

**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**

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**Executive Order No. 66(1978) Expiration Date**

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

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**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.

“Applicant time” means a period of time between a Department request for revisions or information and its receipt by the Department. Time during this period is not counted in the Department time frames. Following a determination that an application is incomplete or unacceptable for review by a Regional Maintenance Office or the Bureau of Major Access Permits, time frames will be reset to the beginning of that step of that unit’s review time. The Department will publish a list of steps and the associated time frames for each type of application.

“Application approval” means Department approval or acceptance of a proposed highway access plan, for which a permit may be granted.

“Application conference” means a meeting held between the applicant and Department representatives during the review process.

“Arterial” means a transportation route, which may have signalized intersections, that primarily serves through traffic and provides access as a secondary function.

“Authority” means the governing body or public official charged with the jurisdiction for control and maintenance of a highway.

“Auxiliary lane” means a lane striped for use, but not for through traffic use.

“Band width” means the time in elapsed seconds between the passing of the first and last possible vehicle in a group of vehicles moving at the design speed through a progressive traffic signal system.

“Berm” means the area from the curblineline to the right-of-way line. It is generally raised six inches. This is also the sidewalk, border, or utility area (see “sidewalk area”).

“Bifurcated driveway” means a roadway with two separate road openings, one for ingress to, and one for egress from, a street or highway.

“Buspool” means a bus service, usually administered by an employer, with limited pickup and destination stops, guaranteed seats, and advance ticket purchase. Club buses are buspools administered by the riders.

“Carpool” means two or more people commuting on a regular basis to and from work by means of a vehicle with a seating capacity of nine passengers or less, either using one car and sharing expenses, or alternating vehicles used so that no money changes hands.

“Car” means any motorized vehicle having two or more axles.

“Certificate of acceptance” means a document issued by the Bureau of Major Access Permits to indicate that the permittee for a major permit with a planning review has

satisfactorily met the construction conditions of the permit. This certificate is required in advance of using the access and obtaining a certificate of occupancy.

“Change of lot use” means any alteration of the functions performed on a lot.

“Collector road” means the classification category for roads that primarily serve intra-county trips characterized by moderate volume and speed, and that provide for land access, traffic circulation, and access to arterial routes.

“Commissioner” means the Commissioner of the New Jersey Department of Transportation or such persons as may be designated by the Commissioner.

“Complete application” means an access application satisfying Department form and content requirements set forth in this Access Code, thereby making it acceptable for Department review.

“Component factors” means the road; right-of-way; grading, surface, and subsurface drainage provisions; curbs, gutters, catch basins, foundations, shoulders and slopes, wearing surfaces, bridges, culverts, retaining walls, intersections, private entrances, guiderails, trees, illumination, guideposts and signs, ornamentation, and monuments.

“Compressed work week program” means a program which allocates the working hours into fewer than five days per week or fewer than 10 days per two week period, such as four-day work week or nine-day eighty-hour schedule.

“Concept review application” means an access application for a general analysis of the access and highway improvements associated with a future major access application.

“Conforming lot” means a lot which meets the standards for spacing between lot centerlines.

“Corner clearance (C)” means the distance along the curblineline between the point of curvature of the corner radius and the point of curvature of the nearest curblineline opening at an intersection.

“Corner lot” means a lot with one frontage on a State highway and an adjacent frontage on a road that intersects the State highway.

“County road” means a road taken over by, controlled by, built by, maintained by, or otherwise under the jurisdiction of the county.

“Curblineline” means a line, whether curbing exists or not, which is the outer edge of the shoulder or paved highway.

“Curblineline opening (C.O.)” means the overall opening dimension at the curblineline measured between the points of tangency of the driveway radii if curbing exists or the

maximum width of opening at the curblin if curbing does not exist.

“Daily traffic movements” means the highest estimated two-way traffic volume using a lot during a 24-hour period.

“Day” means calendar day, unless otherwise specified.

“Deficiency meeting” means a meeting held at the request of the Department or the applicant between the applicant and DOT Department representatives to discuss an incomplete or unacceptable application.

“Department” means the New Jersey Department of Transportation.

“Department time” means the period of time between receipt of a complete permit application and fee by the Department and issuance of a permit, less any applicant time.

“Depressed curb” means a 1½ inch face curb within a curblin opening.

“Design standards” means standards for design based on one or more of the following:

1. “New Jersey Department of Transportation Design Manual—Roadway”, March 3, 1987 or superseding issue, available from the Bureau of Design Standards.
2. “The New Jersey Department of Transportation Design Manual—Bridges and Structures”, 1987 or superseding issue, available from the Bureau of Structural Design.
3. “A Policy on Design Standards Interstate System”, 1987 or superseding issue, available through American Association of State Highway and Transportation Officials, Suite 225, 444 North Capitol St., N.W., Washington, D.C. 20001.
4. “Guide and Regulations for Highway Access Permits”, 1991 or superseding issue which contains this Access Code and additional information, available from the Department’s Regional Maintenance Offices.
5. Supplemental specifications SI-89 ELECT and standard details, or superseding issue available from the Bureau of Electrical Engineering.
6. Institute of Transportation Engineers “5th Edition Trip Generation”, 1991 or superseding issue, available through Institute of Transportation Engineers, 525 School St., S.W., Suite 410, Washington, D.C. 20024-2729, ITE Publ. No. 1R-016B.
7. 1985 “Highway Capacity Manual” Special Report 209, or superseding issue, available through Transportation Research Board, National Research Council, 2101 Constitution Avenue, N.W., Washington, D.C. 20418.

8. “Bicycle Compatible Roadways”, December 1982, or superseding issue available from the Bureau of Suburban Mobility.

9. “Manual on Uniform Traffic Control Devices for Streets and Highways” (MUTCD), 1988 or superseding issue, available through Institute of Transportation Engineers, 525 School St., S.W., Suite 410, Washington, D.C. 20024-2729.

10. Hamelink, M.D., “Volume Warrants for Left-Turn Storage Lanes at Unsignalized Grade Intersections,” Highway Research Record 211, National Research Council, available through Transportation Research Board, 2101 Constitution Ave. N.W., Washington, D.C. 20418, 1967.

11. Stover, Virgil G. and Koepke, Frank J., “Transportation and Land Development,” Institute of Transportation Engineers, 525 School Street S.W., Suite 410, Washington, D.C. 20024-2729, 1988.

12. Standard Specifications for Road and Bridge Construction, New Jersey Department of Transportation, 1989 or superseding edition, available from the Bureau of Construction Services.

13. Jack E. Leisch, “Capacity Analysis Techniques for Design of Signalized Intersections”, Figure 9, U.S. Department of Transportation, Federal Highway Administration.

14. “A Policy on Geometric Design of Highways and Streets, 1984” or superseding issue, available through American Association of State Highway and Transportation Officials, Suite 225, 444 North Capitol St., N.W., Washington, D.C. 20001.

15. Pline, James L., editor, “Traffic Engineering Handbook, 4th edition,” 1992 or superseding edition, available through the Institute of Transportation Engineers, 525 School St., S.W., Suite 410, Washington, D.C. 20024-2729.

“Designated center” means a specific area where a compact form of development (exists or is planned) with a core or node (focus of residential, commercial and service development) which is listed in Appendix C of the State Development and Redevelopment Plan adopted June 12, 1992 or superseding issue, or other designated center officially recognized by the State Planning Commission. Other designated centers, recognized after the June 12, 1992 adoption of the State Development and Redevelopment Plan or superseding issue are shown on the approved Resource, Planning and Management Maps of the State Plan and Redevelopment Plan available at the Office of State Planning.

“Desirable typical section” means the Department’s long range plan for State highway configurations, as shown in Appendix B. Each desirable typical section shows the number of through lanes. It does not generally show auxiliary lanes. If the Department changes the desirable typical section of a State highway segment, the access classification and access level may also change.

“Developer agreement” means a contract between the Department and a lot owner which allows a lot abutting a highway to have access to the highway and requires the Department and lot owner to satisfy special obligations.

“Distance between driveways (D)” means the distance measured along the curblin between curblin openings of two adjacent driveways.

“Divided highway” means a highway having access on only one side of the direction of travel.

“Driveway” means a private roadway providing access to a street or highway. A driveway is not a road, street, boulevard, highway, or parkway.

“Driveway angle (Y)” means the angle between the driveway centerline and curblin.

“Driveway width (W)” means the narrowest width of driveway, within the sidewalk area, measured perpendicular to the driveway.

“Edge clearance (E)” means the distance measured along the curblin from the extended lot line to the curblin opening.

“Emergency access” means a driveway which shall only be used by police, fire, and emergency service vehicles when responding to an emergency service situation. Such driveways shall not include the access to a police station, fire house, or emergency service facility.

“Employee transportation coordinator (ETC)” or “ride-sharing coordinator” means a person selected to develop, implement, and administer an employee transportation program. These duties may include registering employees for a ride-match program, coordinating the formation of car/van/buspools, promoting the use of public transit, and monitoring employee participation in the program.

“Expansion of lot use” means any increase in the floor area or function performed on a lot.

“Expiration” means the formal termination of an access permit.

“Extended lot line (E.L.L.)” means a line, radial or perpendicular to the highway centerline, at each end of the frontage, extending from the right-of-way line to the curblin.

“Fair share financial contribution” means the sum of the applicant’s proportionate costs at each location where level of service violations occur. The proportionate costs must have a rational nexus with the traffic growth attributable to the development of the lot for which the permit is requested.

“Fire house” means a lot where fire service vehicles are stored.

“Floor area ratio” means the sum of the area of all floors of buildings or structures, gross floor area, compared to the total area of the lot.

“Four-day forty-hour schedule or four-day work week” means a compressed work week schedule in which full time personnel work their usual number of weekly hours in four days.

“Freeway” means a multi-lane divided highway having a minimum of two lanes in each direction and limited access.

“Frontage” means the length along the highway right-of-way line of a single lot between the side lot lines.

“Frontage road” means a service road, usually parallel to the State highway, designed to reduce the number of streets and driveways that intersect a State highway.

“Government driveway” means an entrance or driveway exclusively serving a public school, Federal, State, municipal, or county facility.

“Grandfathered permit” means the access permit assumed to exist for a lot with access prior to January 1, 1970 when no subsequent or previous permit has been issued for the lot. A grandfathered permit allows continuation of the lot access and used in existence on January 1, 1970. See Appendix G.

“Half-trip” means half the distance of a vehicle trip.

“High speed rural” means the access classification for roadways in planning areas other than 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 rural areas within the Pinelands or within the Hackensack Meadowlands District as identified by the Access Code Appendix B where the posted speed limit is 50 miles per hour (mph), or greater.

“High speed urban” means the access classification for roadways in urban 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 urban areas within the Pinelands or within the Hackensack Meadowlands District as identified by the Access Code Appendix B where the posted speed limit is 45 mph or greater.

“Highway” means a public right-of-way, whether open or improved or not, including all existing factors of improvements.

“Improvement” means the original work on a road or right-of-way which converts it into a road which shall, with reasonable repairs thereto, at all seasons of the year, be firm, smooth, and convenient for travel. “Improvement” shall consist of location; grading; surface and subsurface drainage provisions, including curbs, gutters, catch basins, foundations, shoulders and slopes, wearing surface, bridges, culverts, retaining walls, intersections, private entrances, guard rails, shade trees, illumination, guideposts and signs, ornamentation and monumenting. “Improvement” also may consist of alterations to driveways and local streets, acquisition of right-of-way, construction of service roads, and other actions designed to enhance the functional integrity of a highway. All of these component factors need not be included in an original improvement.

“Improvement capacity” means the difference between the highway capacity after it has been improved and the capacity which existed before the improvement. These capacities are determined at the level of service boundary between E and F as defined by the “1985 Highway Capacity Manual” Special Report 209, with the exception of non-State highway approaches to signalized intersections where a volume to capacity (V/C) ratio of 1.2 on the side street approach applies.

“Intensity of use” means the number of dwelling units per acre for residential development and floor area ratio for nonresidential development, such as commercial, office, and industrial.

“Interchange” means a grade-separated, bridged, system of access to and from highways where vehicles may move from one roadway to another without crossing mainline streams of traffic.

“Intersection” means the location where two or more roadways, other than driveways, cross at grade, without a bridge. The intersection is the largest area encompassing the curb returns, stop bars, and crosswalks.

“Joint planning process” means the process of developing a draft access management plan.

“Level of service (LOS)” means a description of traffic conditions along a given roadway or at a particular intersection. The level of service ranges from “A”, which is the best, to “F”, which is the worst. It reflects factors such as speed, travel time, freedom to maneuver, traffic interruptions, and delay. The “1985 Highway Capacity Manual” Special Report 209 has a detailed description of this concept.

“Limited access highway” means a highway, especially designed for through traffic, over which abutting lot owners have no right to light, air, or direct access. Interstate highways, parkways, and freeways are considered limited access highways.

“Local road” means the access classification for roads whose purpose is to provide direct access to abutting land and roads of higher classification. Mobility is lower than for other classifications and through movements are discouraged, especially in urban areas.

“Lot” means a single tax map parcel or two or more tax lot parcels which are in common ownership, have a unity of use and are contiguous. All land adjacent to a State highway is considered to be part of a lot.

“Lot centerline” means the mid-point of the State highway frontage of the lot. For partial denial of access lots, the lot centerline is presumed to be the point of beginning or ending of the denial of access. See Appendix I-3.

“Lot consolidation or subdivision applications (or permits)” means applications (or permits) addressing two or more lots to be combined into one lot or one lot to become two or more lots.

“Low speed rural” means the access classification for roadways in rural planning areas other than 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 rural areas within the Pinelands or within the Hackensack Meadowlands District as determined by the Access Code Appendix B with posted speed limits 45 mph or less.

“Low speed urban” means the access classification for roadways in urban 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 rural areas within the Pinelands or within the Hackensack Meadowlands District as identified by the Access Code Appendix B with posted speed limits 40 mph or less.

“Maintenance” means the continuous work or in kind replacement required to hold a driveway, road or structure against deterioration due to wear and tear, and to preserve the general character of the original improvement without alteration in any of its component factors.

“Major access applications (or permits)” means access applications (or permits) for lots with an expected two-way traffic volume of 500 or more vehicle trips per day directly accessing a State highway to and from the use or uses.

“Major access applications (or permits) with planning review” means access applications (or permits) for lots with an expected two-way traffic volume of 500 or more vehicle trips per day directly accessing a State highway and with an expected peak-hour volume of 200 or more vehicle trips directly accessing a State highway to and from the use or uses.

Major collector” means a type of collector road in rural areas that serves important intra-county traffic corridors and provides service to major traffic generators.

“Major traffic generator” means the use or uses which generates a total of 500 or more vehicle trips per day directly accessing a State highway to and from the use or uses.

“Maximum vehicular use limits” means the greatest number of vehicles per A.M., P.M. or Saturday peak hour allowed to access a nonconforming lot.

“Median” means that portion of a divided highway that separates traffic proceeding in opposite directions.

“Median opening” means a paved area bisecting opposite directions of a divided roadway. A median opening is designed to permit traffic to cross at least one direction of travel.

“Midblock lot” means a lot with one frontage on a State highway that is between two other lots that have frontage on a State highway.

“Minor access applications (or permits)” means access applications (or permits) for lots with an expected two-way traffic volume of less than 500 vehicle trips per day directly accessing a State highway to and from the use or uses.

“Minor arterial” means the access classification for roadways that serve trips of moderate length. Access to abutting properties is minimized, controlled, or regulated. These highways interconnect with, and augment, the principal highway system. Mobility is less than on accessible principle arterials.

“Minor collector” means a type of collector road in rural areas that serves smaller places and towns and connects local traffic.

“Minor traffic generator” means the use or uses which generates less than a total of 500 vehicle trips per day, to and from the use or uses.

“Mode split” means a breakdown of the transportation means used by commuters to travel to work. This includes single-occupant vehicles, carpools or vanpools, buspools, public transportation, bicycles, pedestrians, or other modes.

“Modification of access” means changes to access in conjunction with the implementation of a highway improvement project, which results in changing the number of access points, changing the width of an access point by more than five feet, or changing the location of an access point by more than 10 feet.

“Monitoring” means the measuring of ridesharing modes at a work site. It entails keeping a record of how the

employees travel to and from work and how many employees drive alone, share a ride, or walk to work.

“Monolithic curb” means a curb and gutter constructed as one unit.

“Multi-lane undivided highway” means a highway consisting of three or more lanes with two or more lanes designated for one direction and with no physical barriers separating opposite directions of travel.

“Nine-day schedule” means a compressed two-week work schedule in which full time personnel work their usual number of hours for a two-week/10-day pay period in nine days.

“Nonconforming lot” means a lot in existence prior to the adoption of the Access Code which does not meet the standards for spacing between lot centerlines.

“Outparcel” means a lot, adjacent to a roadway, that interrupts the frontage of another lot.

“Outside radius (R)” means the outside or larger curve radius on a driveway.

“Parkway” means a type of limited access highway.

“Partial denial of access lot” means a lot which has had some portion of its potential State highway access through its frontage acquired by the Department.

“Passby” means a vehicle which stops at the site after coming directly from the traffic stream going by the site headed for an ultimate destination other than the site.

“Peak hour” means the 60 consecutive minutes during which the highest traffic volume occurs along a roadway or through a driveway.

“Permittee” means the owner of a lot which has an access permit or the municipality or county having a permit for a street.

“Planning review” means the review of the more complex major access government driveway, or concept review applications performed by the Bureau of Major Access Permits at the Department.

“Pre-application conference” means a meeting between a potential applicant and Department representatives before the submission of an application.

“Previously anticipated daily movements” means the estimated, 24-hour, two-way site-traffic count entered on the access application and included in the permit.

“Public utility” means every individual, co-partnership, association, corporation, or joint stock company, their lessees, trustees, or receivers appointed by any court, owning,

operating, managing or controlling within the State of New Jersey a steam railroad, street railway, traction railway, canal, express, subway, pipeline, gas, electric, light, heat, power, water, oil, sewer, telephone, telegraph system, plant, or equipment for public use under privileges granted by the State or any political subdivision thereof.

“Rational nexus” means a clear, direct and substantial relationship between a particular development and the public improvements required of the applicant.

“Reconstruction” means the rebuilding of an existing improved road or access point, involving changes to its configuration.

“Regional benefit” means an improvement which serves an areawide demand for the improved movement of all traffic. The improvement should fit into overall local and regional land use and transportation plans. Regional benefit also indicates that the proposed improvement does not exclusively serve the private interests of any one lot. A region may extend as far as the study area established pursuant to N.J.A.C. 16:47-4.36, but in no case less than one intersection on either side of the proposed intersection.

“Repair” means minor repairs or minor replacements in one or more of the component factors covered by the permit which may be required by reason of storm or other cause in order that there may be restored a condition requiring only maintenance.

“Residence and business driveway” means the entrance or driveway serving a combination of private residence and business use with an expected two-way traffic volume of less than 500 vehicles per day for the combined uses.

“Resurfacing” means work done on an improved road involving a new, or partially new, pavement, with or without change of width, but without a change in grade or alignment.

“Revocation” means termination of an access permit by the Commissioner after a determination that alternative access is completed and available for use.

“Reverse frontage” means frontage on an access road constructed at the rear of lots fronting on the State highway.

“Right-of-way” means highway property and property rights, including easements, owned and controlled by the Department.

“Right-of-way line (R.O.W. line)” means the outer edge of State highway property, separating highway property from the abutting lots owned by others.

“Road” means a highway other than a street, boulevard, or parkway.

“Route” means a highway or set of highways including roads, streets, boulevards, parkways, bridges and culverts needed to provide direct transportation between designated points.

“Rural area” means any area of the State which is not within 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 rural areas within the Pinelands or within the Hackensack Meadowlands District as identified by the Access Code Appendix B.

“Rural lot” means a lot with 50 percent or more of its State highway frontage located in a rural area.

“Satellite office” means an office used by employees who are telecommuting.

“Segment” means the portion of the State highway between the closest existing traffic signals on each side of or along the frontage of the applicant’s lot.

“Service station” means a motor fuel dispensing facility at which at least 75 percent of the average daily traffic purchases gasoline, petroleum products, or other services for motor vehicle services.

“Setback” means the distance between the right-of-way line and permanent structures, such as buildings, gasoline pump islands, display stands, or other artificial objects.

“Shared driveway” or “shared access” means a single driveway serving two or more adjoining lots. A shared driveway may cross a lot line, enabling a lot without direct highway access to have access to the highway.

“Shoulder” means the portion of the roadway that lies between the edge of the traveled way and curblines, excluding auxiliary lanes.

“Sidewalk area” means that portion of the right-of-way that lies between the curblines and right-of-way line regardless of whether a sidewalk exists.

“Signal spacing” means the distance between traffic signals along a roadway.

“Significant increase in traffic” means vehicular use exceeding the previously anticipated two-way traffic generated by a lot by:

1. 100 movements during the peak hour of the highway or the development; and
2. 10 percent of the previously anticipated daily movements. See Appendix J.

“Single family residential driveway” means the entrance or driveway exclusively serving a single-family residence.

“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

opment 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 diverge 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.

#### Case Notes

Doctrine of exhaustion of administrative remedies; whether proposed taking would leave property owner with reasonable highway access to be determined by jury. *Magliochetti v. State* by Com’r of Transp., 276 N.J.Super. 361, 647 A.2d 1386 (L.1994).

### 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.



5. AL 5—access to and from an access point: Figures C-19 through C-23 of Appendix C, Access Levels Diagrams, illustrate such access. Meeting traffic signal warrants is not required for the installation of a left-turn lane. For AL 5, the location standards set forth in N.J.A.C. 16:47-3.4 are applicable if the traffic volumes at the intersection of the access point 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. 16:47-3.5 are applicable in all other cases.

6. AL 6—access to and from the State highway and an access point, provided that there is an edge clearance of at least 12 feet, the access point is at least 24 feet from the nearest access points, suitable sight lines exist and the access does not otherwise create an unsafe condition. The Department will include frontage roads and service roads that parallel State highways in this classification. The design set forth in Figure C-24 of Appendix C, access level diagrams, illustrates such access. For AL 6, the location standards set forth in N.J.A.C. 16:47-3.4 and 3.5 are applicable.

(b) Nonconforming lot access may be allowed for all access levels, except for access level 1. Figures C-2, C-3, and C-4 of Appendix C of this chapter, incorporated herein by reference, illustrate such nonconforming access.

(c) The access level permitted on each segment of the State highway system shall be determined by reference to Appendix B. If the desirable typical section does not match the existing State highway configuration, the access allowed shall be based on the existing configuration and include access provisions for accommodating the desirable typical section in the future.

(d) The owner of a lot fronting on a State highway segment may apply for the access applicable to a more restrictive access level than that for which the segment is designated, with access level 1 being the most restrictive access classification.

(e) The access permitted for each access level on State highways is summarized on Figure C-1.

#### 16:47-3.2 Access on State highway segments

(a) Access points will be allowed on State highway segments subject to the restrictions set forth in this subchapter. However, the Department may also require alternative access if the Commissioner determines that the alternative access will benefit the safety and efficiency of the State highway. The governmental agency having jurisdiction for control of the road connected to the alternative access may seek appropriate mitigation associated with the traffic using the alternative access.

(b) Access shall not be permitted on the State highway if the desirable typical section for the State highway segment as shown in Appendix B does not have sufficient capacity at LOSE to carry existing traffic plus traffic to be generated by the applicant's lot. The Department may also not grant access if the applicant's fair share financial contribution is insufficient to resolve safety problems caused by site traffic.

(c) The Department encourages shared access, alternative access, frontage roads, reverse frontage roads, and other similar measures to minimize the number of access points on the State highway system.

#### 16:47-3.3 Location of interchanges

(a) An interchange may be located along a State highway with an access level of 1 to 5 as determined in the manner set forth in the following subsections.

(b) An interchange may be permitted when at least one of the following conditions is met:

1. Two divided multi-lane accessible principal arterials cross;

2. If a traffic signal is installed at the location proposed for the interchange and the green time available would be less than 50 percent for accessible principal arterials or less than 40 percent for minor arterials;

3. A new at-grade signalized intersection at the same location would not result in level of service C or better on the through movement of the State highway during any peak period when the closest signalized approaches on the State highway on both sides of the location of such intersections are not already at level of service D or worse for the through movement on the State highway;

4. An existing at-grade signalized intersection at the proposed location operates at overall level of service F during any peak period and there is no reasonable improvement that can be made to provide sufficient capacity;

5. A major public street intersection is located near a major traffic generator proposed to be served by the intersection and it would not be feasible to provide effective traffic signal progression along the artery for both the through traffic and the traffic which would be generated by the major traffic generator; or

6. The minimum percentage band widths would not be maintained.

(c) Interchanges proposed to serve major traffic generators may be permitted only if, in addition to meeting the requirements set forth in (b) above, a regional benefit to traffic movements can be demonstrated, and at least one of the following three conditions is met:

1. The major traffic generator is located along an accessible principal arterial where direct access or left-turns are either prohibited by this Access Code or would

otherwise be undesirable as determined by the Commissioner;

2. The traffic flows entering or leaving the traffic generator would reduce the highway green time per cycle for any traffic signal which would serve the traffic generator to less than 50 percent for accessible principal arterials and less than 40 percent for minor arterials; or

3. The location which would otherwise be signalized does not meet the traffic signal spacing criteria set forth in N.J.A.C. 16:47-3.4 and signalization of the access point would impede the progressive flow along the highway.

(d) The distance between interchanges shall be measured from the interchanges' center points. The center points shall be the midpoint of the extremities of the ramp system for the interchange.

1. An interchange on a State highway segment classified as urban, as determined using Appendices A and B, shall be at least one mile from the closest existing interchange.

2. An interchange on a State highway segment classified as rural, as determined using Appendices A and B, shall be at least two miles from the closest existing interchange.

3. An interchange shall be separated from a full-movement intersection by at least the required traffic signal spacing except for an interchange which may be permitted as a result of (c)3 above. The distance shall be measured from the interchange's center point to the point of intersection. Refer to Appendix D, incorporated herein by reference, for spacing requirements.

**16:47-3.4 Location of traffic signals and other provisions**

(a) The location of traffic signals applies to access levels 2 through 6. A traffic signal may be placed only at locations along a State highway where the conditions set forth in this section are met. The location of traffic signals shall take precedence over the location of unsignalized access points where there is a conflict. The traffic signal spacing criteria shown in Appendix D and permit requirements in N.J.A.C. 16:47-4.21 shall be complied with.

(b) If the Commissioner has designated optimal traffic signal locations for future traffic signals along a State highway segment within which a traffic signal is proposed or if such segment is less than one mile in length, the following shall apply:

1. A traffic signal may be permitted within the segment at the designated optimal location or at another location if, in the case of the latter, the applicant demonstrates that:

i. The traffic signal meets the criteria for warrants set forth in part 4C of the "Manual on Uniform Traffic Control Devices for Street and Highways" (U.S. Department of Transportation, Federal Highway Administration 1988 edition or a superseding edition); and

ii. The minimum band width percentages on the State highway are attained or exceeded as follows:

Access Classification of Highway by Environment	Minimum Acceptable Through Band Width
<b>Urban</b>	
Accessible Principal Arterial	50 percent
Minor Arterial	40 percent
Collector and Local	30 percent
<b>Rural</b>	
Accessible Principal Arterial	50 percent
Minor Arterial	40 percent
Major Collector	35 percent
Minor Collector and Local	30 percent

Note: Access classification may be determined by reference to Appendix A, Access Classification Matrix, and Appendix B.

2. The segment used in making the determination set forth in N.J.A.C. 16:47-3.4 shall be designated by the Commissioner after recommendation by the applicant. In no case shall the limits for analyzing band width extend more than one traffic signal outside of the study area established pursuant to N.J.A.C. 16:47-4.36.

3. In designating optimal locations for future traffic signals, the Commissioner may apply Appendix D, "Optimum Spacing of Signalized Intersections for Various Progressive Speeds and Cycle Lengths," in whichever direction along the State highway is deemed appropriate and may exclude locations where specific circumstances, as determined by the Commissioner, preclude future signalization. Applicants should contact the Bureau of Traffic Engineering and Safety Programs for traffic signal information.

4. Minimum band width percentages on the State highway shall be calculated based upon posted speed limits and cycle lengths, unless otherwise specified by the Department, using computer software acceptable to the Commissioner, and shall assume the operation of the existing traffic signals and of traffic signals at the optimal locations designated by the Commissioner, in the latter case using the appropriate cycle based on applying Appendix D.

(c) If the Commissioner has not designated optimal traffic signal locations along a State highway segment within which a traffic signal is proposed and such segment is one mile or more in length, the following shall apply:

1. A traffic signal shall be permitted within the segment if the applicant identifies the optimal location of future traffic signals along the segment and:

- i. The traffic signal is proposed to be placed at an optimal location identified; or
- ii. The applicant demonstrates that the standards set forth in this section have been met.

2. The segment used in making the determination set forth in (c)1 above shall be designated by the Commissioner, after recommendation by the applicant. In no case shall the limits for analyzing band width extend more than one traffic signal outside of the boundary of the study area established pursuant to N.J.A.C. 16:47-36.

3. In identifying optimal locations for future traffic signals, the applicant shall apply Appendix D, "Optimum Spacing for Signalized Intersections for Various Progressive Speeds and Cycle Lengths," in whichever direction along the State highway the Commissioner deems appropriate and shall exclude locations where specific circumstances preclude future signalization. Applicants should contact the Bureau of Traffic Engineering and Safety Programs for traffic signal information.

4. Minimum band width percentages on the State highway shall be calculated based upon posted speed limits and cycle lengths, unless otherwise specified by the Department, using computer software acceptable to the Commissioner, and shall assume operation of the existing traffic signals and of traffic signals at the optimal locations identified, in the latter case using the appropriate cycle based on applying Appendix D.

(d) The location of signalized access points also shall comply with the standards for unsignalized access points set forth in N.J.A.C. 16:47-3.5.

(e) Nothing in this Access Code shall be interpreted as requiring the Commissioner to authorize a traffic signal at any location. The Commissioner may, pursuant to 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), grant the access as proposed, require design modifications as deemed necessary, restrict one or more turning movements to reduce impacts, or deny the access.

**16:47-3.5 Unsignalized access points**

(a) The conformance of lots shall be as determined below. This is illustrated in a flowchart, Appendix F, incorporated herein by reference.

- 1. Any lot on a State highway segment either used for a single-family residential unit or vacant and zoned for one single-family residential unit shall be a conforming lot.
- 2. Any lot on a State highway segment designated access level 2 shall be a nonconforming lot, except for those described in (a)1 above. If the lot is nonconform-

ing, the permissible vehicular use limitations set forth in (b) below shall be a condition of the permit.

3. Any lot on a State highway segment designated access level 6 shall be a conforming lot.

4. The conformance of lots not described in (a)1, 2 or 3 above shall be determined using the following spacing distances:

Spacing Distance	
Posted Speed Limit (mph)	Distance (in feet)
20	85
25	105
30	125
35	150
40	185
45	230
50	275
55	330

i. Regarding corner lots, see Appendix I-1. A corner lot is conforming if the distance between its centerline and the centerline of the next adjacent, non single-family residential lot is greater than or equal to the spacing distance and the conditions of either (a)4i (1) or (2) below are met. A lot either with one single-family residential unit or vacant and zoned for one single-family residential unit shall not be considered as an adjacent lot, but its frontage shall be included when determining the distance to the centerline of the next adjacent lot.

(1) When alternative access will not be provided to the adjacent side street, the distance between the lot centerline and the centerline of the adjacent side street right-of-way is greater than or equal to the spacing distance.

(2) When alternative access will be provided to the adjacent side street and one-half of the State highway frontage plus one-half of the side street frontage is greater than or equal to the spacing distance required on the State highway.

ii. Regarding midblock lots, see Appendix I-2. A midblock lot is conforming if the distance between its centerline and the centerlines of each of the next adjacent, non single-family residential lots is greater than or equal to the spacing distance. A lot either with one single-family residential unit or vacant and zoned for one single-family residential unit shall not be considered as an adjacent lot, but its frontage shall be included when determining the distance to the centerline of the next adjacent lot.

iii. Regarding partial denial of access lots, see Appendix I-3. A partial denial of access lot is conforming if, in the direction access is permitted, the distance between its presumed centerline and the centerline of the next adjacent, non single-family residential lot is greater than or equal to the spacing distance. A lot

either with one single-family residential unit or vacant and zoned for one single-family residential unit shall not be considered as an adjacent lot, but its frontage shall be included when determining the distance to the centerline of the next adjacent lot.

(b) The vehicular use limitations to be included as a condition of the permit for a nonconforming lot shall be determined as follows:

1. The abbreviations and meaning of the variables used in the equations below are as follows:

- S Spacing distance, based on the posted speed limit and (a)4 above.
- L Left distance between the lot centerline and either the centerline of the next adjacent non single-family residential lot, the centerline of the adjacent side street for a corner lot, or one-half of the State highway frontage plus one-half of the side street frontage for a corner lot with alternative access. The maximum distance for L cannot exceed S.
- R Right distance measured similar to L above. The maximum distance for R cannot exceed S.
- A Acreage of the lot, but no greater than 3.0 on urban State highway segments and 2.0 on rural State highway segments.
- V Permissible peak hour vehicular trips (total to and from the lot).

2. For urban State highway segments, the highest A.M., P.M., or Saturday permissible peak-hour vehicular trips for the direct access between the lot and the State highway shall be determined using the following formula:

$$V = 50 + \frac{L + R^2}{2 \times S} \times A \times 100$$

$$\begin{aligned} L_{\max} &= S \\ R_{\max} &= S \\ A_{\max} &= 3.0 \end{aligned}$$

3. For rural State highway segments, the highest A.M., P.M., or Saturday permissible peak-hour vehicular trips for the direct access between the lot and the State highway shall be determined using the following formula:

$$V = 50 + \frac{L + R^2}{2 \times S} \times A \times 70$$

$$\begin{aligned} L_{\max} &= S \\ R_{\max} &= S \\ A_{\max} &= 2.0 \end{aligned}$$

4. The Department shall increase the permissible peak-hour vehicular use (V) by a 15 percent bonus if a lot has either of the features in (b)4i or ii below. There is a maximum of two bonuses ( $V_{\max} = 1.3V$ ) for those lots having both of the features in (b)4i and ii below.

i. Shared State highway access with another lot which has State highway frontage. Motorists must be able to drive directly between the two lots.

ii. Alternative access to a street other than the State highway.

5. The Commissioner shall impose a maximum vehicular use limitation, calculated using the formulas in (b)2 through 4 above, as a condition of an access permit on each nonconforming lot. The traffic generation of the lot shall not exceed the vehicular use limitation based on the average traffic operation of the use proposed on the lot, as derived from the Institute of Transportation Engineers' publication entitled 5th Edition Trip Generation, superseding edition, or superseding rates adopted by the Department. For land uses not included in these sources or when an applicant believes these rates are not representative, the Department may accept alternative evidence of representative rates. On lots with alternative access the vehicular use limitations only apply to the State highway access.

(c) The number of access points on the State highway shall be one for a nonconforming lot and shall be determined as set forth below for a conforming lot. On divided highways two one-way access points may be substituted for each two-way access point.

1. One two-way access point shall be allowed for a minor permit even if the conditions of (c)4, 5 or 6 below are met.

2. A maximum of two two-way access points may be allowed for a major permit if the second access point will significantly benefit the safety and efficiency of the State highway and meet the requirements in (c)4 or 6 below.

3. Two or three two-way access points may be allowed for a major permit with a planning review if the second and third access points will significantly benefit the safety and efficiency of the State highway and meet the requirements in (c)4, 5 or 6 below.

4. Two two-way access points may be allowed on a midblock lot which has a minimum of three times the spacing distance between the centerlines of each of the next adjacent non single-family residential lots. See Appendix I-4. ( $L_2 + R_2 > 3 \times S$ )

5. Three two-way access points may be allowed on a midblock lot which has a minimum of four times the spacing distance between the centerline of each of the next adjacent non-single family residential lots. See Appendix I-4. ( $L_2 + R_2 > 4 \times S$ )

6. A maximum of two two-way access points may be allowed on a corner lot which has at least three times the spacing distance between the centerline of the next adjacent non single-family residential lot and:

- i. The centerline of the adjacent side street; or
- ii. The centerline of the side street frontage when measured along the lot frontage and when alternative access is provided to the adjacent side street.

(d) The following provisions apply to shared access:

1. Two or more adjacent lots can be treated as a single lot if the lots share a single driveway. The determination of conformance set forth in (a)4 above, shall then be made for the combination. If the combination is conforming, then no vehicular use limitations shall be applied. If the combination is nonconforming, then the permissible vehicular use limitations set forth in (b) above shall be determined for the combination.

2. The Department will only approve a subdivision which creates a nonconforming lot if all of the following conditions are provided:

- i. The nonconforming lot created shares access with an adjacent lot;
- ii. The shared access is the only direct state highway access for the lots; and
- iii. There is a perpetual condition written into the deed for each lot establishing the shared access.

3. No bonus pursuant to (b)4i above shall apply to nonconforming lots created under (d)2 above. In addition, if a nonconforming lot is subdivided, the permissible vehicular use limitation shall not increase as a result of the subdivision.

(e) The location of unsignalized access points shall be established using the access point control dimensions set forth in N.J.A.C. 16:47-3.8 and safety considerations based on sight distance and other geometric requirements found in the "New Jersey Department of Transportation Design Manual—Roadways". Unsignalized access points shall only be located where the traffic volumes at the access points do not meet the 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 a superseding edition). Unsignalized access points, whether on conforming or nonconforming lots, shall also be subject to the following requirements:

1. Whenever possible, unsignalized access points on divided highways for major traffic generators involving left-turn ingress and egress should be located at existing median breaks, if any exist, and where access points would conform to the traffic signal spacing requirements set forth in N.J.A.C. 16:47-3.4.

2. If future traffic volumes could warrant installing a traffic signal and signalized spacing requirements cannot be met, as a condition of the access permit, the Commissioner may, at such time as future traffic volumes are reached, close the left-turn access in accordance with N.J.A.C. 16:47-4.33(b).

3. If an undivided highway becomes divided, as a condition of the access permit, the Commissioner may at such time close the left-turn access in accordance with N.J.A.C. 16:47-4.33(b).

4. For access points on a divided highway, the following apply whenever possible:

i. The spacing of right-turn access on each side of a divided highway may be treated separately.

ii. Where left-turns at median breaks are involved, the access shall line up or be offset from the median break by at least the minimum spacing distance or 300 feet, whichever is greater.

5. Whenever possible, on undivided highways, access on both sides of the road shall be aligned. Where this is not possible, it is desirable to have the centerlines of access points offset at least 200 feet.

6. No access point shall be located along a striped right or left-turn lane where the lane is at its full width. This prohibition does not apply:

i. Along two-way left-turn lanes;

ii. To a right turn in-only access point from a divided highway adjacent to a left-turn lane;

iii. To access points on the opposite side of a highway within the limits of a right-turn lane; or

iv. To access to a lot zoned and used for a single-family residential unit.

7. An access point may have a bifurcated driveway with separate driveways for ingress and egress. The distance between such driveways shall be at least 50 feet measured centerline to centerline.

8. A left-turn lane shall be provided for access points on State highway segments with access level 4 when the criteria set forth in "Transportation and Land Development", Figure 5-15 and "Highway Research Record 211", "Volume Warrants for Left-Turn Storage Lanes at Unsignalized Grade Intersections", incorporated herein by reference, are met. Left-turn access shall be prohibited if the criteria have been met but there is insufficient space for a left-turn lane, unless the Commissioner determines that left-turns can be made safely, considering traffic volumes and sight distances.

9. If the criteria set forth in "Transportation and Land Development", Figure 5-15, and "Highway Research Record 211", "Volume Warrants for Left-Turn Storage Lanes at Unsignalized Grade Intersections", incorporated herein by reference, have not been met, the Commissioner may decide to permit left-turn access, pursuant to (e)8 above, if the applicant improves the highway shoulder to enable the bypassing of vehicles waiting to turn left into the access point.

