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## OFFICE MEMORANDUM

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### MAINTENANCE MEMO MM2005-01

**DATE:** January 20, 2005

**TO:** Region Engineers

**FROM:** Jon W. Reincke  
Acting Engineer of Maintenance

**SUBJECT:** Culvert Management Guidelines

In response to recent inquiries regarding MDOT's responsibilities for repair or replacement of residential or commercial driveway culverts along state trunkline highways, the following guideline has been developed. This guideline has been written to be in conformance with state statutes and administrative rules regulating Driveway, Banner, and Parades On and Over Highways, Public Act 200, 1969.

If you have any questions, please contact me at 517-322-3333.

Signed Copy on File  
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Acting Engineer of Maintenance

Attachment  
BOHD:M:JR:GM:ksk  
cc: L. Tibbits  
J. Friend  
G. Mayes

# **MDOT Culvert Management Guidelines**

## **Commercial & Residential Driveway Culverts Enclosed Frontage Development Culverts & Structures**

After August 6, 1969, all property owners seeking to install a driveway or enclosed drainage culvert along state trunkline highways are required to obtain a permit from Michigan Department of Transportation (MDOT). Enclosed frontage culverts and structures are drainage culverts that are covered with lawns and may have a structure (such as a catch basin or manhole) that are part of the drainage. If the situation requires that a driveway culvert and/or enclosed frontage culvert is necessary for drainage, specific information on the culvert type, size, length, and ditch depth is identified on the permit. The property owner is required to install the culvert in accordance with the permit requirements. Once MDOT inspects and approves the culverts, then the following responsibilities begin:

- MDOT Responsibilities - MDOT is legally responsible for maintaining drainage along state trunkline highways. This responsibility includes keeping all drainage culverts clean and monitoring their condition.

In the event that MDOT needs to change the ditch depth, increase capacity or relocate the drainage ditch either as a result of reconstruction, or maintenance operations, MDOT will replace the culvert, driveway surface (in kind) and in some cases the lawn at no expense to the property owner.

If during an inspection, MDOT determines that a culvert is in disrepair or does not satisfy the conditions of the permit, MDOT will notify the property owner that compliance is required. If the property owner fails to repair or replace the culvert in a timely manner, MDOT or maintaining agency will repair or replace the culvert to restore proper drainage and seek payment of all cost from the property owner.

- Property Owner's Responsibilities - The property owner is responsible for ensuring that the conditions of the permit are satisfied at all times. If the department inspection finds that the culvert does not satisfy the permit requirements, or is in need of repair or replacement, then it is the property owner's responsibility to make the necessary corrections at no expense to the department.

Examples of conditions where the property owner is responsible to repair or replace the culvert include, but are not limited to: wear and tear, crushed, punctured, intentionally blocked or improper installation of the culvert.

If the property owner seeks to make changes to the culvert or expand the existing driveway, regardless of when it was originally constructed, a new MDOT permit must be acquired.

Note: Public Act 200 does not apply to drainage culverts in existence prior to August 6, 1969.