treas.gov>).
- E. The Department may require an additional amount of bond in connection with work added to the Permit by changes, additions and modifications by directing the Permittee to increase the penal amount of the existing bond or to obtain an additional bond.
- F. If the costs of the proposed Alteration under the Physical Alteration Permit are less than \$25,000, the Permittee may be required to give security by depositing assets or other performance guarantee in a form acceptable to the Department in the amount of one hundred percent (100%) of such costs. If the Permittee has deposited assets instead of furnishing sureties for any bond required under the Permit and the assets are in the form of checks, currency, or drafts, the Department will hold the assets in an account for the Permittee's benefit. Upon completion of the work associated with the Permit, the Permittee's funds from such assets will be returned as soon as possible, unless the Department determines that part or all of the funds are required to compensate the Department for costs it incurs as a result of the Permittee's delay, default or failure to perform. In such a case, the funds will be available to compensate the Department.

4.8 Insurance Requirements

- A. The Permittee or the Permittee's contractor will obtain and carry for the period of time required for the completion of the work associated with the Permit, including the repair and restoration of the State Highway Right-of-Way, and also during such future periods of time when operations are performed involving the repair, relocation, or removal of any work associated with the Permit, a liability and property damage insurance policy or policies which indemnify, defend, and hold the Department harmless from any damages arising out of operations associated with the Permit.
- B. The said insurance will provide, as a minimum, coverage in the following amounts: \$500,000.00 for property damage resulting from any single occurrence (\$1,000,000.00 aggregate) and \$500,000.00 for the death or injury of any person, subject to a limit of \$1,000,000.00 for injuries or deaths resulting from any single occurrence.

- C. The said insurance policy, or policies, will be with an insurance company authorized and licensed to do business in the State of Rhode Island.
- D. A copy of the policy, or policies, or certificate evidencing the same, will be submitted to the Department for approval prior to the issuance of any Permit. The Department will be named as an additional insured on all policies. The Department, in its sole discretion, may waive the requirement for insurance.

4.9 Inspection Services Requirements

- A. If costs for work within the State Highway Right-of-Way are over \$25,000, the Applicant must hire a RIDOT approved construction inspection company to certify that all work associated with the approved Permit is in accordance with the RI Standard Specifications including any amendments thereto.
- B. The inspection company shall be required to be present during specific phases of work as required by the Department, prior to commencement of any work. All costs shall be borne by the Permittee.

4.10 General Restrictions

- A. A Permit is required prior to any construction in, access to, alteration to, or any increase in drainage flow to the State Highway Right-of-Way.
- B. Access to the State Highway Right-of-Way where access is controlled by a Freeway Line is strictly prohibited.

4.10.1 Right-of-Way Encroachment:

No part of the State Highway Right-of-Way is to be used for servicing of vehicles, displays, or for private business. The area between the pavement and the limit of the Right-of-Way (Buffer Area) shall be clear of buildings, sales exhibits, signs, parking areas, service equipment and appurtenances thereto. Notwithstanding, use by police, emergency vehicles and for emergencies is acceptable at all times.

4.10.2 Parking:

Each roadside facility shall provide sufficient parking or storage space off the State Highway Right-of-Way to prevent the storage of vehicles on the driveway or the queueing of traffic onto the travel lanes or shoulders of the State Highway.

4.10.3 Setbacks:

Driveway access shall not be permitted where sufficient setback is not available to prevent parking, stopping, and maneuvering within the State Highway Right-of-Way in the operations of a commercial enterprise. This generally means at least ten (10) feet from the State Highway Right-of-Way to the subject facility for

operations of vehicles parallel to the centerline of the adjacent highway, and at least forty (40) feet from the State Highway Right- of-Way to the subject facility for operation of vehicles perpendicular to the centerline of the adjacent highway.

4.10.4 Location of Driveways and/ Roadways:

Driveways and/or roadways shall be so located as to result in no undue interference with, or hazard to, the free movement of normal highway traffic. To minimize congestion, and provide adequate safeguards for the public safety, driveway and/or roadway locations shall be avoided near intersections and roundabouts. Driveways and/or roadways shall also to be avoided are locations that would interfere with the placement and proper function of highway signs, signals, lighting or other devices that affect traffic operations.

4.10.5 Protection of the Traveling Public:

The Permittee shall properly safe-guard all work performed under the Permit and maintain sufficient working light, Rhode Island Standard Details signs and safety devices. Traffic control shall be provided by the Permittee according to the standards of "Manual On Uniform Traffic Control Devices For Streets And Highways" incorporated above at § 4.4(A) of this Part. ADA access shall address the employment of alternate circulation paths with a temporary pedestrian access route(s) if needed to allow for ADA continuity during construction or construction phasing. This protection shall be maintained until the project has been completed.