10. Acceleration and deceleration lanes shall be provided in accordance with the "New Jersey Department of Transportation Design Manual—Roadway" for all State highways except for interstate highways. Acceleration and deceleration lanes on interstate highways shall be provided in accordance with the American Association of

State Highway and Transportation Officials, "A Policy on Geometric Design of Highways and Streets", 1984 or superseding edition.

11. Access points shall be designed to enable vehicles to leave the State highway without restriction, queuing, or hesitation on the highway. Access shall not be approved for parking areas that require backing maneuvers within the State highway right-of-way. All off-street parking areas must include on-site maneuvering areas and aisles to permit vehicles to enter and exit the site without hesitation. An applicant shall not place a gate on Department right of way. If an access point is gated, the gate shall be a minimum of 50 feet from the curbline, and there shall be provisions for U-turns without the need for vehicles to back onto the highway.

12. Approval of an access point in accordance with the terms of the Access Code does not relieve the permittee of an obligation to provide any requirements deemed necessary under N.J.A.C. 16:47-4.34.

(f) On all State highways classified as access level 2, new street intersections may be created, even if they cause nonconforming lots to be less conforming. On all State highways classified as access level 3, 4, and 5, a street proposed to extend to the State highway may only intersect a State highway if it does not create non-conforming lots on either side of the intersection or if the nonconforming lots created have no direct access to the State highway.

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

#### 16:47-3.6 Setback and driveway width

The Department will respect local building, zoning, and setback ordinances; variances; rules; and regulations which do not conflict with Department requirements.

#### 16:47-3.7 Driveway surfacing

(a) The Department has jurisdiction over driveways within the limits of its right-of-way; however, the Department is not responsible for maintaining driveways.

(b) Paving of driveways is not to extend beyond the curbline into the highway shoulder or travel lane area. The existing grade of the highway shoulder or travel lane shall be maintained at all times.

(c) All driveways shall be paved with concrete or bituminous material between the curbline and the right-of-way line.

1. Bituminous driveways shall not be inferior to four inches of bituminous stabilized base with a bituminous concrete surface two inches thick. All unsuitable base material shall be removed before the driveway pavement is constructed.

2. Concrete driveways shall be constructed of Class B concrete, at least six inches thick. All unsuitable base material shall be removed before the driveway pavement is constructed.

#### 16:47-3.8 Access point control dimensions for streets and driveways

(a) The requirements for residential driveways apply to single-family residential lots and combined residential and business lots. The requirements for all other driveways are referred to as non-residential.

(b) The abbreviations used in this subchapter and Figure 2 and their meanings are as follows:

L.L.	—Lot Line
R.	—Radius
CL.	—Centerline of Highway
E.	—Edge Clearance
E.L.L.	—Extended Lot Line
E.T.W.	—Edge of Traveled Way
MAX.	—Maximum
MIN.	—Minimum
R.O.W.	—Right-of-Way
S.W.	—Sidewalk
VAR.	—Variable Dimension
P	—Parking Offset
S.	—Setback
Y.	—Access Point Angle
W.	—Access Point Width
C.O.	—Curbline Opening

(c) All portions of the driveway shall be within the extended lot lines. The edge clearance (E) shall not be less than 12 feet. This is measured from the extended lot line along the curbline to the beginning of the curbline opening.

(d) The curbline opening (C.O.) shall be as follows:

1. Residential: 12 feet to 30 feet.
2. Non-residential: minimum 24 feet, maximum desirable 50 feet.

(e) Driveway width (W) shall be as follows:

1. Residential: Eight feet to 26 feet.
2. Non-residential as follows:
  - i. One-way operation: Entrance or exit minimum 20 feet, maximum desirable 34 feet and maximum allowable 40 feet.
  - ii. Two-way operation: minimum 20 feet, maximum allowable 46 feet.
  - iii. Fire house: maximum allowable 100 feet.

3. The driveway width construction may vary from the driveway width shown in the permit by up to five feet, provided that the maximum width and other requirements of this subsection are not violated.

(f) Street width (W) shall be as follows:

1. Residential: 24 feet to 50 feet.
2. Non-residential: 30 feet minimum.

(g) The access point angle (Y) shall be as follows:

1. One-way operation: 45 degrees minimum.
2. Two-way operation: As close to 90 degrees to the State highway as site conditions will permit with a minimum of 60 degrees.

(h) Radius (R) shall be as follows:

1. Residential: 15 feet maximum. Refer to Figure C-3, Appendix C.
2. Non-residential: Refer to Figures C-2 and C-4, Appendix C.

(i) The distance between driveways shall be 24 feet minimum as measured between curblines openings.

(j) The area between access points and extending from the curb or shoulder line to the right-of-way line shall be raised six inches above the surface of the adjacent drives and seeded, sodded, or otherwise, improved.

(k) The Department recommends the following setbacks from the right-of-way line from the Department's desirable typical section to any building or structures:

1. Gasoline pump islands should be a minimum of 15 feet outside the right-of-way line for the Department's desirable typical section.
2. Gasoline service stations, minor businesses, and retention or detention basins should be a minimum of 40 feet outside the right-of-way line for the Department's desirable typical section.
3. Major restaurants and businesses should be a minimum of 50 feet outside the right-of-way line for the Department's desirable typical section.

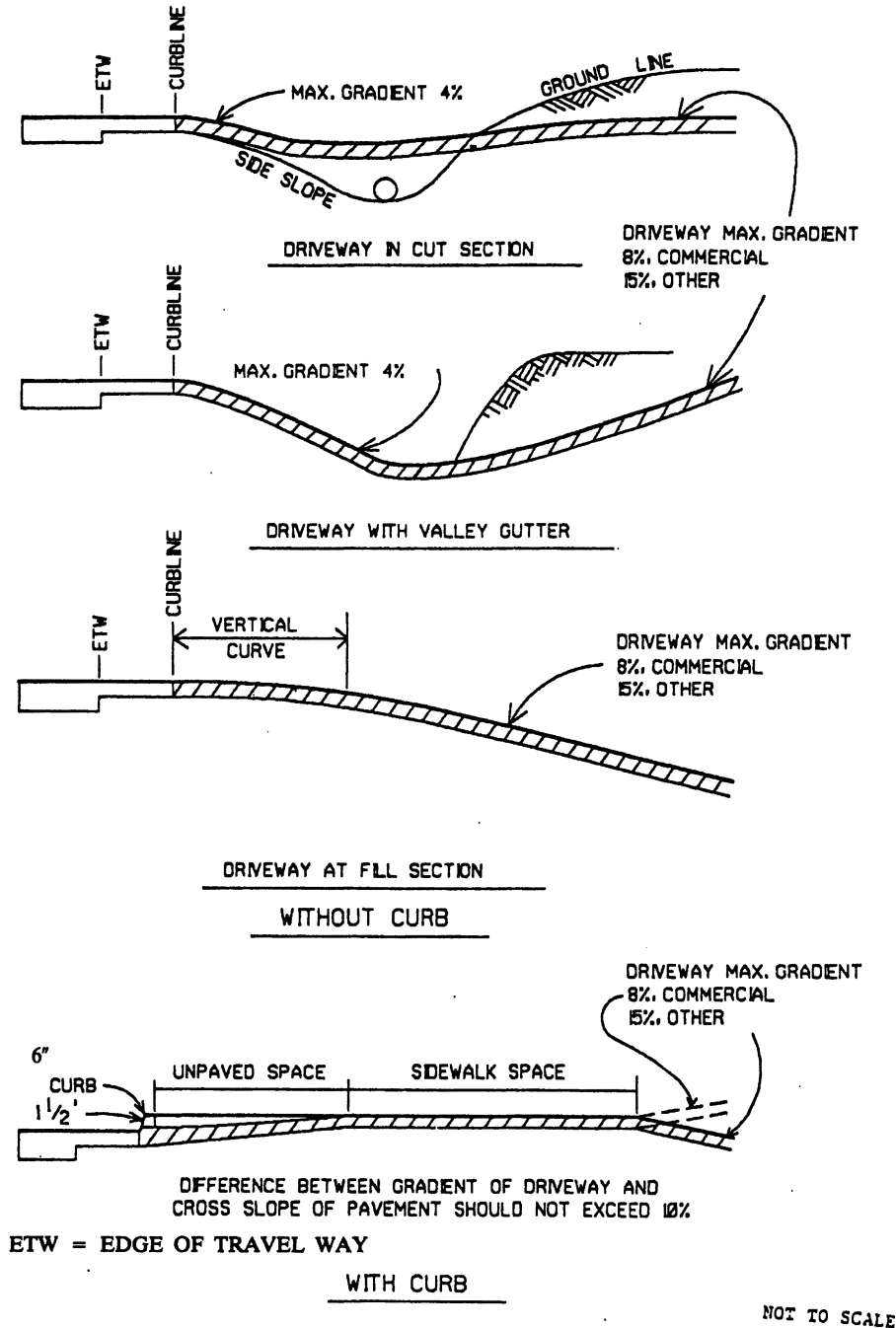
(l) The corner clearance shall be measured between the end of the curb return of the intersecting street and the beginning of the curb return or beginning of the depressed curb for the driveway as illustrated in Appendix K, incorporated herein by reference. The distance shall be as follows:

1. A minimum of 12 feet for single-family residential driveways.
2. A minimum of 50 feet for all driveways in the vicinity of unsignalized intersections, except for single-family residential driveways, on any one of the following:
  - i. All access level 6 roadways;
  - ii. All roadways with a posted speed limit of 25 miles per hour; or
  - iii. All locations with at least a 10 foot shoulder.
3. A minimum of 100 feet for all driveways in the vicinity of signalized intersections and locations not covered in (l)1 and 2 above.

(m) Figure 1 below shows driveway profile controls. The use of a swale or pipe underdrain for proper drainage of uncurbed portions of highways is indicated. The bottom profile shows a driveway sloping upward to the sidewalk to assure proper drainage. Beyond the sidewalk the driveway may slope either upward or downward depending upon the topography at the site. Where curbs are used along the roadway and sidewalks are provided or contemplated, the grade of the driveway should usually fit the plane of the sidewalk. If the difference in elevation of the curblines and the sidewalk is such that this is not practical, then the sidewalk should be lowered to provide a suitable grade for the driveway. In such case, the surface of the sidewalk should be sloped gently from either side of the driveway. Vertical curves on driveways should be flat enough to prevent dragging of the vehicle undercarriage and to provide adequate sight distance.

1. Maximum grades: four percent within 25 feet of curblines for driveways; four percent within 50 feet of curblines for streets.

Figure 1

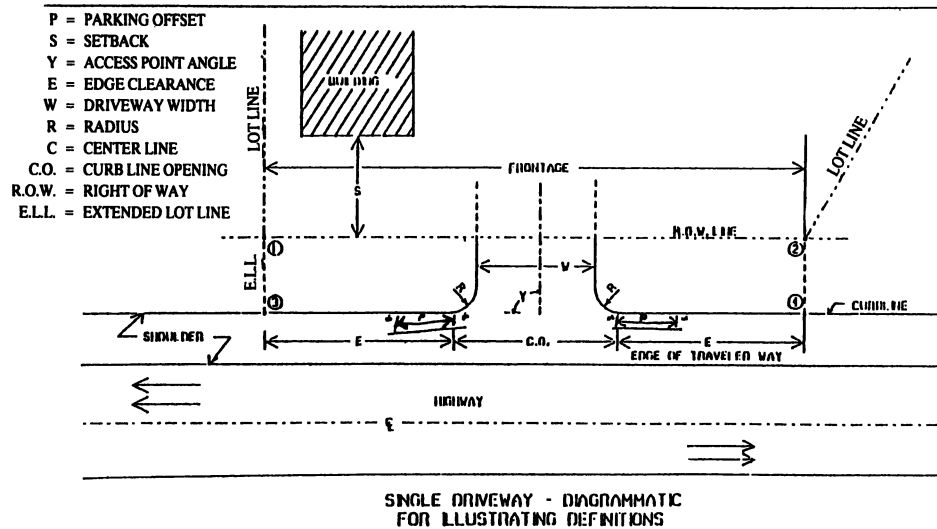


DRIVEWAY PROFILE CONTROLS

(n) Figure 2 below is a diagrammatic sketch and layout to illustrate and suggest geometrical designs for driveways for major traffic generators. Figure 2 shows a driveway on a four-lane undivided highway. The preferred angle of the drive is 90 degrees. Lot frontage, the volume of traffic, and

the design vehicle will be the determining factors governing the size radii used. The starting points of the radii must have the minimum edge clearance of 12 feet. If there is an island in the driveway, the island must be offset by a minimum of three feet from the curblines. The minimum area of an island is 75 square feet.

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.

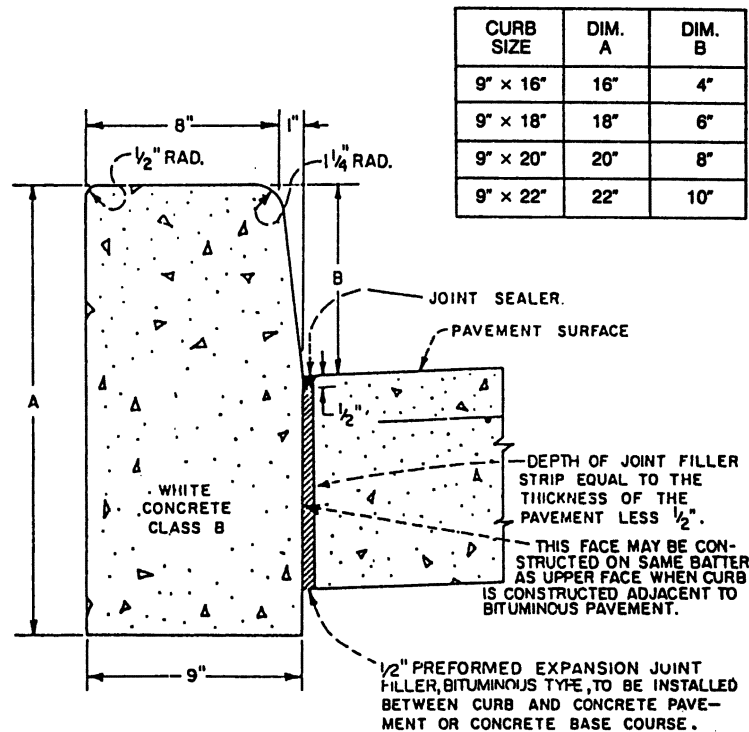
(s) The Department may approve one emergency access on a lot which has no other means to address emergency access. The Department will consider the merits of the requested emergency access on a case-by-case basis based

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  $\frac{1}{2}$ " WIDE SHALL BE INSTALLED IN THE CURB 20'-0" APART AND SHALL BE FILLED WITH PREFORMED BITUMINOUS-IMPREGNATED FIBER JOINT FILLER RECESSED  $\frac{1}{4}$ " 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  $1\frac{1}{2}$  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.

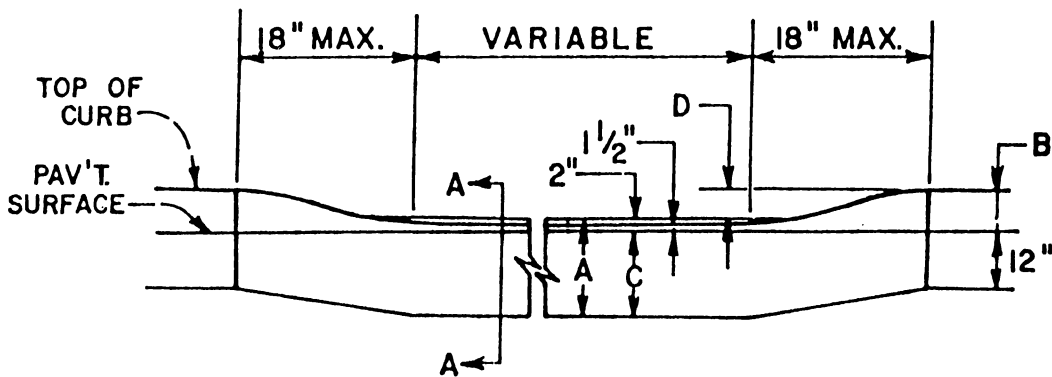
1. To construct a depressed curb when curbing exists, the permittee will be required to entirely remove that section of existing curb to a joint and replace it with new curb.
2. Depressed curbs will not be provided on new highway construction unless the improvement of the abutting lot is in progress 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  $1\frac{1}{2}$  inches higher than and parallel to the established curbline grade.

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

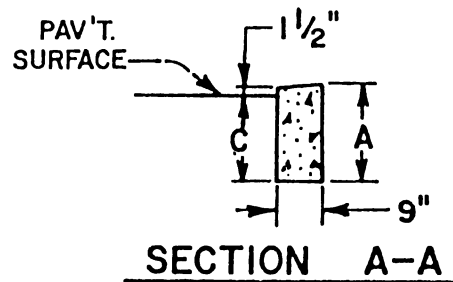
5. Existing monolithic curb shall be chiseled off to a line  $1\frac{1}{2}$  inches above curbline grade after which the broken surface shall be finished with a 1:2 Portland cement mortar mixture to present a smooth and even surface.

(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



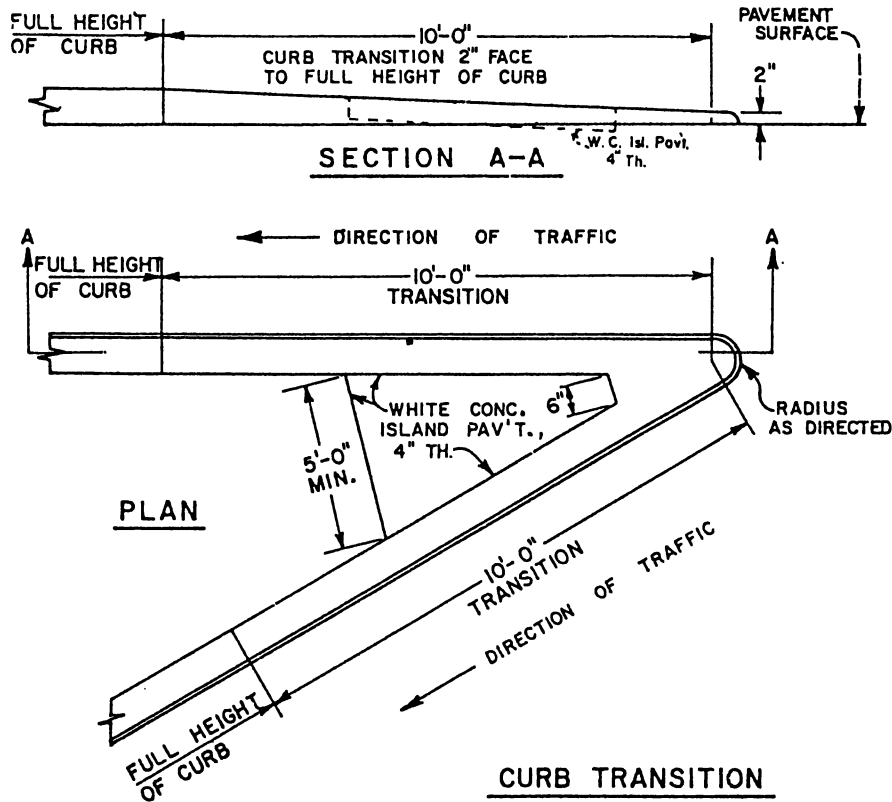
CURB SIZE	DIM. A	DIM. B	DIM. C	DIM. D
9" x 16"	16"	4"	14"	2 1/2"
9" x 18"	18"	6"	16"	4 1/2"
9" x 20"	20"	8"	18"	6 1/2"
9" x 22"	22"	10"	20"	8 1/2"



**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.

6. Transverse surface grooves shall be cut in sidewalk between expansion joints at intervals equal to the sidewalk width.

7. Slope shall be one-quarter inch per foot rising from the top of the adjacent curb.

8. The top of the sidewalk shall be finished with a wood float, followed by brushing with a wet soft-hair brush to a neat and workmanlike surface. All edges shall be neatly rounded to one-quarter inch.

#### 16:47-3.11 Installation of drainage pipes

(a) The Department has jurisdiction over ditches and construction of drainage facilities that fall within the limits of its right-of-way or easement.

(b) Where ditches exist, drainage pipes of size and material approved by the Department are to be installed beneath driveways.

(c) Where ditches exist and conditions are favorable, installation of a continuous drainage pipe of proper size may be permitted.

1. Where installation of drainage pipe exceeds 350 feet in length, a manhole must be constructed midway between the ends. Installation of drainage pipe longer than 350 feet will not be permitted without intermittent manholes.

2. All runs of drainage pipe must be terminated at manholes, inlets, flared end sections, or headwalls.

#### 16:47-3.12 General restrictions

(a) The Department will not assume any cost involved in the installation of drainage facilities required as part of an access permit.

(b) No part of highway right-of-way shall be used for any private purpose or uses associated with private purposes. The sidewalk area shall be kept clear of buildings, sales exhibits, signs, parking areas, service equipment, and appurtenances.

(c) Trimming or removal of trees or shrubbery within highway right-of-way is not authorized, except as indicated in N.J.A.C. 16:47-3.15(b).

(d) No advertising signs or devices shall be erected on or overhanging State highway right-of-way, nor shall any portion thereof be used for the display of merchandise. The Department can only authorize the erection and maintenance of signs on public property that are regulatory, directional, and warning signs allowed by State laws or authorized by the Department in conjunction with alternative access as set forth in N.J.A.C. 16:47-4.3(n)5.

(e) No person shall place, maintain, or display upon or in view of any highway, any unauthorized traffic sign, device, or other contrivance which purports to be or is an imitation of, or of such a nature as to be mistaken for, an official traffic sign or which attempts to direct the movement of traffic or which hides from view or interferes with the

effectiveness of any official sign and no person shall place or maintain, nor shall any public authority permit upon any highway, any traffic sign, or any traffic signal bearing thereon or on its support, any commercial advertising.

(f) The permittee shall properly safeguard all work performed under the permit and maintain sufficient warning lights, Department approved signs, and safety devices for the protection of the traveling public until the work has been completed.

(g) The permittee shall defend, indemnify, protect, and hold harmless the State and its agents, servants, and employees from and against any and all suits, claims, losses, demands, or damages of whatever kind or nature arising out of or claimed to arise out of, any act, error, or omission of the permittee, its agents, servants, and employees in the performance of the work covered by a permit.

(h) Work shall be so conducted that there shall be no interference with any Department structure or facility, on, over, or under the highway, unless permitted by the Department.

(i) Unless curb or curb returns are installed, the Department will not approve construction of driveways closer than five feet to inlets or catch basins.

(j) Where a lot adjacent to the highway is to be filled to the highway grade, the permittee may be required to make provision, at his own expense, for disposition of highway drainage by installing pipes of adequate size and material, inlets, catch basins, manholes, headwalls, and ditches as may be necessary to protect the State's drainage rights. Interference with drainage installations must be avoided. The existing cross-section and drainage of highways shall not be disturbed. The longitudinal flow of water along the curb-line shall not be interrupted, and it shall be the responsibility of the permittee to make adequate provision for all transverse, lateral, and longitudinal drainage affecting his construction.

(k) No openings shall be permitted in newly constructed or resurfaced highways for a period of five years, without the consent of the Commissioner. This restriction does not apply to the construction of access points.

(l) The Department will not authorize construction work within the limits of its right-of-way which will adversely affect the stability, appearance, or designed function of the highway itself, or any of its component or auxiliary structures.

(m) All lighting equipment for roadside establishments must be located off highway right-of-way.

(n) The Department will not approve any access plan that routes site traffic to or through another lot unless the applicant provides adequate documentation of permission from the other lot owner.

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

**16:47-3.13 Relocations or removals within driveway areas**

(a) The Department has jurisdiction over all structures within the limits of its right-of-way and easements.

(b) Removal of curb is not authorized, except in accordance with N.J.A.C. 16:47-3.9.

(c) Permission may be obtained for the relocation of an inlet where storm sewers, highway grades, and other conditions are favorable. All work will be at the expense of the permittee and shall be constructed in accordance with Department "Standard Specifications for Road and Bridge Construction".

(d) The permittee shall remove guide rail once the fill behind the guide rail has been completed to the satisfaction of the Department. The guide rail remains the property of the State and shall be delivered, undamaged, to the location specified in the permit.

(e) The permittee shall relocate regulatory, directional and warning signs, at the permittee's expense, providing a satisfactory location can be found.

(f) The Department may allow the relocation of State-owned electrical facilities providing a new location satisfactory to the Department can be found. This also applies to pavement detectors, pullboxes, conduits, and other constituent parts. Relocations shall be at the permittee's expense. Where structures are owned by a county or municipality, the applicant shall obtain written county or municipal permission before access is requested.

(g) Permission may be granted for construction of a driveway which requires the relocation of a utility pole or fire hydrant. Utility poles and fire hydrants shall not be permitted on channeling islands. Utility poles and fire hydrants should be relocated as close to the right-of-way line as possible. The relocation shall be arranged by the permittee with the utility company or municipality. The Department will not pay for relocation, except as required pursuant to N.J.S.A. 27:7-44.9. Should a utility pole have attached to it service connections for any State-owned facility, the Department will relocate the service at the permittee's expense.

(h) Relocation of utility poles carrying the Department's lighting system usually cannot be permitted. These are placed in accordance with a carefully designed spacing pattern. However, should a new design be appropriate, it shall be at the permittee's expense.

(i) At locations on highways where metal pole lighting exists, electrical conduit or direct buried high voltage cables are located adjacent to the inside of curb, at a depth of approximately 18 inches below the top of earth. Extreme care must be exercised not to damage conduit or cables during removal of curb and construction of access points. It will be necessary to protect cables by encasing them in fiber conduit with an envelope of concrete. The permittee shall notify the Department District Electrical Supervisor at least three working days prior to any excavation adjacent to curb.

(j) When applications require movement or relocation of highway facilities by the Department, the applicant shall assume all expenses involved in the movement or relocation of the highway facilities and any expenses for additional facilities necessitated by the move. The Department will have the work completed.

**16:47-3.14 Materials and workmanship**

(a) Construction within highway right-of-way is subject to inspection and approval by the Department.

1. The work, as far as is practicable, must conform in quality and appearance to similar Department construction.

2. Materials shall conform to the Department "Standard Specifications for Road and Bridge Construction", unless otherwise specified in this Access Code or in the permit.

3. The Department may assign an inspector to the job whose time and expenses shall be charged to the permittee.

(b) The cost of construction work and materials shall be entirely at the permittee's expense. The Department will not share in any expense or do any construction work pertaining to driveways.

**16:47-3.15 General information**

(a) The Department will not expend public funds in assisting abutting lot owners to obtain access to the highway.

(b) Only ground cover which will not exceed 12 inches in height at full maturity may be allowed within the sidewalk area, subject to Department approval. Plantings shall not interfere with sight distance.

(c) Dedications or donations of land shall comply with prevailing Federal laws and Federal Highway Administration regulations.

**16:47-3.16 Municipal and county actions**

(a) As of September 21, 1992, no lot abutting a State highway shall be subdivided in a manner which would create additional lots abutting that highway unless all the abutting lots created are conforming under the Access Code, restricted from access to the State highway, or established pursuant to N.J.A.C. 16:47-3.5(d)2. Subdivisions are considered to be created on the date of preliminary municipal approval. Direct access from subdivided lots to a State highway shall only be permitted by the Department if the access meets the requirements of conforming lots under this Access Code. Nonconforming lots in existence as of September 21, 1992 shall not be subdivided in a manner which would make them less conforming, except that those nonconforming lots on State highways classified as access level 2 may be subdivided because of the creation of new street intersections.

(b) When the Department either denies an access application or revokes an existing access permit because alternative access is available, the decision of the Department with regard to the appropriate access location shall be final, the action of any municipal or county body to the contrary notwithstanding. Any subsequent municipal or county review shall abide by the Department's decision. The municipality or county may require additions or changes in the design of the development in accordance with any applicable provisions of its development review ordinances provided that such additional requirements do not conflict with the Department's decision.

(c) Municipalities are encouraged not to grant a zoning variance for a lot abutting a State highway when the traffic volume from the use would not be in conformance with the traffic volume allowed pursuant to the Access Code. The Department will not issue a permit for traffic volumes which exceed those allowed under the Access Code.

(d) The Department shall issue a Certificate of Acceptance to permittees for major access points with a planning review and send a copy to the municipal building inspector and the municipal engineer. Municipalities shall not issue certificates of occupancy until they have received a copy of the Certificate of Acceptance.

(e) Any municipality or county may build new roads or acquire access easements, by purchase or condemnation, to provide alternative access to existing developed lots which have no other means of access except to a State highway.

(f) Any municipality or county may acquire, by purchase or condemnation, any right of access to any highway upon a determination that the public health, safety and welfare require it.

(g) Municipalities and counties are encouraged to seek appropriate mitigation from applicants when the Department requires alternative access under N.J.A.C. 16:47-3.2(a) or 4.3(g). See Appendix H, incorporated herein by reference, Cases 2 and 3.

(h) Municipalities and counties may submit comments on major access applications to the Bureau of Major Access Permits within 30 days of receipt of a duplicate copy of the application from the applicant as required in N.J.A.C. 16:47-4.3(o).

Administrative change to (h).

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

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

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

Revised (a).

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

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

#### 16:47-3.17 Department actions

(a) For access levels 2 through 6 along a State highway, paragraphs (a)1 and 2 below apply.

1. The Commissioner may modify a proposed access or deny an access permit application otherwise in conformance with this Access Code if site-specific highway efficiency and safety considerations so warrant.

2. Nothing set forth in this Access Code shall be interpreted as requiring the Department at its own expense to signalize, construct or improve access points on the State highway system or make other improvements related thereto.

(b) The Department may build new roads or acquire access easements, by purchase or condemnation, to provide alternative access to existing developed lots which have no other means of access except to a State highway.

(c) The Department may acquire, by purchase or condemnation, any right of access to any highway upon a determination that the public health, safety and welfare require it.

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## SUBCHAPTER 4. PERMITS

### 16:47-4.1 Applications for staged development

Applications for staged development will be approved if the access plan at each stage of development satisfies minimum design standards. If the development is staged, the applicant shall indicate the maximum development potential, under zoning, for the undeveloped portion of the lot.

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

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

### 16:47-4.2 Concurrent applications

When the Department receives an application which may affect the same section of a State highway as another application for which a permit has not yet been issued, the Department will coordinate the review of both applications and determine the fair share financial contribution or highway improvements for both sites combined. The responsibility will be proportioned between the two applicants based on their respective amounts of site traffic.

### 16:47-4.3 Permit process

(a) Each lot owner shall obtain a permit from the Department before performing any of the activities listed below. Separate applications and permits are needed for each street or lot having direct access to the State highway:

1. Constructing one or more driveways or streets intersecting a State highway;

2. Changing or modifying any existing driveway or street intersecting a State highway;

3. Constructing sidewalk, curb, drainage, or any other related work within the limits of a State highway right-of-way;

4. Expanding the facilities on a lot, having access to a State highway, to the extent that a significant increase in traffic results;

5. Changing the use on a lot, having access to a State highway, to the extent that significant increase in traffic results;

6. Subdividing a lot having access to a State highway (any resultant lot which has direct State highway access needs a permit);

7. Consolidating a lot having access to a State highway; or

8. Initiating any activity which may interfere with the free and safe movement of normal highway traffic on a State highway.

(b) An access permit is not needed to perform maintenance and in-kind replacement.

(c) All driveways and streets in existence prior to July 1, 1976 shall be considered to have been constructed in accordance with an access permit, even if no permit was issued. All driveways and streets constructed after July 1, 1976 must have had permits issued or they are presumed not to have permits. The Department shall administer this provision as shown in Appendix G, incorporated herein by reference.

(d) An applicant shall complete the proper application form and submit it to the appropriate Regional Maintenance Office or the Bureau of Major Access Permits. The Regional Maintenance Office or the Bureau of Major Access Permits will determine if permits are necessary, confirm that the applicant has applied for the proper type of permit, coordinate the review with other Department offices, and issue letters confirming that permits are not needed, when appropriate.

(e) An application shall not be considered to have been submitted and processing of a permit application shall not begin, unless and until, the proper fee for the application has been submitted.

(f) Applications pertain to lots, not access points. Applications for driveways can only be signed by the lot owner or a representative holding an appropriate power of attorney. A completed power of attorney form (MT-156) shall be submitted with the application when the lot owner does not sign the application. For shared access between lots, at the time of the development application for each lot, an application and separate fee shall be submitted for each lot signed by each lot owner. For easements or access through lots adjacent to the highway, the application shall be signed by the owner of the lot adjacent to the highway.

(g) Applications shall reflect conditions that exist at the time the application is submitted to the Department and include all State, county, municipal or private projects that have been advertised for construction or awarded, as appropriate.

(h) All State highways shall be identified by route number. Direction of travel shall be based on the general orientation of the route as designated by the Department. These directions may differ from the orientation of the particular highway segment.

(i) Street intersection applications shall be submitted to the Bureau of Major Access Permits for all lane additions to existing streets, and new streets. Street improvement applications must be submitted for all other proposed changes to existing streets. Applications for new streets and lane additions to existing streets can be signed by an adjacent lot owner or the county or municipal official. Applications for other changes to existing streets shall be signed by the county or municipal official.

(j) There are three different categories of access applications. They are shown in N.J.A.C. 16:47-4.4(a) and are based on the following factors:

1. Traffic generation, as determined by reference to the Institute of Transportation Engineers (ITE) publication entitled "5th Edition, Trip Generation," superseding edition, or superseding rates adopted by the Department. For land uses not listed in these sources or when an applicant believes these rates are not representative, the Department may accept alternative evidence of representative rates; and

2. Those vehicle trips which directly access a State highway.

(k) Permits expire when the permittee violates any permit conditions. In addition to site-specified conditions imposed by the Department, all future permits shall include the following conditions:

1. A permit expires when the use of the lot served by the permit is expanded or changes resulting in a significant increase in traffic;

2. The lot covered by the permit shall not be subdivided or consolidated with another lot;

3. Work must be started within two years of the date the permit was issued unless stated otherwise in the permit;

4. Adequate advance warning for motorists approaching the construction site is required at all times during access construction, in conformance with the "Manual on Uniform Traffic Control Devices for Streets and Highways." This may include the use of signs, flashers, barricades, drums, and flaggers;

5. The Department may restrict the hours of work on or immediately adjacent to a State highway due to peak-hour traffic demands or other pertinent roadway operations;

6. The permittee shall make a copy of the permit available for review at the construction site;

7. The conditions of the permit are binding upon all successors in interest in the lot; and

8. An access permit expires on the date when another access permit is issued for the same lot.

(l) When the Department becomes aware that a permit condition has been violated, it shall notify the permittee, in writing, that the permittee has 30 days within which to remedy the violation. Failure to remedy the violation within the specified time limit will cause expiration of the permit. The Department will provide written notice of the effective date of the expiration and may seek the civil penalties provided for in N.J.S.A. 27:7-44.1 or other available remedies. The penalties shall commence on the day following the date of expiration.

(m) When the holder of an expired permit applies for a new permit, the application shall reflect the expanded or changed use as well as the continuing uses covered in the expired permit. Only traffic generated by the expanded or changed use will be used to determine the highway impacts.

(n) The Department may revoke any permit after the Commissioner determines that reasonable alternative access is available for the lot served by the permit and that elimination of direct access will benefit the safety and efficiency of the State highway. For a lot with existing direct access that is used for purposes more intense than it is zoned for, the existing use shall be used to classify which revocation standards apply. The permit shall not be revoked until the alternative access is completed and available for use. Prior to revocation, the Department shall:

1. Determine that the lot has reasonable access to the general system of streets and highways in the State, other than its State highway access, and that:

i. For a lot zoned or used for commercial purposes, has access onto any parallel or perpendicular street, highway, easement, service road, or common driveway, which is of sufficient design to support commercial traffic to the site, and is situated so that motorists will have a convenient, direct, and well-marked means of reaching the site and returning to the State highway. Commercial purposes include, but are not limited to:

- (1) Wholesale facilities;
- (2) Retail facilities;
- (3) Service establishments;
- (4) Office buildings;

(5) Research buildings; and

(6) Residential parcels of at least 25 acres and at least four residential units per acre;

ii. For a lot zoned or used for industrial purposes, has access onto any improved public street, highway, access road, or assessment across an industrial access road, which is of sufficient design to support necessary truck and employee access as required by the industry; and

iii. For a lot zoned or used for residential or agricultural purposes (except as provided in (n)1i(6) above), has access onto any improved public street or highway.

2. Provide to the lot owner and all lessees:

i. Ninety days written notice of the right to request a hearing in accordance with the provisions of the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., and the Uniform Administrative Procedure Rules, N.J.A.C. 1:1;

ii. A plan depicting reasonable alternative access and signing; and

iii. A plan depicting the improvements the Department will make to provide the access;

3. File a copy of the plan with the municipal clerk and the planning board secretary of the municipality in which the lot is located. If the alternative access is to a county road, the Department shall also send a copy of the plan to the county clerk and county planning board;

4. Provide all necessary assistance in the establishment of the alternative access. Such assistance shall include, but not be limited to, payment of the costs and expenses associated with:

i. Removal of existing driveways;

ii. Construction of alternative access;

iii. Engineering design;

iv. On-site circulation improvements to accommodate the changes in access;

v. Landscaping to replace that disturbed by the changes in access;

vi. Replacement of directional and identifying signs as provided in 5 below;

vii. Acquisition of lands or rights or interests in lands to accommodate the changes in access; and

viii. Acquisition of any other right required to accommodate the changes in access.

5. Erect on the State highway and on connecting local highways suitable signs directing motorists to the new access location. When the Department provides signing for alternative access, it shall use generic, white messages

on green or blue background signs of no more than eight square feet. The signing shall be placed in locations designated by the Commissioner and be maintained for a period of one year after the opening of the alternative access, after which time the Department may remove the signs; and

6. Provide the necessary roadway pavement structure and road widths meeting municipal standards for municipal roads and county standards for county roads for local roads traversed by traffic using the alternative access in lieu of the State highway access. The Department shall also provide a level of service to accommodate existing traffic plus site-generated traffic meeting the requirements of N.J.A.C. 16:47-4.24 through 4.29. The Department shall not have responsibility for maintaining these local roads.

(o) At the time of submission of any major access application, the applicant shall submit duplicate copies of the application to the municipal clerk of the municipality in which the lot is located and county planning board and advise that the municipality and county have 30 days to submit any comments to the Bureau of Major Access Permits.

(p) Prior to submitting any access application for development within the Pinelands area, the applicant shall give notice to the Pinelands Commission pursuant to N.J.A.C. 7:50-4.83. The application submitted to the Department shall indicate the applicant's compliance with the requirements of N.J.A.C. 7:50-4.81.

(q) The Department may deny direct access to a State highway if reasonable alternative access exists. The Department may also require alternative access in addition to direct State highway access if the Commissioner determines the alternative access will benefit the safety and efficiency of the State highway. In both cases, the Department shall not be responsible for addressing impacts on local roads. The applicant may be responsible for addressing local road impacts through the municipal approval process and county approval process. See Appendix H.

(r) Any lot owner who expands or changes the use of the lot subject to an existing or grandfathered access permit which was issued or effective April 20, 1992 shall file an application for a new access permit if the expansion or change in use will result in a significant increase in traffic.

Administrative changes to (d), (g), (i) and (o).

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

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

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

Revised (n)5.

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).

#### 16:47-4.4 Type of permit and review determination

(a) The Department shall determine the types of applications required. Single-family residential permits, residence and business combined permits, and government driveway permits shall be classified based on the definitions in N.J.A.C. 16:47-1.1. The Department shall be guided by Appendix E and Appendix E1, Access Application Thresholds, incorporated herein by reference, in determining the other types of applications and in determining which Department units will review an application.

1. Any use generating less than 500 vehicle trips per day directly accessing a State highway to and from the lot requires a minor application.

