

CHAPTER 47

STATE HIGHWAY ACCESS MANAGEMENT CODE

Authority

N.J.S.A. 27:1A-5, 27:1A-6, 27:7-44.1 and State Highway Access Management Act, P.L. 1989, c.32.

Source and Effective Date

R.1992 d.181 and d.182, effective April 20, 1992 (operative April 20, 1992 except for the following which shall be operative September 21, 1992: N.J.A.C. 16:47-3.1 to 16:47-3.5; 16:47-3.8; 16:47-3.16(a) to (d), and (g) to (h); 16:47-4.3(a)6 to 8, (f), (i), (k)2 and 3, (l), (n) to (q); 16:47-4.5; 16:47-4.6(a), (b), (d), (e), (k) to (n); 16:47-4.8 to 16:47-4.21; 16:47-4.24 to 16:47-4.30; 16:47-4.33; 16:47-4.35; 16:47-4.40; and 16:47-4.41; Appendix C. Access Level Diagram (figures C-1 to C-25); Appendix D. Optimum Spacing of Signalized Intersection for Various Progressive Speeds and Cycle Length; Appendix F. Flow Chart for Determining Lot Conformance; Appendix H. Local Road Improvements; Appendix I. Measuring for Access Points; Appendix K. Measuring Corner Clearance; and Appendix L. LOS Standards for Signalized Intersections).

See 23 N.J.R. 1525(a), 23 N.J.R. 1913(a), 23 N.J.R. 2831(b) and 24 N.J.R. 1631(a).

Executive Order No. 66(1978) Expiration Date

Chapter 47, State Highway Access Management Code, expires on April 20, 1997.

CHAPTER TABLE OF CONTENTS

SUBCHAPTER 1. DEFINITIONS

16:47-1.1 Definitions

SUBCHAPTER 2. ACCESS CLASSIFICATIONS

16:47-2.1 General requirements
 16:47-2.2 Requirements for each State highway segment
 16:47-2.3 Access classification change

SUBCHAPTER 3. ACCESS STANDARDS

16:47-3.1 Access levels for access classifications
 16:47-3.2 Access on State highway segments
 16:47-3.3 Location of interchanges
 16:47-3.4 Location of traffic signals and other provisions
 16:47-3.5 Unsignalized access points
 16:47-3.6 Setback and driveway width
 16:47-3.7 Driveway surfacing
 16:47-3.8 Access point control dimensions for streets and driveways
 16:47-3.9 Curb
 16:47-3.10 Sidewalk area
 16:47-3.11 Installation of drainage pipes
 16:47-3.12 General restrictions
 16:47-3.13 Relocations or removals within driveway areas
 16:47-3.14 Materials and workmanship
 16:47-3.15 General information
 16:47-3.16 Municipal and county actions
 16:47-3.17 Department actions

SUBCHAPTER 4. PERMITS

16:47-4.1 Applications for staged development
 16:47-4.2 Concurrent applications
 16:47-4.3 Permit process
 16:47-4.4 Type of permit and review determination
 16:47-4.5 Access permit applications

16:47-4.6 Permits and permit fees
 16:47-4.7 Companion Department permits
 16:47-4.8 Minor access permits process
 16:47-4.9 Minor access permits checklist for single-family residential and residence and business combined
 16:47-4.10 Minor access permits checklist for other minor traffic generators
 16:47-4.11 Major access permits process
 16:47-4.12 Major access permits checklist
 16:47-4.13 Major access permits with planning review process
 16:47-4.14 Major access permits with planning review checklist
 16:47-4.15 Concept review process
 16:47-4.16 Concept review checklist
 16:47-4.17 Department review times for lots addressed in approved access management plans
 16:47-4.18 Developer agreements
 16:47-4.19 Street intersections
 16:47-4.20 Right-of-way dedication
 16:47-4.21 Traffic signals
 16:47-4.22 (Reserved)
 16:47-4.23 Analysis years
 16:47-4.24 General level of service standards
 16:47-4.25 Uninterrupted-flow standards
 16:47-4.26 Signalized intersection standards
 16:47-4.27 Unsignalized intersection standards
 16:47-4.28 Weaving area standards
 16:47-4.29 Ramp standards
 16:47-4.30 Traffic impact studies for major access and concept review applications
 16:47-4.31 Design standards
 16:47-4.32 Appeal process
 16:47-4.33 Highway improvement projects and permits
 16:47-4.34 Fairshare financial contributions
 16:47-4.35 Waivers
 16:47-4.36 Traffic impact study area
 16:47-4.37 Traffic counts
 16:47-4.38 Background traffic growth rates
 16:47-4.39 Travel demand management plan
 16:47-4.40 Lot consolidation or subdivision permits process
 16:47-4.41 Lot consolidation or subdivision permits checklist