4.10.6 Protection from Suits:

As a condition of receipt of a Permit, the Permittee shall defend, indemnify, protect and save harmless the State and its agents, servants and employees from and against any and all suits, claims, losses, demands or damages of whatever kind or nature arising out of or claimed to arise out of, any act, error or omission of the Permittee, its agents, servants and employees in the engineering design and/or performance of work covered by this Permit.

4.10.7 Land Use Change:

Should the use of any property with legal access to a State Highway be altered or should its present use cause expansion of traffic, a reassessment by the Department of the use of the openings and impact on drainage shall be accomplished through the Permit process.

4.10.8 Landscaping:

There shall be no landscaping within the State Highway Right-of-Way without written approval by the Department. This permission will be obtained through the Permit Process and the landscape plan must include a site grading plan (if applicable) and a Landscape Plan showing the proposed planting layout and a plant list (Botanical and Common Name, Size, Root and Spacing). The

Landscape Plan and Site Plan must be stamped by a Rhode Island Registered Landscape Architect.

4.10.9 Control Dimensions:

All driveway access to a State Highway Right-of-Way must conform to the Control Dimensions published in § 4.13 of this Part.

4.10.10 Drive-Thrus:

For all applications involving drive-thru coffee/donut establishments or drive-thru car washes, the applicant must demonstrate that there is adequate space available to stack a minimum of ten (10) vehicles on site. This is to diminish the likelihood of vehicles stacking out into the State Highway and potentially blocking lanes of travel. For any other type drive-thru establishment (sandwich restaurant, pharmacy, banks, etc.) which does not typically exhibit such dramatic usage peaks; adequate space to stack a minimum of five (5) vehicles on site must be demonstrated. In both cases above, the stacking space shall be measured from the order board or first point of contact with the business.

4.10.11 Car Wash Facilities

All applications will require shaker bumps at the exits of the bays. Drainage control of all water associated with the car wash must be controlled in such a manner as to prevent the spread of water on the highway pavement especially during cold weather.

4.11 Construction within the Right-of-Way

- A. Absolutely no construction shall take place within the State Highway Right-of-Way without a permit having been issued approving the construction. Any construction or change to existing topography off of State Highway Right-of-Way which causes additional flow of water onto or into the State Highway drainage system is also prohibited without a Permit.
- B. A TMP may be required by RIDOT on a case-by-case basis if it is determined that there will be a significant impact to traffic operations on State Roadways.

4.12 Driveways

- A. Driveway access to the State Highway Right-of-Way shall not be allowed without a Permit.
- B. The driveway profile and location and the grading of the buffer area shall be such that a driver desiring to enter a State Highway has sufficient and clear sight distance in all directions along the highway to enable him to enter or leave the highway without creating a hazardous situation. This includes providing the

proper stopping site distance for drivers travelling on the State Highway in relation to the driveway location. This may require installation of a circular driveway.

- C. Where a circular driveway is requested by a Residential Applicant, certain conditions must be met.

4.12.1 Circular Driveway Design Requirements

Circular Driveway Design Requirements	
Frontage	70 ft. minimum
Width between entrance/exit edges	35 ft. minimum
Driveway width	10 ft. minimum, 12 ft. maximum

4.13 Curbing & Sidewalks

- A. The Department may require that the Permittee place Portland Cement Concrete or Bituminous Cement Concrete curbing in the cases where traffic channelization, control and public safety are concerned. This placement shall be done by the Permittee at his own expense.
- B. Sidewalk alterations and/or new sidewalk (including sidewalk width, grade, cross slope, surface, crossings, curb ramp design, etc.) shall comply with the requirements of the Americans with Disabilities Act’s implementing regulations, “Nondiscrimination on the Basis of Disability in State and Local Government Services,” 28 C.F.R. Part 35, incorporated in § 4.4(D) of this Part.
- C. Where curb is proposed, the applicant will be required to demonstrate that no flooding, ponding or trapping of water on the State Highway and on the adjacent private will result.
- D. Any alteration to a sidewalk adjoining a State Highway within a State Highway Right-of-Way requires a Permit.
- E. In any access that cuts a sidewalk, curb returns and transition curbs shall be placed as necessary to maintain the integrity of the sidewalk.

4.14 Access - Roadways

Any road, municipal or otherwise, that will, by design, construction or reconstruction, intersect a State Highway Right-of-Way, must be approved through application for and issuance of a Permit.