2. Any use generating 500 or more vehicle trips directly accessing a State highway per day and less than 200 peak-hour vehicle trips to and from the lot requires a major application.

3. Any use generating 500 or more vehicle trips per day and 200 or more peak-hour vehicle trips directly accessing a State highway to and from the lot requires a major application with a planning review.

(b) The type of application required for lots having more than one use can be estimated using Appendix E and Appendix E1 in the following manner:

1. With the size of each use and the 500 trip column, calculate the proportion of the proposed size by use to the 500 daily trip unit values. Next sum these proportions. If the sum is less than 1.00, then the application will be a minor. If the sum is equal to or greater than 1.00, then the application will be a major and require the second test.

2. With the size of each use and the 200 trip column, calculate the proportion of the proposed size by use to the 200 peak-hour trip unit values. Next sum these proportions. If the sum is less than 1.00, then the application is a major. If the sum is equal to or greater than 1.00, then the application is a major with planning review.

(c) The chart in Appendix E and Appendix E1 should be used only to estimate trip generation and assist in determining the type of application. Applicants should contact the Regional Maintenance Offices or the Bureau of Major Access Permits for assistance on the use of the table. The type of application, any required traffic analysis for potential traffic signals, or traffic impact study shall use the trip generation process derived from the Institute of Transportation Engineers publication entitled "5th Edition Trip Generation Report," or superseding edition including the use of superseded trip generation rates adopted by the Department. If the lot is to be served by alternative access as well as direct access to a State highway, the applicant is encouraged to discuss the distribution of vehicles between the direct access and alternative access with the Regional Maintenance Office or the Bureau of Major Access Permits.

(d) If the applicant either fails to specify a land use or specifies "flexspace," the Department will review the application based on a worst-case traffic scenario.

(e) No deductions shall be allowed for passby or internal trips when determining the type of permit.

(f) Peak-hour trips from traffic generation rates for applications and permits shall be the highest average rates of the A.M., P.M., and Saturday peak hours found in the Institute of Transportation Engineers publication entitled "5th Edition Trip Generation Report", or superseding edition, or superseding rates adopted by the Department. Daily traffic volumes shall be the highest average rates of the weekday and weekend rates found in the same source. For land uses not listed in these sources or when an applicant believes these rates are not representative, the Department may accept alternative evidence of representative rates. The Department will not accept a series of daily, weekly, or monthly traffic counts as a basis for establishing a long-term average rate.

Administrative change to (c).  
See: 25 N.J.R. 1005(b).  
Administrative Correction.  
See: 25 N.J.R. 3238(b).  
Amended by R.1993 d.524, effective November 1, 1993.  
See: 25 N.J.R. 3129(a), 25 N.J.R. 4915(b).

**16:47-4.5 Access permit applications**

(a) The maximum time frames for the review of various types of applications are summarized below. They are for the Department only and do not include any applicant time or time for Federal Highway Administration reviews of work on interstate highways, interchanges or ramps. The Department's check of the completeness of an application is included in these time frames.

**DEPARTMENT TIME FOR APPLICATIONS ACCEPTED FOR REVIEW (IN DAYS)<sup>1</sup>**

	Form	Minor <sup>2</sup>	Major	Major with Planning Review
Single Family Residential Driveway	MT-32	35	NA	NA
Residence and Business Driveway	MT-32	35	NA	NA
Minor	MT-32	35	NA	NA
Government Driveway	MT-32	35	100	175
Major Use	MT-32	NA	100	175
Street Intersection	MT-160	35	100	175
Concept Review	MT-32	NA	100	175
Street Improvement	MT-158	35	NA	NA
Lot Consolidation or Subdivision	MT-155	NA	50	NA

(NA means Not Applicable)  
1. Times are for applications in areas not covered by access management plans. Refer to N.J.A.C. 16:47-4.17 for reduced times in these areas.  
2. If a traffic signal is involved, the review may take 45 additional days.

(b) The time for the Department review of an application may be extended with the written consent of the applicant.

(c) Potential applicants shall schedule a pre-application conference with the Major Permits Unit for major applications with a planning review.

(d) When an applicant fails to respond to a Department request for information within 90 days of the request, the application shall be considered withdrawn.

Amended by R.1993 d.524, effective November 1, 1993.  
See: 25 N.J.R. 3129(a), 25 N.J.R. 4915(b).

**16:47-4.6 Permits and permit fees**

(a) The non-refundable fees for access applications, permits, and renewals are set forth below. Fees shall be in the form of a check or money order made payable to the Department. Cash will not be accepted. The application fee shall be submitted with the application, but the permit fee should not be submitted until the applicant returns the signed permit to the Regional Maintenance Office. The Department shall not issue a permit until the proper fee for the permit has been collected and the permit has been signed.

Type	Application Fee Each Lot	Permit Fee Each Lot	Renewal Fee Each Lot
Single Family Residential Driveway	\$ 35.00	\$ 15.00	\$ 15.00
Residence and Business Driveway	75.00	25.00	25.00
Government Driveway	150.00	500.00	250.00
Minor	265.00	85.00	85.00
Major	3,750.00	1,250.00	250.00
Major with Planning Review	9,000.00	3,000.00	250.00
Concept Reviews	500.00	—	—
Street Intersection	150.00	500.00	250.00
Street Improvement	5.00	25.00	25.00
Lot Subdivision or Consolidation	200.00	50.00	—

(b) Developments containing at least 10 percent of the housing units on the site set-aside for low and moderate income residents, pursuant to the Fair Housing Act, P.L. 1985, c.222, N.J.S.A. 52:27D-301 et seq., or under court settlement, are entitled to a 10 percent reduction in the permit fee. To be eligible for this reduction, the applicant shall submit the full application fee and an affidavit from the municipal approving authority, certifying that the 10 percent requirement has been met. Upon approval of the access, the Department will reduce the permit fee by 10 percent of the total application and permit fees combined. The renewal fees are not subject to reduction.

(c) A permit issued by the Department affords the permittee the right to construct, maintain, and use a driveway or street connecting to a State highway under the terms and conditions of the permit. Approval of an access application does not accord the applicant any of these rights.

(d) A permittee may construct an access point intersecting a State highway except:

1. When the construction work under the permit, including those permits issued under N.J.A.C. 16:41, is not started within two years of the date the permit was issued, the permit expires, unless stated otherwise in the permit. The permittee shall submit a new application, with supporting documentation as set forth in the checklists in N.J.A.C. 16:47-4.9(b), 4.10(b), 4.12(b) or 4.14(b), which reflects changes and the fee appropriate at the time of the new application.

2. A permit expires if all construction work under the permit, including those permits issued under N.J.A.C. 16:41, is not completed within two years of the date the permit was issued, unless stated otherwise in the permit or extended by renewal. Upon expiration, the Department may use the remedies described in (g) below to restore any disturbed area.

(e) When the construction work under the permit, including those permits issued under N.J.A.C. 16:41, is started within two years of the date of permit issuance but cannot be completed in the indicated time, the permittee shall request an extension of time in writing from the appropriate Regional Maintenance Office and submit the required renewal fee in the form of a check or money order. The Department may approve one one-year extension.

(f) The Department may impose those site-specific terms and conditions it deems necessary and convenient when issuing permits. Every permit will include the daily and peak hour traffic volumes permitted for the lot.

(g) As a condition of any permit the Department may require a bond or certified check in an amount sufficient to guarantee or insure proper maintenance or restoration of the area disturbed by the permittee. If it becomes necessary for Department forces or contractors to make repairs, for any reason, the cost of such work shall be borne by the permittee.

(h) The permittee shall notify the Regional Maintenance Office at least 72 hours prior to starting work, in order that the Department may have a representative at the site. The access shall be completed in an expeditious and safe manner. It is the responsibility of the permittee to complete the construction of the access according to the terms and conditions of the permit.

(i) Permittees may maintain and repair their access points under their permit.

(j) A permittee may use the access points designated in a permit.

(k) The Department will have each permit recorded in the county in which the subject lot is located.

(l) If, after issuance of a permit by the Department, a permittee is barred or prevented, directly or indirectly, from proceeding with the development by a legal action instituted by any State agency, political subdivision, or any other individual or party or by a directive or order issued by any State agency, political subdivision, or court of competent jurisdiction, the period of time prescribed by this Code for construction of an access point intersecting a State highway shall be tolled during the pendency of said legal action, directive, or order. The permittee shall notify the Regional Maintenance Office in writing and include its supporting documentation within 30 days of any action that may invoke this provision. If construction has already commenced, the permittee shall immediately contact the Regional Maintenance Office to ensure that the cessation of work does not create a hazard. The permittee shall restore any disturbed area at a time and in a manner prescribed by the Department or the Department may do so at the permittee's expense. The remaining access construction time shall again begin to run from the date on which the legal directive or order is removed. The permittee shall notify the Regional Maintenance Office or the Bureau of Major Access Permits, whichever issued the permit, in writing within 30 days of the date of such resolution or removal. The Department reserves the right to reevaluate the access permit conditions if the tolling time extends beyond five years from the date of the permit.

(m) The Department shall act upon applications and permits according to existing rules (N.J.A.C. 16:41) for those projects for which a complete access application or concept review application has been received by the Department and which have also received either preliminary site plan approval or subdivision approval from the municipal approval authority pursuant to P.L. 1975, c.291 (N.J.S.A. 40:55D-1 et seq.), or an approved general development plan as of September 21, 1992. Permit applications for all other projects shall be acted upon according to this Access Code.

(n) If the Department denies a permit, the denial letter shall set forth the reasons for the denial and include references to published policies and standards which support the denial.

(o) In order to obtain a permit, the applicant shall include a title block on the permit plans. The title block shall be located in the lower right corner of the plans and should be three inches high and seven inches wide and shall include the block, lot, municipality, county, date, and name of the lot owner.

Administrative change to (l).

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

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

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

Revised (l).

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).

**16:47-4.7 Companion Department permits**

Access permits do not cover all types of occupancy of the Department's right-of-way. Other permit applications may be required in conjunction with the access application. These applications will become companion applications to the access application. They will be reviewed together. All of the required permits will be issued at the same time. The Department may accept one access application for combining activities for access, drainage, curb, sidewalk, left-turn slots, lot consolidation or subdivision and landscape and issue a single access permit to authorize all of these activities.

Amended by R.1993 d.210, effective May 17, 1993.  
See: 25 N.J.R. 903(a), 25 N.J.R. 1990(a).

Revised text.

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

**16:47-4.8 Minor access permits process**

(a) The Regional Maintenance Office will determine whether an application meets the criteria for the type of application applied for and whether the application is acceptable for review, and send a written notice of these determinations to the applicant within 10 days of receipt. If the application is unacceptable, the notification will contain a request for specific additional information.

(b) A minor application will be reviewed and either approved or denied within a maximum of 30 calendar days of receipt of a complete application, unless a traffic signal is involved. Permits will be issued within a maximum of 35 calendar days of receipt of a complete application if the application is approved, unless a traffic signal is involved.

(c) The Regional Maintenance Office will advise the applicant of the results of the Department's review. If the application is approved, the Regional Maintenance Office will request from the applicant the submission of the permit documents and the permit fee.

(d) The applicant shall submit the completed and signed permit documents and permit fee to the Regional Maintenance Office within 180 days of the Regional Maintenance Office notice of approval. Applicants failing to respond on time will have their applications rejected.

(e) When the Department requests information from the applicant, the step in the process and its associated time frame will restart once the Department receives the information. If the applicant does not provide the Department with the requested information within 90 days of the request, the application shall be considered withdrawn.

(f) Minor applications that require modification of traffic signals must be reviewed by the Bureau of Traffic Engineering and Safety Programs and the Bureau of Electrical Engineering. Minor permits may be issued conditionally,

subject to approval of traffic signal work. The final approval may extend the minor application review time by 45 days.

(g) If the Regional Maintenance Office finds either the same form deficiency or the same technical content deficiency three times in an applicant's submissions, then the application will be rejected and the applicant must reapply and submit a new application and fee.

(h) If the applicant changes the proposed development or access plan in response to Department comments, a new application and fee will not be required unless the applicant fails to eliminate all deficiencies within three submissions. If the applicant unilaterally changes the proposed development or access plan, however, a new application and fee shall always be submitted.

(i) After the permittee constructs the access and meets all conditions of the permit, the permittee shall notify the Regional Maintenance Office, in writing. Within 30 calendar days of its receipt of the notice, the Regional Maintenance Office will notify the permittee if any corrective action is required by the permittee.

**16:47-4.9 Minor access permits checklist for single-family residential and residence and business combined**

(a) Applications for minor access permits for single-family residential and residence and business combined shall be accompanied by six copies of a detailed sketch or plan to a scale of one inch equals 30 feet or one inch equals 50 feet showing the location and type of proposed driveways in relation to the curbline. Plan sheet size shall not exceed 24 inches by 36 inches. Topographic features shall be shown for the lot frontage and the frontage of the adjacent lots.

(b) The following information shall be submitted with the application:

1. Copy of tax map showing block number, lot number and lot lines;
2. Right-of-way line from Department desirable typical section;
3. Setback and location of structures;
4. Curb—existing and proposed;
5. Sidewalks—existing and proposed;
6. Trees within Department right-of-way;
7. Signs—regulatory, warning, directional, and private;
8. Utility poles;
9. Locations of all lot driveways—existing and proposed;
10. Driveway width;
11. Driveway alignment with respect to the highway;

12. Curblines openings;
13. Highway electrical installations;
14. Corner clearance;
15. Edge clearance;
16. Estimated 24-hour traffic count for the lot and each access point;
17. Type of driveway and apron construction (concrete, bituminous, gravel);
18. Justification for exceptions to design standards;
19. Length of lot frontage along highway;
20. Distance to nearest traffic signals if less than 250 feet—preceding (in feet) following (in feet);
21. Zoning designation for lot;
22. Waivers requested;
23. Location of any access easements on the lot;
24. Applicability of the Pinelands Act; and
25. A copy of the current deed for the lot.

(c) A temporary traffic control plan for each stage of construction may be required at the discretion of the Department.

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

**16:47-4.10 Minor access permits checklist for other minor traffic generators**

(a) Applications for minor access permits for other minor traffic generators shall be accompanied by eight copies of detailed plans to a scale of one inch equals 30 feet or one inch equals 50 feet. Plan sheet size shall not exceed 24 inches by 36 inches. Topographic features shall be shown on both sides of undivided roads and one side of divided roads for 500 feet beyond the lot frontage in each direction.

(b) The following information shall be submitted with the application:

1. Lot location map (Maps should reference at least two cross streets on each side of the lot, milepost, north arrow and scale);
2. Copy of tax map showing block number, lot number and lot lines;
3. Right-of-way line from Department desirable typical section;
4. Setback and location of structures;
5. Curb—existing and proposed;
6. Sidewalks—existing and proposed;
7. Trees within Department right-of-way;

8. Signs—regulatory, warning, directional, and private;
9. Utility poles;
10. Highway electrical installations;
11. Locations of all lot driveways—existing and proposed;
12. Driveway width;
13. Driveway alignment with respect to the highway;
14. Curblines openings;
15. Edge clearance;
16. Type of driveway and apron construction (concrete, bituminous, gravel);
17. Contours—existing and proposed;
18. Corner clearance;
19. Driveway and island radii;
20. Estimated 24-hour and highway peak-hour traffic count for the lot and each access point;
21. Number of lanes on the highway;
22. Speed-change lanes (acceleration, deceleration, left turn slots);
23. Lane and shoulder widths;
24. Typical pavement sections (within Department right-of-way)—existing and proposed including cross slopes, widths, pavement types, and thicknesses;
25. Location of centerline on undivided highways and median of divided highways;
26. Location of existing median openings on divided highways;
27. Location of existing driveways on opposite side of undivided highways;
28. Dimensions from the lot line to the edge of pavement;
29. Number of new units for residential use; rooms for hotels and motels; square footage for retail, office, or warehouse; or appropriate unit of measure for other land use;
30. Parking facilities and internal traffic circulation;
31. Highway traffic striping—existing and proposed;
32. Construction details;
33. Justification for exceptions to design standards;
34. Length of lot frontage along highway;
35. Distance to nearest traffic signal if less than 250 feet—preceding (in feet) following (in feet);
36. Zoning designation for lot;

37. Waivers requested;
38. Location of any access easements on the lot;
39. Applicability of the Pinelands Act; and
40. A copy of the current deed for the lot.

(c) A temporary traffic control plan for each stage of construction may be required at the discretion of the Department.

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

#### 16:47-4.11 Major access permits process

(a) The Bureau of Major Access Permits will determine whether an application meets the criteria for the type of application applied for and whether the application is acceptable for review and send a written notice of these determinations to the applicant within 10 days of receipt. The Bureau of Major Access Permits will send notice of acceptability of the application to the applicant within 30 days of receipt by the Department.

(b) A major application will be reviewed and either approved or denied within a maximum of 95 days. A permit will be issued within a maximum of 100 days of receipt of a complete application if the application is approved.

(c) The Bureau of Major Access Permits will advise the applicant of the results of the Department's review. If the application is approved, the Bureau of Major Access Permits will request from the applicant submission of the permit documents and the permit fee.

(d) The applicant shall submit the completed and signed permit documents and permit fee to the Bureau of Major Access Permits within 180 calendar days of the Bureau of Major Access Permits notice of approval. Applicants failing to respond on time will have their applications rejected.

(e) When the Department requests information from the applicant, the step in the process and its associated time frame will restart once the Department receives the information. If the applicant does not provide the Department with the requested information within 90 days of the request, the application shall be considered withdrawn.

(f) The permittee shall notify the Regional Maintenance Office in writing after the permittee constructs the access and meets all conditions of the permit. The Regional Maintenance Office will notify the permittee if any corrective action is required by the permittee within 30 calendar days of its receipt of the notice.

(g) If the Bureau of Major Access Permits finds either the same form deficiency or the same technical content deficiency three times in an applicant's submissions, then the application will be rejected and the applicant must reapply and submit a new application and fee.

(h) If the applicant changes the proposed development or access plan in response to Department comments, a new application and fee will not be required unless the applicant fails to eliminate all deficiencies within three submissions. If the applicant unilaterally changes the proposed development or access plan, however, a new application and fee shall always be submitted.

Administrative corrections to (a), (c), (d) and (g).  
See: 25 N.J.R. 1005(b).

#### 16:47-4.12 Major access permits checklist

(a) Applications for major access permits shall be accompanied by eight copies of detailed plans to a scale of one inch equals 30 feet or one inch equals 50 feet. Plan sheet size shall not exceed 24 inches by 36 inches. Plans prepared for local site-plan approval may not contain sufficient information for highway access approval.

(b) The following information shall be submitted with the application:

1. Lot location map (The Key map must reference at least two cross streets on each side of the lot, milepost, north arrow and scale);
2. Copy of tax map showing block number, lot number and lot lines;
3. Right-of-way line from Department desirable typical section;
4. Topography showing all highway features within 500 feet of the lot frontage on both sides of undivided roads and up to the centerline on divided roads;
5. Setback and location of structures;
6. Curb—existing and proposed;
7. Sidewalks—existing and proposed;
8. Trees within Department right-of-way;
9. Signs—regulatory, warning, directional, and private;
10. Utility poles;
11. Highway electrical installations;
12. Locations of all lot driveways—existing and proposed;
13. Driveway width;
14. Driveway alignment with respect to the highway;
15. Curblin openings;
16. Edge clearance;
17. Type of driveway and apron construction (concrete or bituminous);
18. Contours—existing and proposed;
19. Corner clearance;

20. Driveway and island radii;
21. Estimated 24-hour and highway peak-hour traffic count for the lot and each access point;
22. Number of lanes on the highway;
23. Speed-change lanes (acceleration, deceleration, left turn slots);
24. Lane and shoulder widths;
25. Typical pavement sections (within Department right-of-way)—existing and proposed, including cross slopes, widths, pavement types and thicknesses;
26. Location of centerline on undivided highways and median of divided highways;
27. Location of existing median openings on divided highways, within 1,000 feet of site;
28. Location of existing driveways on opposite side of undivided highways;
29. Dimensions from the lot line to the edge of pavement;
30. Number of new units for residential use; rooms for hotels and motels; square footage for retail, office, or warehouse; or appropriate unit of measure for other land use;
31. Parking facilities and internal traffic circulation;
32. Traffic patterns—existing and proposed;
33. Highway traffic striping—existing and proposed;
34. Construction details;
35. Type of vehicles anticipated;
36. Attachments to Department drainage system—existing and proposed;
37. Drainage calculations—existing and proposed;
38. Changes to existing traffic signals;
39. New traffic signals and MUTCD warrant numbers;
40. Length of lot frontage along highway;
41. Distance to nearest traffic signal if less than 500 feet—preceding (in feet), following (in feet);
42. Zoning designation for lot;
43. Waivers requested;
44. Copies of transmittals of duplicate applications to the municipal clerk and county planning board;
45. Location of any access easements on the lot;
46. Applicability of the Pinelands Act; and
47. A copy of the current deed for the lot.

(c) A temporary traffic control plan for each stage of construction may be required at the discretion of the Department.

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

#### **16:47-4.13 Major access permits with planning review process**

(a) Potential applicants shall schedule a pre-application conference with the Bureau of Major Access Permits for major applications with a planning review.

(b) Potential applicants considering submission of major applications requiring a planning review shall send the Bureau of Major Access Permits a letter including the following information for the proposed development:

1. Lot location noting route, direction, milepost, municipality and county;
2. Size and type of each different land use;
3. Access and highway improvement schemes under consideration;
4. Trip generation, distribution and assignment for each land use and time period analyzed;
5. Opening date or staging for development;
6. Buildout year;
7. Suggested agenda for pre-application meeting; and
8. Involvement with a Department electrical facility such as, but not limited to, a traffic signal or highway lighting.

(c) The Bureau of Major Access Permits will schedule the pre-application conference. The Department recommends the applicant be accompanied by a traffic engineer at the pre-application conference.

(d) The potential applicant shall discuss the locations to be studied and the contents of the traffic impact study with a representative of the Bureau of Major Access Permits at the pre-application conference.

(e) An application shall be received by the Department within 12 months of the date of the pre-application meeting. If an applicant fails to meet this requirement, the applicant shall request another pre-application meeting pursuant to N.J.A.C. 16:47-4.12(a) and (b). The Bureau of Major Access Permits will notify the applicant in writing of acceptance or rejection of the application and verify the type of permit within 10 days of receipt. The Bureau of Major Access Permits will send a written notice of acceptability of the application for review to the applicant within 30 days of receipt by the Department.

(f) A major application with planning review will be reviewed and either approved or denied within a maximum of 170 days of receipt of a complete application. A permit will be issued within a maximum of 175 days of receipt of a complete application if the application is approved.

(g) When the Department requests information from the applicant, the step in the process and its associated time frame will restart once the Department receives the information. If the applicant does not provide the Department with the requested information within 90 days of the request, the application shall be considered withdrawn.

(h) If the Bureau of Major Access Permits finds either the same form deficiency or the same technical content deficiency three times in an applicant's submissions, then the application will be rejected and the applicant must reapply and submit a new application and fee.

(i) If the applicant changes the proposed development or access plan in response to Department comments, a new application and fee will not be required unless the applicant fails to eliminate all deficiencies within three submissions. If the applicant unilaterally changes the proposed development or access plan, however, a new application and the fee shall always be submitted.

(j) The Bureau of Major Access Permits will advise the applicant of the results of the Department's review. If the application is approved, the Bureau of Major Access Permits will request from the applicant submission of the permit documents and fee.

(k) The applicant shall submit the completed and signed permit documents and permit fee to the Bureau of Major Access Permits within 180 days of the Bureau of Major Access Permits notice of approval. Applicants failing to respond on time will have their applications rejected.

(l) After the permittee constructs the access and meets all conditions of the permit, the permittee shall notify the Regional Maintenance Office, in writing. Within 30 calendar days of its receipt of the notice, the Regional Maintenance Office will notify the permittee if any corrective action is required by the permittee.

(m) A Certificate of Acceptance by the Bureau of Major Access Permits will be issued to the permittee and a copy sent to the municipal building inspector within 10 calendar days of the Regional Maintenance Office's finding that the access conforms to the conditions of the permit. The Certificate of Acceptance may be issued after substantial completion of the construction within state right-of-way and prior to the completion of all work if the permittee provides a performance bond or other guarantee acceptable to the Department to ensure the work will be completed.

(n) The permittee shall not use the access and a municipality shall not issue a certificate of occupancy until the

Department has issued a Certificate of Acceptance. Use of the access prior to issuance of a Certificate of Acceptance shall subject the permittee to penalties under N.J.S.A. 27:7-44.1 and all other remedies available to the Department.

Administrative changes to (a) through (e), (h), (j), (k) and (m).  
See: 25 N.J.R. 1005(b).

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

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

Revised (e) and (m).

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

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

Administrative Correction.

See: 26 N.J.R. 2299(c).

#### **16:47-4.14 Major access permits with planning review checklist**

(a) Applications for major access permits with planning review shall be accompanied by five copies of the traffic impact study, nine copies of detailed plans to a scale of one inch equals 30 feet or one inch equals 50 feet. Plan sheet size shall not exceed 24 inches by 36 inches. Plans prepared for local site-plan approval may not contain sufficient information for highway access approval.

(b) The following information shall be submitted with the application:

1. Lot location map (The Key map must reference at least two cross streets on each side of the lot, milepost, north arrow and scale);
2. Copy of tax map showing block number, lot number and lot lines;
3. Right-of-way line from Department desirable typical section;
4. Topography showing all highway features within 500 feet of the lot frontage on both sides of undivided roads and up to the centerline on divided roads;
5. Setback and location of structures;
6. Curb—existing and proposed;
7. Sidewalks—existing and proposed;
8. Trees within Department right-of-way;
9. Signs—regulatory, warning, directional, and private;
10. Utility poles;
11. Highway electrical installations;
12. Locations of all lot driveways—existing and proposed;
13. Location of nearest driveway on adjacent lots, including type of operation using adjacent driveways;
14. Driveway width;
15. Driveway alignment with respect to the highway;
16. Curblin openings;

17. Edge clearance;
18. Type of driveway and apron construction (concrete or bituminous);
19. Contours—existing and proposed;
20. Corner clearance;
21. Driveway and island radii;
22. Estimated 24-hour and highway peak-hour traffic count for the lot and each access point;
23. Number of lanes on the highway;
24. Speed-change lanes (acceleration, deceleration, left-turn slots);
25. Lane and shoulder widths;
26. Typical pavement sections (within Department right-of-way)—existing and proposed, including cross slopes, widths, pavement types and thicknesses;
27. Location of centerline on undivided highways and median of divided highways;
28. Location of existing median openings on divided highways;
29. Location of existing driveways on opposite side of undivided highways;
30. Dimensions from the lot line to the edge of pavement;
31. Number of new units for residential units; rooms for hotels and motels; square footage for retail, office, or warehouse; or appropriate unit of measure for other land uses;
32. Parking facilities and internal traffic circulation;
33. Traffic patterns—existing and proposed;
34. Highway traffic striping—existing and proposed;
35. Construction details;
36. Type of vehicles anticipated;
37. Attachments to Department drainage system—existing and proposed;
38. Drainage calculations—existing and proposed;
39. Changes to existing traffic signals;
40. New traffic signals and MUTCD warrant numbers;
41. Proposed site and highway transportation improvements;
42. Length of lot frontage along highway;
43. Distance to nearest traffic signal—preceding (in feet), following (in feet);
44. Zoning designation for lot;
45. Waivers requested;
46. Copies of transmittals of duplicate applications to the municipal clerk and county planning board;

47. Location of any access easement on the lot;
48. Applicability of the Pinelands Act;
49. Travel demand management plan (optional); and
50. A copy of the current deed for the lot.

(c) A temporary traffic control plan for each stage of construction may be required at the discretion of the Department.

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 (b)49.  
Amended by R.1995 d.107, effective February 21, 1995.  
See: 26 N.J.R. 2549(a), 27 N.J.R. 736(c).

#### 16:47-4.15 Concept review process

(a) When significant highway improvements will be involved in an access review, the applicant may initiate the access approval process through a concept review. Concept reviews may also be used for initiating the approval process for developments that are not expected to be constructed within two years of the date of an access permit. The concept review enables the applicant to obtain Department feedback without the expense of preparing detailed plans.

(b) When seeking to obtain conceptual approval for a major access permit before preparing full-scale plans, the applicant shall submit a concept review application with plans or a sketch, including the support information listed in N.J.A.C 16:47-4.16. A traffic impact study shall be included if a planning review is required.

(c) A concept review application will be processed using the same procedure and time frames applicable to the appropriate major access permit application. At the conclusion of the concept review, the Bureau of Major Access Permits will issue a letter providing conceptual approval or rejection of the applicant's concept. If the concept is rejected, the Bureau of Major Access Permits will recommend actions necessary to achieve concept approval. If the concept is approved, the applicant must submit a permit application within two years of the date of conceptual approval. Failure to submit a permit application within two years shall result in the automatic expiration of the concept approval.

Administrative changes to (c).

See: 25 N.J.R. 1005(b).  
Amended by R.1993 d.210, effective May 17, 1993.  
See: 25 N.J.R. 903(a), 25 N.J.R. 1990(a).  
Revised (b).

#### 16:47-4.16 Concept review checklist

(a) An application for concept review shall be accompanied by nine copies of a plan to a scale no greater than one inch equals 100 feet, preferably one inch equals 50 feet. Plan sheets shall not exceed 24 inches by 36 inches. If a planning review is required, the application shall also be accompanied by five copies of the traffic impact study. The application shall provide sufficient information to enable the Department to determine the feasibility of the proposed project, but extensive construction details are not required.

(b) The following information shall be included in the application:

1. Proposed use and size of buildings;
2. Lot location, including existing topography within 1,000 feet in each direction;
3. Copy of tax map showing block number, lot number and lot lines;
4. Right-of-way line from Department desirable typical section;
5. Driveway widths;
6. Driveway alignments;
7. Curblin openings;
8. Estimated 24-hour and highway peak-hour traffic count for the lot and each access point;
9. Type of construction (Concrete, bituminous, gravel, etc.);
10. Parking facilities and internal traffic circulation;
11. Speed change lanes (Acceleration, deceleration, left turn slots);
12. Traffic signals—existing and proposed;
13. Lane and shoulder widths;
14. Number of lanes on the highway;
15. Location of centerline on undivided highways and median on divided highways;
16. Location of existing median openings on divided highways;
17. Traffic pattern changes;
18. Typical section—existing and proposed, including widths and pavement types;
19. Length of lot frontage along highway;
20. Zoning designation of lot;
21. Waivers requested;
22. Copies of transmittals of duplicate applications to the municipal clerk and county planning board;
23. Location of any access easements on the lot; and
24. Travel demand management plan (optional).

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 (b)24.

**16:47-4.17 Department review times for lots addressed in approved access management plans**

(a) The Department review times for lots addressed in approved access management plans follow:

1. For minor access permits, use the same process as referred to in N.J.A.C. 16:47-4.8, except the 30 days for the Regional Maintenance Office response to the applicant shall be reduced to 20 days.

2. For major access permits with planning review, use the same process as referred to in N.J.A.C. 16:47-4.13, except the 170 days for the Department review shall be reduced to 140 days.

**16:47-4.18 Developer agreements**

(a) The Department will require a developer agreement as a condition of an access permit whenever any of the following conditions exists:

1. Project and highway improvement phasing;
2. Right-of-way dedication with conditions;
3. Department involvement in right-of-way acquisition;
4. Dedicated public streets as part of traffic pattern for maintenance of traffic for construction;
5. Highway improvements requiring daily monitoring by a resident engineer; or
6. Fair-share financial contributions.

(b) At its sole discretion, the Department may require a developer agreement as a condition of an access permit whenever any of the following conditions exist. The Bureau of Major Access Permits shall notify the applicant of such a determination after the completion of the planning review.

1. The nature of the project or highway improvements so warrant;
2. Construction extends beyond the applicant's lot frontage; or
3. The applicant implements a travel demand management plan.

(c) The processing of developer agreements will require 85 days of Department time in addition to the application review time. When the Bureau of Major Access Permits issues the permit, execution of the developer agreement shall be one of the conditions. No construction shall be performed within Department right-of-way prior to the execution of the developer agreement.

(d) Applicant time for developer agreements shall include:

1. The time required by the applicant to review and approve the agreement;
2. The time to obtain local, State or Federal approvals, authorizations, resolutions, or permits; and
3. The time needed to prepare final access construction plans and related documents.

(e) Any fees paid to the Department as part of the access application and concept review processes shall be credited against any payment required pursuant to a developer agreement. The total payment required shall not be less than the total of the application and permit fees.

(f) The estimated reimbursable Department costs for access application review, design review, and construction inspection, when included in a developer agreement, shall be based on estimates prepared by the Department. The actual reimbursable Department costs shall be the actual costs incurred by the Department.

(g) The applicant shall obtain and provide the Bureau of Major Access Permits with copies of any other agency approvals required for work within ultimate, proposed Department right-of-way.

Administrative changes to (b), (c) and (g).  
See: 25 N.J.R. 1005(b).

#### 16:47-4.19 Street Intersections

(a) For new streets, applications for street intersections shall be accompanied by the items listed below. These applications shall be signed by a municipal official, a county official, or a developer. When the Department responds to the applicant and furnishes permit documents for signature, the permit must be signed by an official of the county or municipality.

1. Eight copies of a plan with the intersection enlarged at a scale of one inch equals 30 feet showing such detail as curb, gutter, sidewalk, curb returns, and drainage structures;
2. Profiles;
3. A copy of the county or municipal resolution accepting the street, if one has been passed. If no resolution has been passed, a resolution is not required for the acceptance of the application; and
4. All items on the checklist for either minor application, major application, or major application with planning review, as appropriate.

(b) For existing streets, the following application requirements apply:

1. Applications for increases in the number of lanes intersecting the State highway shall be processed in the same manner as those for a new street.
2. Applications that do not involve an increase in the number of lanes intersecting the State highway are street improvement applications. These applications shall be accompanied by eight copies of a plan with the intersection enlarged at a scale of one inch equals 30 feet showing such detail as curb, gutter, sidewalk, curb radii, and drainage structures. These applications shall be signed by a county official, municipal official, or a developer. When the Department responds to the applicant and furnishes permit documents for signature, the permit shall be signed by an official of the county or municipality.

(c) If a local government or a developer seeks either a street intersection permit or street improvement permit as a result of traffic associated with development generating an increase of 500 or more daily trips, the application shall be signed by either a municipal official, a county official, or a developer. The fee shall be the fee for either a major access application or a major access application with planning review, whichever is deemed appropriate, based on the estimated street traffic at the State highway intersection, in accordance with Appendix N.

Amended by R.1993 d.210, effective May 17, 1993.  
See: 25 N.J.R. 903(a), 25 N.J.R. 1990(a).  
Revised (a) and (b)2; added new (c).

#### 16:47-4.20 Right-of-way dedication

(a) The Department complies with prevailing laws and Federal Highway Administration regulations for dedications and donations of land.

(b) Right-of-way dedications shall be accompanied by:

1. Two copies of a letter or agreement from the present owner indicating his knowledge that the land to be dedicated has value and his willingness to waive all rights to receive compensation from the State for these lands and access rights which he will dedicate to the State at no cost;
2. One copy of a 22 inch by 36 inch mylar General Property Parcel Map at a scale of one inch equals 30 feet.
3. Two copies of a metes and bounds description of the land to be dedicated to the State;
4. Two copies of the existing deed;
5. A deed of conveyance or perpetual easement for the right-of-way dedication to the State of New Jersey; and
6. A report of title setting forth that the State of New Jersey is vested with good and marketable title or, in the event that an easement is being conveyed, that the easement is not unencumbered, or any rights held by others. Said report is to be issued by a title company authorized to do business in the State of New Jersey.

(c) The applicant shall submit the proposed deed and the report of title to the Bureau of Major Access Permits for review and approval by the Title Bureau. The applicant shall be responsible for clearing all exceptions shown on the report of title.

Administrative change to (c).  
See: 25 N.J.R. 1005(b).

#### 16:47-4.21 Traffic signals

(a) Traffic signals may be approved by the Bureau of Traffic Engineering and Safety Programs, during the application process. When a study is required for a potential traffic signal, the study shall be completed and sealed by a New Jersey licensed professional engineer and shall include:

1. Consideration of all access that is existing and approved future access locations as well as advertised roadway and traffic signal improvements, for a distance of at least one traffic signal spacing standard in each direction;
2. Substantiation that a traffic signal is warranted by criterion listed in the current "Manual on Uniform Traffic Control Device for Streets and Highways";
3. Evaluation of current data assuming approved applications are in place based on their estimated build-out years;
4. Use of current and predicted travel speed, travel time, and delay time;
5. Documentation that the location of the potential traffic signal is consistent with N.J.A.C. 16:47-3.4;
6. Progression study using a cycle length of between 90 and 120 seconds or as determined by the Bureau of Traffic Engineering and Safety Programs;
7. Peak-hour operation speed obtained from the Bureau of Traffic Engineering and Safety Programs;
8. Use of the applicable minimum highway band width as stated in N.J.A.C. 16:47-3.4. The Bureau of Traffic Engineering and Safety Programs may allow a 30 percent minimum highway band width when existing band width for traffic signals on either side of the proposed traffic signal are at or below 30 percent;
9. Use of the applicable minimum highway band width as stated in N.J.A.C. 16:47-3.4 or 40 percent minimum highway band width, whichever is more restrictive, if the traffic signal is proposed at the new access point;
10. Use of the green time, in seconds, shall accommodate pedestrian movement;
11. Use of trip generation estimates based on the Institute of Transportation Engineers publication entitled "5th Edition Trip Generation," or superseding edition, or superseding rates adopted by the Department;
12. Information, data, and reference sources shall be documented;
13. Evaluation of the level of service and delays for all traffic movements;
14. Accurate and legible diagrams;
15. Documentation of all assumptions and adjustment factors;
16. Comparative analysis of all available alternatives including a no-build alternative;
17. A summary analysis that clearly indicates when level of service and delay standards are or are not met;
18. Safety analysis, including the interaction of adjacent conflict points and movements;

19. A conceptual design showing all geometric elements and dimensions with a detailed explanation of any elements that may need a waiver; and

20. Any additional supporting information and analyses, including waivers, if applicable.

(b) The construction of an access point at or near a signalized intersection usually necessitates the installation of additional traffic signal equipment. The Department shall review the application proposing additional equipment and shall determine whether the additional facilities are adequate. All equipment shall be installed in accordance with "Standard Specifications for Road and Bridge Construction" under Department supervision. At the request of the permittee, the Department may agree to perform the traffic signal modification. The traffic signal modification work and all electrical equipment will be at the permittee's expense.

(c) When the Bureau of Traffic Engineering and Safety Programs approves a traffic signal, the Bureau of Electrical Engineering will prepare a cost-sharing agreement that shall be independent of any developer agreement, but shall be a condition of the permit. The traffic signal agreement will provide for the participation of the applicant and the Department in the cost of installation, maintenance, and operation of any proposed traffic signals.

(d) All traffic striping plans and traffic signal plans shall be at a scale of one inch equals 30 feet. Plan sheet size shall not exceed 24 inches by 36 inches. Traffic signal designs shall be submitted in accordance with "Manual on Uniform Traffic Control Devices for Streets and Highways" requirements.

#### 16:47-4.22 (Reserved)

#### 16:47-4.23 Analysis years

(a) Traffic analyses shall be performed by the applicant for the year in which the development is fully built out.

(b) Fair-share financial contributions or highway improvements and development may be phased, as long as appropriate fair-share financial contributions are made in advance of each phase. When then fair-share financial contributions and the development are phased, the years to be analyzed will be for the years in which fair-share financial contributions are made.

(c) The applicant should not limit the traffic analysis focus to the specific location identified where an unacceptable deterioration of the LOS standards has been identified. In many cases it is preferable to direct site-generated traffic to other roadways. In other cases, improvements apart from the problem site may divert enough background traffic to make room for the site generated traffic and thus mitigate the impacts. Most capacity analyses assume that each intersection is acting independently; therefore, care must be

taken to interpret the interactions between intersections and adjacent driveways.