SUBCHAPTER 5. PROCEDURE FOR CHANGES IN CLASSIFICATION

16:47-5.1 Requests for change in classification
 16:47-5.2 Application requirements for change in classification
 16:47-5.3 Review of application
 16:47-5.4 Notice to counties, municipalities, and metropolitan planning organizations
 16:47-5.5 Decision on request for classification
 16:47-5.6 Petition for reconsideration

SUBCHAPTER 6. ACCESS MANAGEMENT PLANS

16:47-6.1 Authority
 16:47-6.2 Effect of adoption
 16:47-6.3 Effect on access applications prior to approval of an access management plan
 16:47-6.4 Contents
 16:47-6.5 Process
 16:47-6.6 Public notice and hearing
 16:47-6.7 Incorporation
 16:47-6.8 Termination or withdrawal
 16:47-6.9 Adoption
 16:47-6.10 Access permit coordination
 16:47-6.11 Revisions

SUBCHAPTER 7. DESIGNATION OF LIMITED ACCESS

16:47-7.1 Procedures
 16:47-7.2 Public notice and hearing
 16:47-7.3 Decision

SUBCHAPTER 8. ACCESS CODE REVISIONS

- 16:47-8.1 Procedure
- 16:47-8.2 Legislature notice
- 16:47-8.3 Census
- 16:47-8.4 State Development and Redevelopment Plan
- 16:47-8.5 Access classifications

SUBCHAPTER 9. COUNTY AND MUNICIPAL ACCESS CODES

- 16:47-9.1 General requirements

APPENDIX A. ACCESS CLASSIFICATION MATRIX

APPENDIX B. STATE HIGHWAY ACCESS LEVELS BY ROUTE AND MILEPOST

APPENDIX C. ACCESS LEVEL DIAGRAMS (Figures 1 to 26)

APPENDIX D. SPACING OF SIGNALIZED INTERSECTIONS FOR VARIOUS PROGRESSIVE SPEEDS AND CYCLE LENGTH

APPENDIX E. ACCESS APPLICATION THRESHOLDS

APPENDIX E1. ACCESS APPLICATION THRESHOLDS BASED ON NJDOT DATA

APPENDIX F. FLOW CHART FOR DETERMINING LOT CONFORMANCE

APPENDIX G. FLOW CHART FOR GRANDFATHERING ACCESS PERMITS

APPENDIX H. LOCAL ROAD IMPROVEMENTS

APPENDIX I. MEASURING FOR ACCESS POINTS

APPENDIX J. SIGNIFICANT INCREASE IN TRAFFIC

APPENDIX K. MEASURING CORNER CLEARANCE

APPENDIX M. SAMPLE CAPACITY ANALYSIS SUMMARY TABLES

APPENDIX N. STREET INTERSECTION AND IMPROVEMENT PERMIT APPLICATIONS

SUBCHAPTER 1. DEFINITIONS

16:47-1.1 Definitions

The following words and terms, when used in this Access Code, shall have the following meanings unless the context clearly indicates otherwise:

“Access application” means a document submitted to the Department to initiate the access permit process.

“Access classification” means an identification system for regulating access, based on function, environment, and traffic characteristics. The access classification system is applicable to all streets and highways within the State. A change in the function, surrounding environment, traffic characteristics, speed limit, or desirable typical section may be a basis for changing the access classification and associated access level.

“Access Code” means the State Highway Access Management Code adopted by the Commissioner pursuant to Section 3 of the State Highway Access Management Act of 1989, P.L. 1989, c.32.

“Access level” means the allowable turning movements to and from access points on a State highway segment based on the highway access classification.

