

 <p style="text-align: center;">STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES</p> <p style="text-align: center;">Policy and Procedure</p>	POLICY AND PROCEDURE NUMBER 07.05.095	PAGE 1 of 3
	EFFECTIVE DATE January 2, 2013	
SUBJECT Acquisition of Right-of-Way for the Purpose of Management and/or Maintenance	SUPERSEDES New	DATED
CHAPTER Maintenance and Operations	SECTION Highways	APPROVED BY Signature on File

PURPOSE

This formalizes the policy and procedure (P&P) of the department on establishing guidelines to seek approval and funding in the event there is a request for the taking over of a portion or all of a roadway from local government or other agency.

The purpose of this P&P is to assure any agreement on Right-of-Way acquired through negotiation with local government or other agency for management and/or maintenance will not be finalized until such time funding has been provided and is in place.

This P&P partly supersedes other policies in place that may be contrary to this policy. Those policies that may have partially conflicting authority are:

- 01.01.010
- 01.01.060

POLICY

The department will not assume any additional maintenance and operations (M&O) responsibilities for any Right-of-Way/Roadway without written approval by the Deputy Commissioner and required funding has been appropriated. All proposed additional maintenance costs (capital and operating) will be calculated by roadway feature to determine an overall cost per lane mile effort of additional management/maintenance.

Features to be considered are:

- Width of Right-of-Way
- Length of Right-of-Way
- Average Annual Daily Traffic
- Divided Road Centerline
- Undivided Road Centerline
- Surface
 - Asphalt
 - Gravel

- Shoulder
 - Asphalt
 - Gravel
- Bridges
- Barriers
 - Guardrail
 - Other
- Drainage
 - Surface
 - Underground
- Illumination/Reflectors
- Turnouts
- Facilities
- Signs and Signals
- Markings
- Utilities
 - Above ground
 - Underground
- Vegetation Control
- Environmental Issues

Authority for this P&P will not be delegated and cannot be performed by a person in a temporary or acting capacity.

PROCEDURE

- After the request to take possession comes to a region from the petitioner, a memo of explanation will be sent to the Deputy Commissioner through the Administrative Services Director notifying them and requesting the authority to proceed.
- Upon approval from the Deputy Commissioner, establish open communication with the affected stakeholders to discuss the merits of the request.
- Discuss the requested ownership, needs, and possible sources for the cost of the additional services to be provided with those affected.
- Develop an operation and capital cost estimate by roadway feature establishing an overall cost per lane mile for the additional services.
- By memo with documentation, through the Administrative Services Director, send the cost estimate to the Deputy Commissioner. If approved, the Administrative

Services Director will request through the normal annual budget process an incremental increase to the affected Result Delivery Unit (RDU).

- No additional services or agreements will be performed until funding is appropriated and in place.
- Once approved by the Deputy Commissioner, the Director of Statewide Program Development shall be notified by memo from the accepting Regional Director. The memo will explain the additional M&O responsibilities and the location by mile point of Right-of-Way/Roadway added to the department responsibilities for inclusion into the Highway Analysis System (HAS) for tracking and statistical purposes.

AUTHORITY

AS 19.05.020
AS 19.05.030
AS 19.05.040
17 AAC 20.020
17 AAC 20.040

IMPLEMENTATION RESPONSIBILITY

Commissioner, deputy commissioners, and system/regional directors

DISTRIBUTION

All department employees via the DOT&PF website