(d) The following table summarizes the requirements of this section:

Development Phases	Years to be Analyzed
Single (no improvements)	Build out
Single (with improvements)	Improvement
Multiple (no improvements)	Build out of each phase
Multiple (with improvements)	Completion of each improvement

#### 16:47-4.24 General level of service standards

(a) General LOS standards applicable to traffic from a lot are based on whether the lot is located in an urban or rural area and the LOS of the highway segments at the time the access opens. These LOS standards, and those in N.J.A.C. 16:47-4.25 through 4.29, apply to applications classified as majors with planning review.

1. For study locations, applicable to an urban lot, for highway segments anticipated to operate under the no-build condition at:

- i. LOS A, B, C, D, or E, some deterioration will be allowed, provided that the LOS does not drop below LOS E;
- ii. LOS F, no deterioration will be allowed.

2. For study locations, applicable to a rural lot, for highway segments anticipated to operate under the no-build condition at:

- i. LOS A, B, C, or D, some deterioration will be allowed, provided that the LOS does not drop below D;
- ii. LOS E or F, no deterioration will be allowed.

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

#### 16:47-4.25 Uninterrupted-flow standards

(a) Uninterrupted-flow standards for determining fair-share financial contributions are as follows:

1. The general standards listed in N.J.A.C. 16:47-4.24 apply. LOS will be measured by the volume to capacity ratio (V/C) and conform to the values shown in Tables 3-1, 7-1, and 8-1 of the "1985 Highway Capacity Manual," Special Report 209, or superseding issue. Table 3-1 does not define LOS B for limited access highways having a design speed of 50 mph. For these limited access highways, LOS B is defined as a V/C ratio equal to or less than 0.50.

2. For study locations, applicable to an urban lot, which are anticipated under the no-build condition to operate at:

- i. LOS A or B, increase in the uninterrupted-flow V/C ratio to the midpoint of LOS C will be allowed;

ii. LOS C, D, or E, increase in the uninterrupted-flow V/C ratio of 0.1 will be allowed, provided that the LOS does not drop below LOS E; and

iii. LOS F, no increase in the uninterrupted-flow V/C ratio will be allowed.

3. For study locations, applicable to a rural lot, which are anticipated under the no-build condition to operate at:

i. LOS A or B, increase in the uninterrupted-flow V/C ratio to the midpoint of C will be allowed;

ii. LOS C or D increase in the uninterrupted-flow V/C ratio of 0.1 will be allowed, provided that the LOS does not drop below LOS D; and

iii. LOS E or F, no increase in the uninterrupted-flow V/C ratio will be allowed.

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

#### 16:47-4.26 Signalized intersection standards

(a) Signalized intersection standards for determining fair-share contributions for State highway approaches are as follows:

1. The general standards listed in N.J.A.C. 16:47-4.24 apply. LOS will be measured by stopped delay per vehicle per Table 9-1 of the "1985 Highway Capacity Manual," Special Report 209, or superseding issue.

2. For all movements at:

i. Study locations, applicable to an urban lot, on a State highway approach operating at LOS A, B, C, D, or E under the no-build condition, deterioration by 25 percent of the difference between the no-build condition to the bottom of level of service at the E (60 seconds) will be allowed. If a State highway approach operates under the no-build condition at LOS F, no deterioration will be allowed. Exceptions may be made to the delay standards for left turn lanes on State highway approaches, but the left turns must not back up onto the through lanes;

ii. Study locations, applicable to a rural lot, on a State highway approach operating at LOS A, B, C, or D under the no-build condition, deterioration by 25 percent of the difference between the no-build condition to the level of service at the bottom of LOS D (40 seconds) will be allowed. If the state highway approach operates under the no-build condition at LOS E or F, no deterioration will be allowed. Exceptions may be made to the delay standards for left turn lanes on State highway approaches, but the left turns must not back up onto the through lanes.

3. Delay will be used to compare build and no-build conditions when the no build V/C ratio is less than or equal to 1.2. V/C ratio will be used to compare build and no-build conditions when the no build V/C ratio exceeds 1.2.

4. If any no-build movement at a State highway approach:

i. For study locations, applicable to an urban lot operating at a V/C ratio greater than 1.2, then the build conditions shall not increase the V/C ratio on that movement.

ii. For study locations, applicable to a rural lot operating at a LOS E or F (delay equal to or greater than 40 seconds), then the build conditions shall not increase the delay on that movement. Also, a no-build V/C ratio exceeding 1.2 shall not be increased.

5. Comments on the interaction of conflicting movements at adjacent driveways and roadways are required.

6. If there is a traffic signal within 2,640 feet of the lot, an arterial analysis may be required.

(b) Signalized intersection standards for determining fair share financial contributions for non-State highway approaches are as follows:

1. No movement on a non-State highway approach shall have a build V/C ratio exceeding 1.2. If, however, the no-build is already over 1.2, then the applicant cannot worsen the existing V/C ratio. Lengthy delays may be tolerated on the minor approaches, but jughandles will not be permitted to back up onto the State highway. The tolerance of lengthy delays on the minor approaches is based on the presumption that the minor road has a lower functional classification than an arterial. If the minor road is an arterial, the appropriate standards for the specific location will be addressed at the pre-application conference.

2. Comments on the interaction of conflicting movements at adjacent access points may be required.

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

#### 16:47-4.27 Unsignalized intersection standards

(a) The general standards listed in N.J.A.C. 16:47-4.24 apply to an unsignalized intersection.

(b) The applicant shall perform the unsignalized intersection analysis for determining fair-share financial contributions, which should be based on the levels of service, reserve capacity, and traffic volumes at the appropriate peak hour. Turns may not cause excessive disruption to through traffic and may not be allowed when acceptance of substandard gaps is promoted. In some cases elimination of the movement and diversion of the demand to a nearby location is the preferred treatment. Comments on the interaction of

conflicting movements at adjacent access points may be required.

(c) For a study location at street intersections:

1. Applicable to an urban lot which operates under the no-build condition with a no-build LOS of A or B, the reserve capacity may decrease to 250. With a no-build LOS of C, D, or E the reserve capacity may decrease by 50, but shall not drop to less than 0. No-build reserve capacities below 0 shall not be decreased.

2. Applicable to a rural lot which operates under the no-build condition 250. With a no-build LOS of C or D, the reserve capacity may decrease by 50, but shall not drop to less than 100. No-build reserve capacities below 100 shall not be decreased.

(d) For site driveways:

1. Applicable to an urban lot which operates under the no-build condition with a no-build LOS at A, B, C, D or E, the reserve capacity may decrease to 0. Reserve capacities for a new driveway shall not drop to less than 0. No-build reserve capacities below 0 shall not be decreased.

2. Applicable to a rural lot:

i. Left turns from the State highway to the driveway which operates under the no-build condition LOS of A or B, the reserve capacity may decrease to 250. No-build reserve capacities below 250 shall not be decreased by more than 50 provided that the reserve capacity does not drop below 100. Reserve capacities for new driveways shall not be less than 100. No-build reserve capacities below 100 shall not be decreased.

ii. Right and left turns from the driveway which operates under the no-build condition at LOS A, B, C, D or E, the reserve capacity may decrease to 0. No-build reserve capacities below 0 shall not be decreased. Reserve capacities for new driveways shall not be less than 0.

Amended by R.1993 d.210, effective May 17, 1993.  
See: 25 N.J.R. 903(a), 25 N.J.R. 1990(a).

Revised (d)1.

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

#### 16:47-4.28 Weaving area standards

(a) The general standards listed in N.J.A.C. 16:47-4.24 apply for freeways. LOS will be measured by weaving speed and non-weaving speed and conform with the values shown in Table 4-6 of the "1985 Highway Capacity Manual," Special Report 209, or superseding issue.

(b) For non-freeways, the potential for site traffic to deteriorate weaving area traffic flow and the methods to quantify such deterioration shall be discussed at the pre-application meeting. Although weaving and non-weaving

speeds are independent, it is desirable that these speeds be balanced. The addition of build traffic shall maintain the balance.

#### 16:47-4.29 Ramp standards

(a) Ramp standards are based on the level of service criteria shown in Table 5-1 of the "1985 Highway Capacity Manual", Special Report 209, or superseding issue. Table 5-1 does not define LOS B or the midpoint of LOS C. Both are herein defined as the freeway flow rate on a 50 mph design speed freeway exceeds 2,600 passenger cars per hour on a four-lane freeway, 3,900 passenger cars per hour on a six-lane freeway, and 5,200 passenger cars per hour on an eight-lane freeway.

(b) For a study location, applicable to an urban lot on State highway segments, with:

1. A merge or diverge which operates at LOS A, B, C, D or E under the no-build condition, the increase in the merge or diverge flow rate shall not exceed 25 percent of the difference between the no-build flow rate and the flow rate at the bottom of LOS E. The actual merge flow rate shall not exceed 2,000 and the diverge flow rate shall not exceed 2,000. These are the maximum merge and diverge traffic flow rates possible for LOS E.

2. A merge-diverge flow rate under the no-build condition operating at LOS F, shall not be allowed to increase the merge and diverge traffic flow rates.

(c) For a study location, applicable to a rural lot on State highway segments, and with:

1. A merge or diverge which operates at LOS A, B, C or D under the no-build condition, the increase in the merge or diverge rate shall not exceed 25 percent of the difference between the no-build flow rate and the flow rate at the bottom of LOS D and the actual merge rate shall not exceed 1,750 and the diverge flow rate shall not exceed 1,800. These are the maximum merge and diverge traffic rates possible for LOS D.

2. A merge or diverge which operates under the no-build condition at LOS E or F shall not be allowed to increase the merge or diverge traffic flow rate.

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

#### 16:47-4.30 Traffic impact studies for major access and concept review applications

(a) A traffic impact study is required for concept review applications reviewed by the Bureau of Major Access Permits and major access applications with a planning review. The pages of the traffic impact study shall be numbered and the topics shall be addressed in the same sequence as they appear in this subsection. The study shall be completed and sealed by a New Jersey licensed professional engineer.

(b) A traffic impact study shall include a narrative summary as follows:

1. The narrative summary should be in the beginning of the report and should indicate the size and type of development and the proposed access plan. It should either indicate that the access points are in conformance with the Access Code or refer to the waiver request accompanying the application.

2. The narrative summary should establish that the LOS standards set forth in N.J.A.C. 16:47-4.24 through 4.29 are met. If they are not met, the narrative summary shall evaluate and provide detailed justification for the applicant's proposals.

3. Figures should show the location of the lot and access points.

4. Any fair-share financial contributions determined necessary to mitigate traffic impacts according to N.J.A.C. 16:47-4.34 shall be generally described and illustrated.

5. Any improvements not required by these rules, but desired by the applicant, should be presented along with facts indicative of their workability.

6. Issues raised at the pre-application conference shall be addressed in summary form.

(c) A traffic impact study shall include a project description, including the following:

1. The applicant and project name;

2. A location map;

3. A project description based on sizes and land use types which are compatible with those land uses listed in the Institute of Transportation Engineers publication entitled "5th Edition Trip Generation", superseding edition or other uses listed by the Department. For land uses not listed in this source or when an applicant believes these uses are not representative, the Department may accept alternative evidence of representative uses;

4. Unique functional or operational activities which relate to atypical trip making activity such as ridesharing participation, bus intercept areas, recreational use facilities, or travel demand management plans pursuant to N.J.A.C. 16:47-4.39;

5. Project phasing identifying the year of development activities per phase and proposed access plans;

6. A transportation system inventory, which is a description of the physical, functional and operational characteristics of the study area highway system and, where appropriate, local transit service. The description should provide, where pertinent, data on:

i. Peak-hour volumes;

ii. Number of lanes;

iii. Cross section;

- iv. Intersection traffic signals and configuration;
  - v. Traffic signal progression;
  - vi. Percentage of heavy trucks;
  - vii. Grades;
  - viii. Adjacent access point locations;
  - ix. Jurisdiction;
  - x. Transit routes and stops;
  - xi. Transit frequency.
7. Shared access agreements; and
8. Proposed transportation improvements.

(d) A traffic impact study shall include a traffic analysis. Extensive documentation is required for the Department to review and accept the traffic volumes presented in a traffic analysis. The logic and calculations that produce these volumes must be shown.

1. For trip generation, applicants shall use the Institute of Transportation Engineers publication entitled "5th Edition Trip Generation", superseding edition, or superseding rates adopted by the Department. For land uses not listed in this source or when an applicant believes these rates are not representative, the Department may accept alternative evidence of representative rates. The rates shall be summarized in tabular form for each analysis time period and indicate size, type, and appropriate ITE land use code. The applicant must seek prior approval from the Department or request a waiver for trip generation rates other than those specified above. The documentation must cite specific locations and describe the land use in detail. Facts supporting the use of rates from these locations must be supplied.

i. The peak-hour traffic analysis must identify site, roadway, and coincidental peak-hour conditions, and the beginning and end of the peak-hour used. It shall show the combination of site and background traffic which causes the most critical impacts. The peak-hour will generally be the A.M. and P.M. weekday highway peak-hours. The Department may, depending on project characteristics, consider other peak-hours, such as Saturday afternoon or evening.

ii. For mixed-use developments, internal trips should be addressed in the trip distribution section.

2. For trip distribution, the procedure and rationale shall be documented. Trip tables for each land use on the lot shall be shown. The documentation shall tie the trip table to the data source, such as U.S. Census Journey to Work, marketing studies, or employment data. Where existing travel patterns are used for all or a component of the site's traffic, an explanation is required as to why the expected patterns are likely to replicate these existing patterns.

3. The traffic assignment shall follow logically from the trip distribution. Any special conditions must be explained.

i. Peak-hour traffic volumes covering the analysis area shall be depicted graphically. They must identify site generated, primary, passby, and total traffic.

ii. Entering and exiting traffic shall be routed on public roadways and the applicant's lot. Routing on any other lot shall meet the requirements of N.J.A.C. 16:47-3.12(n).

4. Support shall be provided for any credits or reductions for passby trips or mixed-use developments. Included shall be an explanation of how these trips are being captured and a demonstration that the existing traffic volume is high enough to support the rates used. Because of the highly judgmental nature of passby trips, it is important to discuss them at the pre-application conference. An agreement on the rates or an agreement on the approved can be reached at the conference.

5. The study locations shall be established pursuant to N.J.A.C. 16:47-4.36.

(e) A traffic impact study may include a travel demand management plan. This is an optional plan as set forth in N.J.A.C. 16:47-4.39. The trip reduction anticipated in an approved travel demand management plan shall be deemed to reduce the site trips, thereby also reducing site traffic impacts and associated fair-share financial obligations.

(f) Highway traffic volumes shall be prepared for the build year or such other years as may be appropriate due to project phasing or programmed highway improvements. The traffic volumes shall be determined by applying background traffic growth rates, prepared pursuant to N.J.A.C. 16:47-4.38, to traffic counts, obtained pursuant to N.J.A.C. 16:47-4.37. The traffic volumes shall represent the traffic volumes anticipated on the date the access is to open.

(g) The traffic impact study shall include a capacity analysis.

1. The "1985 Highway Capacity Manual" (HCM), Special Report 209, or superseding issue is the standard for capacity analysis. The use of other procedures must be justified and documented. Capacity work sheets must be provided as an appendix to the traffic impact study. The Department will accept calculations performed using computer software based on the HCM. The Department preference is for McTrans software. The Bureau of Major Access Permits shall approve the use of other software. Any deviation from the HCM accepted values shall be fully documented. Default values shall not be used when actual values are reasonably available or obtainable.

2. Capacity analysis shall be performed at each access point for the lot and the study locations identified in

N.J.A.C. 16:47-4.36. The interaction of conflicting traffic movements shall be addressed in the traffic impact study.

3. Impacts should be evaluated with and without development traffic and with and without any proposed transportation improvements for the build years. For phased developments, no-build analyses for latter phases are not to include traffic and improvements from earlier phases of the development.

4. Alternate access availability shall be addressed.

5. The no-build analysis of future years shall be based on traffic signal timing which is possible with the existing traffic signal hardware and will be appropriate for the future year no-build traffic volumes. The build analysis may use traffic signal timing changes which are possible with the existing traffic signal hardware and comply with the standards for progression pursuant to N.J.A.C. 16:47-4.21(a)6.

6. Summary tables shall show, as appropriate to the type of analysis, volume, number of lanes, green time, volume to capacity ratio, delay, LOS, and reserve capacity for each lane group or movement on each approach. These tables shall facilitate comparison of build and no-build conditions and of existing and improved configurations based on the LOS standards. Sample summary tables are shown in Appendix M, incorporated herein by reference.

7. A fair share analysis prepared pursuant to N.J.A.C. 16:47-4.34 shall be included.

Administrative change to (a) and (g).

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

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

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

Revised (d)3ii.

#### 16:47-4.31 Design standards

(a) For improvements made to all State highways, except interstate highways, Department design standards shall apply. These standards are set forth in the American Association of State Highway Transportation Officials (AASHTO) publication "A Policy on Geometric Design of Highway and Streets," incorporated herein by reference, and the "New Jersey Department of Transportation Design Manual—Roadway" and the "New Jersey Department of Transportation Design Manual—Bridges and Structures". In the case of a discrepancy, the Department manual will govern over the AASHTO publication.

(b) For interstate highways, the design standards are defined in the AASHTO publication "A Policy on Design Standards Interstate System," incorporated herein by reference. All new improvements shall conform to these standards. However, if it proves to be infeasible to do so, the improvements shall be designed to the interstate standards that were in effect at the time of the original interstate construction.

#### 16:47-4.32 Appeal process

(a) The appeal process for minor permits is as follows:

1. The applicant shall submit a written request for reconsideration to the Regional Maintenance Office within 30 days of a notice of rejection or unacceptable permit conditions. The request shall include reasons for the appeal. Within seven days of receipt, the Regional Maintenance Office shall forward the request to the Regional Maintenance Engineer, with pertinent documents, and advise the applicant of this action.

2. Within 10 days of receipt of the reconsideration request, the Regional Maintenance Engineer will determine whether to grant the reconsideration request. If the request is granted, the Regional Maintenance Engineer will schedule a meeting, within 30 days, with the applicant and provide the applicant with an opportunity to present additional information in support of the application.

3. The Regional Maintenance Engineer shall render a decision in writing within 15 days of the meeting and so notify the applicant. If the Regional Maintenance Engineer denies the applicant's request for reconsideration or if the applicant does not agree with the decision of the Regional Maintenance Engineer, the applicant may submit an appeal to the Executive Director for Regional Operations within 15 days.

4. The Executive Director for Regional Operations shall schedule an informal hearing within 10 days of his or her receipt of the applicant's appeal. The Executive Director for Regional Operations may conduct the hearing or designate the Manager of the Bureau of Major Access Permits as the hearing officer. At the hearing, the applicant will be accorded an opportunity to present further information justifying the acceptance of the access plan.

5. In reaching the final agency decision, the Executive Director for Regional Operations shall consider the information presented at the hearing and the recommendation of the hearing officer if designated and the criteria set forth in the Act and these rules, the lot owner's right of reasonable access to the general system of streets and highways in the State and the public's right and interest in a safe and efficient highway system. The Executive Director for Regional Operations shall render the final agency decision, with reasons, within 10 days of the informal hearing and so notify the applicant in writing.

(b) The appeal process for all major permits, concept reviews, and developer agreements shall be as follows:

1. The applicant shall submit a written request for reconsideration to the Bureau of Major Access Permits within 30 days of a notice of rejection or unacceptable permit conditions. The request shall include reasons for the appeal.

2. Within 10 days of receipt of the reconsideration request, the Manager of the Bureau of Major Access Permits will determine whether to grant the reconsideration request. If the request is granted, the Manager of the Bureau of Major Access Permits will schedule a meeting, within 30 days of the receipt of the reconsideration request, with the applicant and provide the applicant with an opportunity to present additional information in support of the application.

3. The Manager of the Bureau of Major Access Permits shall render a decision in writing within 15 days of the meeting and so notify the applicant. If the Manager of the Bureau of Major Access Permits denies the applicant's request for reconsideration or if the applicant does not agree with the decision of the Manager of the Bureau of Major Access Permits, the applicant may submit an appeal to the Director, Division of Regional Design, within 15 days.

4. The Director, Division of Regional Design, shall schedule an informal hearing within 10 days of his or her receipt of the applicant's appeal. The Director, Division of Regional Design, may conduct the hearing or designate a Regional Design Engineer as hearing officer. At the hearing, the applicant will be accorded an opportunity to present further information justifying the acceptance of the access plan.

5. In reaching the final agency decision, the Director, Division of Regional Design, shall consider the information presented at the hearing and the recommendation of the hearing officer if designated and the criteria set forth in the Act and these regulations, the lot owner's right of reasonable access to the general system of streets and highways in the State and the public's right and interest in a safe and efficient highway system. The Director, Division of Regional Design, shall render the final agency decision, with reasons, within 10 days of the informal hearing and so notify the applicant in writing.

Administrative changes to (b).

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).

#### 16:47-4.33 Highway improvement projects and permits

(a) The Department, either in conjunction with its construction projects, in conjunction with projects advanced by others, or through separate access projects, may construct, revoke or modify highway access to provide access conforming to this chapter. The design may use rules in existence at the time the design was initiated for those projects that have advanced beyond the completion of Phase 2 of the Department's plan development process.

(b) The Department's activities shall be classified as one of the following:

##### 1. Adjustment of access:

i. This is restricted to 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, such as when the highway is widened.

ii. Lot owners will not be notified individually of the Department's decision to adjust an access point unless right-of-way is also being acquired. Public notice of the project will be provided prior to the beginning of construction.

iii. The Department may issue permits to the owners of lots that did not have issued permits or lots with grandfathered permits.

##### 2. Modification of access:

i. This is restricted to changing the number of access points, changing the width of an access point by more than five feet, or changing the location of an access point by more than 10 feet. The changes shall be in accordance with the requirements of N.J.A.C. 16:47-3.4, 3.5 and 3.8. The modifications shall enable continuation of the apparent existing use on the lot;

ii. The Department shall notify each lot owner in writing of the proposed access modification and provide the lot owner with a plan showing the modification prior to beginning construction;

iii. The Department shall issue permits to the owners of lots with modified access; or

##### 3. Alternative access;

i. This is restricted to providing access to a road other than the subject State highway and shall be administered as a revocation;

ii. The Department shall notify each lot owner and lessee, of the proposed alternative access, include a copy of the plan, and file a copy of the plan with the municipal clerk and the planning board secretary of the municipality. If the alternative access is to a county road, the Department shall also send a copy of the plan to the county clerk and county planning board.

iii. The notice shall indicate that the lot owner has a right to a hearing regarding the revocation of the existing access and the sufficiency of the proposed alternative access;

iv. The lot owner shall respond to the Department in writing within 30 days of receipt of the notice, advising the Department of either the acceptance of the alternative access plan or the appeal of the plan. The Department shall deem the lot owner's failure to respond to the notice as a waiver of the owner's right to a hearing. Any requested hearings on the appeal shall be conducted in accordance with the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq, and the Uniform Administrative Procedure Rules, N.J.A.C. 1:1, and

shall be held at least 90 days after the notice required in (b)3ii above;

v. The Department may hold an informal meeting with the lot owner to resolve any differences;

vi. The Department shall issue permits to the owners of lots with alternative access;

vii. When the Department revokes the State highway access permit for an existing developed lot and provides alternative access onto a local road, the Department shall be responsible for addressing the local road impacts caused by the diverted traffic from the development as specified in N.J.A.C. 16:47-4.3(n)6. The Department shall administer this provision as shown in Appendix H, incorporated herein by reference.

(c) Permits issued by the Department for the actions in (a) and (b) above shall be at no cost to the lot owner.

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

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

Revised (a) and (b).

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

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

#### 16:47-4.34 Fairshare financial contributions

(a) The Department may require fair-share financial contributions towards the cost of constructing capacity improvements to the State highway system necessitated by traffic attributable to the development of the lot at those study locations determined in accordance with N.J.A.C. 16:47-4.36 where the LOS violates the standards set forth in N.J.A.C. 16:47-4.24 through 4.29. These improvements may include roadway and structure widenings, frontage roads, intersection improvements, structures, reverse frontage roads, and alternative access. Alternately, the Department may permit the applicant to construct the improvement at the applicant's expense and under Department supervision.

(b) Those improvements which benefit only the applicant shall be entirely the applicant's responsibility and are not considered in the fair share determination. Examples of this are acceleration and deceleration lanes for access points, left turn slots which only provide access to a site, and traffic signals located at the applicant's driveways.

(c) If a lot falls within the boundaries of a designated Transportation Development District (TDD) and the development is subject to a TDD fee assessment, then the Department can only require financial contributions towards the cost of constructing capacity improvements to the State highway system outside the TDD boundaries.

(d) Applicants are responsible for the fair share of the cost of mitigation at each study area location where a LOS violation occurs as determined by analysis pursuant to N.J.A.C. 16:47-4.36.

(e) Site traffic is comprised of the LOS violation component and the acceptable component, as follows: Site Traffic = LOS Violation Component + Acceptable Component. The LOS violation component is comprised of those site generated trips which violate the LOS standards at study locations determined in accordance with N.J.A.C. 16:47-4.36. The acceptable component is comprised of those site-generated trips which do not violate the LOS standards.

(f) Mitigation at each location pursuant to (a) above shall add capacity sufficient to accommodate the anticipated increase in traffic between build and no-build conditions at the time the access opens without violations of the LOS standards in N.J.A.C. 16:47-4.24 through 4.29. Mitigation shall also be compatible with, but shall not exceed, the desirable typical section for the State highway segment as shown in Appendix B.

(g) The capacity increase created by mitigation shall be equal to the capacity after mitigation minus the capacity before mitigation as reflected in the following formula: Capacity Increase = Capacity After Mitigation—Capacity Before Mitigation. "Capacity" means the maximum traffic volume possible with LOS E. The only exceptions are non-State highway approaches to signalized intersections, which shall not be at capacity until a lane group V/C ratio equals 1.2. Capacity before mitigation will be that of the analysis point's existing configuration under prevailing traffic conditions, such as peak-hour factor and heavy vehicle factor, given the pattern of existing traffic. Capacity after mitigation will be that of the analysis point's proposed (mitigated) configuration under prevailing traffic conditions, such as peak-hour factor and heavy vehicles factor, given the pattern of existing traffic combined with site traffic. When more than one measure of level of service is possible at an analysis point, such as the various movements at an intersection, then the most sensitive measure shall determine the capacity. Traffic volumes for all movements shall be factored by a constant so that all movements will remain a fixed percentage of the total volume at the analysis point until the maximum attainable volume is achieved without the capacity of any movement being exceeded. The sum of the traffic volumes of all movements is the capacity for that analysis point. At signalized intersections where the level of service of each movement is not a direct function of the traffic volume of another movement, each lane group may be factored independently to determine its capacity, and the lane group capacities added to determine the capacity of the entire intersection. In factoring the lane groups, the traffic volumes should not exceed those which can be reasonably expected to occur at the entire intersection.

$$\text{Capacity Increase} = \text{Capacity After Mitigation} - \text{Capacity Before Mitigation}$$

(h) The fair share proportion at a location shall be equal to the LOS violation component divided by the capacity increase, as reflected in the following formula:

$$\text{Fair Share Proportion} = \frac{\text{LOS Violation Component}}{\text{Capacity Increase}}$$

(i) The cost of mitigation at a location shall be the cost for the Department to provide the mitigation. This includes:

1. Design of the mitigation;
2. Right-of-way appraisal and acquisition;
3. Construction of the mitigation;
4. Management of the construction; and
5. Environment cleanup, permits and mitigation.

$$\text{Mitigation Cost} = \text{Sum of the above mitigation elements}$$

(j) The fair share at a location shall be equal to the fair share proportion times the cost of the mitigation, as reflected in the following formula: Fair Share = Fair Share Proportion x Mitigation Cost.

(k) The fair-share financial contribution shall be equal to the sum of the applicant's fair shares at all locations where level of service violations occur. If, in the Department's sole discretion, it does not anticipate that the mitigation identified for a location in (f) above will be implemented within 15 years of the date of the permit, then the applicant shall have no fair share responsibility at that location. If the application qualifies for reduced fees as set forth in N.J.A.C. 16:47-4.6(b), then the total fair share for the residential component of the lot shall be reduced by the same proportion as the low and moderate income units to the total number of units covered by the application.

(l) If the Department permits the applicant to construct highway improvements under (a) above, then these improvements are to be at locations, studied in accordance with N.J.A.C. 16:47-4.36, where LOS violations occur. In determining the highway improvement to be constructed as a condition of permit approval, the Department shall consider the needs of the applicant and the public.

(m) The Department shall hold all fair-share financial contributions in a designated account which shall identify the fair share amount for each location. Funds may be expended on any of the activities listed in (i) above for any locations identified in (d) above. The Department and the applicant may agree to apply the fair share financial contribution to improvements at less than all of the identified locations. The Department shall refund any contribution and accrued interest applicable to the improvement of an identified location if the improvement is not implemented within 15 years. The refund shall be made to the owner of the lot at the end of the 15 years.

(n) If the Department accepts a right-of-way dedication, the value of dedicated lands shall be a credit against the fair share financial contribution.

(o) The Department will not require fair share financial contributions towards the cost of highway improvements which the Department does not expect will be constructed within 15 years. However, the Department may not approve applications if it finds unacceptable the condition that would be caused by the addition of site traffic to a location which will not be improved within 15 years.

(p) The Department may release fair share financial contributions and accrued interest, or any portion thereof, to any federal, state, regional, or local entity, or to any person or private entity as the Department deems appropriate for the implementation of highway improvements at locations identified in (d) above.

#### Law Review and Journal Commentaries

DOT—Highway Access Permits—Relocation Costs—Transportation—Utilities. P.R. Chenoweth, 134 N.J.L.J. 50 (1993).

#### Case Notes

Department condition road-widening for granting highway-access permit was not sufficient to trigger statute requiring Department to pay costs of relocating facilities. Pine Belt Chevrolet, Inc. v. Jersey Cent. Power and Light Co., 132 N.J. 564, 626 A.2d 434 (1993).

Road-widening condition imposed by Department was permissible exercise of Department's police powers. Pine Belt Chevrolet, Inc. v. Jersey Cent. Power and Light Co., 132 N.J. 564, 626 A.2d 434 (1993).

#### 16:47-4.35 Waivers

(a) No waivers or other relief from design standards or other provisions of N.J.A.C. 16:47-3 and 4 may be granted unless the waiver can be granted without substantial detriment to the safety and operation of the highway and without substantially impairing the intent and purpose of the Act and this Access Code. The Department will not grant waivers from fees, but may waive application requirements or the requirements for applicants.

(b) If an applicant wishes to seek a waiver, a request must be submitted as an attachment to the permit application. A request for waiver form (MT-159) shall be prepared by the applicant. The request for waiver shall state reasons why a waiver is appropriate and include documentation to support the waiver.

(c) If a waiver is granted, the approval will be incorporated in the conditions of the permit.

(d) Possible bases for waiver requests include, but are not limited to:

1. Existing substandard conditions;
2. Existing social, economic or environmental constraints;

3. Unique character of a lot;
4. Unreasonableness of strict application of the Access Code under particular circumstances;
5. A boundary such as urban/rural, speed limit, or access classification falling within the frontage of the lot;
6. A lot within an urban enterprise zone;
7. Conflict between the requirements of the Access Code and the requirements of:
  - i. The Pinelands Commission or the Pinelands Protection Act, N.J.S.A. 13:18A-1 et seq.;
  - ii. CAFRA;
  - iii. The Freshwater Wetlands Act, N.J.S.A. 13:9B-1 et seq.;
  - iv. The Stream Encroachment Act, N.J.S.A. 58:16A-50 et seq.; and
  - v. Federal Flood Hazard Zone Regulations.
8. Lower access classification or capacity of the State highway than that applicable to an intersecting county or municipal street;
9. Municipal, county or other approving agency imposition of conditions beyond the control of the applicant. If this occurs during the Department application process and the applicant provides documentation of these conditions, the Department will not require a new application and fees as specified in N.J.A.C. 16:47-4.8(h), 4.11(h) and 4.13(i);
10. Low or moderate income housing, proposed pursuant to the Fair Housing Act, P.L. 1985, c.222, N.J.S.A. 52:27D-301 et seq., or under court settlement; and
11. The applicant can provide evidence that the major or minor type of permit which the Department would determine pursuant to N.J.A.C. 16:47-4.4 is inappropriate. This may include alternative evidence for traffic generation, pursuant to N.J.A.C. 16:47-4.4(f), which differs from the information in Appendix E.

(e) Any waiver granted shall only be considered a waiver of a particular standard or provision. It shall not constitute an approval of an application.

(f) The Department shall not grant a waiver associated with N.J.A.C. 16:47-3.5(a)4 which would reduce the spacing distance to less than the distance required at five miles per hour less than the posted speed limit.

(g) The Department shall not grant a waiver associated with N.J.A.C. 16:47-3.8(c)2 for a curblin opening exceeding 80 feet. The Department may approve curblin openings and driveway widths for non-residential driveways which exceed, but are as close as possible to, the maximum desirable width when:

1. There is no highway shoulder or auxiliary lane and at least two large trucks per peak hour or 10 large trucks per day will use the driveway; and
2. The geometry precludes safe turns as a result of the shape of the lot or its location on the highway.

(h) The Department shall not grant a waiver associated with N.J.A.C. 16:47-3.3(d) which would reduce the interchange spacing distance to less than one-half mile on a State segment classified as urban or less than one mile on a State highway segment classified as rural.

Amended by R.1993 d.524, effective November 1, 1993.  
See: 25 N.J.R. 3129(a), 25 N.J.R. 4915(b).

#### 16:47-4.36 Traffic impact study area

(a) Traffic impact study locations shall be established as follows:

1. The half of each trip furthest from the site shall be eliminated. The applicant's responsibility for all trips between the lot and another destination ceases at the midpoint of each trip. This determination shall be made based on a trip table which identifies origins and destinations.

2. Those locations exceeding both 100 new half-trips during the critical peak hour(s), determined in accordance with N.J.A.C. 16:47-4.30(d)1i and 10 percent of the anticipated daily site traffic shall be analyzed. Intersections, uninterrupted flow sections, weaving sections, merges, and diverges are examples of locations which shall be analyzed.

3. When determining whether the new 100 peak hour half trips and the 10 percent of the anticipated daily site traffic in accordance with (a)2 above have been met, the following criteria shall be utilized:

- i. For signalized intersections:

- (1) The number of existing separate traffic signal phases shall be determined;

- (2) For each signal phase, the number of new site-generated peak hour half trips assigned to each traffic movement on each approach shall be determined. When a traffic movement is allotted green time in two or more signal phases, the traffic volume based on the percentage of the available green time for traffic movement shall be proportional;

- (3) For each signal phase, the site-generated traffic volumes that conflict shall be added together. In the event that the signal phasing and geometry preclude traffic conflict, the highest site-generated half trips traffic volume for any given signal phase by direction shall be considered the traffic volume in conflict. The higher traffic volume in conflict under each signal phase shall be taken;

(4) The traffic volumes for all traffic signal phases obtained in (a)3i(3) above shall be added. This is the total number of new site-generated peak hour vehicle trip impacts for determining study area locations at the signalized intersection;

(5) If the total number of new site-generated peak hour half trips is greater than or equal to 100, then this location may be a study area location and the above four steps shall be repeated for anticipated daily site-generated traffic. If the number is less than 100, then the signalized intersection is not a study area location; and

(6) If the total number of new site-generated daily half trips at the location is greater than or equal to 10 percent of the new site-generated daily trips, then this location is a study area location. If the number is less than 10 percent, then the signalized intersection is not a study area location.

ii. For divided highways, at ramps and ramp junctions, unsignalized intersections, uninterrupted flow sections, weaving sections, merges and diverges, the assignment of site-generated traffic volumes within the half trip length shall be determined as follows:

(1) Turning site trips are defined as that component of the site-generated traffic volume, within the half trip length, which will turn on to or off of the highway within 2,000 feet of a highway access point. Through site trips are defined as that component of the site traffic volume, within the half trip length, which will not turn on to or off of the highway within 2,000 feet of a highway access point;

(2) Through site trips shall be uniformly distributed among the through lanes on the highway. Assign turning site trips to the right-most through lane;

(3) If the total number of turning site trips plus through site trips in the right-most through lane during the peak hour is greater than or equal to 100, then this location may be a study area location and this test shall be repeated for anticipated daily site-generated traffic. If the number during the peak hour is less than 100, then the location is not a study area location; and

(4) If the total number of turning site-generated daily trips is greater than or equal to 10 percent of the daily trips, then this location is a study area location. If the number is less than 10 percent, then the location is not a study area location.

iii. For all other locations, the general standards in accordance with (a)1 and 2 above shall be applied.

4. Driveways to lots except for the applicant's driveways shall not be considered study area locations.

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

#### 16:47-4.37 Traffic counts

(a) Traffic counts shall be taken by the applicant or, if available at the Department, obtained from the Department for locations within the study area to be analyzed.

(b) Traffic counts shall be shown by 15-minute intervals over a period long enough to establish a peak hour. This period is generally two hours. During this period, there shall be no conditions such as detours, accidents, or inclement weather that could affect traffic volumes. Traffic counts shall not be taken on or near holidays or other special events when traffic may not be representative of average daily traffic.

(c) Only traffic counts performed outside the seasonal peak period (in tourist or recreational areas) shall be adjusted to the peak period. Traffic count data taken within 12 months of the application date are required. Classified manual turning-movement counts for one day shall be supported by one week of machine counts. To be acceptable, a manual count must be within 10 percent of the machine count on each approach that day, considering the total for the manual counting period. Weekday peak-hour manual counts shall be factored to agree with the weekday machine count for the highest hour of the week. Saturday manual counts, if within 10 percent of the machine counts, need not be factored but shall encompass the machine peak hour for the day. There shall be a machine count for each approach to a signalized intersection. All count material shall be included in the traffic impact study as an appendix. The Department may require evidence of proper calibration of automatic traffic recorder (ATR) equipment.

(d) Vehicle classification must be sufficient to address the needs of the capacity analysis in N.J.A.C. 16:47-4.30(g). However, where large percentages of multi-axle vehicles are present it may be necessary to more finely stratify the classification in order to conform to the machine count.

(e) At or after a pre-application meeting, the Department may approve alternative proposals for counting programs as long as they conform to the intent of (b) through (d) above.

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

#### 16:47-4.38 Background traffic growth rates

(a) The Department shall publish background traffic growth rates which cover the entire State.

(b) These rates are only for use for access applications submitted to the Department.

(c) The Department shall update these rates every two years.

(d) Background traffic growth rates do not include specific developments. Applicants shall add to background traffic

the average anticipated traffic from major traffic generators which:

1. Existed, but were inactive, at the time the applicant took traffic counts;
2. Were under construction at the time the applicant took traffic counts;
3. Opened since the applicant took traffic counts; and
4. Were issued an access permit by the Department since the applicant took traffic counts.

#### 16:47-4.39 Travel demand management plan

(a) The Department encourages, but does not require, applicants to submit a travel demand management (TDM) plan to reduce vehicle miles of travel to and from the lot and to seek active participation from a transportation management association serving its area to act as an advisor to the site development plan. The Department reserves the right to require an applicant to comply with the provisions of a proposed travel demand management plan as a condition of an access permit.

(b) A travel demand management plan contains specific strategies which focus on reducing travel, especially peak-period travel. It is a plan that uses the existing transportation infrastructure more efficiently. The strategies that can be implemented at a worksite are TDM strategies.

(c) Any mode-share adjustments to lot-generated vehicular activity shall be justified and documented. The projected vehicle miles of travel to and from the lot may be reduced if the lot is located within one-quarter mile of an existing public transportation service, such as a public bus line, a rail transit line, a commuter railroad station, or a passenger ferry (waterborne) service. The availability of adequate and convenient public transportation service to areas of prospective employee, tenant and customer origins and destinations shall be substantiated.