“Access management plan” means a plan showing the design of access for every lot on a State highway segment developed jointly by the Department, the municipality in which the highway is located, and the county, if a county road intersects the segment.

“Access permit” means a permit issued by the Department for the construction, maintenance, and use of a driveway or public street or highway connecting to a State highway.

“Access point” means the location of the intersection of a highway or street or driveway with the highway.

“Access point offset” means the distance between the centerlines of access points on opposite sides of undivided highways and the distance between the centerlines of an access point and a median opening on a divided highway.

“Accessible principal arterial” means the classification category for a roadway that is part of an interconnected network of continuous routes serving transportation corridors with high traffic volumes and long trips, the primary function of which is to provide safe and efficient service for major traffic movements in which access is subordinate.

“Adjustment of access” means changes to an access point, in conjunction with the implementation of a highway improvement project, which result in changing the width of an access point by five feet or less, changing the location of an access point by 10 feet or less, or moving an access point away from the centerline of the highway.

“Alternate work arrangement programs” means programs that alter the traditional work-day schedule of arrivals and departures to avoid peak-hour congestion. These programs may include flex-time, a compressed work week, and staggered hours.

“Alternative access” means the ability of any vehicle to enter a State highway indirectly through another improved roadway instead of directly from a lot across its State highway frontage. Emergency or service access shall not be construed as alternative access.

“Applicant” means a private party or entity, municipality, county, or any public agency applying for an access permit. The applicant shall own the lot where the access is sought.

"Site" means the lot which is the subject of an access application or permit.

"Speed-change lane" means an auxiliary lane, deceleration lane, or acceleration lane, including tapered areas, primarily for the deceleration or acceleration of vehicles entering or leaving the through traffic lanes.

"Start date" (for access management plans) means the date that the last resolution authorizing municipal and county participation in the joint planning process is received by the Commissioner.

"State highway" means a road owned, taken over, controlled, built, maintained, or otherwise under the jurisdiction of the State.

"State highway system" means the network of State highways.

"Street" means any public or private right-of-way, whether open or improved or not, including all existing factors of improvements, where:

1. In a distance of 1,320 feet on its centerline, there are 20 or more houses within 100 feet of the centerline;
2. The governing body in charge thereof and the Commissioner may declare a street; or
3. The incorporated municipality is over 12,000 in population.

"Street intersection applications (or permits)" means applications (or permits) for any new streets intersecting a State highway or increases in the number of lanes intersecting a State highway on existing streets.

"Street improvement applications (or permits)" means applications (or permits) for any change to an existing street such as geometric and grade changes, which does not increase the number of lanes intersecting the State highway.

"Study area location" means access point locations or those other locations on the State highway system exceeding both 100 new half-trips during the critical peak hour(s) and 10 percent of the anticipated daily site traffic which are analyzed in a traffic impact study. Applicant's driveways, intersections, uninterrupted flow sections, weaving sections, merges, and diverges are examples of study locations.

"Subject highway segment" means the segment of the State highway system covered by the access management plan. If the segment is divided and forms the boundary between two or more municipalities or two or more counties, it shall be considered located within only those municipalities and counties covered by the access management plan.

"Take over" means action by the Department in assuming the control and maintenance of a part of the State highway system.

"Telecommuting" means a work arrangement for performing work electronically, where employees work at a location other than the conventional office. This place may be the home, in a subordinate office, or an office close to home.

"Theoretical driveway location (TDL)" means the center of the State highway frontage of any lot. It is used to calculate whether a lot is conforming.

"Traffic growth rate" means the rate at which traffic volumes are projected to increase over a period of time. It is expressed as a percentage that is compounded annually.

"Traffic impact study" means a report analyzing anticipated roadway conditions with and without an applicant's development. The report includes an analysis of mitigation measures and a calculation of fair share financial contributions.

"Traffic signal" means an electrically operated device that assigns time to conflicting transportation movements. For the purposes of this Access Code, traffic control devices which are installed for the exclusive purpose of allowing pedestrians to cross the highway or traffic control devices installed to meter traffic are not considered to be traffic signals in the Access Code.

"Transportation demand management plan" means a system of actions and time tables the purpose of which is to alleviate traffic problems through improved management of vehicle trip demand. The actions are structured either to reduce the use of single occupancy vehicles or to encourage travel during less congested time periods.

