**SUMMARY OF EPG 941 REVISIONS**

**APPROVAL AUTHORITY FOR ACCESS REQUESTS**

**Current Policy**

*District Approval*

• Shift and/or widen existing entrances

• Shift (and widen) entrances from one property to another (non-contiguous shifts)

• Eliminate use restrictions on existing entrances

• Break access for a city/county road that will be an arterial

*Commission Approval*

• Non-compliant breaks in access, which include:

o Breaks in access for private individuals or companies

o Breaks in access for a city/county NOT meeting criteria outlined in Commission Policy

• Non-compliant non-contiguous entrance shifts

• Any access change where compensation is being reduced or waived

**Proposed Policy**

*District Approval*

• Shift and/or widen existing entrances

• Shift (and widen) entrances from one property to another (non-contiguous shifts)

• Eliminate use restrictions on existing entrances

• All breaks in access on Minor Roads – except those located within the functional area of an interchange

*Traffic & Highway Safety Division Approval*

• All breaks in access on Major Roads

• All breaks in access & non-contiguous entrance shifts which will be located within the functional area of interchanges

• Access requests that do not meet sight distance or compensation requirements

*Commission Approval*

• Requests that are deemed high impact/controversial by the State Traffic & Highway Safety Engineer; examples may include, but are not limited to:

o Conflict of interest

o Diversion of state road funds by not requiring compensation for change in access

o Major impact development requests within the functional area of an interchange

**IMPORTANT: COMMISSION WILL CONTINUE TO SIGN THE DEEDS CONVEYING ACCESS**

**COMPENSATION FOR ACCESS CHANGES**

**Current Policy**

• Appraisal is required for all breaks in access and non-contiguous entrance shifts; the applicant is charged the greater of the following:

o 75% of the enhancement value to the property as determined by the appraisal, OR

o The amount shown on the Value Determination Schedule

• Contiguous shifts and/or widening compensation is determined from the Value Determination Schedule

**Proposed Policy**

• For breaks in access and non-contiguous entrance shifts, an appraisal is necessary if the district right of way department determines either of the following:

o There is a change in the highest and best use of the property, OR

o There is a change in the level of intensity to the highest and best use of the property or an enhancement to the highest and best use of the property

• When an appraisal is completed, the following applies to breaks in access & non-contiguous shifts:

o The applicant is charged the greater of the following:

 100% of the enhancement value to the property, OR

 The amount shown on the Value Determination Schedule

o The district may approve a negotiated amount within 25% of the appraised value. Any amount beyond 25% of the appraised value shall be presented to the Right of Way Director for review and approval.

• Contiguous shifts and/or widening compensation will be determined from the Value Determination Schedule (no change from previous policy)

**NOTE: State highways and access were purchased with state road funds for fair market value; so therefore, failure to acquire fair market value for access changes is a diversion of state road funds.**

**BENEFITS OF THE PROPOSED CHANGES**

• Allows districts to make all access decisions on Minor Roads

• Very few requests will require Commission approval; which eliminates the lengthy Commission approval process (preparing backup information and exhibits, etc)

• Fewer requests require TS Division approval

• Fewer appraisals may be required

• The entire EPG 941 was re-written in order to be more organized and allow users to find the information quickly and more easily

• Overall, proposed changes will streamline the process to better serve our customers

**FISCAL IMPACT**

Overall, there is no major fiscal impact to the department as a result of the proposed changes. The biggest benefits are listed in the above section in regards to streamlining the processes and making the EPG article information more organized and user-friendly.

**WHY IS TS DIVISION APPROVAL STILL REQUIRED ON ALL MAJOR ROAD BREAKS?**

• Major Roads are the roads that generally cross the entire state

• It is important to provide statewide consistency in our access management of the Major Roads

• Major Roads carry approximately 80% of the traffic, so the operation and safety of these roads are of utmost importance