(d) The goals of a TDM plan are to reduce traffic congestion, air pollution, energy consumption, and the costs of commuting to work. The objectives are to increase the number of commuters arriving at work, beyond those that would occur without incentives, by, but not limited to, carpools, vanpools, public transportation, bicycles, and walking and to increase the number of commuters who work on a variable work-hour schedule or work from home. These objectives are accomplished by implementing any of the following array of strategies to change commuting behavior which include, but are not limited to:

1. Buspool or subscription bus;
2. Carpool;
3. Alternative work-hour programs;
  - i. Compressed work weeks;
  - ii. Flextime; and

iii. Staggered hours.

4. Satellite office;
5. Telecommuting;
6. Vanpool;
7. Bicycling;
8. Walking; and
9. Shuttle services.

(e) The TDM plan should include a traffic reduction program which will specify the measures the lot owner will accept as permit conditions to reduce total peak-period travel and concentration of trips. The plan may include, but need not be limited to:

1. Facilitating employee use of public transportation;
2. Facilitating employee use of carpools/vanpools;
3. Establishing and facilitating employee use of alternative work-hour programs;
4. Encouraging and facilitating employee use of bicycling and walking;
5. Consolidating courier services;
6. Working with transit providers to establish new service;
7. Establishing a transportation office with an employee transportation coordinator; and/or
8. Working with a transportation management association to provide information and assistance to employees.

(f) The TDM plan may include, but not be limited to, the following measures, which are applicable to the lot:

1. Preferred parking for carpool/vanpool participants;
2. Construction of transit shelters;
3. Round-trip shuttle service between the lot and a train or bus station or remote parking facilities;
4. Establishment of an in-house or third-party vanpool program;
5. Establishment of an information center or contracting with a TMA to coordinate carpool/vanpool and transit efforts among businesses within a complex;
6. Establishment of access and safety programs for pedestrians and bicyclists;
7. Selling transit passes or providing transit subsidies; and/or
8. Consolidating self-contained services to minimize the need for travel for nonwork trips, such as postal service, food services, and internal convenience shopping facilities.

(g) The applicant may include a travel demand management plan designed to encourage residents and employees use of ridesharing programs and mass transit. Such measures could include provision of vanpool or park and ride parking lots or building and maintaining shelters at public transportation pick up points. If the applicant incorporates such measures, then follow-up status reports could be required. If the applicant incorporates a travel demand management plan, then the applicant shall provide the Department with annual follow-up status reports.

**16:47-4.40 Lot consolidation or subdivision permits process**

(a) The Bureau of Major Access Permits will determine whether an application meets the criteria for the type of application applied for and the application is acceptable for review. The Bureau of Major Access Permits will then send a written notice of these determinations to the applicant within 10 days of receipt.

(b) The application will be reviewed and either approved or denied within a maximum of 45 days. A permit will be issued within a maximum of 50 days of receipt of a complete application if the application is approved.

(c) The Bureau of Major Access Permits will advise the applicant of the results of the Department's review. If the application is approved, the Bureau of Major Access Permits will request from the applicant submission of the permit documents and the permit fee.

(d) The applicant shall submit the completed and signed permit documents and permit fee to the Bureau of Major Access Permits within 180 calendar days of the Bureau of Major Access Permits notice of approval. Applicants failing to respond on time will have their applications rejected.

(e) When the Department requests information from the applicant, the step in the process and its associated time frame will restart once the Department receives the information. If the applicant does not provide the Department with the requested information within 90 days of the request, the application shall be considered withdrawn.

(f) If the Bureau of Major Access Permits finds either the same form deficiency or the same technical content deficiency three times in an applicant's submissions, then the application will be rejected and the applicant must reapply and submit a new application and fee.

(g) If the applicant changes the proposed lot consolidation or subdivision in response to Department comments, a new application and fee will not be required unless the applicant fails to eliminate all deficiencies within three submissions. If the applicant unilaterally changes the lot consolidation or subdivision, however, a new application and fee shall always be submitted.

(h) A lot consolidation or subdivision permit only applies to lot consolidation or subdivision. Such a permit does not authorize any physical change, only changes to lot lines. Any change to an existing access point or the addition or removal of an access point must be authorized by an access permit instead.

Administrative changes to (a), (c), (d) and (f).  
See: 25 N.J.R. 1005(b).

**16:47-4.41 Lot consolidation or subdivision permits checklist**

(a) Applications for lot consolidations or subdivisions shall be accompanied by eight copies of detailed plans to a scale of one inch equals 30 feet or one inch equals 50 feet. Plan sheet size shall not exceed 24 inches by 36 inches.

(b) The following information shall be submitted for both the lot consolidation and subdivision applications:

1. Site location map (The Key map must reference at least two cross streets on each side of the property, milepost, north arrow and scale);
2. Zoning designation for lot;
3. Copy of tax map showing existing: block number, lot number and lot lines;
4. Topography, on the lot and its frontage;
5. Length of lot frontage along highway and frontage of next adjacent non-single-family residential lots;
6. Locations of all existing lot driveways;
7. Curblin openings;
8. Driveway width;
9. Driveway alignment with respect to the highway;
10. Edge clearance;
11. Corner clearance;
12. Driveway and island radii;
13. Number of existing units for residential use; rooms for hotels and motels; square footage for retail, office, and warehouse; or appropriate unit of measure for other land use;
14. Type of vehicles anticipated;
15. Estimated 24-hour and highway peak-hour traffic count for the existing development on the lot(s) and each access point;
16. Dimensions from the lot line to the edge of pavement;
17. Copies of transmittals of duplicate applications to the municipal clerk and county planning board; and
18. A copy of the deed or the preliminary subdivision approval.

Amended by R.1993 d.210, effective May 17, 1993.  
See: 25 N.J.R. 903(a), 25 N.J.R. 1990(a).  
Added (b)18.

## SUBCHAPTER 5. PROCEDURE FOR CHANGES IN CLASSIFICATION

### 16:47-5.1 Requests for change in classification

(a) Any person may request a change in the access classification of a segment of the State highway system, including, but not limited to, the access level, the desirable typical section, and the access class. The proposed change shall be for the following segment length or greater:

1. Accessible principal arterials—one mile;
2. Minor arterials—one-half mile;
3. Major or minor collectors—one-half mile; and
4. Local roads—one-half mile.

(b) Any request to change the access classification of a segment of the State highway system made pursuant to the procedures described in this subchapter is in addition to, and not in lieu of, any other administrative or other remedy a person may have under the Administrative Procedures Act, N.J.S.A. 52:14B-1 et seq., or any other law.

### 16:47-5.2 Application requirements for change in classification

(a) Each request for a change in access classification shall be made on an application form prescribed by the Commissioner and shall be submitted to:

Commissioner, Attention: Bureau of Statewide  
Planning  
N.J. Department of Transportation  
CN 609  
1035 Parkway Avenue  
Trenton, New Jersey 08625

(b) The application shall include:

1. A map at a scale of one inch equals 100 feet, one inch equals 200 feet, or one inch equals 400 feet, showing the route number, the highway segment for which the change is proposed, the counties and municipalities within which the segment is located, the cross-streets nearest the segment ends, and, if such information is available, the limits by milepost;
2. A description of the roadway segment, including segment length;
3. The existing number of lanes in each direction;
4. Whether a median or divider is present;

5. Existing land uses and size of use;

6. A list of lots for which development applications have been filed with the municipal planning board or zoning board of adjustment and the nature of such applications;

7. Existing zoning;

8. The current access classification or classifications for the segment;

9. The proposed access classification or classifications;

10. A statement of justification supporting the proposed change, identifying factors such as municipal and county master plans that would indicate that the segment's present access classification requires modification and identifying the negative consequences, if any, of retaining the current access classification;

11. The planned characteristics of the area through which a highway segment passes;

12. Any other relevant data supporting the need to change the access classification; and

13. Copies of notices sent return receipt requested to the owners of all lots located along and within 200 feet beyond the ends of the subject highway segment. The notices shall advise the owners that they have 10 days in which to submit comments regarding the proposed change directly to the address specified in (a) above.

Administrative change to (a).

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

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

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

Revised (b)10.

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

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

### 16:47-5.3 Review of application

The Bureau of Statewide Planning shall notify the applicant within 20 days of receipt thereof as to whether or not the application is complete. If the application is incomplete, the notice shall list those items needed to complete the application. The applicant may submit within 60 days of the date of a notice that the application is incomplete such additional information as is necessary to complete the application. The Bureau of Statewide Planning shall notify the applicant within 20 days of receipt of additional information as to whether or not the application is complete. The application shall be rejected if the Commissioner determines that a complete application has not been submitted within the specified period of time.

Administrative Changes.

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

**16:47-5.4 Notice to counties, municipalities, and metropolitan planning organizations**

The Manager, Bureau of Statewide Planning, shall forward a copy of the completed application, within 10 days of the date of the notice of a complete application, to all county and municipal clerks and the metropolitan planning organization within which the segment is located.

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

**16:47-5.5 Decision on request for classification**

(a) In evaluating the application, the Commissioner shall consider the existing access classifications of adjacent segments of the State highway system and the county and municipal road networks, conformity with municipal and county master plans and development ordinances and with the State Development and Redevelopment Plan, access classification criteria set forth in N.J.A.C. 16:47-2.1, and other appropriate factors.

(b) The Commissioner shall advise the applicant in writing within 50 days of the receipt of a complete application as to whether or not the classification change request has been accepted or rejected and, in either case, shall provide the applicant with reasons for the determination.

(c) Any accepted change in the access classification of a segment of highway shall be promulgated as an amendment to N.J.A.C. 16:47-2.1, pursuant to the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq. A proposed change is subject to a public comment period of 30 days.

**16:47-5.6 Petition for reconsideration**

(a) The applicant may petition the Commissioner in writing within 20 days of receipt of the Commissioner's determination to reject the requested change in classification for reconsideration of that determination. The petition must set forth the reasons why reconsideration is being sought and must set forth, in full, any additional information supporting the request for a change in classification.

(b) The Commissioner shall advise the applicant in writing within 10 days of receipt of the reconsideration petition as to whether or not reconsideration has been granted. If reconsideration is not granted, the Commissioner shall advise the applicant of the reasons for such a determination. The Commissioner shall advise the applicant within 30 days of a decision to grant reconsideration, as to whether or not the application has been approved or rejected upon reconsideration and state the reasons for the decision.

**SUBCHAPTER 6. ACCESS MANAGEMENT PLANS****16:47-6.1 Authority**

(a) The Commissioner may adopt access management plans for State highways provided that the following conditions are met:

1. The governing body of the municipality has incorporated the access management plan conditions into its land development ordinances and master plan as set forth in N.J.A.C. 16:47-6.7;

2. The access management plan complies with or exceeds the standards established in N.J.A.C. 16:47-2, 3 and 4 of the Access Code, as modified by those waivers which meet the requirements set forth in N.J.A.C. 16:47-4.35; and

3. An appropriate means of access has been identified in such plan for every lot within the subject State highway segment.

**16:47-6.2 Effect of adoption**

(a) An access management plan, when adopted by the Commissioner, shall be binding upon the Department and upon the municipalities and counties which have modified their master plans and development ordinances in accordance therewith. All approvals and decisions shall be in accordance with the access management plan.

(b) An adopted access management plan may not be abandoned by any party without the joint agreement of all parties.

(c) An adopted access management plan may not be revised except in the manner set forth in N.J.A.C. 16:47-6.10.

(d) An adopted access management plan shall govern access on the subject State highway segment. When an access management plan is adopted for a State highway segment that serves as a boundary between two or more counties or municipalities and one or more of the counties or municipalities on one side of the State highway choose not to participate, then the access in the nonparticipating entities shall be compatible with the adopted access management plan.

**16:47-6.3 Effect on access applications prior to approval of an access management plan**

The standards governing access onto the State highway system set forth in N.J.A.C. 16:47-3 and 4 shall apply to all access permits for lots which are not subject to an adopted access management plan, and decisions on permit applications may not be delayed or deferred pending adoption of an access management plan. The provisions of an adopted access management plan shall only apply to complete access applications received by the Department after the date of adoption, unless the applicant agrees to comply with the anticipated provisions of a pending access management plan.

**16:47-6.4 Contents**

(a) The access management plan shall consist of a report and map:

1. The report shall identify the following:

- i. The subject highway segment by route number, directions, and milepost limits;
- ii. All existing and future access points and shared access points on the State highway and alternative access points on parallel or perpendicular streets;
- iii. All participants in the joint planning process;
- iv. All transportation development districts located in whole or in part within the study area;
- v. Any transportation management associations serving the study area;
- vi. Any contiguous municipality or county where proposed improvements may be located;
- vii. The vehicular use limitations for all nonconforming lots;
- viii. Projections of traffic generation based on zoning and other regulatory constraints applicable to all conforming lots;
- ix. Projections of State highway traffic volumes based on buildout and the capacity of the desirable typical section;
- x. Recommendations for changes to the access classification or desirable typical section; and
- xi. Any public transportation facilities and routes and bicycle paths in the study area.

2. The report may also identify the following:

- i. The estimated cost of the proposed improvements;
- ii. The cost shares to be borne by the Department and participating public agency;
- iii. The responsibilities of each of the participants for the improvements contemplated by the plan;
- iv. The manner in which the timing and sequence of construction of the improvements is to be determined;
- v. Provisions for temporary access pending completion of the improvements set forth in the access management plan; and
- vi. Other appropriate factors.

3. The map shall be at a scale of one inch equals 100 feet or one inch equals 200 feet, shall be on sheets no larger than 24 inches by 36 inches, and shall include:

- i. The subject highway segment with route number;

- ii. The study area shall extend 1,000 feet beyond each end of the subject highway segment and have a width of at least 500 feet from the centerline of such segment. The study area shall include all lots having frontage on the State highway in their entirety, proposed improvements, and all other lots on which the proposed improvements will be located;

- iii. Tax map block and lot, current land use, and zoning classification for each lot within the study area;

- iv. The boundaries of all municipalities and counties located within the study area;

- v. All existing and proposed roadways and driveways intersecting the subject highway segment and any other roadways and driveways which provide access from lots fronting on the subject highway segment;

- vi. All existing traffic control devices along the subject highway segment and access points;

- vii. A scaled plan setting forth in schematic form the proposed improvements intended to provide access to the general systems of streets and highways for each lot having frontage on the subject highway segment for which access is designed and for any other lot for which the access management plan has designed access; and

- viii. Highway lighting and underground utilities within State highway right-of-way.

**16:47-6.5 Process**

(a) The Department may propose the development of an access management plan for any lots fronting on any segment of the State highway system. The proposal shall be initiated by notice to:

1. The mayor of any municipality within which the subject highway segment is located;

2. The mayor of any other municipality within which any proposed improvements designed to provide access to lots fronting on the segment are located;

3. The mayor of any municipality whose local roads would provide access from the lots covered by the access management plan to the subject highway segment;

4. The chief governing official of any county within which the segment is located if a county road intersects such segment;

5. The mayor or chief governing official of any contiguous municipality and chief governing official of any county if the improvements contemplated by the access management plan necessitate coordinated improvements in such municipality or county or if the cooperation of such municipality and county is otherwise necessary;

6. The heads of transportation development districts within which the proposed improvements or lots for which access is designed are located;

7. The heads of transportation management associations whose geographical jurisdiction encompasses all or a portion of a subject highway segment;

8. The heads of independent toll road authorities having jurisdiction over a roadway or ramp intersecting the subject highway segment; and

9. The heads of the metropolitan planning organizations whose geographical jurisdiction encompasses all or a portion of a subject highway segment.

(b) Any municipality may notify the Department by letter addressed to the Commissioner, Attention, Bureau of Authority Coordination and Local Transportation Planning, New Jersey Department of Transportation, CN 609, 1035 Parkway Avenue, Trenton, New Jersey 08625, of a proposal to develop an access management plan for lots fronting on a subject highway segment, provided that the municipality is one within which such segment is located or is one within which improvements proposed to be made as part of the plan or are located or within which a municipal road which would provide access to the lots fronting on the segment is located. At the same time, the municipality shall notify these persons identified in (a) above. Any county interested in initiating an access management plan for a State highway shall ask the affected municipalities to proceed as required in this subsection.

(c) The public agency initiating the proposal shall bear 50 percent of the cost of developing the access management plan, and the remaining cost shall be shared equally by the other public agencies participating in the joint planning process, except that the expenses for reproduction, travel, communication, and supplies shall be borne by each public agency. Costs to be shared shall include the time of on-staff professionals and of consultants. In the case of joint initiation, one public agency shall be designated as the initiator and shall be responsible for conveying the 50 percent cost share to the Department.

(d) The Commissioner shall arrange for a preliminary meeting or meetings as soon as practical between representatives of the Bureau of Authority Coordination and Local Transportation Planning and the public agencies which received notice pursuant to (a) above. In the case of a municipally-initiated proposal, however, the first meeting shall take place not later than 60 days after receipt by the Commissioner of the notice from the municipality. At the meeting or meetings, the public agency initiating the proposal shall present such proposal in such detail as it deems appropriate.

(e) The Commissioner, within 30 days of the last preliminary meeting, shall send to the represented public agencies written notice of the Department's decision whether or not to proceed with the development of the access management plan.

(f) Should the invited municipalities and counties decide to proceed with the development of the access management plan, the municipal governing body or county board of chosen freeholders shall, after receipt of a written notice from the Commissioner indicating that the Department agrees to proceed, adopt resolutions:

1. Agreeing to enter into the joint planning process with the Department;

2. Agreeing to share in the cost of developing such plan, either by providing in-kind services or cash contributions, and specifying the respective shares of each municipality and county and of the Department; and

3. Designating a primary contact person who shall be authorized to act on behalf of the municipality or county.

(g) Should any of the heads of organizations listed in (a)6 through 9 above receiving notice decide to participate in the development of the access management plan, they shall notify the Commissioner thereof, in writing, and, when so doing, designate a primary contact person.

(h) The Commissioner, shall notify each primary contact person, within 120 days of sending the notice pursuant to (e) above, that all resolutions have been received and that the joint planning process may begin. The date of this notice shall be known as the start date for the proposed access management plan. The Commissioner may also, at his or her discretion, provide such notification even if:

1. A municipality or county does not submit such resolution, in which case the access management plan shall not set forth means of access to or improvements on lots within such county or municipality; or

2. An independent toll road authority, transportation development district, transportation management association, or metropolitan planning organization fails to provide notice.

(i) The primary contact people shall constitute the working committee for the access management plan and shall be jointly responsible for maintaining the progress of the work activities. The committee shall be chaired by the Department's primary contact person. Meetings shall be held as often as necessary to formulate the access management plan, but no less than once a month. All primary contact people shall receive advance written notice of the meetings.

(j) A progress report signed by all members of the working committee shall be submitted to the Commissioner every 90 days from the start date.

(k) The committee shall submit the proposed access management plan, in the form of the report and map set forth in N.J.A.C. 16:47-6.4, to the Commissioner within 360 days of the start date or such later time as may be agreed to by the Commissioner upon a showing by the working committee that completion within the required time is impractical.

The extension shall be no greater than 180 days. At the time the proposed access management plan is submitted, each contact person, other than the Department representative, shall submit a resolution from the governing body of his or her municipality or county approving the draft access management plan. At such time, the working committee shall also submit such background reports as are necessary. Such reports shall include at least the names of the working committee members, a chronicle of the start and the completion dates of the different tasks, copies of all municipal and county resolutions, and a complete set of all progress reports and such engineering plans as have been prepared in support of the access management plan.

Administrative changes to (b) and (d).  
See: 25 N.J.R. 1005(b).

#### 16:47-6.6 Public notice and hearing

(a) The Department, municipalities, and counties participating in the joint planning process, upon completion and submission of the access management plan, shall hold a public hearing thereon at a location designated by the Commissioner. A minimum of 15 days notice thereof shall be provided in a local newspaper of general circulation and by mail to owners of lots for which access is designed and upon which any improvements set forth in the plan are located, and to all municipalities and counties located within 200 feet of such lots. The notice shall give the time and place of the hearing and provide that public comments on the proposed plan may be made to the Commissioner.

(b) The working committee shall meet and review the comments made during the public comment period within 60 days after the public comment period. It shall make whatever amendments to the access management plan are appropriate in light of the comments and within 60 days of such meeting, submit any revisions to the plan to the Commissioner. Such revisions shall be signed by all members of the working committee. Revisions that propose changes in the location, but not the number, of driveways and streets shall be classified as minor revisions and shall not require a new public hearing. All other revisions shall be classified as major, unless otherwise designated by the Commissioner, and shall require a new public hearing.

#### 16:47-6.7 Incorporation

Upon completion of the review of public comments by the working committee and such revisions to the access management plan conditions as may be made, the governing bodies of the municipalities and counties which participated in the joint planning process shall incorporate the access management plan into their land development ordinances and the planning boards of such municipalities and counties shall amend their master plans to incorporate the access management plan. Certified copies of the ordinances and master plan amendments shall be forwarded to the Commissioner.

#### 16:47-6.8 Termination or withdrawal

(a) The Commissioner may terminate the work activity if the working committee fails to complete the draft access management plan or to review the public comments and revise the access plan in a timely manner, or the municipalities or counties fail to adopt the ordinance and master plan amendments. In the case of withdrawal by the Department, the work activity shall terminate.

(b) Any participant in the joint planning process may withdraw at any time by so notifying all other participants thereof. The notice shall state the reasons for such withdrawal. In the case of withdrawal by a municipality, the work activity shall terminate in that municipality.

(c) Upon withdrawal or termination, each party shall pay its share of the cost expended to date for developing the access management plan.

#### 16:47-6.9 Adoption

Within 60 days of receipt of all of the municipal ordinances and master plan amendments, the Commissioner shall incorporate the access management plan into the Access Code in the manner established for adoption of rules pursuant to the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq.

#### 16:47-6.10 Access permit coordination

Upon the adoption of the access management plan, access permits along the highway segment will be processed according to N.J.A.C. 16:47-4.17.

#### 16:47-6.11 Revisions

(a) The Commissioner and any municipality, county, or other noticed public agency listed in N.J.A.C. 16:47-6.5(a) which participates in an access management plan may request a revision therein by mailing a letter to all participants setting forth the proposed changes. Within 60 days of such notification, the Commissioner shall schedule a meeting of all members of the original working committee, or such successors as are designated to discuss the revisions. This subsequent working committee shall at least contain representatives from the Department and the municipality. The Commissioner shall determine within 30 days of such meeting whether the proposed revisions are major or minor. The Commissioner shall classify proposed revisions as minor whenever such revisions propose changes in the location of, but not in the number of, driveways or streets which are the subject of the access management plan or whenever it is determined that the proposed revisions should otherwise be treated as minor. All other proposed revisions shall be treated as major. Major revisions may require additional study and shall require public notice and hearing as set forth by N.J.A.C. 16:47-6.6. Major revisions shall also require acceptance by the working committee, adoption of conforming municipal and county ordinances and master plan amendments, and incorporation into the Access Code by the Commissioner. Revisions shall be completed and submitted within the time frame and in the manner set forth in (b) and (c) below.

(b) Minor revisions shall require acceptance by the working committee, adoption of conforming municipal and county ordinance and master plan amendments, and incorporation into the Access Code by the Commissioner. They shall be accepted by the working committee within 90 days of the first meeting of the committee. The party initiating the proposed revisions shall be responsible for all costs associated with reevaluating and changing the access management plan.

(c) Major revisions may require additional study and shall meet all requirements set forth in N.J.A.C. 16:47-6.5 through 6.9.

## SUBCHAPTER 7. DESIGNATION OF LIMITED ACCESS

### 16:47-7.1 Procedures

After ensuring adequate alternative access, the Commissioner may propose the designation of limited access for any segment of the State highway system. The proposal shall be initiated by notice to the mayor or chief governing official of any municipality within which the subject highway segment is located and the metropolitan planning organization. Notification shall also be made to the governing body of any county within which the segment is located. The Department shall also notify legislative representatives of the legislative district(s) and any contiguous municipality or county if the proposed designation will affect traffic patterns in such municipality or county.

### 16:47-7.2 Public notice and hearing

The Department shall hold a public hearing for the designation of limited access at a location within one of the affected municipalities. A minimum of 15 days notice of the public hearing shall be provided in a local newspaper of general circulation and by return receipt requested mail to owners of lots within the segment and to all municipalities and counties located within 200 feet along and beyond the ends of the segment of highway. The notice shall give the time and place of the hearing and provide for the receipt of public comments.

### 16:47-7.3 Decision

(a) The Commissioner shall decide upon the limited access designation considering the safe and efficient movement of people and goods and the public comments. The Commissioner's written determination shall include the reasons for the decision and address the public comments.

(b) Notice of decision shall be provided to all municipalities and counties located within 200 feet of the highway segment.

(c) The designation of a limited access highway segment shall be promulgated as an amendment to this subsection, pursuant to the Administrative Procedures Act, N.J.S.A. 52:14B-1 et seq.

## SUBCHAPTER 8. ACCESS CODE REVISIONS

### 16:47-8.1 Procedure

The Commissioner may modify these rules, as deemed appropriate, under the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq.

### 16:47-8.2 Legislature notice

The Commissioner shall notify the Senate Transportation and Communications Committee, or its successor, and the Assembly Transportation and Communications Committee, or its successor, of any proposed revisions to the Access Code in writing at the time the revisions are proposed for adoption under the provisions of the Administrative Procedure Act.

### 16:47-8.3 Census

The Commissioner shall modify the Access Code, as appropriate, after obtaining U.S. Census information.

### 16:47-8.4 State Development and Redevelopment Plan

The Commissioner shall modify the Access Code, as appropriate, to support an adopted State Development and Redevelopment Plan. The Commissioner shall review the Access Code whenever the Plan is updated and make appropriate modifications. The modifications shall be incorporated into the Access Code in the manner established for adoption of rules pursuant to the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq.

### 16:47-8.5 Access classifications

(a) All recommended revisions to the access classifications and desirable typical sections included in the Access Code proposal that are received during the comment period shall be reviewed by the Department. The Department shall make those revisions it determines to be warranted and adopt the changes after adoption of the Access Code in accordance with N.J.A.C. 16:47-5.5(c).

(b) Each county may recommend revisions to the access classifications and desirable typical sections of each State highway segment within the county boundaries by September 21, 1994. The Department shall make those revisions it determines to be warranted and adopt the changes in accordance with N.J.A.C. 16:47-5.5(c).

Amended by R.1993 d.601, effective December 6, 1993.  
See: 25 N.J.R. 3945(a), 25 N.J.R. 5494(a).

SUBCHAPTER 9. COUNTY AND MUNICIPAL  
ACCESS CODES

provides reasonable access by abutting landowners to roads and highways.

**16:47-9.1 General requirements**

(a) For roads and highways under its control, any county or municipality may adopt an access code which satisfies the standards embodied in N.J.A.C. 16:47-1 through 8 and

(b) When requirements of State, county, and municipal access codes apply to the same roadway, lot, or access point, the requirements of the State code shall take precedence over the requirements of county and municipal codes.

APPENDIX A

ACCESS CLASSIFICATION MATRIX  
BASED ON DESIRABLE TYPICAL SECTIONS

URBAN CHARACTERISTICS						
ACCESS CLASS	HIGH SPEED >=45 MPH			LOW SPEED <45 MPH		
	DIVIDED	UNDIV MULTI-LANE	2-LANE	DIVIDED	UNDIV MULTI-LANE	2-LANE
	ACCESS LEVEL CELL	ACCESS LEVEL CELL	ACCESS LEVEL CELL	ACCESS LEVEL CELL	ACCESS LEVEL CELL	ACCESS LEVEL CELL
ACCESSIBLE PRINCIPAL ARTERIALS	3 (1)	4 (2)	4 (3)	3 (4)	4 (5)	5 (6)
MINOR ARTERIALS	3/4 (7)	4 (8)	5 (9)	3/4 (10)	4 (11)	5 (12)
COLLECTOR ROADS	4 (13)	5 (14)	6 (15)	4 (16)	5 (17)	6 (18)
LOCAL ROADS	4 (19)	6 (20)	6 (21)	4 (22)	6 (23)	6 (24)

RURAL CHARACTERISTICS						
ACCESS CLASS	HIGH SPEED >=50 MPH			LOW SPEED <50 MPH		
	DIVIDED	UNDIV MULTI-LANE	2-LANE	DIVIDED	UNDIV MULTI-LANE	2-LANE
	ACCESS LEVEL CELL	ACCESS LEVEL CELL	ACCESS LEVEL CELL	ACCESS LEVEL CELL	ACCESS LEVEL CELL	ACCESS LEVEL CELL
ACCESSIBLE PRINCIPAL ARTERIALS	2 (25)	4 (26)	4 (27)	3 (28)	4 (29)	5 (30)
MINOR ARTERIALS	2 (31)	4 (32)	5 (33)	3/4 (34)	4 (35)	5 (36)
MAJOR COLLECTORS	3/4 (37)	5 (38)	6 (39)	4 (40)	5 (41)	6 (42)
MINOR COLLECTORS	4 (43)	5 (44)	6 (45)	4 (46)	5 (47)	6 (48)
LOCAL ROADS	4 (49)	6 (50)	6 (51)	4 (52)	6 (53)	6 (54)

- ACCESS LEVEL DESCRIPTION
- 1 FULLY CONTROLLED ACCESS (ACCESS CELL 0)
  - 2 ACCESS AT STREET INTERSECTIONS OR GRADE-SEPARATED INTERCHANGES
  - 3 RIGHT-TURN ACCESS TO AND FROM AN ACCESS POINT WITH LEFT-TURN ACCESS VIA JUGHANDLE WHERE SIGNALIZED SPACING STANDARDS MET
  - 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
  - 5 ACCESS TO AND FROM AN ACCESS POINT LIMITED BY SPACING REQUIREMENTS AND SAFETY CONSIDERATIONS
  - 6 ACCESS TO AND FROM AN ACCESS POINT, LIMITED BY EDGE CLEARANCE AND SAFETY CONSIDERATIONS

NOTE FOR CELLS WITH ACCESS LEVEL 3/4; ACCESS LEVEL WILL DEPEND ON DEPARTMENT PLANS FOR THE ROUTE.

APPENDIX B

APPENDIX B  
STATE HIGHWAY ACCESS LEVELS BY ROUTE AND MILEPOST

ACCESS LEVEL (AL)

- 1 Fully Controlled Access
- 2 Access along Street or Interchange Only
- 3 Right-turn Access with Provision for Left-turn Access via Jughandle
- 4 Driveway with Provision for Left-turn Access via Left-turn lane
- 5 Driveway with Provision for Left-turn Access (Limited by Spacing Requirements & Safety Considerations)
- 6 Driveway Access Limited by Edge Clearance and Safety Considerations

DESIRABLE TYPICAL SECTIONS CODES (DTS) & RIGHT OF WAY WIDTHS (R.O.W.)  
DESCRIPTION

1A	—	Existing	—	SAME LANE, SHOULDER, AND PARKING CONDITIONS AS EXIST (See Note 2)
2A	—	78'	—	2 LANES, WITH SHOULDERS
2B	—	92'	—	2 LANES, WITH SHOULDERS, WITH 14' TWO WAY LEFT TURN LANE
2C	—	68'	—	2 LANES, WITHOUT SHOULDERS, WITH 14' TWO WAY LEFT TURN LANE
2D	—	54'	—	2 LANES, WITHOUT SHOULDERS
4A	—	114'	—	4 LANES, DIVIDED, WITH SHOULDERS
4B	—	90'	—	4 LANES, DIVIDED, WITHOUT SHOULDERS
4C	—	102'	—	4 LANES, UNDIVIDED, WITH SHOULDERS
4D	—	78'	—	4 LANES, UNDIVIDED, WITHOUT SHOULDERS
4E	—	102'	—	4 LANES, UNDIVIDED, WITH SHOULDERS, PARKING (URBAN SITUATION)
4F	—	116'	—	4 LANES, UNDIVIDED, WITH SHOULDERS, WITH 14' TWO WAY LEFT TURN LANE
4G	—	92'	—	4 LANES, UNDIVIDED, WITHOUT SHOULDERS, WITH 14' TWO WAY LEFT TURN LANE
5A	—	131'	—	5 LANES, (2 LANES, 1 DIRECTION + 3 LANES, OPPOSITE DIRECTION), DIVIDED, WITH SHOULDERS
6A	—	148'	—	6 LANES, DIVIDED, WITH SHOULDERS
6B	—	124'	—	6 LANES, DIVIDED, WITHOUT SHOULDERS
6C	—	210'	—	6 LANES, DIVIDED, WITH CD ROADS
8A	—	172'	—	8 LANES, DIVIDED, WITH SHOULDERS
8B	—	148'	—	8 LANES, DIVIDED, WITHOUT SHOULDERS
8C	—	234'	—	8 LANES, DIVIDED, WITH CD ROADS

FOR CELL NUMBER SEE APPENDIX A

1 These show the maximum acceptable expanded width of a State highway segment. The widths of lanes, shoulders, parking, sidewalk areas and rights-of-way shown are those derived from the standards for desirable geometric design elements. The right-of-way width needed for the construction of the highway improvement may be less than the dimensions shown when less than desirable widths are used.  
2 This designation means that social, environmental, or economic constraints may limit the desirability of State highway segment expansion. If compelling safety needs dictate, the Department will construct, or require a permittee to construct, highway improvements consistent with the design standards.

MILEPOST						ROUTE	BEGIN	END	AL	DTS	CELL
ROUTE	BEGIN	END	AL	DTS	CELL	1&9	62.80	62.93	3	4A	4
						1&9	63.93	63.20	3	6C	1
						1&9	63.20	64.90	3	5A	1
1	0.60	5.46	1	6A	0	1B	0.00	2.73	3	4A	1
1	5.46	5.94	3	6A	1	1&9 T	0.00	2.29	3	6A	1
1	5.94	7.20	3	6C	1	1&9 T	2.29	4.11	3	6A	4
1	7.20	10.79	3	6A	1	3	0.00	6.00	3	8A	1
1	10.79	11.29	3	6B	1	3	6.00	10.40	1	6C	0
1	11.29	22.40	3	6A	1	3	10.40	10.73	1	4A	1
1	22.40	38.34	3	8A	1	3	10.40	10.73	1	4A	1
1&9	38.34	40.45	3	6A	1	3	10.73	10.84	3	4A	1
1&9	40.45	41.80	3	6A	4	4	0.00	2.20	3	4B	4
1&9	41.80	43.20	3	6A	1	4	2.20	10.89	3	6A	1
1&9	43.20	45.45	3	6A	4	5	0.00	0.39	5	2A	12
1&9	45.45	48.68	1	8C	0	5	0.39	0.97	4	2B	12
1&9	48.68	51.09	1	6C	0	5	0.97	1.80	4	2A	12
1&9	51.09	54.65	1	4B	0	5	1.80	2.16	4	4E	11
1&9	54.65	62.00	3	6A	4	5	2.16	3.34	6	2A	18
1&9	62.00	62.13	3	4A	10	7	0.00	0.53	4	4D	5
1&9	62.13	62.80	4	4A	10	7	0.53	1.40	3	4A	1

ROUTE	BEGIN	END	AL	DTS	CELL	ROUTE	BEGIN	END	AL	DTS	CELL
7	1.40	1.60	3	4A	4	12	1.01	10.44	2	4A	31
7	1.60	4.16	4	4C	5	12	10.44	11.70	4	4A	34
7	4.16	5.29	4	4D	11	13	0.00	0.43	4	4D	11
7	5.99	9.17	4	4D	11	13	0.43	0.58	4	4B	10
7	9.36	10.10	4	4D	11	15	0.00	2.05	4	4C	5
9	3.02	6.50	4	4C	32	15	2.05	2.29	3	6A	1
9	6.50	9.63	4	4C	35	15	2.29	2.46	3	8B	1
9	9.63	11.00	4	4C	32	15	2.46	3.66	3	6A	1
9	11.00	13.00	6	2A	42	15	3.66	6.35	2	6A	31
9	13.00	15.08	6	2A	39	15	6.35	6.75	3	6A	1
9	15.08	23.50	4	4C	32	15	6.75	14.13	1	6A	0
9	23.50	24.00	4	4C	35	15	14.13	16.70	5	4E	38
9	24.00	28.30	4	4C	32	15	16.70	18.29	5	4E	41
9	28.30	28.73	4	4C	35	15	18.20	19.52	4	4E	32
9	28.73	29.30	4	4C	29	17	0.00	3.35	4	4E	5
9	29.30	29.80	4	4C	26	17	3.35	3.50	4	4E	2
9	29.80	30.35	4	4C	32	17	3.50	26.81	3	6A	1
9	30.35	30.72	4	4C	35	18	5.14	30.85	1	4A	0
9	31.84	32.11	4	4C	29	18	30.85	34.25	3	4A	1
9	32.11	32.63	4	4C	2	18	34.25	36.94	3	6A	1
9	32.63	33.22	4	4C	5	18	36.94	41.75	3	8A	1
9	33.22	36.00	4	4C	2	18	41.75	42.00	3	6A	1
9	36.00	41.40	4	4C	5	18	42.00	43.71	1	6A	1
9	41.40	42.80	4	4C	2	19	0.00	0.70	1	4A	0
9	42.80	44.53	4	4C	5	19	0.70	2.91	1	6A	0
9	44.53	45.30	4	4C	2	20	0.00	0.70	3	6A	4
9	45.30	45.56	4	4C	35	21	0.00	0.91	2	6B	1
9	45.56	46.18	4	4C	32	21	0.91	4.00	4	6B	4
9	46.18	47.21	4	4C	35	21	4.00	4.10	3	6A	1
9	47.21	48.08	4	4C	32	21	4.10	12.45	1	6A	0
9	48.08	49.04	4	4C	35	22	0.30	0.62	1	6B	0
9	49.04	52.58	4	4C	32	22	0.62	1.47	3	6N	4
9	54.85	55.23	4	4C	32	22	1.47	2.00	3	6B	1
9	55.23	57.30	4	4C	35	22	2.00	4.45	3	4A	1
9	57.30	61.60	4	4C	32	22	4.45	5.12	1	6A	0
9	61.60	62.50	4	4C	35	22	19.22	19.39	3	4A	7
9	62.50	63.30	4	4A	34	22	19.39	20.04	3	4A	7
9	63.30	64.60	2	4A	31	22	20.04	28.60	3	4A	7
9	64.60	68.28	3	4A	34	22	28.60	30.63	3	4A	1
9	68.28	69.34	4	4F	34	22	30.63	30.92	3	4A	1
9	69.34	70.20	4	4F	7	22	30.92	31.50	3	4A	1
9	70.20	70.50	3	4B	7	22	31.50	37.10	3	6A	1
9	70.50	71.08	3	4A	10	22	37.10	41.59	3	5A	1
9	71.08	74.48	3	4A	7	22	41.59	60.53	3	6A	1
9	74.48	75.47	3	4A	10	22A	2.38	3.47	4	4D	5
9	75.47	79.15	3	4A	7	22A	3.47	3.56	4	4D	2
9	79.15	80.70	3	4A	34	22A	3.56	4.05	4	4D	2
9	80.70	81.90	4	4D	35	23	0.00	2.06	4	4D	5
9	81.90	84.22	3	4A	34	23	2.06	3.99	4	4D	2
9	84.22	86.56	3	4A	7	23	3.99	5.05	4	4D	5
9	86.56	88.75	3	4A	1	23	5.05	6.30	1	6A	0
9	88.75	89.95	3	4A	4	23	6.30	17.00	3	6A	1
9	89.95	90.97	3	4A	1	23	17.00	27.20	2	6A	25
9	94.47	100.20	3	4A	1	23	27.20	28.78	4	4C	26
9	100.20	102.96	3	4A	4	23	28.78	41.15	4	4C	29
9	102.96	123.09	3	6A	1	23	41.15	45.20	4	4C	26
9	123.09	136.25	3	8A	1	23	45.20	45.21	4	4C	29
9W	0.00	0.35	3	4B	4	23	45.21	45.80	4	4C	29
9W	0.35	0.76	3	4A	4	23	45.80	46.65	4	4C	26
9W	0.76	1.45	4	4E	5	23	46.65	52.53	4	4C	29
9W	1.45	11.00	3	4A	1	24	0.00	7.20	1	4A	0
9W	11.00	11.17	4	2A	3	24	7.20	10.59	1	6A	0
10	0.00	10.63	3	4A	1	26	0.00	0.70	4	4E	8
10	10.63	19.70	3	6A	1	26	0.70	2.10	4	4E	11
10	19.70	23.47	3	4A	1	27	0.00	1.49	5	1A	6
12	0.95	1.01	4	4A	34	27	1.49	4.00	5	1A	3