"Transportation management association (TMA)" means a nonprofit New Jersey based corporation that coordinates transportation services including, but not limited to, public transportation, vanpools, carpools, bicycling, and pedestrian modes to corporations, employees, individuals, and other groups.

"Traveled way" means the portion of the roadway provided for the movement of vehicles, exclusive of shoulders and auxiliary lanes.

"Two-lane highway" means a highway consisting of two traffic lanes (one per direction).

"Undivided highway" means a highway having access on both sides of the direction of travel.

"Urban area" means an area of the State which is included in Planning Area 1, Planning Area 2 or a designated center whose boundaries are shown on the approved Resource Planning and Management Maps of the State Development and Redevelopment Plan adopted by the State Planning Commission or an area within the Pinelands or within the Hackensack Meadowlands District identified as urban by the Access Code Appendix B.

“Urban lot” means a lot with more than 50 percent of its State highway frontage located in an urban area.

“Vanpool” means seven or more people commuting on a regular basis to and from work by means of a vehicle with seating for not more than 15 adult passengers and has a registration certificate and registration plates pursuant to N.J.S.A. 39:3-27.19.

“V/C ratio” means a fraction the numerator of which is the number of vehicles passing a given point in a unit of time and the denominator of which is the theoretical capacity of the roadway at that point for the same unit of time.

“Vehicle trip” means a car moving from an origination point to a destination point.

“Weaving” means the crossing of two or more traffic streams traveling in the same general direction along a significant length of highway, without the aid of traffic control devices. Weaving areas are formed when a merge area is closely followed by a divergence area, or when an entrance ramp is closely followed by an exit ramp and the two ramps are joined by an auxiliary lane.

“Waiver” means the Department’s intentional relinquishment of its right to wholly enforce provisions of the Access Code. Waivers may either reduce or eliminate requirements.

Administrative change to “Planning review”.

See: 25 N.J.R. 1005(b).

Amended by R.1993 d.524, effective November 1, 1993.

See: 25 N.J.R. 3129(a), 25 N.J.R. 4915(b).

Amended by R.1995 d.107, effective February 21, 1995.

See: 26 N.J.R. 2549(a), 27 N.J.R. 736(c).

Law Review and Journal Commentaries

Help is Needed to Sort Highway Access Rules. Thomas F. Carroll, III, 133 N.J.L.J. No. 8, 11 (1993).

Why Treat Highway Access Like A Public Resource? Patrick F. McAndrew, 133 N.J.L.J. No. 14, 55 (1993).

SUBCHAPTER 2. ACCESS CLASSIFICATIONS

16:47-2.1 General requirements

There are established the following access classifications for the State highway system as set forth in Appendix A of this Access Code, and incorporated herein by reference. The access classifications are based on access class, urban or rural area, speed limit, and highway configuration of the desirable typical section.

16:47-2.2 Requirements for each State highway segment

The access classification, access level, cell number, and desirable typical section for any particular State highway segment shall be determined by reference to Appendix A and Appendix B of this Access Code, incorporated herein by reference. Each access classification shall be applied to both sides of the roadway, unless otherwise noted.

16:47-2.3 Access classification change

The Commissioner will evaluate requests to change access classifications pursuant to N.J.A.C. 16:47-5. An access classification change to a State highway segment may affect the milepost limits, access classification, desirable typical section, cell number, and access levels. Generally, the access classification matrix in Appendix A will be used to determine the designation in Appendix B. A change in the designation of urban or rural environment, or in the designation of high and low speed could change the access classification shown in Appendix B.

SUBCHAPTER 3. ACCESS STANDARDS

16:47-3.1 Access levels for access classifications

(a) There are hereby established the following access levels (AL) for the State highway system:

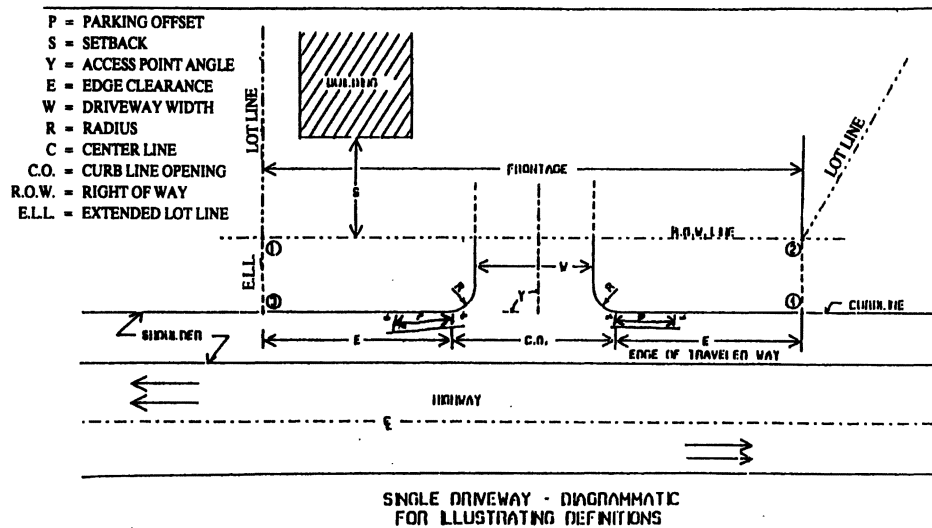
1. AL 1—fully controlled access: Access is prohibited on interstates, toll roads, freeways, and limited access highways, except at grade-separated interchanges. Figures C-5 and C-6 of Appendix C, Access Levels Diagrams, illustrate such access.

2. AL 2—access via street intersections or grade-separated interchanges and nonconforming lot access points: The designs set forth in Figures C-7 and C-8 of Appendix C, Access Levels Diagrams, illustrate such access. For AL 2, the location standards set forth in N.J.A.C. 16:47-3.3, 3.4, and 3.5 are applicable.

3. AL 3—right-turn access to and from an access point and left-turn access via a signalized jughandle: Figures C-9 through C-13 of Appendix C, Access Levels Diagrams, illustrate such access. The jughandle may or may not be at access point. For AL 3, the location standards set forth in N.J.A.C. 16:47-3.4 and 3.5 are applicable.

4. AL 4—right-turn access to and from an access point, left-turn ingress via a left-turn lane, and left-turn egress from an access point: Figures C-14 through C-18 of Appendix C, Access Levels Diagrams, illustrate such access. The left-turn lane may or may not be at the access point for a divided highway and will be at the access point for an undivided highway. For AL 4, the location standards set forth in N.J.A.C. 16:47-3.4 are applicable if the highway is divided or if the traffic volumes at the intersection with the State highway meet the criteria for warrants set forth in Part 4C of the “Manual on Uniform Traffic Control Devices for Streets and Highways” (U.S. Department of Transportation, Federal Highway Administration 1988 edition or superseding edition). The location standards set forth in N.J.A.C. 16:47-3.3, 3.4 and 3.5 are applicable in all other cases.

Figure 2



(o) Curb construction is indicated on the following sketches. On such designs, the Department requires the construction of nine inch by 18 inch white concrete vertical curb (see Figure 3). Curb depressions may be omitted when constructing driveways which have curbed radii and are always omitted when constructing street intersections. All islands must be paved with either concrete or bituminous concrete.

(p) The parking offset (P) shall be a minimum of 10 feet beyond the curbline opening.

(q) A speed change lane shall be of sufficient width and length to enable a driver to maneuver a vehicle onto it properly and, once on it, to make the necessary change between highway speeds and the lower speed on the turning roadway. This lane may also function as a storage lane for turning traffic.

(r) The driveway location may vary from the location shown in the permit by up to 10 feet, provided that the edge clearance, corner clearance and distance between access points requirements in this subsection are met.