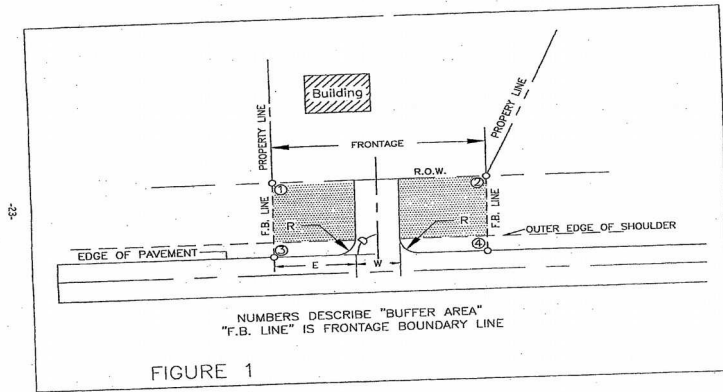
4.15 Stormwater

- A. It shall be unlawful for any person, firm or corporation to make any connection into a State road drainage system, or to drain or pump water onto the traveled surface of a State Highway without first obtaining written permission from the Director of the Department.
- B. When the Permittee intends to grade their property towards the State highway, the Permittee shall make provision, at their own expense, for disposition of highway and/or site drainage by installing pipe, inlets, catch basins, manholes, headwalls and ditches of proper size and material as may be necessary, in the Department's determination, to protect the State's drainage rights.
- C. Any Permittee making a direct connection to the State Highway drainage system shall clean, inspect and repair as necessary, that part of the State Highway drainage system (all assets) as part of the Permit work. These direct connection applications shall treat 50% of the water quality volume, at a minimum.
- D. Where the construction of a driveway necessitates crossing a State Highway drainage ditch, a culvert pipe shall be installed in the ditch by the Permittee at their own expense. The culvert shall be no less than twelve inches in diameter, and of sufficient size to carry the stormwater runoff from a twenty-five (25) year storm, as determined by the National Oceanic and Atmospheric Administration, for the watershed area. Under no circumstances shall existing ditches, swales or gutters be filled without adequate alternate provisions for drainage being made and approved through application for and issuance of a Permit.
- E. The Applicant, in the case of commercial applications, is required to submit detailed computations and site-grading plans for drainage conditions existing and proposed when applying for a Permit. These computations should be made considering a storm of twenty-five (25) - year frequency with a duration equal to the time of concentration. These computations and plans shall be approved and stamped by a Rhode Island Registered Professional Engineer. If storm drainage will not affect the State Highway drainage system, a statement of no impact should be submitted with a Application approved and stamped by a Rhode Island Registered Professional Engineer, or a Rhode Island Registered Land Surveyor when the property in question is graded away from the State Highway drainage system.
- F. Drainage Appurtenances - All facilities, pipes, drains, catch basins, manholes and other appurtenances will be as indicated in "Rhode Island Department of Transportation, Standard Details."

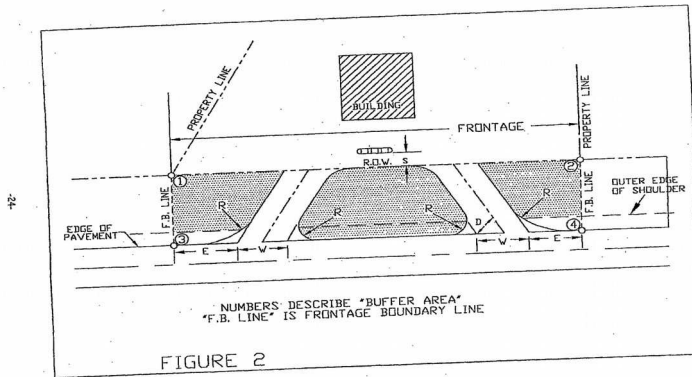
- G. The applicant shall be responsible to show no increase to peak flow and total volume of run off from existing conditions entering the State Highway drainage system in a twenty-five (25) year storm, unless in the case of total volume the applicant can demonstrate unconditionally that there will be no impact to the receiving [water] body(ies). In addition, if a connection to the State Drainage System is proposed, the applicant shall address water quality impacts through incorporation of Structural Stormwater Treatment Practices and through the use of Best Management Practices (BMPs). Design and construction of all stormwater mitigation shall be in accordance with the Rhode Island Department of Environmental Management's "Stormwater Design and Installation Standards Manual"
- H. No activities that result in the exposure of soils shall occur prior to the installation of all proper Soil Erosion and Sediment Control (SESC) plans and procedures.
- I. Consideration and care shall be made during the site planning and development process to locate dumpsters and other potential sources of pollutants so that any effluent from these assets is not directed into the State Highway drainage system.