ROUTE	BEGIN	END	AL	DTS	CELL	ROUTE	BEGIN	END	AL	DTS	CELL
27	4.00	6.80	4	2B	3	31	24.40	30.26	2	4A	25
27	6.80	9.50	4	4F	2	31	30.26	34.24	3	4A	1
27	9.50	10.20	4	4F	5	31	34.24	42.12	2	4A	25
27	10.20	11.54	4	4F	2	31	42.12	43.56	3	4A	28
27	11.54	13.85	4	4F	5	31	43.56	46.12	2	4A	25
27	13.85	15.37	4	4E	5	31	46.12	49.00	3	4A	28
27	16.55	18.23	4	4D	5	32	0.00	1.18	3	4A	7
27	18.23	23.85	4	4F	5	33	0.00	0.20	4	4D	5
27	23.85	27.18	4	4F	2	33	1.46	2.30	4	4D	5
27	27.18	35.79	4	4E	2	33	2.30	5.50	4	4C	5
28	0.00	2.22	4	4D	2	33	5.50	7.86	4	4C	2
28	2.22	3.00	4	4D	5	33	12.39	12.70	3	6A	1
28	3.00	3.70	4	2B	5	33	12.70	13.38	4	2B	1
28	3.70	5.08	4	4D	5	33	13.38	13.68	4	4C	2
28	5.08	6.80	4	4D	2	33	13.68	14.70	4	2C	6
28	6.80	12.47	4	4D	5	33	14.70	14.77	4	4D	2
28	17.50	23.00	5	1A	6	33	14.77	15.01	3	6B	1
28	23.00	26.63	4	4A	4	33	15.01	18.90	3	6A	1
29	3.20	6.20	1	4A	0	33	18.90	24.32	2	6A	25
29	6.20	6.70	3	4A	4	33	24.32	29.30	1	4A	0
29	6.70	9.55	1	4A	0	33	29.35	29.74	4	4E	2
29	9.55	13.80	5	2A	9	33	29.74	29.91	4	4E	26
29	13.80	16.72	5	2A	36	33	29.91	33.04	4	4C	32
29	16.72	18.10	6	2A	42	33	33.04	33.25	2	4A	25
29	18.10	18.60	6	4C	41	33	33.25	36.49	3	4A	1
29	18.60	19.60	5	2A	42	33	36.49	36.65	3	4A	1
29	19.60	20.30	6	4C	41	33	36.65	38.30	3	4A	1
29	20.30	23.36	6	2A	42	33	38.30	40.28	4	4C	2
29	23.36	34.26	6	1A	39	33	40.28	40.63	1	6A	0
30	0.96	1.20	3	6A	4	33	40.63	41.82	4	4C	5
30	1.20	3.15	3	8B	1	33	41.82	42.46	4	4C	11
30	3.15	3.32	3	8B	4	33 B	0.00	0.60	1	2D	7
30	3.32	4.26	3	8A	1	33 B	0.60	2.24	4	4C	8
30	4.26	6.40	4	4E	2	33 B	2.24	2.57	3	6A	4
30	6.40	7.95	3	6A	4	33 B	2.57	3.36	5	4D	17
30	7.95	12.70	3	4A	1	33 B	3.36	3.86	4	4E	11
30	12.70	16.30	3	4A	7	33 B	3.86	4.35	5	4C	14
30	16.30	17.05	3	4B	10	33 B	4.35	5.03	5	4C	17
30	17.05	18.00	3	4B	7	34	0.00	0.33	3	4A	1
30	18.00	21.60	3	4A	7	34	0.33	7.70	3	4A	7
30	21.60	27.97	2	4A	31	34	8.75	12.60	2	4A	31
30	27.97	32.60	4	4G	2	34	12.60	20.44	4	4C	32
30	32.60	35.10	4	4G	32	34	20.44	21.20	4	4C	2
30	35.10	40.35	3	4A	32	34	21.20	22.56	4	4C	5
30	40.35	42.10	4	4A	34	34	22.56	26.79	4	4C	2
30	42.10	46.00	4	4G	32	35	0.00	0.26	4	4B	34
30	46.00	52.09	4	4G	2	35	0.26	0.58	5	2A	36
30	52.09	52.20	4	4G	2	35	0.58	1.44	4	4A	34
30	52.39	52.42	4	4G	2	35	1.44	2.07	4	6A	34
30	52.42	53.45	3	4A	1	35	2.07	2.32	4	6B	34
30	53.45	54.39	2	4A	25	35	2.32	2.48	4	8B	34
30	54.39	55.42	2	6B	25	35	2.48	3.51	1	6A	0
30	55.42	56.75	2	8B	25	35	3.51	3.65	3	6B	28
30	56.75	56.79	3	8B	28	35	3.65	3.77	3	4B	28
30	56.79	57.47	3	8B	4	35	3.77	7.29	3	4A	28
30	57.47	58.23	3	6C	4	35	7.29	9.12	4	4A	28
31	1.15	3.82	4	4C	5	35	9.12	12.76	4	4E	29
31	3.82	4.30	4	4C	2	35	12.76	13.00	4	4E	5
31	4.30	4.70	4	4F	2	35	13.00	14.55	4	4A	4
31	4.70	6.34	3	4A	1	35	14.55	16.04	3	4A	4
31	6.34	7.19	3	4A	28	35	16.04	20.10	4	4F	2
31	7.19	8.08	4	4C	29	35	20.10	20.56	3	4A	1
31	8.08	12.37	4	4C	26	35	20.56	21.05	3	4A	4
31	12.37	16.26	3	4A	25	35	21.05	21.39	4	4D	5
31	21.95	22.10	2	4A	25	35	21.39	22.30	3	6A	4
31	22.10	24.40	3	4A	28	35	22.30	24.61	4	4C	5

ROUTE	BEGIN	END	AL	DTS	CELL	ROUTE	BEGIN	END	AL	DTS	CELL
35	24.61	24.94	3	4A	1	40	47.48	53.15	2	4A	31
35	24.94	29.50	3	6A	1	40	53.15	53.85	2	6A	31
35	29.50	31.20	4	4F	5	40	53.85	56.79	3	6A	1
35	31.20	33.15	4	4C	5	40	56.79	59.00	3	4A	1
35	33.15	34.37	4	4E	5	40	59.00	59.72	3	4A	4
35	34.37	35.80	3	4A	1	40	59.72	59.98	4	4F	5
35	35.80	43.91	3	6A	1	40	59.98	60.23	3	4A	4
35	43.91	44.62	3	6B	1	40	60.23	60.37	3	4A	28
35	44.62	49.52	3	6A	1	40	60.37	61.63	4	4F	29
35	50.79	51.00	1	6A	0	40	61.63	61.65	4	4F	26
35	51.00	52.32	4	4E	5	40	61.65	63.38	2	4A	25
35	52.32	53.35	4	4F	5	40	63.38	63.57	3	4A	1
35	53.35	54.87	4	4C	2	40	63.57	63.97	4	4F	5
35	54.87	58.06	4	4C	5	40	63.97	64.07	4	4C	5
36	0.00	4.00	3	6A	1	41	0.00	2.32	4	4D	8
36	4.00	5.72	4	4D	5	41	2.32	3.00	4	4C	8
36	5.72	6.55	3	4A	4	41	3.00	3.86	4	4F	8
36	6.55	6.71	4	4C	2	41	3.86	3.91	4	4F	11
36	6.71	9.74	4	4C	29	41	3.91	4.94	4	4C	5
36	9.74	11.60	4	4C	2	41	10.68	11.95	4	4F	5
36	11.60	11.80	4	4D	2	41	11.95	13.02	4	4F	2
36	11.80	13.00	3	5A	1	41	13.02	13.98	3	5A	1
36	13.00	19.52	3	4A	1	42	0.00	6.40	3	6A	1
36	19.52	24.18	3	6A	1	42	6.40	14.28	1	8A	0
36	24.18	24.40	3	4A	1	44	0.00	1.28	6	2A	51
37	0.00	1.53	3	4A	7	44	1.28	2.60	6	2A	39
37	1.53	2.90	3	4A	1	44	2.60	6.28	5	2A	12
37	2.90	6.02	3	6A	1	44	6.28	8.40	5	2A	9
37	6.02	6.50	3	4A	1	44	8.40	9.10	5	2A	12
37	6.50	6.75	3	8A	1	44	9.10	9.60	5	2A	9
37	6.75	11.45	3	6A	01	45	0.00	0.42	4	4E	29
37	11.45	12.39	1	6A	0	45	0.42	2.32	4	4E	35
37	12.39	13.42	2	6A	25	45	2.32	8.79	4	4E	32
38	0.00	12.00	3	6A	1	45	8.79	9.23	4	4E	34
38	12.00	15.40	3	4A	1	45	9.23	10.14	4	4D	11
38	15.40	16.80	3	4A	4	45	10.14	10.45	4	4E	8
38	16.80	17.38	4	4A	1	45	10.45	16.98	4	4E	32
38	17.38	18.31	2	4C	25	45	16.98	17.32	4	4E	35
38	18.31	19.23	4	4C	32	45	17.32	17.77	4	4D	35
40	1.85	5.47	2	4A	31	45	18.16	18.35	4	4E	35
40	5.47	8.03	4	4C	32	45	18.35	20.24	4	4E	32
40	8.03	8.55	4	4C	35	45	20.24	20.88	4	4E	26
40	8.55	10.22	4	4C	32	45	20.88	20.96	4	4E	29
40	10.02	10.21	4	4D	35	45	29.96	22.13	4	4E	2
40	10.21	10.40	4	4D	8	45	22.13	22.53	4	4E	5
40	10.40	11.20	4	4D	11	45	22.53	22.59	3	4A	4
40	11.20	11.25	4	4D	35	45	22.59	24.82	3	4A	1
40	11.25	11.66	4	4C	35	45	24.82	24.90	3	4A	4
40	11.66	19.54	4	4C	32	45	24.90	26.90	5	4D	5
40	19.54	20.27	4	4C	35	45	26.90	28.51	4	4D	2
40	20.27	25.25	4	4C	32	46	0.00	0.85	1	4A	0
40	25.50	25.73	4	4C	8	46	0.85	6.86	4	2A	27
40	25.73	26.30	4	4C	2	46	6.86	7.45	4	4A	25
40	26.30	26.42	4	4C	2	46	7.45	9.63	4	4C	26
40	26.42	26.60	4	4C	5	46	9.63	10.05	4	4C	29
40	26.60	27.37	4	4C	5	46	10.05	10.12	4	4C	35
40	27.37	29.10	4	4C	2	46	10.12	15.82	4	4C	32
40	29.10	29.27	4	4C	26	46	15.82	20.63	4	4C	35
40	29.27	32.55	4	4C	32	46	20.63	21.82	4	4D	29
40	32.55	33.79	3	4A	1	46	21.82	22.40	4	4B	34
40	33.79	34.40	3	4A	4	46	22.40	22.48	4	4A	34
40	34.40	35.21	3	4A	1	46	22.48	24.58	4	4A	31
40	35.21	44.95	2	4A	31	46	24.58	25.50	2	4A	31
40	44.95	45.63	3	4A	34	46	25.50	27.12	2	4A	25
40	45.63	46.25	2	4A	31	46	27.12	28.42	3	4A	28
40	46.25	47.48	4	4C	35	46	28.42	29.60	2	4A	25

ROUTE	BEGIN	END	AL	DTS	CELL	ROUTE	BEGIN	END	AL	DTS	CELL
46	29.60	30.43	3	4A	28	49	8.30	10.10	4	4C	29
46	30.43	31.52	2	4A	25	49	10.10	11.00	4	4C	35
46	31.52	33.30	2	4A	1	49	11.00	12.30	4	4C	32
46	33.30	33.45	3	4A	1	49	12.30	12.88	4	4C	35
46	33.45	34.25	4	4C	2	49	12.88	21.10	4	4C	32
46	34.25	35.10	4	4C	5	49	21.10	21.62	4	4D	35
46	35.10	35.38	4	4C	2	49	21.62	22.10	4	4D	32
46	35.38	36.05	3	4A	1	49	21.10	23.13	4	4C	32
46	36.05	36.58	3	4A	4	49	23.13	24.50	4	4C	2
46	36.58	37.22	3	4A	1	49	24.50	26.25	4	4C	5
46	37.22	42.38	3	4A	4	49	26.25	26.50	3	4B	4
46	42.38	42.50	3	6B	4	49	26.50	26.60	4	4C	5
46	42.50	43.18	3	6A	4	49	26.60	27.20	4	4C	2
46	43.18	61.60	3	6A	1	49	27.20	29.84	4	4C	8
46	61.60	62.26	3	6A	4	49	29.84	30.80	4	4C	32
46	62.26	68.28	3	6A	1	49	30.80	31.45	4	4C	26
46	68.28	69.00	3	8A	1	49	31.45	35.03	4	4C	2
46	69.00	69.18	3	6A	1	49	35.03	36.10	4	4C	5
46	69.18	69.38	4	4F	2	49	36.10	37.37	4	4D	5
46	69.38	70.08	4	4F	5	49	37.37	38.10	4	4D	2
46	70.08	70.40	1	4D	0	49	38.10	38.37	4	4C	2
46	70.40	70.73	3	6A	4	49	38.87	40.80	4	4C	26
46	70.73	71.55	3	8B	1	49	40.80	53.78	4	4C	32
46	71.55	72.15	3	6B	1	50	0.00	0.24	3	4B	34
47	0.66	1.16	4	4A	40	50	0.24	6.18	4	4C	32
47	1.16	3.18	4	4A	37	50	6.18	7.03	4	4C	35
47	3.18	3.73	4	4D	41	50	7.03	7.15	4	4C	32
47	3.73	3.90	4	4D	35	50	7.15	18.56	4	4C	32
47	3.90	4.32	4	4C	35	50	19.18	19.67	4	4C	35
47	4.32	6.10	4	4C	32	50	19.67	20.91	4	4C	32
47	6.10	7.00	4	4C	35	50	20.91	21.20	1	4A	0
47	7.00	17.43	4	4C	32	50	21.20	23.50	4	4C	32
47	17.43	17.63	2	4B	31	50	23.50	24.20	2	4A	31
47	17.63	25.60	4	4C	32	50	24.20	25.53	4	4C	32
47	25.60	26.62	4	4C	35	50	25.53	26.08	4	4C	35
47	26.62	33.12	4	4C	32	52	0.00	1.96	4	4E	29
47	33.12	34.12	4	4C	35	52	1.96	2.74	4	4E	5
47	34.12	34.80	4	4C	32	53	0.00	1.55	4	2B	8
47	34.80	36.08	6	2A	39	53	1.55	2.35	4	4C	8
47	36.08	36.73	5	2A	33	53	2.35	3.32	4	4C	11
47	36.73	38.50	4	2A	9	53	3.32	4.66	4	4E	11
47	38.50	40.80	4	2C	12	54	0.00	1.11	4	4C	2
47	40.80	42.20	4	2C	9	54	1.11	8.20	4	4C	32
47	42.20	45.88	4	4D	8	54	8.20	8.46	4	4C	2
47	45.88	46.75	4	4D	11	54	8.46	9.12	3	4A	1
47	46.75	52.03	4	4D	8	54	9.12	9.98	4	4C	2
47	52.03	52.36	4	4C	11	54	9.98	11.88	4	4C	5
47	52.82	56.00	4	4C	8	55F	20.00	60.53	1	4A	0
47	56.00	56.78	4	4C	11	56	0.00	0.17	4	4D	8
47	56.78	58.17	4	4C	8	56	0.17	1.60	5	4D	14
47	58.17	58.29	4	4C	2	56	1.60	2.00	5	4D	38
47	58.29	59.80	4	4C	5	56	2.00	7.50	6	2A	39
47	59.80	61.96	4	4C	2	56	7.50	7.84	3	4B	7
47	61.96	62.29	4	4C	5	56	7.84	9.23	4	4D	11
47	62.66	63.15	4	4D	5	57	0.00	0.55	4	4C	26
47	63.15	64.12	4	4C	2	57	0.55	2.20	4	4C	32
47	64.12	74.00	4	4C	8	57	2.20	2.80	4	4C	35
47	74.00	74.98	4	4C	11	57	2.80	4.38	4	4C	32
48	0.00	0.61	4	4C	11	57	4.38	5.28	4	4C	35
48	0.61	0.66	4	4C	8	57	5.28	6.40	4	4C	32
48	0.66	2.10	4	4C	32	57	6.40	9.10	4	4C	35
48	2.10	4.26	6	2A	39	57	9.10	9.78	4	2B	33
49	0.00	0.70	4	4C	2	57	9.78	9.81	4	2B	27
49	0.70	3.00	4	4C	5	57	9.81	11.60	4	2B	30
49	3.00	6.29	4	4C	2	57	11.60	11.80	4	2B	36
49	6.29	8.30	4	4C	32	57	11.80	11.90	4	2B	33

ROUTE	BEGIN	END	AL	DTS	CELL	ROUTE	BEGIN	END	AL	DTS	CELL
57	11.90	14.44	4	2C	32	79	0.00	0.35	4	4F	11
57	14.44	15.23	4	2B	33	79	0.35	0.57	4	2B	12
57	15.23	18.60	4	4C	32	79	0.57	1.75	4	2C	18
57	18.60	19.55	4	4C	35	79	1.75	2.50	5	4D	17
57	19.55	20.53	4	4C	32	79	2.50	3.90	5	4D	14
57	20.53	21.10	4	4D	29	79	3.90	4.81	5	4C	14
59	0.00	0.15	4	4B	22	79	4.81	5.08	4	4A	13
63	0.00	0.06	3	4A	4	79	5.08	5.33	4	4A	7
63	0.06	3.00	4	2B	6	79	5.33	5.38	4	4A	10
63	3.00	3.09	3	4A	4	79	5.38	5.79	4	4C	11
64	0.00	0.33	3	4B	4	79	5.79	9.38	4	4C	8
66	0.00	0.40	3	4A	10	79	9.38	10.18	4	4C	11
66	0.40	3.62	3	4A	7	79	10.18	10.95	4	4C	8
67	0.00	1.86	4	4E	11	79	10.95	11.38	4	4C	11
68	0.00	0.60	2	4A	1	79	11.38	12.13	4	4D	11
68	0.60	1.07	3	4A	1	80	0.50	42.10	1	8A	0
68	1.07	7.66	2	4A	31	80	42.10	42.90	1	8C	0
68	7.66	8.02	3	4A	7	80	42.90	43.90	1	8A	0
70	0.00	8.50	3	6A	1	80	43.90	46.13	1	1A	0
70	8.50	14.83	3	4A	1	80	46.13	62.50	1	8A	0
70	14.83	20.10	2	4A	31	80	62.50	63.35	1	1A	0
70	20.10	26.10	4	4C	32	81	0.51	1.18	3	5A	1
70	26.10	26.50	2	4C	31	82	0.00	2.65	4	4E	5
70	26.50	43.25	4	4C	32	82	2.65	3.35	4	4E	2
70	43.25	43.45	4	4C	35	82	3.35	4.25	4	4E	5
70	43.45	44.80	3	4A	34	82	4.25	4.93	4	4E	2
70	44.80	48.58	3	4A	7	83	0.00	0.24	2	4B	31
70	48.58	59.84	3	4A	1	83	0.24	3.84	2	4A	31
71	0.00	0.61	6	2A	18	87	0.00	0.57	3	8A	7
71	0.61	7.40	5	4D	17	87	0.57	0.80	3	6A	7
71	7.40	9.40	5	4E	17	87	0.80	1.72	3	4A	7
71	9.40	10.48	5	4D	17	88	0.00	0.30	4	2B	12
71	10.48	11.64	4	4A	16	88	0.30	5.21	4	2C	12
71	11.64	12.53	4	2B	17	88	5.21	8.60	4	2C	6
71	12.53	13.77	4	2C	17	88	8.60	8.96	5	4D	5
71	13.77	15.71	4	4D	11	88	8.96	9.64	4	2C	6
71	15.71	16.76	4	4C	11	88	9.64	10.02	3	4B	4
72	0.00	5.96	4	4E	32	90	2.35	3.20	3	8A	1
72	5.96	11.47	4	4C	32	91	0.00	1.30	4	4C	8
72	11.47	13.70	4	4E	32	91	1.30	2.31	4	4C	11
72	13.70	18.06	2	4A	31	93	0.00	3.52	5	2A	12
72	18.06	26.32	3	4A	7	94	0.20	0.72	4	4D	35
72	26.32	27.18	2	4A	31	94	0.72	2.55	4	4C	32
72	27.18	27.40	2	5A	31	94	2.55	3.36	4	4C	35
72	27.40	27.55	2	6A	31	94	3.36	3.91	4	4C	32
72	27.55	28.18	2	4A	31	94	3.91	9.33	4	4C	35
72	28.18	28.72	3	5A	34	94	9.33	11.82	4	4C	32
73	6.00	10.89	2	6A	31	94	11.82	12.60	4	4D	35
73	10.89	12.70	3	6A	1	94	12.60	14.80	4	4C	35
73	12.70	14.46	2	6A	31	94	14.80	21.25	4	4C	32
73	14.46	32.00	3	6A	1	94	21.35	21.55	4	4D	2
73	32.00	32.35	3	8A	1	94	21.55	22.51	4	4D	5
73	32.35	34.10	3	6A	1	94	24.89	27.68	4	4C	35
76	0.00	1.85	1	1A	0	94	27.95	32.90	4	4C	35
77	0.00	2.19	4	4D	5	94	32.90	35.15	4	4C	32
77	2.70	3.90	4	2A	3	94	35.15	45.76	4	4C	35
77	3.90	5.06	5	1A	9	95	0.00	8.77	1	6A	0
77	5.06	7.18	5	2A	33	109	1.37	1.95	4	4C	35
77	7.18	8.05	5	2A	36	109	1.95	2.50	4	4A	34
77	9.81	22.18	5	2A	33	109	2.50	3.06	4	4C	35
78	4.16	17.85	1	6A	0	120	0.00	0.95	2	6A	1
78	17.85	19.22	1	8A	0	120	0.95	2.65	3	6A	4
78	19.22	29.85	1	6A	0	124	0.00	0.40	5	4E	5
78	29.85	33.13	1	8A	0	124	0.40	1.50	5	4D	5
78	33.13	48.54	1	6A	0	124	1.50	2.80	4	4D	11
78	48.54	58.50	1	1A	0	124	2.80	4.50	5	2A	12

ROUTE	BEGIN	END	AL	DTS	CELL	ROUTE	BEGIN	END	AL	DTS	CELL
124	4.50	5.90	5	2A	6	168	0.78	1.20	4	4C	2
124	5.90	7.45	4	4D	5	168	1.20	2.65	4	2C	6
124	7.45	9.00	4	4A	19	168	2.65	4.73	4	2C	3
124	9.00	10.03	4	4A	22	168	4.73	7.38	4	2C	6
124	10.03	11.70	4	4E	5	168	7.38	8.72	4	4C	5
124	11.70	12.58	3	4A	4	168	8.72	9.79	3	4A	1
124	12.58	14.84	4	4E	5	168	9.79	9.92	3	4B	4
129	0.00	0.29	4	2A	3	168	9.92	10.81	4	4C	5
129	0.29	2.41	1	4A	0	169	0.85	2.25	3	4A	1
130	0.00	0.65	4	4D	11	169	2.25	4.65	3	4A	4
130	0.65	2.25	4	4D	8	169	4.65	5.73	3	4A	1
130	2.25	4.15	4	4D	11	171	0.00	0.08	2	4A	10
130	4.15	5.28	4	4D	8	171	0.08	1.00	4	4F	23
130	5.28	5.88	6	2A	15	172	0.00	0.35	6	4E	23
130	5.88	8.90	6	2A	39	172	0.35	0.81	3	4A	10
130	8.90	11.70	4	4A	13	173	0.00	0.25	5	2A	33
130	11.70	14.30	1	4A	0	173	0.25	0.35	4	2B	33
130	23.53	25.43	3	4A	1	173	0.35	3.19	4	2B	39
130	25.43	29.40	3	6B	1	173	3.19	4.20	4	2B	45
130	30.34	37.10	3	6B	1	173	4.20	4.50	4	2B	48
130	37.10	45.90	3	6A	1	173	4.50	12.07	4	2B	45
130	45.90	46.65	4	8B	4	173	12.43	12.80	4	2B	45
130	46.65	55.43	3	6A	1	173	12.80	13.50	4	2B	48
130	55.43	55.77	3	6A	4	173	13.50	14.62	4	2B	54
130	55.77	56.43	3	8B	4	175	0.27	1.58	6	2A	21
130	56.43	70.85	3	4A	1	175	1.58	2.15	6	2A	24
130	70.85	80.38	3	4A	7	175	2.15	2.73	6	2A	21
130	80.38	83.37	3	4A	1	175	2.73	2.90	4	4A	19
138	0.00	3.52	3	4A	1	179	0.12	0.37	6	2A	42
139	0.00	1.45	3	8B	1	179	0.37	1.13	5	4D	41
140	0.00	0.48	6	2A	18	179	1.13	1.45	5	4D	38
140	0.48	0.95	5	2A	12	179	1.45	6.13	6	2A	39
143	0.00	1.00	6	2A	48	179	6.13	7.46	6	2A	42
143	1.00	1.93	6	2A	45	181	0.00	1.65	4	4C	35
143	1.93	2.27	6	2A	48	181	1.65	4.40	5	4C	41
143	2.27	2.35	6	2A	45	181	4.40	5.98	4	4C	11
147	0.00	0.80	4	4D	35	181	5.98	7.43	5	4C	38
147	0.80	1.63	3	4D	32	182	0.00	0.98	4	4D	29
147	1.63	3.30	4	4D	35	183	0.00	0.20	2	4B	31
147	3.30	4.20	4	4D	41	183	0.20	0.43	2	4A	25
152	0.00	0.17	4	4D	5	183	0.43	0.58	3	4A	28
152	0.17	1.58	4	4D	2	183	0.58	2.12	5	2B	30
152	1.58	1.72	4	4D	5	184	0.00	0.32	3	6A	10
152	1.72	3.16	4	4D	2	184	0.32	1.37	3	4A	10
154	0.00	0.30	4	4C	11	185	0.00	1.42	3	4A	4
154	0.30	1.70	4	4C	8	187	0.00	0.47	4	4E	8
156	0.00	1.21	5	2A	12	195	0.00	34.17	1	4A	0
157	0.00	0.43	5	2A	6	202	0.37	19.04	2	4A	25
157	0.43	0.91	4	2A	3	202	19.04	26.25	3	4A	1
159	0.00	0.45	3	4A	1	202	26.25	29.00	4	4F	2
159	0.45	0.56	3	4A	4	202	29.00	29.55	3	4A	1
159	0.56	1.36	4	4E	11	202	29.55	29.69	3	4A	4
161	0.00	1.10	4	2B	12	202	29.69	30.02	3	4B	4
162	0.00	0.73	6	2A	39	202	30.02	31.12	3	4A	1
163	0.00	0.33	6	2A	51	202	31.12	31.50	2	4A	25
165	0.00	0.10	4	4A	40	202	31.50	31.80	3	4A	28
165	0.10	0.26	5	4D	41	202	31.80	32.17	4	2C	35
166	0.00	1.86	4	2C	6	202	32.17	32.56	4	2C	35
166	1.86	1.98	4	4D	5	202	32.56	32.77	5	2A	36
166	1.98	2.23	4	2C	6	202	32.77	32.95	6	2A	42
166	2.23	3.75	4	2C	3	202	32.95	34.10	6	2A	39
167	0.00	0.62	6	2A	54	202	34.10	35.80	5	2A	33
167	0.95	1.49	6	2A	51	202	35.80	36.20	5	2A	9
167	1.52	1.66	6	2A	51	202	36.20	36.40	5	2A	12
167	1.67	2.78	6	2A	51	202	36.40	37.85	4	2B	12
168	0.00	0.78	3	4A	1	202	37.85	39.06	4	4C	8

ROUTE	BEGIN	END	AL	DTS	CELL	ROUTE	BEGIN	END	AL	DTS	CELL
202	39.06	39.30	5	2A	9	206	104.50	107.18	2	4A	31
202	39.30	41.03	6	2A	42	206	107.18	107.48	3	4A	34
202	41.03	42.31	6	2A	39	206	107.48	108.18	3	4A	1
202	42.31	42.67	5	2A	9	206	108.18	109.93	4	2B	6
202	42.67	43.90	5	2A	12	206	109.93	111.10	4	4C	35
202	43.90	45.30	5	4E	11	206	111.10	114.10	2	4A	31
202	45.30	45.70	5	4C	11	206	114.10	116.28	3	4A	34
202	45.70	46.31	4	4E	11	206	116.28	128.20	2	4A	31
202	46.31	47.00	4	4D	11	206	128.20	129.22	3	4A	34
202	50.03	50.70	3	4B	1	208	0.00	11.02	3	6A	1
202	51.43	51.87	4	2C	5	278	0.00	0.90	1	6A	0
202	62.99	64.32	3	6A	1	280	0.00	7.66	1	6A	0
202	65.32	65.68	5	2A	6	280	7.66	12.50	1	8A	0
202	72.44	72.66	4	4D	5	280	12.50	13.28	1	1A	0
206	0.00	0.10	3	4A	1	280	13.28	16.80	1	6A	0
206	0.10	2.33	4	4F	2	284	0.00	0.63	5	2A	36
206	2.33	6.27	4	4C	2	284	0.63	7.03	5	2A	33
206	6.27	9.00	4	4C	26	287	0.00	0.73	1	1A	0
206	9.00	23.30	4	4C	32	287	0.73	17.82	1	8A	0
206	23.30	23.70	4	4F	32	287	17.82	21.20	1	1A	0
206	23.70	30.36	4	4C	32	287	21.20	42.10	1	8A	0
206	30.36	31.28	2	4A	31	287	42.10	60.00	1	6A	0
206	31.28	33.26	4	4C	32	287	60.00	67.54	1	4A	0
206	33.26	33.40	4	4C	8	295	0.95	26.40	1	6A	0
206	33.40	34.00	3	4A	7	295	26.40	27.00	1	8A	0
206	34.00	35.50	3	4A	1	295	27.00	42.90	1	6A	0
206	35.50	35.61	3	4A	4	295	42.90	44.78	1	8A	0
206	36.27	38.49	3	4A	1	295	44.78	68.06	1	6A	0
206	38.49	38.90	3	6A	1	322	2.24	6.30	2	4A	31
206	38.90	39.00	3	6A	4	322	6.30	10.85	4	4D	39
206	39.00	40.73	3	4A	4	322	10.85	11.53	4	4D	35
206	44.50	45.01	6	4A	23	322	11.53	14.41	4	4C	32
206	45.01	46.62	4	4C	5	322	14.41	16.10	4	4C	35
206	46.62	47.90	4	4C	29	322	16.10	16.75	4	4D	2
206	47.90	48.50	1	2A	0	322	16.75	18.55	4	4D	5
206	48.50	49.80	5	1A	30	322	18.55	19.50	4	4D	2
206	59.80	52.38	4	2C	29	322	19.50	23.05	4	4C	11
206	52.38	52.90	4	2C	2	322	23.05	24.10	4	4C	2
206	52.90	54.25	4	1A	3	322	24.10	24.50	4	4C	5
206	54.25	54.50	4	1A	5	322	24.50	26.85	4	4C	2
206	54.50	55.77	4	2C	5	322	26.85	32.90	4	4C	32
206	55.77	55.80	4	2C	2	322	32.90	48.70	2	4A	31
206	55.80	57.20	4	2C	35	322	48.70	50.10	2	6A	31
206	57.20	57.38	4	2B	11	324	0.90	1.51	6	2A	51
206	57.38	57.90	4	2B	8	439	0.00	3.94	4	4E	5
206	57.90	58.24	3	4A	1	440	0.00	3.10	1	6A	0
206	58.24	62.69	2	4A	25	440	3.10	3.98	1	6C	0
206	62.29	68.90	3	4A	1	440	17.60	23.28	3	6A	1
206	68.90	71.25	3	6A	1	495	0.80	1.97	1	6A	0
206	78.32	79.25	2	4A	25	524	0.45	0.90	4	4B	13
206	79.25	89.49	2	4A	31	676	0.00	3.79	1	6A	0
206	89.49	95.61	2	4A	25						
206	97.01	97.51	2	4A	25						
206	97.51	97.80	2	4A	31						
206	97.80	98.40	2	4A	25						
206	98.40	99.23	3	4A	28						
206	99.23	102.72	2	4A	31						
206	102.72	103.35	4	4A	34						
206	103.35	104.50	4	2C	35						

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

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

Revised milepost 322.

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).

APPENDIX C

ACCESS PERMITTED ON STATE HIGHWAYS BASED ON DESIRABLE TYPICAL SECTION

ACCESS LEVEL	DIVIDED OR UNDIVIDED	PERMISSIBLE TURNING MOVEMENTS				LEFT TURN TREATMENTS			
		AT INTERCHANGE	AT STREET	AT CONFORMING LOT DRIVEWAY	AT NONCONFORMING LOT DRIVEWAY	LEFT TURNS AT INTERCHANGE	LEFT TURNS VIA JUGHANDLE	LEFT TURNS VIA LEFT-TURN LANE	LEFT TURNS WITHOUT LEFT-TURN LANE
1.	DIVIDED	L & R	NONE	NONE	NONE	YES	NO	NO	NO
2.	DIVIDED	L & R	L & R	NONE	R	YES	YES	NO	NO
3.	DIVIDED	L & R	L & R	L & R	L & R	YES	YES	NO	NO
4.	EITHER	L & R	L & R	L & R	L & R	YES	MAYBE	YES	NO
5.	UNDIVIDED	L & R	L & R	L & R	L & R	YES	NA	MAYBE	YES
6.	UNDIVIDED	L & R	L & R	L & R	NA	YES	NA	MAYBE	YES

ACCESS LEVEL	DIVIDED OR UNDIVIDED	APPLICABLE SPACING REQUIREMENTS			APPLICABLE DRIVEWAY DESIGN CRITERIA		
		INTERCHANGE	SIGNALIZED	UNSIGNALIZED	SAFETY PER DESIGN MANUAL	CORNER CLEARANCE	EDGE CLEARANCE
1.	DIVIDED	YES	NA	NA	YES	NA	NA
2.	DIVIDED	YES	YES	YES	YES	YES	YES
3.	DIVIDED	YES	YES	YES	YES	YES	YES
4.	EITHER	YES	YES	YES	YES	YES	YES
5.	UNDIVIDED	YES	YES	YES	YES	YES	YES
6.	UNDIVIDED	YES	YES	YES	YES	YES	YES

GENERAL NOTES

L = LEFT  
R = RIGHT  
NA = NOT APPLICABLE

ALL TURNING MOVEMENTS REFER TO BOTH ENDS AND SIDES.

A TRAFFIC SIGNAL IS REQUIRED AT ALL JUGHANGLES.

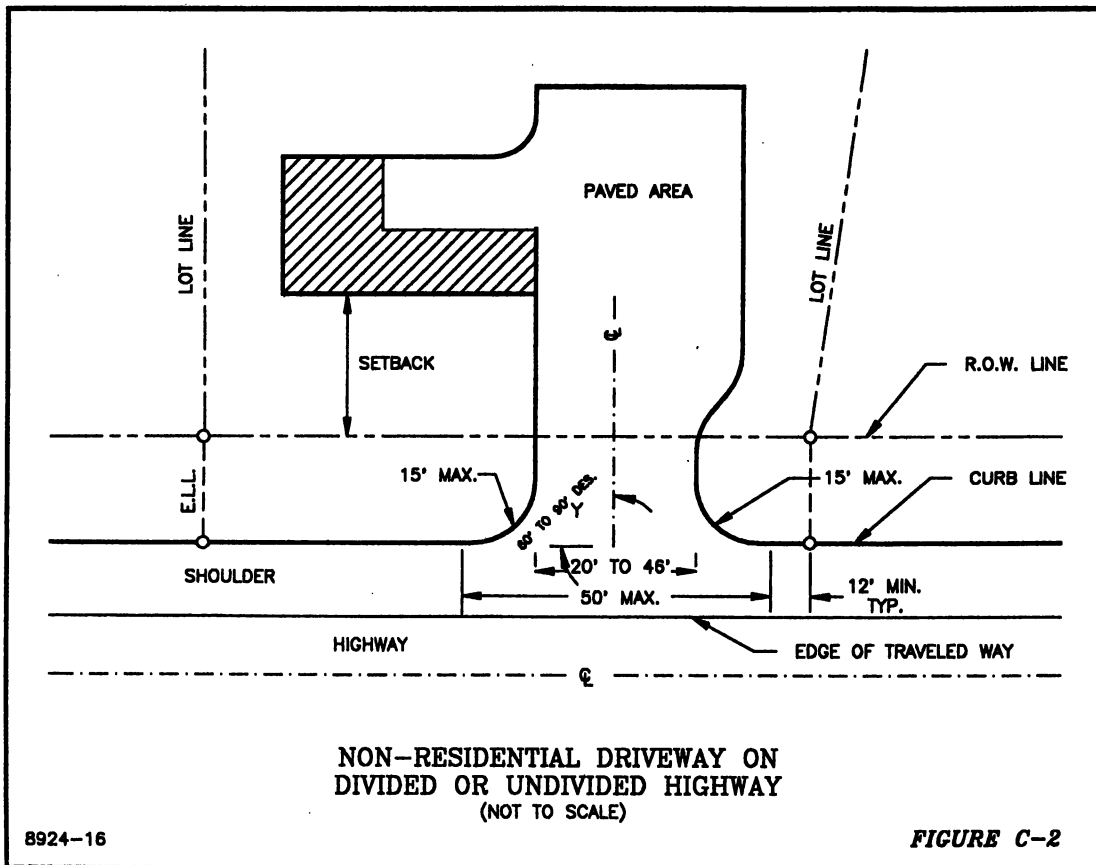
IF A JUGHANDLE IS AT A STREET, THEN PERMISSIBLE MOVEMENTS APPLY TO BOTH.