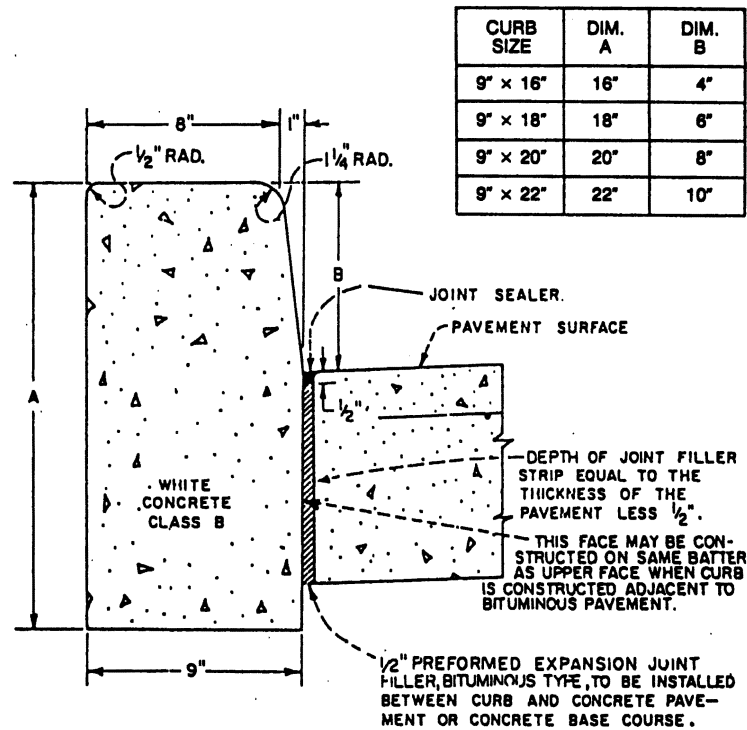
(s) The Department may approve one emergency access on a lot which has no other means to address emergency access. The Department will consider the merits of the requested emergency access on a case-by-case basis based

on need, safety, and conformity to this Access Code. In no event shall such a driveway be approved unless all of the following conditions are met:

1. As part of the access application, the lot owner shall provide the Department with an official letter from the head of the emergency service unit which supports the need for an emergency access. The Department may also accept as supporting documentation general requirements such as fire codes;
2. Neither depressed curb nor curb returns shall be provided at the emergency access;
3. The sidewalk area shall not be paved. It shall be strengthened by gravel or pavers over which grass shall be grown. This requirement supersedes the provisions of N.J.A.C. 16:47-3.10(a). If there is existing or proposed sidewalk, the sidewalk across the emergency access shall be strengthened to support emergency vehicles; and
4. The emergency access shall have sufficient length in advance of any gate to allow the anticipated emergency vehicles to temporarily park in the driveway without interfering with highway traffic.

(t) Emergency access shall not be counted as an access point for the purposes of determining the number of access points under N.J.A.C. 16:47-3.5(c).

Figure 3



TRANSVERSE JOINTS 1/2" WIDE SHALL BE INSTALLED IN THE CURB 20'-0" APART AND SHALL BE FILLED WITH PREFORMED BITUMINOUS-IMPREGNATED FIBER JOINT FILLER RECESSED 1/4" IN FROM FRONT FACE AND TOP OF CURB. EXPANSION JOINTS THRU AND ADJACENT TO THE CURB SHALL BE INCLUDED IN THE UNIT PRICE BID FOR CURB.

WHITE CONCRETE VERTICAL CURB

Amended by R.1993 d.210, effective May 17, 1993.

See: 25 N.J.R. 903(a), 25 N.J.R. 1990(a).

Added new (e)3; revised (h)1; added new (r).

Amended by R.1995 d.107, effective February 21, 1995.

See: 26 N.J.R. 2549(a), 27 N.J.R. 736(c).

16:47-3.9 Curb

(a) The Department may require curb construction along any frontage. A need for curb construction shall be noted as a condition of the permit. The Department is not responsible for maintaining curb.

(b) All curb to be constructed within State highway right-of-way shall be white concrete, Class "B", air-entrained, and shall conform to "Standard Specifications for Road and Bridge Construction" and Figure 3 following N.J.A.C. 16:47-3.8(o). White concrete is composed of white cement, white sand, and light-colored coarse aggregate. The Department may allow grey curb in an area where grey curb exists.

(c) Class "B" concrete shall be 3300 PSI mix.

(d) The alignment shall be as shown on the plans. The grade of the top of the curb shall parallel the grade of the highway and shall satisfy the height requirements listed in 1. and 2. below. The grade of the curbline at depressed curbs shall be 1 1/2 inches higher than the grade of the highway.

1. For highways with a design speed of 50 mph or greater, the curb size shall not exceed nine inch by 16 inch, with a four-inch face; and

2. For highways with a design speed of less than 50 mph, the curb size should desirably be nine inch by 16 inch, with a four-inch face. Where there may be sidewalks, nine inch by 18 inch, with a six-inch face, may be used.