4.16 Control Dimensions

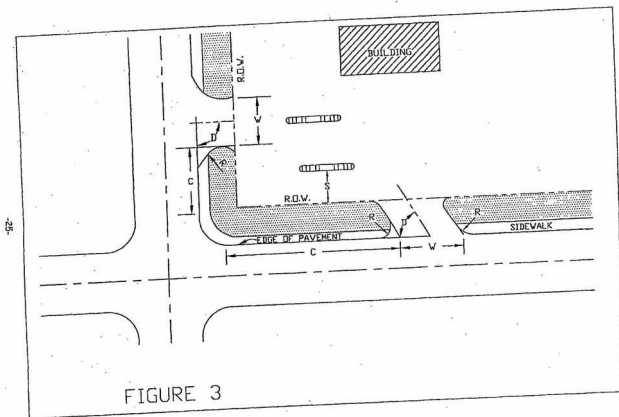
- A. Driveway Angle, Rural and Urban (See §§ 4.16(A)(1) through (3) of this Part, Figures 1, 2, 3) - Angle measured from centerline of highway to centerline of driveway:
 - 1. For two-way operation - 90 degrees recommended and 60 degrees minimum.
 - 2. For one-way operation - if used by vehicles in both directions of travel on highway, same as two way use, right turn only; 60 degrees maximum and 45 degrees minimum.
 - 3. Figure 1



4. Figure 2



5. Figure 3



B. Driveway Width, Rural and Urban (See §§ 4.16(A)(1) through (3) of this Part, Figures 1, 2, 3)

1. Table: Driveway Width, Rural and Urban

	Minimum Driveway Width (ft.)	Maximum Driveway Width (ft.)
Residential	10	20
Commercial	-	20 (one-way use) two-way use)

C. Edge Clearance (See §§ 4.16(A)(1) through (2) of this Part, Figures 1, 2) - All portions of the driveway shall be within frontage boundary lines. For driveways with angles of about 90 degrees, the edge clearance shall not be less than the radius of curvature 7) for the junction of the driveway and pavement edges.

3. Table: Edge Clearance

	Minimum Edge Clearance (ft.)
Rural Residential	15
Rural Commercial	20
Urban Residential	2

Urban Commercial	10

D. Radius of Curvature of Junction of Driveway and Pavement Rural or Urban (See §§ 4.16(A)(1) through (3) of this Part, Figures 1, 2, 3)

1. Table: Corner Radius

	Minimum Radius of Curvature (ft.)	Maximum Radius of Curvature (ft.)
Residential (Rural or Urban)	2	10
Commercial (Rural or Urban)	5	30

E. Corner Clearance (See Figure 3)

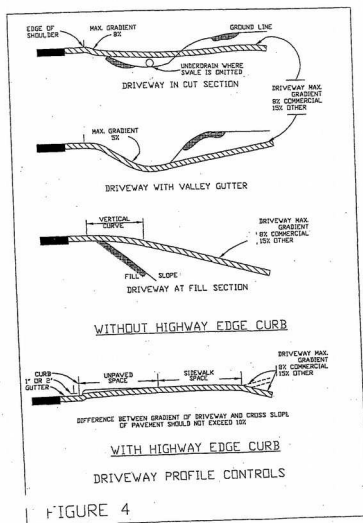
1. Where there are traffic signals at the intersection, the near side edge clearance shall be twice the far side.

2. Table: Corner Clearance

	Minimum Corner Clearance (ft.)
Rural	40
Urban	20

F. Driveway Profile - (See § 4.16(F) of this Part, Figure 4)

1. Figure 4



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G. No Highway Edge Curb, Cut Section

1. From edge of pavement to the edge of the shoulder, the gradient should be the same as the shoulder pitch.
2. From outer edge of shoulder to low point at ditch line of open culvert edge of shoulder to low point at ditch line or open culvert, maximum downward gradient, 8%
3. Beyond ditch line, maximum gradient 8% for commercial driveways, 15% for others.

H. No Highway Edge Curb, Fill Section

1. Slope across shoulder, gradient same as shoulder gradient.
2. Beyond outer edge of shoulder, maximum gradient 8% for commercial, 15% for others; vertical curve: As flat as feasible. To prevent drag, vertical curves shall not have a hump or dip greater than 6 inches within wheelbase length of 10 feet. Crest vertical curves shall not exceed a 32 inch hump in a 10 foot chord, and sag vertical curves shall not exceed a 2 inch depression in a 10 foot chord.

- I. Driveways with a Two Foot Radius - All driveways with a two (2) foot radius shall have curb returns conforming to "Rhode Island Department of Transportation, Standard Details".

- J. Exceptions - Exceptions to the control dimensions and general restrictions may be granted. These exceptions shall be approved by the State Highway Maintenance Operations Engineer of the Highway and Bridge Maintenance Division for all single-family residential applications; and by the Chief Engineer of the Department in all other cases.

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TITLE 290 - DEPARTMENT OF TRANSPORTATION

CHAPTER 20 - GOVERNMENT AND UTILITIES

SUBCHAPTER 00 - N/A

PART 4 - STATE HIGHWAY RIGHT OF WAY REGULATIONS

Type of Filing: Amendment

Agency Signature

Agency Head Signature

Agency Signing Date

Department of State

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