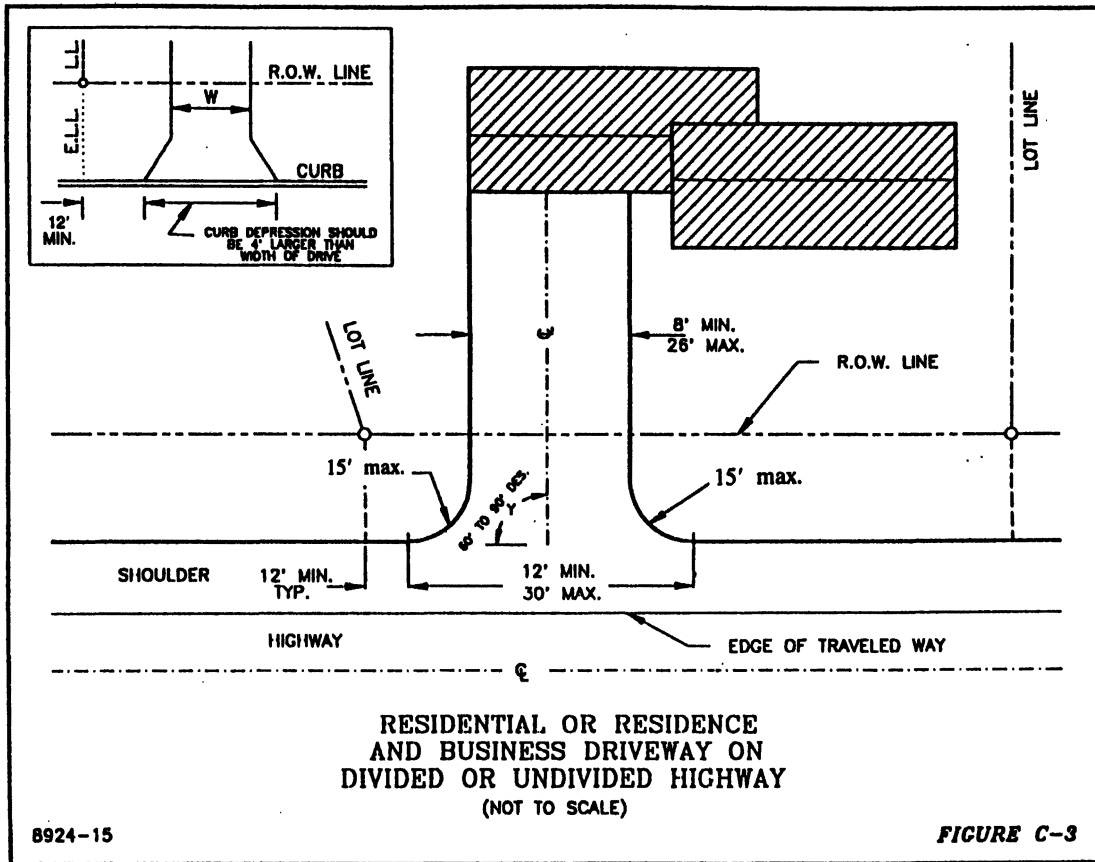
IF TRAFFIC AT ACCESS POINT MEETS WARRANTS FOR A TRAFFIC SIGNAL, THEN THE SIGNALIZED SPACING STANDARDS MUST BE MET.

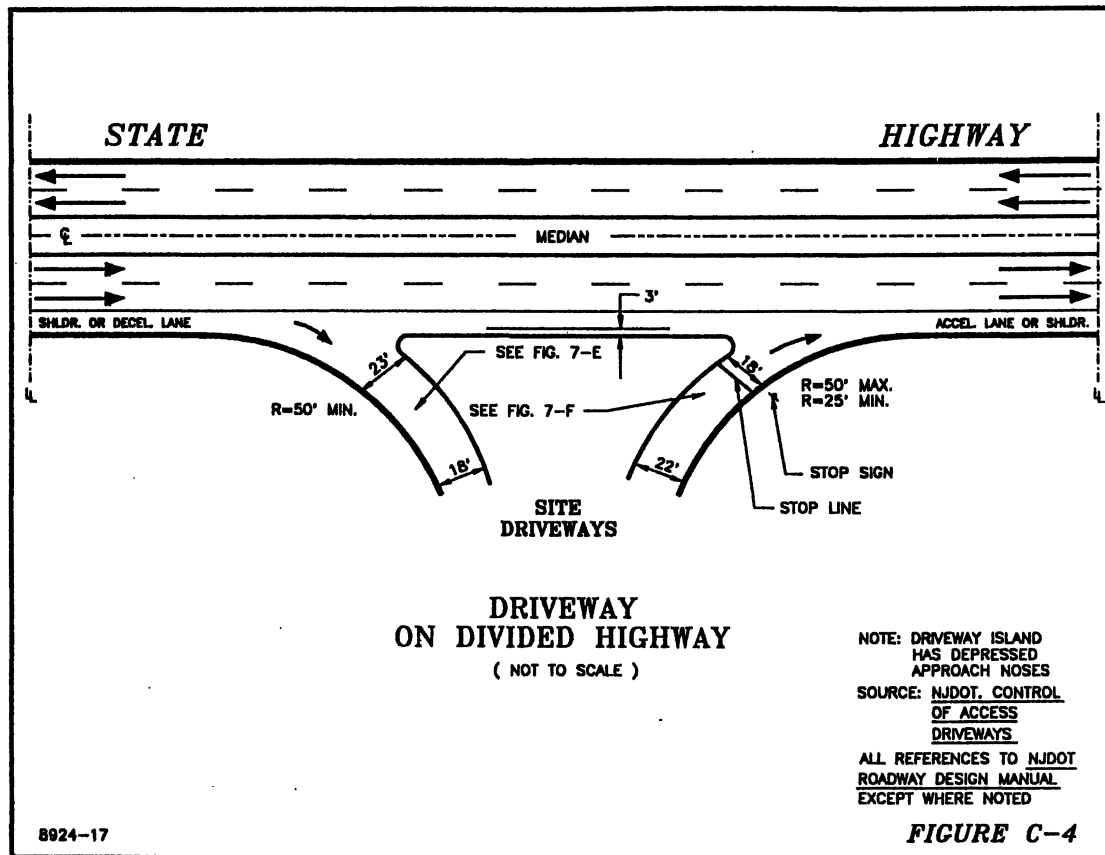
THE DEPARTMENT INTENDS TO REFINISH MEDIAN OPENINGS ON DIVIDED HIGHWAYS BY ELIMINATING THOSE NOT ASSOCIATED WITH APPROVED AND LEFT TURN LANES.

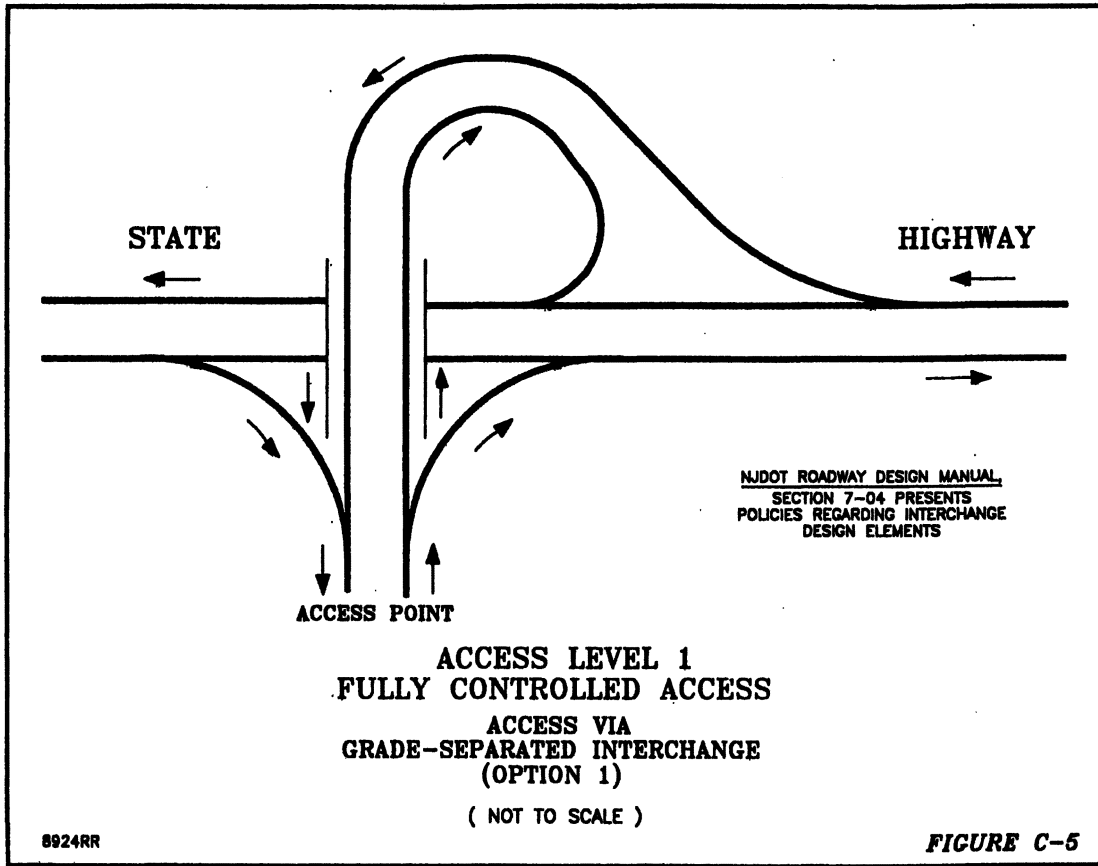
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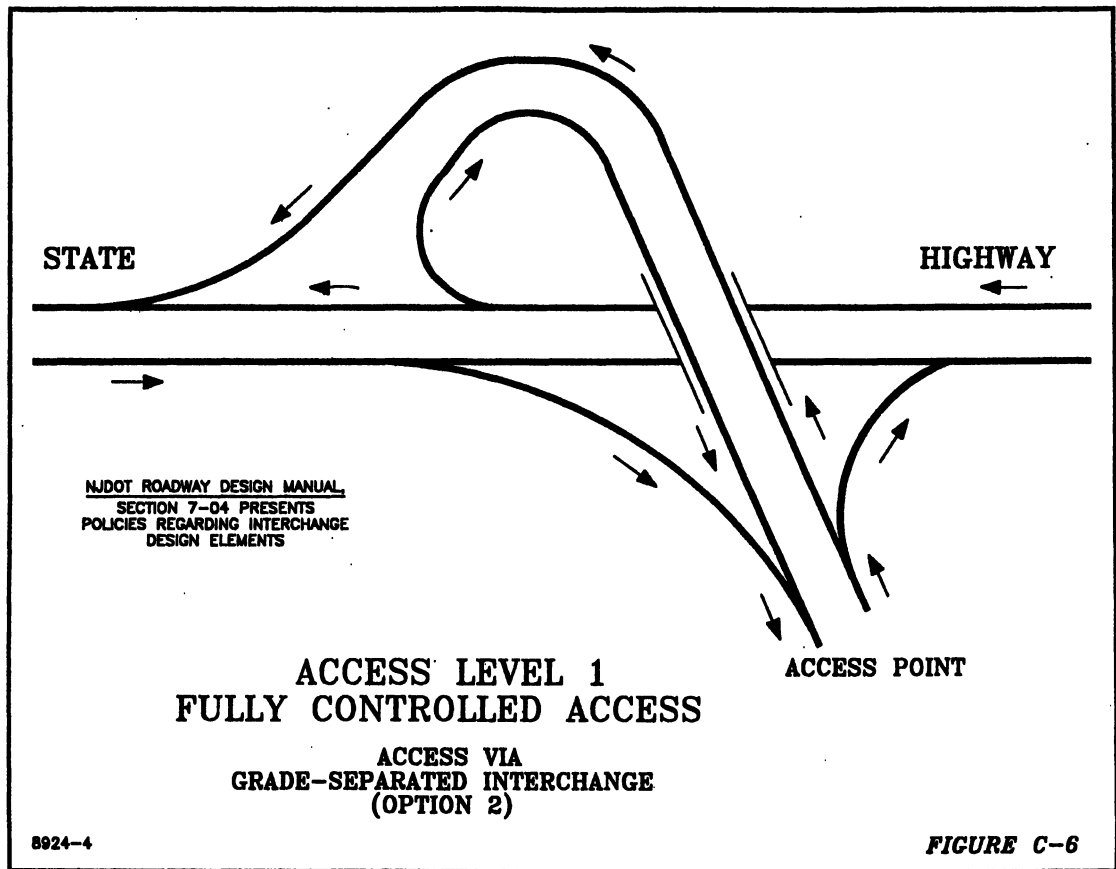
FIGURE C-1