(e) Expansion joints shall be provided in curb adjacent to joints in abutting concrete pavement and at approximately equal distances of not more than 20 feet, except as otherwise specified as a condition of a permit.

(f) The curb top shall be finished with a wood float to an even, smooth and dense surface and, as soon as the forms can be removed, the face shall be similarly finished. The edges of the curb shall be rounded to the required radius with suitable edging tools.

(g) Where curb exists or is to be constructed, all driveways are to have depressed curbs, constructed in accordance with Figure 4 below.

1. To construct a depressed curb when curbing exists, the permittee will be required to entirely remove that section of existing curb to a joint and replace it with new curb.

2. Depressed curbs will not be provided on new highway construction unless the improvement of the abutting lot is in progress or is contemplated in the immediate future, in which case the lot owner must first obtain an access permit.

3. The top of the depressed section of curb shall be 1½ inches higher than and parallel to the established curblineline grade.

4. Depressed curb shall not be constructed as an integral part of concrete ramps or aprons.

5. Existing monolithic curb shall be chiseled off to a line 1½ inches above curblineline grade after which the broken surface shall be finished with a 1:2 Portland cement mortar mixture to present a smooth and even surface.

(h) The approach ends shall have a 10 foot transition, from a two inch face to the appropriate four or six inch face, as shown on the following Figure 5 below. The approach ends of curbed islands shall also have 10 foot transitions, from a two inch face to the appropriate four or six inch face, as shown on Figure 4 below. All transitions shall have joints at the four or six inch face end.

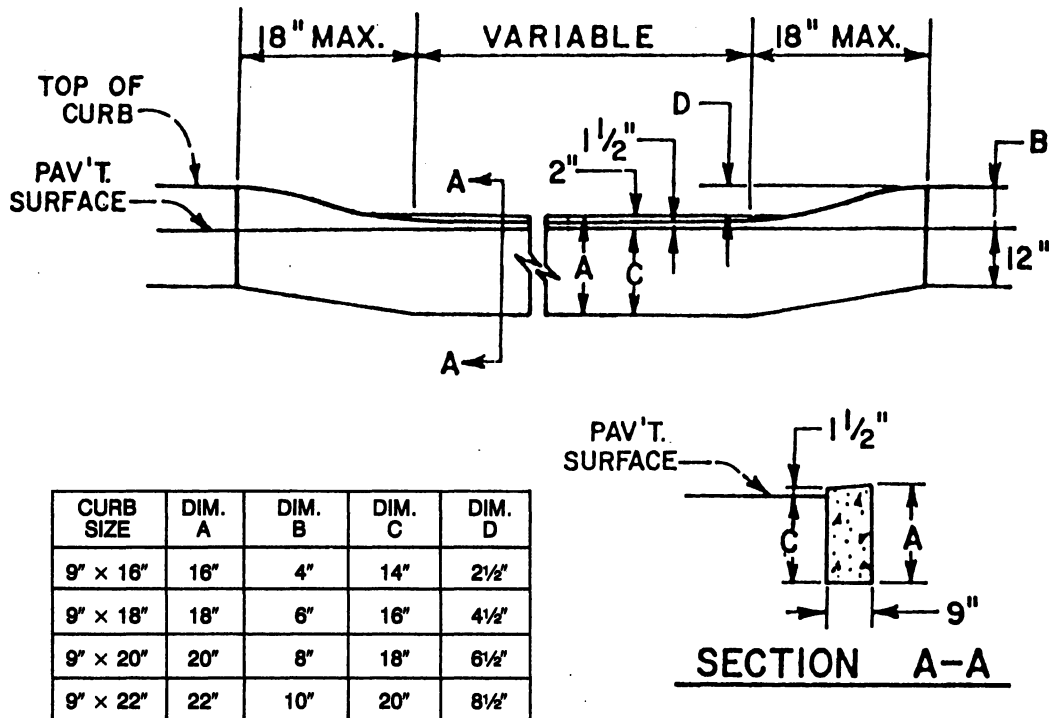
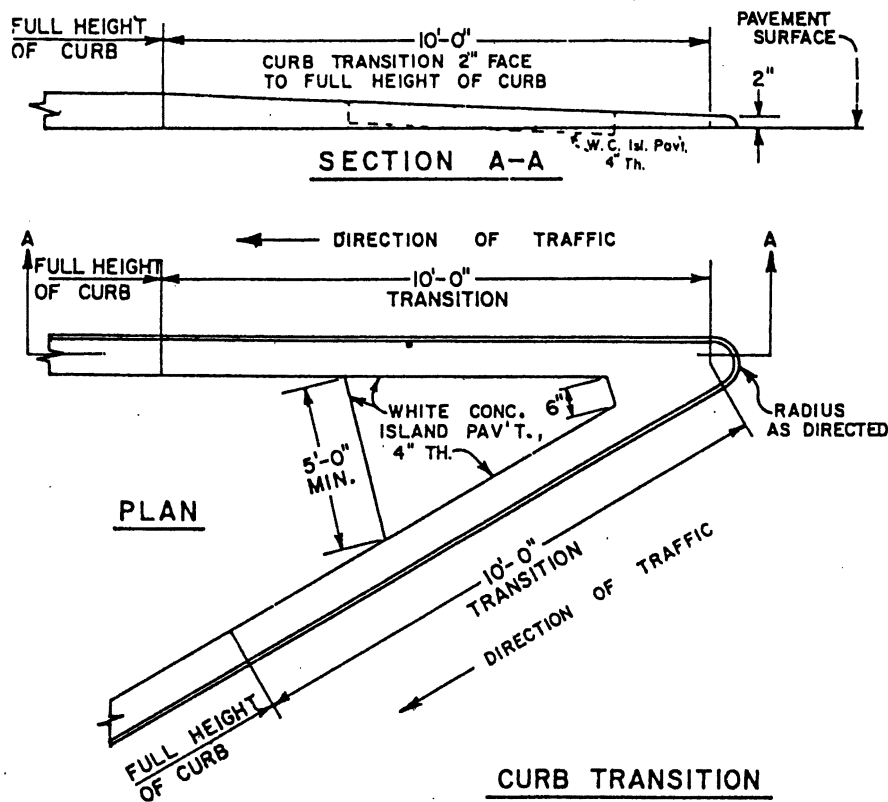


