

## Permits for Local Agency Construction within MDOT Trunkline Right of Way

MDOT requires that a Local Agency (LA) obtain all permits and approvals related to its construction project, and forward those permits to the MDOT Local Agency Program (LAP) staff engineer, before LAP can request obligation of the federal or state funds for the project. The lone exception to this permit requirement is the LA does not need to obtain the Soil Erosion and Sedimentation Control (SESC) permit, if one is required for the project.

Public Act 51 of the State of Michigan Public Acts of 1951, gives a local road agency jurisdiction of its roadways except where such roadways intersect, cross, or abut a trunkline right of way. A trunkline is any highway or road under the jurisdiction of MDOT, and is generally marked and signed as an Interstate or Interstate Business Route (e.g. I-94, I-94 BR), a U.S. Route (e.g. US-23), or a State Route (e.g. M-14).

MDOT requires that the Local Agency (LA) obtain an individual MDOT construction permit for all work that the LA proposes within the trunkline right of way. Such work includes, but is not limited, physical construction, use of the trunkline as a detour route for a LA project, placement of permanent or temporary signs or pavement markings, utility installation or replacement, or other such work within the trunkline right of way.

In addition, a separate permit may be required for LA projects that propose construction in Limited Access Rights of Way for Interstates or Interstate Business Routes.

MDOT strongly recommends that LA's and their engineering consultants contact the permit engineer of the appropriate MDOT Transportation Service Center (TSC) early in the design phase to discuss the project, and to review the permit requirements and project schedule. During the meeting, the TSC permit engineer can provide information related to document requirements and submittal, as well as whether the project will require a Limited Access Right of Way (LAROW) permit. This meeting will also help to identify existing traffic and pedestrian signals and appurtenances in the LA's project area, and whether the project will modify any of these as part of the LA's project. This coordination meeting is important because if the project is complex, requires the LAROW permit, or involves work on any MDOT traffic signal equipment, these factors may take several months to resolve, which could result in delays to the LA's project.

As a reminder, MDOT requires that all work that affects a MDOT owned traffic signal or appurtenances, including such items as pedestrian signals and appurtenances, strain poles, push buttons, signal detectors, controllers and cabinets, be designed by an engineering firm having current MDOT prequalification for such signal design, even if the LA maintains the MDOT signals.

LA's apply for trunkline permits using the MDOT Permit Gateway Service. Information related to the MDOT Permit Gateway service, including the application, is available on the LAP website ([www.Michigan.gov/MDOTLAP](http://www.Michigan.gov/MDOTLAP)) by accessing one of the LAP units listed on the left side of the webpage, then selecting the "Permits" link in the section headed "Requirements."

Do not submit to LAP a letter of intent by an agency to issue a permit. Such letters or notices are not sufficient to be able to use as a basis to request fund obligation.

Please note that annual permits issued to LA's for contract maintenance or other types of work do not apply to LA construction projects.