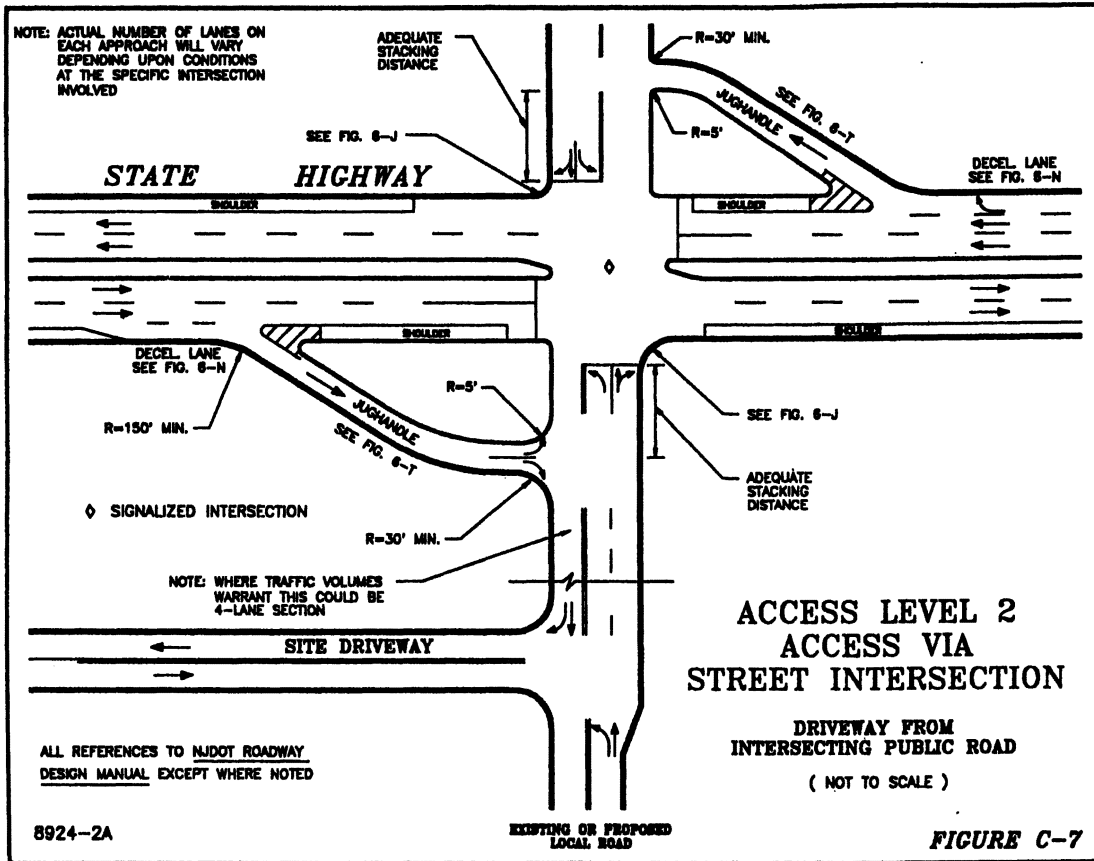


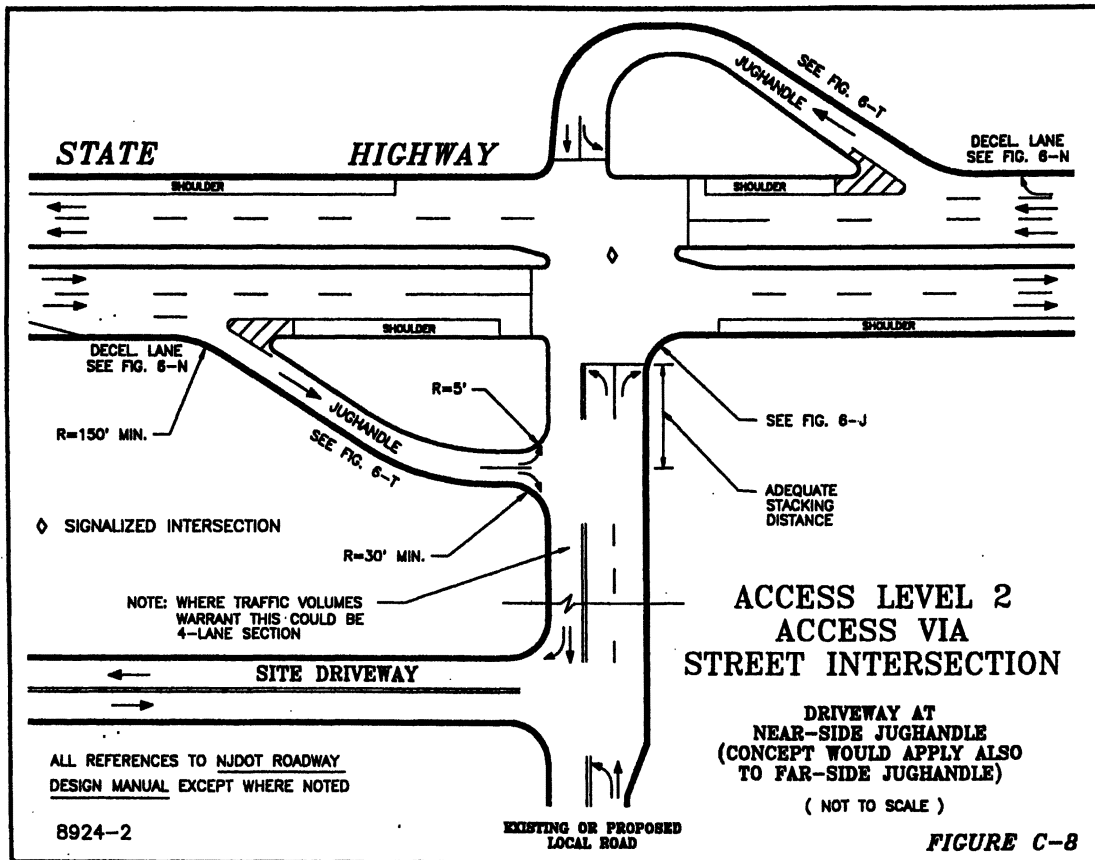


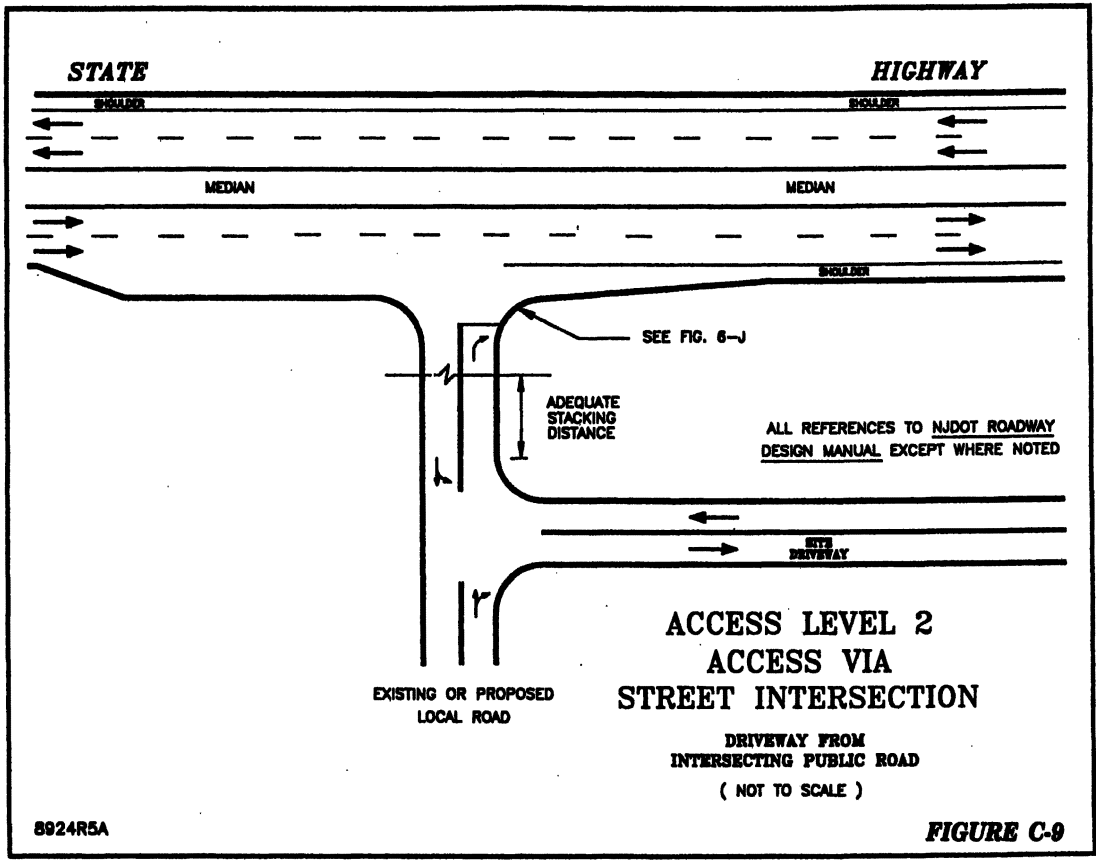


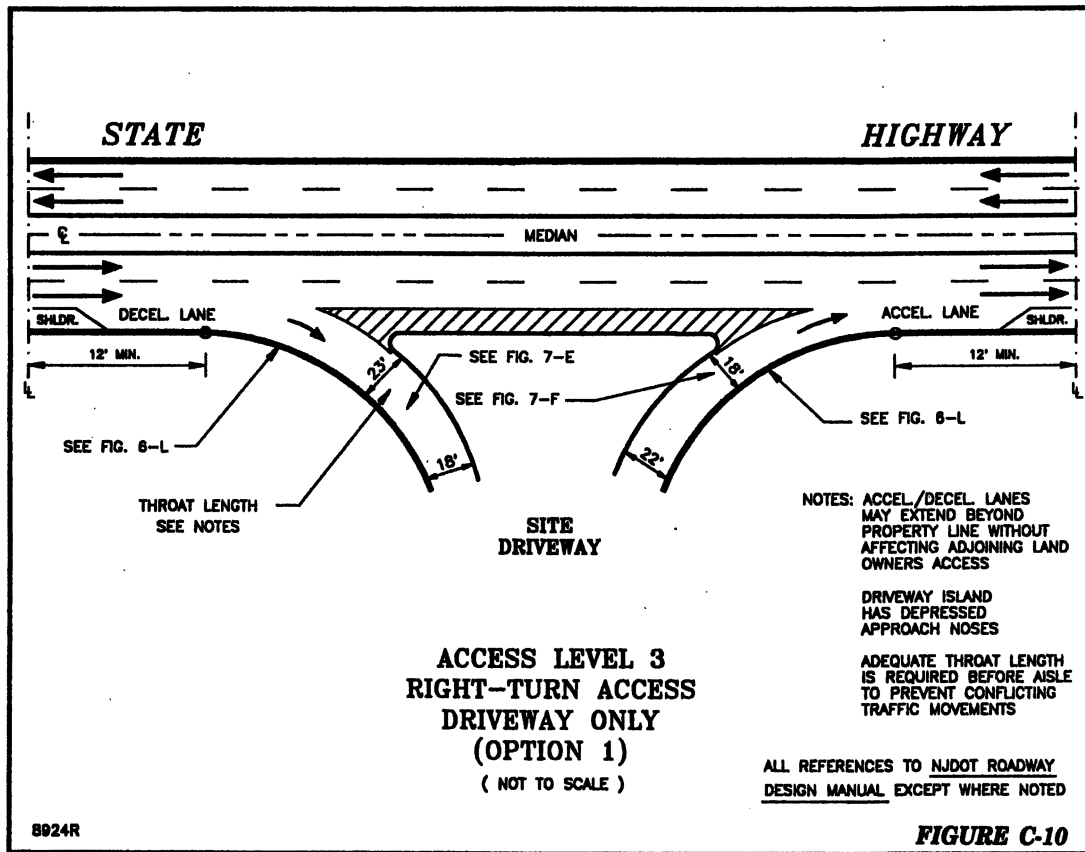


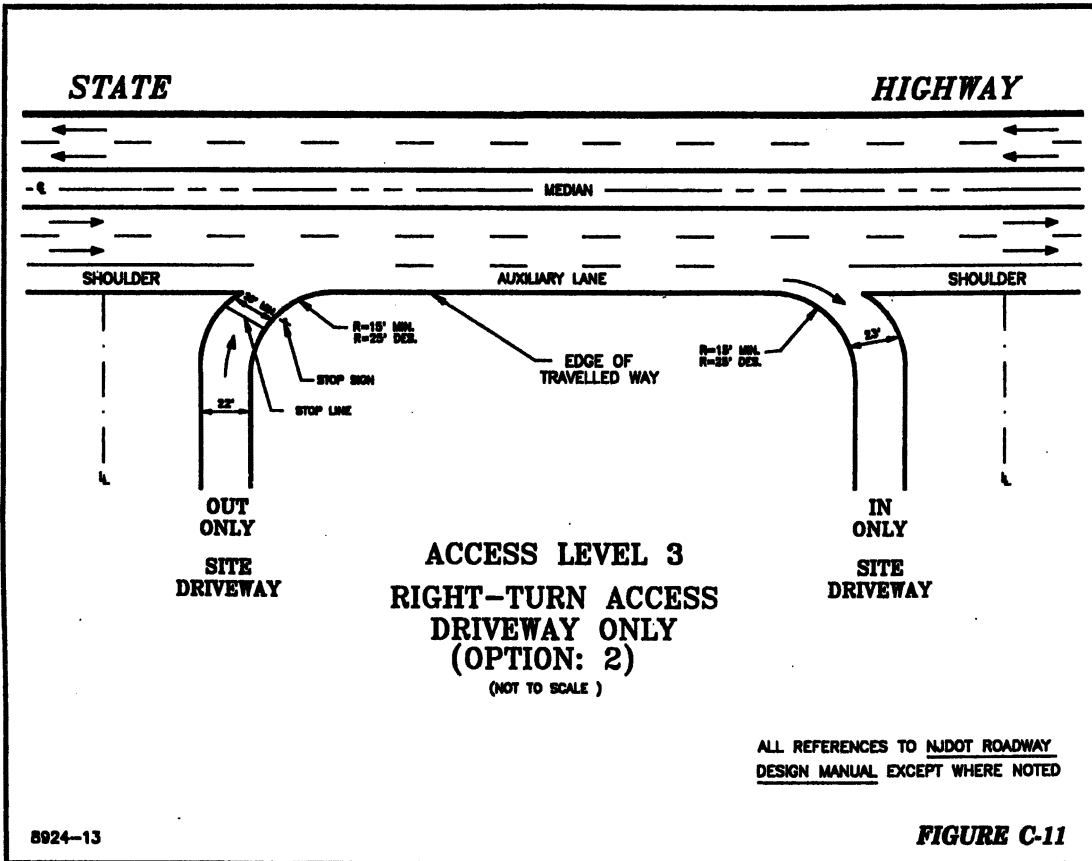


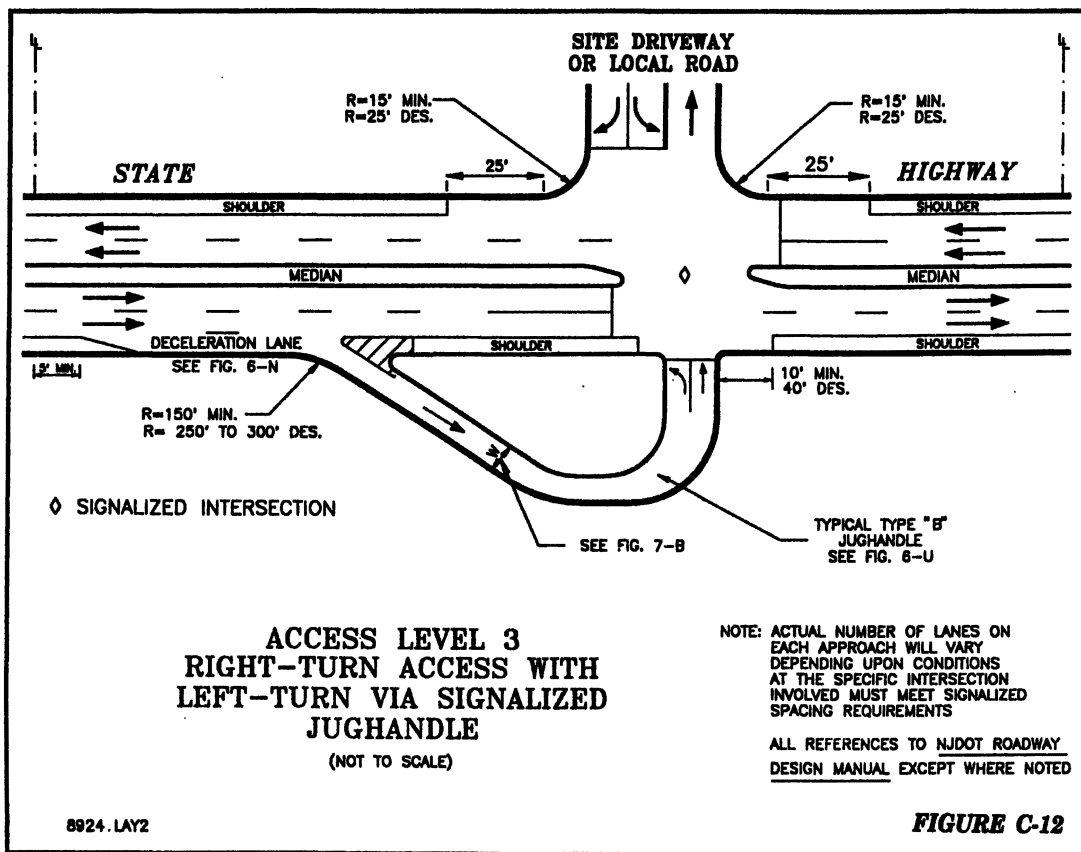


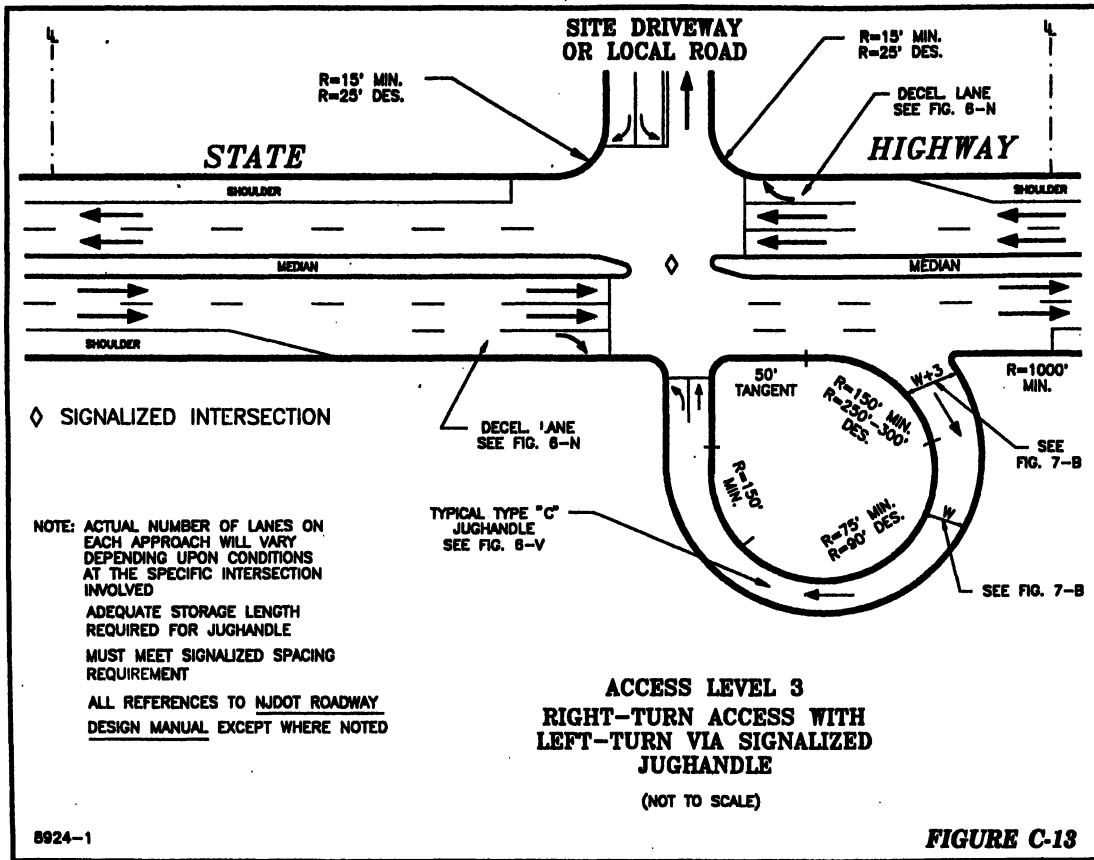


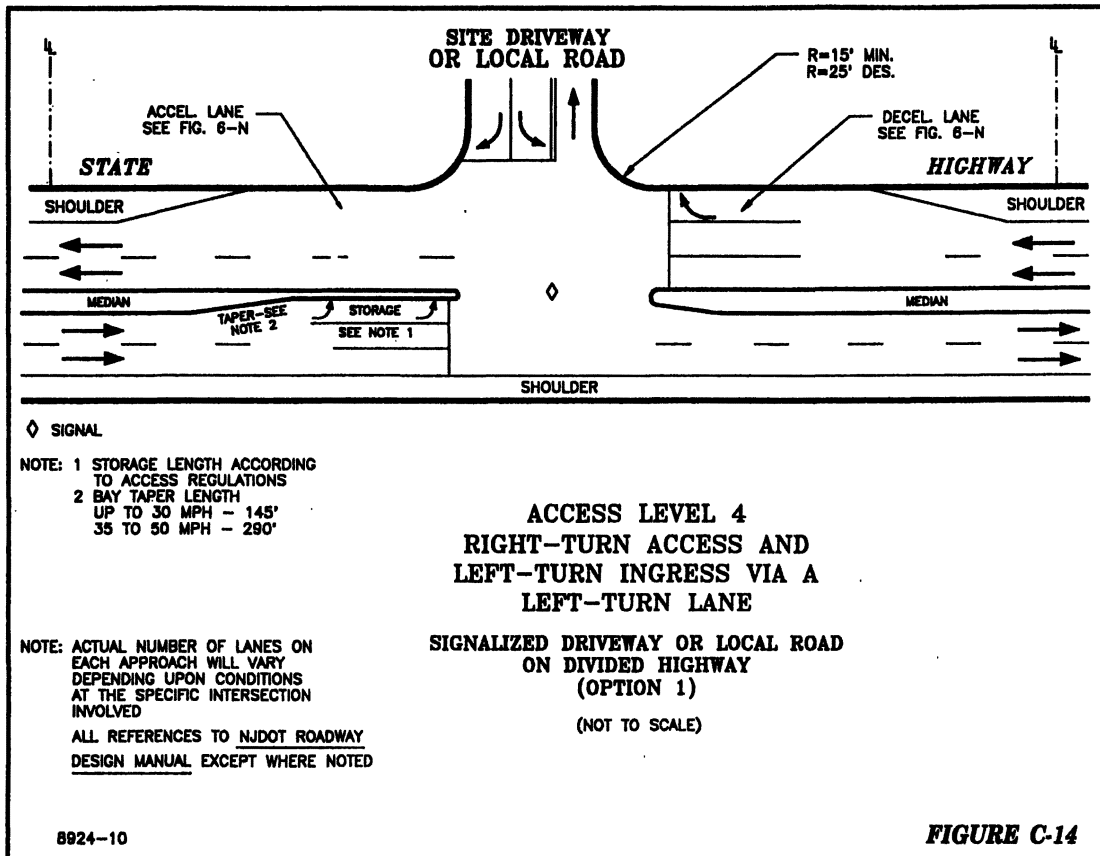


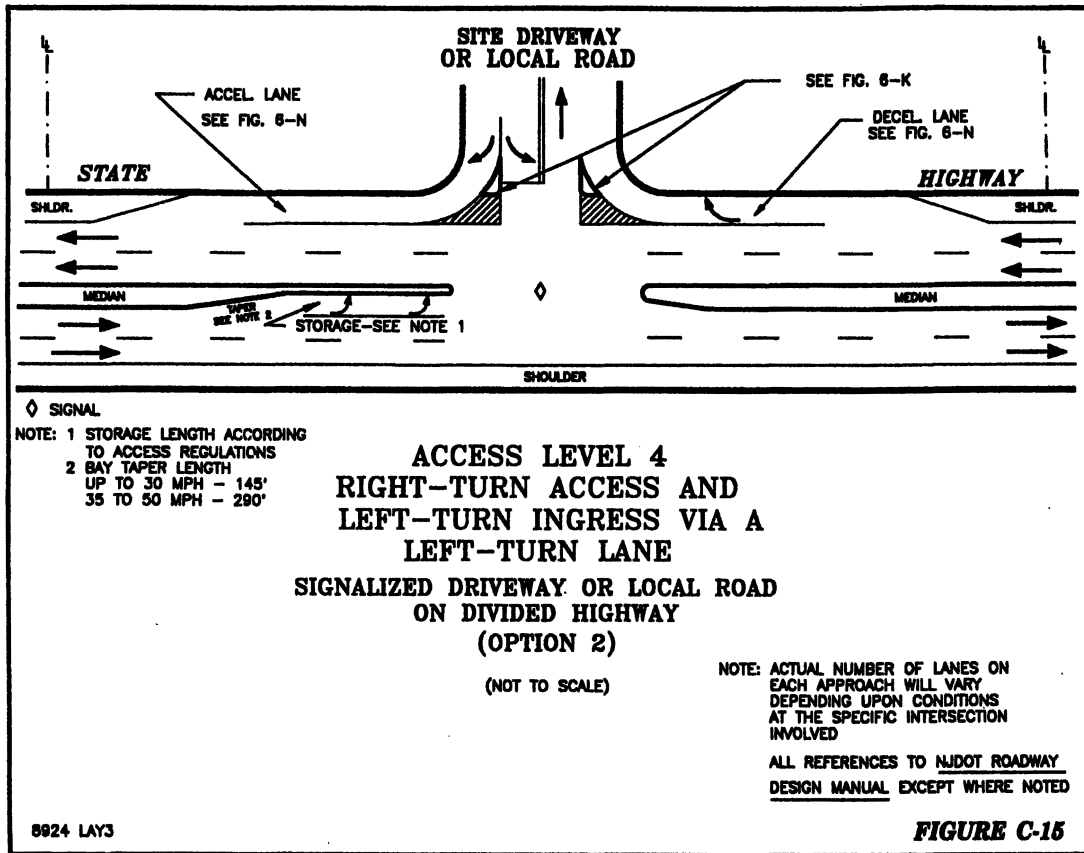












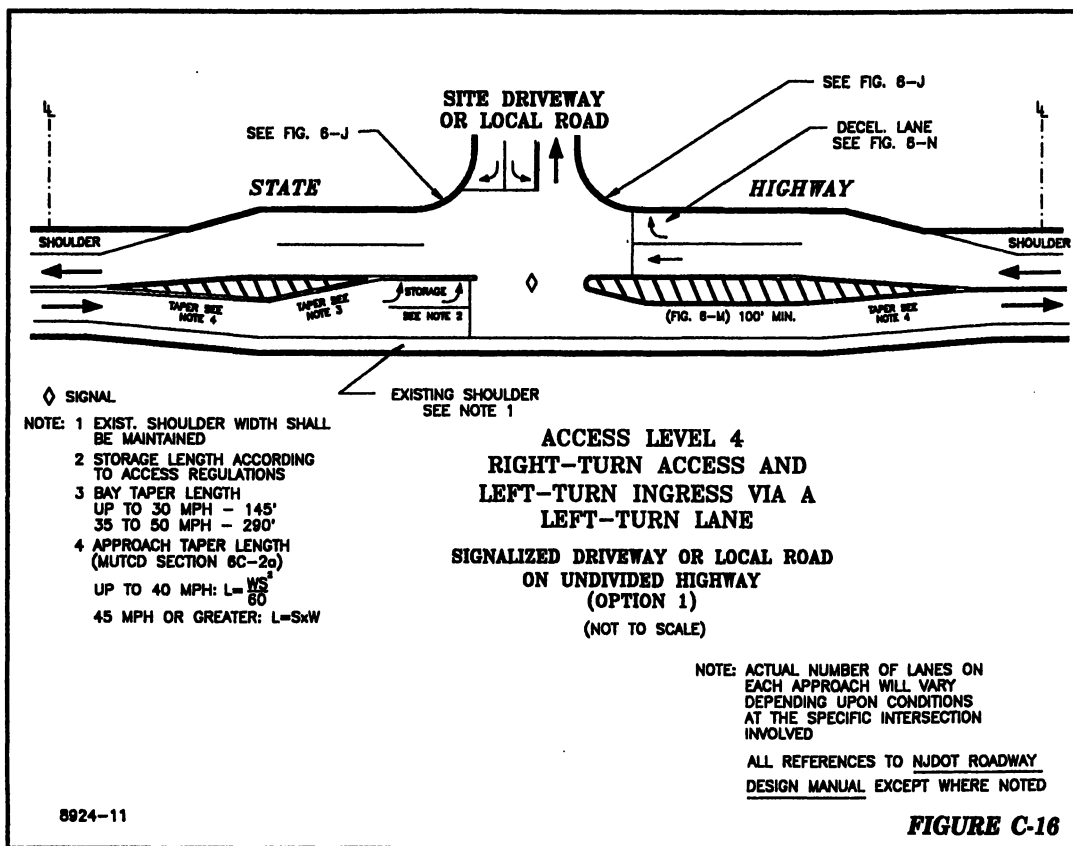
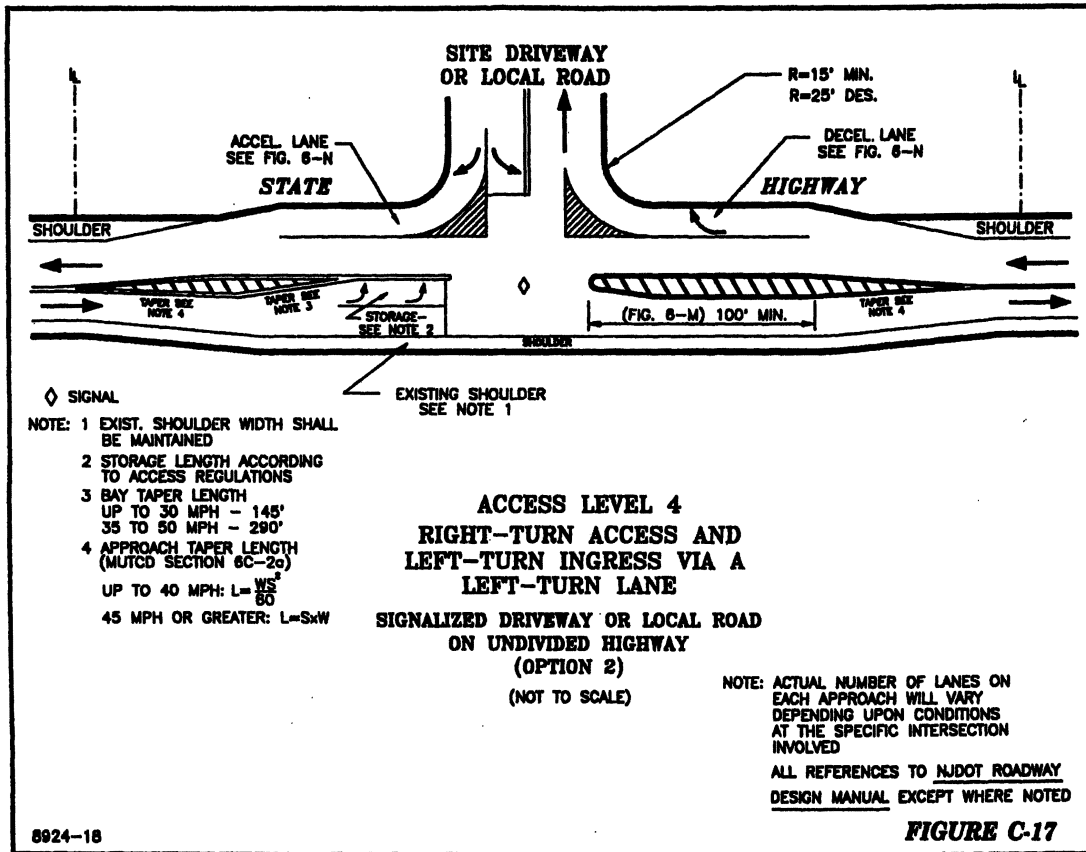
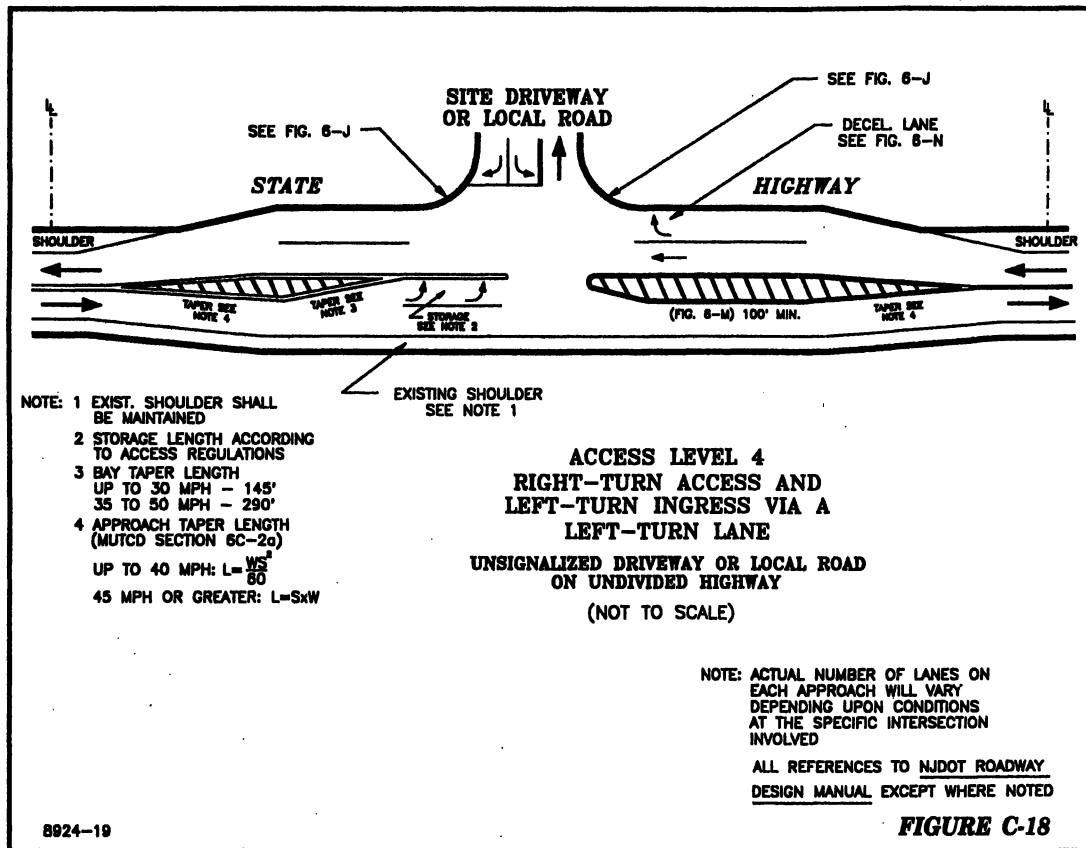
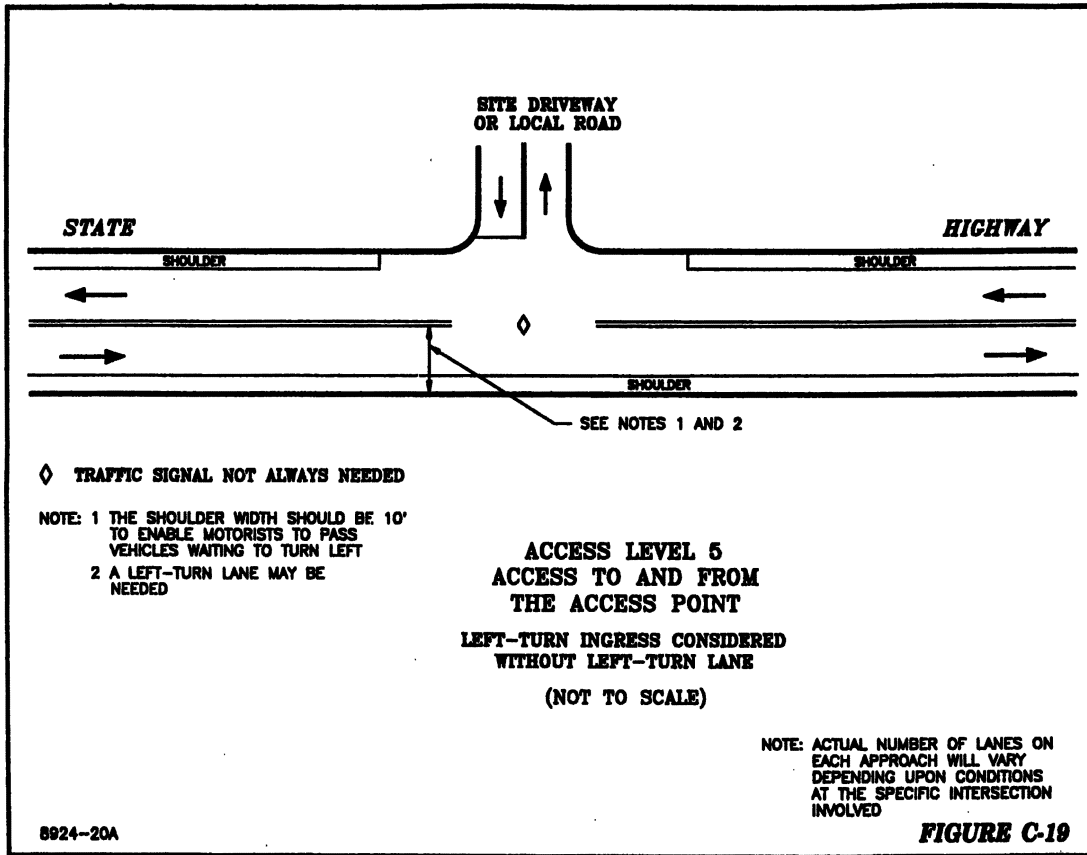


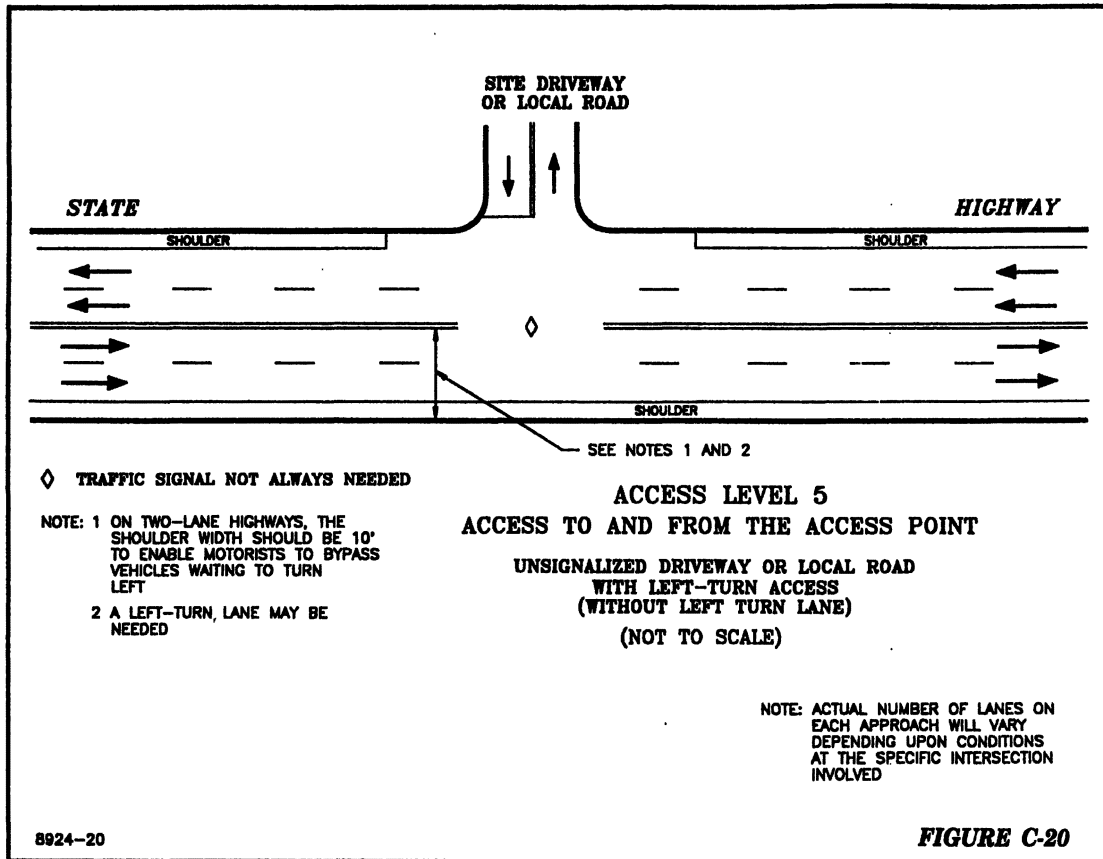
FIGURE C-16

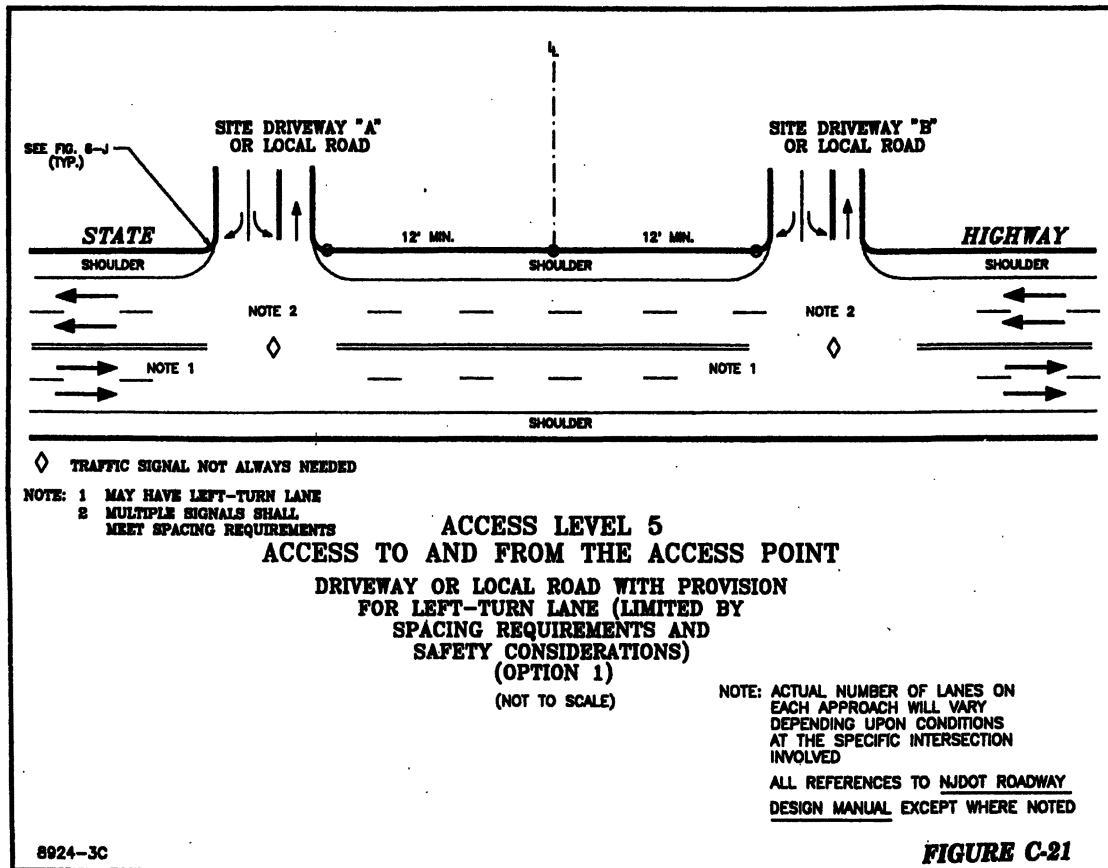


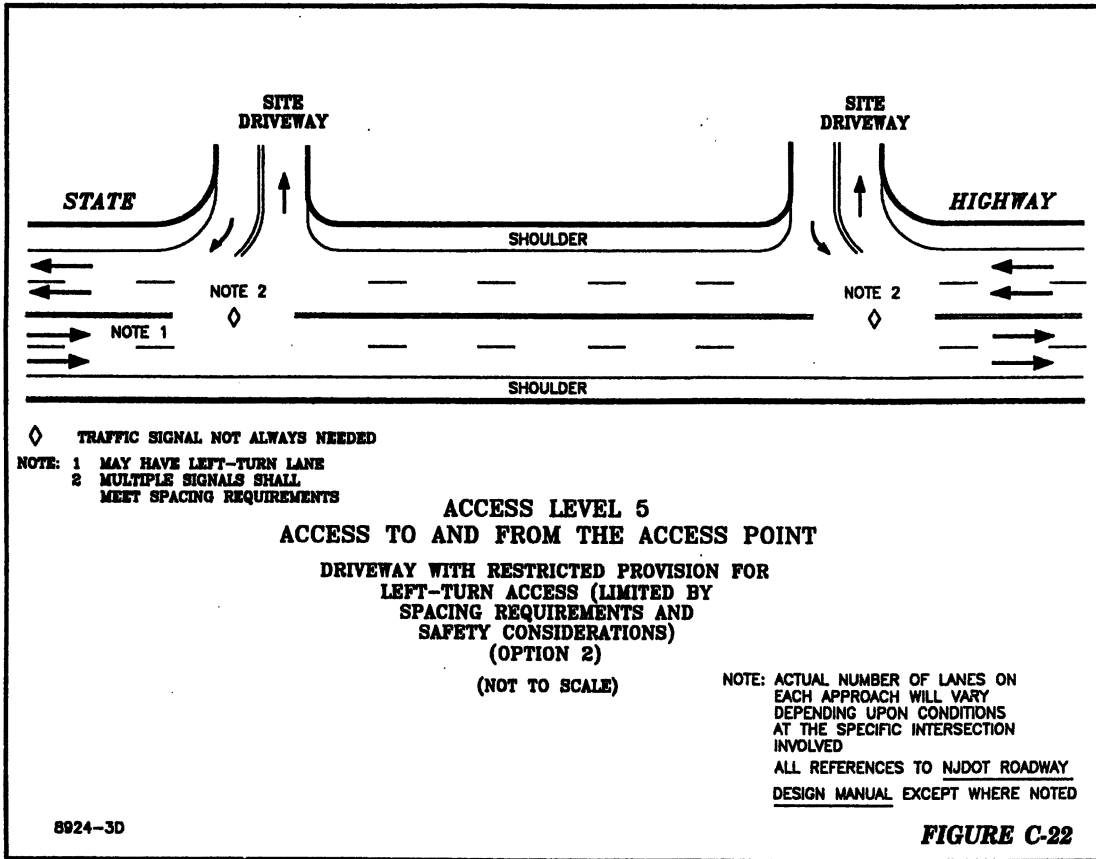


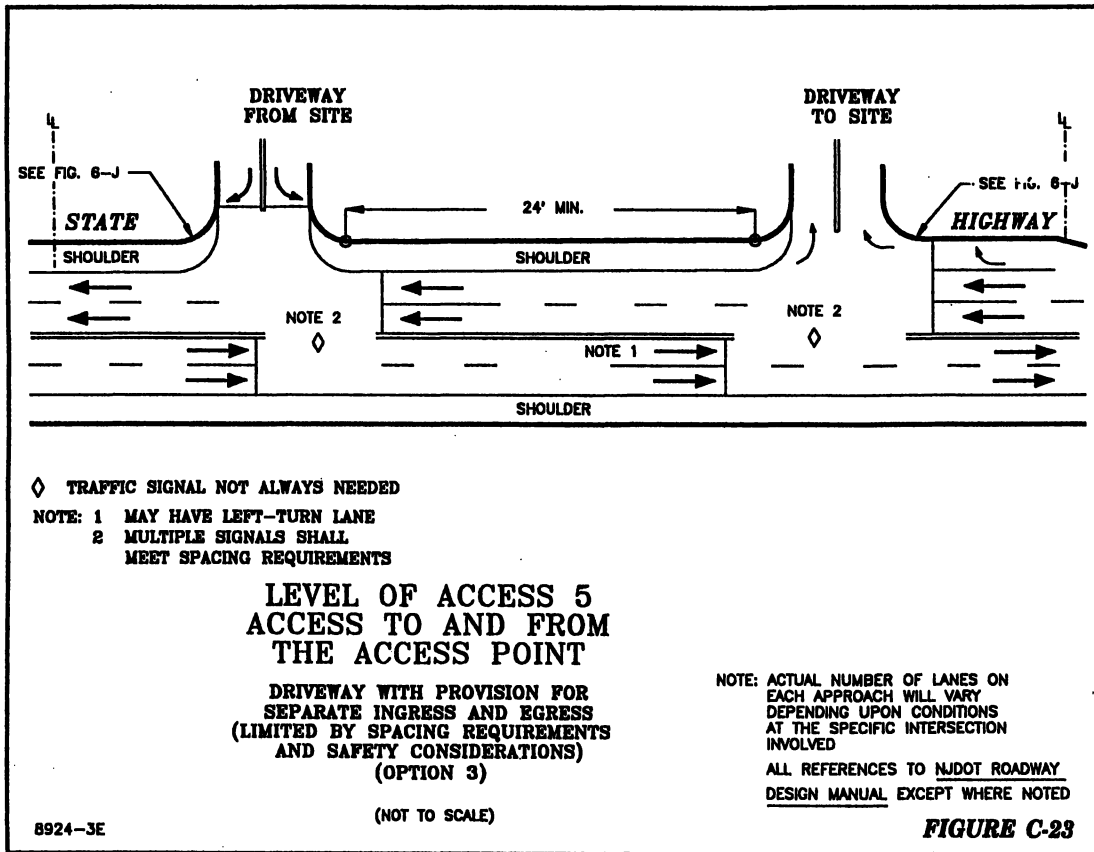


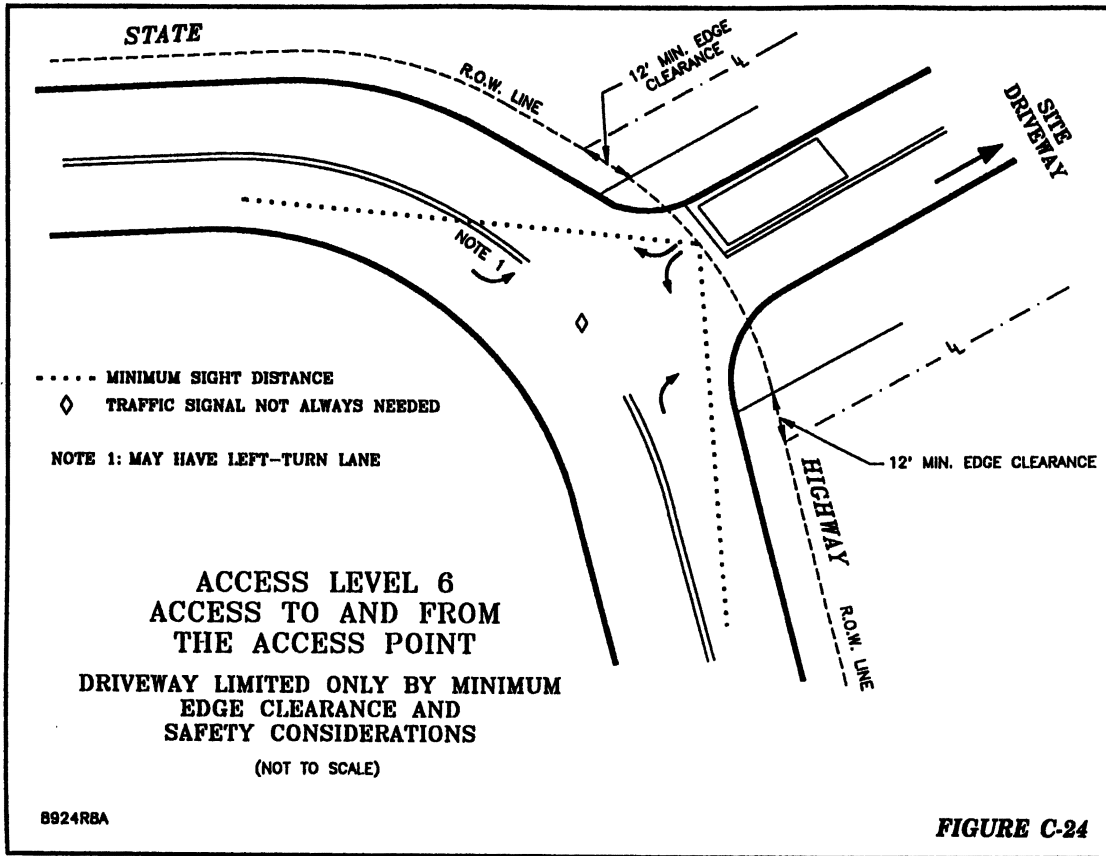
**FIGURE C-19**











Amended by R.1993 d.210, effective May 17, 1993.  
See: 25 N.J.R. 903(a), 25 N.J.R. 1990(a).  
Revised Figure C-3.

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

**APPENDIX D**

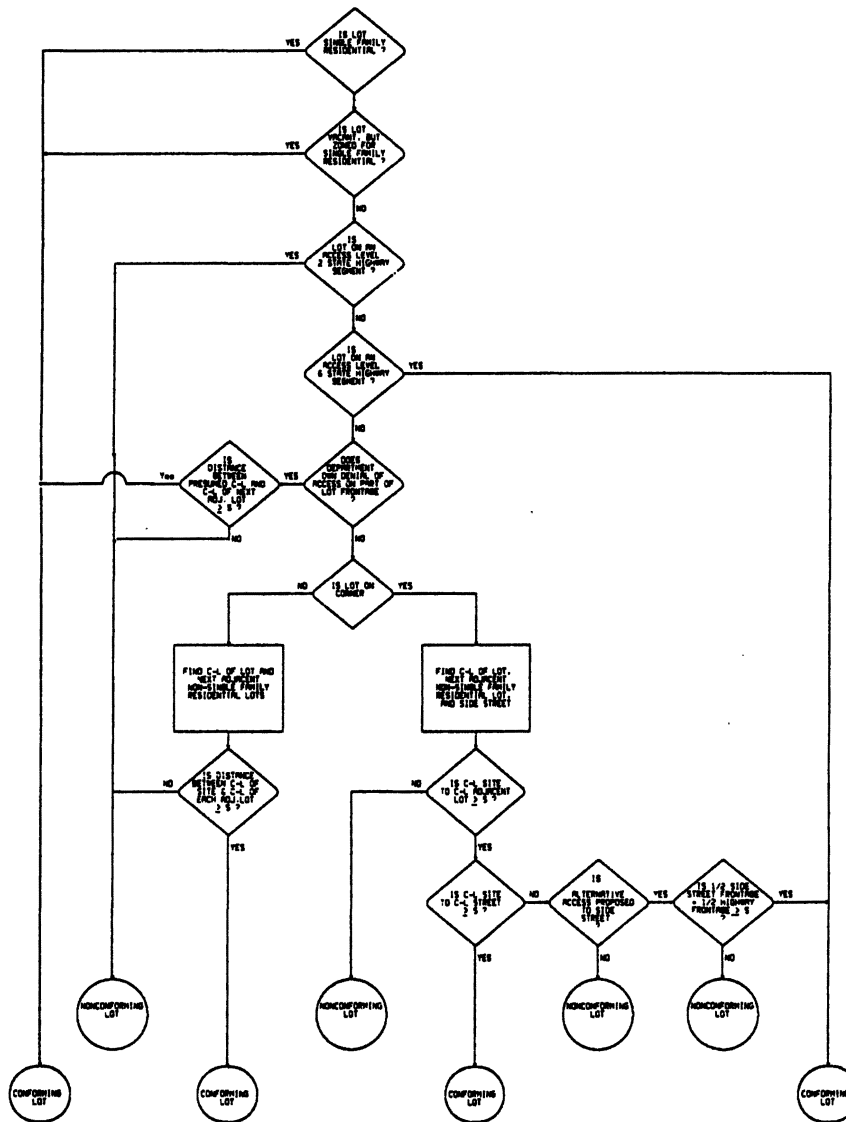
Spacing of Signalized Intersections for Various Progressive Speeds and Cycle Lengths

Cycle Length (sec.)	Speed (mph)						
	25	30	35	40	45	50	55
60	1,100	1,320	1,540	1,760	1,980	2,200	2,430

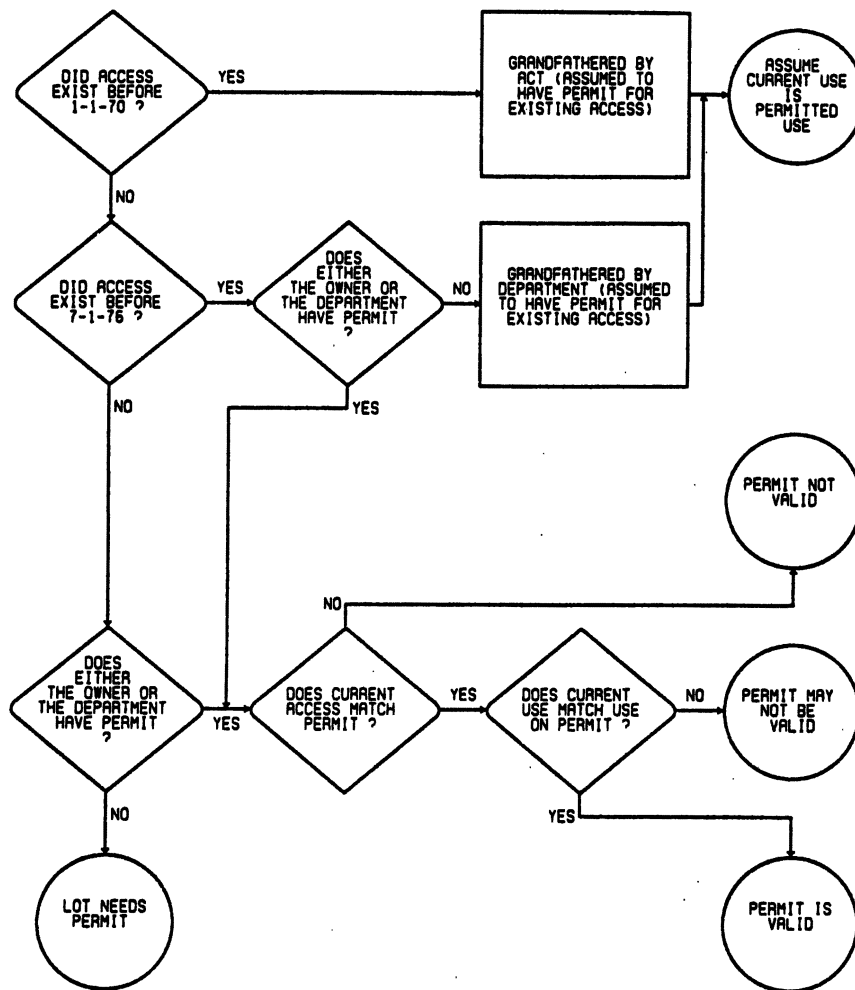
Cycle Length (sec.)	Speed (mph)						
	25	30	35	40	45	50	55
70	1,280	1,540	1,800	2,050	2,310	2,500	2,640
80	1,470	1,760	2,050	2,350	2,640	2,640	2,640
90	1,630	1,980	2,310	2,640	2,640	2,640	2,640
120	2,200	2,640	2,640	2,640	2,640	2,640	2,640
150†	2,640	2,640	2,640	2,640	2,640	2,640	2,640

† Represents maximum cycle length for actuated signal if all phases are fully used.

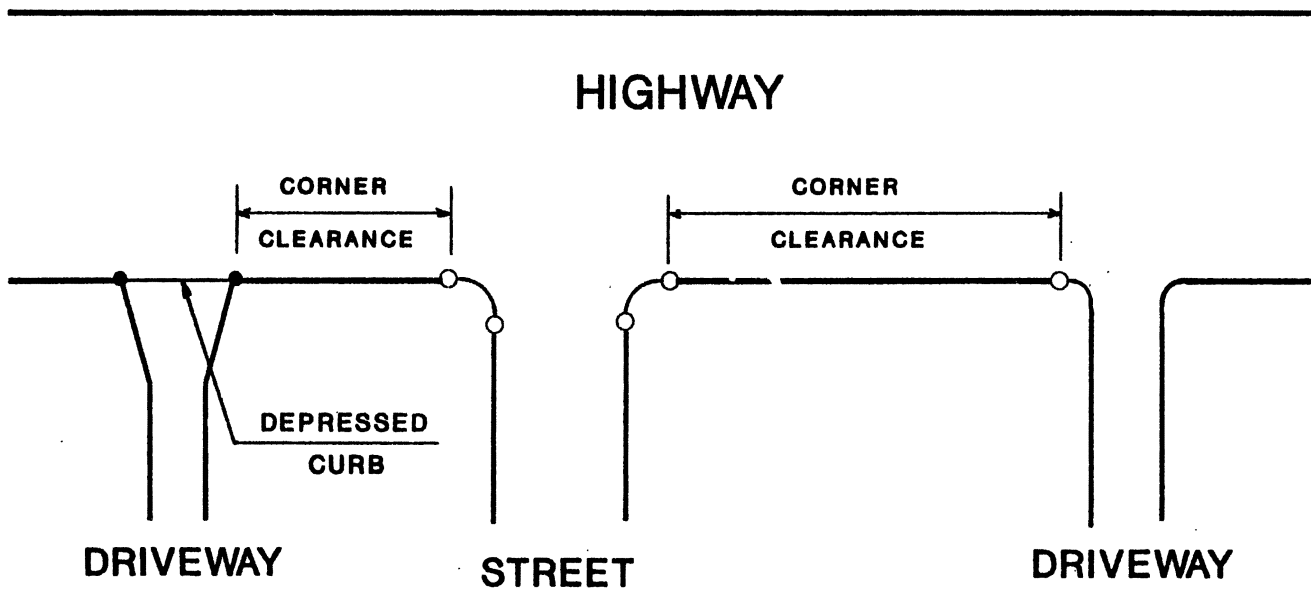
APPENDIX F  
FLOW CHART FOR DETERMINING LOT CONFORMANCE



### APPENDIX G GRANDFATHERING ACCESS PERMITS



APPENDIX K  
MEASURING  
CORNER CLEARANCE



APPENDIX L

(RESERVED)

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

Section was "Appendix L—LOS Standards for Signalized Intersections".



APPENDIX M-1

SAMPLE CAPACITY ANALYSIS SUMMARY TABLE  
INTERSECTION WITH TRAFFIC SIGNAL

MOVEMENT	YEAR NO-BUILD, NO IMPROVEMENTS						YEAR BUILD, NO IMPROVEMENTS					CHANGE IN DELAY OR V/C BY STANDARDS			YEAR BUILD WITH IMPROVEMENTS						CHANGE IN DELAY OR V/C BY STANDARDS					
	# LANES	VOLUME	GREEN TIME	V/C	DELAY	LOS	VOLUME	GREEN TIME	V/C	DELAY	LOS	ALLOWED	COMPUTED	EXCEEDED	# LANES	VOLUME	GREEN TIME	V/C	DELAY	LOS	ALLOWED	COMPUTED	EXCEEDED			
NORTHBOUND																										
LEFT																										
THROUGH																										
RIGHT																										
OVERALL																										
SOUTHBOUND																										
LEFT																										
THROUGH																										
RIGHT																										
OVERALL																										
EASTBOUND																										
LEFT																										
THROUGH																										
RIGHT																										
OVERALL																										
WESTBOUND																										
LEFT																										
THROUGH																										
RIGHT																										
OVERALL																										

INAPPROPRIATE COLUMNS MAY BE OMITTED. SIMILARLY, THE COLUMNS HEADED "BUILD, NO IMPROVEMENTS" CAN BE OMITTED IF THE APPLICANT PROPOSES THAT THE EXISTING HIGHWAY CONFIGURATION WILL NOT EXIST FOR THE BUILD YEAR OF THE SITE. SCENARIOS SHOWING CONFORMANCE TO LOS STANDARDS SHALL BE SUPPLIED EVEN IF THE APPLICANT DOES NOT SUPPORT THESE SCENARIOS. SCENARIOS WHICH THE APPLICANT DOES SUPPORT SHALL ALSO BE SUPPORTED. ROADS FOR MOVEMENTS THAT DO NOT AND WILL NOT EXIST SHALL BE OMITTED. ADDITIONALLY, TRAFFIC SIGNAL SPACING ANALYSIS PER R.J.A.C. 16:47-4.21 MAY ALSO BE REQUIRED.

APPENDIX M-2

SAMPLE CAPACITY ANALYSIS SUMMARY TABLE  
UNSIGNALIZED INTERSECTION

	YEAR NO IMPROVEMENTS				YEAR BUILD				CHANGE IN RESERVE CAPACITY BY STANDARDS			YEAR WITH IMPROVEMENTS				CHANGE IN RESERVE CAPACITY BY STANDARDS		
	MOVEMENT	# LANES	VOLUME	RESERVE CAPACITY	LOS	VOLUME	RESERVE CAPACITY	LOS	ALLOWED	COMPUTED	EXCEEDED	# LANES	VOLUME	RESERVE CAPACITY	LOS	ALLOWED	COMPUTED	EXCEEDED
NORTHSOUTH	LEFT																	
	THROUGH																	
	RIGHT																	
SOUTHSOUTH	LEFT																	
	THROUGH																	
	RIGHT																	
EASTSOUTH	LEFT																	
	THROUGH																	
	RIGHT																	
WESTSOUTH	LEFT																	
	THROUGH																	
	RIGHT																	

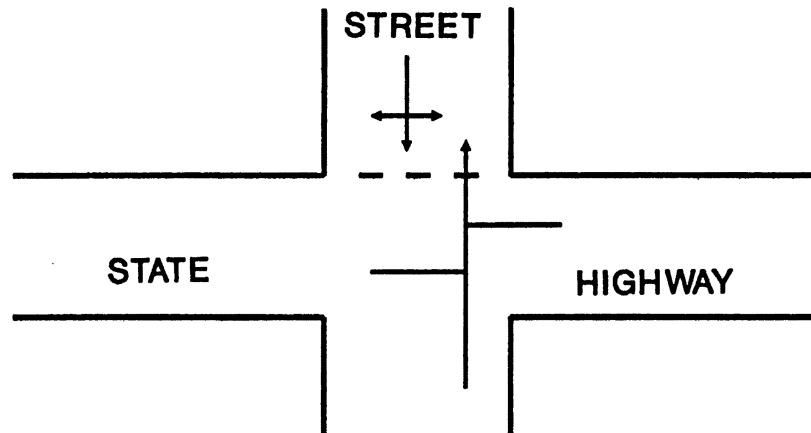
INAPPROPRIATE COLUMNS MAY BE OMITTED. SIMILARLY, THE COLUMNS HEADED "BUILD, NO IMPROVEMENTS" CAN BE OMITTED IF THE APPLICANT PROPOSES THAT THE EXISTING HIGHWAY CONFIGURATION WILL NOT EXIST FOR THE BUILD YEAR OF THE SITE. SCENARIOS SHOWING PERFORMANCE TO LOS STANDARDS SHALL BE SUPPLIED EVEN IF THE APPLICANT DOES NOT SUPPORT THESE SCENARIOS. SCENARIOS WHICH THE APPLICANT DOES SUPPORT SHALL ALSO BE SUBMITTED. SOME MAY BE FILLED IN N/A FOR NOT APPLICABLE CONDITIONS. SCENARIOS WHICH THE APPLICANT DOES SUPPORT SHALL ALSO BE SUBMITTED. SCENARIOS FOR MOVEMENTS THAT DO NOT AND WILL NOT EXIST SHALL BE OMITTED.

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

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

Redesignated Appendices N-1 and N-2 as M-1 and M-2.

## APPENDIX N

STREET INTERSECTION AND IMPROVEMENT  
PERMIT APPLICATIONS

**NEW STREET:** All traffic to and from a proposed street is considered in determining the type of permit application.

**WIDENING EXISTING STREET OR STREET IMPROVEMENT:** All additional traffic to and from the existing street is considered in determining the type of permit application.