Figure 4

METHOD OF DEPRESSING CURB AT DRIVEWAYS

NOT TO SCALE

Figure 5

**CURB TRANSITION**

NOT TO SCALE

Amended by R.1995 d.107, effective February 21, 1995.
 See: 26 N.J.R. 2549(a), 27 N.J.R. 736(c).

16:47-3.10 Sidewalk area

(a) The sidewalk area shall be graded to comply with the requirements of N.J.A.C. 16:47-3.9(d), which is either four or six inches above the shoulder grade of the highway and have a minimum of four inches of topsoil, which shall either be fertilized, seeded, and mulched or sodded in accordance with "Standard Specifications for Road and Bridge Construction". Planting may be done with the approval of the Department; however, clear zones and sight distance standards shall be met. The Department favors the construction of sidewalk; however, sidewalks are not required unless specified by the Department, the applicant, or local ordinance. Curb ramps for the physically handicapped shall be provided when required by Section 5-07.2 of the "New Jersey Department of Transportation Design Manual-Roadway". The Department is not responsible for maintaining sidewalk.

(b) Concrete sidewalk shall be as follows:

1. Concrete sidewalk to be constructed within State highway right-of-way shall be Class B air-entrained concrete, and shall conform to the requirements set forth in "Standard Specifications for Road and Bridge Construction" unless specifically otherwise allowed in the permit. The subgrade shall also be prepared in accordance with these specifications.
2. The concrete proportion shall consist of one part Portland cement, two parts sand, and four parts crushed stone or washed gravel as provided in "Standard Specifications for Road and Bridge Construction", Section 914, and be constructed no less than four inches thick.
3. Alignment and grade shall be as shown on the plans.
4. Transverse expansion joints shall be one-half inch wide, provided at intervals of not more than 20 feet, and filled with prefabricated bituminous cellular type joint filler.
5. Longitudinal joints shall be one-quarter inch wide, provided between curbs and abutting sidewalks, and filled with bituminous type joint filler.